

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF NOVEMBER 14, 2012

The meeting of November 14, 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), Larry Chome, Zoning Officer (LC) was absent, Mary Ann Stevenson, Manager/Secretary (MS), and those citizens listed on the attached sheet.

Public Comments: Bill Mungai, 23 Skyline Drive, stated that nothing has been done by Range Resources on repairs to Skyline Drive. BS stated that Range Resources did not feel there were any real safety issues but they will address the area near the culvert on the Rt. 18 end. AM asked Mr. Mungai what his concerns were and he responded that there are parts of the road that are only 17 foot wide and if you get a truck that is 9 foot wide with its mirrors then 2 trucks can't fit and sometimes a large truck and a bus can't fit. He added that before the paving if 2 vehicles passed that couldn't fit you could always go off the berm but now there are places that were built up pretty high due to the unevenness of the road, and those areas have 3 foot drop offs in places. BS stated that there is a meeting with Range to discuss road issues and this will be brought up again. AM suggested getting some measurements. LG stated they will only fix it if it is a real safety issue.

Don Reed, 25 Main St. stated that the gravel on Skyline is very soft which makes it dangerous so if measurements are taken he would suggest not counting the gravel. He also asked what the Township is going to do with the impact fee money. LG stated that the board's intention is to have a public meeting to get public input and suggestions sometime in the future.

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 – November, 2012
- Public Safety Report – 10/16/12 – 11/12/12
- Public Works Report – 10/18/12 – 11/14/12
- Planning Commission Minutes – 10/1/12
- Parks & Recreation Minutes – Board Inactive
- Municipal Authority Minutes – None
- Midway Sewage Minutes – None
- Cross Creek Valley Region Minutes – None
- Washington County Sewage Council Report - None
- MPT Volunteer Fire Dept. Report - None
- Treasurer's Report - October, 2012
- Correspondence for the period of - 10/17/12 – 11/13/12

► 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 10/17/12 – 11/13/12 as presented and AM seconded the motion. The motion carried unanimously.
2. **Minutes:** BS motioned to adopt the minutes of the October 17, 2012 regular board meeting and AM seconded the motion. The motion carried unanimously.
3. **Minutes:** AM motioned to adopt the minutes of the 10/10; 10/20; 10/31 and 11/7 budget workshop meetings and BS seconded the motion. The motion carried unanimously.
4. **Tri-State Mgmt. Subdivision:** LC was absent. AM asked if all of the signatures were obtained and Mr. Rick Walsh from Tri-State Mgmt. said they were not. Mr. McGivern's bank, First Federal Bank wanted them and Mr. McGivern to be the last to sign the Mylar and that LC approved that request. WJ stated that it

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would be acceptable if it meets the requirements of the SALDO and that it can be passed contingent upon all of the necessary signatures. Per LC notes, the Planning Commission voted to recommend approval of this subdivision at their meeting of 11/5/12 contingent upon the notarized signatures of Mr. Rick Walsh and Mr. Alfred McGivern. There was a brief discussion on the subdivision which is getting 2 acres from Mr. McGivern and then consolidating the other lots into one. LG motioned to approve the Tri-State Mgmt. Subdivision as a subdivision between Alfred J. McGivern and Tri-State Mgmt. Holding Co., LLC. This subdivision adds 2.105 acres to an existing lot and consolidates acreage from lots 1A, 1B2, 3 and 5 into a new Lot 3-Rev for a total acreage of 10.723 and that the MPT PC already recommended approval, and this approval is contingent upon the notarized signatures of Mr. Alfred McGivern, his bank and any other entities required to sign the Mylar and AM seconded the motion. BS asked if this was split zoning and WJ stated that it was but that is what our zoning calls for in that area and therefore it is compliant. The motion carried unanimously.

