

FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON OCTOBER 9, 2008

I. MEETING CALLED TO ORDER AT 7 PM BY PAUL ALTIMUS, CHAIRMAN.

II. ROLL CALL: PAUL ALTIMUS-PRESENT JAMES BROWN-PRESENT SOLICITOR-PRESENT (J.M.)
 VAUGHN TANTLINGER-PRESENT SECRETARY-PRESENT(EJB) CITIZENS-4

III. PREVIOUS MONTHS MEETING HELD ON 9/11/2008: APPR. BY VAUGHN, 2ND BY JIM, UN—YES.

IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED SEPTEMBER 2008:
 APPR. BY PAUL, 2ND BY VAUGHN, UN—YES.

V. CORRESPONDENCE: **1. ROAD BOND** RELEASE FOR ALLEGHENY WOOD PRODUCTS ON TR897 GRAVE YARD HILL IN THE AMOUNT OF \$15,000; MOTION BY VAUGHN TO RELEASE AWP ROAD BOND, 2ND BY PAUL, UN—YES. **2. EARTHTECH** CERTIFIED LETTER #2—PAUL SAID AT LAST MONTHS MEETING THEY PRESENTED TWP WITH A COPY OF A PERMIT APPLICATION FOR A LARGE NON COAL SUBMITTAL TO DEP, AND THEY SENT US A SECOND ONE TWP RECEIVED ON OCT. 6TH. JIM SAID THEY JUST CHANGED THE WORDING ON THE FIRST LINE FROM THEY HAVE RECEIVED TO THEY WILL RECEIVE, OTHER THAN THAT THE PERMIT REMAINS THE SAME. PAUL SAID NOW TWP HAS 30 MORE DAYS TO RESPOND. JEFF SAID HE DID SEND A RESPONSE TO THE 1ST LETTER INDICATING THAT THE APPLICATION WAS WRONG BECAUSE WESTMORELAND COUNTY DOES HAVE A COMPREHENSIVE PLAN AND THE APPLICATION SAID IT DIDN'T. PAUL ASKED THEN IF THE TWP SHOULD AGAIN SEND A 2ND LETTER, THE APPLICATIONS STILL SAYS THE COUNTY DOES NOT HAVE ANY COMPREHENSIVE PLAN. JEFF WILL FOLLOW-UP WITH ANOTHER LETTER. SECRETARY STATED KURT LIMBAUCH SAID HE TALKED TO DEP AND THEY DID NOT EVEN HAVE THE APPLICATION. DEP GAWLAS SAID SHE TRIED TO GET PATTERSON ROAD CITIZENS INVOLVED AND THE DID NOT SEEM TO CARE. SECRETARY STATED THAT CHUCK KRAUSE CAME IN TO GET THE ADDRESS—HE WAS TO WRITE A LETTER, NATE FOUST CALLED AND SAID HE WAS GOING TO CHECK WITH OTHER RESIDENTS AS TO WHAT THEY WERE DOING, BRANDON YEAGER FROM YEAGER HOLLOW SENT THE TWP A COPY OF A LETTER HE SENT TO DEP REGARDING THE APPLICATION. DEB SAID DEP SAID THAT THERE SHOULD BE AN AREA DESIGNATED WHERE ALL THE RECORDS REGARDING THIS PROJECT WHERE ANYONE INTERESTED IN LOOKING AT IT, THEY CAN DO SO IN ONE AREA. KURT SAID HE WAS AFRAID THAT THEY WOULD TRY TO USE THIS NOTICE FOR THE 30 DAY RESPONSE PERIOD INSTEAD OF WHEN DEP RECEIVES NOTIFICATION. KURT IS ALSO CONCERNED WITH THE DUST AND THE WATER. DEB ASKED ABOUT THEM BEING LAND LOCKED. PAUL SAID HE DOES NOT KNOW HOW THEY ARE GETTING THE TRUCKS OUT, UNLESS MAYBE THEY ARE GOING OVER LAND AND OUT THRU TORRANCE.

