

Chairman, Mark Petros, on Wednesday, August 21, 2019 at 7:04pm, in the Meeting Room of the Municipal Building, called the Regular Meeting of the Sewickley Township Board of Supervisors to order as advertised in the Tribune Review on Friday, December 28, 2018. The members of the Board of Supervisors present were Mark Petros, Brian Merdian, and Joseph Kerber. Also attending the meeting were Daryl Demotta, Marci Suggars, Nancy Larson, Carol Hevia, Marianne Errett, Cheryl Collins, Carol Totaro, Geno Kerti, Mary Ann Stevens, Jay Stevens, Jim Balog, Jim Harvey, Ken Collins, Tom Gradisek, Jack McWilliams, Ann McWilliams, Bob Janzef, Judy Janzef, Betty Kovac, John Seanor, Richard Neel, Nancy Neel, Sandy Dull, Bill Luzar, Linda Orbon, Nancy Sowers, Linda Harvey, Rose Dushack, Linda Taylor, James Sanner, Linda ?, Nicole Staab, Alan Fossi, Chuck Slebodnik, Chuck Schropp, Millie Blanish, Debbie MacPherson, Tom Lord, MaryAnn Markel, John Markel, Linda Knor, M. Sensus, Jill Petros, Kathy Kerber, Greg Serakowski, Jackie Kumpf, Solicitor Kansler, and Susan Leukhardt.

Mark Petros led those present in the Pledge of Allegiance.

### **Report from Roadmaster, Joe Kerber**

We were out mowing fifteen (15) days since the last meeting. There was one (1) day repairing signs and five (5) days patching roads through towns. We did some storm repair work on Volk Road, Rodebaugh Road, Adolph Lane, and Pinewood Road. Pinewood Road storm pipe and catch box project is complete. The binder course is down on Pinewood Road. The top coat is half completed. Due to vacations next week, we will be putting in storm pipe and will get back on the paving project the following week. Carol Hevia commented that Pinewood Road paving and repair is spectacular.

### **Report from Recreation Director, Janet Schork**

**Crabapple Pool:** Attendance has slowed down considerably due to poor weather and as families prepare for the beginning of school. The end of season schedule is as follows... open now through Sunday, August 25<sup>th</sup>. Closed Monday, August 26<sup>th</sup> through Friday, August 30<sup>th</sup>. Open Labor Day weekend, Saturday, August 31<sup>st</sup> through Monday, September 2<sup>nd</sup>. We had the annual Back to School Splash Party on Monday, August 12, 2019. There were 221 youth and parents. It was our best ever turnout for the party. Fortunately, it was a hot, humid night for swimming and relaxing by the pool. The Pool a Palooza summer celebration was held on Saturday, August 3, 2019. The attendance was close to 400 people throughout the day and evening. Huge Thank You's to the Pool a Palooza sponsors, Comcast, Energy Transfer, Gibson-Thomas Engineering, Kerber Contracting, Rupp-Fiore Insurance, Tremba, Kinney, Greiner, and Kerr, LLC, and a huge thank you to Chevron who sponsored the fireworks this year. Also, thank you to the musical entertainment Eddie "Elvis" Steen and DJ Brandy. Also, thank you to volunteers Brian Merdian, Patty Vanyo, and the pool staff who did a great job. It was a terrific day from start to finish.

There have been calls about weeds at the playgrounds, Bruno Field, and the Park. Usually the pool staff helps Clint, our maintenance man. This year, nobody was able to help. Clint was needed at the pool for various pool projects. Ms. Schork apologized for the condition of the playgrounds, Bruno Field, the Park, and the Recreation Center. She believes we will be addressing this next week. Mr. Kerber stated that next week when the Road Crew is short-handed, they are going to address storm pipe and will get part of the Road Crew out to help with the weeding. Ms. Schork stated that we are always looking for volunteers also.

Joe Kerber made a motion, seconded by Brian Merdian, to approve the minutes of the Sewickley Township Board of Supervisors Special Hearing and Meeting held on July 17, 2019. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Brian Merdian stated that before moving on to Public Comment, he introduced Corporal David Shero with the Pennsylvania State Police who is with us this evening. Corporal Shero is making his rounds to municipalities and boroughs within the County and has chosen to come to Sewickley Township this evening. Corporal Shero stated that if there are any issues, to call the Barracks and ask for a Supervisor for whatever you may need.

**Public Comment**

Marcie Suggars stated that she is here on behalf of the Public Library, Recreation Center, and the playgrounds which were just talked about. The grass has not been cut at the Library since July 15<sup>th</sup>. Mark Petros stated that due to the weather, the mowing has been delayed. Ms. Suggars stated that she took her grandchildren to the Lowber playground and they were afraid to go into the playground due to high weeds. Mr. Kerber stated that this issue will be addressed with the contracted mowing company.

