

Ligonier Township Supervisors
Regular Meeting
May 10, 2016

The Ligonier Township Supervisors met in regular session at 7:00 PM with the Pledge of Allegiance opening the meeting. Secretary Bruce Robinson took roll call. Present were D. Scott Matson; Bruce Robinson; Gary Thistlethwaite, and Vice Chairman, Paul Knupp. Chairman, Wade Thomas was absent.

Public Comment

None

- A motion was made by Bruce Robinson and seconded by Gary Thistlethwaite to approve the minutes of the April 12, 2016 meeting. Motion carried.

Supervisor Comments

Paul Knupp – Gary Thistlethwaite, Russ Morgan, Terry Carcella and Paul Knupp sat down and had a little work session to discussed public works. Back in late 2014 a Public Works Study was done by Jason Daily with a grant from DCED and they want to start working on his recommendations: look at older equipment, start right away with vehicle daily inspections, and a better handle on bridges with working on two this year and doing a long-term plan and yearly inspection on all bridges. Also pipe inspections and repairs plan. Tar and chipping along with paving with what we can afford. Lastly, the purchase of a tar buggy.

Gary Thistlethwaite – Clarified about truck inspection, it is a state requirement. The work sessions are open to the public, so anyone that would like to attend please do so.

Staff Reports

Manager's Report - Terry made a comment on the recreation board comment from their meeting, "They have come up with a few suggestions for the program with the YMCA to continue with it and they will meet with them to discuss."

Terry Carcella reported that it was recently brought to his attention that some roads may not have been properly designated according to the procedures required by law in setting speed limits and weight limits on Township roads.

The attached chart and time line of the roads along with inaction taken in 2004 has resulted in a loss to the Township monetarily because we cannot enforce a weight limit on roads not properly approved by ordinance. (See Copy Below)

In addition, ordinance # 07 of 2007 was approved limiting the speed limit on 62 township roads to a maximum of 25 MPH. This was not approved with an official traffic study and is null and void.

2004 in Ligonier Township was a key year. The tax rate to that point was only 2 mills. A special meeting was held in March to discuss the future of the valley with our neighbors; Ligonier and Laurel Mountain. Boroughs and a resolution adopted and meetings were held with grant funding

in place from three sources. Two months later everything was tabled. Later that year discussion on the budget noted that taxes have not been raised in 20 years. Then later that year taxes were raised for 2005 by 1.5 mills. The new tax rate would then be 3.5 mills where it remained until 2012 when taxes were raised by 1.5 mills to bring us to our current tax rate today of 5 mills.

The reason for the history lesson is that the same things discussed in 2004 concerning the growth and development of the region were discussed then and dismissed because the pressure was off and taxes were raised. The hard work of changing the culture and planning the future should not be missed in administering the government today. We should not repeat the mistakes of the past; we need to learn from our history.

In 2004 a road study was completed; however, an ordinance was never put into place. The Board of Supervisor need to let Terry Carcella how they would like to proceed. Engineer, Dorothy Boring would not be comfortable approving the 2004 road study and conditions would have changed over the years and Michael Korn was in agreement and made the suggestion that maybe the 2004 road study can be used as a starting point. Scott Matson asked Dorothy how the road studies are done like weight limit and there was discussion on this matter as to local deliveries vs non local day-to-day use. Paul Knupp stated that a cost study needs to be done and discussed at the next meeting.

The ten-ton road limit is pretty much the standard. Dorothy pointed out that back when the study was done there was a lot of activity on these four roads that probably is not occurring today, so there may not be a need to complete the study and an ordinance put into place.

Terry suggested that some information be gathered and this be discussed with the Public Works committee then brought back to the next meeting.

Dorothy commented that it is important to know that if you do not have your weight limit in place, road study done, and the ordinance in place that this is tied to the Township's Liquid Fuels and we could be in danger of losing our Liquid Fuels funding.

Scott Matson asked how do you explain that? Dorothy responded, "When they redid the posting and bonding of the weight limits and stuff they tied that to Liquid Fuels, because they had they had so many townships arbitrarily posting weight limits everywhere requiring them to bond them, so you legally cannot collect funds for bonding or enforce weight limits on the roads unless the road study, ordinance in place, and etc.

