

WEST PIKE RUN TOWNSHIP
Board of Supervisors
Meeting April 8th, 2019
Regular Business Meeting

CALL TO ORDER

The West Pike Run Township Board of Supervisors met in regular session on Monday, April 8th, 2019, the meeting was called to order at 6:30 by Chairman Rick Molish.

PLEADGE & Roll Call:

Present at the meeting, Chairlady Laura Hough, Supervisor Rick Molish, Supervisor Phil Podroskey, Solicitor Furman, Chief Sneddon, Secretary Frank Muccino.

PUBLIC PARTICIPATION:

Walter King- Asked what was going on at the Compressor station. This past Friday night his house shook, noise got so loud and looked out window and big plumb of fumes or something lasting about 10 minutes. Asked if they needed building permit for what they have going on at compressor station. Asked what the weight limit was on McGirt's Bridge. Supervisor responded that they haven't built anything new that they are aware of and didn't Already have permit for. There is no weight limit on the new bridge.

Dale Tiberie- Ask About the air study from PSI Inc. Supervisor Molish explained didn't get the test results until around 5 pm and haven't had time to analyze it. He stated that the emission is still in his yard. Stated they are polluting his atmosphere and should be cited for it and shouldn't be permitted to do any other work on that pad until this is corrected. He also stated they still have a water issue because of the well pad. Complained about the trucks travelling Bentleyville/ Beallsville Road using the Jake breaks because they are going too fast. Stating we need a ordinance to stop Jake breaks. Supervisor Molish stated that it's a State Road and that we can't post state roads with township signs without permission.

Colleen Tiberie- Stated that her husband been complaining for months, wonder why the townships not doing anything about it. Supervisor Podroskey stated that we just got the information tonight, so how are we suppose to do anything yet until we find out what's in there and who can read this test and tell us what is bad. Dale Tiberie stated they found another leak up on the pad at the BPX tank. Had inspector on his property from DEP who used his camera and he found it just sparingly not as bad as it had been. Dale Tiberie stated that we have Ordinance in this township that states a business or another neighbor can't pollute someone else's property, water, dirt, material, or air. They need

Colleen Tiberie – Continued

to be cited. Colleen Tiberie stated that there is a condition use and if they violate their conditional use agreement should shut it down till they fix it. Supervisor Hough asked Solicitor Furman what Township could do. Solicitor Furman responded that can enforce a dust ordinance if we have one as long as it doesn't violate preemption act. Solicitor Furman stated the township doesn't have the ability to regulate air. He stated that if they violate conditions of the zoning ordinance or condition use agreement then can send a cease and assist order. Supervisor Hough mentioned that citizens need to lobby at the state level because as a township we can't put conditions on them that violate state law. Solicitor Furman restated that we can't regulate the air, we can have zoning to regulate uses of the land but not the effect of what it does.

Glenn Hurley – Asked board about the proposed Livestock Ordinance. Asked if any domesticated animals or fowl included any fowl. Supervisor Podroskey addressed the audience explaining that this was a starting point that West Pike Run Township is 90% farm land and will continue to be. The ordinance was to control someone's goats or chickens from getting out of the fences and destroying someone else's property. Doctor Hurley Mentioned about Guinea Fowl are effective at removing ticks from the environment they do no good if they are contained in fenced area. Supervisor Podroskey said that they would have to be contained on your property. Supervisor Molish stated that the Township code states you have to have 5 Acres for livestock or must come to Township for a variance. He stated that the Township is looking for containment to keep livestock off the thru ways. Supervisor Hough stated that she believes this is the beginning. Stating that we had complaints that involve safety and if we don't do anything and there a wreck over there. There is a safety issue and we feel compelled to do something, if anyone has any ideas go thru the ordinance and Edited.

Frank Palfrey – Stated to the board that with how strict the proposed ordinance is that if his cow got out of the fence and went to his neighbor's yard they can confiscate it. He stated that can cause a lot of conflict.

Connie Palfrey- Stated she don't believe that Township should be regulating it at all, that the law already holds them accountable for the animals. She stated that by passing ordinance, the township would be assuming the liability. Supervisor Molish stated that the reason for advertising the ordinance was to get the public comments on the ordinance. She stated that she believes the solution is one of neighbors helping neighbors and we find a solution for those people that are having problems.

Gary Chernay- Stated he on the other side of the argument. He stated he is not against responsible for the animals. Stated that he is the neighbor to the man with the ducks. He stated that the man has no concern for neighbors, for anybody, driving public there are cars hitting ducks all the time. He doesn't care about anything but himself. He needs a written law that make him do what he suppose to do. Supervisor Hough asked what we could do on the ordinance side as far as citing him, and asked from the legal side what can we do. Solicitor Furman stated that on emergency basis there are tools that can be used such as injunctions to get a court order from court of Common Pleas. But there must be a violation of the ordinance that causing emergency situation.

Approval of Minutes:

Approval of Minutes for regular business meeting March 18th, 2019,
Motion made by, Rick Molish 2nd by Phil Podroskey, Motion Carried.

REPORTS

Police Report: Motion made by, Rick Molish 2nd by Phil Podroskey,
Motion Carried.

Animal Control: Motion made by, Rick Molish 2nd by Phil Podroskey,
Motion Carried.

Secretary-Treasurer: Motion made by, Rick Molish 2nd by Phil
Podroskey, Motion Carried.

Road Report: Motion made by, Rick Molish, 2nd by Phil Podroskey,
Motion Carried.

Recreation: NO REPORT

Gas Well: Follow up on letter to Equitran. No response from letter.
Motion made by Rick Molish, 2nd by Phil Podroskey. Motion Carried.

Meetings & Seminars: Dirt and Gravel Road Seminar for Rick Molish
and John Quail. PSATS Convention next week.
Motion made by Rick Molish, 2nd by Phil Podroskey. Motion Carried.

Code Enforcement: Motion made by, Rick Molish 2nd by Phil
Podroskey, Motion Carried.

Engineering Report: Motion made by, Rick Molish 2nd by Phil Podroskey, Motion Carried.

CORRESPONDENCE: No Report.

BILLS & PAYROLL:

Motion made by, Rick Molish 2nd by Phil Podroskey, to approve bills and Payroll for March 2019, Motion Carried.

ANNOUNCEMENTS:

Daisytown Community Center having Spaghetti Dinner Friday
Motion made by, Rick Molish 2nd by Phil Podroskey. Motion Carried.

NEW BUSINESS:

- Motion to: Pass Ordinance 2 of 2019 of West Pike Run Township, Washington County, Pennsylvania, Regulating the Keeping of certain animals and prescribed penalties for violation.
Motion to Table Made by Rick Molish, 2nd By Phil Podroskey. Motion Tabled
- Motion to: Advertise for Bids for 2019 Paving Project, Walkertown Hill and Church Street.
Motion made by, Rick Molish 2nd by Phil Podroskey, Motion Passed.
- Motion to: Accept Letter asking for Laura Hough to add family to medical coverage. As permitted in Township code.
Motion made by, Rick Molish 2nd by Phil Podroskey, Laura Hough Abstained because Family Involved. Motion Passed.
- Motion to Authorize Makel & Associates to prepare, file, and server a complaint and petition for injunctive relief.
Motion made by, Rick Molish 2nd by Phil Podroskey. Motion Carried.
- Motion To: Adjournment
Motion made by, Rick Molish 2nd by Phil Podroskey. Motion Carried.

With no Further business the Meeting was Adjourned @ 8:00pm.



Frank Muccino, Secretary / Treasurer

