

The Hanover Township Board of Supervisors held the **Regular Meeting on Thursday, August 18, 2016** at the Municipal Building, the meeting commenced at 7:30pm. Those present were Dale Handick – Chairman, Herbert Grubbs-Vice Chair, Kevin Lemmi –Supervisor, Audrey Wingard-Secretary/Treasurer & Dennis Makel-Solicitor.

Call to Order

Roll Call

Pledge of Allegiance

Approval of Minutes:

1. Regular Meeting July 21, 2016

Motion: To approve the minutes from the Regular Meeting June 16, 2016 as amended.

Motion: Herbert Grubbs 2nd: Dale Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Questions on Agenda Items: None

Public Safety:

Fire: 0 structure fire, 1 Grass/Brush, 7 vehicle accidents, 1 mutual aid, 4 trees down, 2 wires down, 2 Public Service, 14 medical, 2 weather.

Questions: KL asked what 2 weather was. Mr. Morra answered flooding or road hazard.

Road Department:

Blacktop patching: John, Colwell, and Haul Drives, Kramer Road; Grading: Purdy Rd. Ext., Curry Rd., and S. Kings Creek; Berm Mowing: 7 roads; filling berms along new blacktop; open plugged culverts; built nine new picnic tables for middle pavilion; tree removal: all roads; trimming low branches before school buses start to run; repaired washout on Purdy Rd. Ext.

Questions: Mr. Niederriter questioned the funding of the newly paved roads. Mr. Grubbs explained that it was funded from a block grant (Federal money) that was about to expire and instead of losing the funds, we had two roads that qualified low income projects under grant criteria. This is the last year the money was available. Block Grant money, plus an additional \$39,000 from the Township funded this paving project.

Park Report:

Placed nine picnic tables in Middle Pavilion; held Car Show with approximately 60 entries and had rain, Covered Bridge Festival 9/17-18/2016, has approximately 25 vendors so far, there have been approximately 18 private pavilion rentals since the last meeting 7/21/2016.

Approve Expenses:

Questions: Kevin Lemmi questions his reimbursement expenses were not on bills list. It was noted they would be added.

Motion: To Approve Expenses with additions as discussed.

Motion: Herb Grubbs 2nd: Dale Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Mr. Makel comments that a **Special Emergency Meeting** was held last the Thursday, July 28th to discuss the appointment of Audrey Wingard as secretary because the previous temporary secretary announced her resignation beginning Friday July 29, 2016. The three Supervisors and Mr. Makel had a meeting at the Township office as noted above. There was a discussion to hire on a temporary basis. The decision was to hire Audrey as temporary secretary at a rate of \$15.00/hr. Mr. Makel stated he was mentioning this so it would appear in the minutes for record.

Motion: To reaffirm appoint Audrey as township secretary at a rate of \$15 until further decision of the board.

Motion: Dale Handick 2nd: Kevin Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

New Business:

1. Discuss contract for de' ja' vu' Band performance at Covered Bridge Festival.

Mr. Grubbs states list of entertainers was from Dee and the previous temporary secretary. William Sinclair has requested a contract which was reviewed by our solicitor. Mr. Makel stated that it was a simple contract and had no problems with it. Mr. Grubbs mentions fee of \$550.00 for performance 3-5 pm.

Motion: To approve the contract of the de' ja' vu' Band at the rate of \$550.00.

Motion: Herbert Grubbs 2nd: Dale Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

2. Authorize payment to entertainers performing at Covered Bridge Festival.

Mr. Grubbs reads list of entertainers: D.J. Greg, D.J. Troy, Erica Karin, JMS Balloon, Kelli Martin, Lindsey Fair, The Donohues, Weirton Players, and William Sinclair a.k.a. de' ja' vu' Band.

Questions: Mrs. Rhoades questioned the amount Mr. Donohue was receiving and stated he has performed at the festival many years as opposed to the de' ja' vu' Band. Mr. Grubbs asked Mr. Donohue if he had a problem with the fee schedule. He said he did not.

Motion: Pay the entertains as designated.

