

Chairman Alan Fossi on Wednesday, July 17, 2013 at 7:03pm in the Meeting Room of the Municipal Building, called the Regular Monthly Meeting of the Sewickley Township Board of Supervisors to order as advertised in The Times-Sun on Thursday, January 17, 2013. The members of the Board of Supervisors present were Alan Fossi, Wanda Layman, and Joe Kerber. Also attending the meeting were Marianne Errett, Micki Patterson, Alan Samulski, Sharon Cerne, Ann McWilliams, Jack McWilliams, Tracy Hampshire, Joy DeClaudio, Tom Bonner, David Boettner, Lynn Boettner, Gary Grimm, Tom Lord, Linda Harvey, Ruth Lucoy, Tom Byrnes, Sandy Dull, Christina Reuss, Bob Lasser, Robert Davis, Charlie Steban, Steve Solomon, Angie Slobodnik, Matt Slobodnik, Joe Napsha, Kathy Kerber, Paula Alcott, Dean Zimmerman, and Susan Leukhardt.

Mr. Fossi led those present in the Pledge of Allegiance.

### **Paving Bid Opening**

|                       |               |
|-----------------------|---------------|
| Donegal Construction: | \$ 156,763.50 |
| El Grande Industries: | \$ 152,173.75 |
| Folino Construction:  | \$ 142,282.45 |
| Morgan Excavating:    | \$ 153,715.00 |
| Russell Standard:     | \$ 169,681.25 |
| Tresco Company:       | \$ 144,919.00 |

### **Executive Session to Review and Evaluate Paving Bids**

Wanda Layman made a motion, seconded by Joe Kerber, to accept bid for the paving of Almond Street, Clopper Street, and Church Street to Folino Construction in the amount of \$ 142,282.45. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Ruth Lucoy asked why the paving was put out for bid and not having our Township Road Crew doing the work. Mr. Fossi answered that a decision was made to have some paving done by the Road Crew and some paving bid out.

### **Report from Township Coordinator, Wanda Layman**

Worked with Peoples Gas, Columbia Gas, Chevron, Atlas, Williams, Sutersville Borough, South Huntingdon Township, and Madison Borough regarding a possible gas well leak incident. We had a meeting to come up with a solution for faster response times during emergency situations. Working with Moody & Associates to complete necessary paperwork for the DEP project at the Township Building. Handled communication between residents and the Road Crew during a storm situation. Worked with Chevron filling out grant applications for the Recreation Board and the Sewickley Fair. Communications with the Longview residents. Dollar Energy grants.

### **Report for Public Works**

Prepping Dexter Street and a portion of Sewickley Avenue for paving. Fixed ditches on Kunkle and Wolfe. Put stone in sinkhole on Maple Street in Rillton. Cleaned basins on Oak Street and Bells Mill Road. Moved a basin on Pinewood. Patched various roads and worked on storm damage every time they get a chance.

Mr. Kerber stated that when he was Roadmaster, he was required to turn in a weekly report from the previous week and what was scheduled for the upcoming week. For the last six months, Mr. Kerber has not seen a report for either the Public Works Director or the Coordinator. Mrs. Layman said stated that reports will be put in his box every week.

### **Report from Recreation Director**

Thank you to the following sponsors of Rock the Yough... Herminie Auto Parts, Labudas, Earth Elements, Turik Electric, The Notary Shoppe, Mullaert's Sales and Service, Nickels Funeral Home, Mars Hill Storage, Herminie Dairy Queen, First National Bank, and Chevron. Tickets are available at the Township Building, Crabapple Pool, Recreation Center, K-Vays, McNally's, and the Palace Lunch. Rock the Yough is being held next Saturday from 3:00pm to 11:00pm.

