

LEET TOWNSHIP BOARD OF COMMISSIONERS

October 25, 2021

Minutes of the Board of Commissioner's Regular Meeting

The Regular Meeting of the Leet Township Board of Commissioners was brought to order at 7:00 p.m. by President Donna Adipietro in the Leet Township Municipal Building, 194 Ambridge Ave., Fair Oaks, PA 15003. Commissioners present were Donna Adipietro, Erika Oslick, Carolyn Verszyla, and Marty McDaniel. The meeting started with the Pledge of Allegiance.

Also present:

Betsy Rengers, Manager	Tom Jones, Resident
Stephen Chesney, Solicitor	Charlie Frederick, Resident
Larry Kroner, Resident	Cindy Phillips, Magee Road
Joe Ferrang, Resident	Bill Wanto, Resident
Bob Gulish, Resident	
Fabian O'Connor, Auditor	
Dan Slagle, Engineer	

Mr. McDaniel was approached by several residents about Commissioners that may not live in the Township. This could cause issues with decisions that are made and may cause the votes to be contested. Mr. McDaniel asked the Commissioners to state their names and where they live: Mr. McDaniel, Quaker Heights, Leet Township, Carolyn Verszyla, Quaker Heights, Leet Township. Mrs. Adipietro stated that she was going to address the issue later in the meeting with a vote to add it to the agenda. She has lived in Fair Oaks for over 35 years. Ms. Oslick lives in Leet Township.

Mrs. Adipietro welcomed everyone to the meeting and gave the rules of public participation.

**PUBLIC PARTICIPATION**

Tom Jones, a Resident, made a presentation for the Board regarding the Oath of Office and that he is proposing a simple change to the Code.

Slide One: Road to Commissioner, Oath of Office: An elected official does not become a commissioner until they take the Oath of Office.

Slide Two: What is the Oath of Office: A public commitment to the duties, responsibilities, and the obligations associated with holding a public office. In Leet Township, it is a public promise to the residents on how the Commissioners will discharge their duties.

Slide Three: Mr. Jones recommended the State Oath of Office to the Commissioners. He circled the word fidelity, which means "faithful and loyal". The assumption is they are loyal to Leet. One other word was added: honestly. We assume that the Commissioners will be honest. There are no assumptions in the oath.

Mrs. Adipietro thanked Mr. Jones for his presentation. Mrs. Adipietro stated the Board will follow the solicitor's recommendations. There is a statute regarding the oath. Mr. Chesney stated that First Class Township Code Article 6, A, 601: every person elected or appointed to any township office in any township shall, before entering the duties of his office, take and subscribe an oath, to support the Constitution and the Commonwealth, and to perform duties of his office with fidelity. A copy should be filed with the office.

There is also a statute that prescribes the oath. Until the PA State Legislature changes the oath, the commissioners should follow the statute. Mr. Jones disagreed with Mr. Chesney and the discussion continued.

Mr. Jones discovered that the oath the Township was using was incorrect. The officials will take the correct oath for 2022. Mr. Wanto asked why the oath is being questioned. Mr. Jones stated that the oath is nothing he has ever seen, and it has over 200 words added to it. The current oath is from 2008.

Bob Gulish, a Resident, asked about a traffic study for the stop signs at the intersection of Hill, Oak, and Mound. He watched a resident fly through the stop sign and down the hill. He would like a traffic study for the intersection. A discussion was had about seasonal stop signs, putting the signs back up, and the children that play on the street.

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Bill Wanto, the Resident, talked about Hill Street in the fall and winter when there are leaves or snow that would cause the vehicle to slide through the stop sign. Ricky Watach approved putting the sign in with no traffic study. Mr. McDaniel will research traffic engineers for a study there and find a solution. The discussion continued.

**EXECUTIVE SESSION**

Mrs. Adipietro stated that the Board would go into Executive Session to discuss the Payroll Audit. Mr. Chesney stated that it was an investigation into a discrepancy that could result in an employee matter.

