

The Hanover Township Board of Supervisors held a **Special Meeting** on **Thursday, July 7, 2011** at 7:32 pm at the Municipal Building. Those present were Donald Winkler-Chairman, Dave Duerr-Supervisor, Alfred Contumelio-Supervisor, Nancy Voelker-Vice Chair, Herbert Grubbs-Supervisor, Lane Turturice-Solicitor and Wendy Turrentine-Secretary/Treasurer.

Call to Order/Pledge of Allegiance:

The meeting was called to order and the pledge of allegiance was done at the hearing held just prior to the meeting.

Mr. Winkler announced that an executive session was held for personnel reasons on June 30, 2011 with all supervisors in attendance.

Questions on Agenda Items:

None

New Business:

1. Donating Panasonic DP-2330 to the fire department.

Motion: To Donate the Township's used Panasonic DP-2330 to the Hanover Township Volunteer Fire Department

Motion: Donald Winkler 2nd: Alfred Contumelio

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

2. Secco Subdivision Approval

-Mr. Grubbs stated that the plan was reviewed and approved by the township planning commission on June 28, 2011 and the plans were signed the same date.

-Mr. Grubbs read the recommendations submitted by the Washington County Planning Commission.

-Mr. Duerr asked whether this plan would fall into the guidelines of a 10 acre exemption.

-Mr. Grubbs explained that they were moving 2 acres farther from the house.

Motion: To approve the plans for the Secco Subdivision

Motion: Herbert Grubbs 2nd: David Duerr

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

3. Adopt Zoning Amendment

-This amendment was discussed at the hearing held prior to the Township Special Meeting.

Motion: To adopt the zoning ordinance amendment with the recommendations from the Washington County Planning Commission to include the explanation of required netting over frac water holding ponds.

Motion: Herbert Grubbs 2nd: David Duerr

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

4. Transfer \$50,000 to Capital Reserve (\$50,000 of advance)

-Mr. Winkler stated that First Niagara Pavilion had advance the Township \$160,000 in amusement tax revenue (\$110,000 for insurance and \$50,000 for police department payroll)

-Mrs. Voelker questioned whether these funds were specifically designated for salaries.

-Mr. Winkler explained that the funds can always be moved back if necessary.

Motion: To move \$50,000 from the general fund to the capital reserve

Motion: Donald Winkler 2nd: Alfred Contumelio

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

5. Officer Zoller request for Leave of Absence

-Mr. Winkler read Officer Zoller's written request.

-Mr. Morra questioned if the officer's position will need filled.

-Mr. Winkler stated that the police department's schedule has already been cut for economic reasons so there will not be a need to replace Officer Zoller. He also explained that the Board had given him approval to delete shifts.

Motion: To accept Officer Zoller's request for a leave of absence

Motion: Donald Winkler 2nd: Alfred Contumelio

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

6. Enforcement of violations in property inspection

-Mr. Grubbs explained the complaint received from a tenant on Laurel Road and would like approval to proceed with the enforcement of the violations.

-Mr. Duerr questioned who would need to enforce the violations.

-Mr. Grubbs stated that Mr. Patterson would address the zoning issues and that the Washington County Sewage Council would enforce the septic issue.

-Mr. Mills questioned whether the trailer was put on the property before the zoning ordinance.

-Mr. Grubbs stated that the Township is acting on the complaint accordingly.

Motion: To allow Don Patterson and the Washington County Sewage Council to enforce the violations found at 109 Laurel Road.

Motion: Herbert Grubbs 2nd: Donald Winkler

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

Items Not on the Agenda

1. Mr. Winkler started a discussion regarding the police department's labor agreement. He is requesting that the Township hire attorney Dennis Makal at \$85 per hour plus expenses to handle all Township labor relations.

-Mrs. Harper asked why the Township needed another attorney.

-Mr. Winkler stated that in 2007 the previous Board put together a labor agreement in haste and that a professional is needed to handle negotiations and protect the tax payers and citizens.

