

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF JUNE 27, 2012

The meeting of June 27, 2012, was called to order at 6:28 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), Larry Chome, Zoning Officer (LC), Mary Ann Stevenson, Manager/Secretary (MS), and those citizens listed on the attached sheet.

Executive Session: LG stated that there was an executive session held on June 9, 2012 to discuss personnel issues.

Public Hearing: Agricultural Security Area additions.

Public Comments Regarding the following AG Security Area Additions: None.

WJ asked LC if the Township Ag Security Area Board recommended approval of these additions and LC stated they did.

1. Robert and Allene Lash, 123 Beechnut Rd., McDonald – 67.1 acres.
2. John Dinsmore, 1619 Millers Run Rd., McDonald – 22.6 acres.
3. Edward Strnisa, 1581 Millers Run Rd., McDonald – 27.7 acres.

► LG motioned to close the Agricultural Security Area Additions Hearing and BS seconded the motion. The motion carried unanimously.

Public Comments: Dan Greene, 487 Ridge Rd. stated that the activity at the Menichi Lane Gas Well Site is creating an enormous amount of dust at his house. He stated that he has called and registered complaints and was told that they use dust suppression. He added that they came out one day at 6 AM and sprayed water on the road and by 9 AM it is all dry and dusty again. Mr. Green stated he thought there was an ordinance prohibiting this. LC checked the code of ordinances and stated that in the zoning ordinance under performance standards excessive dust would be a violation. LG stated that this is unacceptable and that they need to use something other than water like calcium. WJ stated that since this is a zoning violation that LC would have to issue them an enforcement notice and give them 10-15 days in which to correct the problem to file for a zoning hearing board hearing. LC asked Mr. Greene to fill out an official complaint form and then he will issue a notice of violation.

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 – June 2012
- Public Safety Report – 5/22/12 – 6/26/12
- Public Works Report – 5/24/12 – 6/27/12
- Planning Commission Minutes – None
- Parks & Recreation Minutes – Board Inactive
- Municipal Authority Minutes – None
- Midway Sewage Minutes – 5/1/12
- Cross Creek Valley Region Minutes – None
- Washington County Sewage Council Report - None
- MPT Volunteer Fire Dept. Report - May 2012 Financials
- Treasurer's Report - May, 2012
- Correspondence for the period of - 5/22/12 – 6/26/12

► LG motioned to accept the reports as given and AM seconded the motion. BS stated again that he did not get a pre-plan report for the next month. The motion carried unanimously.

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Action Items:

1. **Bills:** LG motioned to authorize the payment of the invoices for the period of 5/23/12 – 6/26/12 as presented and BS seconded the motion. The motion carried unanimously.
2. **Minutes:** LG motioned to adopt the minutes of the May 23, 2012 regular board meeting and AM seconded the motion. The motion carried unanimously.
3. **AG Security Area Additions:** BS motioned to approve the Lash, Dinsmore and Strnisa additions to the AG Security Area and AM seconded the motion. The motion carried unanimously.
4. **Nancy Stewart Subdivision Plan #3:** LC presented this subdivision as separating off 4.22 acres for the LMM Dew Point Control Facility and that the MPT planning commission recommends approval. LG motioned to approve the Nancy Stewart Subdivision Pan #3, Caldwell Road, re-subdividing for the Williams/Laurel Mountain Midstream Facility for 4.22 acres and BS seconded the motion. The motion carried unanimously.
5. **ZHB Resignation:** AM motioned to regretfully accept the resignation of Ronald Diaz from the Zoning Hearing Board effective immediately and LG seconded the motion. The motion carried unanimously.
6. **ZHB Appointment:** AM motioned to appoint ZHB alternate Ron Stewart as a voting member of the Zoning Hearing Board effective immediately and BS seconded the motion. The motion carried unanimously.
7. **Settlement Agreement:** LG motioned to approve a settlement agreement with Williams / Laurel Mountain Midstream for the operation of their Dew Point Control facility located on the Stewart Property off Caldwell Road and BS seconded the motion. The motion carried unanimously.

