

Elizabeth Township
Board of Commissioners
Monday, March 21, 2016
Commissioners' Workshop Meeting

Call to Order

Pledge of Allegiance & Moment of Silence

Roll Call - President Rob Rhoderick convened the Meeting of the Elizabeth Township Board of Commissioners at 7:00 P.M. in the Township Municipal Building, 522 Rock Run Road, Elizabeth, Pennsylvania. The roll was called to establish a quorum. Commissioners present were: Commissioner Similo, Commissioner Saxon, Commissioner Kuzma, Commissioner Beckowitz, Commissioner Blake, Commissioner Evans, and President Rhoderick.

Executive Session Acknowledgement: Solicitor Racunas acknowledges Executive Session was held to discuss personnel issues.

Citizens to address AGENDA items only:

Items for Discussion:

1. Discussion for Solicitor Racunas to investigate invoices submitted by Gateway Engineering before payment is issued.

President Rhoderick says I know we're going to have to lean on Bryan Churilla of KLH for this and I know you spoke to Jeff Mills about where we're at because there's a question that I did ask in the hallway also about how some of these bond rec payments are being paid if they're to come out of the general sanitary funds or if they're straight to bond rec because there's a bill on there for \$25,000 and it was set up to come out of the general fund and Jeff said no, that should come straight out of the bond rec so we're going to have to get with Solicitor Racunas to kind of work all of this out because the auditor is looking at these right now where it's supposed to come out of. If it's supposed to come out of the bond rec or the general fund for the sanitary. So if you guys look at that and see where we're at we can get these bills paid and move forward. From the audience, absolutely and I'm going to have a conversation with Jeff Mills about moving forward with what should be put under the bond recs and what we would take out of the general fund. Commissioner Similo I think what they had been doing was paying out of their general fund and then reimbursing. I have serious questions about how they were doing some of the reimbursements.

2. Discussion for Solicitor for sanitary department.

President Rhoderick states Jack Canvas has done a fantastic job in the past, there aren't any issues with Jack. There is an issue with the overhead of the sanitary because we

talked about the bond issue, our bonds got degraded and we'll talk about that a little further down but as far as cutting costs I talked to Solicitor Racunas. He currently represents Elizabeth Township on the sanitary issues he goes to all the meetings and now the meetings are here until we decide how we're going to form the new board and right now we're working with the DEP and we're going to discuss the meeting with the DEP and what's going on there. Since Solicitor Racunas has been handling it, agreed to handling it, and continued to handle it, that's been a zero dollar increase to the Township and he's going to handle it under his flat rate agreement that he's already working for Elizabeth Township. Commissioner Kuzma asks how much money that's going to save the Township. President Rhoderick states that the regular attorney's fees for the solicitor were over \$28,000 just from the general account. The bond issues are separate because Solicitor Racunas was hired to with bond issues being separate because that's pretty extensive work and that will be in the motion. This has nothing to do with the bond, this is just to attend meetings and to handle day-to-day operations for the sanitary so that will be an immediate savings based on last year of \$28,000.

Motion created to approve Racunas Law Group as the Solicitor of sanitary issues for Elizabeth Township with a zero dollar increase to the flat rate of \$6,500.00 per month to represent Elizabeth Township. As per the original fee agreement all bond issues will not apply and will be billed at an hourly rate.

1st Motion Similo Seconded Beckowitz

Roll Call

All in Favor, Motion Carries

3. Veolia Contract.

President Rhoderick Dennis from Veolia is here and they currently run the treatment plant at Buena Vista and right now we have an operating cost pushing almost \$40,000.00 a month and a lot of that operating cost that we have for the plant is based off of the consent order that the DEP had given us to man the plant around the clock. We did meet with the DEP last Thursday Commissioner Similo was there Solicitor Racunas Commissioner Blake and myself. One of the things that they agreed to was that they are going to work with Veolia until they eliminate shifts on the new consent order that we're going to work on. It's a significant savings to the Township for the sanitary rate payers. Now we're going to have Dennis come up and basically tell us how much money we're going to save. Dennis from Veolia says thank you as President Rhoderick explained we've been in a four month process or trying to reduce the coverage of the Buena Vista plant, made an investment into technology to be able to cover the critical parameters. Our savings will bring to the Township is upwards of \$100,000.00 a year. President Rhoderick thanks Dennis and says we're going to make conditions to run that plant until it is decommissioned.

Motion created to approve Veolia Incorporated to continue to operate the Buena Vista Sewage Plant at a new operating cost with an estimated savings of \$100,000.00

per year to take effect upon the signing of the new consent order with the DEP. The contract will remain in effect until the Buena Vista Plant is decommissioned.

1st Motion Beckowitz Seconded Kuzma

Roll Call

All in Favor, Motion Carries

President Rhoderick thanks and congratulates Dennis.

4. Bond Discussion.

President Rhoderick we had a rating done for the bond issue for the sanitary authority and we got downgraded basically two notches and that means if we were looking at refinancing the bonds we were looking at a 1.3 million dollar savings. It downgraded us to about a \$575,000.00 savings. The reason why we were downgraded, there are stimulations that investors want to see 110% of the revenue, 10% above what the operating costs were. That wasn't happening for three years with the sanitary. They did have a proposal at the last sanitary meeting before everything was terminated to raise the rates. Commissioner Kuzma was at the sanitary meeting and there were several different options to have a rate increase. After we cut some of the overhead, we're going to see whether that's a necessity or not at this point but right now there's basically a \$130,000.00 savings. The regular engineering bill from February was \$125,000.00 and from January was \$95,000.00 from Gateway so we're looking at \$220,000.00. Makes comment to Bryan Churrilla of KLH that he doesn't see his fees being near that. Overtime I think we'll be able to save a lot of money and be able to get our rating back to where we need to get it. We're looking at the better part of \$700,000.00 to get our rating back up. The big thing is we don't want to have a rate increase if we don't have to so I appreciate everyone working together. Bryan Churilla says we'll assist in the rate analysis and see what needs to be done. Commissioner Similo asks do we have a copy of the information? I'd like to get a copy of that. President Rhoderick I've never seen a copy of that. I know it was done through Gateway Engineers. We do not have it.

5. Discussion of minimum sewage bills if property has no water service.

If you don't have a water bill, you shouldn't pay a sewage bill. We wanted to have recommendation from the sanitary of what kind of minimum they should pay to keep that a tap. That's what we decided as a Board at that point. The motion passed, it was approved. We kicked it over to the sanitary and it never came out of there. So now that we're handling these issues it's something that we need to address and we need to clean up with Solicitor Racunas and Bryan from KLH from comparison to see what other places are doing for minimums to keep these taps. I still believe that if you don't have water you should have sewage but if you want to maintain that tap or give it back and have it capped off but that's something that we at least have to discuss. We're not going to take any action on it but we have to figure out a plan. From the audience, I don't disagree with what you're saying I agree with it but if someone has a tap, even if they

don't have any water, there should be a penalty if we catch you using that sewer. President Rhoderick absolutely. I totally agree with you. That's something that will have to be addressed. Commissioner Saxon do we have any idea how many we have of these because the other thing I remember from making that motion and I agree 110% if you don't have water service, you shouldn't be paying a sewage bill but you should pay something small and I believe most other sanitary systems do have some small fee per month to keep the tap open. But on #4 we're talking about a downgrade and a possible rate increase, is there a lot of these? Where you cut that out of what's coming in and that's falling even more short of your 110%. Commissioner Similo I think we ought to know how many are out there. From the audience we did have that information. President Rhoderick it was on your rate increase sheet whenever you had that evaluation. From the audience I agree you shouldn't be paying but that was done many years ago by the past board. You cut that 42 you have to account for the amount that you're losing. It just needs to be reevaluated. You have all those numbers. President Rhoderick says if I remember I think it's less than 200, somewhere around 190. Audience you cut that off and you have to adjust that somewhere else. There's a couple options of what you can do. President Rhoderick and those options were presented when you were looking at a possible rate increase.

