

Commissioners' Meeting Activity

July 21, 2014

<u>TITLE</u>	<u>MOTION</u>	<u>SECOND</u>
Approve Workshop Mtg. Min. 7-14-14	Comm Seifarth	Comm Jones
Defer Road Constr. Bids	Comm Jones	Comm Seifarth
Purchase 24 Months-Prof. Liab. Ins.	VP Doebler	Comm Jones
Approve June Bill List-\$27,510.99	VP Doebler	Comm Jones
Table Paying \$100,000.00 to Sew. Until Spec. Mtg.	VP Doebler	Comm Jones
Ratify June Pre-Paid Bills-\$16,250.94	VP Doebler	Comm Jones
Ratify June Payroll Trans-\$16,548.73	VP Doebler	Comm Jones
Accept 2013 Audit	Comm Jones	Comm Seifarth
Approve Pay Req. #25-\$979.40	Comm Jones	Pres Gartner
Adjournment	VP Doebler	Comm Jones

TOWNSHIP OF ALEPPO
BOARD OF COMMISSIONERS
MEETING MINUTES

JULY 21, 2014

CALL TO ORDER:

President Rodney Gartner called the meeting to order at 7 PM with the Pledge of Allegiance and roll call. Those in attendance were Vice-President Matthew Doebler, Commissioners George Jones, John Seifarth, Solicitor Harlan S. Stone, Manager Gwen Patterson and Secretary Martha B. Rogers. Commissioner Joanne Schollaert was not in attendance.

MINUTES:

Commissioner John Seifarth made a motion to approve the Workshop Meeting Minutes of July 14, 2014. Commissioner Jones seconded. The motion passed unanimously.

EL GRANDE PAVING-PAVING OF CERTAIN ROADS:

Manager Patterson said the water repair work has not been approved for the Industrial Park. That paperwork should be coming in within three days.

Solicitor Stone said the suggestion was made that we could contractually extend the period for commencing and completing the contract. If the contractor is prepared to waive those requirements or extend the timing, it can be done by contract. The engineer is suggesting that we might be able to negotiate an indefinite extension with the contractor. Commissioner Jones asked if it couldn't be approved with the contingency that the other work is completed. Solicitor Stone said no because under the terms of the contract, the notice to proceed is effective on the date that the contract is accepted. Our engineer said El Grande is prepared to enter into a side agreement that would change or extend that notice to proceed date. Commissioner Jones asked if we could be liable if the Industrial Park didn't complete the job that had been contracted. Solicitor Stone said we could be liable unless we agree with the contractor otherwise. It is not unusual to enter into a contract extension. It guarantees the price. He would be reluctant to extend it indefinitely. Manager Patterson said Oxford said if everything goes as they hope or expect, the time frame would be four weeks and the contractor would be ready to start. Their work should be done at the end of August. She asked Solicitor Stone if we can award certain roads this evening and hold off and award Overlook at the next workshop meeting. Solicitor Stone said he thinks the way it was bid, we can. Mitall said there is

not an end date for the bid. It can stay open. Commissioner Jones said he would like to understand why we can't just say the timing of our contract with El Grande is contingent upon the completion of the other work. Solicitor Stone said if the bid did not contain a contingency in the specs, he doesn't know how that can be changed unless the contractor agrees.

President Gartner suggested reaching an agreement to extend it to a set time and if they are not ready at that point, another extension can be considered. Solicitor Stone said that can be done. There should be an end date. He does not want to see the Township committed beyond a certain point.

Manager Patterson said the contract was written saying all work would be completed by August 29 which she believes is a mistake. She recommended at least until the end of October. Solicitor Stone said the contractor is given notice to proceed when he accepts the contract. Manager Patterson asked if a certain list of roads can be awarded and then table awarding Overlook so they can get started on some of it. Solicitor Stone said the way it was bid, it looks like we can award some of it but not all of it. It was bid on a unit basis and can be separated out. Commissioner Jones asked if she feels Oxford will reply within the week. Manager Patterson said yes. She suggested a special meeting. She will ask George Anderson to come in for that meeting.

Vice-President Doebler said he feels other roads should be discussed. He also read e-mails regarding roads and paving from residents of Sewickley Heights Manor and Masonic Village.