-Mr. Duerr stated that with the petition to decertify the union, the Township needs to be careful.

- Discussion ensued between some residents and the board regarding the necessity of an additional attorney. Both Mr. Winkler and Mr. Turturice agreed that our solicitor would be involved and would be made clear in his contract. Mr. Winkler explained Mr. Makal's expertise may be utilized for all labor issues. Also explained was that Mr. Makal would work on an hourly rate plus expenses. Mr. Winkler explained this is about the contract and the importance of the negotiations because of the petition to decertify the union and we must protect the interest of the citizens and encouraged residents to read the current agreement.

-Mrs. Voelker explained that Mr. Makal would deal with all employee issues of the township but for now, was to be hired to work on the labor agreement.

-Mr. Contumelio asked if the Township solicitor was present in the 2007 negotiations. Mr. Turturice stated that Gary Sweat, the Township solicitor at the time, reviewed the agreement.

-Mr. Turturice explained that there is currently nothing pending with the labor board to decertify the union due to the fact that the petition was filed with the incorrect entity and nothing can be done by the labor board until the petition is filed correctly.

-Mr. Duerr stated the Mr. Makal is a specialist and that the labor agreement was not a general thing. He went on to say that the Board does not have the expertise needed.

-Mr. Grubbs stated that the Township needed an expert.

- Mr. Turturice stated that he will support the Board's decision and that he had been involved in numerous conversations regarding the contract and had advised the Board that it needed to be negotiated. –
- Mr. Turturice explained that he and Mr. Makal are bound by the same rules. Mr. Makal will be required to sign a fee agreement that would include his hourly rate, inclusions, etc...

Motion: To hire and utilize Dennis Makal, at the Board's discretion, for all labor contract negotiations and employee issues at the cost of \$85 per hour plus the cost of expenses.

Motion: Donald Winkler 2nd: David Duerr

Vote: Mr. Grubbs-yes, Mr. Duerr-yes, Mr. Winkler-yes, Mr. Contumelio-yes, Mrs. Voelker-yes

Motion Passed

2. Mr. Duerr started a discussion regarding the amusement tax income and police payroll.

- Mr. Duerr stated the Township received \$20,000 towards the advance received from First Niagara Pavilion for the first 2 shows and questioned if this is what the Township should expect.
- Mr. Winkler stated that he had no idea; he was more concerned as to whether the pavilion would be here next year.
- Mr. Duerr asked how many Township officers there were. Mr. Winkler replied 8 including the Chief.
- Mr. Duerr asked whether the Township was required to keep the probationary officers on Township payroll and stated that he wanted to eliminate the positions.
- Mr. Turturice explained that the contract does not define what a probationary officer is and that the affected officers deserve to be told what is going on.
- Mr. Contumelio suggested laying off the affected officers as opposed to terminating them.
- Mr. Turturice made a brief review of the contract while several Board members held their own private discussions regarding the matter and explained that the part time probationary officer section was not very well incorporated nor well defined.
- Mr. Grubbs suggested tabling the issue until the regular meeting on the July 21, 2011.
- Mrs. Voelker voiced concern of several Board members having conversations not all members could hear regarding the matter at hand.

Motion: To terminate the probationary Township police officers effective immediately.

Motion: David Duerr 2nd: Alfred Contumelio

Vote: Mr. Grubbs-no, Mr. Duerr-yes, Mr. Winkler-no, Mr. Contumelio-no, Mrs. Voelker-no

Motion Failed

Public Comments:

- Mr. Mills questioned the cost of pumping the holding tanks. Ms. Turrentine stated that they had spoken just prior to the meeting regarding this matter and that she would find the information he was looking for.
- Charleen Grey brought up the sewage incident and asked if sewage was mandated that area. The Board said yes. Mrs. Grey asked whether sewage was mandate in Paris. Mr. Grubbs stated that he was not sure.

Mr. Winkler asked if there was a park report.

None

Adjourn Meeting

Motion: Donald Winkler

2nd: Alfred Contumelio

8:52 pm