

LEET TOWNSHIP BOARD OF COMMISSIONERS
November 8, 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 Martin McDaniel. The meeting started with the Pledge of Allegiance.

Also present:

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| Betsy Rengers, Manager | Tom Jones, Resident |
| Stephen Chesney, Solicitor | Charlie Frederick, Resident |
| Larry Kroner, Resident | Chuck Soman, Resident |
| Joe Ferrang, Resident | Bill Wanto, Resident |
| Bob Gulish, Resident | Maureen Daily, Resident |
| Dan Slagle, Engineer | Liesa Besong, Resident |
| Joanne McDaniel, Resident | Rody Nash, Resident |
| Dave and Cheryl Goerman, Residents | |

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

PUBLIC PARTICIPATION

Resident Chuck Soman expressed his disappointment that his son's request to build an addition to his house on a public utility right of way was not approved and not handled in a timely manner. The Board responded that after much research they found that it was not legally possible to build on a public right of way.

Mr. Soman is a member of the Zoning Hearing Board and requested that the Commissioners attend the hearings for the school district's proposed high school.

Mr. McDaniel explained that the Solicitor advised the Board not to get involved with the Special Exception Zoning Hearing because it may go to court. The plan must come before the Planning Commission and then the Board has decisions to make. Mr. Chesney agreed.

Mrs. Adipietro asked Mr. Janaszek for clarification on the property that is next door to Mitch Soman's house. Mr. Janaszek responded that he spoke with an engineer at Columbia Gas who was well aware of the location of the property because he brought it up on his computer. After explaining to him the situation, the engineer explained that there is no way that anything could be built on the right of way other than a small shed up against the house and that the Commissioners and Zoning Hearing Board are powerless to change this. Mr. Soman felt that something could have been done and Mitch should have been told last January when he applied.

Dave Goerman, a Resident, presented a petition for a traffic study to be conducted at the intersection of Oak and Hill Streets. Mr. Goerman gave the Board a copy of a PennDot publication regarding stop signs and questioned why the stop signs were put in. Mr. Wanto stated that the Township never had a traffic study done at that intersection. The discussion continued. The agenda has the traffic study on it to be talked about later in the meeting.

Mr. McDaniel received a proposal for a traffic study for the intersection at Oak, Mound, and Hill as requested by the Board. The traffic study would be done within two weeks and cost \$900.00. Mr. Goerman was upset that residents park against the traffic. Mr. Wanto asked if Board members were familiar with the roads that they were making decisions about. He requested that Board members drive the streets to familiarize themselves with the roads. The discussion continued.

Rody Nash, Kenney Drive, was at the polling place at Watson Institute on Election Day for a long period of time. There were no lights behind the building once the sun went down and it was dangerous. He would like to have a safer location. The Board responded and said that it would investigate the matter to try and correct it. Mr. Nash

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brought up a situation that happened around 3 p.m. a police officer blocked the access driveway to the polling place, and he would like to know whose decision that was. The officer told Mr. Nash that he was to be there. Mrs. Adipietro spoke to the officer, and she said it was a mistake. Mr. Wanto explained that the officer was new and was told to be there. The polling place will be reviewed.

Tom Jones, a resident, has spent a lot of time researching the Oath of Office, and one expression he saw a lot was "in the best interest of the people". Mr. Jones came up with expectations to share with the Board. The first expectation is for the Board to work as a team rather than as individuals. Last year it was three against two and it would be better to work as a team. There should be an audit of the Township policies and procedures to make sure the Township is providing services to the residents in a cost-effective manner. These should be reviewed every 10 years. He expects the Board of Commissioners to work to increase resident participation in the monthly meetings. We saw an increase when we moved to this building with about 20 at the most participating and over the last couple much less than that. The fourth one is that there are four neighborhoods in the Township that do not get much visibility. Not many people come to the meetings, and we should work to pull those together with Fair Oaks and Quaker Heights. Mr. Jones thinks there are residents with experience that can help the Township and he would like to see more people in attendance.

Liesa Besong, a resident, asked the Board why they are not reappointing her to the Civil Service Commission. She feels she is the most qualified for the position. She is a Senior HR Manager for a large company and is involved in hiring and firing. Her husband is a police officer, so she knows a lot about the position. She would like an explanation. Mrs. Adipietro stated that the vote was two for and two against, so the motion to reappoint her failed.

