

**MINUTES  
SCOTT TOWNSHIP  
BOARD OF COMMISSIONERS  
301 LINDSAY ROAD, MAIN MEETING ROOM  
SCOTT TOWNSHIP, PA 15106  
AGENDA MEETING  
May 9, 2017**

The meeting was called to order by President Giudici at 7:30p.m. He then led all present in prayer and pledge to the flag.

**Roll Call:**

|                                      |         |
|--------------------------------------|---------|
| Frank W. Bruckner                    | Present |
| Thomas M. Castello, Esq.             | Present |
| Eileen L. Meyers                     | Present |
| Patricia A. Caruso                   | Present |
| David A. Jason, Vice President       | Present |
| Stacey Altman                        | Absent  |
| David G. Calabria                    | Present |
| William Wells                        | Present |
| Donald W. Giudici, C.P.A., President | Present |

PRESENT - 8

ABSENT - 1

**Also Present:**

Robert McTiernan, Esq., Solicitor, Tucker Arensburg, PC  
Lawrence J. Lennon, P.E., Lennon, Smith, Souleret Engineering  
Randy Lubin, Director of Public Services  
Todd Tulowitzki, Code Enforcement Officer  
Denise H. Fitzgerald, Secretary – Manager  
Lisha Mihalko, Assistant Secretary  
Jason Cherep, IT Director  
James Secreet, Chief of Police

**Public Comments on Agenda Items Listed Below**

To be addressed at the beginning of each Committee report

## Planning, Zoning and Code Enforcement

### Solicitor's Report

Discuss approving the Operation and Maintenance (O&M) Agreement along with the Development Agreement for Baptist Homes Society.

Mr. McTiernan stated that the agreement for Baptist Homes Society will be ready for approval by the end of the month.

Mr. Lennon stated that there is a meeting scheduled for the following Monday to review.

Mr. Giudici asked if we would be placing this subject on the agenda to vote.

Mr. McTiernan agreed.

### Engineers Report

Discuss bids for the electronic sign for the municipal building.

Mrs. Mihalko stated that all bids were open on Friday, May 5, 2017 in which they were submitted for review by the Township Manager. Mrs. Mihalko also stated that they will be placed on the agenda for possible awarding by the end of this month.

Mr. Wells asked if Denise Fitzgerald reached out to individual businesses in the area to see if they would be willing to donate money towards the sign.

Mrs. Mihalko responded that she was not sure where Denise was in that process, but she advised that she would follow up with Denise when she returns to the office.

Discuss letter from Pennsylvania Municipal League and Pennsylvania State Association of Township Commissioners regarding the CDBG funding.

Mr. Lubin advised the board that there was an email distribution from Denise Fitzgerald attaching the letter received. He explained that the CDBG funding is limited and they are requesting that municipalities send a Resolution to the local legislator to support the need for this program.

Mr. Giudici stated that he believes they just want to cut it all together.

Mr. Wells asked why they wanted to cut this program.

Mr. Giudici replied that they wanted to reduce the budget.

**Motion to award Independent Enterprises, Inc. for the Green Revitalization of our waterways (Grow) program.**

Mr. Lennon had bid opening on the Grow project. Two bids were received for this project. Independent Enterprises, Inc. at \$559,200.00 and Stefanik's Next Generation Inc. at \$659,891.50. The lowest bid was significantly higher than what the Township had budgeted for, so Mr. Lennon and Mr. Lubin went through the bid tabulation and they found a scope of work which meets the requirements for the grow grant. He continued to state that the work will total \$408,114.64. He then advised the board members that he suggest the board makes the motion to award Independent Enterprises, Inc. for the Green Revitalization of our waterways (GROW) program in the amount of \$408,114.65.

**Motion** by Mr. Jason, second by Mr. Castello to award Independent Enterprises, Inc. for the Green Revitalization of our waterways (GROW) program in the amount of \$408,114.65.

