

August 14, 2019
Clinton Township Board of Supervisors Meeting

The regular August meeting of the Clinton Township Board of Supervisors was called to order by Vice Chair Brian Non on August 14, 2019 at 7:00 PM at the Clinton Township municipal building. Vice Chair Brian Non, and Attorney Jeffrey Treat were present. Chairman Kenneth Coles was present by audio-visual camera.

A. Pledge of Allegiance

The Pledge of Allegiance was recited.

B. Hearing Check / Meeting is audio and visual recorded – Noted.

C. Public Comment – Items on the Agenda Only – There was no public comment.

D. Minutes of Regular Meeting July 10, 2019 - Vice Chair Non made a motion, seconded by Chair Coles, to accept the minutes of July 10, 2019. The motion carried.

E. Road Master Report – Road Master and Vice Chair Brian Non gave a brief report stating that he had talked to Shane Bailey of Wayco and that the Ravnika Dirt and Gravel project should be done next spring. He stated that he could get a used, like-new three-point hitch Rutledge Wood Chipper that can handle up to 4" in diameter for \$3,500. Vice Chair Non made a motion to purchase the chipper for \$3,500.00. When asked by Chair Coles if the price could be reduced Non replied that he thought he could get it down to \$3,200. Chair Coles suggested making the motion for the amount of \$3,200 and he would agree to that. Vice Chair Non changed his motion to purchasing the chipper for \$3,200.00. Chair Coles seconded the motion. The motion carried.

F. Open Issues

- a. **Township Burns Road Project –** Chair Coles explained that the Burns Road paving project is being handled by the Wayne County Redevelopment Authority, and that the bids were as follows: Leeward Construction, Inc. - \$149,349.00 and Wayco - \$158,761.46. The WCRA board had voted to award the project to Leeward Construction. Chair Coles asked Secretary Droppa to explain the money amounts related to the project. Mrs. Droppa read the totals as follows: The CDBG grant amount is \$60,395.00 with a balance of \$88,954.00 to be paid by Clinton Township. Furthermore, Clinton Township had \$72,289.86 in reserves from FEMA/PEMA monies allocated for the job. The remaining monies for the job, for which the township is responsible is \$16,664.14. Chair Coles made a motion, seconded by Vice Chair Non, that the Township covers the remaining costs after the grant and allocated monies are applied. The motion carried. Matt Curtis spoke out and asked if, following the paving if travel on that road would be restricted as before? Vice Chair Non stated that the restrictions are more or less on the hill. Curtis pressed on, asking if it would be 2" of paving on top of dirt? Chair Coles stated that it would be 4" compacted to 3" as per PennDOT specs.
- b. **Pole Barn bids –** The four bids received are as follows:

Company Name	Pole Building	Concrete	Total Bid Amount
Dutchman Contracting LLC	\$78,953.00	\$19,680.00	\$98,633.00
Conestoga Construction	\$91,348.00	\$20,677.00	\$112,025.00
Grimm	\$114,251.00		\$114,251.00
Pioneer	\$97,208.00	\$18,167.00	\$115,375.00

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Vice Chair Non asked Attorney Treat to look over the bids to ensure that they were comparable. It was decided that the meeting would continue while Treat examined the bids more closely. After Attorney Treat determined that Dutchman Contracting met all criteria with their bid, Chair Cole made a motion, seconded by Vice Chair Non to accept Dutchman Contracting's bid of \$98,633.00. The motion carried. Chair Coles asked Secretary Droppa to send a letter to Dutchman, notifying them of their winning the bid, and to earmark the balance of the money needed to finish the project.

G. Chair Coles said that at this time he would like to talk about the ongoing issues with Burns Road and Flagge –

He explained that the Supervisors were asked by Frank Rodriguez, owner of Flagge, to drop the lawsuit and that he would have the road fixed to Township specifications by November 1, 2019. Chair Coles asked Attorney Treat about having a penalty fee per day for each day beyond November first if the work was not done. Attorney Treat said that he would prefer a monetary assurance that would be granted to the Township if the conditions were not met. He suggested \$10,000.00. Treat was in agreement with Chair Coles that there be an abeyance to the lawsuit, rather than dropping it completely, to give Flagge a chance to take care of this. Chair Coles made a motion, seconded by Vice Chair Non, that Attorney Jeff Treat will draft a letter agreeing to an abeyance and asking for a deposit of \$10,000.00 which will be returned when the work is done and approved by November 1, 2019. The motion carried. Ron Poska asked if Rodriguez is paying for Treat's legal fees regarding this case. Chair Coles agreed that Treat should include his fees in the costs attributed to Flagge.

