

**TOWNSHIP OF ROSTRAVER**  
**Wednesday, July 25, 2018**  
**Minutes of Work Session**

Chairman DeRienzo called the Rostraver Township Board of Commissioners Work Session to order on this date at 5:15 p.m. in the Rostraver Township Municipal Building, Rostraver Township, Pennsylvania.

Members present were:

Raymond Iacoboni  
Gary L. Litvany

Gary N. Beck, Sr.  
Devin M. DeRienzo

Attorney Maatta, Finance Director/Office Manager Keffer, Planner Spedalieri, and Secretary Beard were present.

Chairman DeRienzo said there was an Executive Session held for Personnel Matters prior to the work session.

**ITEMS DISCUSSED:**

1. Chairman DeRienzo discussed the Bill's Golfland, Conditional Use. A Conditional Use for an electronic variable message sign on tax map number 56-09-00-0-007 has been requested by Bill's Golfland at 210 Bill's Lane. The Planning Agency recommends approval. A public hearing will be scheduled for August 1, 2018. Planner Spedalieri said an electronic variable message sign will be stitched out with the sign that is existing which meets the setbacks and will not be near a residential dwelling to worry about hours of operation. Anthony Ruoizzi, 726 Hamilton Avenue, Rostraver, PA 15012 attended on behalf of the request.
2. Chairman DeRienzo discussed the Westmoreland Sanitary Landfill Gas Facility, Westmoreland Sanitary Landfill, Land Development. A land development plan to install a prefabricated metal building and landfill gas processing equipment to process, compress, and transport to existing natural gas transmission line. The property identified as tax map number 56-12-00-0-055 received a special exception for a landfill natural gas compressor station and a setback variance from the Rostraver Township Zoning Hearing Board on September 25, 2017. The Planning Agency recommends approval. Alex Sulkowski, 111 Conner Lane, Belle Vernon, PA 15012 and Mike Zucatti, Civil Design Solutions, 1331 State Avenue, Coraopolis, PA 15018 attended the meeting on behalf of the plan. Planner Spedalieri provided an overview of the plan and said they have stormwater approval from the Township, the Conservation District looked it over and is okay with it, and variance approval was gotten from the Zoning Hearing Board. Commissioner Litvany asked if there is much noise with this. Mr. Zucatti said the equipment has been designed in the foundations to limit vibrations for the safety of the equipment; the noise will be at minimal. Mr. Sulkowski said the building is insulated also. Commissioner Litvany asked if there is a lot of swelling into it. Mr. Sulkowski said none. Mr. Zucatti said everything is enclosed in the pipelines. Chairman DeRienzo said they are hoping it will be better with no burn off. Mr. Sulkowski said there will not be burning and every molecule of methane will be captured off of the Landfill that they can. Planner Spedalieri said they would follow our performance standards if something would arise that is in our zoning ordinance for noise and sound. Mr. Sulkowski said everything is well under. Commissioner Iacoboni asked how big is the building. Mr. Zucatti said 190'x60'. This will be a motion at the August 1, 2018 monthly meeting.

3. Chairman DeRienzo discussed the Marian Woodlands Phase III, Entech, LLC, Final Subdivision. A final subdivision plan of tax map number 56-09-00-0-023 to create 40 single-family lots off Gardenia Drive. The Planning Agency recommends approval contingent on development bonding and agreement, and stormwater management bonding and agreement. Virginia Looney, HRG, 200 West Kensing Drive, Cranberry Township, PA 16066 attended the meeting for the plan. Planner Spedalieri described Phase III saying that the road would loop around and create a cul-de-sac named Dahlia Drive would be created. Planner Spedalieri said they did give is their bonding cost estimates and is waiting for Engineer DeiCas to provide the amounts so the bonds would be in place and the agreements. Planner Spedalieri said she doesn't know the timeframe for how long it would take once given to Mr. Dickey. Planner Spedalieri said it drug out in Phase II. Planner Spedalieri said it would be up to the Commissioners if they want a timeframe or it would be open ended on when he would sign the agreements and give the bonds. Chairman DeRienzo asked what we gave him. Planner Spedalieri said 90 days. Solicitor Maatta asked when that would expire. Planner Spedalieri said if made part of the motion the 90-day clock would start on August 1<sup>st</sup>. This will be a motion on the August 1, 2018 monthly meeting with the 90-day timeframe.
4. Chairman DeRienzo discussed the Thomas E. Clark Sr. Plan of Lots, Thomas E. Clark Sr. & Margaret R. Clark. A simple subdivision to create three lots with an existing commercial building on each lot. There is an access easement, stormwater management easement, and sanitary sewer easement described to be shared by all three lots. Land developments plans may be required in the future for all three lots depending on the intended use. Lot 1 will consist of 2.19 acres, Lot 2 will consist of 1.57 acres, and Lot 3 will consist of 2.21 acres. The Planning Agency recommends approval. Chuck Zelenak of CZ Surveying attended the meeting for this plan. Mr. Zelenak said originally the sewage authority only had one (1) sewer line tie-in, because of the three (3) lots each sewer line has to be off their own tap onto their property on the lateral; that has been approved. Chairman DeRienzo asked if they have anybody interested. Mr. Zelenak said they have two (2) people and just met with the zoning officer to make sure everything would fit and is worked out; right now two (2) of them are sold. Commissioner Beck, Sr. said he was also notified as an adjoining property owner. Solicitor Maatta said Commissioner Beck, Sr. does not have a voting conflict on that. This will be a motion on the August 1, 2018 monthly meeting.
5. Chairman DeRienzo discussed the Framar request for Road vacate/abandonment. Review Resolution vacating a portion of former route 64144. Chuck Zelenak of CZ Surveying attended and discussed. Mr. Zelenak said this area is off of Route 51 where the turn is to go to the golf course. Mr. Zelenak showed a map. Solicitor Maatta said the road was vacated in 1965. Mr. Zelenak said they are looking to with the vacation take the center piece and road to add on to the existing house that is there to make all one big lot. Commissioner Iacoboni said there is a business there. Mr. Zelenak said he doesn't know what the business is. Tim Stawovy, one of the owners of the golf course, attended the meeting. Mr. Stawovy said Dennis Rubino used to run P&D Generator shop and technically still owns it. Mr. Stawovy said George Williams has the asphalt equipment in the building and is paying Mr. Rubino to be able to purchase it. Mr. Stawovy said he needs to purchase that from either Mr. Rubino or Mr. Williams and is working on that part of it. Mr. Stawovy said it is not really a house; it is a block building that used to be P&D Generator. Mr. Stawovy said he wants to purchase that and make one continuous lot including the abandoned road. Mr. Zelenak said there is a couple of ways to handle it depending upon who owns it when the subdivision is done. Solicitor Maatta said there won't be any disruption to public access for anybody because they have already abandoned that road. Solicitor Maatta said we never ordained that road because it was a state road. Solicitor Maatta said all we need to do to abandon our interest in it is to put a resolution on the agenda for

