

**Elizabeth Township
Board of Commissioners
Monday, February 6, 2017
Commissioners' Meeting**

Call to Order

Pledge of Allegiance & Moment of Silence

Roll Call

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

Executive Session Acknowledgement: President Beckowitz acknowledges that there was an executive session held to discuss personnel issues.

Department Reports:

Code Enforcement – John Snelson states that with no applications submitted this month, the Zoning Hearing Board meeting will be canceled.

Engineer – Bryan Churilla states that the Chapel Drive building improvements are almost complete. The 2016 Paving Program is officially complete and a final payoff would close that contract. A memorandum was put together of the desired road list for the 2017 Paving Program for the Commissioners. In regards to the Act 537 Plan KLH responded to Health Department comments and DEP comments. The DEP requested additional resolutions from neighboring communities. Once those resolutions are submitted, hopefully we can move forward with the permit.

Police – Chief Kerestes states that for the month of January 2017 there were 493 events logged by Allegheny County 911 for our Department for a total of 13 adult arrests and 1 juvenile arrest. Officers conducted 81 traffic stops and issued 26 traffic citations. Officers investigated 20 motor vehicle crashes, 7 reportable, 13 non-reportable with 5 injuries as a result of these crashes. Our Department also participated in the South Hills DUI task force road patrol on January 26th. Chief states that he submitted a K-9 Report to the Commissioners.

Public Works – John Castine states that the Road Department has been cold patching the roads, trimming trees, and doing some drainage work. John Castine states that he found contacts for the agility program for information on how to get back in the program. He's waiting to hear back on how to go about that.

Solicitor – Nothing outside of written report.

Citizens to address AGENDA items only:

Emil Burak – Mentions the Freedom of Information Act and that Commissioners should be a more specific when stating that they discuss personnel issues during the Executive Session. President Beckowitz states that in tonight's Executive Session the Commissioners discussed Administration and Public Works. Emil Burak states that he knows that PA American Water wants to buy McKeesport. From a legal standpoint, where does the Township stand with the 1.5 million dollar surcharge? Solicitor Racunas states that it's in the process of being resolved. There is nothing in writing at this point, but I'm working on that. Emil Burak asks what's the status of the agreement with the Trail Commission? I heard that there is no status and that the agreement is out the window. Bryan Churilla states that KLH presented their plan to the Trail Commission and they did approve to move forward with the project prior to the beginning of the year. Their property management company will not give us a final agreement until we submit the permit, plan, and design to them which we are not fully through. Last month at the request of the trail corporation the Township drafted a letter stating their

intentions knowing that there is no formal agreement at this time. We're waiting for the DEP to approve the plan before we can move forward. Emil Burak asks in regards to the process of shutting down the sewage plant and building a holding tank. Bryan Churilla responds that the pump station would be built prior to the decommission of the plant. Commissioner Similo expresses concern about the cost of the project and the Township's budget. There is discussion in regards to correspondence between KLH Engineers & PA American Water.

Russell Verbanec – Questions the vacating of Lake Alley asking if a certified notice should have gone out to residents. Solicitor Racunas states no, because the paper street has not been used to over 21 years. In regards to the Agreement between PA American Water & McKeesport Municipal Authority and rate changes, PA American water has to go through PUC to change rates. The resolution does not change rates. Russell Verbanec states that High Street & Howell Street need to be paved.

Tom Sharkey – Tom Sharkey asks Solicitor Racunas if the Township does not approve the motion to adopt a resolution amending the service agreement with the Municipal Authority of McKeesport, if they can move forward with the sale. Solicitor Racunas states that he does not know. Tom Sharkey asks if McKeesport has our Act 537 Plan? They have had it for four months. Tom Sharkey states and Solicitor Racunas confirms that Elizabeth Township has leverage in this situation because McKeesport needs the Township to pass the resolution amending the agreement and Elizabeth Township needs McKeesport to approve the Act 537 Plan. Commissioner Similo states that we need McKeesport to be approve so that the Township can continue negotiations with PA American Water. Tom Sharkey states that he would not vote on the motion tonight.

Discussion:

Request for Proposals received for Animal Control Services.

Motion to award the 2017 Animal Control Services Contract to _____.

Proposals received from Hoffman Kennels & Gaydos-Behanna Kennels

Request for Proposals received for Towing Services.

