

The Hanover Township Board of Supervisors held the **Regular Meeting on Thursday, April 20, 2017** at the Municipal Building, the meeting commenced at 7:35pm. Those present were Dale Handick – Chairman, Herbert Grubbs-Vice Chair, Kevin Lemmi –Supervisor, Audrey Wingard-Secretary/Treasurer & Dennis Makel-Solicitor.

Call to Order

Roll Call Mr. Handick, here Mr. Grubbs, here Mr. Lemmi, here

Pledge of Allegiance

Approval of Minutes: Regular Meeting March 16, 2017 and March 23, 2017

Motion: Approve minutes for the March 16, 2017 regular meeting

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Motion: Approve minutes for the March 23, 2017 continuance meeting

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Questions on Agenda Items: None

Administration Report: Statement of Financial Accounts – Balance Sheet

Animal Control Service Report:

Answered Calls: 14, Citations Issued: 1, Warnings Issues: 9, Animal Bite Reports: 1, Quarantine Notice Served: 0, Cat-Dog Pick-ups: 3, Kennel Placement: 3, Animal Returned to Owner: 1, Animal Nuisance Calls Received: 9

Public Safety Reports: Police Department:

Magisterial Income:	\$8,288.24
Local Ordinance:	\$ 76.84
Title 18 (Crime Code)	\$8,057.74
Title 75 (Motor Code)	\$53.66

478 hours patrolled

Fire Department:

Structure Fire: 1, Fire Alarm: 1, Vehicle Accidents: 9 Mutual Aid: 3 Tree Down: 6, Medical: 9, Brush Fire: 1, Down Power Lines: 1 Total Calls for March 2017: 31, Year-to-date: 92

Road Report: Road Department has been working on box culvert for County Line Road, replace cross drains, winter equipment torn apart and reconditioned, also have been working in the Park

Park Report: Our carpenter has been working on the new bathrooms and they should be done in the near future. The Park is basically still closed, but people are still using it by parking at the building and walking down.

Approve Expenses:**Motion: Approve Expenses**

Mr. Lemmi questions the Cleveland Brothers bill and is informed it is for the generators approved at the last meeting. He also inquires about the bill for the DCED audit and whether it matches his proposal. (Proposal: \$4,500.00-Billed \$3,375.00) Mr. Turnley has filed with the DCED, we are still due an audit report.

Motion: Accept Bills List

Motion: Mr. Lemmi 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

Old Business:**1. Discuss new street excavation ordinance**

Mr. Makel states that the Street Excavation Ordinance has been rewritten and the Supervisors have reviewed it. It has been advertised as required and Solicitor Makel recommends adopting the Ordinance. Subsequently, a resolution will be required to set the fees. Mr. Grubbs states this ordinance is to regulate the need to dig or bore under the road. A question is raised whether it would replace current Ordinances covering this process. Mr. Lemmi questions the right-a-way where a township road meets a state road. Is there any recourse if our road is damaged in the state road's right-a-way. Attorney Makel states there is recourse.

Motion: Adopt the Hanover Township Street Excavation Ordinance of 2017 as Ordinance 134

Motion: Mr. Grubbs 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

New Business:**1. Finding and Facts and Conclusions of Laws for Mazure Conditional Use Hearing**

Attorney Makel states two conditional use hearings were held on March 23, 2017 regarding the Mazure Well Pad and the Leo Nadik Tank Pad. The thrust of the requests for the application submitting by Range Resources took the definition of well site and under the definition of well site, they pin point one clause on page 28 of Ordinance 122: **"WELL SITE:** All of the area occupied by the drilling equipment, as defined herein, and all surface facilities, structures, water and other fluid storage impoundments and storage tanks and associated equipment including tanks, meters and other permanent or temporary structures and equipment incidental to oil and gas drilling, as defined herein, including facilities and equipment necessary for site preparation, site construction, drilling, hydraulic fracturing, site restoration, production and operation of the well upon completion of drilling." In reviewing the Ordinance 122 at length, it talks only about drilling. It does not talk about water impoundments, water transportation or anything like that. It provides that one definition. When I read the gas ordinance with the Township Zoning Ordinance, Section 103, which talks about interpretation and so forth and if there is a case of doubt about what the language means you have to go through certain parameters. When I look at the definition of well site in the Oil and Gas Ordinance, I don't think that's the bases for granting the Conditional Use being requested for either the Nadik Tank Pad nor the Mazure Well Site. In order to grant conditional use, it is like a set of stairs you have to go up the steps and meet each step before granting the conditional use. If you don't have each step, you can't grant the conditional use. I don't see any steps here to grant the conditional use. Attorney Makel states based upon the facts and findings submitted to the Board last week, he does not

opine that there is a basis to grant the conditional use for the Leo Nadik or for the Mazure well site. If you grant this request it opens many other different aspects such as storage of facilities because if I take their position as to the terms of their well site definition then they have carte blanche in anything they do at the well pads. That is not what the intent of the Ordinance was. The intent of the ordinance in 2011 dealt with well site not water impoundment.

