

Ligonier Township Supervisors
Regular Meeting
July 9, 2019

The Ligonier Township Supervisors met in regular session at 7:00 p.m. with the Pledge of Allegiance opening the meeting. Present were Chair, Wade Thomas; Vice Chair, John Beaufort; Secretary/Treasurer, Stephanie Verna; Supervisor Paul Knupp and Supervisor, D. Scott Matson.

Public Comment

1. **Phil Shaffer** – spoke in reference to the complaints that were filed last month regarding Settler Road. The Shaffer family has owned property along this road since 1913; Mr. Shaffer has operated his business there since 1977. The road (formerly Singer road) has been in place approximately 49 years. It was a narrow dirt / cow path that has been inspected by the Township and is in good shape for the maintenance it gets. Regarding the comments about meeting the school bus, he has years of experience driving on the road, he has a CDL license, is a professional driver and hasn't had an issue/accident with the busses. Regarding the complaints about the 24-7 traffic, he semi-retired 18 months ago, has no employees, drives 1 truck. He shared paperwork about the truck's exemption from the 10-ton weight limit and proper road sign installation. Regarding the dust comment, he is unsure how this could be with record rainfall.
2. **Jacob Mellow** – representing Marge Beatti. He spoke with Mr. Korn previously regarding the unopened portion of Mellon Avenue / storm water management. There is an existing ditch/channel within an easement – looking to have the ditch returned to its natural state instead of having it channeled to Mrs. Beattie's property as a short term solution while the Township investigates long term solutions.

Mr. Korn asked for clarification about which easement; Mr. Mellow stated in the Flavia-Harvey.

3. **Melinda Clark** – stated she has climate change concerns; it is happening everywhere in addition to the Ligonier Valley. Worried about the ability for fracking to happen on agricultural land. Wants industrial zoning separated from agricultural zoning. Have zoning code written so that fracking can happen on the fracker's property. She is active, invested and wants a sustainable future. Asked the Supervisors to work with the state.
- A motion was made by Paul Knupp and seconded by Scott Matson to approve the June 25, 2019 regular meeting minutes. Motion carried.

Supervisor Comments

John Beaufort – Regarding the flooding that occurred in Laughlintown last Sunday: the Public Works crew was out there in the evening working, but the people need to take some responsibility. Keep their catch basins open, ditches clean, portions of stream clear of debris, as this would help.

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Staff Report

Manager's Report -

Terry Carcella reported the budget has been updated to include the \$50k deposited from the Act 13 funds and \$10k from property taxes. A little deficient in property tax revenue, but it continues to come in. Asked for Supervisors to review the numbers and respond with any comments/questions as we start the 2020 budget planning process next month.

PSATS Newsletter has been provided for Supervisor review – see the front cover story regarding Senate Bill 712 – \$40M that could be available for storm water / sewer / sewage disposal system \$30-500k projects. Spoke to Reese's office – keeping an eye on this, will be applying with the Commonwealth Finance Authority if the bill / budget passes.

Small Wireless Facilities House bill 1400- mirrors FCC regulations found in the Township's ordinance. Staff are monitoring this legislation's progress.

Act 537 Plan Update - We are missing the PNDI Clearance letters from both the fish & boat agency and the historical museum commission, so we did not invite our consultant to be here tonight, as we can't move forward. Terry asked that this be tabled until the July 23 meeting.

Public Works Report -

Russell Morgan reported the smaller roller posted on Municibid winning bid was \$3,400 and asked the board to take official action.

The crew is following their road maintenance schedule, and preparing for Russell Standard who had to postpone again due to weather. Scheduled for next week.

- A motion was made by Paul Knupp and seconded by John Beaufort to sell the roller for \$3,400. Motion carried.

Engineer Report -

Dorothy Boring reported 2 items:

A "Storm Water Management Ordinance" update: The Conservation District has sent a draft to the County, expect approval by end of month. Once the County finishes their review, it goes to the DEP for review, expect their approval by September. Markosky has a draft for the solicitor to review, a second hardcopy to remain at the Township but not to be released to the public, as it is still a draft.