6. DEP Taps and fines.

President Rhoderick as I said before we had a meeting with the DEP Allegheny County Health Department concerning the consent order and their comments and our direction and where do we go from here. The meeting was very productive with the DEP they were happy with the direction we've taken. They had agreed to make a new consent order they're going to work with KLH to come up with the cheapest most cost effective alternative to get to McKeesport. They're aren't saying we have to go a certain way or spend a certain amount of money. They're going to give us time to look at it and see what the best option is. They will work with KLH to give us new time frames. They estimated a few weeks to work with Bryan Churilla. They're going to release all the taps that have been asked for and stop the \$500.00 per day fines. So far we've paid \$139,000.00 and there's still \$107,000.00 due on the fines so that was agreed verbally. The fines will stop and the taps will be released. We asked a question with Dennis from Veolia because I went with Bryan Churilla and John Mowrey talking and we got the overhead and we got together with Dennis and looked at it trying to work with the DEP and cutting some costs. The DEP said they would put that in as part of the consent order, we'll agree to it. We're a couple of weeks away from getting a new consent order signed. Once that's signed we'll release the taps and drop the fines also. Part of the discussion that we had with them, the Act 537 consent order from Buena Vista. The last meeting we threw out the option of building a Buena Vista plant. They made it very clear to us that they don't want any of them. They want us to go back and they directed KLH to work off of the 2008 Act 537 plan that was already approved. They said Boston and Buena Vista should be in the same plan. Instead of writing a new plan they said a cost increase would go with that to write a new plan. They agreed to let KLH do amendments to that plan. Bryan Churilla due to the change in flow due to high reduction over the years based on some of

the alignment changes and cost information that's been updated, they want to see a new plan. We will use a lot of the Gateway data and alignments they've looked at and costs and things like that, but because the Senate Act 537 is currently the adopted plan, that's the one that we need to amend. From the audience, are you going to reevaluate how much you're going to McKeesport? Bryan Churrilla no. The current agreement with McKeesport's pump station was designed for 17.5 so that is the most that we will send. From the audience the DEP agrees that that's the number you're not looking for new numbers even though you're minimizing the II and whatever else who knows what's down in the ground. Those sewer lines are under water almost all the time. Are you still looking at the flow set either in the consent order or will 17 and a half will go to McKeesport one way or another? Bryan Churilla we will look at the flows but the 17.5 going to McKeesport is set. Anywhere else we'd look at storing it, store a flow until a time when you can pump it back out. Commissioner Similo, but 17.5 that's in the agreement? Bryan Churilla yes.

7. Field Maintenance Agreement.

Solicitor Ranunas I met with Mr. Madden we went over the current Field Maintenance Agreement, made some adjustments so that all of the approvals will come through the Commissioners. He and I went over the cost splitting and the outline of the agreement and the way it works is the Township will commit to \$1,500.00 a year that goes towards field maintenance for each field. At least once every five years there's going to be a regrooming if needed. And that cost would be 50/50. That's the current structure of the agreement. I thought it was a fair agreement. Bobby Madden is actually coming in at less than those numbers. His costs could be hiring but he's found things that are cheaper so it's actually coming in less than the \$10,500.00. President Rhoderick the agreement isn't finalized and everything but we are looking into releasing funds tonight just as it was finalized so we'll have to clean it up and work with it but I just wanted to make sure that there weren't any Commissioners that had any issues with it or questions. When we do a motion, it will be not to exceed, that way if you save us money. We'll pay as the invoices come in. As we talk tomorrow we'll give you the max that you think you may need to save us money. I just wanted to make sure that before we move forward with this that there aren't any issues. If money is going to be spent and it's Township money, it's going to be addressed by this Board. That's the only thing we really changed on the agreement. Chris Thoma directs a question to the Board regarding vandalism at the fields. If that happens again or something along those lines, part of that agreement too was a 50/50 split and you guys are capping it off there but if something safetywise comes up, is it possible that we could still come to the Board with the motion of helping is cover the cost to fix the fence. President Rhoderick I don't remember that being in there. Chris Thoma if you look inside the agreement you can see it says anything that comes out after that such as maintenance beyond what is listed. President Rhoderick obviously we would look at it one at a time. Commissioner Beckowitz says I don't see why we could turn that into insurance. We've done that in the past. Chris Thoma says I just want to make sure because things do happen. Commissioner Similo I don't like to spend money but I think that's our responsibility. President Rhoderick while we're talking about the fields, we

created a Fields Committee at the last meeting. Fred Metcaff was named the chair and there was reorganization with the EFYA. Bobby Madden became the president Fred agreed to step aside since the EFYA has most of the field use. I named Bobby Madden the chair of the Fields Committee.

8. Summer Help for the Public Works Department.

Motion to advertise to hire 4 summer help employees at \$10.00 per hour.

1st Motion Beckowitz Seconded Similo

Roll Call

All in Favor, Motion Carries

9. Military Banners.

Lauren Zang asks John Castine if he would like to ask the Commissioners where they would like to see them hung. John Castine says he's had some people ask me about the banners. Is there a certain area you want them in? Commissioner Similo we should be able to spread them out in good places throughout the Township. President Rhoderick I agree I don't see an issue with that at all. We also have 4 employees that are veterans. The banners cost \$100.00.

Motion created to approve the payment of military banners for 4 employees with a total cost of \$400.00.

1st Motion Beckowitz Seconded Similo

Roll Call

All in Favor, Motion Carries

Voting Items:

1. Motion to approve the Commissioner Meeting Minutes from January 18, 2016.

1st Motion Beckowitz Seconded Kuzma

Commissioner Saxon asks about the minutes completed by the stenographer and then the meeting minutes in the packet being condensed. Which one is the public record? If ten years from now if something comes up which will be record? Because it just seems that we're paying to have a stenographer do them and then we're paying to have someone condense them. So we're now paying twice to get one set of minutes. I'll make the motion to cut the stenographer. Commissioner Kuzma says if you make the motion I'll second it. Commissioner Similo why are they condensed shouldn't it be whatever it was. President Rhoderick says that with the stenographer the minutes were 75 pages and none of it was correct. Solicitor Racuas says there's issues when you use a court reporter. The intended purpose of the minutes is really just about what happened not to say verbatim what happened. When you get a 75 page record of a meeting, that's not really helpful to

anybody. The condensed version is what the Township should be approving. President Rhoderick states and if you read it, they were very hard to follow. To answer your question, we're going to look at the condensed. Commissioner Saxon I'll make the motion to release the stenographer because there's no sense in paying someone to do the minutes and paying another person to condense them. Monique Saxon will the condensed version be unbiased. That was the whole point of getting the stenographer because felt that they were skewed so that's my question. Commissioner Kuzma says he'll make a motion to have the recordings put on the Township website so that the public can listen to it themselves. Monique Saxon and how long is it going to take to get on there? Because we still have no minutes on there. President Rhoderick they have to be approved first. Monique Saxon do you keep a book of the minutes if I came up tomorrow to get them could I get them because per the Township code, I should be. Commissioner Beckowitz says yes they always have been. Scott Jacobs there are recommendations from the state that should be captured in the minutes. They do not need to be verbose they do need to be complete. A review of the state requirements seems to be in order if you have an audio file, that's fine. The state also requires that anything that goes into your packets be available to the public. President Rhoderick says I appreciate that, that's why we have a Solicitor. Let's approve these all as condensed minutes and then make a motion to release the stenographer. Commissioner Kuzma and put the recordings online? President Rhoderick and put the recordings online. We had to redo 5 meetings that the stenographer had already completed so that's why all of these are on the agenda. Commissioner Saxon I didn't mean to start a big to do with all of this but of the minutes what is going to be on record? President Rhoderick it will be the condensed. Commissioner Saxon I would say keep both but then you're still paying the stenographer and paying someone else to condense. Solicitor Racunas I think the best way to address it is to address it how other municipalities address it. If you just want to keep the audio tapes then you always have that record and just keep to condensed version of the minutes. Emil Burack I've brought this up once before and I can't hear everybody talking but why don't you just take the audio and put it on some kind of device so that if someone wants that they can get it and hear the exact conversation that's up here. You can buy like 100 CD's for \$10.00. President Rhoderick says we currently do that with our right to know. Solicitor Racunas says we would put the minutes online after they were approved. Emil Burack but what if someone wanted one that they could keep? Solicitor Racunas they could come up and fill out a right to know request for a CD. Jim will this audio be pure and unedited just the way it comes off the recording? And with that said, if we had trouble hearing here I'm sure the audio recording has the same trouble. President Rhoderick to answer your question, the audio and the sound system are completely separate. The audios that I have listened to have been very clear. Jim what's picking up the audio. President Rhoderick the tape recorder. It's separate from this microphone. Jim I guarantee there's going to be parts of it that are important that are going to be muffled over. You really need to look at the technical, if you're going to do it, do it correctly. So that when we do go back to it, it's just as pure as it' stated here. Part of your motion needs to be that you make sure that it's done technically correct. President Rhoderick you make a valid point and we can make sure it's part of the motion.

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - Yes

Commissioner Evans - No

President Rhoderick - Yes

6:1 Motion Carries

Monquie Saxon I just wanted to make a motion Mr. Burack said about the discs take just 30 seconds to burn them but when we requested the audio, we had a file extension for 30 days, we didn't have the CD's, there were issues. I think we could sit here and say it would take 30 seconds but we'd fall into the same issue. President Rhoderick that's a legal issue. Solicitor Racunas well at the time those requests were made, we didn't have the CD's, that was one of the issues. As you know on the right to know, we have to respond within 5 days, if we don't it's a deemed denial which forces the person who submitted the request to file an appeal, we didn't want to do that so when w couldn't get the audio together I issued the 30 day letters to let us go out and get all that together. No one was requesting the audio so we didn't have that in place so that's why the extensions were given. I know we submitted them within the legal time frame. They have to be approved and people submitted right to knows for the approved minutes or the audio of the meeting and at the time no one had ever done it before and we did not know exactly how to get them on the CD's. It should be an issue anymore going forward.

2. Motion to approve the Commissioner Meeting Minutes from February 1, 2016.

1st Motion Kuzma Seconded Beckowitz

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - Yes

Commissioner Evans - No

President Rhoderick - Yes

6:1 Motion Carries

3. Motion to approve the Commissioner Meeting Minutes from February 15, 2016.

1st Motion Similo Seconded Beckowitz

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - Yes

Commissioner Evans - No

President Rhoderick - Yes

6:1 Motion Carries

4. Motion to approve the Commissioner Meeting Minutes from March 7, 2016.

1st Motion Beckowitz Seconded Similo

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - Yes

Commissioner Evans - No

President Rhoderick - Yes

6:1 Motion Carries

Larry Coccia resident asks Commissioner Evans why he would vote no when everyone else voted to approve them. Commissioner Evans comments that the minutes do not reflect what went on at the meetings. Larry Coccia says the minutes should still be verbatim or verbose they should just be condensed no one should be changing or altering meeting minutes. To the Board did you all read the minutes of the meeting? Yes. If you have minutes of the meeting that you need to approve and months and months go by what good are the minutes anymore? You shouldn't be altering minutes of the meeting anyway. Larry Coccia says if one of you vote no that the minutes are not what happened at the

meeting, then the entire Board should be voting no. Solicitor Racunas addresses Larry Coccia saying I think you're misunderstanding, these are summaries of the meeting and Commissioner Evans correct me if I'm wrong but what you're saying is that you believe the summary of the meetings minutes are not accurate in your opinion. Commissioner Evans yes. Solicitor Racunas two people can see the same event and summarize it tw different ways. He's just saying that from what he read in his opinion it's not accurate. It doesn't mean that they're not accurate. Larry Coccia to the Board did you all read the minutes of the meeting? Yes. Commissioner Kuzma I thought that they were aboslutely correct and it amazes me that four different sets of meeting minutes were incorrect. Commissioner Saxon I can honestly tell you they are brief. What I don't like is having to approve 4 meeting minutes in one because it's tough with everything else going on to think about a meeting two months ago. President Rhoderick the reason there are 4 sets to approve was because we approved the stenographer and they came back and they were 75 pages and were not understandable. They all had to be resummarized. Commissioner Beckowitz and there's also an audio in the packet that we reviewed. Commissioner Saxon to agree with Commissioner Evans they are condensed a great deal. I will agree with him but at the same time I'm ready to move on. Monique Saxon every single comment I made was in the minutes but there were comments made by Commissioners who sit right next to that microphone that were not there.

5. Motion to release the services of the stenographer

1st Motion Beckowitz Seconded Similo

Roll Call

All in Favor, Motion Carries

John Snelson speaks in regards to what he found to upgrade the sound system. I reached out to several companies and got 3 quotes from two different companies. The third company is set on a portable system. The other two quotes would use existing speakers and would include a built in recorder to the system. It would also upgrade all of the equipment except for the speakers in the ceilings. One quote so far seems to be the most reasonable it would replace all of the microphones with wireless microphones and each Commissioner would have their own microphone, a microphone for the public, and one at each side table. It would all be wireless and all tied into the recording system. SoundCom is for a wired system the second two are all wireless. I recommend the Hollowood, it seems to be the most reasonable for the equipment that's involved. We would just need a couple more small microphone stands. I would just say that the all wireless quote from Hollowood compared to the all wireless from SoundCom the Hollowood is \$10,000.00 the SoundCom is \$23,000.00. This would include 12 wireless microphones with speakers in the lobby to turn on and off for an overflow meeting.