Geno Kerti asked about a paving plan for Hildenbrand Road. Mr. Kerber stated we are going after Sunoco Pipeline for paving monies for Hildenbrand Road and part of Apples Mill Road. That's why the patches from last year have not yet been paved yet. We had Gibson-Thomas Engineering show the photos of before and after. We gave them a price for Hildebrand, part of Apple Mills, and Kalamazoo. Mr. Kerti stated he lives on the Carnegie Road side of Hildenbrand Road and that end hasn't been touched for at least five (5) years. Mr. Kerber stated it was oiled and chipped three (3) years ago. Mr. Kerti showed Mr. Kerber pictures that he had taken of Hildenbrand Road. Mr. Kerti asked if the paving would be done on the entire length of Hildenbrand Road. Mr. Kerber stated it would be once the Township gets the money that is owed from Sonoco Pipeline for the road paving.

MaryAnn Stevens asked that everyone that is in the meeting from Wineberry Ridge to please stand. She said they came to the meeting tonight to address issues for Wineberry Ridge. An email was sent to the Township Supervisors asking if they could meet privately after the meeting so they could ask some questions and share concerns. She did receive an email back stating that a private meeting is not permissible due to the Sunshine Act. She stated she did do a Right-To-Know recently and she knows it takes five (5) days for the Right-To-Know to be completed. She stated that Wineberry Ridge is more of a community of retirees and most of the people living there are not originally from this area. The Wineberry Ridge community is frustrated by what is happening in their development. The bottom line is we all need help and we need answers and we're hoping that you can start doing that this evening on both ends. The Developer has one remaining patio home that needs to be completed, it's probably 98% complete at this time. Once that's done, he will be moving on so we're in the process of taking over the HOA but we do have some concerns. The three (3) big concerns are the road, the embankments, and the retention ponds. Jay Stevens asked the Supervisors if they received the report from the Engineer on the road? Mr. Kerber stated they have not and at this point, he's suggesting that we do not take the road over. Mr. Stevens stated there was an email that he got from Brian Merdian that said we had not approved or accepted the road. Mr. Merdian explained that the Consulting Engineer met with Mr. Serakowski and explained to him what he needs to do. Mr. Stevens asked if there was a time-frame on completing these items. There is a Developer's Agreement and there is a time frame. He has video evidence where all the water very rarely goes into any of the storm drains. The water goes down the road into people's yards and driveways and carries some mud down the street into the creek. He has thirty (30) days to get it fixed or you can pull his bond. Has his bond been renewed for June since it was to expire then? He also asked why does he have two (2) bonds and he hasn't taken over the road? Attorney Kansler stated that he would like to clarify that a Maintenance Bond has been furnished but not accepted. The Maintenance Bond is only accepted and put into effect once the road system has been accepted and put into the public system. The Maintenance Bond is a separate, distinctive and we have not accepted. Mr. Stevens stated that if he had got in writing what is wrong with the road, he should have to be made to fix the road. Mr. Kerber stated he met with the Engineer and Mr. Serakowski and showed him that the road did not have a crown on it. Actually, it was the opposite, the water was going to run right down the middle of the road. It has to go off to the sides and curbs put in and directed into the catch boxes. Mr. Stevens stated that he would think that the Township should take some responsibility and force him to get the road done. If it's going to be like this during the winter time and all the water is going to go down the center of the road, there's going to be a problem coming down the hill. In the specs from the engineering firm, there's supposed to be a guardrail down across the bridge and there is nothing going across the bridge. Mr. Stevens emailed back and forth with Brian Merdian about the embankments and he says that the Township has no control over the embankments. Why is it then that it is in your building code that the embankments have to be done a certain way? Also, there has to be a permit to do excavation and have it approved. Why have it in the building code if it can't be enforced? Mr. Kerber stated that he's operating underneath the Conservation District permits, not the Township's permits. Mr. Stevens asked if there were any conversations with the Conservation District regarding this issue? Mr. Kerber stated he has met with Chris from the Conservation District on at least two (2) occasions. Mr. Stevens then commented on the hillsides that are sliding. This could come back on the Township if homes are taken out from landslides. He then asked if there has been any contact regarding retention ponds? Mr. Kerber reiterated that it is also with the Conservation District and he will reach out to Chris DeRose and see if they can meet again. He will contact Mr. Stevens when they are meeting. Susan Leukhardt stated that she has

been working on the Right-To-Know for two (2) days and she is waiting to obtain information requested in the Right-To-Know from the Township Engineer.