**Roll Call:**

|                                      |     |
|--------------------------------------|-----|
| Frank W. Bruckner                    | Yes |
| Thomas M. Castello, Esq.             | Yes |
| Eileen L. Meyers                     | Yes |
| Patricia A. Caruso                   | Yes |
| David A. Jason, Vice President       | Yes |
| Stacey Altman                        | N/A |
| David G. Calabria                    | Yes |
| William Wells                        | Yes |
| Donald W. Giudici, C.P.A., President | Yes |

**Motion Carries (8-0)**

**May 2017 Engineering Public Works Report**

Playground Improvements:

Township to execute Contract Documents.

CDBG Year 43 Applications:

Application under review by SHACOG for funding.

Providence Point Phase II:

A meeting with the Developer to discuss the proposed Developers Agreement modifications has been scheduled for Monday.

2017 Road Program:

Township to execute the Contract Documents. A copy of the executed agreement to be provided to DCNR along with Playground and Deck Hockey Contracts for final authorization.

Mr. Wells asked when the Roadway program was going to begin.

Mr. Lennon replied that milling should start June. However, it also depends on the company's schedule.

St. Clair Hospital Parking Garage:

LSSE attended a pre-application meeting with the Township and Hospital Staff relating to a proposed parking garage on May 3, 2017.

**May 2017 Engineering Storm and Sanitary Sewer Report**

ALCOSAN GROW:

A grant agreement, provided by ALCOSAN, has been executed by the Township and returned to ALCOSAN. A "kick-off" meeting with ALCOSAN has been scheduled for May 10, 2017.

The following schedule is proposed:

|                                       |                    |
|---------------------------------------|--------------------|
| <i>Project Authorized by Township</i> | <i>February 28</i> |
| <i>Submit Permit Applications</i>     | <i>April 10</i>    |
| <i>Bid Construction Contract</i>      | <i>April 7</i>     |
| <i>Open Bids</i>                      | <i>May 5</i>       |
| <i>Award Contract</i>                 | <i>May 9</i>       |
| <i>Construction Begins</i>            | <i>May 15</i>      |
| <i>Construction Complete</i>          | <i>August 1***</i> |

\*\*\*Demonstration Project completion date in Phase I COA.

2016 Sanitary Sewer Repair Contract:

Work for the project is ongoing. Change Order's 1 and 2 for the Hope Hollow emergency repair and the McMonigle and Bent Alley scope additions have been signed by the Contractor and returned for Township action.

Annual Training:

The 2017 training of the elected officials will be conducted within the next three months.

Written MCM Plans:

LSSE and Township Staff met to finalize Plans. Plans are ready for review and adoption by the Board.

2016 Township Stormwater Pond Maintenance:

Contractor is addressing final punch list items for project closeout in the spring.

Pollutant Reduction Plans:

The Permit Application is being completed concurrently with development of the PRP/TMDL plan.

TMDL Plan (Due with Application):

LSSE completing analysis of existing pollutant loadings required for development of the TMDL plan.

Annual Outfall Screening:

Year 5 screening is scheduled to begin in May 2017.

**Standing Committee Report - Finance**

Discuss Delinquent Real Estate Tax Collection.

Lisa Riley; Current Tax Collector

Mrs. Riley stated that she was in attendance at tonight's meeting because she wanted to know why she was not paid for the last month for her Township Real Estate Collections. She advised that she sent a letter to the School tax payers that were either delinquent or on an installment plan. The intention of this letter was to clarify the new process and advise the residents that the Tax Office staff will no longer be able to assist Mrs. Riley with collecting the School Taxes. Mrs. Riley advised that she had some residents come in and questioned why the Tax Office Staff cannot help with collecting the School taxes and Mrs. Riley advised them that the Commissioners decided to make this change.

Mrs. Riley stated on April 17, 2017 she received a phone call from Mrs. Fitzgerald asking to have a copy of the letter(s) sent to her because one of the Commissioners wanted it. Mrs. Riley continued to say that she asked Mrs. Fitzgerald why they wanted a copy of it.

*(during phone conversation)*: Mrs. Fitzgerald responded that there was something stated in the letter in regard to different procedures within the Tax Office.

Mrs. Riley advised that she stated 'Per the Township Commissioners the Tax Office Staff will no longer be able to assist with collecting the School Taxes. Mrs. Riley stated that a couple days went by and Mrs. Fitzgerald reached out to Mrs. Riley again about getting a copy of the letter. Mrs. Riley advised Mrs. Fitzgerald that she already shared the information from the letter.