6. Motion to purchase sound equipment for audio recording and sound system with Hollowood not to exceed \$9,600.00.

1st Motion Similo Seconded Beckowitz

Roll Call

All in Favor, Motion Carries

7. Motion to approve the March 21, 2016 Bill Warrant in the amount of \$143,482.88.

1st Motion Similo Seconded Kuzma

Motion amended to pay the March 21, 2016 Bill Warrant in the amount of \$141,185.88.

1st Motion Similo Seconded Kuzma

Motion was amended because Vice President Beckowitz questioned the payment to Howell Craft for fireplace work done at the Community Center. Commissioner Beckowitz asks who authorized the \$2,300.00 to have work done on the fireplace in Building 1. Commissioners state that they don't remember authorizing it. Lauren Zang states that it was an agreement made last year. Commissioner Beckowitz states that she thinks leaving renters responsible for putting out the fires is a fire hazard. I'll vote for everything but that bill. Can anyone from the Recreation Committee answer that question? Bobbi Jo Bickerton comments that it was in a packet previously and it wasn't putting a fireplace in, the fireplace was there it just turned it into a gas fireplace. The Board had approved for Harry Faulk to approve anything for the Recreation Committee under \$2,500.00. Member from the audience makes a comment that she rented out the building and was told by the Township that she could not use the fireplace at Christmas Eve. Bobbi Jo Bickerton states that it wasn't done then. Audience member says no, I was told it was going to be a working gas fireplace and wants to know if she can use the fireplace on Easter when she's there. John Snelson the one in Building 3 was put in last year and then Howell Craft planned to do Building 1 they showed up two weeks ago and said that they have everything to do Building 1. They're natural gas, ventless it's not a hazard if someone forgets to turn it off it will just stay on, it has the cement logs it does have built in safety features that will shut the gas off. President Rhoderick I've never seen an invoice for it.

Roll Call

All in Favor, Motion Carries

8. Motion to approve the March 21, 2016 Sanitary Funds Bill Warrant in the amount of \$232,126.14.

Commissioner Similo that is only operating? President Rhoderick yes. We're looking at the engineering bill separate from that. That is not including the bond warrant.

1st Motion Similo Seconded Kuzma

Roll Call

All in Favor, Motion Carries

Bobbi Jo Bickerton even if it's it part of a contract? President Rhoderick it has to come straight from the bond rec. That will be something that will be paid out of the bond rec and Jeff Mills he's the bond council for these bonds. That is not to be paid out of the general fund. Bobbi Jo Bicketon what you said earlier is how they've been doing it. Commissioner Similo they've been paying it out of the general and then reimbursing which is not right. Bobbi Jo Bickerton that's how it was being done. Commissioner Similo the point I'm making is we have to be careful with what we're paying with bond money.

9. Motion to file complaint with the PA Ethics Commission to investigate sanitary bills and bond requisitions that were signed by former Manager, Harry Faulk and never approved or brought before the Board of Commissioners as per the former Board President Geno Francesconi and Vice President Paul Saxon through December 31, 2015.

1st Motion Saxon Seconded Similo

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Absolutely, Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - No

Commissioner Evans - Yes

President Rhoderick - Yes

6:1 Motion Carries

10. Motion to file complaint with the PA Ethics Commission to investigate the payment of comp time that was paid to former manager Harry Faulk as vacation time and hundreds of hours that were paid and authorized through the Personnel Committee consisting of Paul Saxon, Chris Evans and Claire Bryce never approved or brought before the Board of Commissioners.

1st Motion Saxon Seconded Similo

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - Yes

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - No

Commissioner Evans - Yes

President Rhoderick - Yes

6:1 Motion Carries

11. Motion to withdraw the amended Act 537 Plans for Boston and Buena Vista Watersheds, which were previously submitted to DEP by Gateway Engineers.

1st Motion Similo Seconded Beckowitz

Roll Call

All in Favor, Motion Carries

12. Motion to direct KLH Engineers to review and revise the original 2008 Act 537 Plan and prepare it amended plan to submit to DEP.

1st Motion Similo Seconded Beckowitz

Roll Call

All in Favor, Motion Carries

13. Motion to approve payment for field maintenance costs to EFYA not to exceed \$16,758.00 which will be paid as invoices are received and presented to the township.

1st Motion Saxon Seconded Similo

Roll Call

All in Favor, Motion Carries

14. Motion to pay Jim Lesnewski and Bob Similo for the sanitary meetings that they were not paid for, not to exceed \$2,000.00.

1st Motion Beckowitz Seconded Rhoderick

Roll Call

Commissioner Similo - Yes

Commissioner Saxon - No

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - No

Commissioner Evans - No

President Rhoderick - Yes

4:3 Motion Carries

Commissioner Blake asks President Rhoderick if she could ask a question, why is it that Friday night when we get our packet and it has the agenda in it, why is it that by Monday night it is totally changed or there is so much more added to it that it's nothing like what I anticipated was going to happen over the weekend? President Rhoderick answers that part of that is that a lot of these issues had to do with the sanitary and with Veolia and the bond issues, we didn't go until Thursday to the DEP meeting and the packets go out Thursday evening they were amended basically Friday. Commissioner Blake no they came out Friday evening that's when they're given. President Rhoderick well it has to do with the fact that I do the agenda and on Fridays I work basically from 9:00 AM to 7:00 PM. Monique Saxon comments saying you're by appointment only, it says it on your door. President Rhoderick continues so as far as my time frame, if something comes up on Thursday the additions to the agenda were added on for that reason. This shouldn't happen every meeting. Commissioner Blake but it has. President Rhoderick says you weren't here you weren't a Commissioner for the last year. Commissioner Blake says but it seems like since January each time Commissioner Beckowitz says it's always been like that, unfortunately. It's always like that? Commissioner Similo it doesn't make it right. Monique Saxon says well why can't it be updated on the website so that you guys can all access it like us because I printed the same agenda. Commissioner Similo says he doesn't know how to read the website. Monique Saxon comments well, Donald you know how to do so much else you should learn by now. It would take 30 seconds to update it on the website. Commissioner Blake says to President Rhoderick I read everything you send out and then I wonder where did this all come from. President Rhoderick says that there are two ways to handle this he first way is we could just cut it off, whatever is in the packet on Friday unless it's necessary Township business. This is a discussion working meeting, this is not technically a voting meeting so this is to make discussion and when we have things that come up for discussion sometimes they're not added on until the last minute or Friday. I can tell you that this is something we will work with. Hopefully you stop having this many major issues I mean it's been one issue after another. Commissioner Beckowitz and not only that, we just had the bond council and Veolia here tonight. President Rhoderick says they were just here tonight we talked to them in executive session and I didn't talk to either of them until Friday. They were here to discuss that tonight and those were two of the major issues that we weren't able to discuss until tonight. President Rhoderick states that he does have one other item for discussion is the Blythedale Road situation going to be worked on tomorrow addressing Chief Kerestes and John Castine of the Public Works Department. Tomorrow morning says Chief Kerestes. President Rhoderick so the garbage will be picked up tomorrow. Commissioner Evans I'm sorry I couldn't hear you did you say that the garbage was going to be picked up? President Rhoderick the garbage is going to be picked up tomorrow there is a coordination to get that worked out tomorrow. And another thing that we're going to look at and just bring up for a discussion item, we're looking at getting prices together to possibly put out a Township Newsletter as direct mail to the residents and we're going to look at offsetting that with advertising and right now we're currently getting some prices together to see what the totally cost of that would be. There would be a zero dollar cost to the tax payers to get the newsletter out because without a Daily News it's hard for people to be informed with exactly what's going on so we're going to try to work on that. We'd like to do that maybe two or three times a year as long as we get advertisers to offset the price.

