

**Elizabeth Township**  
**Board of Commissioners**  
**Monday, April 4, 2016**  
**Commissioners' Meeting**

**Call to Order**

**Pledge of Allegiance & Moment of Silence**

**Roll Call**

Commissioner Similo - Not Present at time of Roll Call, arrived immediately following.

Commissioner Saxon - Present

Commissioner Kuzma - Present

Commissioner Beckowitz - Present

Commissioner Blake - Present

Commissioner Evans - Absent

President Rhoderick - Present

President Rhoderick addresses public comment procedure and how it has gotten out of hand in the past. Reinforces the 3 minute comment limit and asks that all who want to make a comment address the board by coming up to the microphone or having someone bring it to the member of the audience if they are unable to get to the microphone on their own. President Rhoderick also addresses the gavel procedure, 1<sup>st</sup> strike is a warning, 2<sup>nd</sup> strike is removal from the meeting. President Rhoderick also addresses personal attacks during meetings and that they should not take place during public meetings. He states that he spoke to Dana Evans in regards to her comments from last meeting and proceeds to explain his presence at her place of employment. Personal business should not interfere with Township business. President Rhoderick states that there was distention after being elected to the Board of Commissioners and attacks were made on Facebook. President Rhoderick states that he pursued legal action and addresses Commissioner Saxon's threat to expose administration through Facebook. Paul Saxon states that he has been posting on Facebook since January 2014 and that he will continue to post for his constituents. Commissioner Saxon asks President Rhoderick have I made attacks on you? President Rhoderick states that there have been personal attacks. Commissioner Saxon states that he would gladly discuss the matter because I don't ever remember making any personal attacks. I would like you to present to me all of the times that I've made a personal attack on you, because there aren't any. President Rhoderick says this is a public meeting you can get an attorney and I can get an attorney. If that's the path we want to go down. Commissioner Saxon says absolutely. President Rhoderick states that he will not take the personal attacks because he has business relationships

to maintain. Commissioner Saxon you're calling me out for a personal attack and I'm telling you to produce it because so far I've heard very few truths come out of your mouth. I'm used to going under oath in my career and I will gladly tell the truth.

## **Department Reports**

**Code Enforcement** – Nothing outside of written report and agenda items. Continued Zoning Hearing Board Meeting Scheduled for April 20, 2016. The Board is taking public comments that can be submitted attention John Snelson.

**Engineer** – Bryan Churilla states that 9 bids were received on the 2016 paving program on March 31<sup>st</sup>. The lowest bidder was El Grande Industries who has done the paving here previously. Total cost including all alternate/optional roads was \$463,898.50. That is approximately \$20,000 below the amount allocated in liquid fuels. John Castine is going to look into purchasing some in house paving equipment with those savings. In regards to the Victor Avenue storm sewer repair, the scope of work is a little less than originally thought. Replacement of 17 ½ feet of 80 inch pipe. We are going to ask for approval to get quotes. We are also looking to see if we can have it done in house. For the work that a Township does with the camber truck and vactor truck it would be better for us to hire a private contractor or go to another municipality when we need it. There is not enough consistent televising and vactor truck work to sign into a long term agreement. We recommend that the Township does not go forward with the SHACOG. President Rhoderick thanks Bryan Churilla. Bryan Churilla it's hard to sign up for that amount of televising when you don't know what you need. Commissioner Kuzma asks if Bryan Churilla has had a chance to look at the guard rail. A man living on Industry has had his house slammed into by cars/trucks 5 times in the past 20 years. I'd like to look into getting a guard rail put up there. If we can't put up a guard rail can we look into concrete barriers? Bryan Churilla I think we would been to look at more options that would facilitate slowing a vehicle down. The guard rail could cause injury to the driver. President Rhoderick makes a comment about getting the county involved in the past about putting guard rails up in other places in the Township and the county would not have it.

**Office** – Lauren Zang states that she looked on the PA Treasury Website that we had a little over \$7,000.00 in unclaimed property that was dues to us so I submitted the paperwork for that. I'm also working on MBS for a health and wellness program for our employees about possibly purchasing fitbits for all employees. It will help reduce our health care rates in the future.