Crabapple Park and Pool: Concession and admissions are doing very well now with the hot and humid days. We are still selling the occasional pool pass. Splash Parties are booked every Saturday in July and most of August. Session 1 of the swimming lessons finished last week. We have 14 participants. Session 2 started the previous evening with 20 participants. Lifeguards are doing a great job. Due to the lack of interest, we are suspending the aquacize program.

### **Report from Ordinance Officer, Dean Zimmerman**

We had our second Westmoreland County Redevelopment Authority demolition completed with the house in Gratztown being taken down and cleaned up. As far as Mr. Zimmerman knows, this is all the demolitions we have been allotted for this year. He is hoping there may be money left over at the end of the year for another one. There may be two more houses that folks are taking care of with fire department controlled burns. Grass cutting and property maintenance are the two main complaints Mr. Zimmerman has been getting. The property on Herminie-West Newton Road has been cut regularly and most of the rubbish cleaned up. Mr. Zimmerman lost ground on another property that he had been working on. That is the one that he reported last month that required him to call India and the Philippines to try and get the work done. He has been told that the bank has cancelled all work orders on that property for unknown reasons. It will be listed for sheriff's sale in September. Mr. Zimmerman still has the two Summary Trials scheduled for next Wednesday and Thursday. He also has one new case pending a Summary Trial that has not been scheduled yet. That gentleman is a repeat offender. This morning, Mr. Zimmerman went to Common Pleas Court in Greensburg with our solicitor, Mr. Hewitt, for the Summary Appeals that had been rescheduled from May. This house is a burned out duplex and the owner of one half was found guilty. Her appeal was dismissed and was fined \$1,000.00 plus Court costs. Unfortunately, the owner of the other half of the house had her appeal upheld on a technicality and the case was dismissed.

Sandy Dull asked if the Township can have an Ordinance that would require the homeowner's insurance company to be responsible for demolishing condemned or burned out houses.

### **Public Comment**

Alan Samulski asked Mr. Zimmerman if one of the properties he was talking about was Madison and 4<sup>th</sup> Street. Mr. Zimmerman stated that property is owned by a holding company in California and there is an arrest warrant for them.

He went on to discuss how the minutes for the Township meetings are behind. He asked what can be done to facilitate getting them done. He then stated how it surprised him that the paving bids were opened during the meeting this evening. He went on to talk about the MSATS monthly fiscal report and that the Township doesn't have a Treasurer. Why doesn't the Township do a monthly financial report?

Susan Leukhardt, Secretary-Treasurer, responded to two of the comments from Mr. Samulski. She was originally hired to work at the Township, it was part time doing payroll and accounts payable only working 20-25 hours per week. She has given more hours than that and the minutes were always done in the evenings and on the weekends. She has a family and apologizes and takes full responsibility for not having them done. About the fiscal report, her title is Secretary-Treasurer. She can make sure a report is available every month.

Mrs. Layman stated that she doesn't have a problem having the bids opened during a public meeting. Mrs. Leukhardt added that the Solicitor agreed that going into an Executive Session to discuss the bids before voting was a good idea.

Sharon Cerne stated that she had a court document showing that Jeannette EMS is suing the Township for \$163,240.00 for loss of profit and repairs to their trucks. During the previous month's meeting, Mr. Fossi stated that parting with Jeannette EMS was amicable. Why is it costing us now? Mr. Fossi responded that at last month's meeting, the answers he provided were honest and correct at that time. The situation has changed since then. This is in the hands of our Solicitor now and we cannot comment on it any further. Ms. Cerne went on to say that the Supervisors do what they want to do without taking into consideration of what the Community needs or wants.

Joy DeClaudio asked for ditches on Brunazzi Road. The road was cleaned, but needs ditches above her house. She then asked what was being planned for McGrew Hill Road. The Township is paving, but nothing on McGrew Hill. Mrs. Layman stated that we are still using CDBG funds from last year that needs to be spent. Ms. DeClaudio went on to say that the road is very dangerous. She won't even use it. Mrs. Layman stated that there is an issue with a catch basin on Mars Hill Road (state road) which is creating a major water issue on McGrew Hill.