Mrs. Adipietro called for a motion to approve 2021-16 to appoint Liesa Besong to the Civil Service Board.

MOTION: Ms. Oslick made a motion to approve Resolution 2021-16 to appoint Leisa Besong to the Civil Service Board, seconded by Mrs. Adipietro. Roll call was taken with the vote as follows: Mrs. Verszyla and Mr. McDaniel voted no. The motion failed.

EXECUTIVE SESSION

There was a discussion about going into Executive Session to discuss an employee matter.

MOTION: Mrs. Verszyla made a motion to go into Executive Session at 7:39 p.m. to discuss an employee issue, seconded by Mr. McDaniel, with all in favor.

MOTION: Mr. McDaniel made a motion to come out of Executive Session at 7:51 p.m., seconded by Ms. Oslick, with all in favor.

APPROVAL OF BILLS PAYABLE

There was a question about the funhouse listed on the check detail and it was for Community Day. Mr. McDaniel questioned the bank fees charges.

MOTION: Mr. McDaniel made a motion to approve Check Detail 10-2021, 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 of check 10148 is the third payment for Bill Wanto in the amount of \$10,000.00.

2021 Budget to Actual Report:

Mr. McDaniel stated that we are on target with the Budget.

Finance Report: Mr. McDaniel reported:

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October 2021

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| FNB General Fund | \$346,064.55 |
| FNB Capital Reserve | \$72,937.73 |
| FNB Emergency Reserve | \$20,684.48 |
| Liquid Fuels Account | \$52,457.41 |
| Mortgage Acct/PNC | \$2,500.00 |
| PLGIT Class | \$29,704.80 |
| PLGIT Tax Refund | \$25,582.93 |
| Fireman's Truck Fund | \$21,772.27 |
| War Memorial Fund | \$10,172.77 |
| ARPA Fund | \$83,003.89 |

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

Tax Collectors Report: No Report.

Managers' Report: No Report

COMMITTEE REPORTS

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

The reports are in the Commissioners' packets. There was a building permit for a front porch that was denied, and the homeowner filed for a variance. There was a shed installed with no permit and the homeowner has since filed for a building permit. There were some issues with property maintenance violations that have been resolved. Ms. Rengers spoke with the resident who has siding falling off their house and they are scheduled to have it repaired.

MOTION: Mr. McDaniel made a motion to pay Ms. Rengers for serving as Code Enforcement Officer for 2021 in the amount of \$2500.00 as budgeted for, seconded by Ms. Oslick, with all in favor.

Public Safety Report: Ms. Oslick reported that there were 62 calls and 58 traffic stops in October and listed the calls. The report is for all Leet Township.

Public Works Report: Mrs. Verszyla stated that leaf pickup will resume later this week. The Public Works had a breakdown with the leaf truck, and they are having it repaired.

Solicitor's Report: Mr. Chesney agreed with Mr. Jones that the Township policies should be reviewed every few years. Mr. Chesney stated that there were several land surveys that were submitted for the Wernicki property, and they conflicted with each other. Part of the survey included Leet Township property. Mr. Chesney asked the Board if they would be agreeable to pay for half of the new survey since township property is affected. Mr. McDaniel said the resident built a garage without a permit, violated Township ordinances, and had three conflicting surveys. Mrs. Verszyla does not feel it is the taxpayer's responsibility to pay for a survey for a resident and that it would set a precedent.

MOTION: Mrs. Verszyla made a motion to pay for the survey for the Wernicki property, seconded by Mr. McDaniel. Roll call was taken with all the Commissioners voting no.

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 QVCOG/ACDD Grant Applications - We prepared/submitted the 2022 QVCOG/ACDD Grant Pre-Application on August 31, 2021. We have prepared the final grant application which is due on November 12, 2021. The Project scope included ADA Sidewalk throughout the Township at a cost of \$116,000. A CONCURRING RESOLUTION is required by QVCOG/ACDD to complete the application.

MOTION: Mr. McDaniel made a motion to approve the Concurring Resolution for the QVCOG/ACDD ADA sidewalk project, seconded by Mrs. Verszyla. Roll call was taken with all in favor.
2. Ambridge Avenue ADA Sidewalk Project PH II - We have completed the design for the Ambridge Avenue ADA Sidewalk Project PH II for the residual ADA Sidewalks along Neely Street. The project is being advertised by QVCOG for a bid opening on December 9, 2021.
3. Ambridge Avenue ADA Sidewalk Project PH I - 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 area of the Township with new ADA sidewalks. Bids were received on April 1, 2021, by the QVCOG/ACDD and awarded to El Grande Enterprises at the unit price amount of \$211,395. Construction started on September 27, 2021. The project is 60% complete, moving at a pace of 70 feet per day. We have prepared for the Commissioners review and approval Estimate No. 1 in the amount of \$58,959.25 to El Grande Industries payable from the ACDD.