Citizens to address items:

Steve Large: Thanks Commissioner Blake for raising the same concern that he has. Proposes that Commissioners bringing up voting items that are not on the agenda provided for the citizens and passing those voting items makes it difficult for citizens to comment because they don't have time to think and are not as informed as they could be of what is being voted on. Steve Large says it strikes me as peculiar that one of two scenarios always seems to play out. One, everyone in this room witnesses spontaneous occurrences of enlightenment or two collusive agreements between parties are struck without prior public knowledge leading to deception or defrauding others of their rights. This applies to the agenda leaving others unable to prepare to comment, ponder, or debate. The second scenario is the one that troubles me the most. The addition of voting items predetermined or not serve as a deterrent limiting rights to both speech and petition. The added items are often referred to as political blind spots because their intent is to conceal certain relevant and perhaps even controversial details from public knowledge or to expedite items while limiting concerned members' ability to properly and purposefully prepare commentary. Back in January, this Board professed greater transparency. Transparency ensures that public officials including the Board of Commissioners act visibly and understandably. It also means that the general public can and has a responsibility to hold them to account. It's the surest way against guarding against corruption. It helps increase trust in people and on the future of institutions. All of us could use more trust in our public institution and the officials that occupy them. Corruption sabotages peoples' faith in the political system, institution and leadership. Doubt like this leaves the public believing that there are hidden motives behind decisions than the public's best interest. When policies are no longer helpful, they should be amended to reflect change, but done in a manner that allows all stakeholders to contribute. The recent surge in attendance of these meetings deserves notice that citizens are engaged and willing to take time to educate themselves on the issues impacting them. I submit to you, the Board of Commissioners who will make the motion tonight or otherwise to stop the political blind spots. President Rhoderick says I have a lot of comments to make on that but I will make that motion. Monique Saxon says that she has three copies of the agendas for the meeting from the website, the packet, and what was provided at the meeting. She addresses the audience that if anyone would like to look at them, they could clearly see what the agenda was. Commissioner Beckowitz responds to Steve Large by saying that she's sorry that he wasn't around for the last four years of meetings because you would have seen much worse than that. Steve Large responds that he can only comment on what's happened since he's been coming to the meetings. Commissioner Beckowitz says she understands that but she doesn't think anyone should criticize the current Board of Commissioners for doing something that they need to own up to themselves. President Rhoderick makes a statement in regards to the hiring policy that it was suspended when Chief Kerestes was hired as Chief. He says that he created the agenda with a motion on it to advertise for the Finance Specialist/Office Manager position in executive session when Commissioner Evans made the recommendation to make the hire tonight instead of going through the interview process because Lauren Zang was the Finance Specialist and if they would have advertised for the Finance Specialist/Office Manager position, she could potentially lose her job if someone else would have gotten hired. That was a board decision that was made in executive session. The cost savings of eliminating the Township Manager and Assistant Township Manager positions is \$121,330.00. We had people resign and different things happen but it's a \$121,000.00 savings to the Township. There is no Manager, there is no Assistant Manager and Lauren Zang was the

Finance Specialist so she has those three positions wrapped into one. That was brought up by Commissioner Evans in executive session, I just want to make that clear that that was on the agenda and we eliminated it during executive session. It was on the agenda to be advertised. Emil Burack says he would like to respond to Steve Large's comments by saying for four years I've been saying the same thing. It was worse and if you would have come to the meetings you would have realized. You have things on the agenda that you said you didn't know about prior to tonight. Before that, they didn't even put them on the agenda, they would come up here and bring things up and vote on them that weren't even on this paper. That's how bad it was. Monique Saxon states just like tonight. Commissioner Beckowitz says these are on the agenda, those were never on the agenda. Commissioner Rhoderick says I had a conversation with your husband, Commissioner Saxon

Motion created that the agenda that goes out the Friday before the meetings, there will be no changes between the weekend and Monday unless there is essential Township business and any additions that will be made at the meeting day for essential Township business, the public will have ample time to question and respond to those.

1st Motion Rhoderick Seconded Blake

Roll Call

All in Favor: Motion Carries

Solicitor Racunas asks the question that this motion will still allow you to make motions off the floor, right or are you totally giving up that practice? If someone makes a comment from the audience on something, you don't want to restrict yourself. Commissioner Beckowitz states like the purchase of the equipment, we did that tonight. From the audience a member asks if the agenda from tonight will be online somewhere. President Rhoderick states yes. The audience member then says where it says citizens to address agenda items only, if we don't know what's on the agenda, we can't comment. Solicitor Racunas states that there is an agenda at the back of the room. President Rhoderick states that the same agendas that will be in the packet will be posted online Friday at 3:00 PM before the meeting.

Claire Bryce: Good evening. Claire Bryce lays a folded t-shirt in front of President Rhoderick saying that he requested it and although she believes that she paid for the shirt herself, she will give it back. Claire Bryce says that Lauren Zang sent word out that you wanted the shirt back, so I'm returning it to you even though I paid for it myself. I'd like to know why you were upset that I gave \$100.00 donation to the Recreation Committee. President Rhoderick I wasn't upset. Claire Bryce states I gave money to the Recreation Committee and I was criticized for giving money. President Rhoderick asks who criticized you? Claire Bryce states that Lauren Zang sent the word out that you were only allowed to give money on Halloween and Christmas and if I had known that I wouldn't have broken your rule. President Rhoderick asks if the check was returned. Claire Bryce says no. Lauren Zang we did not ask for donations. Claire Bryce I know you didn't I gave it. President Rhoderick well that was very kind. Claire Bryce I was criticized. President Rhoderick there's no criticism here. Lauren Zang states that there was no formal request for donations. Claire Bryce I know there wasn't a formal request. Lauren Zang there was no criticism from us. Claire Bryce because I wanted to give \$100.00 to recreation. Lauren Zang thank you. Claire Bryce and I would also like to know if you are done with the investigation of the Visa Card. I was told by another Commissioner that it was done and that we were found to have done nothing wrong. President Rhoderick responds that the auditor is still looking at that