*(during phone conversation)*: Mrs. Fitzgerald replied that she wanted to see the letter.

Mrs. Riley stated that the Commissioners also do not want to pay the postage for these letters that were sent out. Mrs. Riley told them that it can be charged to the school. She then continued to state that she received a letter from the Solicitor on April 25, 2017. She advised that she was shocked to have received the notice and she forwarded the letter as requested.

Mr. Jason said that there were some things that were said that were inaccurate as to what he was told. He was contacted by other Commissioners stating that they wanted to see the letter(s) that were sent out. He continued to say that the board was told by Denise that Mrs. Riley refused to give the letter to Mrs. Fitzgerald.

Mrs. Riley responded that she did not refuse to give the letter to Denise; she simply stated that she couldn't at that moment.

Mr. Jason advised Mrs. Riley that she was not paid because at that time the Board was told by the Township manager that Mrs. Riley refused to provide a copy of the letter to the board.

Mrs. Riley said that she told Mrs. Fitzgerald that she was busy at the moment.

Mr. Jason told Mrs. Riley that Mrs. Fitzgerald told the board that Mrs. Riley flat out refused to ever give the letter.

Mrs. Riley responded that she didn't say 'ever'. She continued to say that she wasn't giving the letter to her at that moment because there was no reason.

Mr. Jason said that the reason she was not paid is because the letter was asked to be seen and at that time Mrs. Fitzgerald advised the board that Mrs. Riley refused to give the letter to the board. Therefore, the board withheld the pay. Mr. Jason said that the board members just wanted to see the letter that was sent out.

Mrs. Riley said within the Tax Collections Manual (Page 19) it states that the Tax Collector is not an agency. Therefore, is not subject to the 'Right to know'.

Mr. Castello asked Mr. McTiernan is the 'Right to know' even qualifies when sending out something publically.

Mr. McTiernan agreed with Mr. Castello and continued to state that the Commissioners the right to see the document. It would have been appropriate to share the letter when asked.

Mrs. Riley said that the letter was provided to the Township manager and she still hasn't got paid.

Mr. McTiernan said that it was his understanding the letter came after the decision was made.

Mr. Jason said the reason all this happened was because one of the Commissioners was questioning the letter. Mr. Jason stated that it was the fact that Mrs. Riley refused to turn the letter over to the Township Manager and Commissioners. Mr. Jason explained to Mrs. Riley that refusing to send the letter was a bit odd and that made other Commissioners question 'why'.

Mrs. Riley asked why Mr. Jason didn't just call her.

Mr. Castello asked Mrs. Riley if she could allow Mr. Jason to finish talking.

Mr. Jason continued to state that this is an office issue and you were using office equipment therefore, this topic should be handled by the Township manager. It is the Township manager's job to handle all office related issues. When Mrs. Riley didn't reply, the board decided to have the Township Solicitor get involved and send a letter to Mrs. Riley requesting the letter that went out from the Tax Collector.

Mrs. Riley said two weeks prior when all this was brought up at the Township meeting, why was she not told that the board was going to notify the Township Solicitor. When nothing was being said Mrs. Riley felt that everything was fine and there was no issue.

Mr. Bruckner stated that he doesn't feel the school can be charged for the postage. Mr. Bruckner continued to ask Mr. McTiernan.

Mr. Castello said that it would be almost fraudulent. We're charging them something because they pay so much to begin with. (Mrs. Riley tried saying something). Mr. Castello told Mrs. Riley that the board has let her talk for almost 10 minutes and she has interrupted everything Commissioner Jason has tried to say.

Mr. Castello continued to ask Mrs. Riley if the installment reminder letters were a normal procedure.

Mrs. Riley replied that she did not do it before as the system did not have the capability however, now that it is an option it was very helpful for the residents to receive a reminder notice.

Mr. Castello followed up with when the system was updated.

Mrs. Riley replied that she doesn't know the exact date.

Mr. Jason asked if it was two years ago.

Mrs. Riley said that it was not two years ago and the upgrade happened within the current year.

