

**Township of Crescent
Board of Commissioners
Monthly Business Meeting
June 13, 2013**

On June 13, 2013 the monthly meeting of the Crescent Township Board of Commissioners was called to order at 7:30 p.m. in the Crescent Township Municipal Building, 225 Spring Run Road, Crescent, Allegheny County, Pennsylvania.

Commissioners Cvengros and Patton announced that they would be recording the meeting.

ROLL CALL

Those present: Commissioners: President Bill Cook, Vice President Karen Patton, Commissioners Diane Cvengros, Joe Sabol and Jerry Keller.

Secretary/Manager: Patience Eckhardt

Solicitor: Richard Start

Engineer: Kevin Brett

PUBLIC COMMENT ON AGENDA ITEMS

No Comment

APPROVAL OF MINUTES

Commissioner Cook asked if there were comments or a motion to approve the minutes of the April 11, 2013 regular business meeting. A motion to approve the minutes was made by Commissioner Patton and seconded by Commissioner Sabol. A roll call vote found all Commissioners in favor of the motion.

Commissioner Cook stated that item six was the motion to approve the minutes of the business meeting of May 9, 2013 and asked if he had a motion. A motion was made by Commissioner Patton and seconded by Commissioner Cvengros. A roll call vote was taken and all Commissioners were in favor of the motion.

TREASURER'S REPORT

The Treasurer's Report dated May 31, 2013 was presented to the Board for their approval. A motion to accept the May 31, 2013 Treasurer's Report as received was made by Commissioner

Patton and seconded by Commissioner Cvengros. A roll call vote was taken and all Commissioners were in favor of the motion.

LIST OF BILLS

The list of bills was presented. The funds removed from the General Fund for the month of May were \$92,194.04. The funds removed from the General Fund prior to the monthly meeting were \$58,722.25. Invoices due total \$28,458.84 and the estimated payroll for June is \$42,000.00. Total disbursements from the Highway Fund for street lights are \$3,978.74, which brings the total estimated bills for June to \$133,159.83.

Commissioner Cook asked if there was any discussion, questions, comments or a motion. Commissioner Patton stated that she would like some discussion on some bills that were paid. She stated that in the packets, under the general fund, there were a few invoices that were paid. They were check #7689 under the Citizen's, #7706 to Crystal Gardens and #7709 for Inches Nursery. She stated that this totaled \$844.70. The reason why she is bringing this up is because this was for the project for the landscaping and flowers outside. She stated that they do look beautiful, but we have never spent this much money on flowers and landscaping in the Township. In past years we have spent an average of \$132. She thinks that this is a lot of money for the Township to spend and we could have spent this money more wisely. Commissioner Cook wanted to comment that total together it was \$844.70 on one project, and he believes that in our ordinance if we spend over \$500 on something it has to go through the Board for approval. Even though this was broken up, it was one project and the Board should have looked at it before it was approved. Commissioner Cvengros asked what it would have cost if we would have had a landscaper come in. Commissioner Sabol responded that it would have been a lot more. Commissioner Patton responded that she was not saying that it does not look good, but she does not think that we need to hire a landscaper to come in and plant flowers. She believed that Secretary/Manager Eckhardt had come in and planted flowers and Secretary/Manager Eckhardt responded that was why it was only \$100 worth of flowers. Commissioner Patton stated that to spend that kind of money and have the flowers be gone at the end of summer, as she looked at the invoices and there is one perennial that was purchased that we would be able to salvage for years to come. All the other ones are going to die by the end of summer. Commissioner Cook stated that it is your dollars taxpayers. Commissioner Cvengros stated that it is already done. Commissioner Patton responded that is why she ended up paying the bills on those because they were already in the ground, and so we were not delinquent on those accounts.

A motion to pay the bills was made by Commissioner Keller and seconded by Commissioner Cvengros. A roll call vote was taken and found all Commissioners in favor of the motion.

CORRESPONDENCE

During the month of May the Crescent Township Secretary/Manager's Office received the following correspondence. We received the May edition of the Pennsylvania Municipal League Legislative Locator, the meeting minutes of Creswell Heights Joint Authority, the Moon

Township Municipal Authority, and the Char-West COG. We received the May MRM Trustnotes, as well as a formal warning letter from MRM Trust regarding our record of incurred claims.

SECRETARY/MANAGER'S REPORT

During the month of May the office completed the following work. We finalized the work schedule with the State and are currently awaiting their final approval. She reported that she had just emailed a representative of the State today, and we are still awaiting Harrisburg's approval. We reviewed several matters pertaining to delinquent garbage collection, as well as collected and provided information on the necessary bond increases for the Township Office employees and Tax Collector. We responded to several requests for records, completed the 2013 Allegheny League of Municipalities Wage and Salary Survey, and completed several website updates. We continued to monitor the progress of work on Sautter and McCutcheon Way and worked with Mountain Top Excavation for the submission of all necessary paperwork to remain compliant with the CITF Grant. We oversaw the payment of all bills, payroll and day to day activities.