Sandy Dull is asking for Police in the Township. We have such a drug problem in Herminie. She has to keep her door locked and put a doorbell in at the Barber Shop because these kids are high and harass her. She's afraid for herself and the children in the Community. She is asking the Township to use some of the gas well money for Police. Mr. Fossi responded that he doesn't believe it's a bad idea for police. The way he would like to approach it is contacting Smithton and North Huntingdon. He understands that a lot of people in Herminie are concerned, but he's not sure about the citizens out in the rural areas. Mrs. Dull stated that Herminie is where all the population is and is worried about the town. She isn't going to worry about a farmer who is only one person. She is concerned about her people in the town. Mr. Fossi stated that he has to be concerned about all the people. We certainly do not want drug activity in the villages.

She then asked that after all the issues with the ambulance and Family Dollar, she is asking for resignations from Alan Fossi and Wanda Layman.

Charles Steban lives on Pike Street. He stated that a drug dealer at the Citgo station is actually giving away drugs... not selling them. His vehicles and garage have been broken into seven times in the past year. Calling the State Police is a waste of time. Our kids are going to start showing up dead in the alleyways. There are deals being made at the Recreation Center and the Baseball Fields. Mr. Steban asked what if the Township asks the State Police to patrol more in the meantime.

Linda Harvey stated that, no matter what, we all live in Sewickley Township whether we want to say we live in Herminie, Rillton, Lowber, or Hutchy. We're all in this together and need to start working on this together. She is asking that we leave the politics out of this and understands it is about dollars and cents. She then asked about a motion on the agenda... filing an appeal from the decision of the Zoning Hearing Board. Why is the Township asking for the appeal and not the property owner? Mr. Fossi stated that the Zoning Board made a decision that the Supervisors overruled. There was an appeal which resulted in one item being in favor of the Township and the other (spot zoning) was not. The Township now has the opportunity to go back to the County Court System to appeal that decision. Mr. Fossi offered to have our Township Solicitor call her to explain better.

Sharon Cerne asked if the Zoning Board is appointed by the Township. Mr. Fossi answered yes. Ms. Cerne asked why do we need a Zoning Board if the Supervisors are going to override everything they do. Mr. Fossi answered that this is the first time they've ever had a disagreement with them.

Chris Reuss asked if it has been decided on how the Act 13 money will be spent. The answer was no. The Township will mail her the list of 13 ways of how that money can be spent. She then went on to say that the owner of the Citgo has said she would be more than happy to work with the Supervisors regarding the drug issue. Yough School District would probably help also.

Mrs. Reuss then went on to inform the public that the Business Association is moving forward with the Redevelopment and Revitalization Program for Sewickley Township to get different businesses in town. She is looking for grants. Mrs. Reuss is also working on buying Bill's Dandy Dollar and reopening it as a company store. She hopefully can prove the public wrong by making all this work finally. There will be a bakery and the hours will be longer and a mezzanine out front to have your coffee and drinks.

Joe Kerber made a motion, seconded by Wanda Layman, to disburse 2012 EMS Tax funds on behalf of Lower Volunteer Fire Company as follows:

S & T Bank – mortgage payment \$ 602.25

Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to approve the Bogac subdivision located at the intersection of Orchard Drive and Reservoir Road. This plan divides Lot 2 containing 2.109 acres from the residual Lot 1 containing 8.660 acres. Lot 1 contains an existing dwelling and garage with an on-lot septic system. Lot 2 will be served by public water and sewer. An easement is shown to provide access and utilities to both properties. The parcel is zoned A-1 and has been approved by the Planning Commission. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Proposals were opened, read aloud and recorded on Monday, July 15, 2013 at 11:00am for Lawn Care Services, the cutting and trimming of the following locations, when the height of the grass reaches four (4) inches or when directed by the Township, whichever first occurs. These locations were bid as a whole. One Lawn Care Service for all locations. The Contractor shall be responsible for labor, fuel, materials, equipment costs and Workers Compensation and Liability Insurance. The contract shall be effective July 18, 2013.

