



October 10, 2023
Board of Supervisors, Minutes

Present:

Mel Musulin, Chairman	Mark Wilson, Vice Chairman	Steve Buehler, Supervisor
Tom Hartwig, Manager	Charles Behm, Roadmaster	Steve Longwell, PC
Tom Thompson, Engineer	Tom May, Solicitor	

Visitors:

Kimberly Hall	Keith Walsh	John Cashdollar
Barb Cashdollar	Susan Oliver Stough	Robert Edgar
Sandra Olanyk	Aaron Walker	Kirt Jones
Richard Lipp	Ray Turner	Karen Lipp
William Pitts	Bill Westerman	Bill Boice
Pam Butler	Raymond Butler	Richard Szwaczkowski
Joe Scherer	Kraig S. Wolf	Tom Baker
David Roberts	Steve Roberts	

Call Meeting to Order:

Chairman Musulin called the public meeting to order and welcomed everyone at 7:00 PM. All stood for the Pledge of Allegiance to the Flag followed by a moment of silence at the Forward Township Municipal Building located at 207 Ash Stop Road, Evans City, Pennsylvania.

Approval of Minutes:

- September 12, 2023 – Ordinance Hearing Minutes

Vice Chairman Wilson made a motion to approve the September 12, 2023 – Ordinance Hearing Minutes. Supervisor Buehler seconded the motion, motion passed unanimously.

- September 12, 2023 – Board of Supervisors Minutes

Supervisor Buehler made a motion to approve the September 12, 2023 - Board of Supervisors Meeting Minutes. Vice Chairman Wilson seconded the motion, motion passed unanimously.

Financial Reports:

- PLGIT

Chairman Musulin made a motion to approve the outstanding PLIGIT invoices for the month of September, 2023 in the amount of \$19,882.66. Vice Chairman Wilson seconded the motion, motion passed unanimously.

- NexTier

Chairman Musulin made a motion to approve the NexTier Invoices and Payroll for September 2023 in the amount of \$39,464.90. Supervisor Buehler seconded the motion, motion passed unanimously.

Visitors' Comments on Agenda Items:

- There were no visitor comments on Agenda Items.

Visitors' Comments on Non- Agenda Items:

David Roberts commented that he read in the Township's Fall Newsletter that the Township is looking into the possible implementation of zoning in the Township. He questioned what the overall

goal was of the Township in this regard. Chairman Musulin responded that Zoning is by no means a “done deal” and the Township, through the Zoning Committee, is investigating whether some form of zoning should be adopted. Chairman Musulin opined that in his opinion, any form of Zoning adopted should be “soft zoning.” Mr. David Roberts commented that before he could make up his mind on whether some form of Zoning was good or bad for the Township, he needed the concept of Zoning defined.

□ Steve Roberts asked if the submittal of a development plan before the adoption of any ordinance, even zoning, puts that plan in the “query” and protects it from any ordinance being developed. Chairman Musulin answered that was correct. The plan submitted would be evaluated based upon the ordinances in effect at the time it was submitted.

□ Raymond Butler of Watters Station Road voiced several objections to the Cashdollar Sports Complex that is being proposed. Mr. Butler’s objections centered on a decrease in property values for properties in the immediate vicinity, a negative impact on private water wells on neighboring properties, light pollution, noise pollution, and an increase in traffic issues due to roads not being wide enough, marked well enough, nor having sufficiently wide berms to accommodate the anticipated traffic volume a facility of this size could bring. Mr. Butler made additional comments about the condition of Watters Station Road, insufficient police coverage currently, and presently poor EMS provider response times. These issues would only increase with the Sports Complex being built and utilized. Chairman Musulin asked Solicitor Tom May if the Township could reject a plan due to road conditions that exist or are anticipated with development. Mr. May answered that the Township cannot reject a plan based on road conditions. The Township could add more restrictions into a zoning ordinance than it could into a Subdivision and Land Development Ordinance, but still, a plan could not be rejected due to road conditions. Vice Chairman Wilson said all the concerns expressed by Mr. Butler are very valid concerns, but right now the Township only has its Subdivision and Land Development Ordinance and does not have a legal avenue to force a developer to make road improvements because of his development. Supervisor Buehler commented that the Township needs to take another look at crafting a lighting ordinance and a noise ordinance, as the concerns are valid. Supervisor Buehler mentioned that in the past when the Township attempted to adopt a noise and lighting ordinance, the opposition to those ordinances was tremendous. Both Chairman Musulin and Vice Chairman Wilson commented that the water system, sewer system, and storm water management system for the Cashdollar Sports Complex would need to be designed and permitted through DEP or the Conservation District before anything would be approved.

