

July 7, 2017

The Work Session was held this evening at the Mahoning Township Municipal Building at 5:30 PM. To at the Municipal Building at 1101 Bloom Road. This is an advertised voting meeting.

Members of the Board present:

Ken Woodruff, Chairperson

Bill Lynn, Vice Chairman

T. S. Scott, Supervisor

Attorney Ben Landon

Zoning Officer Dean VonBlohn

Chief Sean McGinley

Treasurer Ken Houck

Joe Oberdorf, Secretary

Leslie Young, East End Fire Chief

Signing the attendance sheet were: Karen Blackledge of the Danville News, John and Nancy Whelan, Rose and Bill Pursel, Bryan Campbell, Betsy Hack, and Wood of Welsh residents Mingying Lin, Peg and Jack Seksinsky, Laurie and Earl Newman, Carolyn and Michael Facktor and Mike Kalie for Geisinger.

ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE NOTED.

Chairman Woodruff opened with the Pledge of Allegiance to the Flag.

Supervisor Scott then reported the Supervisors had executive sessions on June 14 (Water & Sewer. June 20 for personnel, July 5 and July 6 for Water & Sewer.

Chairman Woodruff then called on the following department heads for their June reports.

**LEGAL REPORT:** Attorney Landon reported that Solicitor Ryan Tira is on vacation for the MS4 meeting and he will be attending in Tira's place.

**ZONING REPORT:** Dean VonBlohn report shows the follow items:

He was following up on the quotes for the purchase of the Scanner Printer and they are: Print-O-Stat of Mechanicsburg \$7,595, Cannon Solutions of America from Chicago \$8,577 and West Allis Blue from West Allis, Wisconsin and he recommended the 36" Cannon IPF 785 MPF Machine quote from Print-O-Stat. even though this is \$226.00 more than the quote from West Allis Blue of Wisconsin.

Attorney Landon reported you could take a lower bid but there must be responsible reasons regarding differences. After Attorney Landon reviewed the bids and noted set-up, on-site service during normal hours with operation instructions and the delivery of the machine and the Wisconsin firm would only have remote training is an example to allow the selection Print-O-Stat of Mechanicsburg. Dean did mention this is the same machine Danville Borough purchased and they are very satisfied with the machine and service provided. Chairman Woodruff noted this purchase will be coming from the UCC Fund of \$198,994.37 and not from tax dollars. Vice Chairman Lynn made a motion to purchase the machine from the Mechanicsburg company for \$7,595.00. Second by Supervisor Scott.

Betsy Hack asked Dean regarding the soil erosion on Woodbine Lane area. Dean reported that he visited the site today and the filter sock needed to be corrected and asked Bob Stout from MARC that correction be made at the park location owned MARC.

**POLICE REPORT:** Chief Sean McGinley gave the police report for the month of June showing the department responded to 186 calls for service, 28 criminal incidents, 12 cases of assists, assist to 5 motorists and he also reported the Annual Nights Out put on by the area Police Departments on August 1, 2017.

**STREET REPORT.** Chairman Woodruff gave the Street Department for Lloyd Craig Group Leader.

**Items worked on over the past month and pending Items that were completed.**

Chairman reported the Street Department

**Items worked on over the past month, Pending Items that were completed.**

1. second round of roadside mowing under way
2. HRI arrived on July 5<sup>th</sup> to start paving. Palmer Dr, Locust Ln. are done, working on streets in the meadows development now.

**On-going items**

1. spouting contractor was notified.
2. front door was ordered. probably 4 weeks to make.
3. masonry preservation service was contacted. They should have a start date in the next two weeks
4. overtime since June 12<sup>th</sup>., 7 man-hours on a tree down, 3 man-hours on hauling amesite through lunch and 4.5 man-hours assisting water dept. operator with opening valves and flushing system from water break on Rt 11.



