

**Ligonier Township Supervisors  
Regular Meeting  
June 11, 2013**

The Supervisors of Ligonier Township met in regular session with Timothy Komar, Albert (Mike) Shadron and Grover Binkey present. Supervisor Komar brought the meeting to order at 7:01 pm.

During the audience participation portion of the meeting, the following spoke:

Gary Thistlethwaite read his prepared statement stating that he believed that since two of the Supervisors currently serving both Mike and Grover were not elected by the people, that they should resign and allow Scott and Paul to work on the budget for next year instead of having to reopen the budget in January 2014 when they both take office. He noted that Paul Knupp was going to be a 'working' Supervisor and why wait until January. Supervisor Komar responded that Grover was appointed to fill a vacancy and had already served as Supervisor for 12 years and the Mike had worked for the Township for over 35 years and that both were well suited. Komar stated that he respectfully disagreed with Mr Thistlethwaite.

William Shank asked the Board how a Supervisor could be part of a bargaining unit and serve as Supervisor. Supervisor Komar responded that Mike would have to abstain from voting on any union issues and that there was currently no union contracts under negotiation.

Wade Thomas questioned the cost of a \$2000 porn report and whether Township had written out a check to the former Supervisor for unused vacation days. He stated he wanted a copy of the report and also a response to his request. Supervisor Komar advised Mr Thomas to submit a Right-to-Know request and that all the unused vacation days were paid.

Scott Matson stated he had a request to ask a question from someone who was unable to attend the meeting which was whether prior Supervisor Whipkey was paid over 30 days of vacation last year. Supervisor Komar advised Mr Matson to submit a Right-to-Know request. Mr Matson again complained about the condition of his road during an accident that occurred. Supervisor Komar advised him that a witness had told him that Mr Matson had told the parents of the girl involved in the accident, "If I were you I'd sue the Township." Mr Matson then asked if the average payroll for the road crew was \$13,000. Mr Komar advised him to submit his request in writing and that the reason Mr Matson comes to the meetings once a month is to just get his name in the paper.

A motion was made by Grover Binkey and seconded by Mike Shadron to approve the minutes of the May 14, 2013 regular meeting. Motion carried.

A motion was made by Grover Binkey and seconded by Mike Shadron to approve the minutes of the May 28, 2013 special meeting. Dave Bridge asked about a misprint in the local papers about the appointment of Mr Shadron. Supervisor Komar stated that 'we probably should have called the paper to have them change that.' Motion carried.

The April and May Treasurer's Reports were tabled until the July Meeting due to the records being audited.

A motion was made by Grover Binkey and seconded by Timothy Komar to approve payment of the current bills. Motion carried.

A motion was made by Timothy Komar and seconded by Grover Binkey to accept the Police Incident Report for April 2013. Motion carried.

The Police Incident Report was tabled until the July meeting.

Zoning Office - Cynthia J. Angelo

Coal Loaders - Mellon #1 GFCC public hearing commenced at 7:25pm. Solicitor Ciszek opened the hearing and all those wishing to speak were sworn in by the court reporter. Donald Lupyman and Mark Klonicke, both representing Coal Loaders Inc. agreed to accept the Waivers of Time up until the 6/30/13 deadline. They also agreed to respond to Gary & Deborah Iskra's letter of concern about their project and to also test their well(s) along with the other three wells they have already tested. The one year GFCC project encompasses 15.1 acres of the 97.18 acre tract, the subject area of the DEP permit is 17.6 acres. Mr Lupyman and Mr Klonicke stated that there would be 4.5 acres of support area, 2.5 acres of highwall removed, 10.6 acres of reclamation and 8 acres of subsidence removal. The project is located on the Seward P Mellon parcel known as 51-11-00-0-141 and is located on Tosh Road. The project removes and reclaims areas previously surface and underground mined years ago on the Pittsburgh Coal Seam. The 450 feet long highwalls range from 15-25 feet tall in some areas. There will be no stream crossings, they will utilize Wilpen Road for their 4-5 trucks per day and will bond and agree to repair Tosh Road. They also agreed to prepare pull off areas and install #3 stone in the pull off areas and also accommodate the township and protect the drains along Tosh Road. They plan to work the site 6:00am to 4:00pm Monday through Friday and wish to work on Saturdays the same hours to do reclamation work only, no truck hauling or mining. They have a \$150,000 bond on the site required by DEP. There will be no blasting on the site and their amended site plan removing two and one half acres of the highwall operation area near the Droske property was presented. This plan was submitted along with other documentation recently submitted to DEP. The prior hearing file, application documents and the newly submitted amended plan and documents were all entered as Exhibit #1. Other Exhibits included: Exhibit #2 - 2/11/13 Letter from Dave Bridge, Exhibit #3 Public Hearing Notice and Proof of Publication (upon receipt of the Township), Exhibit #4 6/11/13 email from Gary & Deborah Iskra, and Exhibit #5 Notice of hearing sent to neighbors and certified mail receipts. Michael Droske and Carol Vigliotti spoke of their concerns as neighboring property owners of the project including how Coal Loaders would replace their water supply and concerns about a pond that is fed from waters from the operation site. Ryan Stairs of Earthtech (Engineering Firm that prepared the plans) spoke to Solicitor Ciszek's concerns about Hanna's Run. The representatives from Coal Loaders stated that Hanna's Run, the pond and traffic concerns would all be taken care of. The entire proceedings were recorded by the court reporter. A motion to close the record was made by Grover Binkey, seconded by Mike Shadron. Motion carried.