Scott stated about the requirements for roads to be eligible for Liquid Fuels and Dorothy responded that there are requirements on the roads for Liquid Fuels funding. Scott stated that none of the roads in the Township are eligible for Liquid Fuels as they do not meet the requirements.

Road Weight Limit 10 Tons			Speed Limit 25 MPH		Speed Limit 35 MPH	
02-OR-02	Clark Hollow RD	T-648	Murphy RD	T-727	Settler RD	T-640
09-OR-03	Claycomb RD	T-741	Old Lincoln Hwy	T-950*	AN ENGINEERING AND TRAFFIC STUDY WAS COMPLETED IN 2006 AND PRESENTED TO THE TOWNSHIP. No record of ordinance	
02-OR-02	Chrisner RD	T-649	Ramsey RD	T-654		
09-OR-03	Berkley RD	T-652	Red Arrow RD	T-650		
02-OR-02	Austraw RD	T-651	Robb RD	T-642		
09-OR-03	Clifford Woods RD	T-641				
study completed 2006	Deeds RD	T-948		*25/35	SETTLER ROAD T-640 2010-OR-01 STOP SIGN	
06-03-06	Freeman RD	T-605				
			2009-OR-04			
02-OR-02	Giesey RD	T-509			SPEED LIMITS: T-647 Idlewild Hill STUDY 2004 T-954 Myers School Road STUDY 2008 THESE ROADS HAVE COMPLETED ENGINEERING AND TRAFFIC STUDIES NO RECORD OF ORDINANCE. STUDIES PRESENTED TO THE TOWNSHIP	
02-OR-02	Hall RD	T-644				
02-OR-02	Hannawalt Way	T-984				
06-03-06	Harvey RD	T-663				
02-OR-02	Horner Hill RD	T-632				
02-OR-02	Jinks Trail	T-664				
09-OR-03	Kissel Springs RD	T-619				
02-OR-02	Matson RD	T-656			WEIGHT LIMITS: T476 Hidden Valley Road T-599 Rose Road T-647 Idlewild Hill T-944 Mellville Road THESE ROADS HAVE COMPLETED ENGINEERING AND TRAFFIC STUDIES NO RECORD OF ORDINANCE. STUDIES PRESENTED TO THE TOWNSHIP IN 2004	
02-OR-02	McCurdy RD	T-646				
02-OR-02	Mckelvey RD	T-617				
09-OR-03	Mill RD	T-662				
09-OR-03	Murphy RD	T-727				
study completed 2011	lkview Drive	T-520				
02-OR-02	Orme RD	T-949				
06-03-06	Peoples RD	T-719				
02-OR-02	Piper RD	T-982				
09-OR-03	Ramsey RD	T-654				
09-OR-03	Red Arrow RD	T-650			WEIGHT LIMITS: T980 Jacob Miller Road COMPLETED ENGINEERING AND TRAFFIC STUDY NO RECORD OF ORDINANCE. STUDIES PRESENTED TO THE TOWNSHIP IN 2004	
09-OR-03	Robb RD	T-642				
02-OR-02	Ross RD	T-611				
06-03-06	Settler RD	T-640				
09-OR-03	Swank RD	T-660				
02-OR-02	Thomas RD	T-978			WEIGHT LIMITS: 08-OR-02 T-634 McDowell Road T-653 Woods Road T-657 Nicely Road T-666 Carey School Road T-721 Tosh Road T-954 Myers School Road	
02-OR-02	Turkey Inn RD	T-731				
02-OR-02	Weaver Mill RD	T-658				
02-OR-02	West RD	T-505				
study completed 2011	stview Drive	T-795				
09-OR-03	Wineland RD	T-659				
09-OR-03	Old Lincoln Highway	T-950				

May 11, 2004

(2)

