

Ligonier Township Supervisors
Regular Meeting
May 12, 2015

The Ligonier Township Supervisors met in regular session at 7:00 PM with the Pledge of Allegiance opening the meeting. Paul Knupp asked for everyone to remain standing for a moment of silence for Lt. Eric Eslary. Secretary Bruce Robinson took roll call. Present were D. Scott Matson, Paul Knupp, Bruce Robinson, Timothy Komar, and with Chairman Wade Thomas absent.

The Supervisors went into executive session at 7:01 PM and returned at 7:18 PM. Solicitor Michael Korns stated that he was in attendance and items discussed were in compliance with the Pennsylvania Sunshine Law. Michael Korns has advised the board and the township to not respond inquires to not jeopardize the investigation.

Public Comment

1. **Bob Fyock** – To address Bethlen Home for comments on the storm water retention, water in basements for residents, pond with mosquito issue and he personally has been treating.
 2. **Bob Rummel** – President of Westmoreland Fraternal Order of Police Lodge 23 would like to reach out to thank the community for everything that has been done the last week. Would like to thank Mr. Carcella and Roxanne for being very accessible and expediting the paperwork that needed to be done, they have just be wonderful. He wants to assure the community that not alone the FOP, but any organizations are doing what they can to make sure the Mrs. Eslary and the children are being taken care of.
 3. **Patty Ostosky** – Was wondering if the board had time to look into the zoning map R-2 issue and Terry Carcella answered that they have not has time yet. Patty understood with the event that occurred on 5/5/2015 involving the death of Lt. Eric Eslary and the work that followed and Patty gave her condolences and stated her heart goes out to all of us.
- A motion was made by Bruce Robinson and seconded by Scott Matson to approve the minutes of the April 28, 2015 meeting. Motion carried.

Manager's Report

Terry Carcella stated that we started issuing zoning permits for the first time after the last six months for the rest of the month of April we issued 12 permits with construction cost being 2.4 million and collecting \$1498.00. There was discussion on the time for the meeting on June 9th for just the Omnibus Amendment portion of the Zoning Ordinance. Timothy Komar stated he feels it should be a separate night to not short people. Michael Korns stated it is only for the small portion of changes.

- A motion was made by Timothy Komar and seconded by Bruce Robinson to hold the June 9th meeting for the Omnibus at 6:00 PM. Motion carried.

Correspondence

Terry confirmed that we now have the MS 4 Permit issued by DEP and applies for a 5-year period and expires at the end of this permitting term.

Staff Reports

Police Report-Chief Matrunics thanked everyone for everything they did over the last week with the loss of Lt. Eric (close friend) as this has been a nightmare for him. As a community we all have seen the turnout from fire companies from Greensburg etc. in the last week. The department was provided time off from the time of incident until Monday, May 11, 2015 direct by the PA State Police to Chief Matrunics. Chief Matrunics and his officer take pride in providing 24/7 coverage and would like to continue to so. If the Chief has not returned your call please give him time as he is getting to all of them. As for hiring in his office and retiring Blek this is not the time for that as for now this is time to take care of the family and Blek. Terry stepped up that night and the Chief cannot ask anything more of a manager.

Chief Matrunics turned the mic over to Bob Derk to report on an update on Blek. Bob Derk reported that Blek is making a remarkable recovery, he can walk and stand on his own which he at first could not do. No surgery has been done and at this point no surgery needs to be as media otherwise stated. Blek's injuries consisted of a ruptured spleen and disc in his back. Unlike a human the ruptured spleen will heal on its own, they just wrapped around his abdomen which clotted the spleen. The ruptured disc in his back caused the spinal cord to be bruised and swollen, the swelling is going down as well as the. Blek is no longer at PVSEC and is at location accessible them and the family. They are expecting a 95% recovery and possibly up to a 100% recovery time will tell. AVETS medical care was 100% covered by AVETS, so there will be no billing from them. PVSEC medical care there will be some bills, but nothing large and any future care/surgery that Blek may need they want to take care of.

Chief stated that the K-9 Program has been funded by the community period and he feels that they owe as much information on Blek and his recovery to the community.

Engineer's Report-Dorothy reported that they have been and are working with Benchmark Engineers on Bethlen Communities on Phase 2A addressing the majority of comments with one outstanding comment which is the As Bill drawings for Phase 1 has not yet been submitted, they did receive today the written approval from the Municipal Authority of Westmoreland County for Bethlen Cottages contingent on Bethlen entering into a Developers Agreement with the, and they also received today the NPDS Permit. Dorothy spoke to the gentleman, Bob Fyock, regarding the sediment pond not draining they agree it is not draining and it will be fixed before Phase 2A beings.

