



FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON AUGUST 11, 2011



I. MEETING CALLED TO ORDER AT 7 PM BY VAUGHN TANTLINGER, CHAIRMAN.

II. ROLL CALL: PAUL ALTIMUS-PRESENT JAMES BROWN-PRESENT SOLICITOR-PRESENT (JWM)
VAUGHN TANTLINGER-PRESENT SECRETARY-PRESENT CITIZENS-15

III. PREVIOUS MONTHS MEETING HELD ON JULY 14, 2011: APPR BY VAUGHN, 2ND BY JIM, UNAN-YES (3)

IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED JULY 2011: SECRETARY IS TO ADD LEVENTRY, HASCHAK, & RODKEY, LLC INVOICE OF \$480.00 TO FINANCIAL STATEMENT: APPR BY PAUL, 2ND BY VAUGHN, UNAN-YES (3)

V. CORRESPONDENCE: 1. JOE DAVIS-SAM POLINA SUBDIVISION—VAUGHN TALKED TO TWP SEO AND HE HAS NO PROBLEMS WITH THIS SUBDIVISION AS PRESENTED, THIS IS LOCATED OFF SR271; MOT BY VAUGHN, 2ND BY PAUL, TO APPROVE SAM POLINA SUBDIVISION AS PRESENTED, UN-YES(3)