Judy Janzef asked if there were any updates on Chevron moving to a property on Herminie West Newton Road? Joe Kerber stated that he thought they've changed their permit. They are no longer going to take outside driller's water. It's just going to be all Chevron's. If that's the case, they probably have a very good chance of getting their permit. If they run it as a business and treat other people's water, they're not allowed to do that. Attorney Kansler stated that they did present a Special Exception application to the Zoning Hearing Board. The hearing in July, 2019. They will be making a decision at the end of the month. A Land Development Application was submitted to the Planning Commission and they tabled that. It will be re-addressed by the Planning Commission in September, 2019. Another resident asked how would it be known if it's Chevron's water. Mr. Kerber stated that he brought that up too because it would not be known. These trucks run from different generators, it's not all Chevron generators. It could be Huntley & Huntley and everybody else. He thinks that's something we have to look into. They're going to have to log the trucks in when they're coming in to verify where it is coming from.

John Seanor asked what is the status of the Ordinance Officer. He called in the beginning of March about issues he has. The Ordinance Officer said he sent registered letters in March and April. Mr. Seanor stated he turned in a Right-To-Know and the Ordinance Officer sent a letter out six (6) months later. If there is no enforcement, people will walk all over this town.

Nancy Bickus Neel stated that she just wanted to follow up on the raccoon situation that was discussed at the last meeting. There were a couple comments from citizens that were made to me about how to solve this problem so I kind of went and did a follow up. First, was to contact the Westmoreland County Health Department and according to them, unless you get bit by a rabid animal, they will not get involved. The second was just to ignore the animal. I called the Allegheny County Health Department because they're a little bit more well versed on animal control. They told me if you see an animal that is acting strange, chances are it might not be rabid, but it is sick. Just ignore the animal. Third, was about shooting the animal but the Allegheny County Health Department does not recommend that. Ms. Neel feels that the Township should have some kind of policy such as wild animal control. Brian Merdian stated that he looked into it and said there are individuals in the community that are trappers. This is something that the residents could consider using if they are having problems like this. The Game Commission website states that the property owner is responsible for addressing nuisance wildlife.

Bill Luzar asked what the status is of the sewer system in Hutchinson since the MSATS office was closed on November 30, 2018. Has the contract been finalized? Brian Merdian stated the contract has not been finalized yet. The maintenance bond and his final closure is not complete. There are still remaining punch list items that the contractor, Pollard, still needs to address and should be completed by the end of September. Mr. Luzar asked about the paving that was to start on Hutchinson Road. Joe Kerber stated that with the rain, it got delayed. It will still start probably within about three (3) weeks. Mr. Luzar stated he did not understand how the Township is going to get the street to drain into the municipal pond. Mr. Kerber and Mr. Merdian stated they did see the design from the engineers of pipe sizing.

Mr. Luzar also asked about the street lights that were supposed to be installed at the Hutchinson Firehall. It was voted on that they were getting installed. Susan Leukhardt stated we are not getting charged for them and we have not received any billing for them as of yet. Brian Merdian stated he would contact the Fire Chief to find out more information. Mr. Luzar stated he doesn't understand the charges for street lights and there is not a pole in town. He asked how a 1% tax could be charged when there are not any street lights in his area. Mr. Kerber stated we were paying for the street lights and the fire hydrants out of the General Fund already. Mr. Merdian stated that either we raised the taxes on the General Fund or we put it on a specific line item. It was decided to be given a specific name and line item.

Alan Fossi stated he would like to revisit the June meeting when a resident asked Mr. Petros what he has done for the Township while in office and he had no answer. He collects \$200 for every meeting he attends, 90% of his health care is taken care of by the Township, and he's voted 100% of the time with Mr. Kerber. He stated to Mr. Petros that this is a great opportunity for him to work with his fellow Supervisor and remove Mr. Kerber from his position as Roadmaster. He has proven to be dishonest and does not deserve the position. Mr. Kerber asked Mr. Fossi if he lost his job in 1972 when he was a police officer in Allegheny County for selling drugs. Mr. Fossi stated yes but was found innocent of the charges. Mr. Kerber stated that there was a six (6) month investigation by the County District Attorney and they found that he did nothing wrong.

Kathy Kerber stated that probably five (5) or six (6) employees of the Township may have seen the flag. It was immediately taken down. It was handled and was enforced by whatever policy was in place at the time. These employees that saw it did not file any complaints or litigation. Certain people found it advantageous to go to the paper and then take it to the news. Of the five or six people who could have been offended by it here at the Township, the entire newspaper circulation or whoever may have watched the news that night were now offended by the individuals who decided it was to their advantage to put it out there like that. Who did the offending? Mr. Kerber stated that he voted against the man that did it and Mr. Fossi and Wanda Layman hired him.

