

Ligonier Township Supervisors
Regular Meeting
August 6, 2019

The Ligonier Township Supervisors met in regular session at 4:00 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 Paul Knupp and seconded by Scott Matson to approve the July 23, 2019 regular meeting minutes. Motion carried.

Supervisor Comment

Supervisor Matson – thanked folks for attending.

Staff Reports

Manager’s Report

On the agenda tonight is the Township’s proposed Storm Water Ordinance Amendment - it is in draft review process and legal review has not been completed at this time. The presentation of the ordinance that will be a part of the process for the average applicant to apply for a permit - will be presented under the Engineer’s Report. The Westmoreland County Commissioners have approved a county-wide version that is awaiting DEP approval. Our ordinance amendment is modeled after and will comply with the county-wide version. The future storm water controls and planning for the Ligonier Township begins with and does not end with this draft ordinance amendment.

Public Works Report

Public Works Director Russ Morgan reported the department work schedule is on track. Russell Standard is preparing work to be begin by the end of the month with 4 more roads to complete, then work to begin on Berkley Road.

Engineer’s Report

Dorothy Boring introduced Amanda Brown, a Sr. Engineer (Environmental Dept.) who presented the Storm Water Ordinance draft, explained the background, changes and walked the Board through 4 different scenarios:

Ms. Brown explained the Township carefully followed the Westmoreland County Conservation District’s model ordinance with a few modifications that better suit the Township. Note that impervious surface definition is anything that prevents stormwater from getting into the ground and includes rooftops and pavement. Section 302 of the ordinance includes a chart of regulated development activities for any projects less than acre. Anything over an acre requires a NPDES federal permit and will need a professional consultant. Stormwater Management Plans need to be completed when completing Zoning Permit applications. The only exemption is for no new or zero impervious areas – landscaping, vegetable gardens, road way maintenance with no new impervious areas. Remember, no new impervious area = no need for stormwater management plan.

Any project less than 3,000 feet has the potential to qualify as a “no harm” project. No harm criteria: not a “piecemeal” development, impervious area is not more than 5% of the total area, project area does not have existing storm water issues, does not pollute or degrade water quality, and does not increase the peak rate of run-off.

There is a worksheet in Appendix E that simplifies the run-off calculations with drop down choices and pre-populated formulas. The form is fillable– type in project information such as location, tax map ID, # of feet of disturbed area, and description of impervious area. The next step is locating where the project is located with the provided GIS maps. These maps identify what type of hydrological soil is in the parcel for run-off characteristics. Once completed, the worksheet will determine if the project qualifies as a “no harm” project. If the project qualifies, a storm water plan application, sketch of the project, and a completed worksheet from Appendix E will need to be submitted to the Township along with any other applicable Zoning applications and fees.

For larger projects (3,000-10,000 feet of new impervious area) or smaller projects that do not qualify with the “no harm” criteria – they have to remove the first inch of run-off water over the impervious area via best management practices (BMPs) such as re-use, evaporation, or vegetation transpiration of the stormwater. Stormwater must drain and cannot sit for more than 72 hours and breed mosquitoes. The first step is calculating the amount of run-off that needs to be controlled using a multiplier. Then select BMPs for their project – structural and/or non-structural (does not require an excavator, such as trees) and complete the worksheet. A stormwater plan application & narrative, a sketch, the completed worksheet from Appendix C, a “Signed Operation & Maintenance Plan” (acknowledgement that the owner will not cut down any trees that are part of this stormwater plan) and an “Erosion & Sediment Control Plan” approved by the Westmoreland Conservation District, and any other applicable Zoning applications and fees will need to be submitted.

Projects adding over 10,000 feet of impervious area require the full storm water plan.

There is a waiver option that provides some flexibility for situations that prove difficult to meet the requirements. The Township would issue the waivers.

Q&A

Supervisor Matson asked about farmers who work over an acre? Agriculture activity such as farming is exempt.

Chairman Thomas asked about a new construction – disturb an acre to build a drive way? Requires a NPEDS federal permit – this process is already in place and has been for several years.

There was a discussion about wet ponds, they are *supposed* to drain within 72 hours and should have drainage - either a rock outlet or pipes. They need to be maintained. They don't work as well in the winter time due to vegetation dying off.

Mr. Carcella stated Township staff will be available to assist residents. We are being proactive with the county passing their ordinance and in preparation for MS-4 compliance. We have to adopt an ordinance whether it is our version or the County's. Our version has helpful worksheets developed by the engineer and a “no harm” option.

Solicitor Korns said the purpose of the ordinance is to mitigate future problems as best we can and exert some control. It's not going to fix every problem, there will still be issues. The goal is to make things better, not perfect.

