

**Ligonier Township Supervisors**  
**Regular Meeting Minutes**  
*February 22, 2022*

The Supervisors of Ligonier Township met in regular session at 4:30 PM. Present were Chair, Dan Resenic; Vice Chair, John Beaufort; Secretary/Treasurer, Stephanie Verna; Supervisor, D. Scott Matson; and Supervisor, Erik Ross.

Also present were Manager, Terry Carcella; Solicitor, Dan Hudock; Engineer Ben Faas; Public Works Director, Russ Morgan; Zoning Officer, Jim Nieuwsma, and Finance Officer, Bethany Caldwell.

**Public Comment**

Stacey Magda, from the Mountain Watershed presented on the impacts of the Rustic Ridge Deep Mine in the Donegal and Saltlick Township areas. In addition to air and water pollution, the mine activity also creates dangerous driving conditions, wear and tear on roads, decreases in property values, and subsidence. The industry touts job creation, yet there are few opportunities for the locals as employees are brought in. To date, Mountain Watershed has spent over \$9M in coal mine reclamation – so while the private companies are making a profit, the public foots the cleanup. LCT Mining has applied for permits to expand with operations near the Loyalhanna headwaters, as close as Bethel Church Road. Mining could impact both watersheds. If the water tables are disturbed the Loyalhanna watershed could dry up while the Mountain watershed would flood. Ms. Magda encouraged everyone to learn from their experience. It is important to benchmark now, so that changes can be measured. Talk to your community, find out what concerns they have, get involved now by writing letters. She thanked the Board for their time and the opportunity to present.

Supervisor Ross stepped out of the board meeting room.

Barb Nalle – As a resident she had three questions she wanted the Supervisors to address: What is your vision for the township moving forward? What is your vision for the road department? What is your vision for the regional police department? As Chair of the Planning Commission she thanked Mr. Carcella for a job well done, stating a good manager brings professionalism over personalities and then presented a list of his accomplishments.

- A motion was made by Stephanie Verna and seconded by Erik Ross to approve the minutes from the February 8, 2022 meeting. Motion carried.

**Supervisors' Comments**

Supervisor Matson – said in response to Mrs. Nalle's questions, he thinks there is a lot of work that needs to be done and that everyone needs to be held accountable and we need production. He said he thinks the police regionalization was a good move, but acknowledged there are other viewpoints – some residents think the municipalities

should go back to each having their own police departments, while others think the local departments should be dissolved and we should rely upon the state police.

Supervisor Beaufort – stated that moving forward the Township needs to be as open and transparent to the public as possible; let them know what the Township is doing and why it's being done. He would like to see thoughtful, controlled development, keep moving projects forward. He thinks the roads are in pretty good shape for a rural community and we've taken steps to make things better, such as replacing a few bridges and switching to road fiber-matting which should last longer. Regarding the police, he has not heard any negative comments and encouraged residents to come forward. He supports having a strong police force. He knows surrounding areas don't have local police and this past week several bad things have happened and it was good to have the police around. He would like more public input, he is very open, and would like to hear the complaints that Mr. Matson hears.

Supervisor Verna – thanked Barb for her comments. Mr. Carcella guided the Township through a transition period and she looks forward to the opportunity to recruit and evaluate a new manager. As far as her vision for the Township, road department and police goes, she thinks we have a great community and a great team. It's a small community, all we have is each other. We've been extremely fortunate, we get a lot value in return for money and we've been able to secure additional resources. That being said, she is a big believer there is always room for improvement. No matter how good we are this year, we can be better next year. Keep the focus on building things, keep growing and moving in the right direction. She does not see the benefit in destroying or picking things apart here. Sewage expansion is desperately needed, as is stormwater mitigation, road maintenance, expanding broadband, but other than that, what we have here is not that broken.

Supervisor Ross – Thanked Mr. Carcella for his service to the Township. Agreed with Supervisor Verna, that we can expand upon what we do good and be better. In the surveys he saw roads were deficient; one survey even mentioned raising taxes 1-2 mills to pay for the road improvements. Roads are an issue to be addressed, we have a good starting point, but would like to improve upon it. The fire departments are going to be a big issue as people are not volunteering and membership is deficient. We're asking the few members to do a lot. We're looking into this, going to make some things public here in the near future. We can't live in this community without fire protection and rescue. That is going to be a big topic in the next 1-2 years.

