

MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Monday, April 6, 2009

Township of Pine Municipal Building

This meeting of the Township of Pine Board of Supervisors was called to order at 6:00 p.m. by Michael J. Dennehy, Chair.

EXECUTIVE SESSION – Legal

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Frank Spagnolo; Ted Owen; and Ed Holdcroft. Also in attendance were Scott Cessar, Eckert Seamans Cherin & Mellott, LLC; Gary Gushard, Tucker Arensberg, P.C., Solicitor; Township Solicitor; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; and Jack C. Fasick, Director of Public Works.

Motion was made by Mr. Henry and seconded by Mr. Holdcroft to call an Executive Session at 6:00 p.m. for the purpose of discussing legal matters. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to terminate the Executive Session at 6:30 p.m. The aye vote was unanimous. Motion carried.

REGULAR MEETING

This meeting of the Township of Pine Board of Supervisors was called to order at 6:35 p.m. by Michael J. Dennehy, Chair.

Mr. Dennehy questioned Mr. Gushard if the prior Executive Session met the guidelines of the Sunshine Act and Mr. Gushard responded affirmatively, as the discussion related to legal matters.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Edward J. Owen; Frank J. Spagnolo; and Ed Holdcroft. Also in attendance were Gary Gushard, Solicitor; Cheryl N. Fischer, Township Manager; Scott D. Anderson, Assistant Manager; Larry A. Kurpakus, Director of Code Enforcement; and Jack Fasick, Director of Public Works.

There were approximately fifteen visitors present, with approximately ten Wexford Volunteer Fire Company volunteers in dress uniform.

CORRESPONDENCE

Mrs. Fischer stated there was no additional correspondence.

PUBLIC COMMENT

There were no requests to address the Board of Supervisors at this time.

APPROVAL OF MINUTES

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to approve the minutes of the Board of Supervisors meeting of March 16, 2009. The aye vote on the motion was unanimous. Motion carried.

FINANCIAL STATEMENT – February 2009

Motion was made by Mr. Owen and seconded by Mr. Holdcroft to approve the February 2009 Financial Statement and the payment of bills thereon. The aye vote on the motion was unanimous. Motion carried.

Mr. Dennehy pointed out that year-to-date tax revenue totals are now included in the financial statement.

UNFINISHED BUSINESS

RESOLUTION 796

Mr. Gushard explained that Resolution 796 provides for a grant to the Wexford Volunteer Fire Company for various projects.

Mr. Spagnolo recommended that \$300,000 of the previously proposed \$2,000,000 be reserved, as real estate transfer tax revenue, to date, is less than prior years.

The Fire Company's legal counsel, Daniel Gramc, remarked that their financing will require assurance that project funds will be forthcoming from the Township.

Mr. Dennehy requested a performance schedule from the fire company, which Mr. Gramc agreed to provide. Mr. Dennehy confirmed the Township's financial commitment, as previously agreed.

Motion was made by Mr. Owen and seconded by Mr. Holdcroft to enact Resolution 796, approving an unrestricted donation of \$2,000,000 to the Wexford Volunteer Fire Company, made upon request and paid by the Township as within the discretion of the Township Manager, and requiring all appropriate documentation. The aye vote on the motion was unanimous. Motion carried.

Mr. Dave Buttermore, President of the Wexford Volunteer Fire Company, expressed their appreciation of the Township's support.

TOWNSHIP OF PINE BOARD OF SUPERVISORS
MEETING MINUTES

April 6, 2009

Page 3

UNFINISHED BUSINESS

RESOLUTION 795

Mr. Dennehy explained that Resolution 795 will extend expenditures of the Northern Regional Police Department beyond the total approved in their 2009 budget. He reminded that the issue had been previously approved by the Board.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to enact Resolution 795, approving expenditures beyond the total approved in the 2009 annual budget of the Northern Regional Police Department. The aye vote on the motion was unanimous. Motion carried.