VI. PERSONS PLACED ON AGENDA: NO ONE

VII. OLD BUSINESS: **1. OPEN BIDS** FOR 1990 FORD F250 PICKUP TRUCK WITH SNOW PLOW & SPREADER, WAS ADVERTISED IN LIGONIER ECHO. THEY ARE AS FOLLOWS:

	BIDDER	TOTAL BID "AS IS"
1	Hughes Excavating, Bolivar, PA 15923	\$3,060.99
2	Rick Smith, Ligonier, PA 15658	\$2,999.99
3	Barbara Altimus, Bolivar, PA 15923	\$3,200.00

MOTION BY VAUGHN TO ACCEPT BID FROM BARB ALTIMUS BEING THE HIGHEST BID, 2ND BY JIM, UN—YES. **2. DEP LETTER** DENIED APPLICATION FOR THE TREATMENT FACILITY ABOVE THE CONEMAUGH. **3. SECRETARY** ASKED SOLICITOR IF MDIA RECEIVED THE LETTER STATING THAT THE TWP IS CANCELLING THEIR AGREEMENT FOR BUILDING APPLICATIONS. JEFF WILL CHECK ON THE LETTER. SOLICITOR HAS HEARD COMPLAINTS ON MDIA'S INSPECTIONS. SOLICITOR IS TO CHECK TO SEE IF INDIVIDUALS HAVE TO DEAL WITH MDIA. SOLICITOR FEELS HOMEOWNERS CAN GO OUT AND HIRE THEIR OWN INSPECTOR. SOLICITOR SAID IF MDIA IS NOT HONORING THE CONTRACT, MDIA MAY BE IN VIOLATION OF THE EXISTING CONTRACT.

VIII. NEW BUSINESS: **1. CDBG** (COMMUNITY DEVELOPMENT BLOCK GRANT) PROPOSED PROJECT—IT IS A GRANT THAT IS AVAILABLE EVERY 3 YEARS AND IT IS FEDERAL MONEY DISTRIBUTED BY WEST'D COUNTY AND WE ARE ON 2009-2010-2011 CYCLE. THE SUPERVISORS HAVE TO COME UP WITH A PROJECT. VAUGHN EXPLAINED THAT THE TWP HAD AN ENGINEER LOOK AT A PROJECT WHERE THE SUPERVISORS FEEL THIS MONEY WILL BEST USED. VAUGHN MADE A MOTION TO USE THE 2009-2010-2011 CDBG MONEY FOR GRAVE YARD HILL, STORM SEWER AND PAVING PROJECT; 2ND BY JIM, UN—YES. **2. TRICK OR TREAT**—PAUL ANNOUNCED THAT IT IS SUPERVISORS PLACE TO SET THE DATE AND TIME OF TRICK OR TREATING IN FAIRFIELD TWP. BVFC ANNUAL PARADE IS SET FOR OCT. 26TH AT 2 PM AND BOLIVAR TREATING IS SAME DAY FROM 4-6 PM, WEST WHEATFIELD USUALLY SETS THEIRS FOR THE SAME DAY AS THE PARADE. MOTION BY PAUL FOR TRICK/TREATING TO BE OCT 26TH FROM 4-6 PM, 2ND BY VAUGHN, UN—YES. **3. BUDGET WORKSHOP**—PAUL ANNOUNCED THIS IS AN ANNUAL WORK SHOP AND IT IS USUALLY SET FOR A WEEK AHEAD OF THE REGULAR MEETING. PAUL MADE MOTION TO HAVE BUDGET WORKSHOP ON THURSDAY, NOVEMBER 6TH AT 3 PM AT THE MUNICIPAL BUILDING, 2ND BY VAUGHN, UN—YES. **4. FOREIGN FIRE** MONEY HAS BEEN RECEIVED AND DEPOSITED--\$16,213.71. THIS MONEY IS BASED ON 50% POPULATION AND 50% ON MARKET VALUE OF THE REAL ESTATE FOR VOLUNTEER FIRE COMPANIES. RESOLUTION #7-1988 STATES THAT FAIRFIELD V.F.C. RECEIVES 85% (\$13,781.65) AND BOLIVAR V.F.C. RECEIVES 15% (\$2,432.06) OF THIS MONEY. PAUL MADE A MOTION TO DISTRIBUTE THE FOREIGN FIRE MONEY AS STIPULATED ON RESOLUTION #7-1988; 2ND BY VAUGHN, UN—YES. **5. DISCUSSION OF INCREASING TAX MILLS**—PAUL STATED THAT TALKING AMONGST THEMSELVES, THEY HAVE COME TO THE CONCLUSION THAT THE TWP NEEDS TO INCREASE SOME INCOME, AND THEY DISCUSSED RAISING THE TAX MILLAGE FROM 2.1 MILLS TO 3.1 MILLS. THE PROPOSED INCREASE WOULD BE GENERATE APPR. \$22,546.51. INFORMATION HAS ALSO BEEN