Greg Serakowski, developer of Wineberry Estates stated that there are twelve residents out of thirty one that are attending this meeting. He spoke to the field inspector with Gibson-Thomas Engineering and he told him that there were some drains that were not catching water. The field inspector told him which drains and there is a plan to correct them. The final top of asphalt has to be applied on the resident's driveways. Mr. Serakowski stated that will be done simultaneously with the drain work in the first part of September. Joe Kerber stated that this is an issue with Wineberry Ridge and is not a Township issue. Brian Merdian did state that the work does need to get done expeditiously, within 30 to 45 days, so prior to when winter is here, the bond can be closed out and implement the Maintenance Bond. Mr. Serakowski stated he is getting pricing for the guardrail. He said in reference to the embankment, he has done everything he was told to do by Chris from the Conservation District expect he has to put metal cages on top of the two (2) catch basins. All the underdrains are in. All the rip rap is in. The seeding is done. One of the last things that he needs is a center of road survey and he is actively seeking bids for the survey. A resident asked when does the asphalt plant shut down for the season. Mr. Kerber stated they usually shut down around Thanksgiving. Mr. Merdian stated once again to get the road paved where Gibson Thomas will sign off on it.

Joe Kerber made a motion, seconded by Brian Merdian, to accept the 2018 Municipal Annual Audit and Financial Report for the Township of Sewickley. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to disburse 2018 EMS Tax funds on behalf of Lowber Volunteer Fire Department as follows:

S & T Bank – mortgage payment	\$ 602.25
Charles H. Price Auto Sales – 2006 emergency vehicle	\$ 5,702.00

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to disburse 2018 EMS Tax funds on behalf of Herminie Volunteer Fire Department as follows:

WCCC – 2 invoices – Fine & Dunn attending fire school	\$ 465.00
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Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to disburse 2018 EMS Tax funds on behalf of Hutchinson Volunteer Fire Department as follows:

Harris Auto Repair – maintenance on 2010 F550	\$ 1,024.70
Kush Kustoms – rescue truck light replacement	\$ 3,488.00

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to disburse 2018 EMS Tax funds on behalf of Sewickley Township Emergency Management as follows:

Comcast – monthly office phone & internet	\$ 250.70
Replenish Petty Cash	\$ 176.59

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to consent to the sale of tax map parcel 58-10-06-0-041 pursuant to a bid made to the Tax Claim Bureau and directing the Secretary to advise the Bureau of the same in writing. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to adopt Resolution 20-2019 approving the Settlement Agreement between Linda G. Aronckes and the Township of Sewickley regarding 116 Daisy Street. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Brian Merdian made a motion, seconded by Joe Kerber, to table Resolution 21-2019 approving an agreement with Enviro21, contingent upon the solicitor's review, modification if appropriate, and approval of the same. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to advertise in the Tribune Review for Budget Workshops to be held on the following dates and times:

Wednesday, September 11, 2019 at 6:30pm	Tuesday, October 22, 2019 at 6:30pm
Tuesday, September 17, 2019 at 6:30pm	Tuesday, October 29, 2019 at 6:30pm
Wednesday, September 25, 2019 at 6:00pm	Monday, November 4, 2019 at 6:30pm
Thursday, October 3, 2019 at 6:30pm	Tuesday, November 12, 2019 at 6:00pm
Tuesday, October 8, 2019 at 8:30am	Tuesday, November 19, 2019 at 8:30am
Tuesday, October 15, 2019 at 6:30pm	

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to ratify the increase of Clint Strosko's pay rate while working with the Road Crew to \$15.90 per hour. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to ratify Janet Schork to work over her allotted hours on the payroll dates of July 26, 2019, August 9, 2019, and August 16, 2019. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to ratify the Annual Back to School Splash Party at Crabapple Pool on Monday, August 12, 2019 from 7:30pm to 10:00pm. Members are free and General Admission is \$2.00. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to approve the following bills for payment:

**General Fund:**

Checks 10493 to 10495 - \$ 526.00 (7/19/19)  
 Checks 10496 to 10505 - \$ 14,964.60 (7/24/19)  
 Checks 10506 to 10527 - \$ 27,181.41 (8/8/19)  
 Checks 10528 to 10540 - \$ 7,704.60 (8/14/19)

ACH Payments: First Energy - \$ 8.25 (7/29/19)  
 First Energy - \$ 104.07 (7/29/19)  
 First Energy - \$ 124.96 (7/29/19)  
 First Energy - \$ 314.35 (7/29/19)

