

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

SECOND STATED MEETING, MONDAY, SEPTEMBER 26, 2011

The Second Stated Meeting of Monday, September 26, 2011 was brought to order at 7:00 PM by President Sylvia J. Martinelli. A quorum was present as follows:

Mrs. Martinelli		Ms. Fialla
Mr. Padula	Mr. Costa	Mr. Szoko

(231-11) MOVED PADULA-COSTA to approve the minutes of the regular meeting of September 12, 2011, with one correction – at Motion 213-11, Commissioner Padula votes “NO”.

Communications:

The Township received correspondence from the MEIT Administrative Offices advising that effective January 1, 2012, Highmark “Association” Security Blue products will no longer be available under the MEIT Group contracts because the centers for Medicare and Medicaid services (CMS) consider these products to be Medicare Advantage Plans. Security Blue members will be offered conversion to Highmark’s Security Blue HMO Deluxe Plan.

Ms. Susan LaChance, Vice-President of Consumer & Industry Affairs for the United States Post Office submitted correspondence advising the Township that the Post Office would be conducting an Area Mail Processing study to determine whether consolidation of some operations is appropriate.

Mr. Paul Anspach, Insurance Services Director for Penn Prime submitted correspondence advising that the Township’s Workers Compensation Insurance with Penn Prime would not be renewed in 2012 due to the Township’s average loss ratio of 113 percent in the last five years

Ms. Helen Simmons of 634 Mortimer Avenue, Wilkins Township, submitted correspondence regarding the condition of property located at 647 Highland Avenue and requesting help from the Township to address her concerns.

Presentation:

Mr. Pete Nychis, Esquire, and Mr. Dan Cessna, District Manager for Penn Dot #11 presented information to the Board regarding the proposed addition of traffic lanes and installation of a traffic signal at the intersection of Maple Lane and Rodi Road in Penn Hills. At this point, it appears that there are two issues which are stopping the project, which is ready to proceed. First, in accordance with Penn Dot’s newly revised policy, all stormwater improvements and/or changes associated with the project are required to be maintained post-construction by the municipal HOP permittee. In this particular case, Penn Hills is the HOP permittee. Penn Hills has refused to accept maintenance responsibilities for the new stormwater system, which is proposed to encompass 520 lineal feet of 18” concrete pipe. Of that amount approximately 380’ will be located on Rodi Road and the remaining will be located on Maple Lane. Five catch basins and one manhole are also included in the upgraded stormwater facilities. Penn Hills and PennDot are requesting that the Township Board of Commissioners agrees to accept maintenance responsibilities for this system. Second, PennDot, as a part of its Contribution Agreement with Penn Hills, stipulates (at Paragraph 8) that: “Unless otherwise agreed to by the parties in writing, the MUNICIPALITY shall, subject to Federal Highway Administration cost participation where applicable, indemnify, save harmless and if requested defend the DEPARTMENT and/or the Commonwealth, its agents and employees from and be solely responsible for the payment and satisfaction of all awards, judgments, claims, costs, and damages including the costs of appraisers and attorneys, witness fees, and other court costs brought for or on account of any injuries to or damages received or sustained by any person, persons, or property arising out of PROJECT, including but not limited to the additional work required by the

MUNICIPALITY; or resulting from any act or omission of the MUNICIPALITY undertaken as a result of this Agreement.” Penn Hills has refused to sign the Contribution Agreement with this language and is requesting that Wilkins Township assume that responsibility.

Mr. Cessna indicated that time is of the essence because their contractor, Folino, was to start on the project on September 16<sup>th</sup>. They requested that the Township fast-track their decision making on this issue.

(232-11) MOVED PADULA-COSTA to authorize the Solicitor and the Engineer to review the information and provide the Commissioners with their recommendations on how to proceed with all costs associated with that review to be borne by the developer and further authorizing the Manager to advertise for a public meeting to be held on Monday, October 3, 2011 beginning at 6:00 PM for the purpose of hearing those recommendations and making a decision. The motion was adopted by unanimous roll call vote.

Citizens' Comments:

Mr. William Wilson of 201 Dorothy Street, Wilkins Township asked Commissioner Szoko to resign as a Commissioner due to the fact that a Protection from Abuse (PFA) order had been filed against him by his live-in girlfriend.

Dorothy Musial of 313 Frazier Drive advised that she has a high deductible Highmark Blue Cross Medicare Part D Advantage Plan for hospitalization and that it does not cost her anything except for her deductible.

(233-11) MOVED FIALLA-COSTA to approve the proposed tax settlement for AWK (Lot/Block #542-J-150) for the tax years 2009, 2010 and 2011 at an assessed value of \$450,000 per year. The motion was adopted by unanimous roll call vote.

(234-11) MOVED COSTA-PADULA to authorize the Manager to advertise a proposed ordinance amending Chapter 156 of the Codified Book of Ordinances, to reflect the changes in the law as effected by Act 32 of 2008. The motion was adopted by unanimous roll call vote.

(235-11) MOVED SZOKO-PADULA to authorize the Manager to advise the COG of the Township's interest in exploring the formation of a Joint Uniform Construction Code Appeals Board. The motion was adopted by unanimous roll call vote.

(236-11) MOVED COSTA-PADULA to approve the budget submitted by the Recreation Advisory Board for the Pumpkin Patch Party scheduled to be held on October 22<sup>nd</sup>, beginning at 12:00 PM. The motion was adopted by unanimous roll call vote.

Commissioners' Comments:

Commissioner Szoko commented upon the termination of Workers' Compensation Insurance by Penn Prime and the need for employees to recognize that workers' compensation is not a bottomless pit and should be used appropriately; and commented upon the issues facing the Township in the 2012 and future budgets.

Commissioner Padula also commented upon the Township's loss of Workers' Compensation insurance and questioned whether or not the Township stress to the new carrier that one of the individuals who was on workers compensation for two years has retired and will not be a recurring claim; questioned where the Manager was in the exploration of laptops for Commissioners and requested that Commissioner Fialla bring back information from the conference at Seven Springs.

Commissioner Fialla questioned how the Township is rated for Workers Compensation insurance and thanked Mr. Nychis, Mr. Cessna, Mr. D'Andrea, Mr. Caruso and Mr. Brosnan for attending the meeting and presenting the information relative to the traffic signal and road widening project in Penn Hills and stated that this is an example of how the Township can maximize revenues without the need to cut services or raise taxes.

Commissioner Costa stated that he hopes that the issues on Rodi can be resolved because that intersection is routinely a mess.

Commissioner Martinelli commented on VoCollect and what a great company it is; thanked Mrs. Bradley for forming a safety Committee to help address concerns related to Workers' Compensation claims; apologized to Mr. Wilson for cutting him off during Citizens' Comments and requested that Public Works oil Commissioner Szoko's chair so that it does not squeak when he rocks in it.

(237-11) MOVED COSTA-PADULA to adjourn, the meeting was adjourned at 8:43 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley  
Secretary