and I know that that is part of the audit they are auditing the credit card and as far as I know it is not completed. Clair Bryce so for three months this thing that was so horrible that we spent money and you damaged my name by saying that I misspent funds and I never had the credit card let me finish I never had the credit card in my hand I never used the credit card but that's the way you explained it to the people that were here in the audience in January. You did not know what Vera Bradley purses were yet it was the Finance Specialist who helped the person that was handling recreation and then picked out the colors of the purses and the purses were to be given as Christmas gifts to the older kids that were there. I just want to clarify that. And also this thing that was on the back table, Susan Merrick was our insurance attorney and they threw this case out after it was appealed four different times so maybe you should make an announcement about that. Thank you very much. President Rhoderick and let go ahead and comment nobody accused you of doing anything as far as the misappropriation and to clarify for the record, Claire Bryce says clarify it clarify it. President Rhoderick says what was done, the recreation funds there is a recreation account. Claire Bryce right we raised money for it. President Rhoderick yes, roughly there was \$50,000.00 spent on the credit card. A lot of it was recreation and that will be separated out by the auditor. The way that it was done was that the credit card was paid out of the General Fund. Claire Bryce says where our money was put. President Rhoderick well that's the issue that needs to be separated. Claire Bryce well ask the Finance Specialist or the Accountant should have said that. That's where we were told to put the money. President Rhoderick and that's why it's being audited. Claire Bryce so there they paid for what they raised. We paid for everything that we raised and you know that. President Rhoderick that's not the issue Claire Bryce says that is the issue, Rob. It is the issue because you made the public believe that we spent public funds and we did not. President Rhoderick you bought alcohol and we didn't approve it for two weeks. Claire Bryce we bought pop at the beer store. We raffled off a basket and I will not mention the person's name who is an official but you gave liquor and you raffled it off at Christmas time. I don't want to mention his name here but if you want me to I will. That's the same thing we did. President Rhoderick I have no idea what you're talking about. Claire Bryce yes you do know, Rob. You're upset because we did a raffle we didn't sell the tickets to children and you know that. President Rhoderick says let's move on.

Kim Svec: Owner of R-Place Restaurant. Thanks Police Officers of the Township and Lincoln Borough for their help on Saturday. They were very attentive to my needs. I also want to thank the Commissioners who made themselves available that day to here our concerns. You know who you are and I truly appreciate it. My question is directed to the Board of Commissioners on how something like this will be handled in the future. I would like to know if there was a traffic management public safety plan put in place for this highly advertised event and if there wasn't are you considering adopting one for these types of events? Prior to the event it was advertised that there were 2,200 people attending with that number expected to double. Small parking lots were identified to park in saying that there would be a shuttle service provided. Unfortunately there was inadequate parking. People were frustrated waiting for the shuttle service and began walking down Rock Run Road and Rte. 48 creating a serious public safety issue. There were many more issues that effected our residents and our businesses. Businesses have occupancy limits as well as ample parking, handicap requirements, bathroom requirements etc. Are these requirements being met at Courttime? Why wasn't an independent professional security staff

hired to ensure that there were no safety hazards? Who will be paying for the police officers and ambulance services that were required that day? As a tax payer I feel that it should not be coming out of our pockets. Thank you for your time. President Rhoderick in response to you Kim, the amount of people was unbelievable. On one hand you love to see that many people in Elizabeth Township but it was an absolute nightmare. People couldn't get anywhere. It did trigger a lot of events and things to be looked at here. The Chief is involved, Solicitor Racunas is involved. Solicitor Racunas is proposing to adopt an events and gatherings ordinance which would require a registration and permitting procedure for all events such as that. They would have to come to the Commissioners, fill out an application, and explain what the event is and how many people, talk about the plans that they have and if there's traffic issues. I've done it for other communities, I've sent out a draft and eventually we will be adopting that ordinance. We'll know in advance if they need any help as far as safety and traffic. Kim Svec now how about the occupancy? There's a lot more up there can just a gymnasium. John Snelson says we can take a look at that, I'm not sure what the occupancy is. I can pull that and look at it so we know that it's readily accessible. Chief Kerestes it used to happen a lot more before they expanded their parking lot. Kim Svec on the flip side of that my customers couldn't get to me. Not that many businesses on that street are open on Sundays and we are. I'm not trying to stop business from going up there because if he has 5,000 people drive past my door that's great for me but his business cannot negatively impact my business. I really need some sort of communication and commitment from the Township so that we can stay here and work together. President Rhoderick that's why everyone was involved, I witnessed it every business is viable and we want it to work for everybody. That's why Solicitor Racunas is looking at this. I don't think anybody anticipated anything like that. Kim Svec and a member of the audience disagree saying that they advertised online that there would be 3,000 people coming. President Rhoderick says that's exactly why we're going to look into having an ordinance. We just can't handle that much traffic. Chief Kerestes says in the Township it's not just Courttime, over the years we've had other events that have gridlocked Boston, Blaine Hill. We never had any warning of any of this and that's what we need. Our road system does not have traffic lights, there are no turning lanes and that's why it gets backed up. That's why they need to come to us to get a permit. From the audience a member says can you schedule extra officers for those because there were four officers not doing what they were supposed to that day. Chief Kerestes I believe the Solicitor was looking into that. They were still able to answer calls.

Tim Vasko: I own the property across from Courttime. For the past two years I've been trying to excavate this property in the meantime what you're talking about this weekend happens every weekend. I can't get into my property I've had the police come down there several times, people park for Courttime in my lot. I have video footage that's too blurry to identify the person who ran over my no trespassing sign. I know who it is but I don't have the positive proof. I have pictures of the guy who owns the property across the street from me parking in front of the entrance I use to get into my building. In the summer when basketball and all that comes in there I'm not going to be able to have access into my property. They park on the side of the street that blocks my entrance. They throw their garbage on my property. On New Year's Eve they threw their bottles, alcohol beverages, orange peels into my equipment. Which I have pictures of all of it. Including him and his equipment parked in the cul de sac not allowing me access onto my

property. I wasn't evening planning on working Sunday because I knew this would be a problem. There's been days where I've gone to R-Place to eat with my wife every Thursday and I've thought R-Place parking lot was packed and figured I'd go somewhere else to eat for that reason. It's an ongoing thing that other than this weekend may not effect everybody in the Township but for me as a new business trying to stay here in Elizabeth Township, I can't even access my own property. I've had the police come down about this and nothing gets done it goes on and on. I'm tired of calling the police. There's 50 people parked in front of no parking signs. There's a fire hydrant in front of my property and if a fire would have occurred up there on a weekend, it would have burned to the ground. Chief Kerestes says we've has calls over the years from different businesses. Before they expanded the parking lot it would be all the time for any kind of event. A couple of years ago they had a boxing match up there that greatly exceeded the parking limit. There needs to be some type of permitting process for the indoor events. Solicitor Racunas thinks the ordinance will clean some of this up. I think that coming in and having a plan and having it be approved here will at least give notice and will allow you guys to question things like traffic, parking, and where all the people will be. It's the surprise element. The people who it's effecting don't always know. Kim Svec says they had parking across the street and parking at the ball field and told police officers that they had parking at the middle school. All of these plans that they thought they had in place didn't work. They knew how big the event was going to be which I don't understand why they didn't cancel and move the event to somewhere bigger. I hope I never have to worry about this again. President Rhoderick and that's our hope also. It definitely is something that is a workable situation. From the audience a member speaks saying that this happens every weekend. You put a sign up to tell people they aren't supposed to park there and they park there anyway. There's nothing being done. And the pollution that comes down that road is just out of control. Another member of the audience says that over the summer the Township gave Sunset permission to launch full size fireworks and says that they were aimed at her house. Her property and house were damaged, she called 911 and said that they Township gave them permission to set fireworks off. It was so loud and terrifying. I just want to know if we're going to give them any more permits to set off fireworks. Solicitor Racunas did you file a claim with their company and the insurance company? No because I don't like to make a fuss about stuff. Solicitor Racunas what ends up happening is there is an event and they want to have fireworks and that gets approved generally the company will come here and say we're fully insured up to this amount, this is our plan and these Commissioners may not know that they're aiming it at your house. Audience member the Township had to have known because there were only two places they could have aimed to set them off. They said the Township gave them permission to set them off. None of the Commissioners can seem to recall but it's something they will look into. Solicitor Racunas directed to audience member you have two years to file a claim with the company and the insurance company so if you have damage there's still time. Audience it was a wedding at the Sunset Room it was the owner's daughter.