Mr. Jason stated that he feels it is factually incorrect by stating that the Board of Commissioners are the ones who made this happen. Mr. Jason explained that it was brought to the attention of the Commissioners that the Township is paying their employees to assist the school in collecting their taxes. The Board of Commissioners took this to the school Board of Directors and has been advised that this has

been discovered and the Township was looking for contributions to continue the process as it is currently handled. The Commissioners felt that it was not fair for the Scott Township Tax Payers Money be used to assist the school district in collecting their taxes for them.

Mrs. Riley said that this process was implemented years ago. The Township and School Board always split the cost for postage and office supplies.

Mr. Bruckner asked Mrs. Riley if the letter stated that the Board of Commissioners asked the School Board. He continued to state that it appears to him that the full story was not told to the tax payers.

Mrs. Riley asked why it was on the web-site.

Mr. Bruckner asked her if his statement was true.

Mr. Castello mentioned that there is also a sign hanging in the tax office window and she is stating that it is posted to the web-site as well. Therefore, it was unnecessary to have it included in your letter. Mr. Castello asked Mrs. Riley why she put it in her letter.

Mrs. Riley replied that she included it in the letter so that when those tax payers send in that payment they are aware that the Tax Collector will be the only one processing it.

Mr. Castello said that he was done as Mrs. Riley would not allow him to talk without being interrupted.

Mr. Jason stated that the letter makes it seem like every Commissioner was for this and there may be one that was not for the change. The Commissioners felt that the Township should not have to pay one of our employees \$16,000 to \$20,000 a year to collect the taxes for the school.

Mr. Calabria asked Mrs. Riley if she complied with Mr. McTiernan's letter.

Mrs. Riley responded 'Yes'

Mr. Calabria then asked why she was not getting paid then.

Mrs. Riley said the letter was sent via email at 4:48pm on Tuesday, April 25, 2017. She proceeded to explain that the following morning she came into work to find the fax and email at her desk. She then sent the email to Denise as requested in the letter from the Solicitor.

Mr. Wells asked the board President to skip ahead to the approval of the total Real Estate commission and pay Mrs. Riley.

Mr. Castello suggested to Mr. Giudici that the Township pay Mrs. Riley and the motion be ratified at the next meeting.

Mr. Castello mentioned that Mrs. Riley wanted to continue collecting the delinquent taxes in 2017, the board agreed to this. Mr. Castello asked Mrs. Riley if she has collected anything since January 1 in accordance with the procedures provided to her.



Mrs. Riley went to say something.

Mr. Castello said that it was a yes or no answer.

Mrs. Riley stated to the board that when this first started being communicated she was told that she would continue collecting the delinquents as long as she was doing a good job. Then December 2016 came around and she was told that delinquent accounts are going to be processed elsewhere anyway.

Mr. Castello asked again what her answer was.

Mrs. Riley responded that she only sent out delinquent letters and did not send out magistrate letters.

Mr. Castello asked Mrs. Riley if any of the residents who received a delinquent letter paid yet.

Mrs. Riley said some of them did.

Mr. Castello then asked if Mrs. Riley followed up with those who did not pay.

Mrs. Riley responded 'No'.

Mr. Bruckner asked Mrs. Riley if the residents are paying when the letters are sent, then shouldn't the monthly report reflect changes month to month with the total delinquent amount due.

Mrs. Riley said that she has been updating the spreadsheet.

Mr. Bruckner advised Mrs. Riley that she has not been following the agreement.

Mrs. Riley stated that she has been sending out delinquent letters, but not the magistrate letters.

Mr. Bruckner said that 5 letters a month should be going out to the residents.

Mrs. Riley stated that it was agreed that if she was doing a good job with the delinquent taxes that they would stay in the Township, but come December 2016 that changed and it was decided that they were going to be removed from the Township anyway.

Mr. Bruckner asked her if she sent out 5 letters in January.

Mrs. Riley said that the delinquent taxes are being taken away anyway.

Mr. Bruckner stated that he wanted to be sure he was clear on what was going on so that he can vote properly. He went over the agreement that states she must send out groups of 5 demanding a response within 7 days. He then proceeded to ask Mrs. Riley if she did this in January.