SOLICITOR'S REPORT

Solicitor Start reported that they have continued to monitor legal pleadings associated with various real estate tax appeals pending in Allegheny County. They have continued to monitor various documents regarding employee compensation, and reviewed documents and correspondence regarding a claim filed with the EEOC. Mediation relevant to said claim is scheduled next month. He reported that they have drafted an ordinance regarding seismic testing, that is being reviewed and comments from interested parties, some of which were just received in the last couple of days. The ordinance that we will be discussing is a draft, and it will be revised to include some comments from MTMA as well as a revised fee schedule. He stated that the fee schedule they had in the draft was not sufficient to pay back the Townships' for the costs incurred in reviewing an application. They have continued to review various policies and procedures for Township use and have begun to prepare their response to the police contract proposal. He stated that he was supposed to meet with Commissioner Sabol tomorrow, but he had to cancel that meeting so they are meeting next week to gather their list of items for negotiations. They reviewed a proposal from KU Resources regarding a potential public/private partnership use of property located in the Township, but unfortunately the information just came to us just several days before they wanted official action and he does not believe that we have enough time to do due diligence. Lastly, they have reviewed and approved a proposed Agreement with Jordan Tax Service regarding tax collection.

ENGINEER'S REPORT

Kevin Brett reported for LSSE that relative to MS4, the Year 10 Annual Report forms were due June 9, 2013. The reports were submitted to the DEP on time, and currently they are preparing the written plan. In probably about three to four months there will be a presentation at a meeting, for what that written plan entails. Regarding the McCutcheon Way Slide, they were scheduled to finish the paving today, but due to rain they cancelled and moved it until tomorrow. After that is completed they will have another day or so of work and that project will be finished. Regarding

the 2013 Roads, the township received and opened seven bids and this is on the agenda later for a decision. He will answer any questions at that time, but it was under the amount that was budgeted. The pre-application was submitted to the COG. Under the seismic survey ordinance, they did prepare a map. Which was there, and when the ordinance comes up he can review it at that time. The map was presented at this time. Information was provided that based on the Township GIS mapping, every home got a blue circle placed around it to represent where testing could not be completed. The areas where seismic testing could be conducted would be the vacant land, and not the heavy residential areas. Solicitor Start clarified that the areas represented on the map in blue could not be utilized for seismic surveys and stated that when they are finished with this ordinance it will give the Township maximum protection. Commissioner Keller stated that according to Creswell Heights Authority there is a problem with fly ash that they seem to think is due to the fracking. He asked if there was any possibility that seismic testing would cause the fly ash to continue to shift. Kevin Brett responded that they would have to have the seismic testing people, if they were in the area, monitor those conditions. That is one of the comments that they currently have in the ordinance. Areas that they consider special hazards, anything that is slide prone or ash piles, and anything that can become fluid; they want them to report on whether it has any impact. They want to add that they need to submit comments, and if they are having issues with that, they would want to ask them to look into it when they are in the area. Some more discussion was held on the information presented, and the notices that were sent out. Commissioner Cook asked where we had fly ash sliding, and Commissioner Keller responded that supposedly it is on property owned by Duquesne Light. Commissioner Cook responded that this whole hill was fly ash and asked if it was in Hopewell or Crescent. Commissioner Keller responded that it was his understanding that it was property in both. Kevin Brett added that he believed Hopewell had adopted an ordinance related to seismic surveys, so Creswell may want to reach out to them. Commissioner Cvengros asked about the conservation areas, and Kevin Brett responded that since they are mostly doing this in public right of ways, they could add something to the ordinance regarding historic or sensitive sites. Commissioner Cvengros specifically referenced the area where the eagles are, and Kevin Brett responded that they could add something to address that. He stated that any comments like that can be incorporated into the ordinance.

COMMITTEE REPORTS

PUBLIC SAFETY

Commissioner Sabol reported that during the month of May there were 128 calls for service, 128 total complaints for the month, 4 calls to assist other police departments and 1 medical call. They issued 8 warnings for traffic offenses, 1 non-traffic citation was issued, 21 traffic citations, and 4 parking citations/warnings were issued. This brings the total citations/warning issued for the month to 34. He reported that there was one arrest for the month for a DUI. The vehicles travelled a total of 3,285 miles for the month. Car #105 had the oil and filter replaced by Grady's, and car #106 and #107 had no work completed. Regarding schooling and seminars, Captain Longerman and Officer Laffey attended update training at the Allegheny County Police Academy for Standard Field Sobriety Testing and recertification for Field Sobriety Checkpoints.