4. The public was again reminded that RCAP (Rural Community Assistance Program) personnel will be conducting income surveys in the Township beginning in the near future to help the Township residents qualify for public sanitary sewers. It is very important the each surveyed household complete the requested information. Areas surveyed will include Darlington, Laughlintown, Waterford, Wilpen, and Oak Grove. All information collected will not be shared with any governmental agency at any level.
5. Whipkey once again explained that the proposed ordinance regarding mining limitations is being forwarded as promised to the inter-municipal advisory group. Public hearings will be held to receive public input and attorneys from the PA Environmental Council will offer expert advice on options the municipalities have in this regard.
6. The Supervisors announced that a special meeting will be held on Monday 24 May at 7 pm for the purpose of considering an agreement with Gibson Thomas Engineering to develop a hiking/biking trail to run from behind the Ligonier Playground to the Ft Palmer coke ovens. The Supervisors will also announce their decision regarding the Amerikohl mining operation in Darlington at that meeting.
7. Binkey announced that approximately \$1,650 was collected on dumpster day. Dumpsters used for the event were donated through the efforts of Nick Plinseck of DEP.

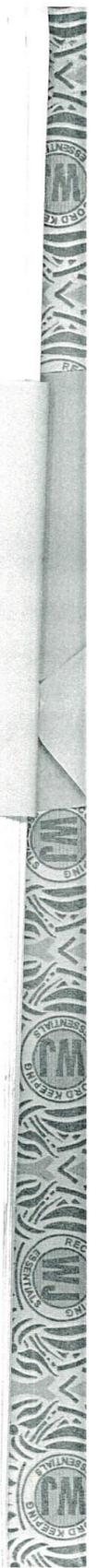
New business:

1. A motion was made by Binkey and seconded by Penrod to accept the 2003 Audit of Richard L. Patterson and Associates. Motion carried.
2. A motion was made by Penrod and seconded by Binkey to approve release of the road bond of Keslar Lumber on Jinx Trail. Motion carried.
3. A motion was made by Binkey and seconded by Penrod to approve Ordinance 04-R-03, adopting the Uniform Construction Code Act 45 of 1999, including implementation, enforcement, and charging for the services involved. Motion carried.
4. A motion was made by Binkey and seconded by Penrod to accept an engineering study performed on the following Township roads: Idlewild Hill, Rose, Hidden Valley, and Melville Roads. Motion carried. The Solicitor, Judith Ciszek, was directed to amend the applicable ordinance to include these roads. *

A motion was made by Penrod and seconded by Binkey to adjourn the meeting at 9 pm. Motion carried.

Respectfully submitted,

Keith A Whipkey
Secretary



At the April 12, 2016 Supervisor's Meeting Mr. Kromel rose to speak about certain issues. One of these issues was a posting that I made in and around the municipal building proper. This posting was made to ensure that the employees of the township were reminded that working together as a team is not only beneficial to the employees, but also to the citizens of Ligonier Township. This posting was meant for employees of Ligonier Township, and not directed at any citizen in particular or in general. As everyone is aware, prior to my coming to this position, the local government of Ligonier Township was riddled with corruption, unprofessionalism and a lack of motivation. These are not conjectures on my part, but are based on facts as evident by media coverage and criminal and civil litigations.

There are some who feel that the person(s) involved in township government in prior years might have gotten a raw deal and that the township was operating fine. This just isn't based on factual evidence. As outlined by the independent auditor, the township has come a long way in righting the ship. Fiscally and professionally, the township is on the right track and operating in a professional manner.

Some would ask, why has the township righted the ship and operating in a fiscally responsible manner? I will not take any credit, but I will say that the Board of Supervisors has made a commitment to managing this township as it should be managed and has hired a staff that has also made a commitment to operating in a professional manner.

I want to close by saying that I will continue to operate this township complex in a professional and fiscally responsible manner for as long as I have the confidence of the Board of Supervisors. I will also continue to strive to motivate the employees and have them work together as a team. Vince Lombardi said, "I don't have individual superstars on this team, I have hard working players who know that working together as a team, you can accomplish anything." I will always strive, no matter where I'm at, to bring my fellow employees together as a team. There will always be distractors that will attempt to splinter a team, but working together has always proven to be the model of success. We here at Ligonier Township are beginning to walk the walk, and I for one will not be distracted from bringing Ligonier Township to a better place for its citizens and employees alike.

The Supervisors of Ligonier Township met in special session at a properly advertised meeting jointly with Ligonier Borough and Laurel Mountain Borough for the purpose of considering a partnership of the municipalities. Specifically, the PA Environmental Council, represented by Anna Breinich, has obtained a grant from the Heinz Foundation, DCNR, and an in-kind service contribution by the Smart Growth Partnership of Westmoreland County to assist the municipalities in dealing together with such issues as land use and other subjects as identified by community outreach meetings.