Mellon Summit – 19 years ago the Township hired a contractor (Morris-Knolls) to put together a plan, and put it out to bid, but the project stalled as they could not get the cooperation of one resident. Markosky used this plan with a few modifications and updated the project numbers (cost ~\$110k).

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Some things that can be done now - inlets can be cleaned, talk with the school, but the majority of the problem area is in / on Mellon Avenue and within the Township's territory. Some of the residents have taken their own measures, installing drainage.

Scott Matson - stated he agrees with what John Beaufort said earlier – people need to clean their drains and grates. Need to talk to the county and the state and get their involvement.

Wade Thomas asked Michael Korn to call the school district's solicitor.

John Beaufort would like to see what they can do for \$100k – see the plans/drawings, walk the project area.

Ligonier Valley Police Department Report -

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John E. Berger
Chief of Police
724-238-5611



Michael W. Matrunic
Assistant Chief
724-238-5105

Police Activity Report
Month of JUNE

Administrative Report

236 Regular Shifts worked = 1,888 Reg.
00 Aggressive Driving Hours
15 Total Court Hours
474 Complaints Handled
13 Criminal Arrests
70 Traffic Citations
27 Citations Issued in Ligonier Borough
122 Calls in Ligonier Borough
352 Calls in Ligonier Township

LVPD had a significant drug arrest in the Giant Eagle parking lot in June resulting in a felony arrest.

Respectfully Submitted
John E. Berger
Chief of Police

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Solicitor’s Report –

Michael Korn reported the “Graham Finding of Fact” was submitted to the applicant (Todd Graham) and he is waiting on feedback from the Fire Ordinance draft.

John Beaufort reported the ordinance was discussed with the fire chiefs they like to go with the borough’s version as it allows them more freedom/flexibility in charges from year to year.

Zoning Report –

<u>LIEN LETTER INCOME</u>	9	\$	250.00
<u>ZONING PERMITS</u>	6	\$	461.60
<u>PEDDLER PERMITS</u>	1	\$	95.00
<u>RIGHT OF WAY PERMITS</u>	0	\$	0.00
<u>SIGN PERMITS</u>	0	\$	0.00
<u>FIREWORKS PERMITS</u>	3	\$	200.00
<u>OCCUPANCY PERMITS</u>	0	\$	0.00
<u>DRIVEWAY PERMITS</u>	0	\$	0.00
<u>NO-IMPACT HOME BASED BUSINESS</u>	0	\$	0.00
<u>DEMOLITION PERMITS</u>	1	\$	50.00
<u>SEWAGE PERMITS</u>	0	\$	0.00
<u>BUILDING PERMITS/UCC</u>	2	\$	199.30
Subtotal	9/13	\$	1,255.90

TOTAL INCOME 2018 141/200 \$ 67,625.93

TOTAL INCOME 2019 71/99 \$ 47,761.95

The Zoning Hearing Board is scheduled to meet July 16, 2019 will hear 2 separate appeals for Special Exception. The Recreation Committee met July 8, 2019. We have received a signed complaint of encroachment and building without a permit. The two investigations into diverting stormwater onto another person’s property were unfounded.

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#	June 2019 Lien Letter	Amount
1	Fenton	\$ 25.00
2	Bush	\$ 25.00
3	Stouffer	\$ 25.00
4	Star Equity, LLC	\$ 25.00
5	Fitchko	\$ 50.00
6	Pelesky	\$ 25.00
7	Klochak	\$ 25.00
8	Towsley	\$ 25.00
9	Worthington	\$ 25.00
10		
9	June Total	\$250.00

Code Enforcement Report -

Keith Ashley stated there are 5 open code enforcement investigations; 1 has a hearing scheduled tomorrow, 2 appear to be abandoned properties, working with Conservation District on another case. Has some County Land Bank information and an energy efficiency study to share at the next meeting.