Motion: Herbert Grubbs 2nd: Dale Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

3. Authorize water line upgrade by Hanover VFD

Herb Grubbs defers to Mike Morra for an explanation. Mr. Morra references two parts of this motion.

a.) the request for 4 hydrants, (2 for Paris Colliers Road, 1 for Perkins Lane, and 1 for 1300 block Steubenville Pike). PAWC will need an approval letter from Township Supervisors.

b.) the request for water line upgrades for the following streets at their (PAWC) cost: Colwell, John, Long, Short, Williams, Baker, Tandy, Purdy Road and Miller Airport Road

Motion: Letter to PAWC for upgrading aforementioned water lines for the Hanover Volunteer Fire Department

Motion: Mr. Grubbs 2nd Dale Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

Motion: Request PAWC to install two hydrants on Paris Collier Road, one on Perkins Lane, and one on the 1300 block of Steubenville Pike as requested by Hanover Township VFD. (with notation: no installation cost to the Township for the hydrants)

Motion: Dale Handick 2nd Kevin Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

4. Authorize purchase of cinder spreader box for Road Department

Mr. Handick explains quotes. Last cinder spreader in 2000 for \$750 needs replacement. Mr. Handick received one quote from Chamung Supply for \$12,720.00, one from Walsh Equipment for \$11,980.00 which is a PA-Costar Bid. Mr. Grubbs asked if they were the large cinder boxes and were they stainless steel. Mr. Handick replies, "Yes." Mr. Lemmi questions whether Mr. Handick also wants the top-mounted spinner to which Mr. Handick relies, "No."

Motion: Authorize purchase of Cinder Spreader Box for Road Department from Walsh Equipment for \$11,980.00 to be funded from Capital Reserve.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passes

5. Transfer Capital Reserve funds to General Fund to cover Mack Truck purchase (\$93,551.80) and Bed/Spreader (\$38,270.00) for same mentioned Mack Truck

Mr. Grubbs explains it was paid through General Fund and was budgeted in Capital Reserve.

Motion: Transfer from Capital Reserve Funds to General Fund monies to cover the purchase of Mack Truck (\$93,551.80) and Bed/Spreader (\$38,270.00)

Motion: Mr. Grubbs 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passes

6. Purchase Play Fire Station for park \$1600.00 from JDR Career Center

Mr. Grubbs explains Rockefeller Center in West Virginia made play fire station in Vo-Tech and agreed to sell it to Hanover for \$1600. Mr. Grubbs states compared to price paid for playhouse it is a good deal. Mr. Niederriter questions location of JDR and is informed it is in New Cumberland, WV. He asks how it will get here. Road Department will pick it up.

Motion: Purchase play fire station for the park from JDR Career Center for the amount of \$1600.00

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick- yes, Mr. Grubbs- yes, Mr. Lemmi-yes

Motion Passes

7. Discuss Live Nation's need for a letter for Penn Dot addressing name change and location of off highway signs for amphitheater

Mr. Lemmi explains presently there are blue signs that says First Niagara Pavilion this way telling you at which exits to get off. Next year it will not be First Niagara Pavilion but Key Bank Pavilion, a new sponsor. A visitor states they have not heard of this bank. Mr. Lemmi said that was the exact same thing he said, but in another year everyone will know their name and that is probably why there are sponsoring the Pavilion. Basically, Live Nation needs a letter to Penn Dot stating the Township has no objection to the name change or placement of the current signs.

Motion: Letter for Penn Dot stating Hanover Township has no issue with the name change or location of the amphitheater sign.

Motion: Mr. Lemmi 2nd: Mr. Grubbs

Vote: Mr. Handick- yes, Mr. Grubbs- yes, Mr. Lemmi-yes

Motion Passes

8. Transfer funds to General Fund from Liquid Fuels for bills paid under General Fund 7/25 for Lane Construction (ck11679: \$4,307.88), John W. Thomas (ck11674: \$2,680.82), and EFCC, LLC (ck11650: \$35,652.39)

Mr. Grubbs comments it wasn't coal it was slag.

Motion: Transfer funds to General Fund from Liquid Fuel Fund.

Motion: Dale Handick 2nd: Mr. Grubb

Vote: Mr. Handick- yes, Mr. Grubbs- yes, Mr. Lemmi- yes **Motion Passes**

9. Release \$2,565 balance escrow to Oak Leaf Products for Dillo Road Bond Dale Handick states, "Last month we release their bond and we received the bill from the engineers. We deducted their fees and we would like to release the remaining funds."

Motion: Refund \$2565.00 remaining funds from Road Bond to Oak Leaf Product for Dillo Road.

Motion: Dale Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passes**

At this time Mr. Grubbs states that while we are on this subject he would like to throw another issue in here.

He makes a motion to authorize Dale Handick to release those escrow accounts once we receive the Engineer's bill. Mr. Lemmi states this is number 13 on the Agenda. Mr. Handick says we have already started it so let's finish it.