Wednesday night. Mr. Zelenak said he didn't know if it would be incorporated with the subdivision. Solicitor Maatta said a resolution has to be done for the record. Solicitor Maatta said he did a resolution that will be on the agenda for the August 1, 2018 monthly meeting. Mr. Zelenak said when it is abandoned half will go to each side. Solicitor Maatta said we never ordained it but we are abandoning whatever interest PennDOT said we had in it. Mr. Zelenak said it reverts back to the property owners. Mr. Zelenak said they will deal with whoever is the property owner at the time of the subdivision. Mr. Zelenak said there is another question. Mr. Zelenak said at the top of the property there is a land hook and the sign for the golf course. Mr. Zelenak said the sign structure could be left with the golf course or include the sign structure into the subdivision with an easement for off premise. Planner Spedaliere said if the sign structure is on a separate lot from the golf course it would turn into an off-premise sign i.e. a billboard. Mr. Zelenak said the third way to go would be to remove the sign; it would cost about \$10,000 or more to remove the sign. Mr. Zelenak said the sign could stay with the golf course property because the original property line runs down Route 51. Solicitor Maatta asked if that is the better way. Mr. Stawovy asked what is the chance of getting a variance for an off-site premise. Planner Spedaliere said an off-premise sign is a conditional use before the Commissioners and would require a hearing from the Commissioners. Planner Spedaliere said it would have to be 500 feet from any dwellings to have an off-premise sign and if closer than 500 feet would have to go to the Zoning Hearing Board. Planner Spedaliere said the cleanest, easiest way is to keep it on the golf course and keep using the sign as they are using it. Planner Spedaliere said to have it on a standalone lot will take a couple other steps. Mr. Zelenak said they would adhere to whatever the side building lot is to divide the lot. Mr. Zelenak said he likes to give them options because it is their property. Mr. Stawovy said a developer is going to purchase it off of them and won't have any control of it when it is done. Mr. Stawovy said he will ask the developer if he will be allowed to keep the sign. Mr. Stawovy said he hasn't gone to them to see if he could cut a piece out and keep the property. Solicitor Maatta said if anybody has a problem with it we will know Wednesday. Solicitor Maatta said the road has been out of use for 53 years.

6. Chairman DeRienzo discussed the Bujdos & LaCarte Residue Subdivision, Laurence A. Bujdos, Simple Subdivision. A simple subdivision of tax map number 56-17-00-0-066 located off Lutz Run Road. The purpose of the plan is to divide the property between the two owners for Agricultural purposes. A non-building waiver for sewage has been dedicated on the plan. Lot 1A will consist of 14.441 acres and Lot 2A will consist of 10.971 acres. The Planning Agency recommends approval. John LaCarte, 405 Harmony Church Road, Belle Vernon, PA attended the meeting regarding this plan. Mr. LaCarte said it will still be a field for hay, corn, and soy beans. This will be a motion at the August 1, 2018 monthly meeting.
7. Chairman DeRienzo said a Growing Greener Grant was submitted to implement a portion of our Pollutant Reduction Plan (PRP). Requested \$277,950 from DEP with a \$49,050 local Match for a total project of \$327,000.
8. Chairman DeRienzo said a Fresh Paint Days grant was applied for the DiVirgilio Sports Complex. This will be awarded mid-August and must be completed by September 30<sup>th</sup>.
9. Chairman DeRienzo discussed Elks Place: Need cost estimate for Phase I and Phase II. Need to resubmit an amended application for Phase I but need a motion from the Commissioners for the project and to commit 15% like we did on September 28, 2016. Phase I will be funded with the 2017 CDBG allocation based on the original project scope. The County has asked for an update on where we are on permitting for this phase. Then for Phase II, we need to apply for a

CDBG grant by September 30, 2018 for funding in 2019. I need a cost estimate and similar motions from the Commissioners for Phase II. Planner Spedalieri said this is the Community Development Block Grant (CDBG). Planner Spedalieri said we received \$235,000 for Phase I of Elks Place. Planner Spedalieri said she needs a cost estimate from Engineer DeiCas in order to resubmit. Planner Spedalieri said she asked if the motions could be used from 2016 and he said that he wants new ones and asked if they could be done for the August 1, 2018 monthly meeting for Phase I. Planner Spedalieri said for Phase II we will apply for the 2019 pool of money with deadline of September 30<sup>th</sup>. Planner Spedalieri said as soon as we get a cost estimate for Phase II a whole new grant will be applied for and would like two (2) motions. Planner Spedalieri asked that all four (4) motions be made in August and September monthly meetings. Planner Spedalieri said each phase will require 15% commitment. Chairman DeRienzo asked about the cost estimate. Planner Spedalieri said when we talked about these numbers initially last year we were looking at applying for \$250,000 for Phase II. Planner Spedalieri said Phase I is already set at \$235,000. Planner Spedalieri said she needs Engineer DeiCas to make sure she doesn't have to ask for more than \$250,000 for Phase II. Commissioner Iacoboni said it would be nice if we had some kind of cost. Chairman DeRienzo asked Planner Spedalieri if we should have to ask for more than \$250,000. Planner Spedalieri said based on reading back through the minutes when we talked about phasing that was the number being thrown out there. Planner Spedalieri said she does not know if that is a firm number. Chairman DeRienzo said if it stays at \$250,000 and a little above \$235,000 it would still be a 15% match. Planner Spedalieri said for Phase II. Chairman DeRienzo said to touch base with Engineer DeiCas tomorrow. Planner Spedalieri said she needs the Phase I motions for August. Commissioners said to do it all. Commissioner Iacoboni said we want to do this project. Solicitor Maatta said we have to. There will be four (4) motions on the August 1, 2018 monthly meeting.

