

CHARTIERS TOWNSHIP  
BOARD OF SUPERVISORS MEETING

June 23, 2015

7:00 p.m.

A. William Kiehl – Chairman called the regular meeting of the Chartiers Township Board of Supervisors to order at 7:00 p.m. Tuesday, June 23, 2015, at which time he asked all present to stand for the pledge of allegiance.

**ATTENDANCE:**

Attending this evenings meeting were Supervisors Richard W. Metzler; John M. Marcischak and Mr. Kiehl. Also in attendance were: James Liekar-Solicitor; Jodi L. Noble-Township Manager; Daniel Slagle-Township Engineer; Robert Brozovich-Community Center Manager; Edward Jeffries-Public Works Director; Samuel R. Stockton-Community Development Coordinator; and Wendy Williams-Recording Secretary.

**EXECUTIVE SESSION ANNOUNCEMENT:**

Mr. Kiehl announced that a majority of the Board of Supervisors met in Executive session on Friday June 19, 2015 from 11:30 a.m. to 2:30 p.m. and prior to this meeting from 1:00 p.m. to 2:30 p.m. to discuss legal consultation for conditional uses, litigation and contract negotiations.

**VISITORS TIME** – No participation

**DEVELOPERS TIME:**

1. A motion was made by Mr. Marcischak and seconded by Mr. Kiehl to approve with conditions the Clara Little Gas Well Conditional Use application in accordance with the Public Hearing of April 28, 2015. Roll Call: Mr. Kiel: yes; Mr. Marcischak: yes; Mr. Metzler: no; with the following comment: (Clara Little and Moritz well application) “My “no vote” is because in My opinion the application for conditional use approval lacks the adequate evidence related to Chapter 350, Zoning: Article IX, Conditional Use , Section 350-51. The application content has not provided adequate evidence that the proposed development is: (A) in accordance with the comprehensive plan, and consistent with the spirit, purposes, and intent of this chapter; (B) in the best interest of the Township, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity; and (C) suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with the appropriate in appearance to the existing or intended character of the general facility.” The motion carried 2-1.

Mr. Liekar addressed Range Resources’ legal counsel and asked Mr. Lucas to introduce himself.

Mr. Lucas responded that his name was Blaine Lucas, from the firm of ,Babst Calland, on behalf of Range Resources.”

Mr. Liekar inquired if he had a chance to review the draft conditions.

Attorney Lucas responded in the affirmative but that he didn't know whether they have the current version or not."

Mr. Liekar responded that there were changes made, but asked if his client agrees to the conditions as provided to you by the Township

Attorney Lucas responded that no, not until we see the most recent draft.

Mr. Kiehl inquired if while he is reading the conditions, would you like to continue?"

Mr. Liekar advised that he has given to Wendy his correspondence dated June 9, 2015 regarding the "Ethics Act" to be made a part of the record, See attachment.

Mr. Lucas addressed the Board, "If I could Mr. Solicitor, a lot of work has gone into this and I appreciate the Township's input. Our only concern is on Paragraph 9 dealing with no bunk houses. Specifically, we like to house people on site and we feel there are a lot of misconceptions about that. Those types of facilities – just by way of example: Findlay Township uses man camps on all sites, one of which is 1,500-ft or so in a residential neighborhood, they evaluated things of safety, site security and it was actually better on having a house on site. Range can live with whatever conditions are, but Range can live with the extreme limits down a little bit from the individuals. I think Supervisory personnel need to be there. Our concern is with PA Act 153 Clearance and why do we object to that. Well, yes it is a child safety issue, but these wells are distances away from any residential neighborhoods. Problematic we cannot dictate that to the contractor. More critical to that is the contractor may have some privacy issues, constitutional issues with employees that may expose all of us in some form of liability. Our main concern is over Act 153 requirement."

Mr. Liekar advised that we will take note of the comments. The Board has made a motion and that motion has passed with those conditions and it's just the agreement to those conditions.

