



FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON FEBRUARY 10, 2011



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

II. ROLL CALL: PAUL ALTIMUS—PRESENT JAMES BROWN—PRESENT SOLICITOR—PRESENT (JWM)
VAUGHN TANTLINGER—PRESENT SECRETARY—PRESENT(EJB) CITIZENS--7

III. PREVIOUS MONTHS MEETING HELD ON JAN. 13, 2011: APPR BY JIM , 2ND BY PAUL, UNAN-YES(30

IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED JANUARY 2011: APPR BY VAUGHN, 2ND BY JIM, UNAN-YES(3) TWP HAS THE TAX ANTICIPATION LOAN, HOPE WE DO NOT HAVE TO USE IT.

V. CORRESPONDENCE: 1. TRI-CTY ENGINEERING, LLC-XTO ENERGY PIPELINE, CHRISTIANSON LATERAL; AND NOTICE OF ENERGY PIPELINE, SCAIFE LATERAL. CERTIFIED MAIL TO GIVE NOTICE THAT THEY ARE SCHEDULED TO AN 8" LATERAL FOR SCAIFFE THAT IS TO GO UNDER MT.VIEW ROAD. THE CHRISTIANSON WILL GO UNDER HYPOCRITE CREEK HOLLOW RD. 2. PENDOT NOTICE OF STATE WORK TO BE DONE IN FAIRFIELD TWP. THEY PLAN TO WORK BY LAUGHNER AND SR259 REMOVING VEGETATION AND DEBRIS FROM CREEKS AND DO SOME BACKFILL, BASICALLY DO SOME PREVENTIVE MAINTENANCE.

VI. PERSONS PLACED ON AGENDA: 1. SUBDIVISION NICAN PLAN #1—IT IS A SEPARATION OF 17 ACRES FROM PARENT TRACT OF 90 CREATING 2 SEPARATE PARCELS. SEWAGE OFFICER IS AWARE OF THIS PLAN. MOT BY PAUL, 2ND BY VAUGHN; TO APPROVE NICAN SUBDIVISION PLAN AS PRESENTED—CONTINGENT UPON SEWAGE OFFICER APPROVAL AND SIGNATURE. UN-YES(3)

VII. OLD BUSINESS 1. ORDINANCE #1-2011 FLOOD UPDATE—NOTICE WAS ADVERTISED IN THE LATROBE BULLETIN. SOLICITOR STATED IF ADOPTED, TWP WILL HAVE TO MAIL TO DCED AND COUNTY LAW LIBRARY. MOTION MADE BY PAUL TO APPROVE ORDINANCE #1-2011 FLOOD UPDATE, 2ND BY VAUGHN, UNAN—YES (3) VAUGHN THANKED SOLICITOR FOR ALL HIS WORK ON THE FLOOD UPDATES.

VIII. NEW BUSINESS: 1. BIDS FOR AGGREGATE, ANTI-SKID, & SEAL COATING WILL BE ADVERTISED THRU THE I-W COG TO BE OPENED END OF MARCH 2011; MOT BY VAUGHN, 2ND BY PAUL TO APPROVE I-W COG ADVERTISING FOR FAIRFIELD TWP 2011 AGGREGATE, ANTI-SKID, AND SEAL COATING MATERIAL; UN-YES (3) 2. EQUIPMENT RENTAL FOR UPCOMING 2011 ROAD PROJECTS. MOT BY JIM TO ADVERTISE FOR EQUIPMENT RENTAL TO BE OPENED ON APRIL 14 REGULAR TOWNSHIP MEETING; 2ND BY PAUL, UN-YES (3) 3. SECRETARY ASKED FOR AN UPDATE ON THE COUNTY TAX COLLECTION SINCE IT HAS TO BE IN EFFECT BY 2012. JEFF DID NOT ATTEND THE JANUARY MEETING. NO CHANGE TO THE EFFECTIVE DATE. SOLICITOR SAYS LAW BECOMES EFFECTIVE JAN. 1, 2011. SECRETARY SAID TWP WILL HAVE TO DECIDE IF THEY ARE GOING TO COLLECT THE OTHER NUISANCE TAXES. SOLICITOR SAID THE ONLY TAX BY LAW TO BE COLLECTED BY THE COUNTY—IS THE EARNED INCOME TAX. SOLICITOR SAID THE TWP MAY ALSO APPOINT THE COUNTY EARLIER THAN JANUARY 1, 2012. SOLICITOR SAID SOME HAVE ALREADY STARTED . SECRETARY THOUGHT IT WOULD BE BETTER TO EASE SO MANY TWPS AT A TIME, TO AVOID ANY TYPE OF MASS CONFUSION. SOLICITOR CAN GET TWP SOME TWP NAMES TO SEE HOW THE TRANSITION WAS FOR THEM TO THE COUNTY WIDE TAX COLLECTION. SECRETARY SAID THE AGREEMENT MAY HAVE A 60 OR 90 DAY NOTICE OF CHANGING COLLECTION AGENCY. SECRETARY FEELS IT SHOULD NOT HAVE BEEN UP TO THE COUNTY FOR THIS DECISION, IT IS JUST ANOTHER WAY OF THE GOVERNMENT TELLING SMALL TWPS WHAT THEY HAVE TO DO. SOLICITOR SAID THERE IS TALK NOW OF MOVING THE REAL ESTATE TAX TO COUNTY WIDE ALSO, WHICH WOULD ELIMINATE THE LOCAL TAX COLLECTORS.