□ Steve Roberts asked if zoning could be modified once it is in place. Chairman Musulin answered like any ordinance on the books, it can be amended. Chairman Musulin used the Alternative Energy Facility Ordinance on the Agenda at this meeting as an example. Mr. Roberts was not familiar with the term Alternative Energy.

□ Craig Wolfe from Needlepoint Road and representing the Mars Gun Club, sympathized with the folks on Watters Station Road and expressed concerns about the complex on behalf of the Gun Club. He felt that the complex was proposed in a location too close to the gun club.

□ Kim Hall offered a big “thank you” to the Manager and Planning Commission for making the many changes voiced at the Public Hearing by residents, including herself, to the Alternative Energy Facility Ordinance. She was very pleased with the Ordinance as presented for adoption.

□ Keith Walsh commented that the Mars Gun Club is not in Forward Township and should not factor into any decision on the Cashdollar Sports Complex.

Old Business:

- Equipment Bid Award

Vice Chairman Wilson made a motion on the recommendation of the Township Manager and Roadmaster to award the equipment bids for the vibrating roller with operator, track hoe excavator with operator, and tri-axle truck with operator to Phil Hay and Sons Inc. for the prices shown in the minutes approved for the September 12th Supervisors' Meeting. The motion was seconded by Supervisor Buehler and passed unanimously.

Vice Chairman Wilson made a motion on the recommendation of the Township Manager and Roadmaster to award the equipment bid for the Athey Feed Loader with operator to Holbein Inc. for the price shown in the minutes approved for the September 12th Supervisors' Meeting. The motion was seconded by Supervisor Buehler and passed unanimously.

New Business:

- There was no new business to discuss.

Emergency Management:

□ Emergency Management Coordinator Amy Marree reported that she has developed a list of items needed to use the Township Municipal Building as an emergency operations center and will give that list to the Manager for budgeting purposes. However, Ms. Marree indicated that based upon a training session she recently attended, emergency management activity at the local level is being encouraged through the use of zoom or teams web-based software where key team members can meet remotely through one of these platforms.

Fire Department:

□ Aaron Walker of the Evans City Volunteer Fire Department was in attendance to update the Township on a few items. First, Mr. Walker reported that the pancake breakfast and raffle held during Evans City's Pumpkin Fest was very successful. Secondly, Mr. Walker indicated that he was able to obtain, with the help of the Township, the name of the State Costars' dealer for Can-Am utility task vehicles (UTVs). Currently, Mr. Walker is working on final price quotes for the UTV with trailer they want to purchase from the Costars' dealer and a local dealer. The cost of the UTV is estimated at \$27,000 for now, and with a trailer added to the purchase, a cost of about \$30,000. Mr. Walker believes this includes a discount from Can-Am for being a fire department, but that needs to be confirmed. Mr. Walker then petitioned the Township Supervisors for a donation to cover the cost differential between the final cost of the UTV and trailer and the DCNR grant the fire department received for this purchase in the amount of \$12,500 (maximum). Mr. Walker presented justification for the need for purchasing the UTV and trailer.