Captain Longerman also spent three days training with an investigator from the Allegheny County District Attorney's Crime Scene Unit who specializes in latent fingerprint processing.

Commissioner Sabol asked to add something stating that today they would like to recognize Officer Tice. He was recognized by the Teamsters for being an outstanding officer. He stated that he is sure we are all proud of the police force that we have, they are outstanding individuals. He would put them up against any other huge municipality. They are great, so of course they shine. Captain Longerman provided a brief explanation of the incident recognized. He stated that in June of 2012, Officer Tice received a call for a suicidal man, and did not know that the gentleman had already shot himself in the chest with a small arms pistol. Officer Tice along with several officers from Moon Township approached the male and were able to get him subdued and off to receive medical treatment. He did survive. Because of this, and the nature of the call and the danger that Officer Tice put himself in to save this gentleman's life, he recommended that he be given, or considered, for Officer of the Year with the Teamsters organization. He nominated him for this award, and as Commissioner Sabol recognized, he had received an award from the Teamsters Union. Officer Tice did an outstanding job this day and he is proud of him. Officer Tice stated that it just happened to be his call. Everybody works together and he cannot say enough about the officers he works with. Commissioner Cook thanked him for the service that he has provided to our community, and then referenced an incident with Captain Longerman that he single handedly brought to a head. He stated that our police department has done very well and he thanked them. There was a brief pause in the meeting to present Officer Tice with the certificate of recognition and to take pictures.

PUBLIC WORKS

Commissioner Cook reported that During the Month of May, two pads were replaced by the Multi-Purpose room to eliminate a tripping hazard. As we spoke about, the flowers in the bed gardens out front along the flag were planted. New flags were provided by Harriet Lewis and the Civic Club which were installed along McGovern Blvd. The building was readied, inside and out, for Election Day and afterwards everything was put back in to place. The Memorial site was prepared for the Memorial Service on Memorial Day with our Veterans. Potholes throughout the Township were patched. All Township properties and private property with Liens were maintained. Five Pa One Calls were responded to, all routine. Bi-Annual Inspection of the MS-4 600 Section was completed with eight catch basins needing repaired, replaced or updated. Catch basin #'s 118,114 & 306 were repaired and updated along with the replacement of 68 feet of 15" pipe and 1500 square feet of lawn restoration on Anderson Street was completed.

Commissioner Patton stated that regarding the potholes that were patched throughout the Township, when she was taking her monthly tour around the Township, she recalls some potholes that weren't patched on Reynard and Chanticleer. They are horrible up there, there are many potholes up there that need repaired, so they obviously were missed up there so if they can be put on the list, they definitely need to be attended to.

FINANCE

Commissioner Patton reported that we are almost halfway through year and received 79.21% of our revenues and spent 32.19% of our expenditures. Thank you to the residents that paid their property taxes already, this has resulted to approximately \$404,762.00 to our revenues for the month of May. As of year to date, we have received 89% of our budgeted real estate taxes. With that being said the Township is paying interest on our tax anticipation loan. She will be recommending to the Board that we pay this loan off this evening. This is under New Business tonight. It is important for everyone to realize that the Township will no longer be living on borrowed money. After tomorrow, thru the end of the year, we will be operating on what revenue we currently have in our bank account and whatever else comes in. We want to be very frugal with our spending remaining of the year.

PARKS AND RECREATION

Commissioner Cvengros reported that The Parks Board will not be meeting during the summer. They took delivery on Wednesday of the new piece of playground equipment purchased for Shouse Park. Installation will take place as soon as it is feasible. Thank you to everyone who purchased Avon products during our recent fundraiser. Your support is what makes it possible for us to continue our work to revitalize our township parks. Their next regular meeting will be held on Tuesday, August 13, at 7:00 p.m. in the Multi-Purpose Room. All are welcome to attend.

Commissioner Cvengros reported that the Recreation Board will not meet in June. They wish everyone a happy and healthy summer.

CRESCENT TOWNSHIP VOLUNTEER FIRE DEPARTMENT

No Report

VALLEY AMBULANCE AUHORITY

No report

OLD BUSINESS

Commissioner Cook stated that the first item under Old Business was the Discussion and motion on the 2013 Road Program. Kevin Brett stated that the apparent low bidder was Youngblood Paving. The base bid was \$58,515, and the add alternate was \$41,549.75. They do recommend to award the contract to Youngblood for the amount that the Board determines this evening based on the budget. A motion was made by Commissioner Cook to accept the Youngblood Paving Contract for the base bid of \$58,515.00 and the add alternate for \$41,549.75. This is a portion of Sautter Drive and to finish Huntsridge. This motion was seconded by Commissioner Sabol. A roll call vote found all Commissioners in favor of the motion.