13. Authorize Dale Handick to release excess Road Bond Escrow Funds

Mr. Grubbs says the reason is this: we have \$3000.00 of these people's money and they get the logging done and the Engineer inspection the road, I don't feel they should have to wait 30 days when we all know what money we're are going to owe them back.

Motion: Authorize Dale Handick to release excess Road Bond Escrow Funds

Mr. Lemmi questions whether the funds will be released before we receive word from the Engineer and we get their bill also. At that point we can release the funds anyway. Mr. Makel says the best way to handle this is to modify the motion to:

Motion: Authorize Dale Handick to release excess Escrow Funds and the Bond upon approval of the Township Engineer and receipt of the invoice for said approval.

Motion: Mr. Grubbs 2nd Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passes**

Mr. Grubbs then states if they were digging in the road (gas, telephone or water company) Mr. Handick already has the authorization to release that bond. To make someone wait and extra 30 days if a logger or someone else has many bonds out we are tying up their funds and you can only get so much so much bond.

10. Advertise for winter materials

Mr. Handick states we need to advertise for salt and anti-skid materials for winter.

Motion: Advertise for winter materials (similar to 2015) with proposals due at September 17, 2016 by 7:30 p.m.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passes**

11. Hire Township Secretary/Treasurer

Motion: Hire Audrey Wingard to be our secretary/treasurer with the condition that she can be bonded (approx. \$250,000.00), with a rate of \$17.00/hr. and benefits as received by the Road Department and full-time employees, retroactive to August 15, 2016.

Questions: None

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passes**

Mr. Grubbs questions hours and it is determined the hours are 8:30 – 4:30.

12. Release Road Bond for Paris Colliers (T356) for DeNoon Lumber

Mr. Handick explains they have been requesting this release for quite a while. He looked at the road and the engineer has looked at the road and everything is good.

Motion: Release DeNoon Lumber Bond for Paris Colliers (T356) with the approval of the Township Engineer and Mr. Handick.

Motion: Dale Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs- yes, Mr. Lemmi-yes **Motion Passes**

14. Approve settlement of Price vs Hanover

Motion: Approve settlement of Price vs Hanover subject to an acceptable agreement as determined by the Township Solicitor

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Question is asked about who Mr. Price is. Mr. Lemmi answers, "She was a former Pavilion Police Officer."

Vote: Mr. Handick-yes, Mr. Grubbs- yes, Mr. Lemmi-yes **Motion Passes**

15. Move Patrick Anderson from a part-time employee to a full-time employee.

Motion: Make Patrick Anderson a full-time employee effective August 22, 2016 with the appropriate benefits and the wage of \$20.35/hr.

Mr. Grubbs states that will bring us up to four full-time employees. That is what we normally have. Mr. Lemmi asks what type of license he has and Mr. Handick replies "Class A"

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs- yes, Mr. Lemmi-yes **Motion Passes**

16. Approve Dale Handick to advertise for quotes for Micro Paving

Mr. Grubbs states we would like to do some paving on Carries Drive (Patty Rhoades road). We have an idea to do her road and see what it would cost. We want to advertise. It is mentioned that the length is under one mile.

Motion: To advertise for Micro-Paving for Carries Drive and any other roads determined with the proposals due at the next meeting, September 15, 2016.

Motion: Mr. Grubbs 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs- yes, Mr. Lemmi-yes **Motion Passes**

Correspondence: None

Public Comments: Mrs. Rhoades states she has a 3-point comment, starting on number 11 from the last meeting. The Township Solicitor has been authorized to look into the issues of the cemetery board. Have there been any developments with that?

Mr. Makel: Due to other outstanding issues that will be my job this month.

Mrs. Rhoades asks: "Has Mr. Christiana's office contacted you?"

Mr. Makel replies, "No." He inquires as to whether he was supposed to contact the solicitor.

Mr. Makel states we had some people come here from Michigan about this issue prior to the start of the meeting. She wanted me to give them records information to secure a grant. Mr. Makel states he did not do this because once you give something away it never comes back.

Mrs. Rhoades states there are local families with strong ties to the cemetery. We need to keep it local and reiterates the history of the caretakers and board to this point.

Mr. Lemmi asks if Mrs. Rhoades talked to the lady that was here and a discussion pursues about where the women that was here before the meeting was from.

Second issue: I am concerned that August 10th marks the of the discovery of the lost funds of the Park Board and I wanted to know if anything has come of that? It was my name that was forged to checks and I think that I am entitled to know that if at least it is pending in the courts.

Mr. Makel says it is public information. He believes subsequent to our last meeting Mr. James Lemmi plead guilty to a misdemeanor. There were a number of felony charges against him and he received probation. I believe he paid \$10,000 down for restitution and as a condition of probation he must pay \$500/mo.