Among the topics introduced by participants and audience members were:

- I. Clarification OJJ. issues related to the statewide building code and local municipal responsibilities
2. Study of the Laurel Mountain Ski Resort situation and what we, as a community, can do to assist it
3. Support for the Rails-to-Trails hiking/biking trail planned to begin in Ligonier Borough and continue through Ligonier Township, and extend into Fairfield Township at the coke ovens at Ft Palmer.

4. Encouragement of the other municipalities of the school district, and the school district itself as an active participant in this group
5. Seek to establish an eastern Westmoreland council of governments to (1) allow the group to own any assets that might be acquired jointly, (2) establish improved ability for member to obtain grants through the inter-governmental cooperation demonstrated by the COG, and (3) wield additional power with State and Federal agencies and elected officials.
6. Explore the possibilities for additional outdoor recreational areas.
7. Focus on the needs of the route 711 corridor. Route 30 in the Darlington area should be added
8. Explore wide-ranging opportunities for integration of municipal services including police protection road maintenance (and the possibility of obtaining insurance quotes through the COG and the possibility of getting better rates as a larger group).
9. The desire was expressed for a focus on economic growth - an active effort to promote some business here to assist with the tax base.
10. Try to promote Ligonier as a place for Idlewild Park visitors to stay overnight and see other sites in our community. We could ask the Chamber of Commerce to assist.
11. The group should come up with a joint position on the school district issue as their taxes have placed a tremendous burden on our people.

Anna Breinich explained that these recommendations will be considered by the group after each has passed a resolution at its regular meeting to agree to participate and the group has met to officially organize. A potential time schedule has been included in the draft work program Anna has already prepared, and it will be accepted or revised by the new organization. Future meetings will be in accord with the time table adopted by the new organization.

Respectfully submitted,

Police Report – Chief Matrunics reported:

Miles Driven	5,563
Total Street Hours	912
Court Hearings	14
Drug Task Force Hours	13
Aggressive Driving	53
DUI	3
Vehicle Accidents (Report)	7
Vehicle Accidents (Non-Report)	2
Incident Reports	382
Simple Assault	1
Vehicle Code Citations	102
Criminal Arrests	19
Theft (Unlawful Taking Vehicle)	3
Assist EMS	2
Assist PSP	1
Assist Latrobe PD	1
Assist Ligonier Borough	3
Child Line	3 (sexting, Indecent Assault)
Burglary (Alarms Included)	9 (1 Actual Burglary)
Domestic Disturbance	3
Drug Arrests	2

Chief Matrunics provided a note and caution the public, that we had an attempted robbery on May 7, 2016 at approximately 11:16 PM about a half mile north of Sheetz on Route 711. A local

resident stopped to check on a vehicle that appeared to be disabled. They stated that they had a flat and when the resident got out of his vehicle to help and turned to retrieve equipment the actor ended up sticking a knife in his back and requesting his wallet. A struggle ensued and the resident was slashed twice by the knife. An additional struggle occurred and the actor was able to flee. Looking for a vehicle of an unknown make with a loud exhaust, rust on the driver's rear quarter panel, and damage to the rear driver's side window. There was also another passenger with shoulder length black hair. Call 911 if you see a disabled vehicle.

Had another fatal accident on Route 30 with a wrong way vehicle and Chief Matrunics pointed out that this was an intentional act and not an accident. If you see a wrong way vehicle, please call 911 and not just post on social media.

On May 5, 2016 Ligonier Township held a memorial service at the Township Building for one-year anniversary of Lieutenant Eric Eslary passing and to celebrate his life, with a flag ceremony with the flag donated by the Ligonier American Legion. Thanks to all involved.

On May 2, 2016 Chief Matrunics attended the Commonwealth of Pennsylvania Memorial of Fallen Officers, Six Pennsylvania Officers killed in the line of duty in 2015.

