

**MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF MARCH 25, 2015**

The meeting of March 25, 2015, was called to order at 7:00 p.m. by Chairman Farner with the Pledge of Allegiance to the Flag. Those present were: Gary Farner, Chairman (GF), Dencil Backus, Vice-Chairman (DB), Brian Temple, Supervisor (BT), Neva Stanger, Solicitor (NS), Larry Chome, Zoning Officer (LC) and Mary Ann Stevenson, Manager/Secretary (MS).

**Executive Session:** GF announced that there were 3 executive sessions held: 3/2/15 regarding personnel issues; 3/4/15 with Zoning Counsel Chuck Means regarding Range Resources Impoundment Litigation; 3/16/15 regarding personnel issues.

**Public Comments Regarding the Agenda:**

Rick Walsh, regarding Transparency TV and the approximate cost for the high definition audio video camera will be \$1,200. He added he should have more information and an actual quote soon.

Dawn Fiori, Walnut Rd. presented the Young Lungs at Play program making Township owned parks, playgrounds and ball field's tobacco free. She added that all of the signage, if the program is adopted, will be provided for free.

**Action Items:**

- A. **Reports:** DB motioned to accept the reports as given and BT seconded the motion. The motion carried unanimously. The following reports, if any, were submitted for the Board's review and are on file at the Municipal Office:
- Zoning Officer's Report – March, 2015
  - Public Safety Report – 2/20/15 – 3/19/15
  - Public Works Report – 2/20/15 – 3/20/15
  - Planning Commission Minutes – 2/2/15
  - Parks & Recreation Minutes – 2/9/15
  - Municipal Authority Minutes – 2/4/15
  - Midway Sewage Minutes – 2/3/15
  - Cross Creek Valley Region Minutes – None
  - Washington County Sewage Council Report – None
  - MPT Volunteer Fire Dept. Reports – Call Log & Financials
  - Treasurer's Report – February, 2015
  - Correspondence for the period of – 2/20/15 – 3/19/15
- B. **Bills:** DB motioned to authorize the payment of the invoices for the period of 2/20/15 – 3/19/15 as presented and BT seconded the motion. The motion carried unanimously.
- C. **Minutes:** GF motioned to adopt the minutes of the February 2, 2015 vacancy board meeting and DB seconded the motion. BT abstained as not being a member of the board at that time. The motion carried.
- D. **Minutes:** BT motioned to adopt the minutes of the February 25, 2015 regular board meeting and GF seconded the motion. The motion carried unanimously.
- E. **Fire Dept. Reimbursement Agreement:** DB motioned to enter into a reimbursement agreement with the MPT VFC for 1 mill of fire tax to offset the cost of the full time EMS employee and GF seconded the motion. The motion carried unanimously.
- F. **Parks Seasonal Employee:** BT motioned to bring back seasonal employee DB McCalmont from lay off effective March 23, 2015 and DB seconded the motion. The motion carried unanimously.
- G. **Officer Florian Resignation:** GF motioned to accept the resignation of part time Officer Daniel Florian effective immediately and DB seconded the motion. The motion carried unanimously.
- H. **Part Time Police New Hires:** GF motioned to hire Ronald Catrain Jr. and Robert Spencer III as part time police officers effective immediately and BT seconded the motion. The motion carried unanimously.
- I. **Resolution 2015-G:** DB motioned to adopt Resolution 2015-G; a Resolution amending Resolution 2014-R, rules of order for public meetings, making the 1<sup>st</sup> public comment period for agenda items only and adding a 2<sup>nd</sup> public comment section at the end for comments on matters of concern and BT seconded the motion. GF questioned his suggestion of keeping the recordings for 6 months. NS stated there were not 2 in favor of this. GF opposed the motion. The motion carried 2-1.