10. Chairman DeRienzo said the Willow Links Stormwater has not been corrected since notice given in March. Planner Spedalieri said she gave everything to Zoning Officer Monack after the Planning Agency meeting but has not yet followed up with him to see if he made progress. Chairman DeRienzo asked if we are holding any bonds. Planner Spedalieri said this one is pre-us holding bonds on. Planner Spedalieri said we can start enforcement on if it is not up to snuff. Commissioner Beck, Sr. suggested asking Zoning Officer Monack about it. Chairman DeRienzo agreed. Commissioner Iacoboni said he is hoping this doesn't cost us any money if we have to go after them. Chairman DeRienzo said he was hoping we had a bond but this is pre-existing. Chairman DeRienzo said to follow up with Zoning Officer Monack tomorrow.
11. Chairman DeRienzo discussed Rolling Hill Farm and said the 18-month maintenance bond for Rolling Hill Farm Drive, Callie Court, Mya Court, and Rachel Drive expires on August 16, 2018. Planner Spedalieri said she sent Engineer DeiCas out. Planner Spedalieri said verbally Engineer DeiCas and Road Foreman Godzak went out and looked; there were no problems with the roads. Planner Spedalieri said we are still holding a bond for their sidewalks. Planner Spedalieri said typically the sidewalks are put in as the roads are built. Planner Spedalieri said in this plan they didn't do all of the sidewalks because they wanted to wait for the houses. Chairman DeRienzo said this came up about a year ago. Planner Spedalieri said they gave us cash of almost \$11,000 if we would need to go in and do the sidewalks. Planner Spedalieri said once the 18-month maintenance bond for the roads is done the developer is pretty much out of the picture and we are the ones that are going to be making sure the sidewalks are completed. Chairman DeRienzo asked what was the problem up there. Planner Spedalieri said the houses aren't built on it and they didn't want to put the sidewalks in and then have all of the equipment to build the house going over top of the sidewalks; those lots are still unsold. Commissioner Iacoboni said he remembers asking Engineer DeiCas if \$11,000 is enough to hold to build the

sidewalks. Planner Spedalieri said Engineer DeiCas said to definitely hold the bond; they wrote a check out. Solicitor Maatta said it has been deposited. Chairman DeRienzo said to touch base with Engineer DeiCas.

12. Chairman DeRienzo discussed the JS&L Properties Inc. Holding Tank bond. Planner Spedalieri said it expired and she gave it to Zoning Officer Monack. Planner Spedalieri said she could follow up with him as this could become a sewage enforcement matter. Planner Spedalieri said this is where Water Fun used to be on Route 51; it is where Sciroto Chiropractic is. Chairman DeRienzo said there is a vape shop there also. Chairman DeRienzo asked when did it expire. Planner Spedalieri said it expired on July 25<sup>th</sup>. Chairman DeRienzo said it is in Zoning Officer Monack's hands right now.
13. Chairman DeRienzo said Marian Woodlands requested Bond reductions for Phase I sidewalks and Phase II development. Need inspection reports for both phases. Planner Spedalieri said Engineer DeiCas went out and will be getting her letters, and we could move forward at the August 1, 2018 monthly meeting for reductions. Planner Spedalieri said he is looking for a reduction in the sidewalks under \$6,000 and the development for Phase II for \$122,000 for excavating. Chairman DeRienzo said it would be contingent on Engineer DeiCas' letters. Commissioner Jacoboni said he would like to hear what Engineer DeiCas has to say. Commissioner Litvany said it is based on Engineer DeiCas' numbers. Commissioners said these two (2) motions for reduction will be on the August 1, 2018 monthly meeting if we get Engineer DeiCas' letters.
14. Chairman DeRienzo said the *Mon Valley Messenger* deadline for September Edition is August 15, 2018. Submitted information on E-recycling drop off dates in September for their August Edition.
15. Chairman DeRienzo said Planner Spedalieri attended the Wireless Facilities webinar on July 10<sup>th</sup> with Cohen Law Group and a draft ordinance amendment has been prepared by Cohen. Solicitor Maatta said there is a rough draft of the ordinance, and Planner Spedalieri has prepared some poignant and concise comments to the gentleman who is preparing the ordinance. Solicitor Maatta said he doesn't know if it will be ready for advertisement at the August 1<sup>st</sup> meeting but is hopeful. Solicitor Maatta said it is something that needs to be done- the sooner the better. Planner Spedalieri said towers and antennas are handled two (2) ways in our zoning ordinance: under each specific zoning category, i.e. A-1 a tower is a special exception and 195-81 specifically has to deal with wireless communications. Planner Spedalieri said they want to pull it out of each zoning category and make it be on standalone section of our zoning ordinance. Chairman DeRienzo said it still covers the entire Township. Planner Spedalieri said it covers the entire Township but not district by district like outdoor lighting. Planner Spedalieri said it breaks down everything more specifically as far as if it is a tower or antenna, if it is in our right-of-way or out of our right-of-way. Planner Spedalieri said if special approval is needed it would be a conditional use before the Commissioners. Planner Spedalieri said right now the towers are set up in the A-1 and Industrial districts only; our current ordinance lists that in business as well as special exceptions. Planner Spedalieri said she is unsure if we still want to keep it in business based on their recommendations. Planner Spedalieri said to consider if we move forward with this is the towers that would be located within our rights-of-way are recommended to have a list of roads that those towers would be permitted, for example, Township roads. Planner Spedalieri gave an example using Willowbrook Road where the old Ryan Home plan is that towers might be allowed that way they are not going into the roads in the plan like Kimberly Court; the biggest complaint they are hearing is from neighbors not wanting these towers in their housing plan. Planner Spedalieri said we need to start thinking about the

