

Ligonier Township Supervisors
Regular Meeting
July 23, 2019

The Ligonier Township Supervisors met in regular session at 4:30 p.m. with the Pledge of Allegiance opening the meeting. Present were Chair, Wade Thomas; Vice Chair, John Beaufort; Secretary / Treasurer, Stephanie Verna; Supervisor Paul Knupp and Supervisor, D. Scott Matson.

Public Comment - None

- A motion was made by Stephanie Verna and seconded by Scott Matson to approve the July 9, 2019 regular meeting minutes. Motion carried.

Supervisor Comment -

Supervisor Knupp – Announced he has rode on the new fiber mat roads and they are nice. Russ Morgan said that Public Works is still in the process of cleaning up the excess gravel.

Staff Reports -

Manager's Report

Terry Carcella reported after months of discussions, the Township has reached an agreement with Comcast to provide service to 9 residents on Nicely Road. Negotiations included a \$17-20k savings in installation costs (~\$2k/resident) and work is to begin soon. Will continue to work expanding quality cable & internet services to our residents.

Recognized administrative staff for picking up the extra work with departure of the Finance Director. Will continue with education and cross training as we evaluate our personnel needs.

On the agenda tonight is: A proposed Zoning Ordinance Amendment to our Cellular and Small Wireless Facilities (DAS Systems) - this proposal identifies and regulates placement in the Township's Right of Ways; a discussion of solar energy and a potential public-private partnership; and amending our Act 537 Plan -- these are major decisions where the future planning of the Township could net positive results in the years to come.

The recent fiber mat road project was a little over budget at \$150,374 due to incorrect road width measurements used in calculations. Contractor did excellent work – no complaints from the public.

Next Township Supervisor meeting has been rescheduled for August 6th at 4 PM, note the earlier time accommodates the first “National Night Out” event and will be advertised. At the next meeting our Engineer will give a brief introduction and summary of the changes to the draft Storm Water Ordinance – it is quite extensive. We will need some training for staff and comments from our Solicitor prior to advertising. We need to adopt this as the County will be adopting their own Storm Water Integrated Resource Plan.

Public Works Report - None

Engineer's Report

Dorothy Boring reported that she walked the Mellon Summit with Russell Morgan. There is no easy fix for the stormwater problems in this area and recommends implementing the plan (Morris-Knolls) designed some 20 years ago. Estimate is \$115k for materials + legal fees + engineering / surveying fees. An alternate proposal was examined and is not advisable, as it requires tying into a private system. We have to make sure we are not making more problems downstream – where will the water drain? Solicitor Korns still needs to talk to the school's solicitor. The school has a swell and can take some of the water into their drainage system; they are a part of the problem, but not the cause of the problem. The area is bowl shaped. Supervisor Matson would like to get PennDot involved and dredge the creek.

Dorothy opened one sealed bid from Derry Construction Company: \$89.10/ton, \$40,986 for the total project.

Solicitor's Report

Solicitor Korns provided a draft of the Ligonier Volunteer Fire Departments (VFDs) Ordinance for the Supervisors to review. The Township ordinance follows the State's model and outlines the fees the VFDs can charge. He also provided a copy of the Borough's Ordinance, which does not outline fees and leaves it up to the discretion of the VFDs.

Supervisor Beaufort reported all 3 of the Township's VFDs prefer the Boroughs ordinance. They would list everything they could charge fees for and they would share their fee schedules – but they are not going to attach fees as they don't want to have to revise an ordinance every time a fee changes.

- A motion was made by John Beaufort and seconded by Scott Matson to advertise for the August meeting an ordinance that is drafted with language closely following the Borough's ordinance. Motion carried.

Zoning Report

Jim Nieusma reported there were 2 cases that were approved at last week's Zoning Hearing Board meeting for solar array use in residential areas (special exception).

Code Officer Report – see written report

Correspondence

1. Westmoreland County Letter – CDBG Grant Program Announcement

Terry stated we have several potential projects that could be submitted for consideration, these include helping residents in 2 different areas replace a private water line and need to talk to Griff at the LTMA to see what their needs are. However, we are short staffed and might need to rely on the residents more to assist with putting the application packet together – we will notify them accordingly.

Supervisor Beaufort asked how many applications can be submitted? Terry answered there is no County limit but the projects do need to meet the low-moderate income criteria which

have to be proven by survey unless previously identified (e.g. Wilpen) and applications need to be submitted by the September 30 deadline – that is a tight turnaround for staff.

2. Ligonier Fire Department Annual Banquet Invitation – Saturday, August 24

Terry asked the Supervisors to let him know what their availability is so he can pass it along.

Treasurer's Report

Supervisor Verna reported the account balances as July 22: our General Fund account is \$376,337; Act 13 Account is \$52,991; Liquid Fuels Account is \$1,349; Developers Account is \$12,544; the Liquid Fuels Investment Account is \$478,153; the Equipment Fund is \$8,872; Capital Reserve CDs are \$646,317; total account balance of \$1,576,562.