Vice Chairman Wilson responded that he was not ready to decide on giving a requested donation until he learns more about the purchase and the Fire Department's finances. Supervisor Steve Buehler agreed with Vice Chairman Wilson that he needed to investigate the matter more and also wanted to wait for input from the Manager on our budget. Manager Tom Hartwig commented that at tonight's meeting, the Supervisors just signed a check in the amount of \$25,252.31 payable to the Evans City Volunteer Fire Department as a direct pass through of the Foreign Fire Relief Fund Grant received by the Township from the Commonwealth. Mr. Hartwig asked why some or all this grant could not be used for the purchase of the UTV. Mr. Walker explained that Foreign Fire money received by the Department is kept in a special account for audit purposes and used on expenses such as gear for fire fighters. Expenses that are easy for them to track. It could presumably be used for the UTV, but they would prefer to use the Foreign Fire money for gear upgrades and replacements. Mr. Hartwig went on to report that based upon records provided by the office staff, Forward Township gave the Department \$91,743.19 in 2022 comprised of fire tax revenue, Foreign Fire Fund Grant, and donations. In addition, the Township reimbursed Evans City Borough \$8,874 for Workman's Compensation

Insurance for the Department. Year to date in 2023, the Township has given the Fire Department \$77,496.79 in revenue from fire tax and Foreign Fire Fund Grant monies. Mr. Hartwig instructed the Supervisors not to make any donation to the Fire Department at this meeting as this, requiring Board vote and approval, should be an agenda item where the public is permitted to comment. It should be on the November Meeting Agenda. This will also give Mr. Hartwig and the staff an opportunity to look at the 2023 budget more closely to see what line item or items any donation decided upon could come from since this was not a specifically budgeted item. Supervisor Buehler asked Mr. Walker what amount Evans City Borough was donating. Mr. Walker indicated that he would be requesting a donation from them soon. Chairman Musulin asked the Solicitor if the Supervisors could make the donation from Act 13 funds. Solicitor Tom May responded that they could not use Act 13 Funds. Act 13 funds need to be used for the purposes specified in the legislation and general public safety is not a permitted use unless it has to do with oil and gas wells. Mr. Hartwig was adamant about the Supervisors not approving any donations requested unless it is an Agenda item and he and the staff have a chance to examine the budget before a decision is made. Mr. Walker indicated he did not expect action at this meeting although he requested a donation for the amount needed. Mr. Hartwig indicated that the item will be placed on the November meeting agenda. Vice Chairman Wilson commented that the Board needs to be very careful with donations and the amount of donations, especially since they are giving consideration to providing some sort of assistance to the Township's EMS providers in 2024. Supervisor Buehler again commented that he wants to know officially what amount the Borough is donating to the Fire Department for this UTV and trailer, as well as the exact cost of the UTV and trailer.

EMS Funding:

□ No EMS provider was in attendance and Chairman reminded everybody of the special meeting Wednesday October 18, 2023, on the topic of EMS funding. Commissioner Boozel and the Township's three EMS providers will be represented at this meeting.

Planning Commission:

□ Adoption of Ordinance 2023-1 Alternative Energy

Chairman Musulin made a motion to approve Ordinance 2023-1 Alternative Energy. Supervisor Buehler seconded the motion, motion passed unanimously.

Township Manager:

□ Agreement with Forward Township Sewer Authority – Mr. Hartwig reported that on March 8, 2022 the Township and Sewer Authority entered into an Agreement where the Township would provide the Sewer Authority with administrative services related to customer billing and collections. Now, the Sewer Authority is utilizing the services of their CPA under contract for these services and the Township is no longer providing the services. All the work previously performed by the Township staff has been transferred to the Sewer Authority's CPA (under contract) Chad Alviani. There is no reason to continue the Agreement between the Township and Authority beyond the end of this year, even though it runs until March 1, 2024. The Manager recommended the Supervisors terminate this agreement effective the end of this calendar year and direct him as Manager to serve the Authority notice of this termination.

Chairman Musulin made a motion to terminate the Agreement with the Forward Township Sewer Authority effective December 31, 2023. Supervisor Buehler seconded the motion, motion passed unanimously.

