



FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON AUGUST 9, 2012



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

II. ROLL CALL: PAUL ALTIMUS-PRESENT JAMES BROWN- PRESENT SOLICITOR- PRESENT
VAUGHN TANTLINGER-PRESENT SECRETARY-PRESENT CITIZENS-20

III. PREVIOUS MONTHS MEETING HELD ON JULY 12, 2012: APPR BY PAUL, 2ND BY VAUGHN, UNAN-YES(3)

IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED JULY 2012: APPR BY PAUL, WITH THE ADDITION OF LEVENTRY, HASCHAK & RODKEY INVOICE \$1656.50; 2ND BY JIM , UNAN- YES(3)

V. CORRESPONDENCE: NONE

VI. PERSONS PLACED ON AGENDA: 1. DONNA & CHARLES SMITHLEY AGAINST MANDATORY TAPIN FOR LTMA. DONNA STATED HAD A LIST OF QUESTIONS—SAID THEY DID NOT GET THE LETTER. PAUL ASKED FOR PHYSICAL ADDRESS-972 RTE 271, LIGONIER. BEN FAAS EADS ENGINEER FOR LTMA WATER LINE. SHE WANTED TO KNOW IF THEY HAD TO TAKE THE WATER, SHE HAS A GOOD WELL. BEN SAID IF YOU ARE IN THE PROJECT AREA AND WITHIN 150 FT OF THE LINE THEY ARE CONSTRUCTING—IT WOULD BE A MANDATORY TAP-IN. SHE ASKED HOW THEY CAN TELL THEM THEY HAVE TO TAKE IT. BEN STATED IT IS REQUIRED THAT THEY GUARANTEE THEY CAN PAY THE LOAN BACK. SOLICITOR SAID BASICALLY IT IS STATUTORY, THE MUNICIPALITY HAS THE ABILITY TO MANDATE THAT ANYONE WITHIN THE 150 FT. TAP IN. DONNA STATED IT IS COMMUNISM THEM TELLING HER WHAT SHE NEEDS, WHEN SHE DOES NOT NEED THIS WATER. SOLICITOR SAID IT IS STATUTORY—YOUR LEGISLATORS ENACTED IT HAS BEEN PART OF THE LAW FOR A NUMBER OF YEARS. VAUGHN SAID THE BOTTOM LINE IS IF YOU ARE ON 271 AND NOT IN THAT PROJECTED PART ,YOU WILL NOT BE REQUIRED TO TAP IN, IF YOU ARE IN THE PROJECTED AREA—THAT IS THE ORDINANCE THEY ARE LOOKING AT. VAUGHN SAID POSSIBLY SHE MAY NOT BE REQUIRED TO BECAUSE OF HER LOCATION. DONNA IS LOCATED UP FROM LIGONIER EAST ON 271. DONNA STATED THAT SHE HAD TO TAKE IT. BEN FEELS SHE IS ALONG THE MAWC LINE, AND THAT IS NOT OUR LINE. PAUL ASKED BEN WHERE THEIR LINE ACTUALLY STARTS. BEN SAID THERE IS A DRIVEWAY JUST UP PAST STRATFORD RD.—THAT IS WHERE THEY ARE TYING INTO MAWC WITH A MASTER UNIT. DONNA SAID TRINITY HAS TO TAKE IT. LOWELL RODDY SAID HOW CAN THEY TELL HIM HE HAS TO TAKE THEIR WATER. SECRETARY SAID THAT IS WHAT TWP SUPERVISORS ARE VOTING ON TONIGHT. LOWELL SAID THAT IS COMMUNISM, HE PAYS THE TAXES ON THE PROPERTY, HE IS THE OLDEST MAN UP THERE, HAS LIVED THERE LONGER THAN ANYBODY—AND YOUR ARE COMING THERE AND TELLING HIM HE HAS TO TAKE THIS WATER. DONNA SAID THEY MAY BE OUT OF IT. LOWELL STATED THAT IS BESIDE THE POINT, THERE ARE PEOPLE THAT DON'T WANT IT, THAT DON'T KNOW. VAUGHN STATED IT HAS BEEN ADVERTISED SEVERAL TIMES. PAUL SAID WORKING ON FOR A YEAR AN HALF. DONNA SAID SHE TALKED TO VAUGHN IN THE SPRING—AND HE GAVE HER A NUMBER TO CALL. SHE CALLED AND HE SAID THERE IS NO WAY ANYONE ON 271 HAS T TAKE THAT WATER. PAUL SAID THERE ARE 2 WATER COMPANIES INVOLVED. DONNA SAID THERE WAS NO INFORMATION ON HOW MUCH A MONTH IT WOULD BE, PEOPLE STATED TO HER THAT THEY DO NOT HAVE THE MONEY FOR THIS, SHE DOES NOT WANT TO BE STUCK WITH THIS ON THE LAST MINUTE. BEN STATED NO ONE ON THE EAST SIDE OF 271 IS INVOLVED. THE MAPS ARE MISLEADING BECAUSE IT DOES SHOW GOING OVER TO THE WEST ON 271. VAUGHN SAID IT THERE ARE SOME ON 271 THAT WANTS WATER, THEY WILL HAVE TO DEAL WITH WESTMORELAND COUNTY, IT WILL HAVE NOTHING TO DO WITH LTMA OR THE TOWNSHIP. VAUGHN SAID ONE PERSON STATED HE MAY BE INTERESTED IN GETTING THE WATER FROM MAWC—SOME ON PARKER AVE INTERESTED. VAUGHN SAID THEY HAVE NOTHING TO DO WITH US OR THESE GUYS HERE—LTMA REPRESENTATIVES. DONNA SAID IF ANYONE ON 271 IS INTERESTED—THEY SHOULD TALK TO THIS BOB WORKING ON THE LINES AND HE WOULD SEE THAT THEY GOT A TAP IN? PAUL SAID RIGHT. VAUGHN SAID HE SHOULD GIVE THEM A NUMBER TO CONTACT—MARK SHAFFER. DONNA SAID SEVERAL DO WANT IT. VAUGHN SAID HE KNEW THERE WOULD BE SOME MISINFORMATION OUT THERE, AND HE WAS GLAD THEY CAME TO THE TWP MEETING TO TALK ABOUT IT. BEN WOULD BE ABLE TO SHOW THEM DIRECTLY. DONNA SAID SHE READ IT IN LIGONIER ECHO THAT IF YOU WERE ON 271 IN WESTMORELAND CTY, YOU WOULD HAVE TO TAP IN. VAUGHN SAID DO NOT BELIEVE EVERYTHING YOU READ IN THE NEWSPAPER. BEN SAID CONNECTION POINT IS ON 271 AND STRATFORD ROAD. BEN SAID THIS IS NOT GUARANTEED YET.