5. **Dennis Sluciak Property Re-Zone Request:** BS motioned to deny the property re-zone request by Dennis Sluciak from A-1 to M-1 and AM seconded the motion. The motion carried unanimously. Mr. Sluciak then wanted to ask a few questions. LG stated this isn't the time for discussion. AM stated he would suggest discussing this during the discussion portion of the agenda if it was OK with the Chairman and LG agreed.
6. **Resolution 2012-R:** LG motioned to adopt Resolution 2012-R; a Resolution accepting and adopting Johnston Road as a Township Street and BS seconded the motion. The motion carried unanimously.
7. **Employee Suspension:** AM motioned to ratify an unpaid one (1) day suspension for Township employee #0005 from Department 6 and BS seconded the motion. The motion carried unanimously.
8. **Employee Suspension:** AM motioned to ratify an unpaid three (3) day suspension for Township employee #0005 from Department 6 and LG seconded the motion. The motion carried unanimously.
9. **Seasonal Winter Maintenance Employees:** AM motioned to reinstate the part time, seasonal winter maintenance employees: David Kraeer, Ken Wright, DB McCalmont and Shane Maga at \$11.75 per hour with no benefits effective immediately as needed and BS seconded the motion. The motion carried unanimously.
10. **2013 General Fund Budget:** LG motioned to tentatively adopt the 2013 General Fund Budget at \$2,052,764.31 and advertise for final adoption and BS seconded the motion. The motion carried unanimously.
11. **Mr. Cooper Damaged Trees:** BS motioned to officially approve the disbursement of \$900 payable to Mr. Charles Cooper as restitution for his damaged trees with the understanding that 10 trees will be purchased and planted in 2013 in Township Parks and as satisfaction and full restitution to Mr. Cooper with the release of any responsibility by the Township. LG seconded the motion. The motion carried unanimously.

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

AM asked Mr. Sluciak for his comments. Mr. Sluciak asked why it was turned it down. WJ explained that this is a legislative decision of the BOS and the board is not under any legal obligation to entertain a re-zone request and it is at their discretion to determine if it is in the best interest of the Township. AM explained to Mr. Sluciak that after careful consideration as well as visually seeing the area he felt that it was a more appropriately zoned as agricultural and keeping it in align with the current character of the area that it would be more suited for residential homes. Mr. Sluciak felt that having residential homes on one side and industrial on the other makes no sense and AM responded that the line has to be drawn somewhere and this was the conclusion that he came to. Mr. Sluciak asked what his next step was and WJ stated that there are no further steps to be taken as there is no appeal process for a legislative decision of the governing body. He then asked if he would be getting a written decision for his attorney and WJ stated that there is not a written decision as it is an action item and as such would be contained in the minutes of the meeting. There was a brief discussion between Mr. Sluciak and WJ on zoning laws and WJ stated the bottom line is the board made a legislative decision that it is not in the best interest of the Township to re-zone the property.

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Unfinished Business: LG asked where things stand with the Fulton Subdivision. WJ stated that District Justice Costanzo found them in violation of the subdivision ordinance and imposed a fine and the Fulton's appealed her decision. Therefore, this will go before the Common Pleas Court in March of 2013.

Paul Battista (PB) asked if the motion to accept Johnston Road was for new construction or if it was never accepted into the road system and MS stated it was never accepted and will now be put on the Liquid Fuels program and LG concurred.

LG asked PB, Municipal Authority Chairman, where things stand with the sewage projects in Southview and Westland. PB stated that funding is always the issue. He stated that there is the LSA money but you have to have a project construction ready, which we do not, and it cannot be used for design and engineering and that is what the money is needed for at this time. PB added the County is looking at County Sewage Projects and maybe some County Act 13 money can be used. PB added that it could be 5 years before anything gets started. There was a brief discussion on the Chartiers – Canton Project and the Westland and Southview pump stations and lack of funding. PB added that a lot of LSA money goes to the industrial parks and that local communities are overlooked and it's time that the county tax payers get a portion of that funding for local projects. LG agreed. PB stated that the Municipal Authority estimates for design and engineering is approximately \$150,000 - \$200,000 and while they have money from the cell tower property it's not nearly enough so any help would be appreciated.

Adjournment: LG motioned to adjourn the meeting at 7:15 pm and AM seconded the motion. The motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson
Township Secretary
Mount Pleasant Township
Board of Supervisors