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**Discussion Items:**

1. Memorial Day Committee request for a donation. Discussion took place regarding this event; that is for the servicemen from the township and takes place at a Township facility. A small donation was discussed.  
▶DB motioned to donate \$100 to the Memorial Day Committee and BT seconded the motion. There were no public comments. The motion carried unanimously.
2. Summer Road Projects. BT stated the road dept. is grading and applying stone to certain roads and the township is applying for dirt & gravel road funding. BT added that he had discussions with Bill Dinsmore regarding different surfacing methods and specifically rural roads that haven't had much repairs such as Elm, Donaldson, Kelso and Belgium Hollow Roads. After discussion, it was determined to have the Township Engineer and Bill Dinsmore travel those roads mentioned and make a recommendation for the April meeting on which order to complete the roads, which method and projected costs.
3. Young Lungs at Play Resolution. DB stated he met with the P&R Board in January regarding tobacco free parks and the board unanimously supports this program. He added you can adopt a policy, a resolution or an ordinance. The Board felt this was a good idea. NS and the board supports' a resolution. Direction was given to prepare a resolution to be presented at the April meeting.

**Unfinished Business:**

1. Planning Commission vacancy – applicants to date: Frank Fiori, Jack Merckle & Gary Forney. GF stated to have the planning commission review the applicants and provide a recommendation.
2. Sawmill Lane request from 2/25/15 meeting to become a Township owned road. GF stated it doesn't meet the requirements of the 2<sup>nd</sup> Class Township Code to become a road and the signage was due to County 911 requirements.
3. Job Descriptions – GF stated the only outstanding item was the dollar amount for purchases in the Chief of Police and Director of Public Works job descriptions. After a brief discussion it was determined to raise the limit to \$1,000, The Board will continue to review and have them finalized for the April meeting.
4. Transparency TV – The board discussed this and agreed it was a good idea but decided to wait until they have more information from Rick Walsh. NS stated a policy needed passed in connected with the installation of the camera via a resolution and notices posted in the hallway and in the room advising people of the audio/visual recording. GF stated this can be addressed once the Board has a contract proposal. NS also stated the Board has to have wording in the contract with respect to a right-to-know rider.

**Additional Discussion Items:**

1. GF stated the parks maintenance employee has to pull a trailer with the mower and needs a vehicle while he is working. GF suggested that he have the use of the white pickup truck while he is working. The Board agreed.
2. GF addressed the winter maintenance problems on roads where cars are allowed to park on the street. He suggested that the police, fire and road departments work together and make a recommendation and provide a report on which streets to create a “no parking” ordinance for. It was discussed on whether this would be for 1 side or both sides of the road; for certain times of the year (seasonal); or certain times of the day.
3. GF stated job descriptions have been drafted for all employees but the Township Manager which is set by an ordinance. He suggested creating a job description that would be separate from the ordinance so it would be easier to amend. NS added that there still needs to be a manager's ordinance that would refer to a job description. The board agreed.

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4. GF stated he would like to explore another solicitor, one that would handle all issues and not have a conflict with oil & gas issues and not have hire special attorneys like Chuck Means. BT added that the suggestion is to have "1 stop shopping". NS cautioned that it is not in the best interest of the Township to have a "1 stop shopping" attorney, that issues have become more sophisticated that require special attorneys. GF suggested preparing a RFP for the solicitor position. DB discussed the conflict and determined it is only with the impoundment issue. BT stated he was not opposed to looking. NS stated she could provide a sample RFP.
5. NS brought up the Yanosik ball field lease and asked if the Board was interested in pursuing this lease. There was discussion regarding the maintenance of the field and the tree issue. MS stated that Mr. Stuhler would take care of the trees but the issue was that Mr. Stuhler doesn't own the property, the owner is a Trust and there is a Trust Attorney. BT stated there is a need for this field now. NS stated there are 2 parts to this issue, the lease agreement for the property and the agreement with the ball association that the Township cuts the grass but they maintain the field. The Board agreed to pursue a lease. It was stated that Kari Cowden would be in charge of the ball team agreement.
6. NS stated she needed direction on the public works contract. She explained that the union is not working from the tentative agreement document and chose to work from 2 versions they drafted. GF stated he felt there should be a meeting between the union, Micky and a Township Supervisor. It was determined to work from the tentative agreement. BT stated this has gone on too long and there needs to be a meeting.  
▶ BT motioned to schedule a meeting between BT and the union and their representative about the contract. DB seconded the motion. Public Comment: Jane Worthington asked how long this could go on before it is determined that the union is not bargaining in good faith and suggested putting a time limit on it. GF stated he would not put a time limit on it for now. NS cautioned not to start over as it would be too costly and there is already a tentative agreement. The motion carried unanimously.
7. GF mentioned that National Fuel will be putting in 23 miles of 24" pipeline and they will be laying the additional lines next to the 20' pipe already there.  
  
