

CLINTON TOWNSHIP SUPERVISORS SPECIAL MEETING

MINUTES

June 21, 2016

CALL TO ORDER at 3:00 PM: Kathy Allen, Ed Boyd, Jim Halstead, Sarah Altomari (Secretary). Other present included Tom Victoria, Tom Hartwig, Jo Kozora, Marilyn Kozora, Chris Grimes, Zach Fatigante

NEW BUSINESS:

Quantum Business Products

Kathy Allen announced that WRA and PennDot were advised not to attend by their legal counsel because of outstanding litigation. Jo Kozora said that as far as he knows, the only outstanding litigation is the condemnation that PennDot filed against his property under eminent domain. PennDot offered \$32,200 for the property and the guardrails. Jo has taken the money with the understanding that he is still free to sue for more. The next step is for Quantum to file a petition for a summary judgement with the court. Jo stressed that he has to acquire permission from the Commonwealth to sue PennDot. The average time for that is 2 years. He also mentioned that RA Smith National did a study and found that there will be a 70% increase in water flow onto the property if PennDot goes through with its plans.

Kathy emphasized that the Butler Eagle can be helpful in this situation. She previously advised PennDot's legal department to contact Tom Victoria of the Eagle. The township is in a very precarious position because it has put a lot of time and energy into this project, but the state system cannot be allowed to come in and barrel over a small business that has contributed so much to the community.

Jo said that he was told originally that PennDot could come up with an alternate plan, but then they filed a condemnation. He emphasized that his lawyer has not filed any litigation against the state. Quantum's engineer was told that they would be reimbursed for locating the septic plan so PennDot could adjust their drawings; however, they were never reimbursed. Jo emphasized that Quantum is located on a dangerous road. There have been multiple fatalities in their front yard. They have kept several small accidents from turning into larger accidents by putting in guard rails.

Jim said that this is big government at its worst, and that he is in favor of pulling the plug on the project before PennDot does this to Quantum. The Township does not feel that this is acceptable. If they can't come up with a better solution, we should pull the plug. Jo promised to keep the township 100% apprised of what's going on.

Ed said that the supervisors need to contact PennDot to find out exactly what is going on. Kathy thinks that PennDot wants to keep everything quiet so they can get the project started. Ed agreed and said that he isn't sure how the township can get involved at this stage, but if he had known about the Quantum issue from the beginning he never would have lent his support to the project.

Road Department

Jim said that, while the supervisors had talked about renting a skid loader and an excavator for a month, Jeff and he reevaluated and they really need the equipment for two months. The road department

has rented several different brands of excavators over the years, and they have been able to get a lot done with the machines. There is probably enough work to wear both machines out over the next ten years. Jeff and Jim have demoed machines from 8 different companies over the last few years. The machines from John Deere have met the needs of the township best. Chris Grimes gave a brief introduction about John Deere. If the township rents from them, 100% of the rental cost could go towards purchasing the machines. He also gave preliminary numbers on purchasing. If both machines are purchased together, the cost will be \$141,000 with an interest rate of less than 4% for a term of 84 months. The annual payment would be \$23,493 for a total price of \$164,453. There is an option to have the first payment postponed until one year after delivery. The skid steer is used, and therefore cannot be purchased through COSTARS. The new skid steer can be purchased through COSTARS, but it cannot be rented. The excavator can both be rented and purchased through COSTARS. The monthly rent is about \$3,000 per machine, not including repair costs. Ed mentioned that we could sell the backhoe if we purchase a skid steer and excavator. Both machines have a full machine 5 year warranty.

Next the supervisors discussed the purchase of a new 1 Ton truck to replace the F450. Jim got estimates from Walsh and US Municipal. The US Municipal truck is better equipped and it is less money. It has heated mirrors. Both trucks are available through COSTAR, so bidding is unnecessary. Kathy suggests making a motion to revisit the machine purchases until the forensic audit is concluded. Ed thinks we should move forward with the truck since it is the priority of all three pieces of equipment.

Jim made a motion to move ahead with purchasing the Ford 550 off COSTARS from US Municipal for the agreed upon price. We will finance for 7 years. Ed seconded the motion. All in favor, motion passed.

Jim made a motion to adjourn. Ed seconded the motion. All in favor, motion passed.

Adjourn at 4:40 PM

Respectfully Submitted,

Sarah K. Altomari, Secretary