

LAWRENCE PARK TOWNSHIP  
BOARD OF COMMISSIONERS MEETING

6:00 p.m.

August 14th, 2019

4230 Iroquois Avenue

**In Attendance:** Commissioner J. Cabaday, Commissioner E. Gerardine, Commissioner T. Benovic, Commissioner S. Messina-Miller, Engineer W. Petit, Solicitor A. Martinucci, Assistant Secretary S. Hillhouse

**Visitors signed in to speak:** Jenn Sheldon, Dale Durst

**Visitors:** Dale Durst, Charles Curtis, Joe Golden, Linda Blum, Jenn Sheldon.

President J. Cabaday called the meeting to order at 6:00 p.m. The Pledge of Allegiance to the Flag was performed.

**Treasurer Report:**

Mrs. Joyce Spitznogle presented the Treasurers Report to each commissioner and stated that there have been no major changes since last reported in June.

**Engineers Report:**

-The 2018 CDBG Grant Manhole and Pipe Relining Project has been completed by Advanced Rehabilitation Technology. Urban reviewed and forwarded the Contractor's Application for Payment No.2-Final payment, to the Erie Co. Department of Planning for processing and payment. Available project CDBG funds of \$73,203.00 will cover final construction costs of \$72,897.10, including added manhole repairs, so no additional funds will be necessary from the Township.

-Iroquois School District Baseball Field and Tennis Court Properties Land Swap: Urban has coordinated the use of a Replot Drawing instead of a subdivision Drawing with the Erie County Department of Planning Subdivision Planner. Urban has submitted a Final Draft Replot Drawing to the ECDP which has reviewed, approved, and provided Commissioner Benovic with copies of the same for her further coordination with the Iroquois School District.

-The Lake Cliff Pavement Construction at the former lift station area was completed on Monday, August 12<sup>th</sup> by the contractor, Cross Paving, LLC.

-The 2019 Streets Paving Project is complete and Urban has provided a letter to the Township recommending payment of Joseph McCormick Construction Company's Application for Payment No.1 (Final) in the amount of \$362,343.50. Urban also forwarded all construction inspection records to the Township for their files.

**Solicitor's Report**

- In the case of Bonnie Roberts, the judge ruled that because it had been denied at the district justice level, double jeopardy applies and we were not in a position to appeal the decision. As our code currently provides, if there is a clear violation of the code, the penalty would be a fine or possible incarceration. Martinucci suggested a revision of this code to eliminate the possibility of jail time, making the violation of the code a civil matter instead of criminal matter to avoid this situation of double jeopardy in the future.

-Dion Larese has failed to comply with the terms of his repayment agreement after leaving LPPD shortly after hire for a position with the City of Erie Fire Department. At the request of Commissioner Cabaday and Chief Morell, Lawrence Park Township has filed a judgement against Mr. Larese for the cost of equipment, training, and an additional estimated amount of \$400 in attorney fees based on the 10% penalty for council fees outlined in the repayment agreement.

-Martinucci suggested that the township consider asking for a reassessment of the former General Electric property. This could result in additional tax revenues for the township.

**Reports:**

Commissioner S. Messina-Miller made a motion to approve all reports as presented. Commissioner T. Benovic seconded the motion and the motion was carried.

**Public Comment:**

-Jennifer Sheldon presented the board with a packet of information about her in-home daycare, Sheldon's 1914 Daycare, at 811 Priestley Avenue. In view of recent tragedy at another local daycare facility, Sheldon wanted to assure the Board and the public that she is compliant with state regulations and that annual inspections are conducted by certified inspectors and an emergency plan is in place.

-Dale Durst stated that at 223 Halley Ave, a resident cemented his driveway and extended the concrete out roughly 10 inches into the street. This matter will be addressed by the zoning officer. He also requested that the large pine trees on Harvey be trimmed up. Commissioner T. Benovic assured him that this matter is being addressed and parts of those trees are dying. Commissioner J. Cabaday stated that this is a safety hazard and poses a danger of falling on a nearby home and that it would be in the best interest of the Township from a financial standpoint to have these removed before any major damage is done.

**Bills:**

Commissioner S. Messina-Miller made a motion to pay bills as presented, Commissioner E. Gerardine seconded the motion and the motion was carried.

**Minutes:**

Commissioner T. Benovic made a motion to approve the Minutes from the June 24th, 2019 Commissioners meeting and the ADA Bid Opening on August 6th, 2019. Commissioner E. Gerardine seconded the motion and the motion was carried.

**Resolutions: N/A****Old Business: N/A****New Business:**

Commissioner E. Gerardine made a motion to approve payment of invoice in the amount of \$362,343.50 for work finished through July 15, 2019 to Joseph McCormick Construction for the 2019 Streets Paving Project. Commissioner S. Messina-Miller seconded the motion and the motion was unanimously carried.

Commissioner S. Messina-Miller made a motion to approve payment No.2 (Final) of invoice from Advanced Rehabilitation Technology, LLC for the 2018 CDBG Grant Manhole and Pipe Relining Project (Gindy's) in the amount of \$21,827.68, covered by CDBG funds. Commissioner T. Benovic seconded the motion and the motion was unanimously carried.

Commissioner E. Gerardine made a motion to award the bid for the ADA Compliance Project at the Township building to TIP Construction. Commissioner T. Benovic seconded the motion and the motion was unanimously carried.

Commissioner S. Messina Miller made a motion to approve overnight parking of personal vehicles on Water Street to those only who are permit holders. Commissioner E. Gerardine seconded the motion and the motion was unanimously carried.

Commissioner J. Cabaday offered to the public to join in on a "Kick-Off" meeting on August 20<sup>th</sup> at 3:00pm for the Mission Main Street Study. At this time, public comments and suggestions will be accepted.

Commissioner S. Messina-Miller motioned to adjourn the meeting at 6:46 p.m. Commissioner E. Gerardine seconded; motion carried.

Respectfully submitted:

Sara Hillhouse  
Board of Commissioner's Assistant Secretary