Supervisor Resenic – for this township, we're not going anywhere until we get public water and sewage sorted out. We have a plan sitting on the DEP desk in Pittsburgh. The option we like the best is what is most cost-effective and beneficial for our residents, however, we're waiting on the DEP to give us approval. We need broadband. He would like to see controlled expansion – not smoke-stack industry, we're not that type of community. Would like to see clean and green LEED certification where the carbon footprint is next to nothing. We are a tourist area and need to keep it that way. As far as the road department, we know we are in a country environment and have some roads that need improved. We just bought a new 10 ton pickup, we have a new backhoe and hired a new crewmember; we are committed. As far as the police department goes, he hasn't heard negative feedback, people commend their service

and response time. Just last week, Assistant Chief Matronics was first on-site attending to a cardiac arrest in a house full of carbon monoxide and he became ill because of that-- we have a lot of people in the police department who are willing to serve and are doing a great job. The state police are stretched thin and short staffed creating long response times, he knows this from experience. He would not think of getting rid of our local department. Chief Berger does a great job managing costs, he is completely transparent. There are two supervisors on the finance committee that keep an eye on the taxes and how they're spent, we are accountable. He then thanked Mr. Carcella on his years of service, commended him on the work he's done for the township and wished him well.

### **Manager's Report**

Mr. Carcella thanked the Supervisors, his staff, the solicitor, the engineer – everyone he has worked with over the past seven and a half years and said he will miss the work, but is ready to move on. He handed out a “Clean Fill Waste Site Policy for Routine Maintenance Activities” and encouraged the Supervisors to review as the Township should have a policy in place to address issues we've had in the past. Downloading the digitized files will begin tomorrow and staff should have a new health care cost quote by the end of the week for the personnel committee to review.

### **Correspondence:**

1. Westmoreland County Association of Township Supervisors Annual County Convention invitation (March 11).
2. Three emails were received via the township website, regarding the Ligonier Beach Property.

### **Engineers Report** – see attached

Supervisor Verna asked about the Ligonier Beach map and Loyalhanna access. Mr. Fass explained the specs are part of the DCNR Phase II grant.

Supervisor Beaufort said the fire department would like to use the buildings to be demolished for practice.

### **Solicitor's Report:**

Mr. Hudock had a couple items to discuss in executive session including a tax exemption application and potential litigation over a property code enforcement.

### **Treasurer's Report**

Supervisor Verna reported the account balances as of February 22, 2022:

General Fund	\$	260,241
General Fund Reserves		685,324
Liquid Fuels Tax Fund		7,090
Capital Fund Reserves		40,067
Ligonier Beach Park		116,502
American Rescue Fund		5,490

Developer's Fund*	51,257
Escrow	3,500
Mill Creek Memorial Park	1,209
Charlotte Hi Acre Waterline	46,548
Total Funds:	\$ 1,165,971

\*denotes funds are restricted

Supervisor Matson asked about the status of Weimer Avenue water line project. An inter-municipality agreement among the Ligonier Township, Ligonier Borough, Laurel Mountain Borough needs to be executed before this project can proceed.

- A motion was made by Stephanie Verna and seconded by Erik Ross to approve the bills as presented. Motion carried.

### **Executive Session**

The Supervisors went into executive session at 5:40 PM and certified compliance with PA Sunshine Act as the discussions pertained to personnel, real property and litigation issues. The regular meeting resumed at 6:03 PM.

### **Old Business:**

#### 1. Zoning Map Change Proposals

Supervisor Verna recommended that the Board send the Darlington area and Mountain Road zoning map changes back to the Planning Commission so that they can be resubmitted with a clear narrative explaining why these changes are being proposed and how they would benefit the Township. She asked Mr. Hudock to attend an upcoming Planning Commission meeting to clarify the procedures that are to be followed when zoning change requests are filed.

Supervisor Resenic asked if the Township has a clear cut, easy to understand process in place for zoning change requests or does it need revised? Mr. Hudock said the Township's Zoning Ordinance is fine in that regard as it follows the Municipality Planning Code and cited Article 19, the amendment process.

Supervisor Beaufort asked how these zoning change requests originated. The Mountain Road residents came in as a group. The small non-conforming Darlington parcels and the Idlewild parcels changes were recommended by the Zoning Officer for consistency.

Supervisor Verna noted there are adjacent properties along Mountain Road that were not in the proposal and should be included, another reason to send it back to the Planning Commission for further review before voting on it. Mr. Hudock clarified when this subject is brought again before the Board, they will be voting on whether or not to advertise a public hearing as required before amending an ordinance.

- A motion was made by Stephanie Verna and seconded by Scott Matson to send both of the proposed zoning map changes back to the Planning Commission for their review. Motion carried.

## **New Business**

### Management protocol discussion

Supervisor Verna stated Mr. Carcella's last day is next Tuesday. The personnel committee proposed the following interim protocol while they're recruiting his replacement: Staff shall attempt to resolve issues internally; zoning & code items go to Mr. Nieusma, financial & administrative items go to Mrs. Caldwell, and public works items go to Mr. Morgan. However if an issue/situation goes beyond staff's authority or the scope of their duties, it will be escalated and sent to the Township's Solicitor. Staff should summarize the issue and Mr. Hudock will advise staff if it's urgent. If it's not an urgent issue, it will be tabled for discussion at the next meeting. The goal is to help staff so that they are not struggling while being cognizant Supervisors are not managing staff directly. Additionally, the personnel committee is reviewing the management candidates and they will be seeking the rest of the board's input as they move forward.