Bill Piper: I wasn't humiliated, I was outraged. Have any of you gotten phone calls from ISS? Commissioner Similo states that he got one from an alarm company. I told them I was going to call the police and they hang up on me. But SSI is out there and I've had people complain. Bill Piper they'll say that all of the benefits are coming to the community. This electricity is going someplace else. It's not going to employ 321 people, it's going to employ 21. At the hearing

somebody brought photos of their backyard showing where the plant was going to be and Invenergy said well this is just a proposed plant, you can't promise this is where the plant is going to be. They rejected the photos when a month before they submitted photos and said they were accurate. Their experts tried to tell us that Finleyville was in Elizabeth Township. From the audience a resident says just to clarify SSI is a marketing company that calls various households in the Township asking very specific opinions about the proposed power plant. They went as far to ask if we would vote for Commissioners who supported the idea of the power plant which seems a little out of line for a company working on behalf of Invenergy but that's just my opinion. They're going to hand the information over at some point. Megan McDonough makes a comment for the record those of us who have gone ahead and decided to research this thing a little bit more what we've dealt with lately is cars stopping in front of our homes to take pictures of our homes. I was followed home from the Zoning Hearing meeting. I pulled into my neighbor's driveway as high beams were being flipped at me. I wasn't afraid but there are residents out there who just want more information who are basically being intimidated at this point. President Rhoderick says to please contact our police department. Megan McDonough states that she has pictures of the activity to give. Commissioner Similo asks did they take a picture of your license plate, Bill? Yes they did.

Mr. Thomas: This involves the power plant but it's a little bit off several years ago when I was a Commissioner US Steel was claiming the property and we had some Commissioners negotiate with US Steel for \$55,000.00 to repair Henderson Road. That money was supposed to be earmarked in a special fund for Henderson Road. Do we still have the money? President Rhoderick there's no special fund that I'm aware of. Commissioner Beckowitz says I believe that it was turned right over to the Road Department funds but I question that.

Beverly: I just wanted to say about these phone calls. At the end of the phone they asked me my name and I asked how they got my phone number if they did not know my name and she laughed at me. An audience member makes comments in regards to the phone calls saying the first two calls asked if they voted in Allegheny County and the second one was do you live in Allegheny County. They knew both of those questions. SSI is out of Arizona. On their website they state that they can skew anything the way the client needs it to be. Commissioner Blake says her husband received a phone call.

Chris Thoma: Recognizes the Commissioners for their partnership with the EFYA and thanks them.

Monique Saxon: My question is probably best for Solicitor Racunas under the Article 5 general provisions of the elections of officers. Commissioners have to reside in the Ward that they represent. What is the criteria for where Commissioners reside? Solicitor Racunas you'll want to look at things like where do they get mail, typically just where the person lives, their primary residence. Monique Saxon says so just to be clear, the 100 block of Center Avenue in Elizabeth Borough 15037 is not in the Township? Solicitor Racunas I would agree with you. Thank you.

Patty Hoffman: I'm here to talk about Invenergy. A lot of the Commissioners have been showing up to the meetings at the Middle School with Invenergy. This last meeting was a joke. It was totally run by Invenergy. Out Zoning Board did absolutely nothing but give Invenergy the

floor. These are people you appoint, people who should know better. I was embarrassed to be a part of this Township. Invenergy laughed when people made comments. That all being said, there's a lot of rumors flying around the Township people are being told that they're building a sub station. They don't think it's a 22 acre power plant. By you saying that you're thinking about doing a Township Newsletter, great because we need to get things out there. We need to know what's going on. Invenergy is also telling us that it's all going to come back to you and you guys are going to have to make the decision. So if it's going to come back here I'm also getting a lot of feedback on what do our Commissioners think. We don't know. I want to know, the people want to know. Are you for this power plant are you against this power plant? If you're speaking to Invenergy and not talking to the experts in the audience who have done their research, you're not getting the full picture of what's going on. There's a whole big group of people who do research and I want to know where every Commissioner stands. We can show you the truth. We're still dealing with Invenergy and we're still being humiliated. Patty Hoffman asks Commissioner Evans where he stands and he responds I'm going to vote for what the people want, if the people don't want it then I can't vote for it. Commissioner Beckowitz asks if we're allowed to take a vote. Solicitor Racunas responds to Patty Hoffman by saying that he doesn't know how she expects them to vote on something when they don't have all the information. Patty Hoffman the people that are out there, Invenergy has given out huge packets and there are many things on the internet that tells you what happened at other places. Solicitor Racunas you have to understand, there's a process. You're probably talking about years before it even comes here. Patty Hoffman says I don't want to hear that, that's not what happened in Jessup. Solicitor Racunas it might not even be these Commissioners. Patty Hoffman it wasn't years in Jessup. Solicitor Racunas but that wasn't Allegheny County court system and I don't know if they appealed it to Commonwealth. We're probably talking about years before it even comes to these people. The Zoning Board is still gathering information that's why they've had continued hearings. The Commissioners can comment if they want. I don't know if it's fair to put each Commissioner on the spot. When the Commissioners, you, and Invenergy may all have information that the others don't have. When it comes for conditional use approval, if it even gets there, if it does come here I think they should review it in a thorough and respectful way and then make a decision on what's best for the Township and the people. Patty Hoffman that's your opinion that still doesn't answer my question tell me right now with the information you have at this point in time where you're leaning because we'll be happy to come and talk to people who have questions. Solicitor Racunas if it dies before it gets to zoning, it may not matter what they think. Patty Hoffman well we all know that that's not what's going to happen. If they put their foot in the door, they get in the door they don't go away unless there is somebody here who is helping. It's not a real hard question just tell me if you think it's a good or bad idea and why you think that. We tried to show how it's going to affect people. Where do you think you stand? Some people have a problem with it, some people don't. Commissioner Evans states that he's only received two calls from residents in his ward in regards to Invenergy and that they were against it. Commissioner Similo states that he has an opinion and he is perfectly willing to share if but asks Solicitor Racunas if he does state it, if it could come back to hurt the people in the future. I don't know how far this is going to come. They're assuming that they're going to get through zoning. Patty Hoffman it's going to come back to you guys for a condition use. They're putting it on you that's why I want to know. From the audience someone comments one

gentleman said it could be used for residential, what's the status of that 600 acres it can't be used for ball fields or hunting? Commissioner Similo says they're saying it can't be used for anything else and that's why they should put the power plant up. Patty Hoffman says that Invenenergy's expert said you could put other things on the land. Solicitor Racunas says that you don't want a Commissioner to say, you're right this is the worst thing that could happen to this Township and then they come through us for conditional use approval and they use the recorded minutes to say this Commissioner's biased he didn't even give us a fair hearing. Patty Hoffman asks each Commissioner individually if they would sit down with her and other residents to listen and talk about real facts, all Commissioners respond yes. We can give you real honest to goodness facts that can be backed up on the internet and by the people who have had it happen to them already.