**MOTION:** Ms. Oslick made a motion to go into Executive Session to discuss the payroll audit at 7:23 p.m., seconded by Mr. McDaniel, with all in favor.

Mr. O'Connor stated that it was not an audit, but a report. A short discussion was had over whether it was an audit.

**MOTION:** Mrs. Verszyla made a motion to go into the Regular Session after discussing the payroll audit in Executive Session, seconded by Ms. Oslick, with all in favor.

Mrs. Adipietro explained that the Executive Session was for no reason because the audit was not done. Mr. O'Connor had done something other than the audit.

**AGENDA ITEM**

**MOTION:** Ms. Oslick made a motion to add to the agenda a letter from Mr. Janaszek, seconded by Mrs. Verszyla, with all in favor.

Mrs. Adipietro read the letter aloud: The letter was addressed to the Board of Commissioners and the Leet Township residents: Effective October 25, 2021, I respectively resign my seat as a Township Commissioner. I want to thank the residents of Leet Township for letting me be a part of guiding the Township into the future. Although there are many hurdles ahead, I hope the Township forges ahead in the correct decision-making. Sincerely, James Janaszek.

**MOTION:** Mr. McDaniel made a motion to accept James Janaszek's resignation from the position of Commissioner and thanked him for his service, seconded by Mrs. Verszyla. Roll call was taken with all in favor.

Mrs. Adipietro thanked Mr. Janaszek for his service to Leet Township.

**APPROVAL OF MINUTES**

**MOTION:** Ms. Oslick made a motion to approve the minutes of the August 26, 2021, Board of Commissioners Meeting, seconded by Mr. McDaniel. Roll call was taken with Ms. Oslick, Mr. McDaniel, and Mrs. Adipietro in favor of the motion. Mrs. Verszyla abstained from the vote because she was not present for that meeting.

On page 7 of the September 13, 2021, meeting minutes, it should say that Chuck Soman is reappointed for three years, not six years.

**MOTION:** Mr. McDaniel made a motion to approve the September 13, 2021, Board of Commissioners meeting minutes with the correction, seconded by Mrs. Verszyla. Roll call was taken with Mrs. Verszyla, Mr. McDaniel, and Mrs. Adipietro in favor of the motion. Ms. Oslick abstained because she did not attend that meeting.

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**APPROVAL OF BILLS PAYABLE**

Mrs. Adipietro has been tracking the amount of money that is being paid out for the Quaker Valley School District Zoning Hearing. It is her understanding that the meetings will continue into November. Mr. McDaniel asked about check number 10087, Station Auto Parts, CODE RED R stands for a light bar for one of the trucks. There is a payment of \$1,000.00 for RAGNA Soft. This is a renewal for Planit Scheduling Software. The Township pays the going rate for gas and is tax-exempt. Mrs. Verszyla questioned the bills because the amount is so high. Ms. Rengers explained that \$83,000.00 was a transfer into an account for the American Recovery Act Grant. Mrs. Adipietro reviews all of the invoices before she signs the checks. The checks require two signatures. The check detail includes the payrolls. Ms. Verszyla was invited to review the invoices and sign the checks. Mrs. Verszyla would like for Mrs. Adipietro to initial the invoices. This is to protect everyone. Mrs. Adipietro explained that all of the Commissioners were asked to sign the bank signature cards and did not. Mr. McDaniel would like to sign the checks at the Board meeting. A discussion was had about the issue.

**MOTION:** Mr. McDaniel made a motion to approve Check Detail 09-2021, seconded by Ms. Oslick. Roll call was taken with Ms. Oslick, Mr. McDaniel, and Mrs. Adipietro in favor of the motion. Mrs. Verszyla voted no because she does not like the procedure for paying bills.

**2021 Budget to Actual Report:**

The Board was presented with the Budget to Actual Report. Mr. McDaniel explained that some of the Budget Accounts had been changed from last year. While comparing this year to last year, the Township revenue for this year was \$1,691,000.00. Last year the revenue for the same period was \$1,651,000.00. Expenditures are under budget for the year.