Motion to award the 2017 Towing Services Contract to _____.

Proposals received from C & D towing, Nickolich Towing, & Mendlowitz Towing.

Solicitor Racunas asks for time to review the compliance of the submitted proposals and to revisit next meeting to award the contracts. President Beckowitz states that that is fine.

Ordinances:

MOTION TO ADOPT AN ORDINANCE OF THE TOWNSHIP OF ELIZABETH, COUNTY OF ALLEGHENY, VACATING A STREET KNOWN AS LAKE ALLEY. *(Located between Washington Alley and Railroad Street in Buena Vista)*

1st Motion Commissioner Similo

Second Commissioner Blake

6:0, 1 Absent, All in Favor: **Motion Carries**

Resolutions:

MOTION TO ADOPT A RESOLUTION AUTHORIZING THE TOWNSHIP OF ELIZABETH TO PARTICIPATE IN THE 2018 JOINT BID FOR A CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES COORDINATED AND ADMINISTERED BY THE SOUTH HILLS AREA COUNCIL OF GOVERNMENTS (SHACOG).

1st Motion Commissioner Evans

Second Commissioner Rhoderick

6:0, 1 Absent, All in Favor: **Motion Carries**

MOTION TO ADOPT A RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$305,404.23 IN 2016 FIRE FUNDS FROM THE SPECIAL FIRE LEVY ACCOUNT.

1st Motion Commissioner Rhoderick

Second Commissioner Blake

Commissioner Similo – Yes

Commissioner Saxon – Yes

Commissioner Kuzma – Absent

Commissioner Blake – Yes
Commissioner Rhoderick – Yes
Commissioner Evans – Abstain
President Beckowitz – Yes

5:0, 1 Absent, 1 Abstain, All in Favor: **Motion Carries**

MOTION TO ADOPT A RESOLUTION AMENDING THE SERVICE AGREEMENT BETWEEN THE MUNICIPAL AUTHORITY OF MCKEESPORT AND ELIZABETH TOWNSHIP.

1st Motion Commissioner Similo

Second Commissioner Saxon

Commissioner Rhoderick makes the argument to table to motion until the Municipal Authority of McKeesport approves the Elizabeth Township Act 537 Plan which they have had for four months. I'm not trying to hold them up, but 2 weeks would allow for discussion to get approvals on the Elizabeth Township end to move forward. Solicitor Racunas states that he spoke to the Municipal Authority of McKeesport's Solicitor, there was supposed to be a special meeting held to discuss the Elizabeth Township 537 Plan and that they have no problem passing it. Their request seemed urgent although I don't know the level of impact Elizabeth Township passing or not passing the resolution would have at this time.

Motion to table motion to adopt a resolution amending the service agreement between the Municipal Authority of McKeesport and Elizabeth Township.

1st Motion Commissioner Rhoderick

Second Commissioner Evans

6:0, 1 Absent, All in Favor: **Motion Carries**

Items for Consideration:

1. Motion to approve the January 23, 2017 Commissioner Meeting minutes.

1st Motion Commissioner Evans

Second Commissioner Rhoderick

6:0, 1 Absent, All in Favor: **Motion Carries**

2. Motion to approve the General Fund Bill Warrant dated February 6, 2017 in the amount of \$155,861.37.

1st Motion Commissioner Rhoderick

Second Commissioner Blake

6:0, 1 Absent, All in Favor: **Motion Carries**

3. Motion to approve the Sanitary Fund Bill Warrant dated February 6, 2017 in the amount of \$99,616.54.

1st Motion Commissioner Blake

Second Commissioner Rhoderick

6:0, 1 Absent, All in Favor: **Motion Carries**

4. Motion to purchase VIN number 1G2JB12F847246494 in the amount of \$2,200.00 plus any applicable fees for use by the Elizabeth Township Police Department.

1st Motion Commissioner Saxon

Second Commissioner Blake

6:0, 1 Absent, All in Favor: **Motion Carries**

5. Motion to approve Pay Application No. 4 and Final from El Grande Industries in the amount of \$9,523.07 for the Year 2016 Annual Paving Program.