- A motion was made by Stephanie Verna and seconded by Scott Matson to pay the June 22 bills. Motion carried.

Old Business

- A motion was made by John Beaufort and seconded by Stephanie Verna to adopt the new ordinance (01-2019 Wireless Cellular Revision Amending the Zoning Ordinance of 2015). Motion carried.

New Business

Solar Energy Presentation – by Edward Johnstonbaugh from Penn State's Renewable Energy Program

This program is supported by the RK Mellon Foundation and helps municipal authorities in Pennsylvania take advantage of renewable energy opportunity while reducing operating costs. Fresh water / wastewater treatment facilities use a lot of electricity, pumping 24x7. Aging population, transient population (non-homeowners), and fixed income populations have difficulty with rising rates. Renewable energy takes advantage of free fuel and reduces costs. There is a developer putting together a proposal to get an idea of the costs. The Township can take advantage of an opportunity with little to no investment. A financing tool – “tax equity financing,” allows non-profits such as the Township a way to take advantage of tax incentives. (Federal tax incentive is 30% of the cost of project, the developers are able to write off another 20% for depreciation, for a total of 50% cost reduction.) The developer enters into a Power Purchase Agreement (PPA) with the Municipality, buying electricity at a ~20% discount. After 5 years of the developer's ownership, the Municipality can buy out the developer. A 500kw plant would cost \$750k, but with the tax equity financing, a developer could build the same project for \$375k. Projects are guaranteed for 25 years and will continue beyond – the Federal Energy Administration projects solar will continue to grow as will load factors.

Q&A

Supervisor Knupp asked if panels would be mounted to the Municipal Building's roof? While they can be, his recommendation is to set up photovoltaic panels in a flat field and connect behind the meter at the wastewater plant. Easier to change transformers, the plant will provide more energy

than the demand from the building. Excess kilowatt-hours can be purchased by the Township building.

Supervisor Beaufort asked about up front costs? \$0 investment for the Township or LTMA – the contractor covers these costs. Timeframe? The Developers can get the solar farm up in about 5 months.

Terry Carcella said this is good for the community, it increase reliability for our community.

Supervisor Verna asked about the “guaranteed savings”? Savings are guaranteed by the developer – as a power generator, they will build more generation than is needed to supply the LTMA and the Township Municipal building and will sell the excess. Growth capacity is built in if amendments are needed for additional capacity. The Township can buy the PV when the 5 years are up. How big is the facility? Less than 2 acres, depending on slope of the land, shading. Projects that generate 500 kw or greater fall under the PUC.

Supervisor Knupp asked if there are health risks? No more than the risks associated with using electricity. What happens if there is damage, e.g. tornado? The developer carries insurance and would replace the arrays and pay for the energy used while the repairs are in process.

For additional information – the lower Lower 10 mile in Washington County is signing a PPA – their project will be installed in a former slate dump site. On Sept 21 there will be a tour at the Hunker site.

- A motion was made by John Beaufort and seconded by Scott Matson approving a PV (solar) distributed generation site feasibility study. Motion carried.
- A motion was made by John Beaufort and seconded by Paul Knupp to approve Resolution 2019-31 honoring William “Butch” Stehley for his services in WWII and the Mill Road bridge will be renamed in his honor. Motion carried.

Note – August 10, 2019 @ noon will be the dedication ceremony at the bridge.

- A motion was made by John Beaufort and seconded by Paul Knupp to approve Resolution 2019-32 the Act 537 Plan Revisions and submit it to the DEP for review. Motion carried.
- A motion was made by Stephanie Verna and seconded by Scott Matson to approve Resolution 2019-30 for the Wireless Fees Schedule (accompanies ordinance amenedment). Motion carried.

Fire Hall Road Repair (B List)

Supervisor Beaufort asked how does this fit in our budget? Terry said it will be tight and we will cash in a CD in September. Supervisor Knupp asked for clarification this project wouldn't affect already scheduled projects. Terry confirmed that while it is expensive, it is reasonable and can be fit in, in terms of schedule and budget.

Supervisor Beaufort asked if the ditch can be fixed?

Dorothy Boring – agreed the drainage issues need to be addressed before the road is paved. And we need to verify with the contractor that their quoted price includes installation, as that was the Township’s intent.

Russell Morgan – the 4” pipe needs to be dug out and replaced with a bigger pipe into the catch basin.

- A motion was made by Stephanie Verna and seconded by John Beaufort to address the storm water issue first and delay the Firehall Road repairs until next year. Motion carried.
- A motion was made by Paul Knupp and seconded by Stephanie Verna to advertise for a new Township engineer (RFPs due September 30, selection / appointment made at January reorganization). Motion carried.

There was a discussion regarding tree trimming service for the Township Road Right of Ways - staff were directed to get quotes for 2020 budget planning.

- A motion was made by Paul Knupp and seconded by John Beaufort to adjourn the meeting at 5:41 pm. Motion carried.

Respectfully submitted,
Bethany Caldwell
Assistant Secretary/Treasurer