MOTION: Mr. McDaniel made a motion to approve Estimate No. 1 in the amount of \$58,959.25 to El Grande Industries, payable for the ACDD, seconded by Ms. Oslick, with all in favor.
4. Fence Ordinances - We are currently reviewing the Township's new Fence Ordinance.
5. Watson Site Plan - We performed a follow-up final inspection on October 20, 2021. The majority of the punch list items have been completed. We requested a Notice of Termination from the ACCD/PADEP before we can close out the project.
6. Health South Site Plan - We performed a follow-up final inspection on October 20, 2021. Most of the punch list items have been completed. The Township still holds their Performance Bond in the amount of \$338,580 and Cash Bond to cover outstanding costs. We requested a Notice of Termination from the ACCD/PADEP before we can close out the project.
7. MS4 Annual Report - The next MS4 Status Annual Report for 2021 is due on September 30, 2021. Most of the Township's combined sewers have been separated. The infrastructure is old and there are about 12 spots that need to be fixed.
8. Wernicki Accessory Use Plan: We have reviewed the written response regarding the Wernicki Accessory Use Plan.
9. American Rescue Plan - Reviewed fund application options.
10. 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 AAAResidence 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 Zoning Hearing process is still underway.**

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11. Sewickley Borough Act 537 Plan Update -The Act537 Plan was updated based on the meeting with Edgeworth Borough to provide for dedicated force main from Sewickley Borough to the sewage plant. The updated plan indicates a 19% to 27% savings in sewage bills to Leet Township plus a broader base to defray future costs/inflation. A Resolution of approval will be required by the Township.

Mr. Slagle presented a list of construction projects for Leet Township since 1998 when he became the Engineer. The Township received \$807,120.00 in grants and there has been almost \$2,000,000.00 in projects. Mr. Slagle will not follow up with Leetsdale Borough on the stormwater issue at 122 Colonial Drive, because the homeowner has decided to build the house only and not alter the storm drain. Mr. Slagle was excused from the meeting.

Health and Sanitation: No Report.

Quaker Valley Council of Governments: No report.

Quaker Valley School District Report: Ms. Rengers ran the Zoom meeting for the last school zoning hearing. The Zoom technology was hacked, and the hearing went on a break while the Zoom technology was reset.

Approval of Reports as Presented

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

Mr. Jones heard speculation that the school district will overpower Leet by spending more money than we could afford. He would like to know if there are any grants or state aid to help with the cost. Mr. McDaniel disagreed with the first part of Mr. Jones' statement and stated that the school district has presented fair and concise testimony. There has been more testimony presented by the opposition. A short discussion was had around the zoning hearing process.

UNFINISHED BUSINESS

Budget Review

Mr. McDaniel, Finance Commissioner, and Mrs. Adipietro, Board President, reviewed the entire budget. Ms. Rengers prepared the Budget and Mr. McDaniel met with the police department representatives to review their budget and met with Mrs. Verszyla and Ms. Rengers to review the Public Works Budget. The Budget is status quo. Leet does not have a robust tax base. The cash balances have improved, but we should have 20 to 25% in savings. The Public Works equipment is aging, and we need to save more money in Capital Reserve. The document with commentary is available for review. We are not planning to take out a tax anticipation loan. We think we will have a cash balance of \$160,000.00 at the end of the year. We can borrow from ourselves if needed. Mrs. Adipietro stated that we have savings now whereas before, we did not.

MOTION: Mr. McDaniel made a motion to advertise Ordinance 2021-05 and 05-A for the 2022 Budget and millage, for a 20-day inspection period, seconded by Mrs. Verszyla, with all in favor.

Police Payroll Audit Discussion

Mr. McDaniel explained that the audit firm did not do the audit as approved by the Board of Commissioners. The Township was not at fault. Ms. Rengers stated that she had numerous e-mails with the subject line "Payroll Hours Audit". The e-mails described the scope of work requested and there were many requests from Ms. Rengers for updates on the status of the audit. A short discussion was had about the auditor. The Board will further discuss the issue and how to proceed at a later date.