2. A motion was made by Mr. Marcischak and seconded by Mr. Metzler to approve with conditions the Edward Moritz Gas Well Conditional Use application in accordance with the Public Hearing of April 28, 2015. Mr. Kiehl advised because understanding the procedurally there needs to be a situation where the individual has private interest can vote in necessity. Roll Call: Mr. Marcischak: yes; Mr. Metzler: no; Mr. Kiehl: yes. Motion carried 2-1.

#### **STAFF REPORTS (as necessary)**

#### **SUPERVISOR REPORTS:**

Mr. Kiehl: Extended a welcome to everyone to Sunday Night (June 28, 2015) Celebrate Chartiers to celebrate Township's 225<sup>th</sup> Anniversary.

Mr. Marciscak – No report

Mr. Metzler – No report

### **APPROVAL OF MINUTES:**

A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve Board of Supervisors Meeting Minutes for the Workshop Meeting of May 12, 2015, the Regular Meeting of May 26, 2015 and the Public Hearing on the same date, as presented. All Supervisors voted yes. The motion was carried.

### **OLD BUSINESS:**

1. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to make an offer of employment to Robert Brozovich for the position of Community Center Manager for the annualized salary of \$35,000, prorated for 2015 as recommended by the Township Manager and amended Resolution R-1-2015 accordingly. All Supervisors voted yes. The motion was carried.

### **NEW BUSINESS:**

1. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to authorize payment of invoices (General Fund: Check #30191-#30231: \$111,656.53; Act 13 Impact Fee Fund: Check #1067,#30231: \$111,656.53; Act 13 Impact Fee Fund: Check #1067, #1068: \$3,079.07; Sewer Fund: Check #2856-#2858: \$4,104.46; Midland Sewer Fund: Check #1046: \$3,919.50; Local Service Tax Fund: Check #1052, #1053: \$6,613.32; Capital Reserve Fund: Check #1033-#1035: \$3,242.39; Liquid Fuels Fund: Check #1481: \$357.42; Community Center Operating Fund: Check #1103-\$1106: \$2,755.83; Total All Funds: \$135,718.52)). All Supervisors voted yes. Motion carried.

### **DISCUSSION ITEMS:**

1. Meddings Road repairs Mr. Jeffries advised that the Contractor is moving their equipment in this week. Project to begin on June 29, 2015.

2. Zero-turn mower – A motion was made by Mr. Metzler and seconded by Mr. Marcischak to purchase the Toro Z Master 6000 Series Contractor Connection for \$8,839.32. All Supervisors voted yes. The motion was carried.

3. DEP Grant next steps – A motion was made by Mr. Metzler and seconded by Mr. Marcischak to authorize the Township Engineer to develop specifications and advertise bids for the sidewalk from the Community Center to the Arnold Park. All Supervisors voted yes. The motion was carried.

4. FEMA Flood Plain Ordinance – Mr. Liekar advised that the Chartiers Township Planning Commission recommended approval at their meeting June 16, 2015. DCED has been notified. The ordinance is to be sent to the Township Manager. Upon receiving the ordinance it can be advertised for a public hearing and adoption.

5. Agricultural Security Area – A list of all the names, parcel numbers and addresses that are in the zone to be notified. A sample of a public hearing notice was given to the Township. Hearing should be scheduled sometime in August.

6. Pension Ordinance Amendment – There are some wording changes that need to occur regarding Act 600 to bring the pension in to conformity. A draft has been prepared and given to the Township Pension Consultant for review. This is to be placed on the July 14, 2015 agenda.

7. Sunoco road use agreement update – The roadway cost estimate has been prepared and sent to Sunoco requesting a meeting for discussion.

8. Celebrate Chartiers Day – A proposed agenda has been submitted the Board of the daily events as well as the ceremony during the evening, as well as the listing of items to be placed in the time capsule.

**PUBLIC COMMENT** - None

**ADJOURNMENT:**

Meeting was adjourned at 7:25 p.m.

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John M. Marcischak  
Secretary

Wendy Williams-Recording Secretary