Next, was the discussion and motion on the paid time off benefits of the non union employees of Crescent Township. Commissioner Patton stated that last month we discussed this in a lot of detail regarding the paid time off benefits. She believed it was her fellow Commissioner here that felt that we needed to discuss it more in great detail in an executive session. They spent the last hour or probably forty five minutes in great detail in executive session discussing this in further detail and she thinks that no decision was made, but the Board did come to some conclusion. They felt that there were employees that were paid benefits that they weren't entitled to based on the governing documents. There were employees that were not being paid based on certain governing documents. Commissioners feel that it is not right to go back and take those benefits off of them and ask for reimbursement. She believed that the Board's consensus was that they feel they should give the non union employees personal days. There was discussion about that. They talked as a board that to go back from years to previous boards is craziness. We have to move forward on this because personally, as the Finance Commissioner, and doing payroll every two weeks is crazy. Coming down here and doing this is killing her. Every two weeks it is from one employee to another. Mistakes have been made and we have to correct them and move forward. As a board, we have to fix it. Yes, there are going to be people that are going to be upset about it, but as Commissioners we have to fix this and move on, and do what is right. So, we need to move on, based on our governing documents, that is what we have to do.

Commissioner Sabol made a motion that all Township employees be paid according to the document that governs the terms and conditions of the respective employment. I.E. police department employees are governed by the police department contract, public works employees are governed by the public works contract, and employees not governed by either police or public works contract are compensated under applicable Township ordinance, which is Chapter 180 of the Codified Ordinance. He also wants to amend that ordinance and add two personal days for the non contractual employees. Commissioner Cook asked if they were going to address half day and full day increments. Commissioner Sabol responded that they are, but they did not agree to discuss it here. Commissioner Cook responded that he does not know what they agreed to, he did not think they had agreed to anything. He thought they either need to take these in some kind of an increment, whether it be a half day or a whole day. Not in minutes or hours. It is too hard to track. Commissioner Cvengros asked if they had decided to have the office help audit this back to the beginning of their terms in 2010. It was responded yes. She stated that for them to go back for years and years from previous boards, to try to get this in order for employees would be a nightmare. So, they thought that if they went from 2010, based on when this Board recognized recently that there has been some issues. Commissioner Patton responded that this is correct and that is for their accumulated time off benefits. Commissioner Cvengros seconded this motion. A roll call vote found all Commissioners in favor of the motion.

Next, was the discussion and motion on Proposed Ordinance 545, pertaining to the regulation of geophysical/seismic testing and application for permission to conduct seismic testing within Crescent Township. Commissioner Cook stated that the proposed ordinance is a draft and there are some changes that were recently found and need to be made to it. A motion to table this item until the ordinance is revised was made by Commissioner Cook and seconded by Commissioner Sabol. A roll call vote found all Commissioners in favor of the motion.