Commissioner Jones made a motion to defer the approval of the road construction bids until the next special meeting. Commissioner Seifarth seconded. The motion passed unanimously.

Manager Patterson said the advertising may be in either the Allegheny Times or the Tribune Review. She will post the building and put it on the website.

PROFESSIONAL LIABILITY INSURANCE TAIL COVERAGE:

Vice-President Doebler made a motion to purchase 24 months of Professional Liability Insurance tail coverage from National Casualty for \$3600.00. Commissioner Jones seconded. Discussion-Vice-President Doebler said he is making this motion because he is concerned that without buying tail insurance coverage, we are exposing ourselves to liability for potential lawsuits that could be arising out of the sewer project and other liabilities. Solicitor Stone agrees. He feels 24 months is sufficient. A roll call vote was taken. The motion passed unanimously.

PUBLIC SAFETY:

Ohio Township Chief of Police Norbert Micklos gave his report to the Board and the public for the month of June. The report was accepted.

FIRE DEPT:

No report.

EMERGENCY MANAGEMENT:

Manager Patterson reported she, Commissioner Jones and Judy Haluka met and went over the emergency operations plan which is different than the emergency management plan. It details what everyone's role in the Township is in an emergency. It sets the municipal building as the command center, Commissioner Jones as the Commissioner in Charge of certain kinds of activities. Vice-President Doeblner was named head of Communications during an emergency. Commissioner Jones said Ms. Haluka has done a terrific job. The report was accepted.

COMMUNICATIONS:

Vice-President Doeblner announced we are live streaming our meetings beginning this evening. Last month there was interest expressed in the investment of savings account money. The Aleppo Township Authority report, Ambulance Authority report and the Public Works report were popular.

Letters were sent out this month updating the efforts of the commissioners for the first six months. He believes an effort should be made to explain to residents what the commissioners found in the first six or seven months of 2014 regarding the Township bills, in particular the water and sewage bills. He feels a special meeting should be called to inform residents what has been done to date or make it part of a legislative meeting. The report was accepted.

PLANNING/ZONING:

Manager Patterson reported there was no meeting this month but there will be a meeting next month.

TAX COLLECTOR:

Tax Collector Charlotte Pierce gave her report to the Board and the public. The report was accepted.

TREASURER:

Treasurer Charlotte Pierce gave her report to the Board and the public. Commissioner Jones asked if the sewer bond fund is adequate to meet the next payment. Manager Patterson said yes. The report was accepted.

FINANCE:

Vice-President Doebler made a motion to approve the June bill list in the amount of \$127,510.99. President Gartner seconded. Discussion-Commissioner Jones asked if it includes the \$100,000.00 payment to Sewickley. Manager Patterson said it does. Commissioner Jones said Mr. Flannery offered in writing to summarize this transaction in a letter agreement. Commissioner Jones would prefer that the payment is contingent upon that letter agreement. Solicitor Stone said it could be approved subject to receipt of an executed letter agreement and authorize Manager Patterson to hold it until the letter agreement is received. It then could be approved at the Special Meeting.

Vice-President Doebler amended the motion and withdrew the original motion. The new motion is to approve the June bill list in the amount of \$27,510.99. He also made a second motion to table paying \$100,000.00 to Sewickley until the Special Meeting next week. Commissioner Jones seconded. Both motions were approved unanimously.

Vice-President Doebler made a motion to ratify the June pre-paid bills in the amount of \$16,250.94. Commissioner Jones seconded. The motion passed unanimously.

Vice-President Doebler made a motion to ratify the June payroll transfers in the amount of \$16,548.73. Commissioner Jones seconded. The motion passed unanimously.

Commissioner Jones made a motion to accept the 2013 Audit. Commissioner Seifarth seconded. Discussion-Commissioner Jones said the audit was well written and understandable. He was also pleased with the answers to the questions raised when reviewing the audit. Vice-President Doebler said in the management letter there were suggestions and he asked if the Board wants to do anything more with those issues. Vice-President Doebler said Mr. Turnley feels policies should be addressed. Manager Patterson has been in touch with Mr. Turnley regarding sample policies. The motion passed unanimously.