PROVIDED TO SHOW THE 2008 TAX MILLAGE FOR ALL OF WESTMORELAND COUNTY. VAUGHN SAID AS YOU CAN SEE, FAIRFIELD TWP IS CURRENTLY THE LOWEST IN THE COUNTY. PAUL ANNOUNCED THAT THE LAST INCREASE WAS IN 1984 FROM 1.6 MILLS TO 2.1 MILLS. PAUL SAID BASICALLY THIS IS JUST GOING TO BE IN INFLATION ADJUSTMENT AND NOT EVEN COVER THAT. VAUGHN SAID PERFECT EXAMPLE IS DIESEL FUEL WHICH USED TO COST US \$4000 TO \$5000 A YEAR, NOW WE ARE WELL OVER \$15,000. PAUL SAID DOING BEST WITH WHAT THEY HAVE. PAUL ASKED ANY OTHER COMMENTS FROM THE AUDIENCE? PAUL MADE A MOTION TO CREATE ORD#1-2008 TO RAISE TAX MILLAGE FROM 2.1 TO 3.1 MILLS; 2ND BY JIM, UN—YES. SOLICITOR ASKED IF THEY ARE JUST AUTHORIZING THE ADVERTISEMENT FOR AN ORDINANCE, IT CAN NOT BE ACTED ON NOW. PAUL SAID YES, THEY ARE AUTHORIZING THE DRAFTING OF THE ORDINANCE TO BE ACTED ON AT THE NEXT MEETING FOR THE INCREASE TO TAKE AFFECT IN 2009. VAUGHN ASKED IF THE AUDIENCE CAN STILL COMMENT ON IT AT THE NEXT MEETING. SOLICITOR SAID YES BEFORE IT IS ACTED ON, THEY CAN EVEN TABLE IT UNTIL DECEMBER MEETING. PAUL INSTRUCTED SOLICITOR TO DO THE WORDING ON THE ADVERTISEMENT AND THE ORDINANCE. SOLICITOR SAID THAT BY SOME OF WHAT HE HAS READ, IT MAY ONLY HAVE TO BE A RESOLUTION AND IT WOULD SAVE THE TWP MONEY IN ADVERTISING. SOLICITOR WILL DO SOME FURTHER CHECKING TO SEE IF IT WOULD BE AN ORDINANCE OR RESOLUTION. SECRETARY STATED IF IT WOULD BE FOR A RESOLUTION, THE NUMBER MAY BE DIFFERENT AND THE MOTION SHOULD READ BY ORDINANCE OR RESOLUTION, WHICH EVER IS REQUIRED BY 2ND CLASS TWP CODE. PAUL AND SOLICITOR SAID OKAY. 6. VAUGHN ANNOUNCED THAT TWP DID SOME ROAD PAVING THIS WEEK WITH RUSSELL STANDARD. 7. **SOLICITOR** STATED THAT THE TWP WOULD HAVE TO APPOINT A **OPEN RECORDS OFFICER** AT THE BEGINNING OF THE YEAR. PAUL ASKED IF HAD TO BE DONE AT PUBLIC MEETING. SOLICITOR SAID YES. SOLICITOR SAID THAT TWP WOULD HAVE TO ADD ON IN THE FUTURE FOR REORGANIZATION MEETINGS, BUT WHOEVER THEY APPOINT NOW WOULD CONTINUE INTO THE NEXT YEAR FOR NOW. THIS INDIVIDUAL WILL BE REQUIRED TO ANSWER ALL THE OPEN RECORDS REQUEST THAT THE TWP RECEIVES, AND IT IS DRASTICALLY DIFFERENT THAN WHAT TWP IS USED TO. NOW THE RECORD IS PRESUMED TO BE OPEN TO THE PUBLIC, IT IS THE TWP'S BURDEN TO PROVE OTHERWISE, THERE ARE VERY LIMITED EXCEPTIONS. VAUGHN ASKED IF IT HAS TO BE ONE OF THE SUPERVISORS. SOLICITOR WENT TO A TRAINING SESSION AND THEY SUGGEST THAT IT BE A HIGHER LEVEL EMPLOYEE OR OFFICER; IT COULD BE MEMBER OF THE BOARD, SECRETARY; HE WOULD ENCOURAGE THE TWP TO CONSIDER APPOINTING EMMA. SECRETARY STATED THEY ARE TO SET GUIDE LINES AND FEE SCHEDULE. SOLICITOR SAID IT HAS TO BE DEALT WITH BEFORE THE 1ST OF THE YEAR.