roadways that we can put them within our right-of-way. Planner Spedalieri asked if anybody wants to work on a roadway list. Chairman DeRienzo said it would be easier if it was split up. Solicitor Maatta said technology has evolved, needs have evolved, and federal laws have evolved. Solicitor Maatta said we are hoping we get five (5) years out of this one. Commissioner Iacoboni said he doesn't know how to split it up. Chairman DeRienzo said Road Foreman Godzak can probably get a list of roads together. Finance Director/Office Manager Keffer said he talked to him and he knows what he needs to do, and they are going to try to get this together to try to keep out of well populated roads. Commissioner Iacoboni said we have some things in place like in A-1 and Industrial. Planner Spedalieri said right now we are not really covered for the ones in our right-of-way in the ordinance; last year we had an agreement with Extenent who did four (4) and happened to be on roads that weren't in housing plans. Planner Spedalieri said there are statistics that show about 500,000 more of these potentially popping up between now and 2020 from the presentation she sat in. Chairman DeRienzo said it is like Solicitor Maatta said it is updating the ordinance to today's standards. Commissioner Iacoboni said there is a handle on the direction municipalities are going. Chairman DeRienzo said that is the help from Cohen Law Group. Solicitor Maatta said they are the leader in that area of the law and they understand the overlay with the Federal Communications Act and how it applies to what we are doing, want to do, and can do. Planner Spedalieri said she recommends following Cohen's lead and her comments were with what we have in place and how it would apply to us. Planner Spedalieri said he pointed out the fees we charge are under and made recommendations of increasing those fees in the draft. Planner Spedalieri said to review and decide when it is ready to move forward for advertising. Commissioner Iacoboni asked how soon will there be a response to the comments. Planner Spedalieri said she gave her comments on Monday. Planner Spedalieri said she can touch base with him. Solicitor Maatta said he thinks he understands what our timelines are for what we need to do. Commissioner Beck, Sr. said he had concerns on the Zoning Hearing Board. Solicitor Maatta said that is what prompted the evaluation of the current ordinance to redraft a new one. Commissioner Litvany said it is a lot of work with the burden on Planner Spedalieri and Road Foreman Godzak and offered his help.

16. Chairman DeRienzo discussed the Noise Ordinance Amendment Draft ordinance and included comments from Chris Boda, Kristin Van Strien, and Huntley & Huntley. Kimberly Price, representing HHEX, 1563 Network Drive, Canonsburg and Kate Gafner, 210 Sixth Avenue, Pittsburgh, PA 15233 attended for Huntley & Huntley. Ms. Price said Atty. Gafner was here at a previous work session meeting, and she is relatively new to the company. Ms. Price walked through the changes to the draft that she would like to recommend for a discussion at a minimum. Ms. Price spoke regarding ambient sound background and performance standards. Atty. Gafner said if the ambient background level is well below the performance standard that an operator is not held to more stringent standards than anyone else in the municipality. Ms. Price asked that for consistency that cumulative minutes for one hour be changed to cumulative minutes during one hour. Ms. Price asked that the language from a boundary/property line be removed and said to protect people 100 feet an occupied building is sufficient and is asking for some flexibility. Solicitor Maatta asked if her position is understood. Commissioner Litvany said he is confused. Solicitor Maatta said he was too but is starting to get the grasp of where they are headed. Atty. Gafner said a noise ordinance is really to protect people, and people don't want to be waken up when they are sleeping, want to be able to enjoy their homes, and measuring noise from a distance is the focus to protect people in their dwellings where they are going to be; measuring both places creates inconsistency and discrepancy. Atty. Gafner said as it is written it seems to say not only if there is a court decision but if there is a violation of the ordinance that the operator has to reapply for DEP and Township permits; it doesn't say what permits; the DEP doesn't govern noise. Solicitor Maatta said we are not dealing with the DEP and can clean that up; he wants to protect our residents. Solicitor Maatta said if we go into court and are assigned to a

judge and say this has been an ongoing repetitive problem with one conviction after another and want to restrain and abate this nuisance that is reoccurring we think we should ask the judge for that type of relief; that doesn't mean he is going to grant it; then it would seem to us that you are not being a good neighbor. Atty. Gafner said in injunction situations you ask for whatever you feel entitled. Atty. Gafner said they were concerned that a violation automatically required them to resubmit permits to DEP and to the municipality. Solicitor Maatta said if we get calls every day we are going to think you are an irresponsible operator. Atty. Gafner said they wanted to know if that means every one of their permits in the municipality would have to be reapplied for. Solicitor Maatta asked where they are in the process with the DEP. Ms. Price said Rostraver is an area they hope to develop within the next two (2) years but doesn't know if the permits have been completed into DEP. Ms. Price said when they submit specific documentation to the DEP, the Township also receives some notifications. Planner Spedaliere said we received last week our Act 14 Notification. Solicitor Maatta asked where that is in the process. Ms. Price said that is in the beginning of the process. Ms. Price said they need to come to the Township to seek approvals but doesn't know where they are in the schedule. Solicitor Maatta said we would like to know and asked for a summary education. Solicitor Maatta asked if the people in the Township have an opportunity to speak, file objections, ask questions; he asked if it is an open forum type process at the DEP. Ms. Price said there is an opportunity for people within the Township to approach DEP and ask questions about their permits. Ms. Price said all of that documentation is made public. Ms. Price said it is likely it is already on the DEP's website. Solicitor Maatta asked if it is up to us to notify adjacent property owners. Ms. Price said they automatically notify adjacent property owners per the DEP regulations. Ms. Price said it is very thorough. Ms. Price said she can assist to have people come in to talk about the process. Ms. Price said she will get a rough estimation of time for specific plans for Rostraver. Solicitor Maatta said Planner Spedaliere and he will look at the ordinance again from their perspective to see if we will adopt any of the changes suggested. Solicitor Maatta asked Ms. Price and Atty. Gafner to stick around as neighbors have been asked to speak and would like them to be here to hear their concerns. Kristin Van Strien, 373 Gallitin Road, Rostraver and Chris Boda (via Zoom) attended the meeting. Ms. Van Strien said the noise ordinance isn't just for where we live it is for everyone in the Township – gas wells can go up, any kind of loud noise can go close to where they live. Ms. Van Strien said they are not trying to stop what is going on with the drilling. Ms. Van Strien said they want to make sure we are all on an even playing field; the gas companies have a right to go for what is legally theirs under the property, but we also have the right to continue our standard of living and preserve our quality of life. Ms. Van Strien said she would like some clarification on a few things in the draft ordinance. Ms. Van Strien asked about receiving sound on occupied buildings. Ms. Van Strien said she spent a lot of time looking at ordinances from other communities and it struck her that everything is reactive and not proactive. Ms. Van Strien said she looked at the sound limits when they start to affect people rather than trying to contain everything in one single area. Ms. Van Strien said she pays tax on her entire property and enjoys every bit, not just where occupied properties are. Ms. Van Strien said in the summer her husband is all over the property and her dog likes to go all over the property. Ms. Van Strien said she is supposed to be able to enjoy her property to that certain point and disagrees that calculations are based upon how close they are to houses instead of property lines. Ms. Van Strien said her house is on one corner of the property and the rest of it, their playground, is what is going to be impacted before it gets to the house. Ms. Van Strien said this has nothing to do with where the proposed site is near the Ice Gardens. Ms. Van Strien asked why sound can't be minimized from point of occurrence rather than after it reaches out to adjoining properties; part of that is making it as airtight as possible as far as noise keeping noise captured at its origination. Ms. Van Strien said a garage, barn, and shed are buildings that you don't live in; there is more than just where people live right at the house. Ms. Van Strien asked if when someone states there is a problem how would it be defined whether an accusation has