VII. OLD BUSINESS: 1. VAUGHN SAID AGREEMENT & ORDINANCE #1-2012 REGARDING LTMA WATER EXPANSION, WHICH WAS ADVERTISED LAST MONTH SO THE PURPOSE TONIGHT WOULD BE TO VOTE ON THAT ORDINANCE. PAUL FEELS IT IS A GREAT THING FOR THE PROJECT AREA, IT IS THE 2NDLY MOST DENSELY POPULATED OUTSIDE OF THE WEST BOLIVAR RIDGEVIEW AREA AND IT WILL SERVE THEM PEOPLE WELL UP THERE WITH THEIR RESPONSES THEY HAVE GIVEN THE EADS GROUP WITH THEIR RESPONSES AND VERBAL COMMITMENTS. JIM DOES NOT LIKE IT—NOT IN FAVOR OF IT. VAUGHN DOES NOT LIKE THE IDEA, BASICALLY IF IT CAME UP HIS WAY—HE WOULD NOT WANT IT—HE HAS GREAT WATER; THE SURVEY WAS DONE AN THEY ARE GOING ON THE OUTSTANDING PERCENTAGE OF PEOPLE THAT DO WANT THE WATER UP THERE, THE FEEDBACK GIVEN TO THE SUPERVISORS. VAUGHN SAID THEY WILL TAKE A VOTE ON ORD. #1-2012. SECRETARY ASKED TO SAY SOMETHING, PAUL SUGGESTED VAUGHN AS FOR PUBLIC COMMENT PRIOR TO ACTING ON IT. SECRETARY-EMMA STATED SHE IS STILL AGAINST THE LTMA WATER PROJECT BECAUSE IT IS OVER \$3 MILLION, THAT THE TWP GUARANTEES WHICH LIMITS THE TWP'S BORROWING BASE FOR FUTURE PROJECTS, AND IF IT DOES FAIL FOR SOME REASON THE TWP DOES HAVE TO PICK UP THE TAB AND FOOT THE BILL FOR IT. SECRETARY STATED THAT IT IS GOING THRU THERE NOW, BUT IT WON'T BE LONG UNTIL THEY WANT TO EXPAND AGAIN AND WHEN THEY DO—IF YOU ARE WITHIN 150 FT YOU WILL HAVE TO TAP IN. SECRETARY IS INVOLVED IN THE TCS AUTHORITY WHICH SHE DID NOT WANT, BUT WAS ALSO FORCED TO TAKE; EVERY ONCE IN AWHILE THEY TALK ABOUT EXPANDING AND IF THEY DO THEY WILL IT IS THE WHOLE GROUP THAT WILL PAY BY INCREASED MONTHLY FEES AND SOMETIMES THEY ADD A SERVICE FEE. SECRETARY CURRENTLY PAYS A \$10 DEBT FEE ON CURRENT WATER BILL BESIDES PAYING FOR THE ACTUAL AMOUNT OF WATER USAGE. SECRETARY DOES NOT FEEL TWP IS FINANCIALLY STABLE TO DO THIS PROJECT ALONG WITH SOME OF THE OTHER PROJECTS THEY HAVE APPROVED. JIM STIFFLER FEELS IT IS A GREAT PROJECT; REALIZE THERE IS TAPIN AND MONTHLY FEES, BUT YOU ALSO HAVE TO REALIZE DECREASE IN FIRE INSURANCE PROTECTION. HE FEELS FIRE PROTECTION WILL BE GREATLY ENHANCED; NOT SAYING THEY WILL COME IN AND PUT OUT FIRE INSTANTLY, BUT IT WILL ENHANCE THEIR ABILITY TO PROTECT THE LIVES AND PROPERTY OR RESIDENTS IN THIS TWP. PAUL SAID 7 HYDRANTS FOR LTMA PROJECT. JIM SAID LOOKING AT 14 HYDRANTS. LOWELL RODDY STILL DOES NOT LIKE THE IDEA OF SOMEONE TELLING HIM HE HAS TO DO IT. AND HE WILL FIGHT IT TILL THE END. HE HAS BETTER WATER. DONNA SMITHLEY STATED HER DAUGHTER IN THIS AREA WILL HAVE TO TAKE IT IF IT PASSES. PAUL HANNA LIVES ON GREEN OAK LANE OFF RUDDER ROAD IS IN FAVOR AND DOES HAVE A GOOD WELL AND SPENDS MONEY ON IRON FOR HIS WATER SYSTEM. LONG TERM HIS WELL COULD GO DRY, HE LOOKS AT THIS AS A ONCE IN A LIFETIME OPPORTUNITY, WILL NOT BE ASKED AGAIN IF THEY DO NOT ACCEPT IT NOW. IT WILL BE BENEFICIAL FOR FUTURE LOTS IN THE AREA. IT WOULD BRING MORE PEOPLE IN THE AREA. HE WAS ONE OF THE ONES WHO CIRCULATED THE PETTIONS AND SURVEY DRIVE. PAUL SAID IT IS NOT COMMUNISM, IT IS A DEMOCRACY AND A MAJORITY OF PEOPLE IN THAT