A discussion was had about the Tax Refund account. The account was established for a reassessment of Encompass Health that would result in a tax refund from the Township. We should put another \$25,000.00 in this account, if possible. This would come from our yearend balance. We will see how we end the year and go from there.

**Finance Report:** Mr. McDaniel reported:  
September 2021

FNB General Fund	\$525,434.65
FNB Capital Reserve	\$72,930.20
FNB Emergency Reserve	\$20,682.34
Liquid Fuels Account	\$57,241.91
Mortgage Acct/PNC	\$2,500.00
PLGIT Class	\$29,704.31
PLGIT Tax Refund	\$25,582.67
Fireman's Truck Fund	\$21,77.02
War Memorial Fund	\$10,172.66
ARPA Fund	\$83,003.03

There are six escrow accounts that contain Developer's money for different projects.

**Tax Collectors Report:** No report.

**Managers' Report**

Ms. Rengers reported:

- We received a PURTA Distribution for \$1,233.39.
- The following hearings and meetings are scheduled:
  - October 26, 2021, and November 2, 2021 QVSD Proposed High School Zoning Hearing.

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- October 28, 2021, Planning Commission Meeting.
- November 3, 2021 Civil Service Meeting at 6 p.m.
- November 4, 2021 Wernicki Zoning Hearing at 7p.m.

Mrs. Adipietro is saving the Township thousands of dollars by running the Zoom meeting technology for the school district hearings. Mrs. Adipietro has talked with the Zoning Hearing Board about the cost of meetings.

**COMMITTEE REPORTS**

**Building Inspector/Code Enforcement Report:** Ms. Rengers reported:

BIU is refunding the Township for a charge for Leetsdale. We have received a survey and permit for a fence that was being installed with no permit. I spoke to a landlord that has repeated disorderly conduct issues with his tenants. He was going to court to evict, but Allegheny County is not allowing evictions currently. I called the resident with the siding falling off the house. It has since been fixed. There was another zoning hearing applied for a new front porch.

**Public Safety Report:** Mrs. Verszyla reported that there were 58 calls and 56 traffic stops in September and listed the calls. The report reflected that a police car was in an accident. A school bus brushed the side of the unmarked car causing the plastic from the wheel well to protrude slightly. The accident was turned into the insurance carrier for the school bus and will be fixed.

**Public Works Report:** Mrs. Verszyla gave the October, 2021 report:

- Gas/Water pave project on Main Street was completed.
- Crosswalks have been painted.
- Serviced the leaf machine.
- Planted trees in Old Sewickley Highlands.
- Cleaned all catch basins with the Vactor truck.
- Park rentals.
- Grass cutting and trimming.
- Trees were cut down at the detention pond.
- Still gathering bids for the fence.

*Upcoming Work:*

- Install leaf box.
- Patch work.
- Leaf clean up.

Mrs. Verszyla and Mr. McDaniel met with Ms. Rengers to discuss the 2022 Public Works Budget.

**Solicitor's Report:** Mr. Chesney reported that with the acceptance of Jim Janaszek's resignation, the Board has 30 days to fill the position. If the Board is unable to appoint the seat in 30 days, the Vacancy Board will have 15 days to fill the position. Mrs. Adipietro suggested sending postcards to the residents to announce the seat and then having a special meeting to appoint. The discussion continued. Mr. Jones suggested appointing the top vote-getter from the upcoming election.

**Fire Department Report:** The Board did not get a Fire Department report, but did receive an auxiliary report.

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**Engineers Report:** Mr. Slagle reported:

1. **2022 OVCOG/ACDD Grant Applications** - The next round of QVCOG/ACDD Grant Pre-Applications were submitted on August 31, 2021, for the 2022 grant round. Projects submitted include additional ADA Sidewalk Project throughout the Township.
2. **Ambridge Avenue ADA Sidewalk Project PH III** - We are currently designing PH III of the Ambridge Avenue ADA Sidewalk Project to complete the residual ADA Sidewalks along Neely Street. This is being put out for bid now.
3. **Ambridge Avenue ADA Sidewalk Project PH II** - The Township was awarded a grant in the amount of \$220,000 to replace the sidewalks in the Eckert/Neely/Willow area of the Township with new ADA sidewalks. Bids were received on April 1, 2021, by QVCOG/ACDD and awarded to El Grande Enterprises in the unit price amount of \$211,395. We have received the Construction Agreement with QVCOG/ACDD for the Ambridge Avenue ADA Sidewalk Project. The Notice-To-Proceed was issued.
4. **Fence Ordinance:** We are currently reviewing the fence ordinance and should have something for the next meeting.
5. **Watson Site Plan** - We understand that PaDEP has issued a Notice of Violation (NOV) regarding their earthmoving activities. The Code Enforcement Officer is contacting the Watson Institute and Gateway Engineers. The ACCD has issued violations. We are waiting for clearance for the ACCD.
6. **Health South Site Plan** - Based on the Solicitor's letter to Health South, we received a response from their Engineer indicating that everything was complete. We performed a follow-up final inspection and prepared an updated letter of Final Matters outlining the outstanding items that need to be completed. **The Township still holds their Performance Bond in the amount of \$338,580 and Cash Bond to cover outstanding costs.**
7. **Columbia Gas Mound Street Project** - The project started on January 25, 2021. The majority of the dilapidated sidewalks have been restored by Columbia Gas along with 50 feet of additional sidewalks along Orchard Street. Columbia Gas has performed the trench repair on Mound and Ledge Street. There is a new ordinance in place for repaving the road from the street cuts.
8. **MS4 Annual Report:** Mr. Slagle submitted the annual report with a check for \$500.00. The MS4 folks sent the check back and said the fee had increased to \$2500.00. This fee needs to be paid.
9. **2020 Paving Project** - Bids were received February 10, 2020, for the 2020 paving project with a low bid of \$42,660 (Spencer Lane) and \$58,720 (Chaucer Court) from Mele & Mele for total of \$101,380. The Township has awarded the project at same unit prices as publicly bid on February 10, 2020. **Construction started on April 15, 2021 and was completed on April 19, 2021. We are evaluating the final quantities with the contractor for final Close-Out of the next Township meeting. Mr. Slagle is working with the contractor for the final price. Mr. Slagle has an inspector on the site to oversee the work. The measurements are taken for square yards, not tonnage. The project cost will be reduced by \$2,360.00. Reconciliation Change Order No. 1 is to reduce the project by \$2,360.00 and Final Estimate #2 is for \$8513.50.**

MOTION: Mrs. Verszyla made a motion to approve Reconciliation Change Order No.1, reducing the project cost by \$2,360.00, seconded by Ms. Oslick, with all in favor.

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**MOTION:** Mrs. Verszyla made a motion to approve Final Estimate No. 2, in the amount of \$8,513.50 to Mele and Mele, paid from the Capital Reserve Account, seconded by Ms. Oslick. Roll call was taken with all in favor.