Check 10541 - \$ 4,750.00 (8/15/19)  
 Checks 10542 to 10556 - \$ 29,355.53

Columbia Gas - \$ 27.07 (8/5/19)  
 MAWC - \$ 62.79 (8/15/19)

**Crabapple:**

Checks 4723 to 4725 - \$ 2,232.04 (7/24/19)  
 Checks 4726 to 4729 - \$ 2,425.55 (7/30/19)  
 Checks 4730 to 4734 - \$ 3,773.49 (8/8/19)  
 Checks 4735 to 4744 - \$ 5,202.77 (8/15/19)

ACH Payments: First Energy - \$ 31.85 (7/29/19)  
 First Energy - \$ 441.28 (7/29/19)  
 First Energy - \$ 109.74 (8/9/19)  
 First Energy - \$ 133.54 (8/9/19)

**Street Light / Fire Hydrant:**

ACH Payments: First Energy - \$ 412.84 (7/8/19)  
 First Energy - \$ 656.42 (7/8/19)  
 First Energy - \$ 2,398.93 (7/8/19)  
 MAWC - \$ 2,751.00 (7/15/19)

First Energy - \$ 414.84 (8/2/19)  
 First Energy - \$ 659.62 (8/2/19)  
 First Energy - \$ 2,410.70 (8/2/19)

**Liquid Fuels:** Check 515 - \$ 57,063.60 (7/24/19)  
 Check 516 - \$ 4,894.32 (8/8/19)  
 Check 517 - \$ 50,113.47 (8/8/19)

Check 518 - \$ 4,466.00 (8/8/19)  
 Check 519 - \$ 50,574.42 (8/8/19)  
 Check 520 - \$ 55,826.40 (8/15/19)

**Recreation:**

Check 2831 - \$ 167.67 (7/24/19)  
 Check 2832 - \$ 167.67 (8/15/19)

ACH Payments: MAWC - \$ 123.90 (7/17/19)  
 MAWC - \$ 142.38 (7/17/19)  
 First Energy - \$ 12.87 (7/29/19)  
 First Energy - \$ 15.58 (7/29/19)  
 First Energy - \$ 322.83 (7/29/19)  
 Columbia Gas - \$ 35.31 (8/5/19)  
 MAWC - \$ 123.90 (8/19/19)  
 MAWC - \$ 30.97 (8/19/19)

**Payroll Invoices:**

Checks 6073 to 6075 - \$ 4,460.51 (7/30/19)  
 Check 6103 - \$ 440.22 (8/8/19)

ACH Payments: Payroll Liabilities - \$ 4,061.98 (7/26/19)  
 Payroll Liabilities - \$ 96.05 (7/31/19)  
 Payroll Liabilities - \$ 165.00 (7/31/19)  
 Payroll Liabilities - \$ 3,991.74 (8/2/19)  
 Payroll Liabilities - \$ 3,667.50 (8/9/19)  
 Payroll Liabilities - \$ 958.59 (8/20/19)

Payroll Liabilities - \$ 1,863.21 (7/31/19)  
 Payroll Liabilities - \$ 1,103.59 (8/5/19)  
 Payroll Liabilities - \$ 4,750.60 (8/16/19)

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Joe Kerber made a motion, seconded by Brian Merdian, to approve the following payrolls for payment:

<b>Employees Payroll:</b>	(twp)	7/26/19 - \$ 13,339.56
	(pool)	7/26/19 - \$ 4,292.67
	(twp)	8/2/19 - \$ 12,667.00
	(pool)	8/2/19 - \$ 4,609.16
	(twp)	8/9/19 - \$ 11,405.71
	(pool)	8/9/19 - \$ 5,217.42
	(twp)	8/16/19 - \$ 15,881.00
	(pool)	8/16/19 - \$ 4,180.67
	(twp)	8/23/19 - \$ 12,753.46
	(pool)	8/23/19 - \$ 4,066.18

Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

**New / Old Business**

Brian Merdian made a motion, seconded by Joe Kerber, to amend the agenda for the August 21, 2019. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

Brian Merdian made a motion, seconded by Joe Kerber, to hire Joseph Pocsatko as a part-time Ordinance Officer at the pay rate of \$13.00 per hour with estimated hours of 20 to 25 hours per week. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously.

With no further business to come before the Board, Joe Kerber a motion to adjourn, seconded by Brian Merdian. Voting: Mr. Petros, Mr. Merdian, Mr. Kerber; yes. Motion carried unanimously. Meeting adjourned at 8:09pm.

Susan D. Leukhardt  
Secretary-Treasurer