Motion: Adopt the facts, findings and conclusions of the law denying the request for the Mazure Conditional Use.

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Jocelyn Grecko asks a question about why throughout the process of applying for this Conditional Use this issue was not raised previously. She feels Range has come to the Township before (Harmon Creek B) and were able to facilitate this process there. What is different now? Mr. Makel comments that Harmon B was for one well pad and now they are asking to use this new water distribution process for an unknown number of pads for an unknown duration. Ms. Grecko states she is a little confused about what the next step would be because she is concerned about how we got to this point. Maybe a meeting could be set up. Mr. Makel states the Township has to make a decision within 45 days. The Township Board would need letter from Range Resources requesting an extension for a decision from Range to delay the decision.

Ms. Wolfe speaks and says the last request is changing what's going to occur on the property for the Mazure site and taking it from a well site to make it a water distribution site and she believes it should be denied.

Ms. Grecko states that this is a standard practice. It has happened in Hanover Township and other townships. Mr. Make asks why it is termed "new". Mr. Makel asks where else in Hanover Township is there a water distribution system from any company. Ms. Grecko says that is what they termed it for Harmon B. Mr. Makel states that was for the use of only one additional well pad. Ms. Grecko states there are no further comments.

There is a call for vote.

Vote: Mr. Handick, Mr. Grubbs-yes, Mr. Lemmi-yes

Motion Passed

2. Finding, Facts and Conclusions of Laws for Nadik Conditional Use Hearing

Motion: Adopt the facts, findings and conclusions of the law denying the Leo Nadik Tank Pad Conditional Use request.

Motion: Mr. Lemmi 2nd: Mr. Grubbs

A member of the audience asked if this can be table and have another discussion because Range has other ideas. Mr. Grubbs states there is a time limit for a decision. Mr. Makel states you can adopt the motion, but it doesn't go into effect until it is received; if Range wants to request an extension of time to discuss this matter before a decision, they can. Mr. Grubbs asks if that would be at an open meeting. Mr. Makel states it can be at an opening meeting or executive session. The courts state the township or borough can deliberate in executive session and it is also possible to have an executive session because it's possible litigation. Mr. Makel ask if Range is requesting an extension and if so, it must be requested in writing. Ms. Grecko states they would like to meet to discuss this issue. Mr. Makel asks the Board if they wish to grant an extension. Mr. Grubbs states he has no problem with that, but does Range have an alternative plan? Mr. Welker (Range Resources) asks if this would be just for the Leo Nadik Tank Pad as the Mazure was already voted. Mr. Makel states they both run hand in hand. If one is denied you can come back and do another one. Ms. Grecko states, "The Board has to make their decision." Mr. Makel asks, "You are not requesting an extension?" Mr. Grubbs asks again if they have an alternative plan. Mr. Welker states, "Yes we do sir, if both applications are denied or the Mazure is denied, then we double the water trucks on

Clinton Frankfort Road. The Mazure frack has to happen. That's my job, to get the water there. To get the volume of water we need for the Mazure we will have to double the truck traffic because we don't have the water storage. Mrs. Wolfe states, "At the last meeting the water was going to Mazure to Nadik, and then it was going to another well." Mr. Welker states, "To frack, say the Robinson/Campbell well, that's how it's going. To frack the Mazure it goes to Nadik and back to Mazure. Mr. Makel offers a suggestion to ask for an extension. Mr. Grubbs asks what other type of plan do they have. Mr. Welker states they talk to PAWC and they can get about a barrel a minute. That will eliminate 20 trucks a day. Mr. Makel states maybe they can do something to modify the application. Mr. Makel advises Range to offer a written extension request and maybe something can be worked out. A gentlemen with Kimberly Chechuck asks how many trucks a day Range is talking about. Mr. Welker states 10 trucks in and 10 trucks out every hour for 30 days. This gentlemen states that's unless the tank is put in there will be about 240 trucks a day and asks for how many days? Mr. Welk says roughly thirty days. Mrs. Wolfe interjects and states what they are not saying is that it is going to be a water distribution place for other well sites within a five mile radius for 5 years with the option for an extension for another five years. Ms. Grecko states, "Then we will take the extension and we are happy to come and try to work this out with the Township." Mr. Makel offers Ms. Grecko a paper to write the extension and asks her to follow it up with an email tomorrow. Mr. Makel asks if there is a motion to table this decision?