AREA WANT IT. HE HEARD LIGONIER TWP DID NOT GO AHEAD WITH IT, AND THEY HAVE A MAJORITY THAT WANTS IT. HE WANTS THE VOTE TO GO IN FAVOR, AND FEELS IT WILL SAVE HIM MONEY. **BEN FAAS** ON LIGONIER TWP THEY DID GIVE THEM A HARD TIME ON THE SURVEY, ONCE THEY MEET LIGONIER'S REQUIREMENTS ON THE SURVEY, NOT EVERYONE IS GETTING IT IN LIGONIER THAT WANTED IT—THEY COULD NOT MEET THEIR SPECIFICATIONS FOR THE SURVEY RESULTS ON LIGONIER SIDE. LIGONIER IS TO PASS AN ORDINANCE FOR THE AREAS THAT WERE HEAVILY IN FAVOR OF THE PROJECT. **BEN WRIGHT**-IN FAVOR OF THE WATER PROJECT HE FEELS THE COST THAT THE PROJECT AREA IS HAPPY TO ABSORB. **TIM PELSKEY** –NOT IN FAVOR--HE AGREES WITH SECRETARY, THE WAY THE ECONOMY IS RIGHT NOW, THEY ARE SPENDING MONEY-HE IS A TAXPAYER AND DOES NOT WANT TO WASTE MONEY. HE THINKS HE IS ABOVE THE AFFECTED AREA, BUT THAT IS WHY HE CAME TO FIND OUT FROM ALL THE MISLEADING INFO IN THE ECHO. HE DOES NOT FEEL COMFORTABLE WITH IT. **DAN BRENDLINGER**-NOT FOR IT. **LAURA HENDERSON**-NOT IN FAVOR OF IT. ANOTHER QUESTIONS—WHY 14 FIRE HYDRANTS IN THAT AREA. VAUGHN SAID THEY DO NOT HAVE BECAUSE THEIR AREA DID NOT WANT PUBLIC WATER. SHE SAID SHE STILL DOES NOT WANT PUBLIC WATER, BUT 14 IS A LITTLE EXTREME, NOT LIKE THEIR HOUSE IS THE ONLY ONES THAT MAY BURN. VAUGHN SAID THE 7 PROPOSED FURTHER IN THE PROJECT WAS ALREADY AGREED UPON, AND THE ONES IN THIS PROPOSED AREA HAS NOT BEEN LAID OUT WITH THE FIRE CHIEF YET—THERE MAY BE 7. LAURA WANTS TO KNOW THE COST PER FIRE HYDRANT. SOLICITOR SAID \$1855 PER HYDRANT PER GOVERNMENT ENTITY AS LONG AS PUT IN DURING CONSTRUCTION. LAURA ALSO SAID THAT PEOPLE WANT WATER AND THINK IT IS GREAT-- SHE IS A TAXPAYER AND SHE DOES NOT WANT IT—BUT SHE STILL HAS TO PAY FOR THEIR WATER IF HER TAXES GO UP. SOLICITOR SAID NOT A SINGLE TAX DOLLAR BEING USED FOR THE PROJECT. THE LOAN IS REPAYED BY THE WATER RATES. THE FOLKS THAT BUY THE WATER REPAYS THE LOAN. IN ORDER TO GET THE LOAN THEY HAVE TO RUN THE FIGURES TO SEE IF THEY CAN REPAY THE LOAN. SECRETARY ASKED SOLICITOR WHY TWP HAS TO COSIGN AND GUARANTEE THE LOAN, THAT IS IN CASE IF