VI. PERSONS PLACED ON AGENDA: 1. ANDY LONG—CONCERNED ABOUT BOLIVAR POLICE COMING INTO WEST BOLIVAR AREA, THE MAN AND WOMAN COPS. HE HAS BEEN TOLD THAT THE WOMAN COP WAS LEFT GO BY SEWARD AND NEW FLORENCE FOR HARASSING PEOPLE. HE HAD CONVERSATION WITH THEM IN FRONT OF HIS HOME DURING THE BOLIVAR PARADE, AND HE FELT SHE THREATENED HIM BY SAYING HE HAD BETTER WATCH HIMSELF. HE FOUND OUT THAT SHE WENT TO A HOUSE ON THE BACK STREET—HOME OF KEVIN, THEY KNOCKED THE DOOR OPEN AND MADE THE YOUNG BOYS STAND AGAINST THE WALL WHILE THEY ROUTED THROUGH THE GARAGE, THE COPS SAID IT WAS AN ONGOING INVESTIGATION. THEN THEY WENT TO BEEBEE'S AND THE MALE COP POUNDED SO HARD ON THE FRONT DOOR IT WAS KNOCKED OPEN—THERE WAS 3 YOUNG GIRLS THERE AND DID NOT ASK IF THEY COULD COME IN, THEY JUST WALKED IN AND STARTED CHECKING IN THERE. HE HAS SEEN THEM WITH CARS PULLED OVER OUT OF BOLIVAR BOR. ANDY APPROACHED EBBY SAXTON ABOUT WHERE THE TWP AND BORO LINES WERE; NOW THERE IS A LINE PAINTED THERE. HE WANTS SOMEONE TO APPROACH BOLIVAR BOROUGH AND REMIND THEM THAT THEIR JURISDICTION IS NOT IN FFTWP. VAUGHN TOLD SOLICITOR THAT HE HAS BROUGHT THAT TO HIS ATTENTION; HE SAID TWP COULD MAYBE TALK TO BOLIVAR BOROUGH COUNCIL. SOLICITOR SAID MAYOR IS THE MAN IN CHARGE OF THE POLICE DEPT. SOLICITOR KNOWS THAT THEY HAVE A PROCEDURE SET UP FOR COMPLAINTS ABOUT ANYTHING THAT HAPPENS WITH POLICE. ANDY SAID HE TALKED TO EBBY. EBBY SAID HE WOULD HAVE TO QUESTION THEM. ANDY INSPECTED THE BOLIVAR POLICE CAR AND EBBY SAID HE ORDERED THIS CAR JUST LIKE STATE POLICE CAR, IF SOMEONE TRIES TO RUN FROM OUR COPS—THEY CAN CATCH THEM. SOLICITOR SAID TO WRITE DOWN HIS COMPLAINTS. ANDY FEELS IT IS NOT HIS RESPONSIBILITY TO GO TO BOLIVAR BOR. MTG, THAT IS WHY HE IS HERE TALKING TO HIS SUPERVISORS. HE FEELS IT IS THE SUPERVISORS AND SOLICITORS RESPONSIBILITY TO GO TO BOLIVAR BOROUGH AND TELL THEM TO KEEP THEIR COPS OUT OF FFTWP. THE ONLY ONE THAT HAS THE AUTHORITY IS THE SUPERVISORS. SOLICITOR SAID IF HE MADE HIS WRITTEN COMPLAINT, THEY ARE OBLIGATED TO INVESTIGATE THE COMPLAINT. ANDY SAID HE MADE A VERBAL COMPLAINT TO EBBY. SOLICITOR STATED THOSE OFFICERS KNOW WHERE THE JURISDICTIONAL LINES ARE, THEY ALSO KNOW THAT WHEN THEY REACH THE END OF THAT JURISDICTION—THEY HAVE TO GO INTO FFTWP TO TURN THEIR CAR AROUND. ANDY SAID THAT IS ANOTHER POINT, WHY SHOULD TWP GIVE THEM PERMISSION TO TURN THERE. NOW THEY USE THE FOUNDRY AS A TURNING POINT. SOLICITOR SAID THEY ARE NOT ABLE TO CITE ANYONE OUT OF BOLIVAR BORO, AND IF YOU CAN PROVE TO HIM THAT THERE IS A SINGLE VIOLATION ISSUED FOR A VIOLATION IN FFTWP—THEN HE WILL HAVE TO TAKE CARE OF IT. SOLICITOR FEELS HE CAN NOT SHOW HIM A VIOLATION IN FFTWP. ANDY SAID MAYBE HE IS RIGHT, BUT WHY ARE THEY STOPPING PEOPLE PRIOR TO ENTERING BOLIVAR. SOLICITOR SAID IF HE CAN TELL HIM WHEN, WHERE, AND WHO THAT HAS HAPPENED TO—HE WILL TAKE IT UP WITH THE MAYOR AND THE COPS AND THEY WILL BE SANCTIONED FOR IT. SOLICITOR FEELS IT IS NOT THE CASE, AND THIS IS NOT THE FIRST TIME THAT HE HAS HEARD THIS COMPLAINT AND HE KNOWS THEY HAVE BEEN INVESTIGATED. ANDY STATED HE WAS NOT HERE TO TALK TO HIM, HE WAS HERE TO TALK TO HIS SUPERVISORS—SOLICITOR IS JUST THE LEGAL SERVICE. ANDY WANTS SUPERVISORS TO DO SOMETHING ABOUT THIS NOW AND FOR IN THE FUTURE. VAUGHN SAID HOW IN THE FUTURE? ANDY SAID TO TELL THEM TO STAY OUT OF FFTWP, DO NOT EVEN LET THEM COME INTO FFTWP TO TURN AROUND. VAUGHN SAID TWP HAS HAD PEOPLE CONTACT THE TWP WANTING POLICE. ANDY SAID WE DO NOT NEED THE HARASSMENT WITH A COP IN FFTWP. VAUGHN SAID SUPERVISORS HAS HEARD HIS COMPLAINT.