Betsy Hack also wanted to know about her Right to Know Letter regarding a “rate study” and Ken Houck told her of the a 30 day extension asked for by the Township. Treasurer Ken Houck said the information must be reviewed by the Solicitor because there are issues of what I (as Treasurer) can release and what the response would be in the report. Ken reported that he wanted the correct information to be given to her. Attorney Landon also there are no final decisions on the request as yet. Supervisor Scott also reported the Township engaged our engineer to review the situation, we reviewed all our accounting and financials including prospective expenditures, maintenance and other issues. We determined it was necessary to increase the rates by the percentage that Danville had increase to us and that being 10% on water and 15% on sewer rates and we determined that we should mail the facts to every single customer in the Township giving everyone a “heads up” that we are looking at, if we increase the same percentage, the average customer that it equate to so much increase for sewer and water. Tonight, there will be a vote taken on the rates which may be enacted. Once that is complete then we will be able to respond to any Right to Know that came into the office regarding a rate study and the methodology employed to arrive at this final conclusion. Vice Chairman noted the Authority was given notice in November of 2016 that Danville rates were going up 10% for water and 15% for sewer and we put it (any rate increase) until we tried to see if we needed to put it up that same percentage. Vice Chairman Lynn reported the funds being spent on the water tanks and the maintenance of the lines and the Township would be going deeper in costs if nothing is done. Supervisor Scott also noted the cost of the water tank maintenance this year will be about \$300,000 and this must be done every 4 to 5 years. Vice Chairman Lynn also noted that Danville could raise the rates again the end of this year as Municipal Governments are not governed by the PUC. Vice Chairman Lynn also noted the past when Danville increase the costs of water and sewer, the Authority chose to increase the rates by a lesser figure. To address the transparency stated by Hack, Supervisor Scott again referred that every single customer was sent the letter and in the past according to Vice Chairman Lynn, the Authority just made the increase on the resident’s invoice without any prior information being given to the residents. Vice Chairman Lynn again reported the increase for residential properties for water will be \$5.85 per quarter and \$21.99 for sewer. Supervisor Scott also reported that Mahoning Township owns and maintains all the water and sewer lines, the water tanks and the pump stations. Chairman Woodruff offered his opinion and he would like to hold off another quarter of any increase. Supervisor Scott then read the minutes from June 19<sup>th</sup> where Chairman Woodruff was in favor of this as he said “This was not a quick or snap decision in support of what the Supervisors and you also supported the letter sent out to the residents. Supervisor Scott went on to say this is a tough and unpopular decision, but we along with our experts together with our in-house personnel put in careful thought but what has to happen in the future with maintenance and Danville bills and if we look at this decision by quarter, by quarter, by the time you get to the fourth quarter, you figured out you are no longer solvent. Now we have to raise rates a significant amount because we have water tanks that must be refurbished and repainted because of necessary to maintain the quality of the water. Danville raised the rates by 10% and 15% but we took our time during the first quarter to crunch our numbers and meetings and at the end of that, this is necessary to increase it the same as Danville and not increasing it beyond the 10% and 15% and there is no avenue or opportunity for our impact on their (Danville’s) decision. Vice Chairman Lynn again noted the former Authority rate increases were notice when he only received the invoice without any previous notification.

## **FIRE COMPANY REPORT**

Fire Chief Leslie Young gave the report for June. The June report shows 21 responses for the month, (2 Grass/woods, 3 MVA, 6 structure fires, 7 false alarms, 1 public service and 2, other. In house training was 66 hours and, 3 hours Fire Prevention. Copies of these reports are placed in the Mahoning Report Book. Chief Leslie Young also reported the Fire Company had two fire-fighters recently completed the certified course which is very extensive and the Fire Company will have a Youth Day for the youth from ages 6 to 9 years old, then 10 to 15 years old Fire Safety Training.

## **UNDER UNFINISHED BUSINESS**

Chairman Woodruff noted the following changes regarding the naming of street with (a) Riverside Vista Lane is the new name off of North Overlook Drive and (b) Iron Hill Road needs to be changed back to Lower Street according to 911 personnel. Supervisor Scott made a motion to accept the changes and Vice Chairman seconded the motion. Passed.

## **NEW BUSINESS**

The new water and sewer rates were discussed. Vice Chairman Lynn moved to approve the water rate increase of 10% which is \$1.95 more per month of residential water rates and 15% which is \$7.33 per month increase of sewer rates for residential users effective April 1, 2017. This was seconded by Supervisor Scott and Chairman Woodruff voted Nay. This equals the percentages that Danville Municipal Authority raised the rates effective January 1, 2017.

A discussion followed relating to a contract and rate increase for the Zoning Officer Dean VonBlohn. Vice Chairman Lynn noted the Zoning Officer was overlooked this year for a rate increase while all personnel received increases and he also did not have an employment contract, so the Township had our Labor Attorney Melissa Kelso write up a new contract. Vice Chairman Lynn move to increase the rate per hour .75 cents and Supervisor Scott seconded the motions while noting the increase will be paid from the Uniform Construction Code Fund which has a balance of \$198,994.37 May 31, 2017. Chairman Woodruff voted Nay he feels all employees should be evaluated at the same time and we did not budget a middle of the year raise and he would like to stay within the budget. Vice Chairman Lynn again noted this is not coming out of the budget but rather the UCC Fund. Motion passed. Supervisor Scott reported what the current supervisors found was there was very little Human Resources Policies, contracts or none at all. The supervisors are now working for a Job Performance review program and mid-year review.