**Police** – March 2016 500 events logged by Allegheny County 911 for our department. 12 adult arrests 0 juvenile arrests officers conducted 111 traffic stops and issued 18 traffic citations. Officers investigated 7 motor vehicle crashes 2 reportable, 5 non-reportable with zero injuries. Received a check from Stephen Zappala's office for \$9,000.00 to put towards the creation of our K-9 Unit.

**Road** – John Castine states that they are continuing the Spring Clean Up and that bins will be left up behind the Municipal Building for a few months so that residents will have the opportunity to drop off leaves and brush at their convenience. The new tractor will be ready by the end of April. We're working on getting roads ready that are to be paved.

**Sanitary** – Nothing outside of written report.

**Solicitor** – Nothing outside of written report.

**Citizens to address AGENDA items only:** No residents signed up to speak on agenda items.

**Discussion Items:**

1. Chief Kerestes speaks more about the K-9 Unit. We are looking to set up an account through the Elizabeth Township Sportsman's Association since they are non-profit and we would need to do that in order to collect any donations. Solicitor Racunas asks Chief Kerestes who will be overseeing the donated money going through the Sportsman's Association for the K-9 Unit. Chief Kerestes states that President Rhoderick and he talked about this and it was best to create a committee and to include a couple of residents on that committee. President Rhoderick the committee is not to make purchases that will be done by the Board of Commissioners. It is to handle fundraising and present ideas. Accepting letters of Interest from residents for the formation of a K-9 Officer Committee to make recommendations to the Board of Commissioners. Letters shall be submitted no later than 4:00 PM on April 14, 2016. President Rhoderick shares a letter from Kelsey and Norm Candelore of Candelore's Barking Beauties congratulating the Township on the approval of the K-9 Unit and extending grooming services to the K-9 officer free of charge. Chief Kerestes states that he is waiting on quotes for a K-9 vehicle and depending on the kennel you're looking at between \$41,000.00 and \$43,000.00 for the vehicle. Commissioner Saxon asks Chief Kerestes if they plan to revamp the rules and regulations in regards to the K-9 Unit because it was an issue in the past. Chief Kerestes states that he plans to look into it before the arrival of the dog.
2. Discussion of Delinquent Real Estate Tax Collector. President Rhoderick asks Solicitor Racunas before we accept any proposals that the Commissioners have a chance to look at what the current fee schedule is what the current rates are so that they could amend or change them because the proposals say that they will be basing their fees off of what our ordinance is. I personally had a lot of complaints about the cost of the letters. We want to work with our residents we don't want all of the money paid to go to fees. In the next packet for the Commissioners there will be a fee schedule for the Delinquent Tax Collector.

**Executive Session: President Rhoderick called an executive session at 7:25 PM**

Solicitor Racunas acknowledges executive session to discuss personnel matters and Code Enforcement Department issues.

**Voting Items:**

1. Motion to approve the Commissioner Meeting Minutes from March 21, 2016.  
1<sup>st</sup> Motion **Beckowitz**      Seconded **Similo**  
All in Favor, Motion Carries

2. Motion to approve the April 4, 2016 Bill Warrant in the amount of \$100,196.87 which includes \$2,472.44 for Sanitary Department payroll that will be reimbursed from sanitary funds.

1<sup>st</sup> Motion **Beckowitz** Seconded **Similo**

All in Favor, Motion Carries

3. Motion to approve the April 4, 2016 Sanitary Fund Bill Warrant in the amount of \$51,021.23.

1<sup>st</sup> Motion **Similo** Seconded **Beckowitz**

All in Favor, Motion Carries

4. Motion to approve payment for Gateway Engineer's in the amount of \$220,069.38.

1<sup>st</sup> Motion **Saxon** Seconded **Blake**

President Rhoderick some of these bills were paid out of the general fund and then they went to the bond. The bond council said that that is unacceptable, they have to be paid directly out of the bond. They give us a bond rec for January and that hasn't been approved. The bond req for January was \$180,000.00 and I don't know if that is on top of this. Bryan Churilla Solicitor Racunas Commissioner Similo

Motion to Table created by **Rhoderick** Seconded by **Beckowitz**

Commissioner Similo - Yes

Commissioner Saxon - No

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - No

President Rhoderick - Yes

4:2 Motion Carries

5. Motion to approve payment to Roto Rooter in the amount of \$25,069.22 out of Sanitary Bonds if work is an approved project per Bryan Churilla of KLH Engineers.