NEW BUSINESS

NORTHERN TIER LIBRARY BOARD

Mr. Dennehy highly recommended the appointment of Robert Charles Sapinkopf to the Northern Tier Library Board, after his recent interview.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to appoint Robert Charles Sapinkopf as a Northern Tier Library Board Trustee to a term to expire December 31, 2011. The aye vote on the motion was unanimous. Motion carried.

CUSTODIAL CONTRACT

Mrs. Fischer referred to the bids for the 2009 Custodial Services Contract.

Ms. Patsko advised that a part-time custodian has recently been hired for the Community Center and, therefore, contracted custodial services are not needed at this time.

The Board requested that the references of the two lowest bidders for custodial services at the municipal building be obtained.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to table consideration of the 2009 Custodial Service bids to the May 4, 2009 meeting. The aye vote on the motion was unanimous. Motion carried.

2009 LAWN MAINTENANCE BID

Mr. Fasick referred to the bid opening of March 30, 2009 and noted that of the three bidders, he was only knowledgeable of Stinson's Lawn Care, as they have had the contract for the previous several years.

The Board asked that Mr. Fasick check the references of the other two bidders.

TOWNSHIP OF PINE BOARD OF SUPERVISORS
MEETING MINUTES

April 6, 2009

Page 4

NEW BUSINESS

2009 LAWN MAINTENANCE BID (Continued)

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to table award of the contract for 2009 lawn maintenance to the May 4, 2009 meeting. The aye vote on the motion was unanimous. Motion carried.

WIND TURBINE

Mr. Kurpakus explained that the Township has the opportunity to participate in a program to be administrated by the Penn State Cooperative Extension in Westmoreland County, which allows wind turbine alternative energy "credits" to be distributed to residential customers through their electricity provider. He added that authorization is needed to direct the Cooperative Council to register the turbine in the program.

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to authorize the Penn State Cooperative Council in Westmoreland County to act as agent for the aggregation of the Pine Community Park wind turbine, the origination of Pennsylvania Alternative Energy Credits in the Generation Attribute Tracking System of PJM and the subsequent sale of credits. The aye vote on the motion was unanimous. Motion carried.

COMMUNITY CENTER NAMING RIGHTS

Ms. Patsko requested Board approval of the Community Center Naming Rights Guidelines.

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to grant approval of the Pine Community Center Naming Rights Guidelines. The aye vote on the motion was unanimous. Motion carried.

COMMUNITY CENTER SILVER SNEAKERS PROGRAM

Ms. Patsko reported that the Silvers Sneakers Fitness Program has modified their proposed agreement to provide programs at the Community Center.

Mr. Gushard counseled that the exclusivity provision has been a concern.

Mr. Henry expressed his disagreement with the exclusivity provision.

Ms. Patsko reported that the alternative Silver and Fit Program is not exclusive and does not require a minimum of classes. She offered to obtain additional information.

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to table consideration of the Silver Sneakers Program. The aye vote on the motion was unanimous. Motion carried.

TOWNSHIP OF PINE BOARD OF SUPERVISORS

MEETING MINUTES

April 6, 2009

Page 5

NEW BUSINESS

MT. PLEASANT PAVING

Mr. Anderson reported that Marshall Township advised that they are paving Mt. Pleasant Road and inquired if the Township desired to “piggyback” to pave the approximate 250 foot section in Pine. Mr. Anderson informed that the cost for the Pine section would be approximately \$25,606.50.

Mr. Gushard counseled that an inter-municipal agreement will be necessary.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to authorize participation with Marshall Township in their 2009 contract for milling and resurfacing of the Township of Pine portion of Mt. Pleasant Road in the amount of \$25,606.50. The aye vote on the motion was unanimous. Motion carried.

The Board asked that their appreciation of the inclusion be relayed to Marshall Township.

ICHIBAN CUISINE LIQUOR LICENSE

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize advertisement for a Public Hearing in regard to a request for an inter-municipal liquor license transfer for Ichiban Cuisine. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to adjourn. The aye vote was unanimous. Motion carried.

The meeting adjourned at 7:40 p.m.