| <b>“TOWNSHIP MOWING –<br/>3 PROPERTIES”<br/>Includes the following locations</b>   | <b>T Parke Lawn &amp;<br/>Landscaping</b>                    | <b>Jupina<br/>Landscaping, Inc.</b> |
|--|--|-------------------------------------|
| a) Township Property located at corner of Pike and Elk Street, Herminie<br>b) 24 Highland Avenue, Herminie<br>c) Township Property located on Cameron Avenue, Hutchinson | \$ 600.00 for initial cut<br>\$ 225.00 per cut after initial | \$ 8,888.00                         |

Joe Kerber made a motion, seconded by Wanda Layman, to award the “Township Mowing – 3 Properties” contract for the locations listed above to T Parke Lawn & Landscaping. This includes the cutting and trimming of those locations when the height of the grass reaches four (4) inches or when directed by the Township, whichever first occurs. The Contractor shall be responsible for labor, fuel, materials, equipment costs and Workers Compensation and Liability Insurance. The contract shall be effective July 18, 2013. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Wanda Layman made a motion, seconded by Alan Fossi, to authorize the solicitor to file an appeal to the Westmoreland County Court of Common Pleas from the decision of the Sewickley Township Zoning Hearing Board on June 26, 2013 which found that the adoption of Ordinance No. 2012-6 created an improper area of spot zoning. Voting: Mr. Kerber, no ; Mr. Fossi, yes ; Mrs. Layman, yes. Motion carried.

Joe Kerber made am motion, seconded by Wanda Layman, to authorize Gibson-Thomas Engineering to perform inspection of culverts and large pipes owned by the Township. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Wanda Layman made a motion, seconded by Joe Kerber, to advertise for paving of a portion or all of Kangaroo Hill Road. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to approve payment for repair at 33 Dexter Street, Herminie in the amount of \$2,494.00. This is for damage to a driveway during the prep work for paving. Board Comments: Mr. Kerber asked what damage was done at this address. Mrs. Layman stated that it was scuffed when the Road Crew was prepping and the driveway is a special material. The homeowner stated that it was chipped and it will break. The driveway is less than a year old. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Wanda Layman made a motion, seconded by Joe Kerber, to authorize the Township Road Crew to complete the repairs as was bid last year to the Municipal Authority of the Township of Sewickley. These repairs are as follows:

- 304 Meadow Lane – pave parking area
- 112 High Street – driveway repair
- 269 Maple Street – driveway repair
- 265 Hickory Street – driveway repair
- 42 Fourth Street – curb by garage to drainage (talk to owner)
- Oak Street – curb repair
- Corner of Oak and Chestnut – curb repair
- Oak Street across from Globosky – road repair
- Markle Street – curb repair top to bottom of hill on left side
- 124 Wilps Drive – curb repair
- 381 to 391 , 139 around corner to 165 Wilps Drive – curb repair
- Meadow Lane and McClerge Road between Fourth and Fifth Streets – road repair
- Seventh Street from Rear Sewickley Avenue to Sewickley Avenue – fill in and fix road
- 320 Church Street Alley – curb in back by garage to keep water from running in garage

Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Wanda Layman made a motion, seconded by Joe Kerber, to appoint Alan Fossi, Sewickley Township Supervisor, to the Sewickley Township Community Ambulance Service Board. Voting: Mr. Kerber, yes ; Mr. Fossi, abstain ; Mrs. Layman, yes. Motion carried.

Wanda Layman made a motion, seconded by Alan Fossi, to ratify the hours worked by Brian Nicholls, Public Works Director, during the week of July 8, 2013. Due to the storm damage in the Township, Mr. Nicholls worked 37.5 hours for the week. Voting: Mr. Kerber, no ; Mr. Fossi, yes ; Mrs. Layman, yes. Motion carried.