NEW BUSINESS

Commissioner Cook stated that the first item under new business was the discussion and motion on Mather Lane. He stated that Mather Lane is a township road that is not very long and very old lane that happens that it is the entry to a piece of property that he owns. He stated that he owned it long before he was a township commissioner. Just in his family alone they go back probably seventy-six years that the Township has maintained this. They have cut the weeds, put storm sewers in, they have graded it and they have plowed it. Recently, the Township decided that it was a private road and they were not going to maintain this anymore. He asked if Commissioner Keller would like to chime in because he has some emails from him where he was very concerned because this led to a piece of property that he owns. Commissioner Keller stated that his concern was that there is no information that shows it was the Township's. Before he would vote to spend taxpayer's money on something that could be private property, he would have to see evidence that it is property of the Township. Solicitor Start responded that he had conducted some research knowing that this issue was going to be on the agenda, and it is his understanding that Mather Lane has township signage on it, and that road has been chipped, plowed, brush has been cut, there has been storm sewers replaced and storm drainage maintained. Unfortunately, this is not a grey area, because Judge O'Reilly of the Court of Common Pleas of Allegheny County decided nearly an identical case in 2007 for Collier Township. Same situation, a road that does not appear to be dedicated or accepted, had been worked on by Township personnel for in excess of thirty years. In that case, Judge O'Reilly held that this is a defacto township road, and that the township by virtue of exercising dominion and control for plus thirty years, assumes the obligation to continue to provide that kind of maintenance. As a decision of a judge of the Court of Common Pleas it is binding precedent. Commissioner Keller asked then what we are saying is that we are going to use the past practice of the fact that we have maintained the road in this particular instance, but in the instance of the employees, whether we followed past practice for however many years, we are not going to use that past practice. Solicitor Start responded that he was not sure what he was asking. Commissioner Keller responded that we have been talking about the processes that we are using, or have been using in the past, with employees as far as their personal time off. We have decided that we are not going to honor that past practice. Solicitor Start responded that we have a binding contractual obligation to pay employees according to the collective bargaining agreement or the ordinance. Failure to do so will result in a surcharge against you. That is the apple to the orange to the case that he just described. Commissioner Keller stated that in his opinion we are using two different standards. In one instance there is no proof that Mather Lane is the Township's. He referenced that there is not even a sign up there. Commissioner Cook responded for him to look up at the zoning map. All of the other roads of the Township have signs. Solicitor Start stated that he is accepting that fact that this road has not been formally dedicated or accepted, just as the case in Collier Township. It is identical, and he would be happy to supply it to him. He respects his right to differ, but he sees it as apples and oranges. Commissioner Cook then made a motion that we continue to maintain Mather Lane as it has been maintained in the past. This motion was seconded by Commissioner Sabol. During the roll call vote, Commissioner Cvengros asked for clarification as to where Mather Lane was located. Information on the location was provided. Commissioner Cvengros referenced that it looked like it went down to a specific point and then it becomes a private lane. Commissioner Cook responded that it used to go to Shousetown, and it came up over the hill. It is the old, original Riverview Road. The roll call vote showed Commissioners Sabol, Cvengros, Patton and Cook in favor of the motion, with Commissioner Keller being opposed to the motion.

Next, was the discussion and motion on repayment, in full, to PNC Bank for the 2013 TAN Loan in the amount of \$302,497.55. A motion to approve the payment was made by Commissioner Patton and seconded by Commissioner Sabol. A roll call vote found all Commissioners in favor of the motion.

Lastly, was the discussion and motion concerning maintenance of cart ways and road right of ways. Commissioner Cook stated that in the past years, as long as he has lived here, there are certain undeveloped areas, for example, Prospect Street, portions of Bocktown Road, Riverview Road, Hindmarch Street where it winds around and connects to Porter, the little alleyway that runs off of Front Street, Front Street, and Work Street. Crescent Township has always maintained these roads to keep the weeds off so they are passable. He also added Mather's Lane to the list of roads. We have always maintained these and kept the weeds cut. He stated that if you go down and look at our Township right now, it looks like a jungle it is overgrown. He sent out a directive a month ago, and asked that they get on these weeds and he was told that we are in violation of our ordinance under our property maintenance code, that we are working on private property. He does not believe, and he is going to ask our Solicitor to chime in here, that when you are dealing with cartways, and right of ways, this is not private property. It is a matter of safety for our citizens, and the people who travel these roads. For example, he travels Riverview Road everyday and there are places where the weeds are two feet out into the cartway and it is very narrow to begin with, and we are going to have an accident. Main St, down below, they are out over the guard rail two and half, three feet. It is a problem is what it is. Letters went out to the residents that own these properties, and they were told that they were by law forced to cut them. This was not sent out by the Board of Commissioners. This came out of our office and out of our public works department. He has had some residents contact him, Mr. Mitchell and Mr. Moser, and some other ones contact him and they want to know what is up, because past practice as he says, and for the safety of our community, this has always been done. Now, all of a sudden he is being told that we shouldn't be doing it because it's private property. But, he wanted to add, we have a very strict sidewalk policy. He has copies of letters that our old Solicitor sent out to people to maintain these sidewalks, which is definitely private property. We spent a day here the other day, and we edged the entire sidewalk. That is definitely private property. It has nothing to do with the highway or road right of way and he does not see what it has to do with safety. He has a motion on the table. Solicitor Start stated that there is a distinction that everyone should be understanding, if you are dealing strictly with somebody's yard or somebody's house, somebody's property that is not effecting the right of way, then it is that owner's obligation to maintain their property pursuant to the terms of our property maintenance ordinance. So if the property maintenance code says that you have to cut the grass once it hits six inches, then you have to cut the grass once it hits six inches. And that is the owner's obligation. You need to understand that when you talk about a township right of way, that is a township obligation. A township right of way is designed for the safe passage for motorists and pedestrians. You as a township have an obligation to maintain that as a safe passageway. So if somebody is driving along the road or walking along the road, and it is in the right of way, and they are injured because it is not properly maintained, it is the Township that will be legally responsible for that. Please distinguish between private yard and right of way of the property adjacent to a right of way. If you look at your County plaque at the County Court House, you will see that most properties go to the middle of the street. So technically, people own right to the middle of the