1<sup>st</sup> Motion **Saxon** Seconded **Kuzma**

All in Favor, Motion Carries

6. Motion to approve payment to Howell Craft in the amount of \$2,297.00 for installation of fireplace in Building #1 at the Community Center.

1<sup>st</sup> Motion **Saxon** Seconded **Blake**

All in Favor, Motion Carries

President Rhoderick explains that after the ETA was terminated, Sanitary Authority employees became employees of Elizabeth Township. Instead of duplicating numerous services and payments of things like garbage and utility bills, a full time sanitary employee would work out of the municipal building merely to cut costs. Commissioner Blake states that she didn't know that this would include John Snleson. Monique Saxon says from the audience Lauren didn't have to. President Rhoderick says and I've been chastised for that. Commissioner Kuzma says we have to follow the hiring policy.

President Rhoderick I'm not going to suspend the hiring policy anymore. I do think that any employee who is familiar with the area should have preference but I'm not going to take the heat like I did before. It was Commissioner Evans idea to suspend the hiring policy and we as a Board agreed. It wasn't my idea. A member of the audience says but you could have voted no, was it unanimous? 6:1. Commissioner Similo says I voted yes but hindsight is 20/20 and I made a mistake, I should have voted no.

7. Motion to authorize the advertisement for a full-time employee whose primary job responsibility will be the handling and management of township sanitary matters and township issues as needed.

1<sup>st</sup> Motion **Beckowitz**                      Seconded **Similo**

Commissioner Similo - Yes

Commissioner Saxon - No

Commissioner Kuzma - Yes, we have to follow the hiring policy

Commissioner Beckowitz - Yes, for the same reason

Commissioner Blake - No

President Rhoderick - Yes, for the same reason

4:2 Motion Carries

8. Motion to authorize the advertisement for a Township Building and Code Inspector.

1<sup>st</sup> Motion **Similo**                      Seconded **Beckowitz**

Commissioner Similo - Yes

Commissioner Saxon - No

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - No

President Rhoderick - Yes

4:2 Motion Carries

Commissioner Saxon asks John Snelson are you in need of that, if you're still here? John Snelson says there would be a need. Especially in the summer it gets very busy. President Rhoderick states that we're reorganizing so that we don't have to raise sewage rates. We have 41 taps that are residential right now 80% of that money goes to a third part agency. If we're able to do that in house, 80% of that money comes to Elizabeth Township. People have been waiting a couple of years for theses taps and when they're freed up, it's going to be madness. If we have this in house the money the Township would receive would more than likely offset the salary for the Building Inspector/Code Enforcement & the part-time clerk.

9. Motion to authorize the advertisement for a part-time office clerk whose primary job responsibility will be to assist the Township Building and Code Inspector.

1<sup>st</sup> Motion **Beckowitz**                      Seconded **Kuzma**

All in Favor, Motion Carries

10. Motion to send letters of interest to local accounting firms for township and sanitary department accounting needs based on the recommendation of auditors, an hourly fee will be requested since services provided on an as needed basis.  
1<sup>st</sup> Motion **Kuzma**    Seconded **Similo**  
All in Favor, Motion Carries
  
11. Motion to terminate the monitoring services with Barrier Protection Service for Chapel Drive Property.  
1<sup>st</sup> Motion **Saxon**    Seconded **Blake**  
Commissioner Similo - No  
Commissioner Saxon - Yes  
Commissioner Kuzma – No, need more time to look at it  
Commissioner Beckowitz - No  
Commissioner Blake - No  
President Rhoderick – No, need more time to look at it  
5:1, Motion Fails
  
12. Motion to award Contract 2016-01, 2016 Annual Paving Program, to El Grande Industries Inc. in the total bid amount of \$463,598.50.  
1<sup>st</sup> Motion **Saxon**    Seconded **Beckowitz**  
All in Favor, Motion Carries
  
13. Motion to approve KLH to obtain quotes to repair the defective 80-inch storm sewer parallel to Victory Avenue.  
1<sup>st</sup> Motion **Blake**    Seconded **Saxon**  
All in Favor, Motion Carries
  