merit and how it would be measured. Ms. Van Strien asked if someone here would have to come out and what qualifications that person would have to say it has merit. Ms. Van Strien said there is no way to verify after the fact. Ms. Van Strien said some of these things points towards monitoring once construction begins but it should be before that. Chairman DeRienzo questioned Ms. Van Strien for saying before that. Ms. Van Strien said it talks about if the complaint is violating the noise ordinance, if the complaint has merit the Township officer shall notify the operator and the operator has to provide within a 48 hour period to cure. Chris Boda, 160 Foster Lane, Rostraver, PA 15012 (via Zoom) went on record. Mr. Boda asked what are the plans for having the proper personnel and proper procedures in place so that everybody is held to the same level of merit. Ms. Van Strien said there is language that something is going to be reviewed when construction starts. Solicitor Maatta said his response is probably not going to be satisfactory and likened it to the state police on I-70, they can't catch everybody; if they catch somebody they are doing their job. Solicitor Maatta asked if we are going to be able to monitor every occurrence or prosecute every violation and said he doesn't think so. Mr. Boda said the state police have set laws in place that define what a traffic violation is; right now the word merit does not define a violation. Solicitor Maatta said it will be looked into and appreciates that being brought to our attention. Ms. Van Strien asked what should be the response time for the Zoning Officer to decide if it has merit. Ms. Van Strien said if the complaint is found to have merit if a work shouldn't cease instead of being given time to remedy the situation. Solicitor Maatta said it should if it is continuing. Ms. Van Strien said maximum permissible amounts were established in 2011 of 70 dBA from 7 a.m. to 10 p.m. and 60 dBA from 10 p.m. to 7 a.m. Ms. Van Strien asked who will ensure that the gas related activities stay in compliance even if they are permitted short term high level sound and how will it be monitored. Ms. Van Strien said there are school age children in the community and these make a lot of noise along with the trucks for the long term. Ms. Van Strien asked if 7 a.m. to 9 p.m. could be looked at. Ms. Van Strien asked if the well stops producing and supplemental needs are applied to retrieve it would the operator need to apply for a new permit and can the gas companies be required to provide a 3-year, 5-year, 10-year plan. Ms. Van Strien asked how the gas company is going to keep the really loud noise to a limited amount of time instead of coming back and developing the process every year to develop that gas site. Chairman DeRienzo made sure he got the time recommendation correct. Solicitor Maatta said because of school age kids. Mr. Boda thanked the Commissioners for considering revisions to the sound performance standard regarding the well and gas fill development in the Township. Mr. Boda said this might be one of the more important ordinances to maintain the unique positive character of Rostraver Township and protecting the public's potential health risks that noise can cause. Mr. Boda talked about gas fill development and said will most likely impact most residents of the Township. Mr. Boda said as it develops industrial sprawl will blanket the landscape; it is not just the well site but encompasses erosion and sedimentation, drill site, heavy trucking, fracking, completions operation, midstream activity, compressor and dryer stations, pipelines, processor facilities, disposal of hazardous waste, and power plants. Mr. Boda said Ms. Van Strien gave a handout. Mr. Boda said most people are used to seeing a little rusty green pipe coming out of the ground but are not used to seeing 2-50 bores; these are big operations to make it economical. Mr. Boda said he plans to welcome the gas industry like any other neighbor in the Township – keep property presentable, keep the noise down, and do no harm. Mr. Boda said he recommends consideration of the changes to the draft that he provided earlier via email to the Commissioners and the Planner. Mr. Boda said prior to site development he is concerned, using the example of being next to a highway of probably 80 dBA and as long as there is a buffer of earth, hillside, or vegetation in place he will not necessarily hear 80 dBA, if sound monitoring is done to establish base line the draft allows for them to go to 95 dBA which is like a really loud rock concert. Mr. Boda added something to consider stating that sound level meters shall be equipped with windscreens and readings shall be taken with wind velocity at the time of place of measurement