Mrs. Riley responded 'no'.

Mr. Bruckner asked if it was done in February.

Mrs. Riley responded 'no'.

Mr. Bruckner asked if it was done in March.

Mrs. Riley responded 'no'.

Mr. Bruckner asked if it was done in April.

Mrs. Riley responded 'no'.

Mr. Bruckner asked if it was done in May.

Mrs. Riley responded that May was not over yet. She continued to say that the delinquent accounts were going to stay as long as she was doing a good job at collecting them. Then December of 2016 comes around and the delinquent accounts are going to be handled elsewhere anyway.

Mr. Castello stated that what happens is that the tax collector gets an x amount of dollars for the tax collector to collect. Most municipalities farm out the delinquent accounts.

Mr. Wells said he believes that Bridgeville and Collier Township use Jordan Tax Services and they pay \$3.65 per line.

Mr. Calabria said that the school doesn't want to deviate from the agreement that they have with us.

#### Gary Brown; 128 Cherry Tree

Mr. Brown stated that Mr. Bruckner sent out a post card for a social media website that the residents of Scott Township can utilize. This site works the same way Angie's List does, but its all local companies. Mr. Bruckner used his name as a Commissioner. Mr. Brown stated that he is using his power to send these out.

Mr. Giudici said that this is not a Tax issue. Please bring this up at the end of the meeting.

Board members and Mr. Brown arguing (Could not make out what was being said).

Discuss the approval for the total real estate commissions due to the tax collector for the month of March 2017 for the years 2014, 2015, and 2016 in the amount of \$738.81.

### **Standing Committee Report – Public Safety**

### **Standing Committee Report – Public Works**

Discuss advertising to hire one (1) Public Works employee.

Mr. Lubin stated that this is in the Township budget. This process takes some time with the advertisement and interview. Therefore, it is best that the Township get this started.

Mr. Castello suggested putting it on for a vote.

### **Environmental Committee (Sewer Committee and MS4 Updates)**

Discuss approving LSSE Service Order Authorization to conduct a 25 year storm system hydraulic analysis for Berkwood Drive.

Beth Tomasovic 1707 Berkwood Dr.

Ms. Tomasovic stated that the letter she received stating that the offer to purchase her property was being withdrawn. She would just be happy if the Township can get 10 to 20 thousand gallons of water out of my house.

Mr. Castello asked if she got flooded the weekend before.

Ms. Tomasovic replied 'No'. She then stated that her property gets flooded if there is 1 inch of rain in a half hour or 2 inches of rain within an hour.

Mr. Castello asked Mr. Lennon if that was a 100 year storm.

Mr. Lennon responded that he wasn't sure off the top of his head.

Ms. Tomasovic stated that her property has been flooded 4 or 5 times in the past 50 years she has lived there.

Mr. Jason said that the Mr. Lennon was going to bring some options to the boards attention so they can be discussed further.

Mr. Calabria said as far as the approval for the authorization goes, he is saying no at this time. He feels that further brain storming and discussing these options. He advised that he is waiting for some responses from some individuals who Mr. Calabria feels can give us different options that may be cheaper. He wants to sit down with the Township and/or the Sewer Committee board.

Mr. Lennon asked Mr. Calabria who gave him this information.

Mr. Calabria responded that it is Mr. Fletcher.

Mr. Lennon then asked if Bruce was still the PE.

Mr. Calabria said that the PE was now John Bluscky.

Mr. Lennon said that John works for Macken. Mr. Lennon then asked Mr. Calabria if that was John's opinion that he was referring to.

Mr. Calabria stated 'Yes'.

Mr. Castello asked who the individuals were that Mr. Lennon and Mr. Calabria were mentioning.

Mr. Calabria stated that they are all in this group.

Mr. Castello stated that they all worked for Macken who Mr. Calabria is a consultant with.

Mr. Calabria said that this is just an opinion.

Mr. Castello asked if they were going to stand by their word.

Mr. Calabria responded 'Yes'.

Mr. Castello made the comment 'That sounds like a professional opinion to me'.

## **Parks and Recreation**

Discuss approving the adult baseball team the use of the Scott Park baseball field in the amount of \$50 per 2 hour usage. (Dates and times listed in email).