10. **Wernicki Accessory Use Plan** - We have reviewed and provided a written response to their survey or regarding the Wernicki Accessory Use plan. The original plans that were submitted were changed. Both sets of plans were signed and sealed. Mr. Chesney stated they submitted three sets of plans. This took so long because of the school zoning hearing. There were a number of issues, and each party has attorneys. Citations were written, but not filed because of the ZHB Solicitor asked us not to. Mr. Chesney was not sure why he wasn't cited, but it was coordinated with the Zoning Hearing Board Solicitor.
11. **Quaker Valley High School Site Plan** - The Quaker Valley High School submitted the Conceptual Site Plan on 10/13/2020 for review/comment at the last Planning Commission Meeting on October 22, 2020. The Planning Commission Meeting recommended that the Developer gain approval from the Township's Zoning Hearing Board for a Special Exception to the Township's AAA-Residence District. Upon approval from the Township's Zoning Hearing Board for the Special Exception, the Developer will complete the required Township's Site plan application. **We understand that Gateway Engineers will be reviewing the Quaker Valley High School Traffic Study and that the Site Plan is now proceeding through the Zoning Hearing process as a Special Exception.**
12. **Lusky Storm sewer Extension** - Discussed storm sewer extension with the builder and geotechnical engineer regarding stormwater dissipation and sewer easement. The building inspector required a Geotech report. The concern is that it does not meet current code. If it is altered, it should meet code. Mr. Slagle has not discussed this with Leetsdale. If the Township allows an alteration, Leetsdale could hold the Township harmless, if they decided to. The building permit has been held up while we wait for a stormwater solution. The discussion continued.
13. **American Rescue Plan Act**: Mr. Slagle will look at storm sewers for repairs and storm water solutions as a project for this money. Flood walls and jersey barriers may be a part of this project.
14. **Sewickley Act 547 Plan**: Edgeworth asked Sewickley to put in their own force main through Edgeworth to the Leetsdale Plant. Mr. Slagle explained the savings to Leet if Sewickley ties into Leetsdale. It should reflect in a 19% to 27% savings on sewage for Leet residents. Mr. McDaniel proposed that an independent engineering firm should review the documents before Leet decides. Mr. McDaniel gave some history about the sewage plant and Sewickley. He feels Sewickley should pay to tie in. Mrs. Adipietro asked about a \$600,000.00 grant that Edgeworth Water received. The timeframe of approval of the plan was discussed. Mr. McDaniel explained that LTMA said that they have a blended rate, and they believed the savings would be 5%. Half of Leet's sewage goes to Ambridge. Mr. McDaniel would like to ask other municipalities to join in hiring of an engineer to review numbers and projected cost/savings. The Board agreed for Marty to reach out to engineers for costs of the study and municipalities to join in to help pay for it. The discussion continued.

**Health and Sanitation:** No report.

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**Quaker Valley Council of Governments:** Mrs. Adipietro and Ms. Rengers attended the COG dinner. Patrick Connors, Executive Director, did an excellent job organizing the event. Mrs. Adipietro donated a gift basket containing four copies of the Three Rivers Cookbook series and a bottle of wine. Mrs. Adipietro had recipes in the cookbooks. Mrs. Adipietro and Ms. Rengers paid for themselves to attend the dinner.

**Quaker Valley School District Report:** No report.

**Approval of Reports as Presented**

**MOTION:** Mrs. Verszyla made a motion to approve the reports as presented, seconded by Ms. Oslick, with all in favor.

**UNFINISHED BUSINESS**

**2022 Budget Workshop Meeting**

**MOTION:** Ms. Oslick made a motion to advertise a Budget Workshop Meeting on November 1, 2021, seconded by Mrs. Verszyla. Roll call was taken with a vote as follows: Mrs. Verszyla, no, Mr. McDaniel, no, Ms. Oslick, yes, Mrs. Adipietro, yes. The motion failed to carry.

**MOTION:** Mr. McDaniel made a motion to advertise the Budget Workshop Meeting for November 4, 2021 at 5:30 p.m., seconded by Ms. Oslick. Roll call was taken with all in favor.

**NEW BUSINESS**

**Approval of El Grande Payment (Sidewalk Project)**

El Grande did not submit the payment request in time. The COG will make the payment from the grant.

**Approval to Move Cell Phone Service to AT&T First Net**

A discussion was had over the current payment for cell phones and hot spots. Chief Molinaro was not included on this quote. Andy Wanto and Betsy Rengers would get new phones and there are three hot spots included for the police laptops.

**MOTION:** Mr. McDaniel made a motion to move the cell service to AT&T, seconded by Mrs. Verszyla, with all in favor.

**Approval of Resolution 2021-10 (Waste Management Contract)**

The Township is renewing the Waste Management Contract for five years. Mr. Frederick said that he watched a garbage man put recycling in a garbage truck. Mr. McDaniel explained that the Township has better remedies in place for complaints and the garbage day will change from Monday to Friday. The Township has the hard to recycle service. Larry Kroner bundled branches in 4-foot sections, and they would not take it. Waste Management told Mr. Kroner they would pick it up next week. The discussion continued.