May 12-15, 2016 Chief Matrunics and Lt. Wilson will be attending the National Police Officer Memorial in Washington, D.C

Public Works – Russ Morgan reported that Mill Rd. bridge was closed April 7, 2016 due to emergency closing by PADot, he commented on the photos taken to show how it looks now after the clean-up and dismantling of the decking by the Public Works crew to prepare for the installation of the prefabricated bridge. Russ Morgan gave accolades to the Public Works crew for an outstanding job done, it is cleaner down there now than when they started. If there are any questions on roads or what the crew is doing it's on Russ and call him with any questions.

Red Arrow we had a grant that they put down 320 tons of DSA a surface aggregate. This was a first time deal for the crew and it went pretty smoothly and it was finished up today with a two-man crew rolling it out.

The Tall Timber project is starting tomorrow, where 60ft. of pipe/drains needs cut out and a catch basin replaced. Weather permitting it should be completed within three days. This is being done in lieu of getting the roads sealed in August prior to the bridge near Peoples Rd. bridge being started to not hold things up for the Township.

Engineer's Report- Dorothy reported that Clifford Woods Rd. – Pa Dot concerned about guiderail as post spacing is not correct. Public Works crew was very serious in doing their job on Mill Rd Bridge and she is impressed with the way they handled things and knew when to ask questions they did a good job. Russ Morgan stated that they did go down and looked at it and they know what they need to do. Dorothy suggested that they have one of their engineers look at what they are going to do.

Solicitor's Report – Michael Kornis stated that there was a 537 Plan meeting and it is moving along, file with the state to be eligible for future grants and for the Comprehensive Plan.

Zoning/Code Enforcement Report – Richard Bell reported

Total Income from (16) Lien Letter Requests - \$200.00

Zoning Permits Issued

Income

3 \$ 205.60

Sewage Permits Issued

1 \$ 65.00

Sign Permits

4 \$ 50.00

Demolition Permits

1 \$ 50.00

Driveway Permits

1 \$ 25.00

Building/UCC Permits

5 \$ 1,806.45

Total Income Generated

\$ 2,402.05

Nuisance/Code Complaints

My office received two (2) nuisance/code complaints during this reporting period.

One complaint was received regarding possible illegal burning. Person was told to contact PA

One complaint was received regarding abandoned vehicles. Our current nuisance ordinance does not cover abandoned vehicles.

- A motion was made by Bruce Robinson and seconded by Scott Matson to approve the minor Westerland subdivision with no sewage with a non-building waiver and approved by the county. Motion carried.

OLD BUSINESS

There will be a Zoning Hearing Board on May 17, 2016. There are two separate hearings scheduled. First, the Hughes of 207 Youngstown Ridge Road are requesting a special exception. They are requesting to have their single family dwelling (SFD) changed to a group home for veterans.

Mr. Paul Scarrone is requesting a variance to enlarge his non-conforming garage more than the 25% allowed in the zoning ordinance.

There was no Planning Commission meeting in April due to a lack of agenda. There will be a Planning Commission meeting on May 26, 2016 to move forward with the Comprehensive Plan.

Correspondence

1. **Wessel Letter and Memo** – Terry addressed.
2. **Community Foundation Grant for Recreation Signs** – received by Larry Shew for \$225
3. **PSATS Legal Defense Partnership Newsletter** – Terry addressed, Board provided copies.

Treasurer's Report-Terry Carcella stated that the General Fund account balance is \$587,851.09 the Act13 account balance is \$100,967.41, the K-9 account balance is \$28,084.16, the Liquid Fuels account balance is \$296,043.54 the Developer's account balance is \$12,550.00, Liquid Fuels Investment Account is \$9,857.66, the Equipment Fund \$26,920.98, and the Capital Reserve CD's \$413,463.28 for a total of \$1,374,770.71. No action required.

- A motion was made by Bruce Robinson and seconded by Gary Thistlethwaite to approve to pay bills of May 9, 2016 bill payment list and May 10, 2016 bill payment list. Motion carried.

Old Business

- A motion was made by Bruce Robinson and seconded by Gary Thistlethwaite to approve Review for Roxanne Shadron retro to hire/anniversary date at \$1.15/hr. Motion carried 3-1 with Scott Matson voting No.