PUBLIC: 1. DEB GAWLAS-ANYTHING BEING DONE ON THE HILL ON HER SIDE, SOME GRAVEL, SHE ASKED ABOUT THE STUFF THE STATE GRINDS UP. PAUL SAID MATERIAL IS HERE AND THAT IS THE PLAN. SHE SAID SHE GOES OUT AND FILLS POTHOLES WHEN SHE SEES THEM. SECOND SHE WANTS TWP TO BE MADE AWARE OF THE EAST WHEATFIELD TWP PROBLEM WITH A CHILD MOLESTER MOVING THERE. SOLICITOR SAID IT WILL BE INTERESTING TO SEE IF THE ORDINANCE HOLDS UP. DEB SAID THERE ARE 2 SIDES TO IT, IF YOU HAVE KIDS GETTING ON AND OFF THE BUSES; AND SHE THINKS THE PROBLEM WE ARE SEEING IT THE MUNICIPALITIES THAT DO NOT HAVE THEIR OWN POLICE FORCE AND THEY ARE PUTTING A PERSON IN THERE THAT IS CONSIDERED VIOLENT AND THEY DEPEND ON THE STATE POLICE. SOLICITOR SAID THE ONE SECTION HE IS WONDERING ABOUT IS WHERE THEY SAY THEY WILL FINE THE STATE. DEB SAID FROM HER OWN EXPERIENCE THEY WAITED 3 DAYS ON STATE POLICE TO SHOW UP AND THERE WAS A GUN INVOLVED. SOLICITOR SAID THE ACLU IS CHALLENGING PITTSBURGH ORDINANCE NOW. DEB THINKS THEY SHOULD HAVE A MINIMUM AMOUNT THAT CAN BE IN THE AREA. SECRETARY POINTED OUT THAT AT THE MEGAN SITE SHOWS THERE ARE SOME IN THIS AREA. SOLICITOR SAID THERE ARE 2 LEVELS OF MEGAN LAWS OFFENDERS ON THE SITE. SOLICITOR SAID THESE INDIVIDUALS ARE NOT PERMITTED IN CERTAIN LOCATIONS, SUCH AS DISTANCES FROM PARKS, SCHOOLS, ANYPLACE YOU ARE LIKELY TO FIND CHILDREN. DEB SAID THEY ARE DEPENDING ON THE PAROLE OFFICER TO KEEP TABS ON THIS GUY. SOLICITOR SAID THEY DO NOT JUST TURN THEM LOOSE, THEY ARE CHECKED ON REGULARLY BY STATE POLICE, PAROLE OFFICERS, ETC. 2. **MAUREEN BLON**—SAID STIFFLER ROAD LOOKS GREAT. 3. **TOM BLON** 4. **ERN HENDERSON**

ADJOURNMENT: MOTION BY VAUGHN TO ADJOURN, 2ND BY PAUL, UN—YES.