

Regular Meeting June 27, 2018

The Special Meeting of the Washington Township Board of Supervisors was held on June 27, 2018 at 3:30 pm in the Municipal Meeting Room.

CALL TO ORDER: Chairman Smith called the meeting to order at 3:33 pm. Vice Chairman Hess and Supervisor Diehl were also in attendance. Also present: Secretary/Treasurer – Gail Putvinski, Solicitor – David Ceraul, Township Engineer – Jeffrey Ott, and Zoning Officer – Robert Scott. There were twenty two (22) people in the audience.

PLEDGE OF ALLEGIANCE: Recited.

EXECUTIVE SESSION:

Chairman Smith reported that the Personnel Committee met from 3:00-3:30 pm today to address personnel issues.

PUBLIC COMMENT:

1) Peter Jirak, 1367 Mill Road

Mr. Jirak questioned why Supervisor Diehl was not included in the Personnel Committee. Solicitor Ceraul stated that she was not eligible due to her relationship to one of the employees. Mr. Jirak commented that he understood that a Board member with the opposing view could be out voted but stated that Supervisor Diehl should have been aware of the Personnel Committee and included. It was noted that Supervisor Diehl voted for the Personnel Committee at the May 9, 2018 meeting. Supervisor Diehl stated that she did not hear the change of subject and would not have voted for the Personnel Committee without questioning the purpose.

Additional discussion continued. Solicitor Ceraul stated that the content of the Personnel Committee meeting is excluded from public information. It was noted that Solicitor Ceraul and Special Counsel participated in the Executive Session. It was confirmed that the Special Counsel would be compensated for his time. Additional discussion moved to the Cease & Desist Order. Mr. Scott stated that the Township has 30 days to appeal the Cease & Desist Order. The discussion escalated. Chairman Smith used the gavel to regain control of the meeting. Mr. Scott threatened physical action if the gavel was used again. Mr. Jirak stated that an individual raising an issue about the Township should not be penalized.

2) Robert Scott, 1431 Mill Road

Robert Scott stated that on Friday, June 22, Secretary/Treasurer Gail Putvinski and former Zoning Officer Rick Weaver were at the Township Office after hours reviewing property files. Chairman Smith stated he approved the review in advance. Solicitor Ceraul indicated the Township is trying to find the records to address the L&I violation. The discussion escalated. Supervisor Diehl stated Gail Putvinski should be terminated.

Mr. Scott read a letter he provided to the Board of Supervisors pertaining to the Recreation Complex and lack of records/permits. In addition, Mr. Scott made a series of additional, strong comments on a number of related topics. Mr. Scott stated that he filed the Cease & Desist Order to Vacate the Recreation Complex and the Township has the option to appeal within thirty days.

The discussion moved to the Zoning Officer role. Mr. Scott read a letter he received asking that he provide details of his daily activities and job responsibilities to the personnel

committee. A decision was made at the June 13, 2018 meeting to move the position of Zoning Officer from full-time to part-time effective July 1, 2018.

Significant, intense discussion took place with Mr. Scott and members of the audience making comments. Comments were also provided by the Board of Supervisors and Solicitor Ceraul. Discussion details are contained in the recording of the meeting, which counsel requested be retained. Vice Chairman Hess referenced the Public Comment resolution time limits and recommended the discussion move on to the other agenda items.

BOARD OF SUPERVISORS: Robert Smith

1) Lawn Care Contract

Moved to next meeting.

2) L&I Inspection Report and Next Steps

Chairman Smith made a motion, seconded by Vice Chairman Hess to have the Recreation Committee and Ott Consulting Inc., the Township Engineer, respond to and handle the L&I appeal.

Public Comment: None

**Vote: 2 – 0 – 1 Abstain
Supervisor Diehl Abstained**

3) Cease & Desist Order to Vacate the Recreation Complex

Chairman Smith made a motion, seconded by Vice Chairman Hess to appeal the Notice of Violation which was received and/or file litigation as deemed necessary by special counsel.

Public Comment: None

**Vote: 2 – 0 – 1 Abstain
Supervisor Diehl Abstained**

Chairman Smith made a motion, seconded by Vice Chairman Hess to retain James Preston of Broughal & Devito, LLP as special counsel to address the Notice of Violation the Township received from the Zoning Officer.

Public Comment: None

**Vote: 2 – 0 – 1 Abstain
Supervisor Diehl Abstained**

4) Zoning Officer Role

Chairman Smith made a motion, seconded by Vice Chairman Hess, as recommended by the personnel committee to terminate Zoning Officer Robert Scott.

Public Comment:

A variety of comments were made. Robert Scott asked for the effective date. Vice Chairman Hess stated it was in effect immediately.

**Vote: 2 – 0 – 1 Abstain
Supervisor Diehl Abstained**

Chairman Smith made a motion, seconded by Vice Chairman Hess to have alternate Zoning Officer Keller Zoning and Inspection Services handle all pending and future zoning matters pending appointment of a new Zoning Officer and if alternate Zoning Officer is unavailable, appoint Jeffrey Ott of Ott Consulting Inc. as interim Zoning Officer.

Public Comment: Supervisor Diehl asked if the insurance carrier was notified of the violation. Notification was confirmed.

**Vote: 2 – 0 – 1 Abstain
Supervisor Diehl Abstained**

Robert Scott interrupted the meeting to ask for keys to his office stating he locked his keys in his office. Keys were not available during the meeting.

Robert Scott stated that Keller Zoning and Inspections Services is not a resident of the Township and appointment violates the Zoning Ordinance. A variance is required.
Chairman Smith made a motion, seconded by Vice Chairman Hess to amend the Motion regarding the appointment of the alternate Zoning Officer Keller Zoning and Inspection Services to have the alternate Zoning Officer serve, pending resolution of the Zoning Ordinance issue.

Public Comment:

Vote: 2 – 0
Supervisor Diehl did not vote.

Robert Scott stated he filed a complaint regarding a deck by a neighbor, that was to be addressed by Keller Zoning and Inspection Services, and he did not receive a response.

5) Secretary/Treasurer Position

Supervisor Diehl made a motion to terminate the Secretary/Treasurer for reviewing files with a resident after hours. There was no second to the motion. Motion failed.

ADJOURNMENT:

Chairman Smith moved, and Vice Chairman Hess seconded to adjourn at 4:15 pm.

Public Comment: None

Vote 3 – 0

Post Meeting: Justin Huratiak, Recreation Committee member, asked to comment and stated that the Recreation Committee has been working diligently to obtain grants and Mr. Scott has been aware of the grant application process since inception. Mr. Huratiak stated that files indicate inspections were performed and the reports have been requested from the Township engineering firm that was in place during construction. Mr. Huratiak continued to share information regarding the inspection process at the time of construction. Documentation is being pursued to address the violations.

Respectfully submitted,

Gail Putvinski – Secretary/Treasurer
Washington Township Board of Supervisors