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

- Casey Road – road repairs. BS stated he would like to recommend repairing the whole road instead of spot patching areas. LG asked how long a full road repair would last and BS stated per the engineers, HMT it would last 10-12 years with a 3 inch overlay. AM agreed that for the longevity of the road this would be better to have a useful life. LG asked how close we are to getting this done. BS responded that Casey has a lot of homes on it and it is in need of repair. BS added he would like to bid it out and have the road department bid on it as well. LG asked WJ if we could bid on our own project and WJ responded that they could just give an estimate internally. There was a brief discussion on liquid fuels funds and LG asked if there was a priority list. BS stated he has a list of roads to be patched but not cost associated with it. He added he would like to see the roads marked to show what repairs need done. LG stated Bill Dinsmore could spray paint those areas and BS agreed. BS stated we could bid it out and if the bids are too high we could reject the bids but that a professional contractor could have that done in 2 days since it is a small job at 6/10 of a mile. ► BS motioned to bid out Casey Road per HMT's recommendation and LG seconded the motion. The motion carried unanimously.
- Swimming Pool – Kress Lane – Fill in pool and lien the property. LC presented the already declared nuisance / dangerous pool structure issue on Kress Lane. LC stated that since no one is declaring ownership of the property and it is dangerous, he would like BOS approval to have the township fill the pool in and lien the property for the portion of the pool that has undeclared ownership and get reimbursed from Mr. Bill Kress who owns the other portion of the pool. There was a brief discussion on whether or not the Township would be allowed access to Kress Lane from the Floyd Kress property and access to the part of the property that has undeclared ownership and WJ stated to "fill it in" as it is a danger to the community and we will sort it out later if we have to. ► AM motioned to have the township fill in the pool and lien the property. LG seconded the motion. The motion carried unanimously.

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Unfinished Business:

1. Main Street Project – Rep. White's office is still looking into scaling down the existing project. Rep. White is still involved at this time and is currently working with Penn DOT on feasibility. Rep. White's office is arranging a meeting between Penn DOT, the Township and the Engineers in the near future. *After the May 31, 2012 meeting with Penn DOT it was determined that the only viable portion left was for lighting improvements. The Supervisors are in favor of canceling this project. This was conveyed to Rep. White's office.*
2. Fulton Subdivision – Deadline to comply with the Township Ordinance was February 29, 2012. Mr. Fulton has contracted with Attorney Saxton to address this matter. Per Mr. Saxton, they intend to fully comply with Township Ordinances. Mr. Saxton stated he will address any concerns with Bill Johnson. As of 4/17/12, Mr. Saxton is working with Mr. Fulton and needs a little more time. LG stated this had gone on long enough. BS stated they should have a deadline. WJ will contact Mr. Saxton to settle on a deadline. Attorney Saxton was contacted by Attorney Johnson and given a deadline of May 15, 2012 for definitive action. WJ stated he talked with Mr. Saxton who said he has been out of the office but reiterated that they are not planning on a challenge of our requirements. WJ added that he feels they are working in good faith. *Mr. Saxton is still working on this issue per Bill Johnson*
3. Yanosik (Ann Stuhler) Ball Field Lease – Expires May 31, 2012. No lease agreement at this time. *Supervisor Smith did receive a call from Mr. Stuhler and they would like to renew the lease. MS stated that DB was still cutting the grass and BS stated that was fine and for now we do not have to cut down the trees.*

LG announced that the Township received an anonymous letter asking the board to reconsider the decision to stop Range Resources from drilling in MPT and that the Township is going to lose a lot of impact fee money. LG stated that for the record the board is not stopping Range Resources from drilling and added that the board could not stop them from drilling. He added that we are not going to lose any money either.

LG told Bob Hanes that the Township will be in contact with Mark West regarding the Hanes' letter outlining on-going problems.

LG called an executive session at 6:56 pm to discuss personnel issues.

Adjournment: LG motioned to adjourn the meeting at 7:56 pm and AM seconded the motion. The motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson
Township Secretary
Mount Pleasant Township
Board of Supervisors