H. New Business

- a. **Wayne County Emergency Management Agency is having a quarterly training session on August 21, 2019 at 6:30 pm at 43 Volunteer Drive, Honesdale PA –** Browndale Fire Chief Josh Debevec plans on attending.

I. Treasurer's Report Including Bills for Payment – Chair Coles said that there were several bills on the list that needed to be discussed:

- i. **Check #2720 – Industrial Electronics - \$120.00** -Industrial Electronics has monthly charges for seven mobile systems and two portable units, yet we only have three trucks. He questioned why we were paying for four more units than the township had need of. Josh Debevec had one unit, which was purchased by the township, but for which he had reimbursed the township. Josh agreed to pay for the monthly usage charge for that one radio. It was noted that the Base Station was at Ron Poska's house and there had been broken units which had been returned. The portable units are no longer needed. Secretary Droppa was told to not pay the bill until the issues were resolved and that Vice chair Non would give Industrial Electronics a call and straighten it all out.
- ii. **Check # 2739 – E. R. Linde - \$675.00 –** Chair Coles explained that Linde did the grading work on Burns Road poorly. Then they came back to fix the work and the bill for \$675.00 was for that fix, which should have been done correctly the first time. Chair Coles made a motion, seconded by Vice Chair Brian Non to withhold check the Linde check #2739 for \$675.00. The motion carried.
- iii. **Check # 2780 – E. R. Linde - \$22,364.50 –** This check remained in question from last month's bill list. Chair Coles explained that work was done by E. R. Linde that was outside of the scope of work of the grading and rolling per hour bid. He reminded Non that you did this with Bill Pykus

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on the Yarnes Bridge job and it cost the township \$24,000.00. Vice Chair Non agreed that the Linde bill included not just grading and rolling, but also ditch cleaning, cutting back the driveway, and leveling out millings. After the bill was presented in July Chair Coles had asked Linde for an accounting of their work specifically. Chair Coles said that their response was that they had not kept track, but had done work as directed by the Supervisors, which Coles said was directed at Non and Russ Curtis. Chair Coles said that he would be sending a letter of concern, asking for advice, addressed to the Attorney General's office. He then stated to Non that if Brian and Russ wanted to overrule him and choose to pay the bill, that was up to them. Chair Coles made a motion, seconded by Vice Chair Non to pay all other bills on the list with the exception of the two Linde bills and the Industrial Electronic bill. The motion carried.

- J. **Browndale Fire Department** –Fire Chief Debevec gave an oral report. A written report is on file.
- K. **Public Comment** – A citizen asked about the status of the Browndale Sidewalk, to which the response was that it was about 80% done. Ron Poska asked Vice Chair Non if there were any roads that he wanted to seal coat before fall, adding that if so, it should be put out for bid now. Vice Chair Non said that there was possibly a road in Browndale that could be seal coated, but that he was in the process of talking to Dirt & Gravel about it as a low volume road. Jocelyn Crane stood and introduced herself to the audience, stating that she was running for the position of Wayne County Commissioner. The topic changed when the Supervisors were asked how much the Pole Barn Grant was for to which Vice Chair Non responded it was about \$47,000. Matt Curtis asked for clarification of Linde's scope of work and he asked for a response to the dollar value of other work that was done and why weren't we using the township engineer. Ron Poska spoke up saying that the majority of the additional work was ditch cleaning that really needed to be done and as well as cutting down the driveway and smoothing out the millings. A citizen spoke up and said that a good job was done on Smith Road. Another asked if bigger stone would be used on Ravnika, to which Vice Chair Non replied affirmatively. Chair Coles asked Vice Chair Non if he has put more thought into giving the position of Road Master to Kevin Weist, as was discussed at the July meeting. Non replied that Weist was working with him on Dirt & Gravel. Chair Coles then asked about getting prisoners to help clean the roads, to which Non replied that he would as soon as we get a good chipper. Some discussion ensued as to the limitations that prisoners would have working with power equipment. Chair Coles made a motion, seconded by Vice Chair Non, to put out a bid for anti-skid for bid. The motion carried. It was noted that we would not need as much as last year as we had quite a bit left over. We will need between 1,000 and 2,000 tons and Secretary Droppa was asked to place the ad based on previous years' ads.
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- L. **Adjournment** – Vice Chair made a motion, seconded by Chair Coles to adjourn the meeting at 7:42 p.m. The motion carried.