Ms. Boring added the model ordinance has been approved by the County and is currently with the DEP for review and the Conservation District expects DEP approval by September. This will be a stand alone ordinance and if there are issues, it can be amended.

Police Report – none

Zoning Report – see written report

Code Officer Report – see written report

Correspondence

- 1) Liquor License transfer

Treasurer's Report

Supervisor Verna reported the account balances as August 6: our General Fund account is \$298,722; Act 13 Account is \$52,991; Liquid Fuels Account is \$1,000; the Developers Account is \$12,544; the Liquid Fuels Investment Account is \$287,807; the Equipment Fund is \$12,272; Capital Reserve CDs \$646,317; total account balance of \$1,311,653.

- A motion was made by John Beaufort and seconded by Scott Matson to pay the August 6 bills. Motion carried.

Executive Session - none

Old Business

Ligonier Beach Project

Mr. Carcella reported that he has received a couple quotes for a property survey with the lowest quote from Ross Surveying is \$3,200. He requested the Supervisors approve the survey.

- A motion was made by Paul Knupp and seconded by Scott Matson to approve a survey of the Ligonier Beach property to be conducted by Ross Surveying for \$3,200. Motion carried.

Personnel Committee

Supervisor Knupp and Supervisor Verna recommended that Keith Ashley receive a \$200 bonus for his annual review.

- A motion was made by John Beaufort and seconded by Paul Knupp to approve a one time \$200 bonus for Keith Ashley. Motion carried.

A/P Contract Amendment

Mr. Carcella requested that the Supervisors approve an amendment to the Township's contract with Tricia Levander who provides budget support and accounts payable service for the Township. The amendment includes her providing service to the Ligonier Valley Police Department (LVPD) as they have a separate account and the Township is required to provide this administrative support to the LVPD per the charter agreement. This support was formerly provided by Roxanne Shadron who resigned in June. The additional account service increases the contract by \$200 a month and specifies her rate of \$50/hour should service beyond the A/P be required.

- A motion was made by Stephanie Verna and seconded by Paul Knupp to approve the A/P contract amendment with Tricia Levander. Motion carried.

Temporary Engineer Appointment

Mr. Carcella informed the Supervisors that the Township needs to appoint a temporary engineer to handle the Camp & Conference Center project as Markosky cannot due to a conflict of interest (Markosky cannot review their own work). The Township will need a qualified engineer to review the project plans. Mr. Carcella recommended the Township to retain Mr. Jake Bolby, P.E. from the EADS Group at the rate of \$116.25/hour.

- A motion was made by Pual Knupp and seconded by Stephanie Verna to appoint Mr. Jake Bolby from the EADS Grup for the Camp & Conference Center project. Motion carried

Public Comment "B"

Jacob Mellor, attorney for Marge Beatty asked what progress has been made on behalf of his client and her property at the Mellon/Summit Avenue.

Ms. Boring responded that they did a field site visit, fine tuned the project costs and clarified they have not surveyed the property. The Township needs to make a determination if the project will proceed (authorize the budget spending). Mr. Carcella added that the Township trucks in the area have been performing normal maintenance.

Mr. Mellor asked if anything had been done with respect to the ditch on Mellon? Ms. Boring answered there is no "easy fix" it needs the full-blown project to correct the problem.

Mr. Mellor asked would it be possible to fill the "ditch" in the meantime? It might alleviate some of the problem...

Ms. Boring responded, it's not really a ditch, it's more of a bowl. Filling it in would probably cause more problems.

Mr. Mellor disagreed and said his client has noticed the problem has been worse since the neighbors put the "channel" or "ditch" in place and redirected stormwater towards her private system. That is the concern – the erosion has made the problem worse and his client would like these issues investigated. Too much water going into the inlet, her 24" pipe system was designed to handle a specific volume of water, the neighbors have since altered their land to direct more water at her private system. Her 24" pipe leads to what they think is a 12" pipe. Rick had the 24" pipe camera – there was no obstruction.

Mr. Korn's has talked to the school district's solicitor – not much to report, but they have opened talks. The school's position is they have not contributed to the problem. The school district did put in a well that might remediate the problem.

Supervisors Beaufort & Knupp will visit the site tomorrow at 3 pm (506 Summit).

Ms. Boring asked for a drawing of the private system. Mr. Mellor will send it to Mr. Korn's who will forward it to her.

- A motion was made by Paul Knupp and seconded by Stephanie Verna to adjourn the meeting at 4:59 p.m. Motion carried.

Respectfully submitted,
Bethany Caldwell
Assistant Secretary/Treasurer