

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF FEBRUARY 22, 2012

The meeting of February 22, 2012, was called to order at 6:30 p.m. by Chairman Grimm with the Pledge of Allegiance to the Flag. Those present were: Larry H. Grimm, Chairman (LG), Arden B. McCartney, Vice-Chairman (AM), Bryan Smith, Supervisor (BS), William A. Johnson, Solicitor (WJ) was absent, Larry Chome, Zoning Officer (LC), Mary Ann Stevenson, Manager/Secretary (MS), and those citizens listed on the attached sheet.

Public Comments:

- 1.) Paul Battista, Johnston Road, commented on the HB 1950 discussion on whether or not to participate in a challenge of the law. He asked the Supervisors not to spend tax dollars fighting this law. He recommended the Township come up with a comprehensive plan on how the impact fee money could help the community such as for parks and roads. He also recommended a large portion be set aside for sewage as there is currently no funding available for sewage projects.
- 2.) Dencil Backus, Walnut Road, stated he agreed with coming up with a plan on how to use the money but believes the Township should fight this law to get back the right to govern all properties and he urged the Supervisors to join the fight to get back the authority to regulate zoning.
- 3.) Bill Forrest, Baker Road, stated that this bill eliminated our ordinance which took a lot of time and effort to get adopted which protects the health, safety and welfare of its residents. He added that he has real concerns with HB 1950. He urged the Supervisors to work as hard to preserve the Township's current ordinance as it did crafting it to protect the Township. He urged the Supervisors to join other Townships in the challenge of this law and asked them to act now to protect the residents, properties and the community as a whole.
- 4.) JoAnne Wagner, Lakeside Drive, stated that we are in a unique situation with the abundance of wet gas and heavy hydrocarbons and that the industry wants to be here. She added that recent air testing in our Township shows toxins and that concerns her with the children at Fort Cherry School District. She stated that the 120 day window is not long enough to adequately dissect this new law and draft a new ordinance and to continue to modify ordinances over again is very costly. She added that in the Township's Zoning Ordinance there is a section that states "comparable uses not specifically called for" means that MPT becomes an industrial zone because anything is comparable. She urged the Supervisors to join in the challenge to Act 13.
- 5.) Paul Battista commented that if everyone is so concerned with the health effects of this industry to drive through Westland and Southview and take notice of the raw sewage which is a dangerous environment especially for the children. He requested the Supervisors re-direct their efforts to put those kids first and do something positive for the community with this money.
- 6.) Kim Forrest, Baker Road, stated she lives near a water impoundment which is covered under this bill with truck traffic day and night, 24/7. She stated that her neighbor has been trying to sell her property for 2 years and hasn't been able to sell it because people do not want to move here and live next to that environment and there goes the Township's tax base if people move out and people don't move in and the Supervisors should be seriously concerned. She requested that the Supervisors join in the challenge of this law.
- 7.) Tina Cottrill, Lynn Portal Road would like the Supervisors to fight this new law, but not alone, but to join in with the other municipalities that have already joined and get involved to fight this.
- 8.) Bill Forrest, Baker Road said he understands there is a cost involved and no one can predict how much of a cost but he urged the Supervisors to at least check on the feasibility of challenging this law.
 - ▶ LG stated that this item is listed later on for discussion and that he knows there is a meeting of the MMC (Marcellus Municipal Co-op.) next month to discuss this very matter.

Reports

The following reports, if any, were submitted for the Board's review and are on file at the Municipal Office:

- Zoning Officer's Report – February 2012
- Public Safety Report – 1/25/12 – 2/21/12
- Public Works Report – 1/26/12 – 2/22/12
- Planning Commission Minutes – 2/6/12
- Parks & Recreation Minutes – Board Inactive

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF FEBRUARY 22, 2012

- Municipal Authority Minutes – None
- Midway Sewage Minutes – 12/6/11
- Cross Creek Valley Region Minutes – 1/12/12
- Washington County Sewage Council Report - None
- MPT Volunteer Fire Dept. Report - January, 2012 Financials
- Treasurer's Report - January, 2012
- Correspondence for the period of - 1/25/12 – 2/21/12

► LG motioned to accept the reports as given and AM seconded the motion. The motion carried unanimously.

