

Wayne Township,

Lawrence County, Pennsylvania

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Ellwood City, PA 16117

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The Wayne Township Supervisors, 1418 Wampum Road, Ellwood City, PA 16117 held its Supervisor Board Meeting on Tuesday, October 1, 2009 @ 7:00 p.m.

Meeting opened with the “**Pledge of Allegiance**” lead by Chairman, Dennis Hall. In attendance were Supervisor, Charles Hutchison; Township Solicitor, Ryan Long; and Secretary/Treasurer, Shari D. Baney. Absent, Robert Abraham.

Motion to **approve meeting minutes** for September 3, 2009 meeting was made by Dennis Hall and 2nd by Chuck Hutchison. All in favor.

Honoring of Mrs. Tootie Welsh, 160th Wayne Township Celebration coordinator. Mrs. Welsh received, from the Wayne Township Board of Supervisors, a certificate and a \$50.00 gift card for her community work in the successful Wayne Township 160th Anniversary celebration. See more on the website: waynetownship.net

Public Input:

Mrs. Welsh was disappointed with the Ellwood City Ledger. She said she submitted two letters to the Ellwood City Ledger and she is only permitted 300 words in them.

She questioned the bylaws for the Planning Commission. They have one member who has not participated in 4 or 5 months. They might want to remove that member from the Board. Missing 3 meetings in a row is different from the Sewer Authority. She wanted to see if she had the ability to remove them.

Tootie questioned the supervisors about the monies leftover from donations the township received earlier in the year. Dennis Hall stated the township was only responsible for a grand total of \$68.00+ for the newsletters and for the many other various items purchased towards the 160th Wayne Township Anniversary, everything else was paid for by the donations. He was pleased with the outcome and submitted the “Donation Budget” to Ms. Welsh for review.

Mr. Jim Bargas - a Chewton guest visitor to the township meeting. After calling the township and getting no results, he decided he would make a physical visit, along with his neighbor. He said there were others that wanted to come but were unable to at that time, maybe at the next meeting.

Mr. Bargas gave a history of excessive noise and documentation originating from the Polish White Eagles. The Polish Club rents the facility out to various people and the end result causes unbearable noise to the residents throughout the night.

- Other areas addressed were the excessive drinking, dogs barking. He said his family’s dog has been threatened to be shot. Officer Price came out and had a confrontation .
- Mr. Bargas apologized for his wife’s remarks but stated his wife put something on the web with a negative connotation, stating the people renting the Polish White Eagle facility were drunken Neanderthals, which resulted in many non favorable email comments and told them to shut-up.
- Mr. Bargas said they recorded the noise ordinance decibels and it ranged from 80 -90. He states he cannot get to sleep after 11:00 p.m.
- Mr. Bargas stated that after the halfway house was voted down, tents, campouts and other stuff surfaced. He said he calls township police, there is never one around. You call the state police and they cannot come out due to the ordinance. Polish Club was notified and they said it was not their problem.

- Kathy Restid, RD#1, Wampum, PA, phone number 724-535-8098, lives directly behind the Polish White Eagles and she said she has been documenting the noise levels.
- Both Chewton residents said we need to enforce the noise ordinance and they are making a formal complaint. They said the Polish Club owns the club, but who was sited? They mentioned the bowling alley had a similar situation with noise but the LCB enforced what is in-place. The supervisors said they would discuss the issue with Chief Bill Betz to enforce this.
- Mr. Bargas, only 120 yards away from the Polish Club site, talked about a private nuisance law. Retaliation is his concern. He mentioned renters need to enforce the law but the violation is toward the property owner.
- Mr. Bargas said the township put a handicap sign up for him because his daughter is impaired in one eye. He thanked the township for that.

Mrs. Restid complimented the township for the paving work done down at their area, said they did a beautiful job.

Mr. Bill Hepler responded to the Chewton residents -- said he was a member of the Polish Club. He said someone turns the electric on; someone should turn-it-off. Mr. Hepler said Paul Kosier is President; Mike Biehl, Secretary, Scott Moore, Vice President. He said they should be shutting off the rental that it goes from May through August. He said Chief Betz should be able to hear the noise from his house.

Supervisor Hall said he would look into and speak with Chief Betz and see what they can do.

Old Business:

Opening of **Anti-Skid Bid** for 700 ton Type III Anti-skid – RFQ #5-2009

1. Troy & Sand \$12.15/ton \$8,505.00
2. McClymonds Supply \$ 9.25/ton \$6,475.00

Hall made a motion to accept the bid of McClymonds Supply at \$9.25/ton. Hutchison 2nd that motion. All in favor.