Public Hearing

The regular meeting paused at 7:30 p.m. as advertised to hear resident testimony regarding small cell towers and resumed at 7:39 p.m.

Correspondence

1. Markosky Engineering Firm Letter

Treasurer's Report

Stephanie Verna reported that the General Fund account balance is \$415,889, the Act 13 account balance is \$52,991, the Liquid Fuels account balance is \$1,349, the Developer's account balance is

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\$12,544, the Liquid Fuels Investment account balance is \$478,153, the Equipment fund account balance is \$12,27 , and the Capital Reserve CDs are at \$646,317 for a total of \$1,619,515.

- A motion was made by John Beaufort and seconded by Stephanie Verna to approve payment of the July 9, 2019 Bill Payment list. Motion carried

Wireless Cellular Ordinance

A revision amending the Ligonier Township Zoning Ordinance of 2015. #01-2019

Michael Korn – Public Hearing has been held, MPC requirements have been met, does the Board want to advertise its intent to adopt? John Beaufort – did we talk to the Borough? Terry Carcella - the Borough has a different process – conditional use. Michael Korn – From a procedural standpoint - if we don't do anything the Township is "open" and has not controls, an ordinance puts regulations and restrictions in place throughout the Township. Scott Matson would like some more research.

- A motion was made by Scott Matson and seconded by John Beaufort to advertise for the adoption of the ordinance. Motion carried.

Executive Session

None

Old Business

- A motion was made by Stephanie Verna and seconded by Paul Knupp to approve the Public Works contract, PK seconded. Scott Matson opposed, motion carried.

New Business:

- A motion was made by John Beaufort, and seconded by Paul Knupp to approve Resolution 2019-27, Ronald Driggers lot consolidation on Giesey Road. Motion carried.
- A motion was made by Paul Knupp and seconded by John Beaufort approving 271 Road Closure on August 2 for the Waterford Volunteer Fire Department Carnival. Motion carried.
- A motion was made by Scott Matson and seconded by Stephanie Verna to accept Markosky Engineering's resignation at the end of year. Motion carried.

Michael Korn recommended preparing an RFP for engineering services now.

- A motion was made by John Beaufort and seconded by Stephanie Verna to reschedule the August 13, 2019 Supervisor Meeting to August 6, 2019 at 7 p.m. Motion carried.
- A motion was made by John Beaufort and seconded by Scott Matson to approve Resolution 2019-28 for Mable Cairns Consolidation & Subdivision on Barron Road. Motion carried.

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- A motion was made by John Beaufort and seconded by Scott Matson to approve a contract with Insite Group for the environmental study that is required to close on the Ligonier Beach property. Motion carried.

Resolution 2019-30 Wireless Communication Fee Schedule – TABLED

- A motion was made by Stephanie Verna and seconded by Scott Matson to create a separate bank account for the Ligonier Beach project. Motion carried.

Public Comment

Melinda Clark – Read a climate change article regarding the fossil fuels stranglehold and the need to address the coming crisis. We need to change, forward thinking, think out of the box.

Jack Milburn – Stated he grew up in Penn Township and how it's different now, built up – but gas operations, cell towers are restricted to industrial areas. Undesirable activities can be confined. encourage supervisors to think about it.

Patty Ostrasky – Stated she is a farmer's daughter; family has been here since the 1700s. Southwestern PA farmers come to the rescue with surplus. Would like to see our inactive farms put back in use.

Supervisors Comments

Paul Knupp – Please support the VFDs with a donation.

Wade Thomas – This spring he was approached by local Waterford family. Their ancestor, William Stale was awarded a silver star in WWII while fighting in Germany. – can we name the new bridge after him? They have paperwork and volunteered to buy the signs.

- A motion was made by John Beaufort and seconded by Scott Matson to start the process to name the bridge after William Stale. Motion carried.
- A motion was made by Paul Knupp and seconded by Stephanie Verna to adjourn the meeting at 8:08 p.m. Motion carried.

Respectfully submitted,

Bethany Caldwell
Assistant Secretary / Treasurer