street, but they do have an obligation to take care of that street because superimposed on that is the municipal or state or federal right of way and that is where the obligation of either the municipality, or state or federal government comes in depending on who owns the right of way, to maintain the right of way. Now, if there are things on the right of way, or trees, bushes, whatever it is that's hanging over, the Township had better take care of that less somebody get hurt and we get sued. That is why when you drive down the road you see PennDOT and municipalities with brush hogs going along side of the road and making the passage way safe. He did not know where the background of this came about, but you better maintain your rights of way in a safe way or you are going to get sued if somebody gets hurt. Commissioner Keller wanted to see a list of personal properties that we lien to cut the grass, and trim trees, and the ones we don't lien. In other words we have different standards. Some properties we lien and some properties we don't. Solicitor Start responded that he liens every one that he is told to lien. So there is no double standard in his office, he liens what he is told to. Commissioner Keller responded that he would like to see a list of the ones that are liened and the ones that are not. Commissioner Cook stated that what we lien mostly our nuisance properties, abandoned houses that people don't cut their grass, people whose neighbors are calling and complaining, because it's a jungle next door. He thinks that comparing those properties with a right of way on a road, as Solicitor Start compared with Mather Lane, apples and oranges. When you have a hillside and a guard rail on the hillside, and the weeds are growing two foot over the guard rail into the car way, and it is a vacant piece of land. He asked the engineer, that if it was on a state highway, who cuts it? The engineer responded that the municipalities mow the general right of ways on what they call unimproved right of ways. House lots are what they call improved. If the house gets taken down, it is no longer an improved lot and becomes a vacant lot, a lot of times they do revert back to the municipalities. He stated that the right of ways, on unimproved areas because of sight distances on the road, they do mow back about five feet, especially in guide rail areas. When you have rural roads, it is unlikely that someone is ever going to mow these, because the owner may not be here. Commissioner Keller stated that he has a problem with that, and he would like to see a list of the properties that we traditionally lien. Commissioner Cook indicated that Secretary/Manager Eckhardt could provide that list to him. Commissioner Cook made a motion that our right of ways be cut and maintained and that we put a priority on this because they are in such bad shape right now, and that we go back to taking care of this Township and get rid of the weeds that are overtaking us. Commissioner Patton seconded the motion. A roll call vote was taken and found Commissioner Cook, Patton, Sabol and Cvengros in favor of the motion, with Commissioner Cvengros adding that she had a neighbor who was sent a letter notifying them that they had to cut their pine tree up. Commissioner Cook responded that this was because it was in the sight plain. Commissioner Cvengros responded that the Township did not do this; we made the person be responsible. Commissioner Cook responded that this was because it was in their yard so far, blocking the sight triangle. Commissioner Keller wished to withhold his vote until he saw the list of the properties that we lien.

PUBLIC COMMENTS

Judy Cook of 1409 Riverview Road addressed Commissioner Cvengros, stating that she does not think she understood when they were saying Mather Lane, they do not come all the way back Mather Lane. She has lived here her whole life, and they come halfway in, even when they plow the snow. They come halfway in, to where her property begins and they push it off the road. They do not come all the way in her driveway. They back out; they do not even come in and turn

around. Commissioner Cook added that years' ago, when he first came here, thirty-four years ago, they used to plow it all the way, and they salted it. He stopped them, for the biggest reason of that they were dropping salt on a dirt road, and that just makes a big muddy mess. For the last thirty-four years they have stopped where they are supposed to stop.

