

Ligonier Township Supervisors
Regular Meeting
March 10, 2015

The Ligonier Township Supervisors met in regular session at 7:00 PM with the Pledge of Allegiance opening the meeting. Secretary, Bruce Robinson took roll call. Present were Chairman, Wade Thomas; Vice Chairman, Paul Knupp; Secretary/Treasurer, Bruce Robinson; Timothy Komar, and D. Scott Matson.

Public Comment

- 1) **Dave Kromel, Ligonier-Accountability.** Supervisor elects had no authority to offer a job or anything. Mr. Knupp and Mr. Matson were elected as leaders of the township and not followers of Mr. Robinson. Letter for Right to Know on Mr. Robinson and Mr. Avolio for harassment denied for personnel issues. Zoning strangles the township.
- 2) **Mrs. Donahue, Ligonier-Ligonier past, present, and yet to come.** Go 65 miles northwest to a town in Butler called Woodlands to see Ligonier yet to come, where 40 families really of volunteers for their water as their wells were ruined from drilling.
- 3) **Jan Milburn, Ligonier-Last week most of the valley flooded and that could allow hundreds of gallons of toxic chemicals into the Loyalhanna.** Not abiding by Sunshine Act. You will be held accountable.
- 4) **Jack Milburn, Ligonier Township-Recap some points.** Deer herd will be affected. He gets that this is difficult and if the decision is too difficult he will take over for your position.
- 5) **Vickie Oles, Ligonier –Remain concerned about fracking.** Requesting your support to remove cellular towers and would like to add the antenna and cellular building (compatible use).
- 6) **Rosaline Robitaille, Ligonier –Clean water, DEP testing of wells contaminated or loss of water**
- 7) **Annie McDougall, Ligonier – Specifics of ordinance, Page 60 E, Page 66 compression stations, who is qualified and will validate sites. Where is the monies/salary for that coming from? Comprehensive Emergency Plane. Page 70 and page 4 exceptions.**
- 8) **Maggie Nied, Laughlintown – Extremely disappointed you have no backbone, wasted vote on Paul Knupp and Scott Matson. Valuated all scenarios? Have any of you read the ordinance. Bruce Robinson doesn't own property in Ligonier, why is he on the board? Where is Agra tourism?**
- 9) **Randy Mollomo yield time to Maggie Nied-What changes are we going to make today? Tim Komar is the only one on the board that was/is willing to listen or help. People do not come to Ligonier as much anymore. Get a backbone!**
- 10) **Patty Ostrosky- The ordinance itself conversation district, why was it removed. Preserving the beauty of the area.**
- 11) **Ron Nordstrom, Weaver Road – Concerns-stream buffers feels should be 300 ft., trout streams 600ft. Flood planes with fracking. Where are the voices that support your plan? Where you the supervisors stand?**
 - A motion was made by Timothy Komar and seconded by Bruce Robinson to approve the minutes of the February 24, 2015 meeting. Motion carried.

Manager's Report

Terry Carcella reported that our holding tank is filling up fast again needing to have it pumped every 8-10 days and that is very expensive. We had placed a fix in the fall and it seemed to work and hold, but with the cold temperatures this winter it may need repaired again, so they are working on fixing that. We had our Penn Prime safety audit and we had some violations and we are working on correcting them. Road crew is and has done a great job this winter season with the severe weather conditions and with six drivers. Terry recommended that we adopt the UCC building code and start the process by contract.

Correspondence

A petition/letter received from Vickie Oles on R-1 Zoning – removal of allowance of unlimited sheds, cellular towers. A letter received from Michael Getto Jr. regarding the ordinance and offsets from neighboring properties for Fowl, Dog Runs Screening walls, and Outdoor Wood furnaces- nuisance code. A letter dated February 27, 2015 from the Westmoreland County Board of Commissioners notifying Terry Carcella that they have appointed him to serve as a member on the “SPC PUBLIC PARTICIPATION PANEL” for a two-year term until December 31, 2016.

Staff Reports

Police Report-Chief Matrunics reported that his two new part-time officers are doing great and he is glad to have them. Perfect timing as he has officers out due to injuries. Chief Matrunics stressed his concern about scams out there and to be careful with a most recent one being of the IRS.

Treasurer's Report-Terry Carcella stated that the General Fund account balance is \$103,582.60, the Act13 account balance is \$151,868.25, the K-9 account balance is \$21,276.74, the Liquid Fuels account balance is \$2,084.85, the Developer's account balance is \$14,000.00, and the Liquid Fuels Investment Account is 76,025.03 for a total of \$368,837.47. No action required.

- A motion was made by Bruce Robinson and seconded by Scott Matson to pay bills as presented. Motion carried.