Action Items:

1. **Bills:** LG motioned to authorize the payment of the invoices for the period of 1/25/12 – 2/21/12 as presented and BS seconded the motion. The motion carried unanimously.
2. **Minutes:** LG motioned to adopt the minutes of the January 25, 2012 regular board meeting and AM seconded the motion. The motion carried unanimously.
3. **Slobodian Subdivision:** LC presented the Paul and Kathleen Slobodian Subdivision at 191 Walnut Road, McDonald as creating 3 new parcels. LC added that the Township's alternate Engineer commented that the subdivision met the requirements of our SALDO and the MPT Planning Commission recommends approval. AM asked if LC had any concerns with this subdivision and LC responded that he did not. LG motioned to approve the Slobodian Subdivision and BS seconded the motion. The motion carried unanimously.
4. **Bill Dinsmore Title Change:** AM motioned to amend the job title of Bill Dinsmore from Public Works Foreman to Director of Public Works. LG seconded the motion. BS asked if there was any difference in these titles and AM stated there was not but that Bill Dinsmore is more comfortable with the corrected title. BS opposed the motion. The motion carried.
5. **Advertising for Sale of Truck:** AM motioned to approve advertising for the sale of the 2002 Ford F550 in the Observer Reporter and LG seconded the motion. The motion carried unanimously.
6. **Resolution 2012-E:** LG motioned to adopt Resolution 2012-E; a Resolution urging the General Assembly to amend the Prevailing Wage Act to increase the minimum rate threshold (currently \$25,000) based on the Consumer Price Index and BS seconded the motion. AM questioned the motion stating that it should read to eliminate or amend the Prevailing Wage Act. There was a brief discussion and AM amended the motion to read eliminate or amend the State Prevailing Wage Act. The motion died for lack of a second.
7. **Ordinance 126:** LG motioned to adopt Ordinance 126; an Ordinance establishing vehicle weight limits for Township Roads per an engineered study and BS seconded the motion. The motion carried unanimously.
8. **Winter Maintenance Employee Addition:** LG motioned to approve adding Shane Maga to the seasonal part time winter maintenance department effective 2/10/12 at \$11.50 per hour with no benefits and BS seconded the motion. The motion carried unanimously.
9. **Bike Race Approval:** BS motioned to approve the annual Appalachian Bicycle Racing Assoc. Bike Race on Sunday, June 3, 2012 utilizing the same route as last year: Fort Cherry Road, Cherry Valley Road, Water Dam Road and Walnut Road and AM seconded the motion. LG opposed the motion. The motion carried.
10. **½ Mill EMS Tax:** BS motioned to retain the ½ Mill EMS Tax to offset the full time employee's salary in lieu of the reimbursement arrangement as done in the past with an appropriation of \$1,200 to be given to the Fire Department for supplies and AM seconded the motion. The motion carried unanimously.
11. **Easter Egg Hunt:** LG motioned to set the Easter Egg Hunt for Saturday, April 7, 2012 at 10:00 AM and BS seconded the motion. The motion carried unanimously.

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF FEBRUARY 22, 2012

Discussion Items: (board members may elect to discuss items presented to them since the last meeting)

1. HB 1950, now Act 13 of 2012 – Participating in a challenge to this law. LG motioned that he would like the Township to investigate and support a challenge with no commitment of money at this time and AM seconded the motion as he agrees that they shouldn't have taken our zoning rights away. BS agreed but he thinks there should be limited spending. AM stated he would like our legal council's opinion. The motion carried unanimously.
2. Easter Egg Hunt Registration. BS stated that there are no volunteers this year and doesn't think there will be anyone to handle the pre-registration this year. AM stated he felt we should eliminate the registration, that it is for the children and that all kids should be able to participate in good will. Resident Dencil Backus agreed with AM stating it should be for all children. LG stated he disagrees stating that this is funded by tax payer dollars and the prizes given away should go to resident's children and grandchildren only. There was a brief discussion with the audience and 2 residents agreed with the registration process. Tina Cottrill stated she (and maybe JoAnne Wagner) would handle the registration process this year and would coordinate with Bryan Smith on the dates and times etc. but to be one week night and one Saturday.

Unfinished Business:

1. Main Street Project – Rep. White's office is still looking into reviving this project and his office is still working on a scaled down version of the original project.
2. Fulton Subdivision – *Mr. Fulton contacted the Township (he currently resides in Virginia) and requested paperwork relevant to this subdivision as he had conflicting information. The Township supplied this information and gave Mr. Fulton till Feb. 29, 2012 to file the necessary application otherwise a citation will be issued by the Zoning Officer.* AM asked if LC has heard from Mr. Fulton and LC responded that he has not. LG stated that LC must move forward with citations if he doesn't hear from Mr. Fulton.
3. Agricultural Security Are Addition – Allene & Robert Lash, 123 Beechnut Road, McDonald. This is scheduled for a hearing and adoption in June 2012.

Adjournment: LG motioned to adjourn the meeting at 7:08 pm and AM seconded the motion. The motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson
Township Secretary
Mount Pleasant Township
Board of Supervisors