of no more than 5 miles per hour. Mr. Boda said if little things are missed the ambient noise will increase the base line. Mr. Boda said he added that the operator shall provide a computer-generated site-specific noise impact model based on topography, vegetation, and structures of the proposed drill site within a 5,000 feet radius from the outer boundary of the proposed oil and gas vertical bore locations. Mr. Boda said the simulation model shall include both the unabated noise analysis as well as several noise analyses including the effects of noise abatement plans. Mr. Boda permitted gas company to have a copy of what he is talking about. Mr. Boda said by having a computer simulation showing at a distance what the noise is going to be will help the Township to do their job, help protect the property owners and residents of the Township, and help protect the gas industry predict operation costs when they go to set up their well fill – benefits everybody. Solicitor Maatta questioned if the technology is in place somewhere and has been used in oil and gas. Mr. Boda said after the meeting he will send an example from the oil and gas industry. Chairman DeRienzo said it is no different than when the Corps of Engineers does simulations for rivers, locks, and dams. Ms. Price said they do simulations when they are planning their noise mitigation practices in order to meet the ordinance and is part of what is done to determine what instruments, technology, what kind of sound panels are to be used when developing the site plan; it's common. Mr. Boda said the second toughest part of the ordinance relates to sound and the measurement. Mr. Boda used a 60 watt light bulb in the analogy of sound power level. Mr. Boda said sound pressure, or dBA, is what the ordinance is written to. Mr. Boda spoke of sound attenuation and said you have to consider sound pressure at a distance from the source because that is what is going to be felt in the ear drums; it is the distance from the source that counts. Mr. Boda said it could be talked about from a house or the property line but if 80 dB is 300 feet or 3,000 feet from us it is still 80 dB; distance isn't going to reduce that power. Mr. Boda said the simulation is important to show the effects in order to mitigate sound. Mr. Boda asked the audience to think long and hard about what sound is, what the measurement is, and what that particular clause of this ordinance should be. Mr. Boda said he could forward another opinion and recommendation. Mr. Boda said 5 dBA, 10 dBA, and 15 dBA are allowed over the performance standard or the background and said 80 dBA could go as high as 95 dBA. Mr. Boda said there is a good example that is in the permit process right now that could put the Township in a position of being 95 dBA and have neighbors from ½-1 a mile away complaining. Mr. Boda gave an example of being a bad neighbor playing stereo too loud, police show up with warning to turn down, continues to do it, police come back with a citation, and potential arrest. Mr. Boda asked why does this seem different for the gas industry than any other citizen. Solicitor Maatta asked if he is saying that we have to catch them. Mr. Boda said there has to be a violation. Solicitor Maatta said someone has to be there to catch them and to prosecute. Solicitor Maatta said we have a zoning officer/code enforcement who will probably be the person to monitor the sound; he can't be every place at once. Solicitor Maatta said by the time he gets there the sound might be abated or attenuated. Mr. Boda said he recommends the Commissioners consider putting in as part of the noise requirements that the oil and gas development do continuous 24-hour monitoring of sound levels and that information could go onto the Township website; citizens could go to the website and go right to e-Code 360 to be posted there and see live sound feed. Solicitor Maatta said it is something to consider. Mr. Boda said he added a section acknowledging that sound can travel long distances. Mr. Boda said zoning ordinance change notifications shall be mailed to property owners and residents as well as posted on roads within a 5,000 feet radius of the proposed well site, compressor station, and/or processing facility. Mr. Boda said the way the current ordinances are written only the adjoining property owners without a connecting road would be notified by mail. Mr. Boda said sound can travel great distances. Mr. Boda said in regards to performance that he would not remove any point between the source property and the receiving property, because he pays his taxes and gets relaxation and peace whether he is 100 feet from the house or 1,000 feet from the house. Mr. Boda said one of the things missing from the ordinance is dBC levels, or low frequency readings.

Mr. Boda said low frequency is a problem as it is not only sensed audibly but is felt. Mr. Boda said he wouldn't take issue with 100 feet from a receiving property because low level frequencies tend to be more noticeable in an enclosed structure where the background ambient is much lower or lower than the ambient outside. Mr. Boda said if this is added provisions must be defined to add low frequency noises, how it is measured, and dBC, Mr. Boda said low frequency measurement (LFM) is defined as produced noise below 200 Hertz and is a narrow band frequency analyzer calibrated to the dBC scale. Mr. Boda said not all noise measurement is created the same and needs to be accounted for. Mr. Boda said he would change the penalty clause to \$5,000 per occurrence plus for legal, technical, consulting, managerial. Mr. Boda said whether it is \$500 or \$5,000 it doesn't matter in the oil and gas industry; it would probably be cheaper to make noise for an extended period of time and pay a fine then it would be to mitigate sound. Solicitor Maatta said we are constrained by state law on summary offenses; this is not a misdemeanor and we can't create misdemeanors on the local level. Solicitor Maatta said a summary offense top line is \$500 per occurrence. Mr. Boda said he researched other municipalities for injunctive relief and saw a clause that no relief shall be required of the Township if the Township seeks injunctive relief and is something to consider to protect the Township's position. Solicitor Maatta said generally a taxing body does not have a bond imposed because of their ability to fulfill their obligations. Solicitor Maatta said he will look at that again. Mr. Boda said he found some statistics in his research. Mr. Boda cited a source in the sound industry noting a change in level of dB of 3 is just about perceptible; if increased 5 dB it is clearly perceptible. Mr. Boda said normal conversation level is 55-60 dB and almost had to yell in an enclosed room to get the sound meter to go up 5 dB. Mr. Boda said 10 dB is sensed as twice as loud. Mr. Boda referenced a study that looked at the amount of dBA by which a sound level increases they predict how the public will react; 0=none, 5=a little complaints, 10=medium and will start to see widespread complaints. 15=strong category with threats of community action, 20=very strong with vigorous community action. Mr. Boda said the sound ordinance is a very important ordinance for the gas industry, the residents, the property owners, and the Commissioners who have to enforce it. Chairman DeRienzo said he understands the last analogy used with the voice. Chairman DeRienzo said it would be like putting a lawnmower in this room and letting it run. Mr. Boda said we would be yelling to communicate, be cranky, might have headaches, blood pressure might go up, diabetic increase in sugar because of the stressor of the sound range. Mr. Boda said if we were in a plant dealing with a rotating piece of equipment there would be parts you can see, parts that require hearing protection, and there might be a machinery room that is 500 yards away and wanting to get away from it. Chairman DeRienzo said that is right and deals with that every day. Solicitor Maatta said that everybody's sentiments will be taken into consideration to try to be as objective and predictable as we can so everybody knows going in what their duties and obligations are and hopefully even if you can't co-exist you can at least reach a level of understanding of what the other person might feel they need to do. Solicitor Maatta said our burden is going to be very difficult and wants to try to do everything we can do to be fair. Solicitor Maatta said we are being transparent and want to continue to have open forum and dialogue. Solicitor Maatta said at some point we are going to prepare an ordinance that may not be satisfactory to everybody. Solicitor Maatta said at some point we are going to be advertising and ordinance for potential adoption. Solicitor Maatta said everybody will have an opportunity when we are ready to adopt it to come in and tell us how they feel, and we know what to expect. Solicitor Maatta said every ordinance we adopt we give careful consideration to prior to adoption. Ms. Price asked is when the hearing is held to announce the draft ordinance if there will be a second comment period or if this is that comment period. Solicitor Maatta said we were considering advertising it in August but don't know how far along she is. Solicitor Maatta said we don't want some kind of permit snuck in while we are considering a noise ordinance; we are not going to let that happen. Solicitor Maatta said if it is a couple years away. Ms. Price said they are not that far away. Ms. Price said if the Township

