

**Elizabeth Township
Board of Commissioners
Monday, October 3, 2016
Commissioners' Meeting**

Call to Order

Pledge of Allegiance & Moment of Silence

Roll Call

Commissioner Similo – Present
Commissioner Saxon – Present
Commissioner Kuzma – Present
Commissioner Beckowitz – Present
Commissioner Blake – Present
Commissioner Evans – Present
President Rhoderick – Present

Executive Session Acknowledgement: Solicitor Racunas acknowledges that there was an executive session held prior to the meeting to discuss personnel and litigation items.

Announcements:

Halloween Parade will be held on Saturday, October 29, 2016 at 1pm, line up will start at 12:30pm. Parade will begin at the Elizabeth Forward Middle School and end at the Municipal Building on Rock Run Road. Immediately after the parade a costume contest will be held by the commissioners in attendance. Children will then walk back to middle school for a Trunk or Treat hosted by the PTO.

Trick or Treat will be held on Monday, October 31, 2016 from 6-8pm.

Presentation: Chris Dell of Elizabeth Township EMS presents that ETA EMS has received the cardiac care award from the American Heart Association, 1 of only 10 in Allegheny County. ETA EMS sought out to be nationally accredited in 2007 which is a voluntary process. There are less than 200 accredited Emergency Medical Services in the country and ETA EMS has been reaccredited 3 times for their safety, quality, personnel & care.

Reports:

Code Enforcement – The Taylor Family will be hosting the St. Jude Pumpkin Bowl which is taking place at Industry Field on Saturday, October 15, 2016. John Snelson asks to waive the fee for field use for St. Jude's

- **Motion to waive fee for field use for St. Jude's Pumpkin Bowl at Industry Field on Saturday, October 15, 2016.**

1st Motion President Rhoderick

Second Commissioner Beckowitz

All in Favor: **Motion Carries**

Girl Scout Troop 50049 are continuing work on their projects previously approved by the Board of Commissioners. The Sea Cadets have been painting Building 1 at the Community Center. They are getting themselves ready to move in to the building. They are looking into additional future projects. The two Brown properties have been cleaned up with help by the Solicitor. Commissioner Similo comments on forgiving back taxes. Solicitor Racunas states that Allegheny County offers a Vacant Property Recovery Program for properties that are vacant and tax delinquent. There is a reduced cost if the property is not adjacent. President Rhoderick directs Solicitor Racunas to investigate the possibility of forgiving back taxes on properties. President Rhoderick states that most of the taxes are on the school district side, the township can only forgive real estate taxes & sewage.

- **Motion to direct Solicitor Racunas to investigate the possibility of forgiving back taxes on properties to get them back on the tax roll.**

1st Motion Commissioner Similo

Second Commissioner Kuzma

All in Favor: **Motion Carries**

Sea Cadets would like to rename Building 1 at the Community Center after a former Sea Cadet Navy Seal who was killed in action in Afghanistan, Cadet Nicholas Ciochi. Solicitor Racunas asks that the Sea Cadets submit something formally to request the name change with a summary of his life achievements. John Snelson also relays that the Sea Cadets would like the Board's permission to look into installing a 10-20 station fitness trail to be used at the Community Center that would be open to anyone that would like to use it all at no cost to the Township. President Rhoderick states that they can absolutely look into it.

Engineer – Bryan Churilla states that after the 2016 Paving Program was completed that the contractor came back to the site to do backfill, topsoil, and mulch.

- **Motion to recommend payment to El Grande Industries for pay application #3 in the total amount of \$25,866.05 for backfill for the 2016 Paving Program.**

1st Motion President Rhoderick

Second Commissioner Beckowitz

All in Favor: **Motion Carries**

Bob Robertson approached a property owner on Dennis Drive and the owner was okay with the property agreement and said he would sign it. Solicitor Racunas has not received the signed agreement in the mail yet. Bryan Churilla states that the next step would be to advertise the project contingent upon receiving the signed property agreement.

- **Motion to advertise the Dennis Drive Project contingent upon receiving the last needed signed property agreement.**

1st Motion Commissioner Similo

Second Commissioner Beckowitz

Commissioner Similo – Yes

Commissioner Saxon – No

Commissioner Kuzma – Yes

Commissioner Beckowitz – Yes

Commissioner Blake – Yes

Commissioner Evans – Yes

President Rhoderick – Yes

6:1, **Motion Carries**

Bryan Churilla states that last month KLH was directed to look in to options for Chapel Drive and they are almost done with those specs. It will be advertised for bid this week. Penneman Drive is something that Bryan Churilla does not believe will have to be bid out. There was some storm water drainage issues. The owner at 112 Weigles Hill Road claims that excess runoff was flooding their yard. Bob Robertson looked at it and does not believe there are any drainage issues, there is a culvert behind the property that has a lot of sentiment in it. If the Board wishes to help by pulling out some of the sentiment that is the only obligation the Township would have. Solicitor Racunas would draft a right of entry agreement. Addressing drainage issues on Turkeyfoot Road, sentiment needs pulled out of drains. Schweitzer Road retaining wall project has been out there for some time. John Castine has worry that the condition of the wall is getting worse. The Board should decide how to move forward. Commissioner Similo asks in regards to the Act 537 Plan and has spoken to engineers who have said that is the worst way the Township can go. Bryan Churilla states that there could be a slight costs savings going to McKeesport. Bryan Churilla states that the agreement is that they will take 17.5. The original contract needs renegotiated. When McKeesport designed their system, they designed it for that flow agreement. We need them so say yes we accept a larger flow amount or they would ask that we help pay to upgrade the facilities. If you send more, they didn't design for it. Commissioner Similo asks if there is 20% in the Act 537 Plan for engineering costs. Commissioner Similo states that other Act 537 Plans were only 5%.