FAILS; IS SHE NOT CORRECT IN THAT. SOLICITOR SAID THAT IS TRUE, BUT WHAT THE TWPS WILL DO WILL RECEIVE THE RENTALS OR PROFITS FROM THE WATER. **WALTER LASKOSKI** JUST CAME TO SEE WHAT AREAS WERE AFFECTED BY THIS WATER PROJECT AND NOW HE SEES IT IS THE TURKEY INN, 271, RUDDER RD—WHAT ABOUT 711. VAUGHN SAID AT THIS TIME NOTHING ON 711, ALONG WITH LINDA. **ERN HENDERSON**-NOTHING, NOT EDUCATED ENOUGH ON THE SUBJECT, HERE TO LEARN. **MICHELLE TANTLINGER**-NOTHING. **PAULA BROWN**-NOTHING. VAUGHN THANKED EVERYONE FOR THEIR INPUT. BEN SAID IT WILL AFFECT 100 DWELLINGS IN FAIRFIELD, 149 TOTAL – 21 IN RED ROCK AREA. SECRETARY SAID SHE DISAGREED WITH THE PERCENTAGE—THEY SENT A LOT OF LETTERS OUT, BUT SOME DID NOT REPLY AND THEY ONLY USED THE PERCENTAGE TOTAL OF THE ONES THAT DID REPLY FOR THE PERCENTAGES. PAUL ASKED SOLICITOR ABOUT THE UNIT GOV. DEBIT ACT—WOULD THIS PROJECT BE LOOKED AT FOR FUTURE BORROWING BASE IN THE FUTURE. SOLICITOR SAID YES. VAUGHN SAID THEY WILL TAKE A VOTE ON LTMA WATER EXPANSION-- ORD. #1-2012 AND INTERMUNICIPAL AGREEMENT- MOT BY PAUL; 2ND BY VAUGHN, TO ADOPT ORDINANCE #1-2012 AND INTERMUNICIPAL AGREEMENT FOR LTMA; UNAN-VAUGHN & PAUL YES/JIM NAY MOTION PASSED 2 TO 1. **2. FIRE HYDRANT AGREEMENT**—CHANGES TO THE ORIGINAL APPROVED AT JULY 12TH MEETING. SOLICITOR STATED THE AGREEMENT WAS APPROVED TO INSTALL FIRE PROTECTION AT THE COST TO THE TWP AT \$1855 PER HYDRANT, THE COST IS DOUBLE –THE TWP PAYS 50% AND MUNICIPAL WATER AUTHORITY WILL PICK UP 50% OF THE COST; COST WOULD BE DOUBLED IF YOU WANTED TO A LATER TIME. WHEN AGREEMENT WAS DRAWN UP THERE WAS SOME CONFUSION AS TO THE WHETHER THE TOTAL COST WAS \$1855 PER HYDRANT – THE TOTAL COST IS #3710 PER HYDRANT, TOTAL PROJECT COST \$25,970. THE TWP SHARE WILL BE DIVIDED OVER A 3 YEAR PERIOD, \$5000 IN 2012/ \$4000 IN 2013/ AND \$3985 IN 2014. SOLICITOR SAID IT IS INTEREST FREE FOR 3 YRS. PAUL THANKED WESTMORELAND FOR DOING SO. VAUGHN ASKED IF THEY HAVE TO APPROVE AGAIN. PAUL SAID NO, IT WAS ALREADY A MOTION APPROVED, IT IS JUST A CLARIFICATION OF THE FINAL AGREEMENT THAT HAS TO BE SIGNED AND DOCUMENTED.

