

WEST PIKE RUN TOWNSHIP
Board of Supervisors
Meeting September 25th, 2017 & October 2, 2017
Special Meeting

CALL TO ORDER The special meeting of the Board of Supervisors was called to order by Chairman Laura Hough at 6:15 PM.

PLEADGE & Present at the meeting were Supervisor Laura Hough, Rick Molish, Phil Podroskey, Secretary/ Treasurer Frank Muccino, Solicitor Dennis Makel
ROLL CALL

**PUBLIC
DISCUSS**

Walter King - ask if he was correct that pad site next to his house is still under clean and green. That they are not paying any taxes on that property. Also question about the sound wall being finished.

Solicitor Makel - Responded that he suggests that it's not a township issue but it is a County issue, if you contact the county about what's going on they may have the owner, (they go back 7 years or something) pay back all the taxes. Solicitor Makel also informed Mr. king that he will send him the email response from Rice energy about the sound wall construction.
Solicitor Makel also mentioned that he sent a letter to Rice about Rob Baumgarden saying "we were upset with action at the last meeting", Talked with Kim Price today said it was uncalled for with what he did and hopefully won't see him again.

Glenn Hurley- Heard they are anticipating another well pad in the area next to Mr. Shaw's coming off California drive. Wondering how many more well pads are we going to have in the Township.

Solicitor Makel – Responded that he really doesn't know how many more Pad They have scheduled to drill in the area. We have the ordinance that we hopefully will adopt in October, pending ordinance doctrine saying that ordinance will be in compliance. The board is concerned, we are adopting a

comprehensive plan. The big concern he has is the pipeline. Have created a policy of no more road cuts they must do road bores, that we charge for.

Supervisor Hough - suggested that maybe what Doctor Hurley is getting at is there a Point we just say no.

Glenn Hurley - asked in order to prohibit well pads would you have to adopt another Ordinance.

Solicitor Makel- that's what we are in the process of doing now adopting a new Ordinance. But you just can't say just no. you can limit drilling to Industrial areas.

Supervisor Molish – stated that was why they developed the condition use to change that.

Solicitor Makel – before the condition provided you no protection at all. What we have Done now have put specifics as far as structure and limitations so many feet away from occupied structure and so forth. Right now, we don't have those protections.

Supervisor Hough- we had gas well ordinance under prior leadership that really hasn't severed us well. Trying to tighten up, the more you tighten it up the more chance you have to be sued by these big cooperation's.

Glenn Hurley – what we would like to see is the ground that we have here see, look, and hear, is being turned into ground we don't want to see, look, and hear. Don't want to hear the vehicles or the noise coming from compressor stations.

Supervisor Hough- mention that the state looking into developing a Severance tax, which would eliminate the act -13 money.

Walter King – mentioned that the conversation he had with EPA about the water being checked that you have 6 months after they drill they will be responsible if something wrong.

Coleen Tiberie- came to meeting 2.5 years ago complaining about the ordinance and was told the ordinance was fine. She glad to see these changes are being consider. She also mentioned she was confused because she went to the DEP and they said they set the standard, use to be 200 feet. They also informed her that to change it that would have to be with an amendment thru your township. She also mentioned concern with the air quality. Discussed new ordinance language about air quality.

Jason Kubiak (HMT)- discussed the procedure of testing the air quality. Setting baseline test at time of issuing the condition use permit. Would compare to future test.

Supervisor Molish- asked if it was feasible to adopted the ordinance with exceptions.

Solicitor Makel – suggested to start the process and pass a pending ordinance resolution. Can give out ordinance and let everyone review and have a work session next Monday at 6:00pm.

Coleen Tiberie – asked the supervisor if once the pad was Built if the gas company can miniplate any way they wanted.

Jason Kubiak (HMT)- stated that they could not do that, they would have to have come back to planning.

- Motion to: table 2017-5 Gas Well Ordinance.

Motion by Rick 2nd by Phil motion carried.

- Motion to accept the Garbage contract from ASG Services, LLC effective January 1, 2018. 2018 \$9.80per month & 2019 9.80 per month.

Motion by Rick 2nd by Phil motion carried.

- Motion made to continue meeting October 2nd @6:00pm

Motion by Rick 2nd by Phil motion carried.

October 2nd 2017

Continuation of meeting called to order. By chairwoman Laura Hough @6:00pm.

- Motion to appoint Frank Muccino as Secretary / Treasurer at current rate of pay with any and all benefits of full time employees are entitled.

Motion by Rick 2nd by Phil motion carried.

- Motion to allow Frank Muccino as Secretary / Treasurer and the three supervisors to be signature on all accounts.

Motion by Rick 2nd by Phil motion carried.

- Motion to Authorize the Township Auditors to audit the financial records for Office of Township Manger from January 1, 2017 to September 22, 2017.

Motion by Rick 2nd by Phil motion carried.

PUBLIC DISCUSS

Patricia Wilson- mentioned her farm at 117 Locust Road Coal Center is next up for one of wells by EQT, they do not want it there, do not want their neighbors subjected to all the craziness that comes along with that. Came wanting some support. They stated they do not own the mineral rights. That if this occurs they will lose the hay fields

Discussion

Question was asked if they can force development if you don't own your mineral right Dennis Makel explained that they can force development by land owners have to be compensated. He also stated hopefully we start the process of adopt Ordinance next Monday, and also pass a resolution saying were using a pending Ordinance doctrine.