Dana Evans: I'm here solely as an Elizabeth Township resident so before I ask a question on the agenda my question to you Rob is if I speak about these items, are you going to come to my place of business again like you did in January and try to cause conflict with my place of employment. Monique Saxon says isn't that official oppression? Dana Evans I just want to make sure that you're not going to come to my place of employment before I ask a question. President Rhoderick says no, you can ask your question. Dana Evans would you like to clarify why you came to my place of employment? President Rhoderick says all the attacks that were made on Facebook I had to look at a cease and desist. Dana Evans says what attacks, what did I ever say about you? President Rhoderick I have it. Dana Evans says please show me I'd like to see it. What did I ever say about you? President Rhoderick says this is not a personal issue you can ask your question. Dana Evans you came to my place of employment that has nothing to do with being an Elizabeth Township resident why didn't you call my house why didn't you call me on the phone? Why didn't you wait until I came to a meeting why did you come to my place of business that isn't even in the Township it has nothing to do with the Township why did you do that? I would like to ask you Solicitor Racunas what is the law with a Commissioner coming to a resident's place of business to cause conflict? He came there specifically as a Commissioner he told my boss that he was the President, the Commissioner, the President he clarified who he was. He should have just come there as Rob Rhoderick, correct? Solicitor Racunas says I can understand you being very upset, it would depend on what was said, there's obviously a lot of issues there whether you knew the person beforehand or what his intentions were. I don't have that information honestly. Dana Evans but what is the law of a Commissioner coming to a resident's place of business to cause conflict? Solicitor Racunas just because he's a Commissioner doesn't mean he's always acting as a Commissioner either. I'm just giving factual scenarios, I don't know the reason or what was going on. What I can say is if he knows your boss or is concerned about something or is he's there for a particular reason. Dana Evans says he was there to file a complaint against Dana Evans. Those were his exact words. President Rhoderick speaks no, absolutely not and this is a legal issue. Dana Evans oh it is, I know. President Rhoderick it is a legal issue so we're going to actually move on, ask your question as a resident. Dana Evans says that's it you're right, I'm not done with you. I want it on the record that if he comes to my place of business again as a Commissioner, I'm going to press harassment charges. He cannot harass me at work. Is that understood? I want to make you guys aware of this because he's coming as a Commissioner. Commissioner Similo says sue him if you have to. President Rhoderick says to Dana Evans you do what you need to do and I'll do what I need to do.

Monique Saxon says there's Rob Rhoderick and then there's the President of this Board, so it does matter. President Rhoderick says I think those facts are misguided like I said they were clarified. Ask your question as a resident. Dana Evans asks can I speak with you outside of here off the record because I want to clarify this. Are you will to speak to me in private? President Rhoderick no, this is a legal issue, if you want to talk I have an attorney. You want to make it a legal issue, we'll make it a legal issue. Dana Evans says #8 Motion to file complaint with the PA Ethics Commission to investigate the payment of comp time that was paid to former manager Harry Faulk as vacation time and hundreds of hours that were paid and authorized through the Personnel Committee consisting of Paul Saxon, Chris Evans and Claire Bryce never approved or brought before the Board of Commissioners. How many people were on the personnel committee, was it just those three? President Rhoderick there is no personnel committee but last year it was those three. Dana Evans is it not true that everybody's overtime wages isn't that always in a bill warrant that you guys have to approve? Solicitor Racunas I don't know how it was handled last year and I don't know how comp time was handled either. Dana Evans I'm just saying would it have been on the bill warrant? Solicitor Racunas the answer is I don't know. It should be, but I don't know how it was being done. President Rhoderick says I don't believe that it was. Dana Evans so then how would he have gotten paid? Monique Saxon it would have been in the minutes. Dana Evans shouldn't it have been in the minutes to be approved? Solicitor Racunas but if he's accruing comp time he can use it without being here that's how comp time works. You're talking about a salary and benefits versus the use of comp time. Dana Evans how would they have paid him hundreds of hours. Solicitor Racunas he accrued comp time while he was working let's say he had to be somewhere after work he would accrue 3 hours for a three hour meeting. Monique Saxon says didn't the Finance Specialist I mean that has to be brought to that Board to be approved. Lauren Zang says I tired. President Rhoderick says we're getting into personnel issues. Dana Evans I just want to know would it have like been on the bill warrant when you guys had to approve these things. President Rhoderick says whenever it was first made aware of it was not for the former manager it was only one week it was for another employee 80 something hours that were accrued. Monique Saxon who was it made aware of? President Rhoderick Solicitor Racunas was asked and he was not made aware of it either. Monique Saxon when was it made aware of when was it made aware of. President Rhoderick says November, October. End of November I would say. Monique Saxon says so it couldn't have been on the original agenda then? If you knew about it since November but we couldn't put it on the original agenda for today we had to wait until the third one? President Rhoderick we addressed this and we're getting into a lot of personnel issues. We did address comp time we did eliminate comp time as an action by this Board. That it was never Board approved. Monique Saxon well why didn't you approach this then? Commissioner Kuzma says for the same reason your husband didn't put the purchase of 4 police cars on the final agenda. Monique Saxon we're not talking about police cars sweetheart. Commissioner Kuzma we're talking about two different things that we put on the agenda after the original one was given out. President Rhoderick it's a personnel issue. Solicitor Racunas what I'll say is I found out about the use of comp time in September or October. I had discussions with labor council at the time over the use of it and what was going on and it was jointly decided by a labor council and myself to eliminate that whatever was happening to eliminate that practice for various reasons outside of the fact of was it properly approved or was it not, there were other reasons that labor council and I both decided to

eliminate it. There was a motion in January to eliminate it was discussed. Monique Saxon I believe it was January 18th. Solicitor Racunas that makes sense so we may have talked about it in November and in December talked to these guys about eliminating the practice and then it goes on the agenda and then in January it was decided to formally eliminate the practice. Monique Saxon says but he knew he was going to bring it up tonight. Because remember he's really busy on Fridays so he can't update it. Commissioner Beckwitz says you know what put a stop to that, that's ridiculous. Dana Evans I'm not finished. Monique Saxon says because it's true Joanne. Dana Evans says Rob I want it on the record that I'm trying to resolve an issue that you have with me but you do not want to resolve it outside like with us talking, correct? That's all I want to know. President Rhoderick like I said you have an issue. Dana Evans says I don't have an issue you have an issue with me. I was blindsided when you come to my place of work and I was dumbfounded that you were there. From the audience someone says talk to his attorney. Dana Evans says and I had no issue with you I never said anything about you on any social media, I've never called anybody and badmouthed you. President Rhoderick says this exact situation, I have the comments on social media and it was mentioned about your place of business. Dana Evans asks when was my place of business on social media? In the background other conversations can be heard right before Commissioner Similo says if someone makes a motion to adjourn, he will second it.

Motion to Adjourn

Created by Beckowitz Seconded Similo

President, Board of Commissioners

Lauren Zang, Officer Manager