ALEPPO TOWNSHIP AUTHORITY:

Commissioner Seifarth reported at the last meeting, the Authority authorized hiring Houston Associates to assist the Authority staff in the accounting preparation of financial reports. More detail will be provided.

The maintenance staff received a final bid sheet on the expansion of the garage. It is \$107,000.00. The bid is good indefinitely.

The flow meters to Sewickley have been recalibrated with very good results. KLH will make an effort to have the existing flume removed. KLH has prepared a letter to send to

Sewickley showing the effect of corrections made. Mr. Lisanti, Aleppo Township Authority, will inform the Board how we will handle recovering excess payments which we have made. Commissioner Seifarth indicated the payments approach \$100,000.00. Mr. Lisanti spoke to the Board explaining how this issue developed. We were paying Sewickley more than we were collecting from clients. KLH did not have certification that the meters were installed correctly. The Authority paid to bring someone in to certify the calibration at a cost of \$1,500.00.

KLH wrote a letter to Sewickley informing them we have been paying significantly more for sewage than is being used. The amount is 38 per cent more. Since July of last year, \$100,460.00 in excess of what should have been paid. Aleppo Authority would like to have a credit. The letter will ask for \$15,000.00 credit per month until the amount is paid.

Commissioner Seifarth said he, Mr. Lisanti and Solicitor Stone met with representatives of West View Authority to begin discussions of the new agreement.

The Authority did approve a new rate schedule reducing the institutional rate for customers from paying \$10.50 to \$9.50 per thousand gallons for sewage service. President Gartner asked if that has been communicated to the customer. Commissioner Jones said the Board of Commissioners technically have to approve it. The Commissioners adopt the new rate schedule in an ordinance. There are enforcement mechanisms when collecting under an ordinance that are not in place with a resolution.

There have been positive responses regarding e-billing from customers. The software has been authorized.

The Authority has retained Allen Miller as special counsel to represent the Authority in the ongoing investigation by DEP regarding the Osborne matter. They acted to give legal action to reserve the Authority rights against KLH. Also, the Authority did approve purchasing piping material for the South McCoy project up to \$19,200.00. This can be done without public bids. There were three estimates.

Mr. Lisanti and he would like to have a rate consultant consider the proposed tap in fees that the Authority has received from Sewickley. The landslide has moved another 12 inches.

QVCOG:

No report.

AMBULANCE AUTHORITY:

No report.

PUBLIC WORKS:

Mr. Thomas Jarvie, Public Works, gave his report to the Board and the audience. The report was accepted.

SOLICITOR:

No report.

537 PLAN:

Commissioner Jones made a motion to approve Pay Requisition #25 in the amount of \$979.40. President Gartner seconded. Discussion - Manager Patterson said this is an invoice from KLH for two inspection services. Commissioner Seifarth asked for an explanation on the Conservation District. Manager Patterson said the Conservation District had to inspect all the sites that they had given them permits for during construction. The motion passed unanimously.

UNFINISHED BUSINESS:

NA.

NEW BUSINESS:

NA.

ACTION ITEMS:

Commissioner Jones said the picnic will not be held this year but planned for next year. He would like to see a unique theme developed.

Also, he would like to encourage the Township's negotiating team to reopen negotiations with Masonic Village. He expresses the wish to Masonic Village that they continue to be good neighbors and welcome new negotiations. The Commissioners must be aware of all residents' increase in expenses due to the new sewage program. Solicitor Stone has been in touch with Bryan Simmons. He thought the proper time to sit down might be after any action is taken on the rate proposal. This is because the rates would be part of their lawsuit and part of the negotiation. Commissioner Jones said the PILOT issue was deferred as part of the negotiations. He feels a comprehensive package including our offer needs to be submitted in writing and discussed. Solicitor Stone said he can arrange any further negotiations. Commissioner Jones is suggesting a comprehensive offer to resolve the lawsuit by negotiation. Solicitor Stone will arrange a meeting with Masonic Village.

CITIZEN PARTICIPATION:

NA.

ADJOURNMENT:

Vice-President Doebler made a motion to adjourn the meeting. Commissioner Jones seconded. The motion passed unanimously. The meeting was adjourned at 8:45 PM.

Respectfully submitted,

Martha B. Rogers
Township Secretary