Dale Tiberie – health and safety, would like to see gas company monitor the methane gas coming off the pads thru the air. And why don't we zone it industrial only so we can control how many pads we put in this township.

Discussion

Mr. Makel stated that would be a possibility but could guarantee we would be looking at law suits because only have very small area zoned industrial. What we're trying to do is to give us something right now to protect the township. Zoning industrial only at this time is almost impossible due to limited amount of zoned property that is industrial. To increase this area the comprehensive plan would need changed delaying any protection. Asked Jason from HMT to look up something pertaining to methane gas that can be put into ordinance.

Rick Molish mentioned that we can pass the ordinance in front of us even if passed it could be with exceptions it would not be etched in stone. we can make changes to it.

Mr. Makel – stated that's what he is saying changing the zoning map to industrial would drag this out another 6 months to a year. He suggested go thru process adopt the ordinance. Once we finish comprehensive plan get Macken Engineering or HMT to help put ordinance together redoing zoning map and everything. If we wait we will be stuck.

Lois - question about a case concerning zoning (Robison Township case). Mr. Makel said that it was not considered Presidential.

Mr. Makel suggest we should try to limit them in their mid-stream activities to certain areas in new Ordinance.

Josh Morton- suggested not letting them drill under wet lands.

Coleen Tiberie – asked why the copy of the Ordinance changed from 1000 to 500 feet. Can we put Ordinance of how many pads can go within a township? Also mentioned about having them capture the methane gas and use it as energy. Also questioned why decimal changed from 55 to 60 from old Ordinance.

Discussion

After discussion they supervisors all stated they would prefer it stay at 1000 ft. discussion continued on the distance they can drill Jason stated it's ever changing. Was stated that they want more pads because chasing the seam. Mr Makel asked Jason why can't we say you have enough wells based on the distance they can drill from each. Discussion turned to questioning on weather can place a moratorium on gas drilling, Lois stated that Demick has a moratorium based on it creating health hazard. After discussion of the decimal change they decided to start lower and can negotiate it up.

Dave Gates – stated the urgency for developing all these wells before lease is expired is to take advantage of the pipe line ran from Captain Jack compressor to Texas Eastern connection in west Virginia which elevates the price being driven down by aplasia gas back to standard value gas. His recommendation would be to pass the Ordinance with high restrictions and have meeting with Gas well industry and force them to trade off their leases because they have the capabilities of drilling 12000 ft. in marsala's and 15000 ft. in the Utica. So don't need all well pads but in hurry to develop them before lease expires because pay 3 times more then they get now. He also brought up some items on proposed Ordinance that he believed should be changed.

Glenn Hurley Jr.- he stated that he behind anyone who has better idea to help keep the well pads out of this area. Stated it was a rural community when moved here and would like to see it be a rural community when he carted out of here to local cemetery.

Colleen Tiberie- has addition concerns about the Gas company being there longer if they drill deeper from the exist pads.

Solicitor Makel – stated that maybe limiting number of pads and forcing them to drill out from the existing wells instead of creating new ones.

Dave Gates- stated that would force the Gas company to negotiate among each other over existing leases.

Maria Zirolecki-stated that she is encouraged by what she was hearing, with the increasing the distance from well pads to the house and also the moratorium really makes her happy. She stated it's not about the money but for us it's about not being able to sell the house, we are stuck in this area where we can't breathe and can't drink the water. Should would encourage the supervisors as Stuarts of this township to use that information when vote next week.

Solicitor Makel – we may go with this ordinance and see about the moratorium, because want to provide some protection for the residents.

Rick Molish- stated what protection do we have with the 12000 laterals from them drilling in a neighboring township into West Pike. The drilling can be right on the board and nothing we can do about it.

Solicitor Makel- he believes the biggest concern is about the surface.

Colleen Tiberie- asked if can add to the ordinance that a person cannot be surrounded by gas.

Rich Hopkins – Passed out a map from last 10- 12 years of gas pad development. Believes the moratorium needs to be done right now. concerned with the air quality. Believes should not allow anymore permits for drilling. Wants 2 to 3 miles between well pads.

Walter King – wanted to know what we going to do if they don't finish the sound wall. Wants the sound wall up first before they can do anything. Also asked about the clean and green. why aren't they paying taxes. Also comment on the decimal in the gas ordinance.

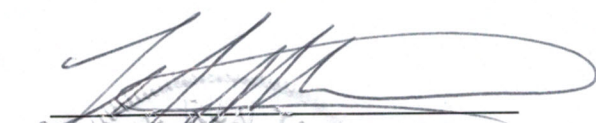
Solicitor Makel- we don't right now have tools right now. He thinks what we should do is advertise the ordinance with the changes we discussed tonight. Look at the moratorium, and use a separation doctrine between the well pads, and use the resolution for a pending ordinance.

Solicitor Makel- asked if we collect the LST tax in the township which can be up to \$52.00 a head.

Josh Morton -also suggest that they get a list of all the sub-contractors.

Solicitor Makel – summed up the meeting by 1. Do a moratorium 2. A separation document. 3. limit wells based on 12000 ft. separation. 4. do a pending ordinance doctrine to protect the Wilsons.

Motion to Adjourn the Meeting made by Rick 2nd by Phil motion carried.


Frank Muccino, Township Manager