already received notice from the DEP that she anticipates looking to develop within the next two (2) years. Solicitor Maatta said we are going to consider what has been said and at some time will prepare and ordinance and stand by it, regulate it, enforce it, and defend it. Solicitor Maatta said not everyone will be happy but everyone will understand the competing interests here. Mr. Boda said on July 23<sup>rd</sup> there was an expedited erosion and stormwater for general permit and is now in the pending state with the DEP; the site ID is 830909 with site name Hera Well Pad ESCGPESX18-129-0008. Ms. Price said that is likely the information that was received; that's a DEP permit package. Ms. Van Strien said she gets the same notifications from that website. Mr. Boda said there is a 30-day comment period with the DEP where citizens and the Township can make comments to the DEP as part of this permitting process. Mr. Boda said on the first page of the Act 14 the Township and the Commissioners have a 30-day period in which they can make comments on the proposed E&S plan. Solicitor Maatta asked if the first thing is E&S. Mr. Boda said the first thing is E&S.

17. Chairman DeRienzo said Westmoreland County Model Stormwater Ordinance for Integrated Water Resources Plan was presented on July 19<sup>th</sup> with comment period on drafts until July 31<sup>st</sup>. Planner Spedalieri said the County has been working 2-3 years to try to get a Countywide Integrated Water Resources Plan which in turn means they will have a model stormwater ordinance. Planner Spedalieri said after July 31<sup>st</sup> they will move forward with the County Commissioners to advertise and adopt this stormwater plan model ordinance. Planner Spedalieri said we would have to make changes to our existing stormwater ordinance to meet the County's recommendations. Chairman DeRienzo asked if it changes a lot. Planner Spedalieri said not really for us because when the County looked at the different water sheds in the entire County they did a little bit of study from the Monongahela River; our two (2) water sheds that would be impacted would be the Monongahela and Youghiogheny Rivers. Planner Spedalieri said what might change for us would be what our release rates are right now for any of our streams, creeks, or tributaries that would discharge into the Monongahela River. Planner Spedalieri said they did no studies on the Youghiogheny River; they are not able to touch on release rates or recommendations on how that would affect our tributaries that then discharge into the Youghiogheny River. Planner Spedalieri said they are looking at a blanket release rate for the Monongahela River between 70, 80, and 90 which is where we are at. Planner Spedalieri said she would need Engineer DeiCas to look at it more closely because ours is not based on a big watershed like that and he would have Speers Run at a different release rate than Pollock Run and Cedar Creek even though Pollock Run and Cedar Creek are in the Youghiogheny watershed. Planner Spedalieri said when they ran the numbers for the Monongahela watershed they did look at pollutant loads which she passed along to Lennon, Smith, Soulerlet (LSSE) because it might have an impact on our pollutant reduction plans; the County did actual boots on the ground testing on four (4) sites of the Monongahela River. Planner Spedalieri said those may change the numbers that DEP was saying we would have to reduce. Planner Spedalieri said she hasn't heard from LSSE to know if that would help or hurt us. Planner Spedalieri said they didn't do those things for the Youghiogheny River because they ran out of money. Planner Spedalieri said hopefully once the plan is adopted and modeled they can get a grant somewhere else and look at the Youghiogheny River. Planner Spedalieri said the one area of the County that they looked at with the most studies was Turtle Creek. Planner Spedalieri said there were problems in the 1980's and 1990's and that is how stormwater came to be because of the flooding that was happening in Turtle Creek in Allegheny and Westmoreland Counties; they hit that area a lot harder than our area of the Township. Planner Spedalieri said we wouldn't look at making any changes until next year from listening to the County's timeline for when everything would be adopted. Planner Spedalieri said we will have to look at tweaking our ordinance.