14. Motion to ratify the exoneration of the Tax Collector of delinquent real estate taxes retro-active to December 31, 2015.  
1<sup>st</sup> Motion **Beckowitz**    Seconded **Similo**  
Commissioner Similo - Yes  
Commissioner Saxon - Abstain, due to relationship to Tax Collector  
Commissioner Kuzma - Yes  
Commissioner Beckowitz - Yes  
Commissioner Blake - Yes  
President Rhoderick - Yes  
All in Favor, 1 Abstain, Motion Carries
  
15. Motion to advertise Ordinance No. 925. An ordinance of the Township of Elizabeth, Allegheny County, Pennsylvania to establish procedures relating to public gatherings in the township.  
1<sup>st</sup> Motion **Kuzma**    Seconded **Saxon**  
All in Favor, Motion Carries

16. Motion to award bid for grass cutting services of vacant properties in Elizabeth Township to **The Lawn Father** and execute contract effective April 5, 2016.

There is discussion about Alex Caley being excluded from the bidding process because he did not include an employee list which was a requirement in the bid application. The Commissioners initially want to table the vote until the next meeting but there is conversation among the audience and the Board that the grass needing cut will become an issue if they wait two more weeks. The owner of the Lawn Father says that he will take legal action if not awarded the bid because he submitted all of the information required and was the lowest bidder of those who complied with the specifications of the application. There is discussion among the Commissioners and Solicitor Racunas that although Alex Caley was the lowest bidder, he did not complete the application in line with the bid requirements so he is automatically disqualified from the bidding process.

Motion to Table

1<sup>st</sup> Motion **Beckowitz**                      Seconded **Saxon**

Commissioner Similo - Yes

Commissioner Saxon - No, because I didn't understand what the whole issue was

Commissioner Kuzma - Yes

Commissioner Beckowitz - No

Commissioner Blake - No

President Rhoderick - No

2:4, Motion Fails

Back to original motion to award contract to the Lawn Father.

1<sup>st</sup> Motion **Saxon**                      Seconded **Similo**

All in Favor, Motion Carries

17. Motion to pay invoice dated February 29, 2016 to Weisel, Xides & Foerster, LLP for professional services rendered during February 2016 regarding the Fiore property and Invenergy in the amount of \$3,160.00.

1<sup>st</sup> Motion **Similo**                      Seconded **Beckowitz**

Commissioner Similo - Yes

Commissioner Saxon - No

Commissioner Kuzma - Yes

Commissioner Beckowitz - Yes

Commissioner Blake - Yes

President Rhoderick - Yes

5:1, Motion Carries

18. Motion to approve payment up to the amount of \$4,464.00 to Blaine Hill VFC to assist in the cost of purchasing dirt for the Blaine Hill Ball Field property, as per the request of Debbie DeCarlo, Secretary for Blaine Hill VFC.

1<sup>st</sup> Motion **Similo**                      Seconded **Beckowitz**

Commissioner Saxon asks if this is necessary to add to the agenda tonight and can it wait two weeks. President Rhoderick says that the season has already started. It's for recreation.

Commissioner Similo - Yes  
Commissioner Saxon - No  
Commissioner Kuzma - Yes  
Commissioner Beckowitz - Yes  
Commissioner Blake - Yes  
President Rhoderick - Yes  
5:1, Motion Carries

**Citizens to address items:**

**Trish Antonella:** States that she lives on Industry Road and that someone dropped off a shipping crate in the baseball field behind her house that obstructs the view of her backyard from inside her house. Trish Antonella spoke to John Snelson earlier that day in regards to moving the shipping crate slightly so that it would no longer be in anyone's way. She asks if the Road Department or someone could have that done. President Rhoderick suggests that Bryan Churilla and Commissioner Kuzma be up to date on this and asks the Road Department if they could do that. Yes. Trish Antonella thanks the Commissioners for their time.