- A motion was made by Bruce Robinson and seconded by Gary Thistlethwaite to approve Review for Laurel Ross retro to hire/anniversary date at \$.65/hr. Motion carried 3-1 with Scott Matson voting No.
- A motion was made by Gary Thistlethwaite and seconded by Bruce Robinson to approve the Community Map at no cost to the Township, but mailing cost as they are going out with the next Newsletter. Motion carried.

Michael Korn explained that the MOU Recycling Agreement to share site services as necessary. The Township will provide the Borough the use of the old route 30 storage site and in turn the Borough will allow township residents to use the leaf compositing site near the sewage treatment plant. If approved tonight it will be sent to the Borough for their meeting.

- A motion was made by Paul Knupp and seconded by Bruce Robinson to approve the MOU Ligonier Borough and Township Agreement. Motion carried

The supervisors went into executive session at 8:02 pm and returned at 8:27 pm. Solicitor Michael Korn verified that he attended the executive session and the topics discussed were in compliance with the Pennsylvania Sunshine Act.

New Business

- A motion was made by Bruce Robinson and seconded by Paul Knupp to approve managers request to attend the APMM Meeting in Gettysburg May 18th and 19th at the conference rate of \$185.00 plus one night's hotel. Motion carried 3-1 with Scott Matson voting No.
- A motion was made by Paul Knupp and seconded by Bruce Robinson approve manager's request to send Roxanne Shadron, Richard Bell, and Laurel Ross to local training sponsored by PSATS at the Ramada Inn in Ligonier in May and June with a minimum cost of \$50.00. Motion carried with Scott Matson voting No.
- A motion was made by Bruce Robinson and seconded by Scott Matson to table the Cohen Law Group/Audit Contract for Comcast Negotiations. Motion carried.
- A motion was made by Gary Thistlethwaite and seconded by Bruce Robinson to approve the Appalachian Regional Commission request for administration to apply for grant funding on feasibility of broadband coverage for the Township. Motion carried.
- A motion was made by Bruce Robinson and seconded by Paul Knupp to approve Resolution #10-2016 Designation of Agent for FEMA, Laurel Ross, Grant Application-Winter Storm Maintenance. Motion carried.
- A motion was made by Bruce Robinson and seconded by Paul Knupp to approve Resolution #10-2016 Designation of alternate Agent for FEMA, Gary Thistlethwaite, Grant Application-Winter Storm Maintenance. Motion carried.

- A motion was made by Paul Knupp and seconded by Gary Thistlethwaite to approve the Bond Application for Zoning Officer, Richard Bell. Motion carried.
- A motion was made by Bruce Robinson and seconded by Scott Matson to accept C.O.G. fuel bid for Glassmere. Motion carried
- A motion was made by Paul Knupp and seconded by Gary Thistlethwaite to approve Budget Transfer/Capital Reserve to Police Line item for Sgt. Of \$49,000. Motion did not carry 2-2 with Bruce Robinson and Scott Matson voting No.

Supervisors Comments

Supervisor Scott Matson – He agreed with Gary and stated he has seen it four times they had cell phones on the top of the steer wheel. He thinks the Public Works crew did a really nice job, but questions the timing on it. For future cutting on bridges that we purchase a lance to do the cutting on bridges as the cuts could be a lot quicker saving time.

- A motion was made by Matson and seconded by Gary Thistlethwaite to approve GPS system for the Public Works and Police vehicles. Bruce Robinson asked Scott Matson to revise his motion for just the Public Works vehicles for now to see how things go and Scott Matson agreed to revise his motion as such. The monthly maintenance cost being \$18-\$20 per vehicle for an annual cost of \$4800. Motion carried 3-1 with Paul Knupp voting No.

Supervisor Paul Knupp – We come a long way and is thankful for the professional people that are here now, doing a good job.

Supervisor Bruce Robinson – No comment

Supervisor Gary Thistlethwaite – Congratulated the Chief and officers on accident on Route 30 – wrong way vehicle as they were very professional. Asked the public for provide their input on ways to stop the wrong way vehicles.

Supervisor Wade Thomas – Not present.

A motion was made by Gary Thistlethwaite and seconded by Scott Matson to adjourn the meeting at 8:48 PM. Motion carried.

Respectfully submitted,

Roxanne Shadron
Assistant Secretary/Treasurer