Supervisor Scott said the supervisors have been talking for some time to bring the audio/visual improvements for the assembly room. The improvements will be a new system in the conference room where be microphones in the ceiling to pick up residents sharing their concerns and there would be monitor screens around the room where the reports presented to supervisors would be available for all to see and a computer to control the screens presenting such items like bids. This is presenting the community with more transparency, accuracy and timely reporting. The adjacent smaller conference room could have group teleconferences (attorneys, engineers, MS4 information) and discussions with a split screen up to four ways rather trying to have all parties be in attendance and then returning to their offices throughout the area. The bid comprises this room (assembly) and the smaller room (the conference room to be known as the tele-conference room and Scott noted that 5 bids specs were sent out by the secretary and the only bid receive for the AV/Information Technology was from North East Technology Automation, Inc. (local vendor) for \$16,624.02 (\$10,965.15 assembly room and \$5,658.87 for the tele-conference room) and there would be a two years warranty also the quick response time to fix any problem. Supervisor Scott checked the references and he then moved to accept the bid of North East Technology for \$16,624.02 which was seconded by Vice Chairman Lynn. This purchase will be paid from the Building Fund of \$325,000 which is also used to replace the front door and roof repair. Vice Chairman Lynn moved to accept the bid of \$16,624.02 and this was seconded by Supervisor Scott. Supervisor Scott also noted this bid advertising was done meeting all the legal requirements.

Dean VonBlohn recommended the purchase from \$7,595.00 for scanner from Print-O-Stat. The bid from Print-O-Stat from Mechanicsburg was accepted after motions by Supervisor Scott and Vice Chairman Lynn. Chairman Woodruff voted Nay. This purchase will also be purchased from the UCC Fund where the Township receives revenue for the Zoning Officer's work and building permits which shows a balance of \$198,994.37.

Supervisor Scott reported that he and his son worked to get a new Website running, only to be "hacked" and all information lost. The Township then contacted the Township's IT vendor (MePush) to develop a new Website as the current website is lacking in many areas and in his opinion is "horrible". In the future, a new resident will be able to research current ordinances, minutes by year rather than individual monthly dates, Zoning permits, UCC permits, current events, each department will have its own page, and information will be there to pay a police ticket via the internet with a major credit card. This new Website will provide information that can be seen by residents regarding emergencies such as road closings, police department information such as frauds or scams, water use or water line breaks and other needs. A posting to the Facebook will also be done when the emergency has passed or been resolved. He also stated this is needed for the MS4 Project requires the Township to give information to the residents and keep track of those corrections completed. The MS4 mandated study requires all municipal government to monitor where the drainage systems (streams) are in the community and to make sure that no pollutants can get into that drainage.

This would be on the new Website. Scott also said the department heads had a recent meeting and several ideas were shared and all will be given a chance in the future to help develop this site. MePush provided a Scope of Development for a new website with an up-front cost of \$4,319.00 and plus \$69 per month (base plan) once the project will begin and the final fee is not to exceed \$4,250 and the time-frame the website will be built is 30 to 45 days from the delivery of content. If the Township gets MePush by August 1<sup>st</sup>, the Website should be up and running by September 1<sup>st</sup> or September 15<sup>th</sup>.

Vice Chairman Lynn made a motion to accept the Website proposal as written by MePush. Supervisor Scott seconded the motion. A copy of the proposal will be placed in the Township Report File.

Chairman Woodruff asked the Water and Sewer Department get more prices on the tree removal of the trees near the water tanks.

Treasurer Ken Houck had researched and he then contacted a credit card company (a direct processor) and the cost would be 2.1 percent plus 30 cents per transaction. He would like approval to have major credit card companies to be used to pay for parking ticket on line. He noted the police secretary has to prepare many letters each month for delinquent or no payment. The process will not be available until the Website is complete noted Ken Houck. This was approved after motions by Vice Chairman Lynn and Supervisor Scott.

