

MINUTES
REGULAR MEETING, SHALER TOWNSHIP
BOARD OF COMMISSIONERS
TUESDAY, AUGUST 10, 2021

The meeting was called to order at approximately 7:04 P.M. by Chairman David Shutter. Following a prayer by Commissioner Boyle and the Pledge of Allegiance, the Vice Chairman asked the Secretary to call the roll as follows:

PRESENT: Fisher, Iozzo, Boyle, Shutter, McElhone, Mizgorski
ALSO PRESENT: Timothy Rogers, Manager; Harlan Stone, Solicitor; Judith Kording, Assistant Manager; Robert Vita, Code Enforcement Officer; Amanda Jennings, Finance Assistant; Elaina DiBucci, Administrative Assistant

The Chairman announced that an Executive Session was held on July 13, 2021 and this evening at 5:30 p.m. wherein the following topics were discussed: employee and personnel matters, contracts and policies, and an update on the actual and on-going litigation as well as potential litigations and identifiable complaints and agency business which if conducted in public would violate a lawful privilege or lead to the disclosure of confidential information. Mr. Stone said the session was absolutely necessary and was in full compliance with the Pennsylvania Sunshine Act and Act 15 which covers public meetings under the Governors Declaration of Disaster Emergency.

Approval of Minutes

The first item of business was the possible approval of the Regular Meeting Minutes of the Board of Commissioners held Tuesday, July 13, 2021. **Mr. Boyle moved, seconded by Mrs. Fisher that the Minutes of the Regular Meeting of July 13, 2021 be approved as received by each Commissioner. The motion was carried.**

Planning Commission

There was no report from the Planning Commission as their last meeting was canceled due to lack of an agenda.

Engineers Report – Mr. Matthew Sebastian

The next item of business was the Engineers Report.

- *Sanitary and Storm Sewer*
 - Work with Chuck Steinert, O'Hara's Engineer, to finalize the 2021-2022 NHCOC Sewer Rehabilitation contract specifications. The sewer rehab contract bids are scheduled to be opened on August 26th. I work with Chuck and the COG on this annual contract that covers most of the COG communities' sewer repair needs. Shaler utilizes the COG contract regularly for sewer lining, open cut repairs, root control work, and manhole rehabilitation. We are continuing to adjust the specifications to encourage more bidders, more competition for the various parts of the contract, and more flexibility for the COG Municipalities.

- *Stromwater Management*

- Completed stormwater management project reporting to the NHCOC. I will be working with the COG's stormwater engineer, PVE, to compile the data submitted by the COG communities with a focus on targeting future multi-municipal stormwater management and MS4 projects.
- Met with Etna to finalize plans for a small, multi-municipal streambank armoring project at Sherman Ave, near the Lampher Reservoir. The project involves work on both sides of the municipal boundary and will benefit residents of both Shaler and Etna, as well as providing HSWA with an opportunity to locate their distribution line more precisely within an established right of way.
- *Other*
 - Continued planning efforts with Gateway Engineers on a project tracking map. I will meet with them on August 10th to review the map and I hope for it to go live shortly after that. Once it is live, I will make sure the Board has access to it for your use and comments on improvement as we build it out.

Upon inquiry from Mr. Boyle, Mr. Sebastian stated that paving is scheduled to start up again on August 23rd. Mr. Rogers stated that A.Liberoni left on our request as the Township had some construction that still needed done and thanks to the federal recovery monies, municipalities are asking for a few more roads to be complete during this paving project and the Township has done that as well.

Shaler Hampton EMS (SHEMS)

There was no report from SHEMS.

New Business

Thompson Road Petition – Commissioner Mizgorski

The next item of business was the Thompson Road Petition. **Mr. Rogers stated that Mr. Mizgorski** received a petition from residents regarding the heavy public and commercial traffic along a marked private drive known as Thompson Road in the second ward. Mr. Rogers stated one of the problems that is occurring is the road is being used by a neighboring company called Vento Landscaping. Vento subleased a portion of his property to a greenhouse which is causing a lot of traffic on this private road. Mr. Rogers stated that the Township considered vacating the road but that will not solve the problem. **Mr. Harlan Stone, Township Solicitor, has been speaking with Attorney Stoner** who represents Mr. Rausch, and initially they thought some type of an agreement would resolve this issue, however, they realized that there are more effected property owners. As a result, they are proceeding in a form of litigation which will allow a judge to determine who is responsible for the ownership and maintenance of the road.

Mr. Dave Rausch, 101 Hahn Road was present at the meeting to discuss the issues at hand as he is one of the private property owners on Hahn Road where these issues are occurring. **Mr. Rogers stated that Mr. Vita, Code Enforcement Officer,** will go look at Vento's property tomorrow to see if he is violating any codes with junk Vento has on his property. **Mr. Rogers** stated once you let someone on a private road, then they have a right to access that private road. Mr. Rogers stated the only way to fix this is to get a court of competent jurisdiction to state they need to jointly maintain this road or decide who is the sole owner of this private road.

Mr. Mike Radich, 734 Venango Avenue was also present at the meeting to discuss the issues at hand concerning the noise coming from Vento's property.

Mr. Stone stated that he believes the best way to resolve a dispute is to let some third party, like a judge or an arbitrator, look at this issue and make some determination to see who is responsible for this road. **The Township has authorized Mr. Stone to work with Attorney Stoner** to help resolve this problem.

Receipts and Authorizations

The next item of business was the receipts for the month of July 2021.

Mr. Boyle moved, seconded by Mr. Iozzo that the receipts for the month of July 2021 be turned over to the proper authorities for deposit. The motion was carried.

The next item of business was the authorizations for the month of July 2021.

Mr. Boyle moved, seconded by Mr. Cross that warrants be drawn for the month of July 2021. The motion was carried.

Resolutions

Resolution No. 14-2021 Authorizing the Appropriate Officers to Execute the Acquisition of Jeffery School

The next item of business was Resolution No. 14-2021 Authorizing the Appropriate Officers to Execute the Acquisition of Jeffery School.

Mr. Cross moved, seconded by Mr. Mizgorski that Resolution Number 14-2021 Authorizing the Appropriate Officers to Execute the Acquisition of Jeffery School be approved.

Mr. Stone stated the motion needs to be amended to state; to adopt or approve a resolution authorizing and approving the purchase of Jeffery School from the Shaler Area School District and authorizing the appropriate Officers to execute all necessary documents. The motion was carried.

There being no further business, **Mr. Boyle moved, seconded by Mrs. Fisher that the meeting be adjourned at 7:53 PM.**

Respectfully submitted,

Timothy J. Rogers, Secretary
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