IX. PUBLIC COMMENT: 1. DEB BARTLEY—ANY UPDATES ON PIPELINE UNDER THE ROAD. VAUGHN SAID PENDOT GAVE THEM APPROVAL AND THEY PULLED PIPE UNDER THE ROAD TODAY. HE FEELS THEY MUST HAVE HIT WATER ON MIDGET CAMP ROAD WHERE ALL THE BALES OF HAY ARE AT. THEY ARE GOING UNDER 711 NOW. VAUGHN SAID TWP WAS TOLD THAT AS SOON AS THEY ARE DONE WITH THAT PIPELINE, THEY MAY PULL OUT FOR AWHILE. 2. LAURA HENDERSON 3. DAN BRENDLINGER 4. MARISA HENDERSON 5. PAULA BROWN 6. KURT LIMBACH—IS AT THE TWP MTG FOR THE IMPACT OF WAGNER QUARRY ON THE ROAD SYSTEM IN THE COMMUNITY, IT IS PROJECTED TO MINE 650,000 TON OF LAGSTONE A YEAR FOR 20 YEARS. IT WORKS OUT TO BE 1 MILLION TRUCK TRIPS IN, AT 26,000 LBS AND 1 MILLION TRUCK TRIPS BACK OUT, TOTALING 2 MILLION TRUCK ON RTE 259. HE FEELS IT WOULD BE A DISASTER FOR THIS COMMUNITY, SCHOOL BUSES USE 259 AND OTHER STATE ROUTES—CREEK ROAD AND MIDGET CAMP ROADS, THESE ROADS CAN NOT HANDLE THAT KIND OF TRAFFIC. KURT WANTS TWP TO REQUEST A TRAFFIC STUDY FROM PENDOT. IT ALSO SAYS IT WILL PERIODICALLY AFFECT 259 AND HE DOES NOT KNOW HOW THAT IS PERMISSIBLE. HE WOULD LIKE TWP TO ENACT AN ORDINANCE AGAINST BLASTING OTHER THAN BETWEEN THE HOURS OF 8 AM AND 5 PM, MONDAY THRU FRIDAY—BLASTING OTHER TIMES IN THIS COMMUNITY SHOULD BE PROHIBITED. HE ALSO ASKS TWP TO REVISIT THE NOISE ORDINANCE AND FOR TWP TO GET WITH THE SOLICITOR AND FIND SOMETHING THEY CAN BE COMFORTABLE WITH THAT WOULD PROTECT THE COMMUNITY. THEY PLAN TO CRUSH ROCK 1000 FT FROM 259 AND HAVE A CONVEYOR BELT AND WITHOUT ANY ORDINANCE IN THE COMMUNITY, THEY WILL RUN 24 HRS A DAY. DEP DOES NOT REGULATE SOUND, ONLY LOCAL COMMUNITIES CAN REGULATE SOUND. HE ASKED THE SUPERVISORS IF THEY HAVE ANY COMMENTS ON AN ORDINANCE WHEN THEY CAN ONLY BLAST 8-5, MONDAY THRU FRIDAY, AS OPPOSED TO AFTER HOURS AND WEEKENDS, HOLIDAYS, ETC.—HE WANTS SUPERVISORS' OPINIONS. PAUL ASKED SOLICITOR IF HE EVER HEARD OF SUCH AN ORDINANCE. SOLICITOR SAID HE CAN RESEARCH IT, AND HE DOES NOT KNOW OF ANY REASON WHY TWP COULD NOT ENACT ONE, BUT HE WILL HAVE TO RESEARCH IT. SOLICITOR SAID TWP DID FILE COMMENTS WITH DEP ON WAGNER QUARRY. BASICALLY 2 COMMENTS BECAUSE WE DO NOT HAVE ANY LAND USE ORDINANCES, EVERYTHING IS REFERRED TO THE