**Public Comment** – Residents living in the Woods and Welsh development presented their concern regarding the two roads (Homestead and Terre) within the development. Mr. Erin Newman spoke of the concerns were the status of our two roads and what plans are there for repairing the road and having the Township take over the roads. Chairman Woodruff noted they are not are not our roads as they were never dedicated. What they (the developers) must do is bring them up to specifications. Dean VonBlohn said the developer was the Danville Associates and Brian Kissinger has taken over the helm after his father died, it is now Kissinger Danville Development. Mr. Newman reported they (the group) was told that they do not have sufficient funding to cover the completion of the roads. An estimate was given to the group stating the cost would be over \$300,000. Dean VonBlohn has been dealing with Brian Kissinger since the middle of 2016 and we met with him several times, we inspected the roads with our engineer John Mazich present and it was determined at that time, that core sampling be done as the Township could not prove that what was done to the roads. The original amount was \$317,000 was the amount according to Dean VonBlohn. Money had been drawn down on the account for work the engineer had done, our engineer was to guarantee that he would be available when they leveled the ground, compacted the ground, the precise stone for base stone and the asphalt was put down. Dean reported the road was put down in 2005. Dean reported that Ken Woodruff also went with them to the site because of his knowledge working for PA DOT and Kissinger was making sounds like he was anxious to get this done and he did some core sampling but not deep core sampling.



He only went down through the base coat. Chairman Woodruff wasn't sure what our ordinance was (at that time) 6 inches (compacted) and he didn't show us that. Woodruff told him we wanted you to build them (the roads) to our specs and he never provided the township with core samples. Attorney Landon then said the developer is the one still owns the roads and as such, you the property owners in the development potentially have a civil claim. What took place next was various residents (not stating their name) believes the Township has some responsibility in the matter. Attorney Landon again spoke the Township can require the developer to put in the roads by specs but the residents have the claim against the developer for not doing it.

The Township can only do is this to enforce the ordinance according to the plan but the township has discretion to determine whether it (the township) is going to accept the dedication of the roads. The Township can only accept dedication when the road is put in according to specs. The Township obviously doesn't want to buy an expensive problem. Ultimately it is the home-owner's problem. Michael Facktor then spoke to Attorney Landon and then asked if there is anything the township can do to help resolve this situation. Attorney Landon then said the Township could ask the developer to act in accordance with the approved development plans and the Township can require the developer to do this. Ultimately however it is not a public road and the Township can't step in the middle of a dispute between two private parties (the developer and the residents) which is in effect now. The residents feel the township was directly involved and has a responsibility to make sure the roads were built correctly. Attorney Landon said in this instance, the township is a regulatory agency. Supervisor Scott asked is there anything the supervisors can do to put pressure on the developer to get this done. Dean VonBlohn said we don't know this yet and that is why we need core samples. Dean VonBlohn said he may know a way that would help and he then noted right now there is about \$30,000 left in the guaranteed improvement bond account and we don't know if the roads are good or no good. The only thing we know is the BCBC top coat is unraveling and whether water and freezing got to it and makes the condition worse. He then said last year Mr. Kissinger was interested in getting these roads in and getting them in right. He hired a person (company) that does that type of work and resurface the roads and the owner called Dean and reported that he was going to do that but not until we know what we will be putting the top coat on it to make sure the BCBC is going to hold up. So, Dean believe what needs to be done now is a deep core sampling and could these funds \$30,000 be used to get samples to find out what needs there are now. Chairman Woodruff noted he and the PA DOT representative visited the site and there are several areas that need base repairs that we know about but we need to know what is underneath the BCBC. Dean suggests that we contact Mr. Kissinger and we are going to get core samples done and we will draw down on the \$30,000. Dean also believe that initially they had the proper tonnage of material to put it in. Short comments from many people without identifying themselves occurred for the next few minutes. Supervisor Scott asked the group to pick an individual who will be the Township's contact for updates and that person could decimate the information to the group.

Supervisor Scott made a motion to authorize Dean VonBlohn to coordinate directly with the developer and in conjunction with our Municipal Solicitor and Engineer to provide a hold file and send a letter to Brian Kissinger informing him that New Core Samples at least 6" deep should be taken within 2 weeks. If f he doesn't or will not, the Township will contract it out, paying for the new cores out of the money in the bond Improvement account. The letter must 1<sup>st</sup> go to Ryan Tira for review.

Supervisor Scott moved to allow Geisinger to install flashing lights at stop signs at four pedestrian crossings on Red Lane. Vice Chairman seconded.

There being no further business, Vice Chairman Lynn then moved for to pay the bill and adjourn, which was seconded by Supervisor Scott.

This meeting was recorded on tape.

Joe Oberdorf, Secretary