David Mitchell of 1410 Riverview Road stated that he had a few items that he would like to comment on. First, there was discussion about spending more than \$500 without board authorization. He did not hear any dispute of that, nor any discussion. If this is the case, as he ran a small business, you have to manage the expenses and you have to have rules and you have to follow the rules. He is suggesting that if in fact you violated the rules, go back and make sure that it doesn't happen again, so we do not overspend without authorization. Secondly, he was actually offended by a notice of violation for not trimming the property that borders the property where Mather Lane is. Without a definition of where it was, he did come down to the township office and spoke with Patience and her assistant, showed where it was that they were talking about and that has been clarified now. But, he was offended because he has lived in this township for forty-seven years, and he generally tries to follow the rules and be compliant with what is going on and had very few times that he has not been fully compliant with the rules that we have. But let him know what the rules are, and let him know what the issues are, before you start sending him a "you are in violation" notice, because he finds that offensive. The final item was that last night, the Crescent Township/Shousetown area Historical Association met, and what they did was a planning meeting. One of the things that came out of this meeting was the Association is dying off. He referenced that he, his wife and his daughter are the only ones that live in the Township and currently attend the meetings. Others have migrated to neighboring municipalities or come occasionally. What they would like to suggest as an idea, is that with Shouse Park opening again, the possibility of having a Township sponsored meeting at Shouse Park, with an emphasis on history. They would like to get all the different organizations and facilities in the Township, government, and volunteer activities, brought in to discuss this with these people, and encourage the people to become involved. They need this in the Historical Association if they are going to continue. In order to continue they need new blood. He referenced the alumni of School Street, stating that it would be marvelous to have them all get together and become interested in hearing about the history, and share the history that they have. They have quite a bit of information, and they would like to share it with the residents. They would like for this to be a Township, Board sponsored event, sometime maybe in the fall. Commissioner Cook referenced that there was a couple that was involved, and we had some contact with them. They were supposed to put us on a mailing and we were going to try to work with them. Nothing ever came of it, and that is why we took some of that stuff and decorated the multi-purpose room. Mr. Mitchell stated that Commissioner Cvengros has attended some of their meetings, and they have discussed this with her. They wanted to suggest this to the Township as it is an opportunity to get the people of the Township involved. He thinks that people will get excited learning about what has happened in the past in the Township. One of the problems is you get older and you miss the opportunity to talk to some of the people that have this history, and now it is lost to you. Commissioner Cook stated that the Glenwillard School has an alumni reunion every year. He said that if he hears anything about it, he will contact him with the information. Mr. Mitchell said they would love to have that be a part of it. Commissioner Cook stated that he is sure this Board would sponsor it, he knows that he has no problem with it. He referenced that Commissioner Cvengros, being the Commissioner of Parks and Recreation would

be a good contact for him. Commissioner Cvangros stated that she had previously brought down the information provided and pleaded to the community that they are in dire need of people to come.

Mary Anne Lineberry of 1358 Front Street stated that the reason she was here was because of all of the weeds and all the yucky stuff around the neighborhood. And sitting here listening to everyone talk, you can tell that this is a very political situation right here. Nothing but a bunch of crazy politics going on. I'm not going to that and I'm not going to do that, but I am going to spend \$800 to have beautiful flowers outside of a building that people don't normally visit very often. It is very frustrating as a taxpayer to see that. She really appreciates that we are going to get on the weeds.

COMMISSIONERS COMMENTS

Commissioner Sabol stated that from what he was understanding, Mr. Mitchell was wanting us to have one of our meetings at Shouse Park. Mr. Mitchell responded that was a possibility, anything that would have an emphasis on history that would get people together. Commissioner Sabol responded that he thought that would be a great idea.

Commissioner Cvangros stated that the Ohio River Trail is having their annual gear and beer festival and they are inviting everybody to come out. They had a really great time last year. It was huge, and the music and food is supposed to be really good this year. If you have a bike, canoe, whatever, haul it on out there. She sent an email also from Vince Troia, who is in charge of all this. He asked if Crescent Township would be interested in beginning the Ohio River South Shore trail phase two, Crescent Township portion of the greenway. The Ohio River Trail Council needs a volunteer from Crescent that can assist in obtaining property ownership information, survey and plot, to begin the determination of a proposed route. We would be able to approach the owners and ask for easements on that. So they have Moon Township and Coraopolis on board, and they are working on those areas now. They want to get more information on our Township now, so they can work with us on how to proceed through our Township. She thinks it would be good to work with them. She referenced that herself and Secretary/Manager Eckhardt have been going to the meetings to try to keep up on everything. They want to work with the communities and make it a pleasant situation for everyone. If anyone knows someone who would be interested or have the time to go and do this. She helps as much as she can, and it would be greatly appreciated.

Commissioner Keller stated that in the minutes of the May meeting, there were comments that could not be substantiated through research and Commissioner Cook had said that he would get with him this past month to review those comments, and that did not happen. He had some information that he would like to pass out to anyone that is interested.

He also wanted to comment that in 2008, the Phipps Conservatory became a satellite partner of the Fairfield Challenge. This is multidisciplinary, standards-based, environmental education program designed and initiated at the Fairchild Tropical and Botanic Garden in Miami, Florida. The Fairfield Challenge fosters interest in the environment by encouraging teenagers to appreciate the beauty and value of nature, develop critical-thinking skills, understand the need

for conservation and biodiversity, tap community resources, become actively engaged citizens, and recognize that individuals do indeed make a difference. The Fairfield Challenge encourages high school students to investigate, devise imaginative and effective responses, and to take action at many levels on environment issues through a menu of Challenges. The winners receive money for their school. This year a Crescent Township resident and student at Moon Area School won first prize. Ethan Hadden, son of Joe and Danielle Hadden, was a first prize winner and as such, is responsible for \$1,000 being donated to the Moon Area School System. Congratulations to Ethan Hadden and the Moon Area School System.