Motion: Table the discussion and decision on the Nadik Tank Pad Conditional Hearing decision based upon the verbal and written request by Jocelyn Grecko on behalf of Range Resources.

Motion: Mr. Lemmi 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Motion: Set aside the decision on the Conditional Use Hearing for the Mazure Well Pad at the request by Range Resources for an extension based upon the verbal and written request by Jocelyn Grecko on behalf of Range Resources.

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-yes Mr. Lemmi-yes **Motion Passed**

Mrs. Wolfe asks if there will be notification of the next meeting to discuss this issue. Mr. Makel states there is always notification. Mr. Makel states that notification means a notice in the paper about a public meeting. If we do it in between regular meetings it will have to be advertised in the public notices, otherwise it will be at the regular meeting the third Thursday of the month.

3. Discuss use of Mochenhaupt consulting services for pension evaluation

Mr. Lemmi states Mochenhaupt will provide services for evaluating pension options based upon their letter of February 16, 2017 (\$200/hr. for a Consultant and Actuarial Analyst at a rate of \$145/hr.)

Motion: Accept the proposal from Mochenhaupt for their consulting services as per their proposal of February 16, 2017 for hourly services

Motion: Mr. Lemmi 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

4. Approve Mr. Handick's attendance to PSATS convention with wages and expenses paid by the Township, April 22 through April 26 and authorize Mr. Handick to be the Voting Delegate on behalf of the Township.

Motion: Approve Mr. Handick to attend PSATS Convention April 22-26, 2017 with wages and expenses and approve Mr. Handick as the authorized Voting Delegate on behalf of Hanover Township

Motion: Mr. Grubbs 2nd: Mr. Lemmi

Mr. Lemmi asks about the number of days to be paid. Mr. Grubbs states regular work days: Monday, Tuesday, and Wednesday.

Vote: Mr. Handick-abstain, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

5. Discuss three quotes for trailers for transport of the new generators

Mr. Handick explains two generators were purchased for power outages at the major street lights. They are too heavy to lift into the trucks. Mr. Handick would like to purchase a 5x8 enclosed trailer to keep them in to haul them when necessary. Mr. Handick has 3 quotes with the lowest being from Bennett Trailers in Salem Ohio for \$1925.00 single axle ramp style door.

Motion: Purchase the trailer from Bennett Trailers for \$1925.00 plus any paperwork fees. Trailer to be picked up by Road Department when ready.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

6. Authorize proxy for annual meeting of shareholders for PLGIT Trust

Motion: Elect all nominees listed on the ballot for PLGIT Trust.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

7. Discuss the use of Municipal Consulting's Agricultural Building Exemption Form

Mr. Grubbs asks why we are discussing this form here. Mr. Makel says that it may need to be adopted as part of the Hanover Township Building Permit Forms. Mr. Grubbs states Harold, our Building Inspector, in the past has always issued the form for building exemption and charged everyone a \$100.00. Somebody asked him about the form and he gave it to Audrey. So, who's doing it, is he doing or are we doing it? Mrs. Wingard explains we don't give the form to people because it is not in our Building Permit Package. He must give them the form and charges the Township \$100.00. We pay Mr. Ivery his fee, but people are not coming to get the waiver and paying the \$100.00. Mr. Grubbs states, "My real question is there a need for him to sign it, who makes the decision that it was a farm building? With farm buildings you don't have to go through the building codes. This exemption form he came up with, I guess. Mrs. Wingard states, in case someone does additional work to a building and it is no longer used for farming this form is notarized giving permission to inspect the building. Mr. Grubbs ask well do we hand the form to them and they go get it notarized and give it back to us or does he give them the form? Mrs. Wingard states "That is what I want to know." Mr. Makel states it has to be signed by the owner and notarized. The building inspector pays the township a fee and gives it to the township to put in the packet. It is determined to put it in the packet if someone requires it they will bring it back notarized. No further action required.

8. Re-hire Dee Bailey as part-time park employee at a rate of \$10.71/hr., also hire part-time; Deborah Dobosz and Jason Kelseo at a rate of \$10.25/hr.

Motion: Rehire Dee Bailey, Deborah Dobosz and Jason Kelseo as part-time park employees at the rates noted above.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

9. Approve Grubbs Site Plan

Mr. Grubbs states they (his grandson) want to put up a steel warehouse building (60' x 50') for his fire extinguisher business. The site plan is here. The Planning Commission has reviewed it. Mr. Neiderriter asks where it will be built. Mr. Grubbs states directly behind his grandson's house.