Mr. Wells asked if this was going to be after the lights are turned off.

Mrs. Meyers said that the lights are on anyway.

Mr. Wells said that the Township wouldn't be making any money off this as the lights will have to run longer than the usual amount of time.

Mr. Lubin advised the board that they are on a timer.

Discuss the possibility of allowing leashed dogs to be walked by their owner in Scott Park.

Mrs. Meyers advised that she did not put this on the agenda.

Mr. Wells said that the Township got a letter from a resident.

Mrs. Meyers stated that this item will be removed from the agenda as there was no one there to speak to this suggestion.

Discuss approving the 'Pittsburgh Softball Cricket League' for the use of the Scott Park baseball field in the amount of \$50 per 2 hour usage (Dates and times listed on email).

Discuss approving the library the use of the Community Room at Scott Park free of charge on Saturday, September 30, 2017 from 12:00pm – 10:00pm to host a Trivia Night library fundraiser.

Discuss hiring lifeguards and swimming instructors for the 2017 summer season at the designated rates of pay, predicated upon passing the lifeguard testing including CPR and First Aid (as recommended by Ron Ellis and John Nemeth).

|                   |        |
|-------------------|--------|
| Melissa Ricken    | \$9.50 |
| Nick Pruski       | \$9.00 |
| Corbin D'Agaro    | \$9.00 |
| Devin Raspanti    | \$9.00 |
| Robert Richardson | \$9.00 |
| Joshua Gardner    | \$8.75 |
| Cassidy Boyle     | \$8.75 |

## Public Relations Report

Mr. Bruckner advised the board that he is working on getting an AED installed in the lobby by the Library and Tax Office.

## Library Liaison Report

## SHACOG

Mr. Giudici stated that the next meeting will be held on May 18, 2017 at 7:30pm at South Park.

Mr. Lubin advised the board that Cargill did agree to continue to store the salt, the Township has to purchase it by December. There is approximately 300 ton that they are currently storing for Scott.

## Administration

## Conferences and Workshops

### Public Comments on Items Not Listed on the Agenda

#### Dorothy Kelly; Resident of Scott

Ms. Kelly had a question about the Traffic Signal going up at Bower Hill Rd. and Kane Blvd.

Mrs. Caruso said that the project should be on its way soon.

Mr. Calabria said that it will be an early Christmas present. The equipment is going to take time to get delivered to the sight.

Mrs. Caruso said that we were told it was going to be installed during the summer.

Ms. Kelly asked what the cost would be.

Mr. Calabria stated that he is a traffic Engineer and he estimated it at \$200,000 and \$250,000.

Ms. Kelly said that Providence Point put \$100,000 towards this light.

Mr. Calabria stated that amount is in their escrow account and it is being used for the Traffic Signal.

#### Gary Brown; 128 Cherry Tree

Mr. Brown stated that Mr. Bruckner identified himself as a Commissioner on a post card for 'Next Door' to all of Scott Residents.

Mr. Bruckner stated that he did not send the post card out to all of Scott Township and advised Mr. Brown that he was missing something because nothing was done wrong. Mr. Bruckner continued to explain that Next Door is a private social media site that allows neighbors to communicate with each other and its free.

Mr. Brown asked Mr. Bruckner if he is making any money off this deal.

Mr. Bruckner asked how he would make money off of a social media site.

Mr. Jason said he was confused and didn't understand what Mr. Browns point was.

Mr. Brown said that Mr. Bruckner shouldn't be allowed to do this because he's a Commissioner.

Mr. Giudici made the comment 'What does that have to do with anything'.

### **Commissioners Request**

Mrs. Caruso mentioned Public Safety Day is scheduled for June 10, 2017.

Mr. Calabria said that there was a letter from PennDOT sent advising that the signs were changed at Marshall's and Panera on Greentree Road.

Mr. Wells mentioned that Scott Topics should be coming out this week.

### **Executive Session**

#### Possible Litigation

### **Adjournment**

Motion by Mrs. Caruso, second by Mr. Jason to adjourn the meeting.

The meeting was adjourned at 9:42 p.m.

**Attest:**