Solicitor's Report-Michael Korn's stated that Lt. Eslary's legal issues & paperwork and Terry and Mike have been doing a good job and he is there to help in any way he can. The Ligonier Township Municipal Authority has completed a Grease Trap ordinance and would like for Ligonier Township to do so as well and Michael suggested it be advertise and move on with the ordinance, if you want.

- A motion was made by Timothy Komar seconded by Paul Knupp to advertise the Grease Trap ordinance and move on with it. Motion carried with Scott Matson opposing.

Michel Korn explained that he reviewed three other Burn Ordinances and not one suits Ligonier Township as they are just parts/pieces from all three may work. He will provide options and suggested doing by sub-division and it not include recreational burning.

Treasurer's Report-Terry Carcella stated that the General Fund account balance is \$446,148.53, the Act13 account balance is \$135,332.28, the K-9 account balance is \$26,674.17, the Liquid Fuels account balance is \$2,084.89, the Developer's account balance is \$12,200.00, and the Liquid Fuels Investment Account is 389,785.25 for a total of \$1,012,225.10. No action required.

- A motion was made by Bruce Robinson and seconded by Scott Matson to pay bills of May 12, 2015 bill pay list as presented. Motion carried.

Old Business

Tim Fyock with Benchmark stated that surveying was done today and at least for another day. He expects to have completed no later than end of this month. Also commented on Mr. Fyock concerns and some work has been done in the past and he agrees that it is not draining and Bethlen agreed to do the the piping work needed to correct the issue and will be completed this summer. Bethlen also agreed to take care of the mosquito issue in the meantime. Michael Korn suggested tabling the Bethlen Phase 2A-Land Development Plan final approval to all is set and approved, so things are done clearly. Bruce Robinson questioned if a performance bond was issued on the pond and Tim Fyock stated really no as it was not to be permanent.

- A motion was made by Timothy Komar and seconded by Scott Matson to table the final approval on the Bethlen Phase 2A-Land Development until all is approved. Motion carried.

New Business

No committee reports.

Michael Lamb, Manager with Wessel & Co. reported on the cash basis financial statements of the Ligonier Township audit report for 2014 and provided booklets to all supervisors, Terry Carcella, and Roxanne Shadron to follow along as well as a few extras. Michael stated that the township pension is fully funded and in good shape. Stephanie with Wessel & Co. also reported on the 2014 audit report stating required communication to the township of the accounting standards. Segregation of duties always a good idea to review periodically to make sure there are dual controls in place. She thanked Roxanne and Terry for job well done and Roxanne moving in such a timely manner making it easier and cutting down the time to complete the audit.

- A motion was made by Bruce Robinson and seconded by Scott Matson to accept the Wessel & Co. audit report as stated. Motion carried.

A letter was received by Bethlen Communities requesting a conditional use. Ms. Graham explained that they hold classes for Parkinson for members around the communities and would like to extend their Monday thru Friday hours from 7AM-7PM to 7AM -9PM and to add Saturday for the hours of 7AM-7PM with the primary times being 8AM-12PM to help the members around the communities time to be able to attend classes. Timothy Komar stated that it should go back to the Planning Commission or Zoning Hearing Board. That he is tired of the politics, what is right for one should be for all. Timothy Komar moved to allow the on Saturdays.

- A motion was made by Bruce Robinson and seconded by Timothy Komar to send this request to the Planning Commission. Motion carried.

A memo submitted by Roxanne Shadron regarding the correction of February 10, 2015 Regular Meeting Minutes as it was mentioned in the Regular Meeting on April 14, 2015 that there was an error in the minutes to the 65,000 ft. and it to be 65,000 sq. ft.

- A motion was made by Bruce Robinson and seconded by Scott Matson to approve the correction to the February 10, 2015. Motion carried.

Awarding of bids for excess miscellaneous township items listed on Municibid was discussed.

- A motion was made by Timothy Komar and seconded by Scott Matson to accept the bid of \$473.00 from primestorage for the John Deere Tractor. Motion Carried.
- A motion was made by Paul Knupp and seconded by Bruce Robinson to deny the bid of \$10.00 from Martin Stahl for the Leaf Box and to scrap it for money. Motion Carried
- A motion was made by Timothy Komar and seconded by Scott Matson to accept the bid of \$26.00 from Glenn Johnston for the barrel of Anti-freeze. Motion Carried.

Our grant application that Timothy Komar submitted late 2014 for Dirt, Gravel, and Low Volume Road Maintenance Program on Red Arrow Rd. has been approved and we are to receive \$4,250.00 for the project and the grant agreement needs to be reviewed, signed, and returned to receive 50% up front for working capital.

