

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 18, 2015

The meeting of November 18, 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), Tom McDermott, Solicitor (TM) and Mary Ann Stevenson, Secretary (MS).

GF stated there was an executive session held today at 5:30 related to engineering professional services.

Public Comments Regarding the Agenda:

1. Bob Kelly, 71 Belgium Hollow Rd., stated he read the IPMC thoroughly and asked the board to reconsider adopting this as it infringes upon his rights, he is losing his freedom and this will cause a lot of problems.
2. Jane Worthington, 135 Main St., stated she is not in favor of the IPMC. She stated she spoke with North Strabane and Robinson Twp. and both told her the cost to enforce it is a lot more due to challenges and legal fees and asked the BOS not to adopt it. She asked the BOS to update and enforce the current ordinances on the books.
3. Chief McQuillan stated the IPMC as a lot of benefits for the first responders as homes are dangerous and this will allow for enforcement of these properties and give more protections to the residents.
4. Don Reed, 25 Main St., does not see a benefit to the homeowner after reading it. TM explained that the code officer has more objective regulations to follow and he has no extra powers and must get a warrant if he is refused access to the home. He added that most violations are visible from the street and before legal action can be taken a Notice of Violation must be sent which gives the homeowner time to discuss the issue or to appeal the decision.
5. Cheryl Whaley, 84 Main St., does not agree with the IPMC stating it will cause neighbor disputes and it relies on opinion. She added this takes away property owners rights. GF stated this protects the safety of the residents. She stated as a U.S. citizen she should be free to do what she wants with her property and asked the BOS not to adopt this ordinance.
6. Someone who lives on Bowen Rd. questioned aspects of interior regulations and even though TM stated most are visible from the street, this ordinance could enforce interior provisions and asked the BOS not to adopt it. This person was upset that you could not print the document or get a copy of it. There was back and forth discussion amongst unidentified residents with TM and the board regarding rights and liberties.

Matters Concerning Business of the Township: Carolyn Yagle (CY) – Update on the Comprehensive Plan. *This item was taken out of order as she was running late.*

CY introduced herself as working for EPD, Environmental Planning and Design, and stated after several meetings with the Planning Commission and the community meeting on public concern, she had prepared a PowerPoint presentation and made the following comments. The comp. plan is adopted by resolution and is a ten year plan; a series of goals; a big picture; keeping the rural theme. She stated that tax base is stagnant and needs addressed. CY stated after the goals are defined next is objectives and key influences such as the revenue base, school, community center, parks, activities and services for all ages. Based off of past meetings, CY drafted a comp. plan map and stated this is a map for future land use and not to be confused with a zoning map. She outlined a regional business area, mixed use areas and the southern beltway interchange as new areas that can affect land use and traffic. She stated the comp. plan has a series of recommendations that will be in the written document for the BOS to review in the next step. CY asked for questions. Cheryl Whaley questioned her qualifications and she stated she is a certified planner and landscape architect. GF stated the Township hired her firm to perform this service. BT asked for a copy of her document and a printed copy will be available at the Township. CY added that a 45 day public review period is required and a public hearing held prior to its adoption. TM stated this is an interactive process and EPD helps guide the process. DB asked how to revive a stagnant tax base and she responded by stating earned income taxes, which changes based off of age and the job market, and real estate taxes, which is based off of infrastructure and land development. She added it is important to look at agriculture as an economic development for Mt. Pleasant Township and non-residential development is more likely to occur than residential development.

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 18, 2015

Action Items:

- A. **Garbage Bid Closing:** GF motioned to close the bidding process and open the sealed bids for a solid waste garbage collection contract for a five year term expiring on 12/31/20. DB seconded the motion. The motion carried unanimously. Only one bid was received and it was from Waste Management and all required documents were presented which included the proposal for recycle dumpsters and curbside household hazardous waste collection for a cost of \$49.59 per home per quarter. TM approved the bid bond. WM will provide a letter of credit if awarded the contract and a performance bond will be given upon an executed contract which was acceptable to TM. GF announced there will be a special collection called "at your door" for household hazardous waste such as TV's and paint etc. and there will be a comingled recycle bin at the Township.
- B. **Garbage Bid Award:** DB motioned to award a solid waste garbage collection contract to Waste Management effective 1/1/16 for a five year term expiring on 12/31/20. GF seconded the motion. The motion carried unanimously.
- C. **Reports:** BT motioned to accept the reports as given. DB 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 – November, 2015
 - Public Safety Report – 10/21/15 – 11/12/15
 - Public Works Report – 10/22/15 – 11/13/15
 - Planning Commission Minutes – 10/5/15
 - Parks & Recreation Minutes – None
 - Municipal Authority Minutes – None
 - Midway Sewage Minutes – 10/6/15
 - Cross Creek Valley Region Minutes – None
 - Washington County Sewage Council Report – None
 - MPT Volunteer Fire Dept. Reports – October 2015 call log
 - Treasurer's Report – October, 2015
 - Correspondence for the period of – 10/23/15 – 11/12/15
- D. **Bills:** GF motioned to ratify the payment of the invoices for the period of 10/23/15 – 11/12/15 as presented. DB seconded the motion. The motion carried unanimously.
- E. **Minutes:** DB motioned to approve the minutes of the October 28, 2015 regular board meeting and the 11/5 and 11/12 budget workshop meetings. BT seconded the motion. The motion carried unanimously.
- F. **Jean Phillips Subdivision:** Larry Chome (LC) presented the subdivision and stated that all corrections have been per the K2 letter, there is a DEP approved planning module and the planning commission recommends approval. DB motioned to approve the Jean Phillips Subdivision No. 1; subdividing 2 acres from a 9+ acre parcel to create a building lot along Ridge Road. BT seconded the motion. The motion carried unanimously.
- G. **Uniquely Yours Tea Room:** BT motioned to approve the Uniquely Yours Tea Room Land Development Plan subject to all comment letters issued to date by the Township Engineer, and conditioned upon and subject to execution and recording of a developer's agreement and stormwater operation and maintenance agreement to the satisfaction of the Township Solicitor. GF seconded the motion. DB asked why a developer's agreement is needed. BT stated it is a requirement for commercial development. TM added the agreement will be amended and the only security that will be required would be a certificate of occupancy and this was discussed with the applicant. The motion carried unanimously.

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 18, 2015

- H. **Letter of Credit:** GF motioned to release Letter of Credit #S143143 for the Dollar General. Located at 176 Main St., Hickory as recommended by K2 Engineering in their letter dated 11/5/15. DB seconded the motion. The motion carried unanimously.
- I. **Ordinance 135:** an Ordinance adopting the 2015 International Property Maintenance Code as duly advertised on Oct. 14, 2015 that was tabled at the Oct. 28, 2015 meeting. *Item died for lack of a motion.*
- J. **Ordinance 136:** DB motioned to adopt Ordinance 136; an Ordinance amending Chapter 189, §189-11, parking prohibited, adding to the list of streets or portions thereof on which parking shall be prohibited, and providing penalties for violations, as duly advertised on Nov. 6, 2015. GF seconded the motion. The motion carried unanimously.
- K. **Renewal of Health Insurance:** GF motioned to approve the renewal of the Township Health Insurance with UPMC, offered through Strategic Employee Benefit Services, for the period of 12/1/15 – 12/31/15 at a cost of \$14,266.23 which can change from time to time based off of enrollment. DB seconded the motion. The motion carried unanimously.
- L. **Renewal of Vision Insurance:** DB motioned to approve the renewal of the Township Vision Insurance with UPMC, offered through Strategic Employee Benefit Services, for the period of 12/1/15 – 12/31/15 at a cost of \$92.10 which can change from time to time based off of enrollment. GF seconded the motion. The motion carried unanimously.
- M. **Cancellation of Dental Insurance:** BT motioned to approve the cancellation of the Township Dental Insurance with MetLife Dental, offered through Strategic Employee Benefit Services, effective 12/31/15. GF seconded the motion. The motion carried unanimously.
- N. **Purchase New Health Insurance:** DB motioned to approve the purchase of the Township Health Insurance with UPMC, offered through Municipal Benefits Services, effective 1/1/16 – 12/31/2016 at a cost of \$139,680 which can change from time to time based off of enrollment. BT seconded the motion. The motion carried unanimously.
- O. **Purchase new Vision Insurance:** DB motioned to approve the purchase of the Township Vision Insurance with Vision Benefits of America, offered through Municipal Benefits Services, effective 1/1/16 – 12/31/2016 at a cost of \$1,438.68 which can change from time to time based off of enrollment. GF seconded the motion. The motion carried unanimously.
- P. **Purchase new Dental Insurance:** DB motioned to approve the purchase of the Township Dental Insurance with United Concordia, offered through Municipal Benefits Services, effective 1/1/16 – 12/31/2016 at a cost of \$9,556.44 which can change from time to time based off of enrollment. BT seconded the motion. The motion carried unanimously.
- Q. **2016 Tentative General Fund Budget:** GF motioned to adopt a tentative general fund budget in the amount of \$1,683,535 and to advertise for public inspection and final adoption on December 16, 2015. DB seconded the motion. The motion carried unanimously.
- R. **Local Share Account:** BT motioned to approve the appropriation of \$6,000 from the Local Share Account for the Heritage Public Library for 2016 and to disburse \$2,000 in December 2015, if requested, to meet operational needs leaving a \$4,000 balance. GF seconded the motion. The motion carried unanimously.