**Dave Graham:** States that the last two items on the list are baseball and he would like to make it three. Speaks about request to change the name of Boston Field. That was granted upon stimulation that they put a memorial at the site. They worked back and forth with local people and if you go down there now you have a 50 foot flag pole. The work on the flag pole was motivation to continue the process. Memorial installed and dedicated June 2014. Walkways and landscaping have been put in place. No one was using the field besides what he calls the beer league. Our plan was to have organized baseball here. The Daily News is gone but the Daily News League is still here. We're ready to enter the teams of the Daily News League and start playing next month. Kids put graffiti and our people painted over it. We hope to have your support. Half of our league is from Elizabeth. We haven't asked for any funding to support this team. The only thing we'd like you to remember is to take care of the local people first. Boy Scouts help maintain the memorial. We want to remind all of you that this is a local organization. Commissioner Saxon asks if there is a way for Dave Graham or someone on the team to provide a schedule. The schedule will be made next week and eventually it will be online. 22 games, 11 played at Boston Field.

**Monique Saxon:** Addresses the issue of what the criteria is for residency for a Commissioner. Solicitor Racunas had stated that it's a slippery slope, things like receiving mail and things like that. In the Township Commissioner's handbook it states that Commissioners elected to the Board must have resided continuously for one year in their ward prior to the election, and must continue to reside in that ward during the entire term of office. Commissioners moving to a residence outside of the ward that they are elected to represent automatically disqualify themselves from holding office. Since the last meeting I've been approached by several residents asking who that may be, and Mr. Rhoderick, I think you owe the taxpayers an explanation of why you have an address in Elizabeth

Borough. President Rhoderick says my driver's license, voter's registration, I do not have an address, I'm not on a lease. It's up to you to prove, you sue me because you put on the internet, my parents' address and they're filing harassment charges. Monique Saxon says no, I didn't. President Rhoderick says we have it, you commenting. Monique Saxon says oh, I commented. Rob, do you receive mail there? President Rhoderick no. Tammy Rhoderick says and my attorney will deal with you on it, thank you. Monique Saxon says with all due respect Jolie, I mean Tammy, you live in the Borough, you're not a resident. Tammy Rhoderick says yes, and my attorney will deal with you. Monique Saxon says this has nothing to do with Paul. President Rhoderick says you're his wife, you're up here and it's absolutely ridiculous. Sue me. Monique Saxon says well, I have the proof. President Rhoderick says you prove it, you sue me and that's what we'll do. Commissioner Similo says I've been accused of not being a resident, I do go to Monroeville every Thursday that takes me out of the Township where I am not a resident. Commissioner Similo goes on the make comments in regards to Facebook. I've been here longer than some of you have lived. Monique Saxon says it's an established address. Commissioner Similo says I might as well have some humor, this is a circus anyhow. Monique Saxon addresses the audience saying, and I have the proof if anyone wants to see it.

**Patty Hoffman:** Hands out information to the Commissioners in regards to Invenergy and the plan for the site that they want to build the plant on. If you notice, Mr. Fiori is including Invenergy as one of his accomplishments on that site. Patty Hoffman states that he has already planned for obtaining the variance by getting passed the ZHB. She goes on to explain that land will be set aside for mobile homes and trailers for workers to come in from other regions to work on building the power plant and will rent from Invenergy and Mr. Fiori. I've been to places like this where there was fracking going on. So, please consider what you're doing and what is planned for this Township. I don't want it and I'm sure a lot of other people don't want it. Thank you.

Solicitor Racunas stops to apologize to Commissioner Similo, after looking further into it a Commissioner can change his or her vote as long as it's prior to the adjournment of the meeting. President Rhoderick states that he would like to make a comment in regards to residency because this is absolutely ridiculous. This is a legal case. I want to clarify for the record that there will be attorneys involved in this. Solicitor Racunas says I will stick to exactly what I said at the last meeting which is that residency is something that you need to look into the totality of it. You're going to look at things like your driver's license, where you're registered to vote, where you receive mail and these things combined are what's going to determine somebody's residency. I don't think because someone gets mail or their driver's license says something that it's the end all-be-all. You have to look factually at all of those measures. Monique Saxon where a spouse lives? Solicitor Racunas says you can look at all of that. President Rhoderick asks Solicitor Racunas if residency is questioned and it's a slanderous accusation, who is going to be responsible for this, is that a personal issue for the resident. Because this borders on slander and defamation or is it a Township issue. Solicitor Racunas I think you always have to remember as public officials that you have a higher standard as far as things like defamation of character. It has to be a deliberate attack to intentionally harm your reputation. It's lesser for a person who's not in public office.