Approval to Advertise Ordinance 2021-04 (Comcast Franchise Agreement)

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The agreement is for a 10-year franchise agreement with Comcast. The Township will receive 5% fees. Mr. Chesney had no objections to entering into the agreement that was written by Cohen Law Group.

MOTION: Mr. McDaniel made a motion to advertise Ordinance 2021-04 for the Comcast Franchise Agreement, seconded by Ms. Oslick, with all in favor.

Consideration of Deferral of Payments for Restauri Bills

The Board discussed the bills from Vince Restauri for work performed for the QVSD zoning hearings for the proposed high school.

MOTION: Mr. McDaniel made a motion to defer up to \$20,000.00 of Solicitor Restauri's bills until February 2022, seconded by Ms. Oslick, with all in favor.

NEW BUSINESS

Oak/Hill Traffic Study

Motor vehicle code requires a traffic study and Trans Associates will do the study for \$900.00. Mr. Chesney stated that the study will determine if a stop sign is needed. A discussion was had around the issue.

MOTION: Mr. McDaniel made a motion to add to the vote for the traffic study to the agenda. Ms. Oslick seconded the motion, with all in favor.

MOTION: Mr. McDaniel made a motion to add to the agenda removing the stop sign on Mound Street, seconded by Ms. Oslick, with all in favor.

MOTION: Mrs. Verszyla made a motion to remove the stop sign on Mound at the corner of Oak, seconded by Mr. McDaniel, with all in favor.

MOTION: Mrs. Verszyla made a motion to engage Trans Associates to do a traffic study, in the amount of \$900.00, at the intersection of Oak, Mound, and Hill, seconded by Mr. McDaniel, with all in favor.

Approval to Pay 2022 dues for PA State Association of Twp. Commissioners

There was a discussion was had about paying the 2022 dues for the PA State Association of Township Commissioners. The Board will research this association to see what the benefits are to this membership because it is expensive. The Township has always been a member but will investigate it.

Filling of Board of Commissioners Vacancy

Jim Janaszek's seat is currently empty. Mr. McDaniel asked to add this to the agenda, and the seat should be filled within 30 days, by November 24, 2021. If it isn't done by then, a Vacancy Board Chairman should be appointed. Mr. Jones suggested appointing the next highest vote-getter from the recent election. Ms. Adipietro stated she thought Mr. Jones's suggestion was a good one. Rody Nash had the highest number of votes in the election.

MOTION: Mrs. Verszyla made a motion to appoint Rody Nash to the Board of Commissioners for the remainder of Jim Janaszek's term, until January 3, 2022. Mr. Nash will have to be sworn in by the Magistrate before the next meeting. Mr. McDaniel seconded the motion, with all in favor.

Planning Commission Potential Resignation

We are waiting for confirmation in writing that Mitch Soman is going to resign from the Planning Commission.

CORRESPONDENCE

No correspondence currently.

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PUBLIC PARTICIPATION

Mrs. McDaniel, a resident, asked about the approval to advertise ordinance 2021-04 Comcast Franchise Agreement. She wanted to know if it has anything to do with 5G towers. The Township is working on an ordinance for 5G towers, and it has not been enacted yet.

Mrs. Adipietro read the advertisement for Ordinance 2021-05 and 05A for the 2022 Budget and Millage aloud.

Mr. Kroner, a resident, said that Waste Management is picking up both recycling and trash in the same truck. Another resident gave an example of a situation similar that happened to him. Residents should notify the Township when they see this happen because the operator can be fired for doing this.

Mr. Gulish, a resident, asked if masks must be worn at meetings as there is a sign on the door but he thought it was optional. We are not mandated to wear a mask. He asked if we could have fewer interruptions from the residents during the meetings as it is bothersome and not fair. Mrs. Adipietro agreed.

Mr. Goerman, a resident, said that kids are riding dirt bikes behind Quaker Heights and Hill Street. He feels the majority of dirt bikes are coming from Quaker Heights and would like this mentioned in the next newsletter. He said he believes there is an ordinance prohibiting this because it is Leet Township property.

ADJOURNMENT

MOTION: Mr. McDaniel made a motion to adjourn at 9:12 p.m., seconded by Mrs. Verszyla, with all in favor.

Betsy Rengers, Manager

Martin C. McDaniel, Commissioner

2/14/2022

Date