Motion: Approve Grubbs site plan.

Motion: Mr. Handick 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-abstain, Mr. Lemmi-yes **Motion Passed**

10. Approve Grubbs Subdivision Request

The subdivision is the house Mr. Grubbs lives in. He is putting his house on a thirteen-acre lot to subdivide it from the rest of the farm.

Motion: Approve Grubbs subdivision request subject to all costs being paid and noting the subdivision has already been recommended for approval by the Washington County Planning Commission as well as the Hanover Township Planning Commission.

Motion: Mr. Handick 2nd: Mr. Lemmi

Vote: Mr. Handick-yes, Mr. Grubbs-abstain, Mr. Lemmi-yes **Motion Passed**

11. Hire George Speicher and Brian Moore as part-time road department employees pending successful driver's license checks and drug testing.

Motion: Hire George Speicher and Brain Moore as part-time "as needed" road department employees.

Motion: Mr. Handick 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

12. Authorize the conditional hire of the KBP employees for Police Department and Administration as per attached

Motion: Conditionally hire the following Officers Part-Time for the 2017 Key Bank Pavilion concert season pending Background Investigation and MPOETC clearance.

Returning Officers

Robert Mammarella
Tim Sheehan
Josh Dietz
April Martin
Michael Kresich
James Knatz
James Lauria

Brownsville
Coal Center
Baldwin
Ambridge
Charleroi
Rochester
McKees Rocks

New Officers

Robert Jurnak Tarentum
Dominique Gerlach Coraopolis
Zachary Stumpf Greensburg

Motion: Mr. Lemmi 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Motion: Conditionally hire the following Administrative Personnel part-time for the 2017 Key Bank Pavilion concert season pending Background Investigation clearance.

Returning Administrative

Chelsea Arthurs Follansbee

Patricia Garrett Monaca

Christian Walden Follansbee

Debra Wilbert Imperial

Lynda Wyke McDonald

Kristi Wyke Oakdale

Motion: Mr. Lemmi 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

13. Hire James Lauria to assist Key Bank Pavilion Officers' Training for the 2017 KBP Season at a rate of \$21.53

Motion: Hire James Lauria to assist Key Bank Pavilion Officers' Training for the 2017 KBP Season at the rate of \$21.53

Motion: Mr. Lemmi 2nd: Mr. Grubbs

Vote: Mr. Handick-yes, Mr. Grubbs-yes Mr. Lemmi-yes **Motion Passed**

14. Authorize the sum of \$500 to provide lunch at the 2017 KBP Officers' Training on May 6 and 7, 2017

Motion: Authorize the sum of \$500 to provide lunch at the 2017 KBP Officers' Training on May 6 and 7, 2017.

Motion: Mr. Lemmi 2nd: Mr. Grubbs

Vote: Mr. Handick-yes Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

15. Authorize the outfitting of the new PD Cruisers as per the attached quotes

Motion: Authorize Mr. Lemmi to secure other quotes pursuant to TC 3102 (a) and (b.1) up to an amount not to exceed \$19,700 using his reasonable judgement in best interest of the Township for outfitting the new PD Cruisers

Motion: Mr. Grubbs 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Public Comments: Ms. Grecko reads her statement on behalf of Range Resources requesting and extension of 45 days for a decision to be rendered regarding the Conditional Use Hearings held on March 23, 2017.

Motion: Accept the written request of Jocelyn Grecko on behalf of Range Resources for an additional 45 days to make a decision in the matter involving the Mazure Well Site and Leo Nadik Tank Pad.

Motion: Mr. Lemmi 2nd: Mr. Handick

Vote: Mr. Handick-yes, Mr. Grubbs-yes, Mr. Lemmi-yes **Motion Passed**

Public Announcements: Mr. Morra comments about a manhole on the corner of Kings Creek South and Steubenville Road sticks up and people drive in the middle of road. It is determined it is a Hanover Township sewer issue. Mr. Handick will investigate. Mr. Morra also states there is the same issue on Neely Road.

Adjourn Meeting 9:06 pm

VISIT US AT OUR WEBSITE: www.hanoverwp.net



Dale Handick, Chairman



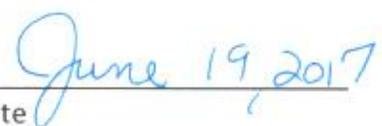
Herbert Grubbs, Vice Chair



Kevin Lemmi, Supervisor

ATTEST: 

Audrey Wingard, Secretary/Treasurer



Date