

Ligonier Township Supervisors
Minutes
11 December 2012

The Supervisors of Ligonier Township met in regular session at 7 pm with all three Supervisors present: Chairman Keith A Whipkey, Timothy R Komar, and William C Penrod Jr.

From the audience, Jack Milburn asked if the ordinance being considered this evening was meant to precisely follow the Act 13, or if local regulations could be imposed. Whipkey responded that the intent is to adapt the Township ordinance to comply with Act 13. Obviously, if any Township regulations were determined to be not in compliance, the remaining provisions would remain in force. Solicitor Judith Ciszek said that the State really has not given specific instructions and so each municipality is dealing with the issues as best they can. The Supervisors assured the ad hoc committee that their findings will be seriously considered as the process continues. Currently, provisions of the Act are being litigated in court.

A motion was made by Penrod and seconded by Komar to approve minutes of the 13 November regular meeting. Motion carried.

A motion was made by Komar and seconded by Penrod to approve minutes of the 14 November special meeting. Motion carried.

A motion was made by Penrod and seconded by Komar to approve the Treasurer's report for November. Motion carried.

A motion was made by Penrod and seconded by Komar to approve payment of the current bills. Motion carried.

A motion was made by Komar and seconded by Penrod to accept the Police Incident report for October. Motion carried.

A motion was made by Komar and seconded by Penrod to accept the Police Incident report for November. Motion carried.

Zoning Office – Cynthia J Angelo

1. Further comment regarding Ordinance 2012-OR-03 was requested. Hearing none, a motion was made by Komar and seconded by Penrod to close the comment period. A motion was made by Komar and seconded by Penrod to approve the ordinance. The intent of the ordinance once again is to bring the Township into compliance with Act 13 and future amendments as finally approved by the Supreme Court of PA and its subsequent future amendments. Motion carried.
2. A motion was made by Komar and seconded by Penrod to set a hearing date for Coal Loaders Mellon #1 project on 8 January 2013 during the 7 pm meeting. Motion carried.
3. A motion was made by Komar and seconded by Penrod to set a public hearing for Eleanor Coyne In Laughlintown for 8 January at 6:30 pm. Motion carried.
4. Following a presentation by Matt Bagley of Gateway Engineering, a motion was made by Komar and seconded by Penrod to approve a site plan for Idlewild Park at parking lot C to include additional paving to assist handicapped and special needs people. Motion carried.
5. A motion was made by Komar and seconded by Penrod to approve an addendum to the storm water plan for the same parking lot C at Idlewild Park. Motion carried.
6. A motion was made by Komar and seconded by Penrod to approve a site plan for Idlewild Park relative to a new Lazy River Water attraction at the park, subject to final approval by Labor and Industry and DEP. Motion carried.

Old business:

1. A motion was made by Komar and seconded by Penrod for the Board to officially accept the resignation of William C Penrod Jr from the Board of Supervisors effective 3 January 2013. Penrod expressed pleasure at his years of service on the Board and years of service. Motion carried.
2. A motion was made by Komar and seconded by Penrod to accept the resignation of Grover Binkey as Township Auditor effective immediately. Motion carried.
3. A motion was made by Penrod and seconded by Komar to appoint Grover Binkey as Township Supervisor to replace Penrod until the next municipal election in November 2013. Motion carried. The remainder of Penrod's term will be 2 years at the November election.
4. Supervisors will accept letters of interest from residents to the various commissions and boards until 31 December. A specific opening will exist on the Municipal Authority.

New business:

1. A motion was made by Penrod and seconded by Komar to waive Police contributions to the Pension plan for 2013. The pension remains overfunded.
2. A motion was made by Komar and seconded by Penrod to accept the resignation of Robert Shapiro as Code Enforcement Officer retroactive to 1 December. Motion carried.
3. A motion was made by Penrod and seconded by Komar to appoint Charles Madden as Code Enforcement Officer retroactive to December 1. His rate of pay will coincide with his wage as a Police Officer. Motion carried.
4. Following a request for comment from the audience, a motion was made by Komar and seconded by Penrod to waive payment of real estate taxes by Donald Harrison Cowen, of Ross Road. Mr Cowen presented a certification from the Department of Military and Veterans Affairs specifying he has complied with requirements to qualify. Motion carried.
5. Following a request for comment from the audience, a motion was made by Komar and seconded by Whipkey to appoint Bob McDowell, of Myers School Road, as Township Auditor until the next municipal election. Motion carried.
6. Komar announced that the Police and Fire responders are requesting an ordinance from the Supervisors requiring all residences to have street numbers on them and that all lanes be marked by street signs.
7. Vickie Drosky commented that her family is the only adjoining property owner to Mellon #1 coal mine, and she expressed concerns about Coal Loaders requesting access up to her property line. These concerns will be addressed at the public hearing as Coal Loaders representatives had already left this meeting. She was assured that the Supervisors are committed to protecting the public.

A motion was made by Penrod and seconded by Whipkey to adjourn the meeting at 7:40 pm. Motion carried.

Respectfully submitted,
Keith A Whipkey
Secretary