1st Motion Commissioner Blake

Second Commissioner Evans

6:0, 1 Absent, All in Favor: **Motion Carries**

6. Motion to approve Pay Application No. 3 from Golon Inc. in the amount of \$3,825.00 for the Chapel Drive Building Improvements Project.

1st Motion Commissioner Blake

Second Commissioner Saxon

6:0, 1 Absent, All in Favor: **Motion Carries**

7. Motion to approve the scope of work for the 2017 Annual Paving Program.

1st Motion Commissioner Saxon

Second Commissioner Blake

6:0, 1 Absent, All in Favor: **Motion Carries**

Megan McDonough – Megan McDonough states that a year ago some residents of Elizabeth Township created a community organization to exercise our rights. What everyone has been told about is the seemingly convenient back-door deal with the Smithdale property, not only those residents not given a head's up, but they also weren't asked their opinion. One of the things talked about are the numbers that are being floated around. Certain members of this board decided that since your homes are not as valuable as others in the Township that your opinions were not valued enough to be considered. It is my understanding that corporations and Commissioners have already discussed what your rights, dignity, and opinion are worth and that it \$5,000.00 pre-construction and \$5,000.00 post-construction. Nick Cohen states that those numbers do not come from Invenergy. Megan McDonough states that she has text messages from Andrew Kuzma where he had dinner with Harry Godfrey and what he said specifically was that he sent the parcel for the Smithdale property where he saw the documents at the municipal building and Invenergy is willing to give impact money to all residents affected, \$5,000.00 to start and \$5,000.00 after it's finished. I know an individual who purchased a house there for \$13,000.00, ten of the homes are abandoned, and Invenergy is willing to demolish them all. Nick Cohen states that he has not been to dinner with any of the Commissioners and that he actually went door-to-door in Smithdale and talked to a lot of people were interested and not interested and no numbers were discussed or promised. Megan McDonough asks why one of our Commissioners has solid numbers, Nick Cohen responds that there are no numbers. Megan McDonough asks if a Commissioner would like to verify that the phone number from which she received text messages is Andrew Kuzma's phone number. Nick Cohen states that Andrew would be the person to ask, but he isn't here. Megan McDonough asks if the new site location gets rezoned, will Invenergy stop wasting Township money going through the appeal process? Nick Cohen says yes, we will pull out of the appeal immediately. We're committed to having a project in this Township, and we want a location that would appease the most people. I ask you to support our efforts. There's nothing going on behind closed doors. President Beckowitz states that there will be a special meeting held for residents to express their opinions.

Rob & Tracy Casturo – Owners of the proposed new site location for the Invenergy power plant in Smithdale. Rob Casturo states that he has always been in favor of the power plant even at the original site because of the economic benefit it could bring to the Township. I feel that this Township needs tax revenue. We have a good school district and I feel we could have a great school district if they had more funding. Upon watching this deal and feeling that it might fall through, my brother and I proposed to Nick Cohen the use of our property for the plant. The biggest complaint about the first site was that they would be driving through residential areas to build. Our property's closest neighbor is the sewage treatment plant in Rostraver. There aren't going to be million dollar homes built overlooking a sewage treatment plant. The Township can still receive the economic benefits with the site being exposed to the least number of citizens.

Larry Coccia – Larry Coccia states that he wants a true update on the sewage project. If the ballfield is going to be affected, part of the recreation will be gone and if the soccer field is going to be affected, more recreation will be gone. Larry Coccia asks where the overflow in the system that goes to Boston comes from. Bryan Churilla responds from everywhere. Larry Coccia states that there should be a special meeting up for public comment again because the one in August was good. Larry Coccia also asks where Senate's calculations are. He asks for a design/review meeting. Commissioner Rhoderick states that some of the Act 537 plans from the past were thrown in the garbage because the DEP said that they made no sense. Commissioner Similo states that one was approved, though in the past. Larry Coccia states that he will bring all of his additional information to the special meeting.

Emil Burack – States that he hopes that the Commissioners to not chase the Invenergy project out of the Township. President Beckowitz states that the ordinance that would be put in place in regards to drilling would be to protect the Township, each resident, and leaseholders. Hopefully we will have a decision by next meeting.

Motion to Adjourn:

1st Motion President Beckowitz

Second Commissioner Saxon

Lauren Zang, Finance Specialist/Office Manager

President, Board of Commissioners