VII. OLD BUSINESS: 1. NOISE ORDINANCE—ADVERTISED IN LATROBE BULLETIN. THIS WAS BROUGHT UP ABOUT 2 MONTHS AGO BECAUSE OF A PROPOSED STONE QUARRY IN YEAGER HOLLOW AND WITH THE GAS COMPANIES. OPEN FLOOR TO DISCUSSION: **CURT KING** –BARREL OF WORMS, TIME ARE TOUGH WITH MONEY, TWP WOULD HAVE TO ENFORCEMENT OFFICER, EQUIPMENT, DO BACKGROUND NOISE FOR A PERIOD OF TIME, IT WILL BECOME A LAWYER THING, AND WITH THESE BIG COMPANIES—WHAT ARE YOU GOING TO DO WITH THEM—THEY COULD TIE IT UP FOREVER IN COURT. **ERN RITENOUR**—HE BROUGHT THIS UP. HE IS CONCERNED ABOUT A COMPRESSOR STATION, BUT HE FEELS THE ORDINANCE DOES NOT ADDRESS THIS, ALL IT DOES IS LIMIT THE NOISES. HE FEELS THE ORDINANCE WILL NOT AFFECT THE GAS COMPANY. THIS ORDINANCE ONLY LIMITS THE CITIZENS. VAUGHN FOUND AN ARTICLE IN TWP NEWS MAGAZINE—THE PUC IS PUTTING A MODEL ORDINANCE THAT PROHIBITS TWPS OR COUNTIES TO HAVE ORDINANCE THAT IS MORE STRINGENT. TWPS ORDINANCES WOULD NOT SUPERSEDE THEIRS. OUR REPRESENTATIVES ARE TRYING TO COME UP WITH SOMETHING, THEY ARE GOING TO HAVE TO MEET THOSE STANDARDS, AND IF TWP WASTES MONEY ON PASSING AN ORDINANCE—IT WILL NOT BE ENFORCEABLE. VAUGHN SAID THEY ARE TRYING TO ADDRESS THE GAS WELLS. VAUGHN SEES IT COMING INTO AFFECT WITHIN THE NEXT YEAR. ERNIE ASKED WHAT HAPPENS IF THEY PUT IN A COMPRESSOR STATION NOW ARE THEY GRANDFATHERED IN. VAUGHN DOES NOT KNOW, PAUL SAID YES. SOLICITOR SAID IT DEPENDS IF THEY SAY IT IS RETROACTIVE. SECRETARY SUGGESTED CITIZENS CONTACT THEIR REPRESENTATIVES TO MAKE IT RETROACTIVE. ERN ASKED IF IT ADDRESSED THE NOISE FROM COMPRESSOR. SOLICITOR SAID IF IT IS ABOVE THE DECIBELS AND IT IS AFTER 9 PM—IT ADDRESSES THE PROBLEM. VAUGHN SAID CARL FULCOMER VOLUNTEERED TO BE AN ENFORCER. PAUL SAID TWP HAD PROBLEMS WITH THE SHALLOW GAS, AND WE GOT WALKED ON—DO WE GET WALKED ON AGAIN OR DO WE GO PROACTIVE ON THIS. VAUGHN SAID TOM STICKLE HAD A COMPLAINT ON HIS PROPERTY WITH COMPRESSOR STATION NOISE. PAUL SAID IT WAS DOWNGRADED BECAUSE THE COMPRESSOR WAS REDUCED IN SIZE. VAUGHN SAID A QUARRY WAS GOING IN ON THE RIDGE, BUT THE MTG IN JUNE ADDRESSED PROBLEMS SUCH AS THERE WILL NOT BE A ROCK COMPRESSOR AT THIS SITE. PAUL SAID IF YOU WAIT FOR THE STATE, WE WILL ALL BE RETIRED. SOLICITOR SAID THE COMMONWEALTH HAS ALREADY SET LEGISLATION. SECRETARY SAID IF LEGISLATURE IS MAKING ORDINANCE FOR GAS WELLS, WHY CAN'T TWP—TWP CAN MAKE SOMETHING UP NOW AND THEN RESCIND IT WHEN THE STATE COMES UP WITH THEIRS? SOLICITOR DOES NOT KNOW HOW TO DEFEND COMPRESSOR NOISE IS BAD, BUT SAME LEVEL IS OKAY IF A NEIGHBOR DOES IT. SECRETARY SAID THE DIFFERENCE