□ Foreign Fire Relief Payment – Mr. Hartwig reported that Forward Township received notice, as well as payment, of the Foreign Fire Relief Fund Grant in the amount of \$25,252.31. Notice was given by the Auditor General's Office on September 14th and the funds were received on October 4th. These funds are obligated to go directly to our designated fire company, Evans City

Volunteer Fire Department. The Manager further reported that this payment was processed early in this evening's meeting. This stipend is in addition to the revenue derived from the 1.5 mil fire tax in place, and the payment in part for workman's compensation costs.

□ FEMA/PEMA Close Out – Mr. Hartwig indicated that over the past few weeks, he has been interacting frequently with Richard Deal of PEMA to get reimbursement for the costs expended to demolish the structures on the Wright Property, restore the property, and dispose of debris. Accordingly, the Manager stated that he submitted paid invoices of \$6,230.00 for demolition and site leveling, and \$6,430.08 for debris disposal. The Township still had \$3,569.68 remaining from the advance it received from PEMA/FEMA to purchase the Wright property. Therefore, the Township will be getting \$9,090.40 from PEMA/FEMA in reimbursement, which should then close the books on this project.

□ Budget Update – Mr. Hartwig stated that the Township is running a surplus right now of about \$270,000 but has several transfers to make before the end of year. He does expect a modest surplus, however, at year's end.

Solicitor:

- Adoption of Ordinance 2023-5 Supervisor Compensation

Chairman Musulin made a motion to approve Ordinance 2023-5 Supervisor Compensation. Vice Chairman Wilson seconded the motion, motion passed unanimously.

Solicitor May also commented that he advertised the special October 18, 2023 meeting.

Engineer:

□ Report – Tom Thompson of Gannett Fleming reported that he is currently reviewing the partial preliminary land development plan submitted for the Cashdollar Sports Complex and that he met with the Manager and Roadmaster to finalize the design and sizing of the culvert pipe for the Nursery Road Culvert Replacement Project being done with an ARPA grant from Butler County. Mr. Thompson indicated that the culvert pipe will be purchased through a Costars vendor, and he will have stone quantities ready for bidding at the November Meeting.

Roadmaster:

□ Grant Updates – Roadmaster Charles Behm reported that the Township will be receiving its grant amount for Tunnel Road in the amount of \$152,000 in the near future from the Butler County Conservation District. The payment has been approved and is pending signatures on the check. Additionally, the Township was awarded a grant by the Conservation District in an amount in excess of \$16,000 for drainage improvements on Stuckey Road.

□ Flagger Training – Mr. Behm requested approval for himself, Phil Chips, and Johnathan Heck to attend Flagger Training in Canton, Washington County on October 31st as their certifications have expired. The cost is \$55 per person.

Chairman Musulin made a motion to approve attendance at the Flagger Training program for the Public Works Department employees at a cost not to exceed \$500. Supervisor Buehler seconded the motion, motion passed unanimously.

Supervisors' Discussion:

□ Intergovernmental – Chairman Musulin commented that folks at the federal, state, and local levels have lost their ability or desire to compromise to resolve differences and bring together dissenting sides and differing opinions. Chairman Musulin also brought up the topic of Waters of the US and the potential impacts any legislation on western Pennsylvania townships and boroughs.

□ Administrative

○ Shred Event – Vice Chairman Wilson reminded everybody that State Representative Bernstein’s office was sponsoring a shredding event on October 28th from 10 AM to Noon in the parking lot of the Township building. Vice Chairman Wilson asked folks to pass the word along.

□ Infrastructure – Supervisor Steve Buehler wanted to comment on how good Tunnel Road looked with the tar and chip completed, and also make mention of the road signs the Township had stolen a couple of weekends ago.

Adjournment:

Vice Chairman Wilson made a motion at 8:39 PM to adjourn the October 10, 2023 meeting. Supervisor Buehler seconded the motion, motion passed unanimously.

Next Public Meetings:

October 18, 2023 – Special Meeting of the Board of Supervisors on Funding EMS providers.

October 24, 2023 – Planning Commission Monthly Meeting

November 14, 2023 – Board of Supervisors’ Monthly Meeting

Respectfully Submitted,

Tom Hartwig
Manager

&

Lindsey Everett
Secretary/Treasurer