- A motion was made Scott Matson and seconded by Bruce Robinson to approve the Red Arrow Road Maintenance Project Agreement. Motion Carried.

Executive Session

The Supervisors went into executive session at 8:22 PM and returned at 8:32 PM. Solicitor Michael Korns stated that he was in attendance and items discussed were in compliance with the Pennsylvania Sunshine Law.

Supervisors Comments

Supervisor Timothy Komar – Gentlemen the past several months we were working on the zoning ordinance and we had an opportunity to do something great for the township. From the very first meeting there were concerns on the conventional gas well drilling, Joann Gordon showed up here with samples of water and stuff. Did anyone of you go talk to her, no? Everything I got was it is in Fairfield Township well that's not right. He did go talk to her and listened to her, he is not against unconventional gas drilling he just wants to make sure our water is protected. Paul a couple of years ago we spent a lot of money and time on well head protection for the reservoir for public water, we don't seem to give a damn about private water and that is here nor there. That started the ball rolling for him he started thinking about stuff. He voted against our ordinance, because we need thing separated, we need to know there or not that well was contaminated from the Nelson well or a closer one. Nobody cares, every bodies minds were made up almost like it was bought and sold that troubles him. Then he thinks back to November of 2013 when Paul, Bruce, and Scott came and asked him to resign as supervisor to protect his job and when he said I would like to see something in writing you said to him, "What don't you trust us?", well no when you come to somebody like that. Mr. Robinson you don't know me will well and I don't know you will well, so I won't insult you that is not my style. Scott you lied to me about things you lied to other people about things. Paul you lied to people, you lied to him. It is not right! Abraham Lincoln said the most pure form of government is government for the people by the people. I honestly think there is a bunch of wolves in lamb's coats sitting here. It isn't right! I know you are bored by me, Mr. Robinson your world is different than mine, but it comes back to you speak and growl and say you are not from Ligonier you don't understand, I never believed that. I am starting to really believe it, because your world is all business and that's okay, but there are people involved. What was done to me in January, I asked Scott and Paul, "Do I need to shop my resume around?" "All know I can't tell you anything like that." He said, "Well am I going to be out of a job?" and they said, "No" and laughed it off like I don't worry about it. Come January 5th Scott sat there with a scripted agenda who was making what motions. He gets a call from a person that there was a meeting at Eat n' Park where there was this test on how to get rid of me legally. The man called me and offered to testify if he need to go to court or sued anybody over it. If you are going to have these meetings make sure who is in the next booth. It's just not right what happened! He got blamed for things that happened back in the shop this spring already that things didn't go right, Bullshit! Straight up excuse the terminology, but that what it is. I cannot work with people I cannot trust, I trust Terry he tried to stand up for him. He came in October, he screwed his shoulder up several years ago working for Ligonier Township. In October he said to Terry, "I schedule to get my shoulder fixed and said he'd be back his feet before winter gets here, life will be good. He asked me to until spring and he said well I survived a couple of years now what the hell. So what happens to him in January he goes and gets his shoulder fixed right away cause he can't start working for someone else knowing his shoulder is bummed cause if they ask him about existing medical conditions he's going to tell them the truth he's not going to lie. The day after he gets his stitches out he gets a letter that his workers' compensation claim was denied, because he has no proof that he turned it into Mr. Whipkey. I don't think anybody here contacted workers' comp to say hey it did happen we have witnesses. I gave them witnesses they said I, asked them if they called my witnesses, no we don't need to. You kick somebody again, again, and again. He talked to Paul one day and he said, "Paul I understand if Ligonier Township is restructuring and going to Public Works Director and said he would like the opportunity to put in for that job. Mr. Robinson a person came to

me and asked why I turned down the job that you offered me. I was told you offered me a job and I turned it down. I was never offered a job. If you look in the dictionary thing are black and white, in the business world you can be a bully you don't do it in a small town. As he said he cannot work with people he does not trust, so as of right now midnight tonight you have his resignation.

Supervisor Scott Matson – Thanked the community and Timothy Komar for his years of service.

Supervisor Paul Knupp – Thanked Roxanne Shadron, Terry Carcella, Police Officers/Chief Matrunics, FOP, State Police, Bobby Derk, and everyone involved with the matters of the death of Lt. Eric Eslary.

Supervisor Bruce Robinson – No comment.

Supervisor Wade Thomas – Not Present.

A motion was made by Bruce Robinson and seconded by Scott Matson accept Timothy Komar's resignation effective tonight. Motion carried.

A motion was made by Scott Matson and seconded by Bruce Robinson to adjourn the meeting at 8:40 PM. Motion carried.

Respectfully submitted,

Roxanne Shadron
Assistant Secretary/Treasurer