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WOULD BE THAT THESE ARE RESIDENCE HERE THAT LIVE HERE, PAY TAXES HERE; THE GAS WELLS ARE JUST BEING SET UP AND THEY ARE THEN GOING HOME. SOLICITOR SAID THEY PAY FOR A PROPERTY INTEREST TO TWP RESIDENTS. SOLICITOR FEELS THIS ORDINANCE HAS POTENTIAL TO HELP RESIDENTS WITH THIS PROBLEM. **MIKE SISITKI** SAID JUSTIFY THE NOISE FOR RESIDENTS BECAUSE THEY ARE NOT IN BUSINESS TO MAKE MONEY, THEY LIVE HERE. MIKE SAID COMPRESSOR IS SET TO MAKE NOISE 24/7 THE NEIGHBOR IS NOT GOING TO MAKE NOISE 24/7. **RON WAGNER** IN THE GENERAL SENSE OF A SOUND ORD., HAS TWP CHECKED INTO WHAT THE EXPENSE WOULD BE? VAUGHN SAID NOT REALLY. RON ALSO SAID 70 OR 90 DECIBELS ARE VERY LOW NUMBERS, AND HOW WOULD TWP IMPLEMENT IT. SOLICITOR SAID WOULD HAVE TO HIRE OFFICER, PAY FOR TRAINING, BUY EQUIPMENT, ETC. RON SAID ABOUT SOME ONE BURNING TIRE ON 711—SOLICITOR SAID IT IS NOT FOR THAT. MIKE SAID A COAL TK ON 711 PROBABLY EXCEEDS THE DECIBELS. SOLICITOR SAID THERE ARE EXEMPTIONS IN THE ORD. VAUGHN SAID HE HAS A NEIGHBOR THAT COMES HOME IN THE AM AND PUTS OF 1/4 STICKS AND RACES ON THE ROAD—HE IS A NUISANCE; VAUGHN FEELS FOR ERNIE.; IT IS A TOUGH SITUATION FOR SUPERVISORS. ERNIE SAID HIS CONCERN IS FOR THE CONTINUOUS NOISE. **DON BORING** SAID THEY CAN MUFFLE THE NOISE. ERNIE SUGGESTED A NOISE COMPRESSION ORDINANCE. VAUGHN SAID TWP WILL LOOK INTO IT MORE. VAUGHN ASKED IF ANYONE ELSE HAD ANYTHING TO SAY ABOUT THE NOISE ORDINANCE, VAUGHN ASKED SUPERVISORS JIM AND PAUL FOR ANY ADDITIONAL COMMENTS; THERE WAS NONE. VAUGHN WANTED TO CALL AN EXECUTIVE SESSION. SOLICITOR SAID CAN ONLY DO IF THEY HAVE A VALID REASON. RON WAGNER ASKED IF THIS WAS THE SAME ORDINANCE THAT WAS VOTED DOWN IN 2008? SUPERVISORS SAID YES. RON ASKED FOR THE VOTE AT THAT TIME, PAUL SAID HERE WAS NO VOTE, BECAUSE THERE WAS NO MOTION. RON MEANT WITH THE PUBLIC, PAUL SAID IT WAS ABOUT 99% AGAINST IT. VAUGHN ASKED IF THERE WAS A MOTION TO ADOPT THIS NOISE ORDINANCE #2-2011? **MOT BY PAUL TO ADOPT ORD. #2-2011 AS PRESENTED**, REASON MAKING MOTION IS SO THE TWP DOES NOT GET STEPPED ON IT AGAIN; NO 2ND ; MOTION DIES FOR LACK OF 2ND. VAUGHN FEELS THIS PARTICULAR ORDINANCE IS WAY TOO DEEP. ERN ASKED IF THERE WAS ANY WAY TO JUST ADDRESS THE GAS WELLS. SOLICITOR SAID NO. PAUL SENT LETTER FOR TKI ABOUT THE NOISE. MIKE SISITKI ASKED IF THERE WAS ANY TYPE OF SAFETY NOISE ORDINANCE STATEWIDE? SOLICITOR SAID NOT THAT HE IS AWARE. SECRETARY THOUGHT MAYBE SOMETHING WITHIN THE DEP GUIDELINES. PAUL SAID OIL & GAS ACT HAS NOT BEEN UPDATED SINCE 1972. SECRETARY STATED SUPERVISORS HAVE A GOOD WORKING RELATIONSHIP WITH THE GAS WELLS, WHY DON'T THE SUPERVISORS SET UP A MEETING WITH THE BOSSES AND TELL THEM OUR RESIDENTS CONCERNS AND REQUEST THAT WHEN THEY DO INSTALL COMPRESSOR STATIONS THEY DO THE BEST THEY CAN TO MUFFLE THE NOISE. VAUGHN FEELS THAT A MEETING WOULD BE THE FIRST STEP. **2. ACT 32—COUNTY WIDE TAX COLLECTION**—SOLICITOR STATED THAT PAMS WILL NO LONGER BE COLLECTING EIT FOR FFTWP. SOLICITOR SAID IT WILL BE COLLECTED ON JAN 1, 2012 BY BERKHEIMER, IT IS COUNTY WIDE. THE OTHER NUISANCE TAXES WILL NEED TO BE APPOINTED TO BERKHEIMER OR LEFT WITH PAMS. PAUL SAID THE DOCUMENT SAID THAT THERE WILL HAVE TO BE A 90 DAY NOTICE. SOLICITOR SAID THAT A LETTER WILL HAVE TO BE SENT TO PAMS IN SEPTEMBER.