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COUNTY. HE CAN TAKE A LOOK THRU THE COUNTY ORDINANCES TO SEE IF WE CAN COME UP WITH SOMETHING TO COMMENT IN THAT RESPECT. TWP FILED COMMENTS RELATED TO THE ROADS, BIGGEST CONCERN IS HOW ARE THEY GOING TO GET IT OUT—THRU BOLIVAR, OUT 259, OR CREEK ROAD; BUT THEY ARE ALL STATE ROUTES AND TWP LIMITED ON WHAT CAN BE DONE. BUT DEP SHOULD BE AWARE OF THE BRIDGE LIMITATIONS AND THE BIGGEST CONCERN IS STANTON BRIDGE WHICH IS DUE FOR REPLACEMENT. SOLICITOR SAID THAT IS THE COMMENTS MADE TO DEP, HOW ARE THEY GOING TO GET IT OUT WITHOUT ANY MAJOR ROADS TO HAUL IT TO. KURT ALSO BROUGHT UP ABOUT 259 PERIODICALLY FLOODING. KURT SAID TWP WOULD HAVE TO GET A COMPLETE DEP COPY FOR HIM TO SHOW US WHERE THE INFORMATION IS. SECOND COMMENT WAS ABOUT WHERE THE FISH AND BOAT COMMISSION HAS DONE SURVEYS ON THE CONEMAUGH TO DETERMINE WHAT WAS IN THOSE STREAMS AND THEY FOUND WILD TROUT IN SOME PLACES, ONE BEING FREIDMAN RUN. KURT SAID THAT IS WHERE THEY PLAN TO DUMP THEIR DISCHARGE FROM THEIR HOLDING POND. SOLICITOR ASKED WHERE HE GOT THE INFORMATION, KURT SAID IT WILL GO INTO A TRIBUTARY WHICH THEN RUNS INTO FREIDMAN’S RUN. KURT ALSO KNOWS THE CONEMAUGH CONSERVANCY AND BARRY TUSCANO, BECAUSE IT CONCERNS TUBMILL WHICH IS A HIGH VOLUME STREAM, ALL THE SCIENCE HAS BEEN DONE TO SAY IT IS AN EXCEPTIONALLY VALUABLE STREAM, AND IT HAS TO BE TREATED AS SUCH BY THE LAW. KURT SAID THEY WILL CHANGE THE WATER FLOW FOR ANYONE BELOW THE PROJECT, THEY SAID IT WILL RESTORE ITSELF AFTER THEY ARE DONE—NOT POSSIBLE. THEY ALSO HAVE A LETTER FROM THE LANDOWNER REQUESTING THEY NEVER RECONTOUR THE PROPERTY. BASICALLY THEY WRECK THE PROPERTY AND LEAVE, THEY ARE NOT PLANNING TO DO ANY RESTORATION TO THE ORIGINAL STATE, THEY DO NOT PLAN TO RE-VEGETATE. PAUL SAID THE TWP GETS NOTICE OF BLASTING AT THE DERRY QUARRY. KURT SAID THEY ARE SENDING TO FAIRFIELD AS A COURTESY, DERRY PROBABLY HAS BLASTING ORDINANCE. VAUGHN SAID MAYBE COULD CHECK WITH DERRY ON A BLASTING ORDINANCE. PAUL SAID THIS IS THE 3RD APPLICATION. KURT SAID THEY TRY TO DO THE MINIMUM, AND THE STATE SENDS BACK TELLING THEM WHAT THEY ARE REQUIRED TO DO. KURT ALSO FEELS THEY SHOULD NOT BE ABLE TO RUN A CONVEYOR ALL HOURS, ALSO TRUCKS SHOULD NOT BE SETTING AROUND IDLING. PAUL SAID IT IS A STATE LAW THAT DIESEL CAN NOT SET AROUND IDLING. KURT SAID THESE ARE HARD WORKING GUYS THAT GET PAID BY THE LOAD SO THERE INCENTIVE IS TO GO, MAYBE THEY SHOULD NOT BE PERMITTED TO RUN WHEN SCHOOL BUSES ARE ON THE ROAD. THE BACK UP ALARMS CAN BE NOISY VAUGHN REQUESTED SOLICITOR TO LOOK INTO REGULATING BLASTING. PAUL ASKED IF PERMIT HOLDS AT PENDING UNTIL ALL COMMENTS ARE REVIEWED. SOLICITOR DOES NOT KNOW. KURT SAID THEY DESIGNED HOLDING PONDS FOR 10 YRS FOR A 20 YR. PROJECT, THEY ARE DESIGNED TO FAIL. SOLICITOR SUGGESTED KURT SUBMIT A LETTER OF COMMENTS. PAUL SAID THE LAST NOTIFICATION; THE TWP SENT LETTERS TO PEOPLE THAT MAY BE AFFECTED. JEFF HOPES KURT SHOWS UP IF THERE ARE HEARINGS SCHEDULED. IF BLASTING ORDINANCE COMES INTO PLACE, DOES IT ALSO AFFECT THE TORRANCE QUARRY, OR IS IT GRANDFATHERED IN? SOLICITOR SAID THAT HE DOES NOT KNOW THE ANSWER, DOES NOT KNOW IF YOU CAN ENFORCE ORDINANCES OUTSIDE THIS TWP. DEB BARTLEY SAID YOU CAN SIT AT THE POWER PLANT AND WATCH THE TRUCK TRAFFIC. SECRETARY ASKED IF THIS COULD BE A WESTMORELAND COUNTY LAW. COULDN’T OUR REPRESENTATIVES AND SENATORS MAKE A REGULATION PROTECTING THE RESIDENTS. SOLICITOR SAID THAT IS WHY TWPS HAVE ZONING WITH CONDITIONS FOR EACH ZONE. LIGONIER PUT RESTRICTIONS AND AMERIKOL JUST LEFT THE AREA. **7. DEBRA LIMBACH**

X. ADJOURNMENT: MOTION BY JIM , 2ND BY VAUGHN, UNAN—YES(3) Time: 7:54 PM

Submitted by: Emma Brendlinger, Sec-Tres

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