

MT. PLEASANT TWP. BOARD OF SUPERVISORS' MEETING OF OCTOBER 17, 2012

The meeting of October 17, 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), Mary Ann Stevenson, Manager/Secretary (MS), and those citizens listed on the attached sheet.

Public Comments: Dennis Sluciak (DS), 47 Grudevich Rd., Canonsburg asked the Board to consider re-zoning a 79.55 acre parcel of land he owns in MPT located at 502 Westland Rd. from A-1 to M-1. He stated that across the street from Chartiers Twp. to just past his property is zoned M-1. He added that his land is not farmable and it is not economically feasible to develop it into residential lots. LG stated he would like to gather more information. AM asked why it is not farmable and DS responded that there are a lot of hills and it would take a lot of earth moving. WJ explained the process whereby the Zoning Hearing Board turned him down for a special exception and a use variance in which he can appeal those decisions. To get a parcel re-zoned would take legislative action by the Board of Supervisors and that the Board has to determine if your request is what is best for the Township and that area. WJ also stated that DS needs to have the Planning Commission review this request and to get their recommendation. DS stated he did not agree with the ZHB decision because they did not give consideration to his specific request in which he only asked for 5 acres up next to Rt. 519 and with the increased activity in the area and all of the truck traffic. BS asked DS what his plans were for this property and he responded that he is considering a staging area for the fresh water and tanker trucks and to also store equipment on possibly five (5) acres for mostly nights and weekends. He added that long term; he would also consider creating office space and a warehouse as in a mixed used situation. BS asked if he just wanted 5 acres re-zoned and he said that he wanted the whole parcel re-zone. WJ stated that it needs to be understood that when a parcel is re-zoned, in this case to M-1, any activity that is permissible in a M-1 zone becomes a permitted use and would not be limited to just office space or a staging area. AM motioned to take this under advisement until more information can be obtained and LG seconded the motion. The motion carried unanimously. DS asked when he would get a decision and LG stated that he wasn't sure but possibly by the next meeting (30 days) and that he'd be notified when it would be on the agenda for a decision.

Don Reed, 25 Main St. asked about Skyline Drive road repairs and stated that he heard that Range Resources is not going to fix the shoulders. BS responded that he is aware of the issues and that we are working with Range to get this resolved. MS stated that she spoke with Jim Cannon and he is looking into it with Rick Babbitt from RR and he said if it is a safety hazard then they would fix it. Mr. Reed stated that he noticed on the agenda that we are setting up an account at the bank for the impact fees that we are not getting. WJ stated that this is not a done deal and that the Township is addressing it. AM responded that our ordinance was not found to be non-compliant and what the PUC is doing is illegal and that we will be getting our impact fees. MS stated it might be delayed.

Rich McClain, on behalf of the Community Center wanted the Board to know they are getting new lights for the parking lot and for the top of the building. He stated the parking lot lights cost \$1,150 and the lights for the top of the building for materials only would be \$1,500 plus labor. He added that they will be LED lights that will last for 20 years. Mr. McClain said he wants to try to prevent the lights from being shot out during the night which has become a problem. There was a brief discussion on possibly turning the lights off when there are no functions and the businesses are closed. Mr. McClain said he might try that and if it doesn't work he could turn them back on.

Charles Cooper (CC), 380 Ridge Road, McDonald, asked what has been decided about his damaged trees since the last meeting. BS stated that he has tried to call him many times but there is never an answer and there is no answering machine to leave a message. CC stated that Bill Dinsmore gave him some tree mend and grass seed and cleaned up the area. BS stated that he wanted to know if there was anything else CC wanted. CC stated he got an estimate from Staley Tree to replace 12 trees for a cost of \$12,000 and he also got a quote to have the trees professionally trimmed for \$1,800. CC proposed that the Township cut him a check for \$900 for half the bill to trim the trees since he trimmed the trees himself and in turn he would use the money buy the Township 10 trees, such as Crimson King Maples, to be planted in the public parks of the Township and he proposed that the employee that damaged the trees should be the one to plant them. The Board said they would discuss this and BS would get back to him.