President Rhoderick says and I think that happened. Solicitor Racunas says again, that will be decided by a court of law.

**Scott Jacobs:** Asks Bryan Churilla is the list from 2016 a result of what the Commissioners had authorized as far as the study of all the roads? Bryan Churilla absolutely. Scott Jacobs says good. And does that list go on like for a couple years of effort? Yes. And is that list available? Solicitor Racunas yes that would be subject to a right to know. Scott Jacobs that makes me feel a whole lot better about item 11 because as a resident we hear things that get voted on and it would be really nice at this point to hear yes it was successful it was complete and we're going forward with it. I have another question on the Chapel Drive property, is there a 5 or 10 year plan, rules for that property? Commissioner Beckowitz we're working on it. Scott Jacobs and where does that come in is there Parks & Recreation? Commissioner Similo yes. Commissioner Kuzma says I'm writing grants for that right now.

**John Hearn:** States that the payment for the stenographer for a Commissioner's meeting was \$150.00 and for the same service they were charged \$922.45 for a ZHB meeting. John Hearn says I was at that meeting and it was about the same length of time as a Commissioners' meeting. I'm sure there must be a great reason to pay her 6 times the amount for one meeting. Solicitor Racunas says I don't know what her arrangement was here. President Rhoderick responds the ZHB is a separate entity, we didn't hire the ZHB stenographer. John Hearn says if you're paying the bill you have to know what you're paying for. Explain to me and everyone here why it's \$922 for one meeting. Solicitor Racunas says you would have to ask the ZHB that questions. John Hearn responds no, you're paying for it. Commissioner Similo we hired a stenographer here that was \$150.00. John Hearn yes, I understand. Solicitor Racunas says the Commissioners set the budget. John Hearn asks are you going to pay the bill? What is the bill? How can you vote on something that you don't know what it is? Commissioner Similo that could be more than one meeting that they had. John Hearn it has right here one meeting. Commissioner Similo the \$150.00 that was for here. John Hearn there's six of you here that voted six nothing that don't know what you're voting for. Solicitor Racunas that is not a high bill for a court reporter to transcribe a 3 hour long hearing. John Hearn you don't know what you voted for. Solicitor Racunas it was for a court reporter that was legally required. All the Commissioners do is set the budget limit. From the audience a resident says that Carol Daley wanted to have her say and that she didn't get to. She also states that she does not believe the court reporter transcribed all of the testimony. Commissioner Beckowitz states that she doesn't believe that the reporter did either since the meeting ran past 10:00 PM and that she would have the audio past that time transcribed herself. Commissioner Similo recommends that the ZHB have extra meetings to get the hearing over with. John Snelson clarifies that the stenographer was for the ZHB, not for the Commissioners' meetings and a bulk of the cost of the \$922.45 was that we requested a transcript of the meeting. President Rhoderick states we are separate from the ZHB but we do pay the bill we will talk to the Solicitor from the ZHB and go from there.

Motion to remove the \$922.45 bill from the bill warrant for the stenographer for the Zoning Hearing Board

1<sup>st</sup> Motion **Saxon**

Seconded **Similo**

All in Favor, Motion Carries

**Emil Burack:** Comments about experience with transcripts. States that he has been investigating the bond requisitions for the Sanitary Authority. Bobbi might be able to answer what I want to ask. There are a couple of bids that came out for work on lines and I can't prove this and I don't know if they awarded the bids but there were bids put out and I was told those lines that those bids were put out for, that was all done in the past three or four years. Commissioner Similo you're absolutely correct. One of the lines is on Scenery Drive. Bryan Churilla I just want to clarify Gateway put out a bid for televising include the lines. At least on the televising and the cleaning we're holding them for now. Emil Burack Some are new they did an extension on 48. Bryan Churilla once we gather information from Gateway and see where they stood and what the game plan was. Bobbi Jo Bickerton he did one bid the other bid was done through Gateway and they dissolved everything so it's still sitting in my office. It has been done.

**Motion to Adjourn created by Rhoderick, Seconded by Similo**

---

President, Board of Commissioners

---

Lauren Zang, Finance Specialist/Office Manager