Opening of **Shed Bid** – RFQ #4-2009

1. Sole Bidder: Cloud Cover Buildings, Inc
 - a. For the 72' x 42' Cover-all Building, installing with lumber, bolts, etc.
 - b. Foundation, 8 pieces, digging by township
 - c. \$13,950.00 – Total Price

Hall made a motion to accept the Cloud Cover Shed bid @ \$13,950.00; 2nd by Hutchison. All in favor.

Light Tax – Question to Ryan Long, Township Solicitor, could we make the light tax uniform? Divide equally versus footage based on the frontage. Might even have to give a 75% refund on vacant property? Question, how do we assess this?

Piela Tax Refund --Solicitor Long, refund is determined whether a refund is warranted. Based on 72 Pennsylvania Statutes 55566.B – which is “Refund of Taxes”.

Three (3) years from the date, plus interest recommended that the last 3 years, 2008, none paid; \$23.36; \$25.15, '06, paid 5/9/08. Long says pay these amounts and that's all she's entitled. There was an issue with the real estate is not the problem. Board of Township sets a precedence to limit.

Inappropriately paid – 2008 not 2006 was paid in 2008. City and County will pay on the 3 years. Solicitors only recommend but don't make the decision. And, 6% is the legal rate of interest. Hall made a motion to table the payment of refund of taxes to see what the county and the city does. Hutchison 2nd that motion. All in favor. Long said we are not obligated to pay the field work, recording a deed, but no property.

Jake Brake – Ordinance 3 of 2009 --- Long said this is identical to the Ordinance with exception of the time factors 7 p.m. to 7 a.m. on 488 only, between the 2nd and 3rd bridge. Long said signs have to be posted and we have to maintain the signs. We

have to enforce it but truckers do not want a ticket. Hall made a motion to enact Ordinance 3 of 2009; Hutchison 2nd that motion.

New Business

- **Hall made a motion to accept October 28, 2009 (same as Ellwood City's trick-or-treat). Hutchison 2nd the motion.**
- **Ken Herrmann for auditor for next year's audit. The township will institute a resolution for next month's meeting. Hall made a motion; 2nd by Hutchison. All in favor.**
- **Subdivision of Clair Newton for a driveway, to extend it only. Hall made a motion to accept this subdivision; Hutchison 2nd the motion.**
- **Subdivision for Yarzebinski agreement regarding Moore giving a title for a small portion of property. Roger Letton did the survey; Hall made a motion to accept this agreement; Hutchison 2nd the motion.**
- **Hall made a motion to cut a check to the Fire Department Relief Fund in the amount of \$13,027.50. Hutchison 2nd the motion.**
- **Hutchison made a motion to donate \$50.00 for Chewton Fire Department for the flushing the sewer line. Hall 2nd that motion.**
- **IA Construction was complimented by the township for what a great job they did for the township. Hall made a motion to pay IA Construction. Liquid Fuel funds .**
- **Rochelle Wawrynski, animal control officer, will be paid \$25.00 for each animal call-out. Hall made a motion to contract Wawrynski animal control officer at the rate so noted; Hutchison 2nd that motion. All in favor.**
- **Hutchison made a motion to accept Resolution 12 of 2009 to purchase the used building (salt shed) and move it over for storage. Hall 2nd the motion. All in favor.**
- **Seth Michaels – request for small flow system and to enter into an agreement with township for the maintenance. Long recommended this agreement should have a \$500 deposit/escrow until an inspection/maintenance from Frank B Taylor is done. The request has already gone through Planning and the Sewer Authority need not be involved. Hutchison made a motion to approve the request based on contingencies, i.e. the escrow money & property owner meeting the requirements from Taylor's design. Hall 2nd it. All in favor.**
- **Fall Cleanup is this Saturday, October 3, 2009 from 8:00 a.m. to noon. Residents must use voucher and there is a \$5.00 fee for each dumptruck load**
- **Karen Figurel mentioned she did not receive her cleanup voucher because her old address is Delmar Golf Course. It was explained the mailings were based on Rosina Betz's tax mailing list, and that the Figurel voucher did not come back.**
- **Executive Session Break -- Started: 8:10 p.m. to 8:15 p.m.**
- **Nothing by Solicitor**
- **Hall made a motion to pay bills, 2nd by Hutchison. All in favor.**
- **Hall made a motion to adjourn the meeting; 2nd by Hutchison. All in favor. Meeting adjourned at 8:18 p.m.**