VIII. NEW BUSINESS: NONE

IX: PUBLIC COMMENT: 1. MAUREEN BLON 2. ANN MARIE BLON 3. ROMAYNE ALTIMUS 4. LEO ALTIMUS 5. CURT KING 6. MARGARET KING 7. ERN RITENOUR—PURSUE THE GAS COMPRESSOR NOISE, ANY WAY TO REGULATE THE NOISE. HE DOES NOT WANT IT TO BE A DEAD ISSUE VAUGHN TOLD HIM IT IS SENATE BILL 1100 SOLICITOR SAID IT WOULD BE WORTH YOUR CALL TO PICK UP THE PHONE AND GIVE THEM A CALL, CITIZENS NEED TO GET INVOLVED **8. RON WAGNER 9. KAREN BORING 10. LAURA HENDERSON 11. PAULA BROWN**—IF TWP DOES MAKE A PHONE CALL, DEFINITELY FOLLOW UP WITH A LETTER SHARING OUR CONCERNS. **12. MIKE SISITKI**—FEELS SUPERVISORS COULD TALK TO THE GAS WELL PEOPLE AND TRY TO WORK SOMETHING OUT BENEFICIAL TO ALL PARTIES. VAUGHN SAID HE WILL GIVE THEM A CALL TOMORROW OR MONDAY. THEY HAVE ALREADY TAKEN CARE OF SOME COMPLAINTS SUCH AS THE ROAD. ON ANDY LONG'S COMPLAINT, HE HAS SEEN THE COPS ON WEST BOLIVAR STREETS. VAUGHN SAID THEY WILL TALK TO THE MAYOR ABOUT THIS. **13. DON BORING 14. DAN BRENDLINGER**

VAUGHN ANNOUNCED THAT SECRETARY CALLED ABOUT MOON'S BRIDGE AND IT SHOULD BE OPENED BY AUG. 26TH. WHICH WILL CUT DOWN ON THE TRAFFIC ON BEAUFORTS. MIKE ASKED WHEN THEY ARE DOING THE ONE BY B & N AUTO. VAUGHN SAID WITHIN 2 WKS. VAUGHN SAID HE UNDERSTANDS THERE WILL BE FLAG PERSON, YOU WILL BE ABLE TO GET AROUND IT.

X. ADJOURNMENT: MOTION BY VAUGHN , 2ND BY JIM, UNAN-YES(3) Time: 8:00 PM

Submitted by: Emma Brendlinger, Sec-Tres

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