

**Ligonier Township Supervisors  
Regular Meeting  
September 10, 2013**

The Supervisors of Ligonier Township met in regular session with Timothy Komar and Albert H. Shadron present. Grover Binkey was absent. Supervisor Komar brought the meeting to order at 7:02 pm.

Komar wanted to clarify a motion involving a debt for the police vehicle. Komar originally gave the amount of approximately \$34,000.00, the original anticipated cost of a complete unit with no trade. The amount borrowed was \$24,098.00. The \$34,000.00 did not include the municipal discount as well as the trade-in value. In addition, some of the items were purchased from the police budget.

The next clarification was a proposal presented by BIU to perform Ligonier Township Zoning. Judith Ciszek raised the question of BIU handling items with the Planning Commission. Komar stated that BIU would only be handling building permits.. The proposal will stand as presented with no changes.

Komar stated that the supervisors have hired Wessel and Associates from Johnstown to help with the audit in an effort to speed the process.

Komar stated that audience participation will not be recorded. Anyone wishing their comments to be point of record are asked to state that request

**Public Comment:**

A point of record was made by Robert Fiok concerning the Zoning Hearing Board decision to allow The Bethlen Home to install a kitchen for a restaurant facility in an area zoned R2 which he felt goes against the permit that was issued.. He said there would be additional noise because of it. He stated that Reverend Bertalan had agreed to reschedule garbage pickup but had failed to follow through with this. Also because of construction at the Bethlen Home he felt that had created a water issue for the area below in Park Plan. Komar told Mr. Fiok to call the police when issues occur. In addition, he stated that they will review the plan.

A point of record was made by Gary Thistlethwaite regarding the condition of Darlington Road. Mr. Thistlethwaite expressed concern about several areas that he feels present a dangerous situation. The report identifying these areas of concern submitted to the Board by Mr. Thistlethwaite are attached.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the minutes of the August 13, 2013 meeting. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the minutes of the August 20, 2013 special meeting. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the current months bills. Komar stated that it was incorrectly stated on the agenda to approve payment of current month's bills. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the police incident report for July. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the police incident report for August. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve the financial statement for August. Motion carried.

Komar stated that the Supervisors have hired Shelly Kaltenbaugh as Ligonier Township Zoning Officer at a pay rate of \$15.00/hr., plus benefits. Ms. Kaltenbaugh will not need healthcare through the township. Ms. Kaltenbaugh will be on 180 days probation. A motion was made by Timothy Komar and seconded by Mike Shadron to approve hiring Shelly Kaltenbaugh as Zoning Officer. Motion carried.

A motion was made by Mike Shadron and seconded by Timothy Komar to approve a Timber Permit for Stephanie Finger on Darlington Road. Motion carried.

A motion was made by Shadron and seconded by Komar to approve a Timber Permit for Donald Knupp on .4 miles on Jinks Trail and 3.22 miles on Austraw Road. Motion carried.

#### Old Business:

A draft was presented for the house numbering ordinance. Komar wanted to clarify a section on Page 2, Section 3 where it states that "all numbers not placed on buildings shall be not less than 3 inches in height and all numbers on buildings shall not be less than 5 inches in height." Komar questioned if the 5 inch minimum height of the letters is realistic. He questioned how well this would mount on most houses. He suggested that all letters not be less than 3 inches in height. The other item was on page 3, section 7 under 1 says "violation of this ordinance shall constitute a summary offense of any person upon conviction before a district justice". Komar said the document said shall be subject to a fine up to \$500.00. He requested that the word "shall" be changed to "may" as we provide a provision further in the document to allow a waiver. He requested that John Beaufort and the fire chiefs review this and see if they are in agreement.

## New Business

A motion was made by Shadron and seconded by Komar to table voting on an insurance price proposal from Higbee Insurance until the October meeting. No information has yet been received for review. Motion carried.

Approved a request for Ligonier Township Police to assist Ligonier Borough Police during the Fort Ligonier Days celebration to be coordinated by Chief Michael Matrunic.

The official Halloween celebration will occur in the Township from 5:00 pm to 8:00 pm on Thursday, October 31, 2013. During that time, additional police will be on duty to provide added safety. Residents will not be prohibited from trick or treating on a different night.