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JoAnne Wagner, 1025 Lakeside Dr. wanted the Board to know that she is glad that she moved here in a town that cares so much about the community and that she would like to thank the Board for their support of the Act 13 challenge and looking out for the residents and that she is great full as are a lot of others.

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 – October, 2012
- Public Safety Report – 9/25/12 – 10/16/12
- Public Works Report – 9/27/12 – 10/17/12
- Planning Commission Minutes – None – No Quorum for Sept. mtg.
- Parks & Recreation Minutes – Board Inactive
- Municipal Authority Minutes – None
- Midway Sewage Minutes – 9/4/12
- Cross Creek Valley Region Minutes – None
- Washington County Sewage Council Report - None
- MPT Volunteer Fire Dept. Report - September 2012
- Treasurer's Report - September, 2012
- Correspondence for the period of - 9/26/12 – 10/16/12

► 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 9/26/12 – 10/16/12 as presented and AM seconded the motion. The motion carried unanimously.
2. **Minutes:** AM motioned to adopt the minutes of the September 26, 2012 regular board meeting and BS seconded the motion. The motion carried unanimously.
3. **Capital Reserve Account:** BS motioned to approve setting up a Capital Reserve Account at the bank specifically for Act 13 Impact Fee revenue and AM seconded the motion. The motion carried unanimously.
4. **2013 Public Officials & Police Professional Insurance:** LG motioned to approve the 2013 Public Officials and Police Professional Insurance renewal through Darwin National Assurance Co. for 11/15/12 – 11/15/13 for \$6,555 and BS seconded the motion. The motion carried unanimously.
5. **2013 Property & Liability Insurance:** BS motioned to approve the 2013 Property & Liability Insurance renewal through MRM Trust for 11/15/12 – 11/15/13 for \$27,794 and AM seconded the motion. The motion carried unanimously.
6. **Matthew Cowden Senior Project:** LG motioned to amend the approval for the senior project for Matthew Cowden from the September 26 meeting to rescind the insurance requirement as the Mario Lemieux Foundation does not supply this insurance and it would be too burdensome for the family to purchase it and BS seconded the motion. AM asked who covers it if something happened and WJ stated the Township would and then we'd recover from the Lemieux Foundation. The motion carried unanimously.
7. **County Winter Bid Items:** The following lowest bids were received from the County:
 - Sodium chloride – North American Salt \$53.46 ton
 - Anti-Skid Type III-B – Del-Sir Supply \$20.50 ton
 - Calcium Chloride Pellet – AGF Co. \$15.58 per 50 lb. bag
 - 10W30 Oil – LA Industries \$454.20 drum
 - Hydraulic Fluid – LA Industries \$402.50 drum

AM motioned to award the winter bid items through the county as presented and BS seconded the motion. The motion carried unanimously.

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8. **Zoning Ordinance Amendment:** BS motioned to send a proposed zoning ordinance amendment to the planning commission(s) to bring the oil & gas portion into compliance with Act 13 and advertise for a public hearing with slated adoption before the Board of Supervisors on Nov. 14, 2012 and AM seconded the motion. LG did not vote. The motion carried.

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

None.

Unfinished Business:

1. 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. Attorney Bill Johnson gave Attorney Saxton until August 1, 2012 for a subdivision application to be filed or a citation will be issued. A subdivision application was not filed with the Township by 8/1/12 and therefore a citation has been issued but a hearing date had not been set yet. LC gave an update stating that the hearing has been set for October 11, 2012. WJ explained that the District Magistrate ruled in favor of the Township and that the Township would get a written decision in the mail.

Adjournment: LG motioned to adjourn the meeting at 7:24 pm and AM seconded the motion. The motion carried unanimously.

Respectfully submitted,

Mary Ann Stevenson
Township Secretary
Mount Pleasant Township
Board of Supervisors