Commissioner Cook stated that Commissioner Keller had spoken about him speaking about the increase to the taxes two meetings ago, and he has some information here with him tonight. Commissioner Keller contacted him and gave him about four different dates that he was available, and he works for a living, so he apologized for not being available. When he tried to explain that to him, it got ugly and he just quit replying. Commissioner Keller attempted to state something and Commissioner Cook responded that Commissioner Keller had had his turn, point of order. Commissioner Keller responded that he would like to follow up. Commissioner Cook responded that he is done, point of order, we will move on now. He did not interrupt him. He will finish. He had a report that is a report that he used when he did this. The first line item in there is 301.100 and in front of it, is has the 6.4. Which is what our tax millage rate is. As you read across it, it says real estate tax-current general, 5.9-92% collection. Across that entire line, we have 2013, 2012, 2011 and 2010. When he saw the 6.4 at the beginning he figured that this was full millage all the way across. He took the \$738,000 and he compared it to the \$731,000 and it is about a \$7,000 difference is what that is. He went to the bottom and thought that the fire referendum was in the new report where it was before, so he was \$62,000 off on what we collected. He will own up that he made a mistake, but he feels that the report could have been made a little bit better, there could have been some notes to kind of guide you there, but there isn't. But, what he did find was that when he went through this thing again, and he did the same thing he did last time. He backed things out that weren't in the old report, because they were in separate items. Like all of our insurances, they were categorized in insurance. FICA was categorized in FICA. It was just true expenses for the departments. Two things he took out of both the police and the road department. They were capital projects, because they really do not have anything to do with running the department. This year we have budgeted \$124,000 for a road project. So he pulled that out. We had \$10,000 for a truck so he pulled that out. We have \$10,000 for a police car and he pulled that out. When he ran the numbers, our public works department, when you took out everything that should not have been in there, was actually \$4,000 less than what it was last year. Add the insurances and put a \$124,000 capital project in there, those numbers increase vastly. He did the same thing with the police department. The police department went up approximately \$42,000 after you took that out. That is a big portion of what we collected. We collected \$77,000, he believes that number is real close, in more taxes than what we did the year before. Because we are at \$833,000 this year and we were at \$756,00 last year, so do the math. He supports the police department, but that is our biggest expense. This is what is going to drive your taxes. That is not going to change. If this Township so wishes to have a police department, they'll have it, but they are going to pay for it. When this whole thing blew up, when the Board was just looking at other prices, there was nothing in stone that this was going to happen, they were just looking at their options. We had people come in here and say "we'll pay more to have a police department," "We don't mind paying to have a police

department.” When the taxes were raised, those same people came back and said look what you did, now you’re raising our taxes. Well this is where your money is going, if you want to provide services, you got to pay for them. He also wanted to touch on things coming to this agenda, for example, last month we had a couple of items on there, one was the burglar alarms in Moon Township. We wanted to charge people for burglar alarms. Again, this time the things we dealt with, Mather Lane for one, secondly with these weeds. There is an old tractor sitting up where our public safety is, but the tractor probably dates back into the 50’s. That is how long this Township has maintained their right of ways. We’re bringing these things to the table, and a lot of these things like the burglar alarms system, we are comparing ourselves to Moon Township. We are not Moon Township, and he personally, lives in Crescent Township because he doesn’t want to live in Moon Township. This Board needs to get back to business, back to what Crescent Township is about, and we need to serve the people. He is going to ask that all these letters that went out for right of way cuttings, that these letters are repealed, that there is a letter that goes out of this office and informs these people that they do not need to be out there cutting these weeds off the road. Because about the time we have another tragedy like we had with Mr. Davie, because someone is out there on a blind bend with a weedwhacker, trying to get weeds off the guard rail because they are afraid that he Township is going prosecute them for something that they shouldn’t be, we’re going to have another lawsuit on our hands, along with an injured person.

ADJOURNMENT

A motion to adjourn the meeting was made by Commissioner Patton and seconded by Commissioner Sabol. A voice vote was taken and all commissioners were in favor of the motion. The meeting adjourned at 8:46 p.m.

Certified as a true and correct copy.

Respectfully Submitted,

Patience Eckhardt
Secretary/Manager

(Seal)

Patience Eckhardt was no longer an employee of the Township when these minutes were approved at the monthly meeting on July 11, 2013. The document is being signed based upon information received to be presumed accurate.

Kellie L. Crago
Assistant Secretary

(Seal)