Solicitor – Attended Brown hearing with John Snleson and is happy to have completed a consent order. Spoke with Dennis from Veolia about the meter readings. Worked with Bryan Churilla on the vacations of Highlands and Lake. Solicitor Ranucas asks Chief Kerestes to speak about accepting Forward Township's Data Master that they received on a grant that they are no longer using. All they ask is that Forward Township have access to use it should they ever get another officer trained to do so. This will save Elizabeth Township between \$8,300.00 and \$10,000.00. Since there is no expenditures involved, a motion doesn't need to be made.

Citizens to address AGENDA items only:

Megan McDonough – In regards to ordinance, why are there no minimum setback requirements? Solicitor Racunas states that there are not any specific setbacks. Megan McDonough states that other municipalities that have started drafting pipeline ordinances have included minimum setback requirements for uniform protection for all residents. Solicitor Racunas states that this concern is addressed, just at a different part of the procedure. Megan McDonough then asks what's the complaint procedure? Solicitor Racunas states that it would go back to the Zoning Hearing Board. Residents would state that something was not compliant with the original application. Residents would issue a stop work if there was a lack of compliance. Megan McDonough asks about the exception clause. Solicitor Racunas states that if a pipeline has been decommissioned, the exception clause does not apply. To update or replace a line, this can be done as long as there is no addition or expansion, only maintenance. Megan McDonough asks that the ordinance be tabled.

- **Motion to table the motion to adopt an ordinance of Elizabeth Township, County of Allegheny, Commonwealth of Pennsylvania regulating the construction and location of pipelines within Elizabeth Township.**

1st Motion Commissioner Saxon

Second Commissioner Beckowitz

All in Favor: **Motion Favors**

Butch Anthony – Asks if it would be better to make a zoning amendment to the code on pipeline placements. When talking about conditional use, that is procedural to a zoning ordinance. If there are setbacks like 50 feet, that is a zoning issue for the Zoning Hearing Board. Solicitor if you wanted to do a zoning amendment, you could. Butch Anthony asks if there was a public hearing and Solicitor Racunas responds no because it is not an amendment to a zoning ordinance. Solicitor Racunas states that you do not have to hold a public hearing to adopt a regular ordinance. Butch Anthony states that it should be in a zoning ordinance because it is a land use.

Ordinance: A motion to adopt an ordinance of Elizabeth Township, County of Allegheny, Commonwealth of Pennsylvania regulating the construction and location of pipelines within Elizabeth Township. ** TABLED

Items for Consideration:

1. **Motion to approve the Commissioner Meeting Minutes from September 19, 2016.**

1st Motion Commissioner Beckowitz

Second Commissioner Kuzma

All in Favor: Motion Carries

2. **Motion to approve the October 3, 2016 Bill Warrant in the amount of \$103,978.74 which includes \$1,513.74 for Sanitary Department payroll that will be reimbursed from Sanitary Funds.**

1st Motion Commissioner Beckowitz

Second Commissioner Blake

All in Favor: Motion Carries

3. **Motion to approve the Sanitary Fund October 3, 2016 Bill Warrant in the amount of \$91,600.18.**

1st Motion Commissioner Beckowitz

Second Commissioner Kuzma

All in Favor: Motion Carries

4. **Motion to approve an additional \$10,000.00 cap to Attorney George Gobel for the exploration of the sale of the Elizabeth Township Sanitary System.**

1st Motion Commissioner Kuzma

Second Commissioner Beckowitz

All in Favor: Motion Carries

5. **Motion to authorize payment in the amount of \$257.10 for K9 related expenses out of the K9 Donation Fund.**

1st Motion Commissioner Beckowitz

Second Commissioner Evans

All in Favor: Motion Carries

All in Favor: **Motion Carries**

15. Motion to enter into agreement with Direct Energy for a 12 month fixed rate at 6.19 cents per kwh. *Note- current rate is 6.99 cents per kwh.*

1st Motion Commissioner Similo

Second Commissioner Beckowitz

All in Favor: **Motion Carries**

16. Motion to authorize the signing of the amended Veolia Water North America Operation and Maintenance Agreement adding the reading of deduct water meters as requested on a quarterly basis to the scope of work.

1st Motion Commissioner Similo

Second Commissioner Kuzma

All in Favor: **Motion Carries**

17. Motion to authorize WTAE to use the images of Elizabeth Township from the Township Website and Facebook Page for Ashley's Neighborhood Forecast segment. *Note- Meteorologist Ashley Dougherty will showcase different neighborhoods every day during her morning forecasts.*

1st Motion Commissioner Beckowitz

Second Commissioner Evans

All in Favor: **Motion Carries**

Citizens to address items:

Joe Jones: Had his question answered earlier during the meeting.

Pat Talevena: Thanks the Board & Solicitor Racunas.

Ronald Maurer: States that Swiss Alpine Village was built on residential property. Commissioner Beckowitz responds that the Board would have relied on the Building Inspector at that time. Ron Maurer moves on to state that he wants 280 feet of his driveway paved. Solicitor Racunas states that private streets that have been accepted by the Township as private driveways. The Township was plowing and causing damage to the streets so they decided to repair the damage and take the streets over. The issue with Ron Maurer's driveway is that there is no plowing or maintenance going on currently by the Township. Bryan Churilla states that if Ron Maurer wanted the Township to adopt that as a public roadway, there are requirements. It was decided from that point forward the Township would no longer take over private driveways as public roadways. Ron Maurer states that the shopping center should have never happened.

Motion to Adjourn:

1st Motion Commissioner Beckowitz

Second Commissioner Evans