Old Business - There was none

New Business -

A motion was made by Grover Binkey and seconded by Mike Shadron to approve Resolution 2013-R-12 amending the Supervisors Money Purchase Pension Plan. Motion carried.

It was noted that the planned Resolution 2013-R-13 listed on the agenda adopting a seat belt policy for the employee manual would not be needed since the manual already contains these provisions.

A motion was made by Grover Binkey and seconded by Timothy Komar to approve Ordinance #2013-OR-001 after presentation from Mr Lynch regarding the RUS Guaranty Agreement between Ligonier Township and the LTMA. Role call vote: Komar-yes, Binkey-yes, Shadron-yes. Motion carried.

A motion was made by Grover Binkey and seconded by Mike Shadron to approve the XTO Energy Road Bond release for Jinks Trail and Austraw Road. Being this item was not on the agenda, public input was requested, none received. Motion carried.

Additional discussion commenced after Supervisor Komar questioned Mr Thomas about what he had hoped to gain? Mr Thomas stated that Mr Komar had been lying all the way through this ordeal over the inappropriate use of township computers and that its costing the township all this money. He had heard from four township employees what was on the computer and that it had been going on for years. He then asked 'why are you avoiding this?' Mr Komar replied, 'because it's embarrassing'. Gary Thistlewaite said 'Mr Whipkey did not respect us as the taxpayers and are you now not going to do an audit?' It was explained that the township was currently being audited and converting the books from Peachtree to Quickbooks and that the township wished not to drag Mr Whipkey 'through the gutter'. Mr Komar also stated that a written complaint was submitted not simply someone seeing something, a screen saver of a pretty woman's face is not porn. Maggie Nied discussed her issues with employees and porn at her business in Laughlintown. Wade Thomas asked if the Township was doing something with the computers so that this wouldn't happen again. Mr Komar replied 'yes'. Mr Komar stated that out of respect for his family, sister and mother that this not continue, that Mr Whipkey wasn't physically functional and he has lost enough already with the public knowing all this, it is, the whole thing is sad, he said.

In response to earlier comments about Mr Binkey serving as Supervisor, Mr Binkey added that when he was appointed he was asked to come to a budget meeting about raising taxes, and although he is opposed to raising taxes, they had to raise it some. "This old dutchman doesn't move and I'm not leaving before the end of the year," he said responding to an earlier comment. He went on to say, "Some Supervisors make \$7500 per year such as Hempfield, but here they make \$2000 per year." Supervisor Komar stated he had also heard a rumor that someone is circulating that the Township should go to a five-member board like Hempfield, "all this does is adds bureaucracy. We're a big township on a small township budget" he said. I stick up for the road crew, on days it rains, they do not sit around, they are working, they paint, etc, I invite you to come see what they do, said Komar.

William Shank asked what the Township has "against" the little farmette is it because it is in direct competition with the Ligonier Country Club? Mr Komar responded that there's enough business in this town for everyone. Wade Thomas added that Mr Komar had said at a previous meeting that he would like to see it make a go, but he was bound by the law.

Dave Bridge asked about the house numbering ordinance. It was explained that it would be very difficult to enforce. Komar responded that there are vietnam vets that don't want to be found or service men that don't want to be found. Mr Thistlewaite stated he didn't want to be found but not because he was a veteran.

Being no further business before the Board, a motion was made at 8:43 pm to adjourn the meeting by Grover Binkey, seconded by Mike Shadron. Motion carried.

Respectfully submitted,

Cindy Angelo  
Interim Secretary