Joe Kerber made a motion, seconded by Wanda Layman, to prorate Crabapple Pool Season Passes to 50% off the original rate. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to ratify using Doug Loughner for maintenance jobs at all Township owned properties. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

A letter was received from the President of the Sewickley Township Community Fair kindly asking for a donation from the Township.

Joe Kerber made a motion, seconded by Wanda Layman, to donate \$500.00 to the Sewickley Township Community Fair that is being held July 15, 2013 to July 20, 2013. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to close the Township Office at Noon on Friday, August 9, 2013 so the Township employees may attend the Annual Picnic hosted by the Westmoreland County Association of Township Supervisors at Mammoth Park. Employees will be paid their regular hourly rate while attending this event. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to approve the following bills for payment.

|                   |   |
|-------------------|---|
| General Fund:     | Check 5505 - \$ 2,487.28 (6/26/13)            |
|                   | Checks 5507 to 5546 - \$ 105,577.77 (6/28/13) |
|                   | Draft 150077 - \$ 116.57 (7/10/13)            |
|                   | Check 5547 - \$ 1,803.53 (7/12/13)            |
|                   | Checks 5548 to 5560 - \$ 9,104.29 (7/12/13)   |
| Crabapple:        | Check 3984 - \$ 741.72 (6/26/13)              |
|                   | Checks 3985 to 3992 - \$ 5,241.93 (6/28/13)   |
|                   | Checks 3974 to 3983 - \$ 1,468.25 (6/5/13)    |
| Light Districts:  | Draft 102 - \$ 8,055.25 (7/11/13)             |
|                   | Draft 103 - \$ 1,448.93 (7/11/13)             |
|                   | Draft 104 - \$ 1,633.40 (7/11/13)             |
|                   | Draft 105 - \$ 635.21 (7/11/13)               |
| Payroll Invoices: | Checks 3029 to 3033 - \$ 2,979.47 (6/28/13)   |
|                   | Draft 90169 - \$ 2,216.35 (7/3/13)            |
|                   | Draft 90170 - \$ 16,212.14 (7/10/13)          |
|                   | Draft 90171 - \$ 10,617.77 (7/10/13)          |
|                   | Check 3082 - \$ 568.50 (7/12/13)              |

Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Wanda Layman, to approve the following payrolls for payment.

|                    |  |
|--------------------|--|
| Employees Payroll: |  |
| (twp)              | 6/28/13 - \$ 8,185.98 – check 3004 , drafts 23455 to 23466                   |
| (pool)             | 6/28/13 - \$ 4,540.80 – checks 3005 to 3028 , drafts 23467 and 23468         |
| (twp)              | 7/5/13 - \$ 8,441.89 – check 3034 , drafts 23469 to 23480                    |
| (pool)             | 7/5/13 - \$ 3,045.82 – checks 3035 to 3054 , drafts 23481 and 23482          |
| (twp)              | 7/12/13 - \$ 12,555.74 – checks 3055 to 3057 & 3081<br>drafts 23483 to 23494 |
| (pool)             | 7/12/13 - \$ 4,506.98 – checks 3058 to 3080 , drafts 23495 and 23496         |
| (twp)              | 7/19/13 - \$ 9,370.89 – check 3083 , drafts 23497 to 23508                   |
| (pool)             | 7/19/13 - \$ 3,050.56 – checks 3084 to 3105 , drafts 23509 to 23510          |

Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Motion carried unanimously.

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With no further business to come before the Board, Joe Kerber made a motion to adjourn, seconded by Wanda Layman. Voting: Mr. Kerber, Mr. Fossi, Mrs. Layman; yes. Meeting adjourned at 8:05pm.

Susan D. Leukhardt  
Secretary-Treasurer