VIII. NEW BUSINESS: 1. HIGHWAY OC. PERMIT AGREEMENT BETWEEN GREATER JOHNSTOWN WATER AUTHORITY AND FAIRFIELD TWP. SOLICITOR SAID ON SR 271 THERE WAS A PRESSURE INDUCTION VALVE INSTALLED, THEY HAD A GROUND WATER PROBLEM THAT CAUSED THE VAULT TO FLOAT AND AS A RESULT THE ENGINEER NEED TO REDIG THE VAULT TO PUT IN THE PROPER DRAINAGE. IN ORDER TO DRAIN THAT AREA THEY HAD TO ENCROACH ON PENDOT'S RIGHT OF WAY FOR THE ROAD. PENDOT NOW HAS A REQUIREMENT BEFORE THEY WILL GRANT ANYONE A RIGHT OF WAY ON THEIR ROADS THEY WANT THE LOCAL MUNICIPALITY TO ASSUME RESPONSIBILITY FOR THE STORM WATER DRAINAGE SO THAT IF THE DRAINAGE AREA WOULD NEED SERVICED THE COST WOULD FALL ON THE TWP. THE TWP FEELS IT IS NOT OUR PROBLEM, IT WOULD BE MUNICIPAL AUTHORITY WESTMORELAND COUNTY; SO TWP HAS TOLD GREATER JOHNSTOWN THAT FAIRFIELD WILL SIGN OFF ON THE APPLICATION BUT WILL ONLY DO SO IF THEY SIGN AN AGREEMENT IF THEY INDEMNIFY FAIRFIELD FULLY—THEY WILL TAKE PERPETUAL RESPONSIBILITY FOR THE MAINTENANCE AND COST INVOLVED IN THE LIABILITY THAT MIGHT BE INCURRED FOR THIS PROJECT. THE GREATER JOHNSTOWN WATER AUTH. HAS AGREED TO ENTER THE AGREEMENT AND PAY ALL COST. ON THAT BASIS THE SOLICITOR RECOMMENDS THE SUPERVISORS APPROVE THE INDEMNITY AGREEMENT. MOT BY PAUL TO APPROVE THIS INDEMNITY AGREEMENT; 2ND BY VAUGHN; UNAN-YES (3)

IX. PUBLIC COMMENTS: NO OTHER COMMENTS MADE.

1. BENN FAAS 2. JAKE BOLBY 3. LAURA HENDERSON 4. TOM BLON 5. MAUREEN BLON 6. DONNA SMITHLEY
7. CHARLES SMITHLEY 8. SHIRLEY PLUM 9. LOWELL RODDY 10. TIM PALESKY 11. BEN WRIGHT 12. PAUL HANNAH
13. PAULA BROWN 14. MICHELLE TANTLINGER 15. ERNEST G. HENDERSON 15. LINDA LASKOSKY
17. WALTER LASKOSKY 18. JIM STIFFLER, JR. 19. MARISA HENDERSON

X. ADJOURNMENT: MOTION BY JIM, 2ND BY VAUGHN, UNAN-YES(3) Time: 7:40 PM

Submitted by: Emma Brendlinger, Sec-Tres

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