Mrs. Rhoades asks if there will be restitution from the insurance. Mr. Makel states Mr. Lemmi made restitution. Mrs. Rhoades the asks, "Is the bank at fault?"

Mr. Grubbs says you have an obligation to tell the bank something is wrong within 30 days of reviewing the statement and you have 30 days to tell the bank something is wrong and that's how the banks get out of liability.

Mr. Makel continues to explain the bank says you didn't look at your statements for so many months so that is considered tacit approval by not checking your statements. Banks have virtually no liability and they are going to fight you tooth and nail on this point. Mr. Grubbs said he believes the bank retrieved the monies from the last month after they were informed what was happening.

Mr. Rhoades states the money in the last month came from Washington County. For the last two years they started helping us out with a \$1000 check. That check plus three vendor's checks were what I put in the bank before I left for South Carolina.

Third Issue: regarding the opening of the new bank account for the park through the Township Office. Mrs. Rhoades states she gave Wendy approximately \$1700.00 in cash and checks with \$500 of the monies being from the Township Supervisors (indicating it was cash) to start the account. The \$500 was start up cash from the Township Supervisors so she could come in next year and pay vendors for pop and other expenses. Mrs. Rhoades states Wendy did not set the account up as soon as you suggested her to do so. Mrs. Rhoades' understanding is the money was never deposited. Mr. Makel asks Mrs. Rhoades if she has records of that and Mrs. Rhoades states she does, her own. Mr. Makel asks her to get that to us. Mr. Grubbs asked if she received receipts for the cash and Mrs. Rhoades states she did not. Mrs. Rhoades states she has served on the Park Board for 37 years as a volunteer and she has organized that festival since 1989. She has never had anything happen like what transpired here and she just

wants it recorded that she turned that money in and she did not take it. Mr. Grubbs states we have no doubt about that.

She states, "I am "burned" from community service and I am shattered." Mrs. Rhoades believes people should know sometimes things like that happen and she goes on the say Wendy must have been "under the gun" in her personal ways to do something like that. She states that she called Wendy in January to get set up the new Park operations. Wendy stated she had already set up a spreadsheet. She must have been desperate.

Mr. Makel states any documentation Mrs. Rhoades has would be helpful. Mrs. Rhoades says she has a receipt book for everything that came through the mail. She is asked to get it to the Township.

Mr. Grubb asks Mark Gordon, Code Enforcement Officer for a report on the citation for 304 Steubenville Pike. (Mr. Grubbs asks Mr. Makel to introduce Mr. Gordon. Mr. Makel explains he is the new Code Enforcement Officer on an as needed basis.) Mr. Gordon continues reporting he filed a citation on July 25, 2016 with Judge Havelka's office and as late as yesterday afternoon (August 17, 2016) the defendant had not responded. Typically, what will happen is after no response, a warrant will be issued for failure to respond and the Judge will send the Constable out. A hearing will be scheduled, if he doesn't show up for the hearing then the Constable will be sent back out. The thing is It is a low dollar amount and my suggestion is to issue a second citation.

Motion: To authorize Mr. Gordon to issue a second citation to Mr. Paul Granger at the beginning of next week for a nuisance structure.

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs- yes, Mr. Lemmi-yes **Motion Passes**

Mrs. Zickle gains the floor and speaks of a construction cone that is on Devils Den Road at Hooper's Turn that is off the road on the berm. Mr. Handick says he will investigate. Mrs. Zickle says it has been there 2 or 3 years.

Mr. Morra gains the floor to discuss the fire lanes at First Niagara Pavilion. He wants to know what the rules and regulations are for fire lanes. The problem is using the emergency exit lane as a traffic lane at the amphitheater. When people are exiting at the end of show there is not an emergency lane. It is used for as a traffic lane. (Exit or Entrance) Mr. Makel will provide the information on the rules and regulations.

Mr. Donohue gains the floor to ask if there will be tar and chipping this year. He asks if it will be South Kings Creek. A discuss pursues about when the last time it was done and how it doesn't hold because of a newly driveway installed. Mr. Handick says he will try a section and see if it holds.

Mr. Niederitter asks when the handicap restroom facility will begin construction. Mr. Grubbs says it will be started any day now that the car show is over.

Mr. Handick calls for any other questions: None

Public Announcements: Last Clean-up Day of 2016: September 10th
Covered Bridge Festival September 17 and 18, 2016

Meeting Adjourn at 9:00 p.m.