**MOTION:** Mr. McDaniel made a motion to enter into a five-year contract with Waste Management, seconded by Ms. Oslick. Roll call was taken with all in favor.

**Approval of Resolution 2021-11 (Civil Service Reappointment-Liesa Besong)**

**MOTION:** Ms. Oslick made a motion to reappoint Liesa Besong to the Civil Service Board.

Mrs. Adipietro called for a second. There was no second. The motion failed.

Mrs. Adipietro asked why there was no second for the appointment. Mr. McDaniel stated that he felt it was the best decision for the Township. The discussion continued.

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**Approval of Resolution 2021-12 (2021 Auditor General/MMO Pension Payments)**

**MOTION:** Mrs. Verszyla made a motion to approve Resolution 2021-12, for the Auditor Generals Pension State Aid passthrough payment of \$57,567.39 with an additional \$59,044.61 from the Township General Fund, to meet the requirement of the 2021 Minimum Municipal Obligation for the Uniformed and Non-uniformed Pension Plans, seconded Mr. McDaniel. Roll call was taken with all in favor.

**Approval of Resolution 2021-13 (2021 Auditor General Fireman's Premium Payment)**

**MOTION:** Mrs. Verszyla made a motion to approve Resolution 2021-13, for the passthrough of the Auditor General's Act 205 2021 Fire Relief Payment in the amount of \$8,337.48 to the Fair Oaks Fire Department Relief Fund, seconded by Mr. McDaniel, with all in favor.

**Approval of Resolution 2021-14 (Planning Commission Reappointment-Mitch Soman)**

**MOTION:** Mr. McDaniel made a motion to reappoint Mitch Soman to the Planning Commission for a term to be determined, seconded by Mrs. Verszyla, with all in favor.

**CORRESPONDENCE**

Mrs. Adipietro read a letter from the Harmony Township Manager and Commissioners thanking the Public Works Department for providing fill dirt for the Valley Road Playground Project.

Rep. Matzie sent a letter regarding Penn Energy's application to withdraw water from Big Sewickley Creek and that the application has been denied.

**PUBLIC PARTICIPATION**

Charlie Frederick asked about the American Recovery Act money and how it could be spent.

Tom Jones asked that he be able to correct the minutes from April and May regarding his statements in the minutes. The Board would have to vote to attach the comments to the minutes. The minutes had already been approved. Mr. Chesney stated that the Board would have to approve any changes to the minutes and let Mr. Jones know that he may suggest changes during public participation. Mr. Jones asked the Board to go back to the April and May meeting recordings and listen to the tape and make the changes there. He stated that everything written regarding his comments were incorrect. The discussion continued. Mr. Jones asked if Mr. Chesney had taken the Leet Township Oath. Mr. Chesney took an oath when he was sworn into the bar. He is bound by ethics and has an ethical obligation to protect the Township. He is bound by the rules of professional conduct. The discussion continued.

**EXECUTIVE SESSION**

Mr. Kroner asked about Executive Sessions and why they are not scheduled earlier in the meeting so that the residents don't have to sit there and wait to see what a decision is. Mr. Chesney stated that the meetings have to be advertised, can start at 6pm and the Session must be announced. Executive Sessions must be a part of the regular meetings. The discussion continued.

**MOTION:** Mr. McDaniel made a motion to go into Executive Session to discuss the potential employee candidates at 9:54 p.m., seconded by Mrs. Verszyla. Roll call was taken with all in favor.

**MOTION:** Mrs. Verszyla made a motion to go into Regular Session at 10:19 p.m. after discussing potential employee candidates, seconded by Mrs. Verszyla. Roll call was taken with all in favor.

**ADJOURNMENT**

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**MOTION:** Mrs. Verszyla made a motion to adjourn at 10:19 p.m., seconded by Ms. Oslick, with all in favor.

Respectfully Submitted:

*Betsy Rengers, Manager*