- A motion was made by Erik Ross and seconded by Scott Matson to appoint Bethany Caldwell to the Westmoreland County Tax Collection committee. Motion carried.
- A motion was made by Scott Matson and seconded by Stephanie Verna authorizing Bethany Caldwell to attend the PELRAS training conference, March 16-18 at State Collect and at no cost to the Township. Motion carried.
- A motion was made by John Beaufort and seconded by Stephanie Verna to give Russ Morgan a 2% raise. Motion carried.

### Sub-division requests

- A motion was made by Erik Ross and seconded by Scott Matson to approve the Speicher sub-division. Motion carried.
- A motion was made by Erik Ross and seconded by Stephanie Verna to approve the Stickler sub-division. Motion carried.
- A motion was made by Erik Ross and seconded by Stephanie Verna to approve the Speicher sub-division. Motion carried.
- A motion was made by Erik Ross and seconded by Scott Matson to approve the Sullivan sub-division. Motion carried.

## Public Works Workshop

### Truck #3, 2008 Ford 550 discussion

Last week a diagnostic test revealed this truck needs major repairs due to problems that started with the high pressure fuel pump failing and causing more damage. The repair estimate is \$20k. Mr. Morgan would like to take the subframe, subbase and truck bed off of truck #3 as they measured and confirmed it can be used on the new Ford 550 that is on order. Tried to get a delivery date when the new truck will arrive, but the vendor was unable. Supervisor Ross noted we are nearing the end of the plow season. He asked about the new truck color, is it red / maroon? Would like the fleet to match. Supervisor Matson asked how many miles were on the truck – 98,074. Supervisor Ross stated we can sell the cab and chassis – staff to research what the truck is worth as is vs. parting it out?

- A motion was made by Stephanie Verna and seconded by Erik Ross advertise the sale of the 2019 Asphalt Zipper in the newspaper and list it for sale on the Municibid website with \$150k reserve. Motion carried.

### Deficient Road Survey update

Supervisor Ross said that the roads listed on the Public Work's "Top 10 Most Deficient Roads" in the Township are the roads that the Public Works committee would be focusing on this year– Ross Road, Weller Road, Deeds Road, Dickey Road, Serena Road – Serena Road is a throughway and the road splits at the end. We should get rid of the split, vehicles cannot turn around as it is. Mr. Morgan explained a portion of that road is maintained by the state. Supervisor Ross said the Supervisors will be working to make a list of roads and other projects to focus on next year, in 2023. Would like to expand upon the list of projects we already have to include resident requests, as well as roads with pipes that heave (e.g. Jacob Miller, Ross, Freeman, etc.). These roads need fixed as they can cause damage to the plows and vehicles. Would like staff to work with EADS to develop standard operating procedures (SOPs).

The Public Works committee is scheduled to meet on Friday March 11 for a facility tour. Meeting agenda items include the current condition of equipment, the status of required maintenance and schedules (repairs, cleaning, etc.). Supervisor Ross asked if/how often the trucks are washed? He asked about the status of equipment repairs (the 4-wheel system drive on the grader and the street sweeper) and if not done, when will they be finished? What other repairs are needed? Supervisor Ross clarified he is trying to get Public Works the tools they need to complete their jobs in the most efficient and safest manner. Asked Mr. Morgan to provide information on any outstanding repairs that are needed as well as cost estimates.

There was a discussion about the cause of cross pipes heaving. Mr. Fass stated one reason is the use of slag, the quality of the material has declined over time. The township stopped using it approximately three years ago. Supervisor Ross asked staff to identify where this material was used for future replacements.

There was a discussion about catch basin cleaning procedures. Crew members are directed to put the debris and vegetation in the truck bed to be dumped at the Township compost pile. Supervisor Resenic asked everyone to think about possible solutions to the leaves collecting in the ditches near property owners – they are blown out of the ditch by the Township and the property owners blow them back into the ditches after the Township has left.

**Public Comment** – none

### **Supervisors' Comments**

Supervisor Matson – Thanked the police chief and assistant chief for doing a good job when they responded to the cardiac arrest / carbon monoxide poisoning call last week. He also thanked Mr. Carcella for his service.

Supervisor Beaufort – Said he'd like the Supervisors to put together a maintenance plan for the building. As Supervisor Ross asked about washing the vehicles, they should consider installing a vehicle wash bay. This would benefit public works, the police department and the water authority. The building is 20 years old, it needs general maintenance (leaky gutters, windows, carpets, etc.). The LVPD needs to be moved and consolidated.

Supervisor Ross asked Mr. Morgan to put together a building maintenance list of items.

- A motion was made by Erik Ross and seconded by Scott Matson to adjourn the meeting at 6:43 PM. Motion carried.

Respectfully submitted,

Bethany Caldwell  
Assistant Secretary/Treasurer