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 18, 2015

- S. **Ordinance Advertisement for Municipal Authority Debt:** DB motioned to authorize advertisement of an Ordinance of the Township of Mount Pleasant, authorizing the incurring of lease rental indebtedness by the guaranty of the debt service on a note of the Mount Pleasant Township Municipal Authority in a principal amount not to exceed Two Million and 00/100 Dollars (\$2,000,000); covenanting to pay, and pledging unlimited taxing power for the payment of the note under the guaranty; authorizing filings of required documents with the Department of Community and Economic Development; ratifying actions of officers and directing other actions; and making other covenants in respect of the guaranty. BT questioned if this was only to advertise and TM responded that it was. BT seconded the motion. DB stated he has not seen an ordinance. There was board discussion with TM and confusion with respect to this motion and the need for more information. DB motioned to table this item and GF seconded the motion. The motion carried unanimously. *TM stated the motion to table supersedes the first motion.*
- T. **Yanosik ball Field Lease:** DB motioned to authorize execution of proposed Yanosik Ball Field Lease for a five (5) year term with a renewal option, upon acceptance of final lease terms and execution of Lease by the Landlord. GF seconded the motion. The motion carried unanimously.
- U. **Check Disbursement:** DB motioned to disburse \$1,500 payable to Nicole D. Sarchet for the Parks & Recreation Most Festive Home Event. GF seconded the motion. The motion carried unanimously.

Discussion Items:

1. BT commented on the 8/26/15 letter from the DEP regarding MPT being a MS4 Community. The board discussed the option of filing paperwork to be removed as a MS4 Community as there is a possibility that the Township doesn't meet the requirements. It was discussed that K2 Engineering may not have enough experience with this issue. ► BT motioned to retain Lennon Smith Engineering to perform MS4 permitting and or waiving requirements at an amount not to exceed \$3,000 on behalf of the Township. DB seconded the motion. There were no public comments. The motion carried unanimously.

Unfinished Business: None.

Other New Business: LC mentioned a letter he received (that he emailed to the BOS) regarding Tim Nease's request to use the Corwin building as offices for his business. LC stated Mr. Nease spoke with BT and GF who said it was allowable but added that he cannot find this as an allowable use in the zoning ordinance. LC added Mr. Nease is under a time constraint. TM stated this was not a matter for board action tonight as more information is needed. TM added he will review it and discuss it with LC on Thursday and make a determination on an administrative level.

Public Comment on Matters of Concern:

Chief McQuillan announced there have been a lot of phone scams especially with elderly victims. He cautioned people to be alert while shopping as well. He added that the road crew will have to help the fire department with downed trees with a lack of man power after work hours.

Jane Worthington thanked the board for not voting on the IPMC. GF stated it may come back up.

Don Reed commented on the positive issues in the Township with the Tea Room and the Corwin Building. Jane Worthington asked the BOS to keep in mind her daughter who has benzene exposure when granting uses to the Corwin Building.

GF announced the board was going into executive session at 8:49 pm for personnel reasons and will reconvene the meeting afterwards.

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 18, 2015

Following the conclusion of the executive session, the Board reconvened at approximately 9:15 PM

Additional Action Items:

- V. **Acting Secretary:** BT motioned to appoint the Solicitor as Acting Secretary to take the Minutes for the remainder of the meeting in the Manager-Secretary's absence. GF seconded the motion. There were no public comments. The motion carried unanimously.

- W. **Associate Township Engineer:** BT motioned to retain Lennon Smith Engineering generally to perform general the professional engineering services. DB seconded the motion. There were no public comments. The motion carried unanimously.

- X. **Personnel:** GF motioned to allow current Manager Agreement to expire at the end of the current term (12-31-15); and to NOT renew or extend said Agreement or the Manager's employment with Township beyond expiration of Agreement on 12-31-2015. BT seconded the motion. DB abstained. There were no public comments. The motion carried.

Adjournment: BT motioned to adjourn the meeting at approximately 9:25 PM, and DB seconded the Motion. The Motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson,
Secretary-Treasurer
Mount Pleasant Township
Board of Supervisors

Respectfully submitted,

Thomas P. McDermott,
Solicitor -Acting Secretary
Mount Pleasant Township
Board of Supervisors