A written request was made by Howard Burke to release a bond on the mini storage in Oakgrove. It was stated that clarification on whether this was a performance bond or a Storm water bond was needed. No decision could be made as Attorney Flickinger, who sent the request for Mr. Burke, was unavailable to clarify this.

A motion was made by Komar and seconded by Shadron to approve Resolution 2013-R-18. Resolution 2013-R-18 is a Resolution of the Board of Supervisors of the Township of Ligonier approving an amendment to the articles of incorporation of the Ligonier Township Municipal Authority adding a provision to increase its term of existence to a date not exceeding fifty (50) years from the date of approval of the articles of amendment and changing its powers or purposes. A motion to approve Resolution 2013-R-18 was made by Timothy Komar and seconded by Mike Shadron. A roll call vote was taken with Mike Shadron saying yes, Timothy Komar saying yes. Grover Binkey was absent. Motion carried.

A motion was made by Komar and seconded by Shadron to change the date of the October meeting from October 8, 2013 at 7:00 pm to October 15, 2013 at 7:00 pm. Motion carried. This change was made as Komar would be unable to attend the original meeting date of October 8, 2013. It was stated that this would be posted on the Ligonier Township Website.

Chief Matrunic relayed information regarding participation in the 2013 Teen Seat Belt Mobilization program. The funds to cover participation in this program come from the Pennsylvania Department of Transportation. He stated that approximately 220 law enforcement agencies have enrolled in the 2013 Teen Seat Belt Mobilization across the state. These law enforcement officers, including Ligonier Township Police, are participating in this seat belt enforcement from September 9 thru September 22, 2013. The target areas are around the schools and on various locations in Ligonier Township. He asked that the public be aware that this will be enforced and to make sure that seat belts are worn. He announced that the Ligonier Township Municipal Building will be used as a satellite location for the Westmoreland County Sheriff's office to issue a license

to carry permit. They will be here the last Wednesday of every month from noon to 6:00 pm. This will be announced to the local media to be printed in the newspaper.

Being no further business before the Board, a motion was made at 7:40 pm to adjourn the meeting by Timothy Komar and seconded by Shadron . Motion carried.

Respectfully submitted,

Barbara L. Hollick  
Assistant Secretary

September 9, 2013

**§ 2705. Recklessly endangering another person.**

A person commits a misdemeanor of the second degree if he recklessly engages in conduct which places or may place another person in danger of death or serious bodily injury.

The above is copied from the Pa Crimes Code and although the actions or rather inactions of PennDot may not constitute a crime, notification of dangerous situations such as the three areas mentioned could be used if an incident where injury or loss of life is the result.

All three areas mentioned are on the Darlington-Rector road (SR2043) and are located approximately 1 to 1.5 miles southeast of village of Darlington.

Area #1: The location for this situation is on a sharp curve approximately 1 mile southeast of Darlington. The roadway shifted/slid and was reported by Ligonier Twp. Police on 4/17/13. PennDOT responded and placed Stop Signs (for traffic control) and also placed concrete barriers to keep vehicles from going into the area where the earth shifted.

Area #2: The location is approximately ½ mile southeast of Area #1. The roadway has been deteriorating for some time and the guide rail supports are barely in the ground. The roadway in this area is narrow with guide rails and stream on one side and trees on the other, giving little maneuvering room for drivers. If a vehicle would go over the guide rails it would then go into the stream.

Area#3: This location is approximately two hundred yards further southeast from area#2. Here the roadway is also deteriorating and the guide rail supports are hanging in mid air. The roadway is narrow with little maneuvering room for drivers as this area is an S curve. If a vehicle would go off the road here there is approximately an eight foot straight drop into a pool of water I would estimate at least five foot in depth.

All three of the areas are known to PennDot as I and a representative of the state legislature have been in contact with them.

Several hundred families traverse this road daily, in addition to 6- 8 school buses. There would be a great hardship to all concerned if the road cannot be traveled safely. The idea of a quick fix by placing cement barriers and stop signs for traffic control is just that a quick temporary fix. These situations will only continue to deteriorate, why not fix them now when it would be less expensive and before somebody gets hurt or killed.