▶ GF motioned to advertise for a solicitor in the Observer Reporter and on a couple of internet sites and to put the RFP on the Township's website. BT seconded the motion. The motion carried unanimously. Public Comment: Debbie Hanes, urged the board to consider who they have now verses who they had in the past and to not hire a generalist. Jane Worthington suggested spending the extra money to advertise in the Pittsburgh papers to get more experienced applicants and asked for another vote. . NS suggested targeting firms that do municipal work and they aren't necessarily from around here. GF took another vote. The original motion carried unanimously.

**Public Comment on Matters of Concern:**

Don Reed, 25 Main St., stated Fort Cherry Road is in bad shape as so is Rt. 50. GF stated those are state roads. BT stated there was a meeting scheduled for the beginning of April with Penn DOT.

JoAnne Wagner stated the school district is not happy with Fort Cherry Road either. There were back and forth discussions amongst unidentified people regarding different issues with roads.

John Bershok, 273 Fort Cherry Rd., asked if there was a copy of the new oil & gas ordinance ready. GF responded there is not an ordinance yet. Mr. Bershok asked what happened in the executive session regarding the water ponds. GF stated that it was an executive session regarding Range and that is all that can be discussed. Mr. Bershok asked the board's thoughts on his written request to them for an ethical advisory opinion. DB stated that it appeared Mr. Bershok wanted an opinion on all members of the Township boards. Mr. Bershok replied that there could be possible ethical violations between all of the boards that are voting on oil & gas issues. DB stated he (Mr. Bershok) had the option of

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filing a complaint with the Ethics Commission himself. DB added that he does not have a problem with anyone checking his background but he has no basis for asking for an advisory opinion. BT stated there was nothing specific in his request. NS stated that requests have to be very specific with facts and circumstances and then you ask for an opinion, there is not a means to ask for general ethics opinions.

Jane Worthington, 135 Main St. asked what John Trant's position was and where the current ordinances stand. BT stated he is reviewing a lengthy legal opinion on the oil & gas ordinance from NS. NS stated there internal issues within the Township and external issues with the industry and there are legal cases that are evolving to be considered and for those reasons she has recommended a halt to the ordinance drafting process. BT added that the planning commission's objective is working on the comprehensive plan first. Ms. Worthington asked about the status of the impoundment NOV's. NS stated they are still in the Washington County Court of Common Pleas. Discussion ensued and it was determined to hold off on the oil & gas ordinance and focus on completing the comprehensive plan.

Rick Walsh commented that there are 180 kids registered for the Easter Egg Hunt. He also stated that the surveyors on Rt. 50 are from KLH Engineers for the sewage project.

JoAnne Wagner stated the comprehensive plan should be a priority but her concern is with the locations of the pipelines and gathering lines and was concerned about how EPD was going to create a proper land use plan with respect to all of the pipelines. Ms. Wagner added her concerns about the ordinance and that there should be land use provisions that require the industry to show where the pipelines are going. Discussions continued regarding the DEP and pipeline locations and what is public or protected information. BT instructed LC to contact EPD and have them do a RTK request to the DEP to get the pipeline information.

Lee Robinson, Ridge Rd., stated the pipelines are staked with markers on his property. GF agreed that they are marked.

JoAnne Wagner asked if the Board was going to look into the information she sent BT related to funding for pipelines and hazardous materials and creating a crises response plan. BT stated the EMC, Kevin Dry wants to put together an Emergency Operations Plan for the entire Township. BT suggested starting with Jeff Yates at the County. GF stated he felt this funding should start at the County level. BT stated he will send the funding information to Washington County Commissioner Harlan Shoher who was in attendance at this meeting and requested the information.

Don Reed thanked the board for the second comment period.

**Adjournment:** DB motioned to adjourn the meeting at 8:22 pm and BT seconded the motion. The motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson  
Township Secretary  
Mount Pleasant Township  
Board of Supervisors