Solicitor's Report-Public Hearing, March 26, 2015 6 PM at Ligonier Valley High School, draft rules and regulations if approved tonight will be posted to website. There will be a court reporter, so all testimony will be recorded. The Westmoreland County Planning Commission will have comments on our zoning ordinance soon with one already mentioned about the signs regulations to restrictive. Ligonier Township was at 100% drillable with not restrictions and with the Planning Commission's mapping software layover they stated we are at 60% non-drillable with our drafted ordinance. How drilling is carried out is not a zoning issue it is a DEP issue. Michael wrote the majority of the ordinance and then the Marcellus Shale, Rick Torricelli, and the mapping, Allen Cohen.

- A motion was made by Bruce Robinson and seconded by Scott Matson to approve the Public Hearing draft rules and regulations. Motion carried.

Engineer's Report-No Report

Old Business

Michael Korn explained about the Verizon Wireless 60 day extension request and that it was stated under the old ordinance, so it will need to carry as such and will be covered with the drafted ordinance. The three existing Supervisors of last year when permit was completed need to make a decision/vote to provide the extension or deny it and move on. The new supervisors, Wade Thomas and Bruce Robinson are not permitted to vote.

A motion was made by Timothy Komar and seconded by Scott Matson to approve the 60 day extension request by Verizon Wireless. Motion Carried.

New Business

No committee reports.

- A motion was made by Paul Knupp and seconded by Scott Matson to approve April 25, 2015 for Dumpster Days. Motion carried.

Township Of Ligonier Ordinance No. 01/2015 authorizing the participation in the PSATS Unemployment Compensation Group Trust Pursuant To The Pennsylvania Intergovernmental Cooperation Law.

- A motion was made by Bruce Robinson and seconded by Timothy Komar to approve Ordinance 2015-OR-1 authorization in the PSATS Unemployment Compensation Group Trust. Motion carried.

Andrews & Beard are consultants that we would use for UAW contract negotiations at \$160.00 an hour. Michael Korn explained that use of an outside consultant is to keep mutual ground as everyone has to work together on a daily basis and to keep a good working relation.

- A motion was made by Bruce Robinson and seconded by Scot Matson to approve hiring Andrews & Beard as legal consultants for upcoming UAW Negotiations. Motion carried.

Planning Commission recommendations for a Waterford property correction, for the set-back from the wells be changed from the 650 feet to 750 feet, for the 200 feet changed to 350 feet for named stream buffers, and for the cellular towers portions in the R-1 zone be removed from the conditional use.

- A motion was made by Bruce Robinson seconded by Scott Matson to accept the Planning Commission recommendations to increase the set-back from 650 feet to 750 feet and to increase the buffer on named streams from 200 feet to 350 feet. Motion carried.

- A motion was made by Timothy Komar and seconded by Paul Knupp to remove the cellular towers portion from conditional use section of the chart of the ordinance. Matson and Robinson vote No. Motion carried.
- A motion was made by Timothy Komar and seconded by Paul Knupp to make the corrections for the Waterford property. Motion carried.
- A motion was made by Timothy Komar and seconded by Bruce Robinson to approve the adoption of the UCC Building Code and start the process. Motion carried.

Michael Korns stated that the Municipal Authority is working on the Grease Trap Resolution and asked that we hold on ours until they pass theirs.

The Supervisors went into executive session at 7:55 PM PM and returned at 8:01 PM. Solicitor Michael Korns certified that he was in attendance and items discussed were in compliance with the Pennsylvania Sunshine Law.

Supervisors Comments

Supervisor Timothy Komar – Meeting at the high school was for zoning/ordinance, but all guided to drilling only and they are separate issues. Gas well water study on a property that their well is 4,000 feet from the Nelson well and Tim is willing to help in the cost of the study, to determine if it was contaminated from the Nelson well or not. Tim asked for a moratorium until a study is completed.

- A Motion was made by Timothy Komar for a moratorium on the gas well portion until a water study is completed and it was denied for lack of a second.

Supervisor Scott Matson – Mr. Kromel only getting 25% of your story and Maggie Nied the majority of the Matson farms are in Fairfield Township with one farm in the Ligonier Township and not owned by Matson family is owned by a distance cousin and no gas well rights. Very disappointed that no one put their name in the hat to run against Paul Knupp.

Supervisor Paul Knupp – Thanked the speakers for their comments, the road crew, Police Department, and office staff for the jobs they are doing.

Supervisor Bruce Robinson – No comment.

Supervisor Wade Thomas – No comment.

A motion was made by Timothy Komar and seconded by Scott Matson to adjourn the meeting at 8:19 PM. Motion carried.

Respectfully submitted,

Roxanne Shadron
Assistant Secretary/Treasurer