18. Chairman DeRienzo said Elizabeth Township Planning Commission is reviewing the Allegheny Energy Center/Invenery. Planner Spedalieri said Sandy Hearn contacted her for the Elizabeth Township Planning Commission and dropped off a packet of proposals. Planner Spedalieri said some of the property abuts some properties in Rostraver Township. Solicitor Maatta said we want to make sure somebody notifies these people of what is happening. Solicitor Maatta said everything that is occurring and proposed to occur is happening in Elizabeth Township and doesn't know how far our legal obligations go, but as a matter of courtesy we should notify those four (4) people that are abutting. Planner Spedalieri named off the property owners. Planner Spedalieri said she doesn't believe any of the properties in Rostraver Township have been notified by Elizabeth Township. Planner Spedalieri said we had talked about this when we had a zoning change on Tyrol; Mr. Gaudio told her to just notify Monessen Council. Planner Spedalieri said that is sort of what Elizabeth Township did on its end. Solicitor Maatta said as a courtesy to our people we notify them and let them know who to contact in Elizabeth and if they have to or want to weigh in they can. Solicitor Maatta said he doesn't think we will take an official position. Chairman DeRienzo recapped by saying that Planner Spedalieri received a phone call and an email and asked for some direction. Chairman DeRienzo said he asked her not to say anything until she talked to Solicitor Maatta as he didn't want us being drug into something that doesn't concern us.
19. Chairman DeRienzo reviewed the Resolution Appointing Deputy Code Enforcement/Zoning Officer for Conflicts of Interest. Solicitor Maatta said he prepared a resolution. Solicitor Maatta said in situations where K2 may be involved with representing or assisting a developer and at the same time looking at things on behalf of the Township we should appoint Jeff Keffer as his deputy to do that review and to sign off. Solicitor Maatta said he did send a letter asking for an advisory opinion from the Ethics Commissioner once he knew exactly what Frank Monack's legal duties were here in terms of being a public official; he hasn't heard back yet from them. This will be a resolution at the August 1, 2018 monthly meeting. Chairman DeRienzo said he spoke to Solicitor Maatta a week ago and thinks it is a good idea for what he stated and it might help out at times with the Landfill and with the drilling. Chairman DeRienzo said if Zoning Officer Monack is at another site, Mr. Keffer will have the authority to go out. Solicitor Maatta said he thinks it is necessary and is glad Mr. Keffer is willing to jump in.
20. Chairman DeRienzo reviewed the Resolution Adopting Concord Lane and Connector Road. Solicitor Maatta said today we had an amendment for the 3-Party Agreement. Solicitor Maatta said he left some dates open because he is not exactly sure when we want to take over the portion of Municipal Drive that the 3-Party Agreement requires us to do. Solicitor Maatta said he is meeting with Mr. Shuster, Tom Yoder, and Mr. and Mrs. Poindexter on Monday at 2:30 p.m. to go over the drainage issue that Engineer DeiCas brought to attention more recently - 30" pipe going into 16" or 12" pipe. Solicitor Maatta said Mr. Yoder said it is only a 24" and is already replacing 80' of it that is deteriorated. Solicitor Maatta said before we adopt this resolution and commit to a date to take over the road we need this meeting to address the drainage issues and then sign off on the 3-Party Agreement Addendum. Solicitor Maatta said once we have dates this will go on an agenda. Commissioner Beck, Sr. said we promised those people three (3) years ago that whatever happened they would be involved. Solicitor Maatta said he doesn't know what Mr. Shuster wants to do. Commissioner Iacoboni asked if we got a final drawing of where the road is to go. Solicitor Maatta said he doesn't know if the engineer hired for Mr. Snyder is being used or not but thinks he is using his own people. Planner Spedalieri said it seems like he is keeping it in the same location we already approved. Planner Spedalieri said the only thing that looks to be changing is stormwater management controls. Commissioner Iacoboni said we have been down this road so many years. Solicitor Maatta said the connector road is promised to be done by December 31, 2019.

21. Chairman DeRienzo discussed the new rates received for Vision Benefits from VBA. Finance Director/Office Manager Keffer said our rates are good for two (2) years and are up for renewal as of September 1, 2018. Finance Director/Office Manager Keffer said he received the notice on July 5<sup>th</sup> and this is the first work session that we had. Finance Director/Office Manager Keffer said the notice asks that we electronically sign the contract renewal by August 1<sup>st</sup>. Finance Director/Office Manager Keffer asked for permission to electronically sign the contract for another two (2) years. Finance Director/Office Manager Keffer said rates went up 3%. Finance Director/Office Manager Keffer said employee only is \$5.81 going to \$5.98 per month and anybody other than single it is \$14.08 going to \$14.50 per month. There will be a motion to ratify renewal at the August 1, 2018 monthly meeting.
22. Chairman DeRienzo gave an update on the last Pension Committee Meeting. Finance Director/Office Manager Keffer said at the last pension committee meeting Patrick Geary put out a Request for Proposals (RFP) to 15 different providers for municipal pension plans and had response back from eight (8) of them. Finance Director/Office Manager Keffer said there are some good responses out there that can bring our plan into compliance and save costs. Finance Director/Office Manager Keffer said he met with the Road Department employees last week to update; they seemed pretty much onboard with whatever we do. Finance Director/Office Manager Keffer said Mass Mutual is one of the respondents because we have to include them in case we don't make any changes. Finance Director/Office Manager Keffer said the next step would be having the top three (3) come in and the committee do an interview process – what are you going to do for us, what services are you going to provide, how often are you going to come talk to the employees. Finance Director/Office Manager Keffer said once that is done it is a matter of switching or staying with Mass Mutual. Finance Director/Office Manager Keffer said he is looking for permission to have them come in and the Commissioners are welcome to sit in when that happens. Solicitor Maatta said we promised during negotiations that we would take that next step and thinks it is time we do. Finance Director/Office Manager Keffer said he will contact Mr. Geary tomorrow to set up the next step.
23. Chairman DeRienzo discussed Garbage Contract and timeframe for advertising and bidding. Commissioner Beck, Sr. said several months ago he asked Secretary Beard to send out the current contract and asked the Commissioners to look over it to see if they had any suggestions, comments, concerns and send to the Solicitor so he can incorporate them into the new proposal going out. Solicitor Maatta said he has heard from no one other than there has been casual talk about requiring a certain number of years of experience whether 2, 3, 4, 5 years of experience. Solicitor Maatta said he kept up with what happened with the Township in the litigation process of a few years ago and would hate to see that repeated; it was costly and bad PR. Solicitor Maatta said if someone wants him to put something into the specs he would be more than happy to report on that. Commissioner Beck, Sr. asked when he would want it to get it prepared for advertisement. Solicitor Maatta asked when it was awarded last time. Finance Director/Office Manager Keffer said he believes in September. Secretary Beard said in 2015 we advertised twice in August and publicly opened the bids on September 2<sup>nd</sup>. Solicitor Maatta said that gave the successful bidder 3-4 months to mobilize. Secretary Beard said once the amount of the contract is known the garbage rate for the residents needs set and Tax Collector Phillips needs time to have the bills printed. Finance Director/Office Manager Keffer said that is a time constraint to get bills printed and ready to go out. Finance Director/Office Manager Keffer said it really needs to move forward. Solicitor Maatta said if we are not going to make any changes then it will be simple – change dates and advertise for the three (3) years 2019-2021. Commissioner Iacoboni mentioned someone said something to him about owning a house that is in bad shape and nobody living in. Commissioner Iacoboni said it was talked about to fix it up but never did. Commissioner Iacoboni said the owner asked him why he keeps paying

garbage because nobody lives there. Solicitor Maatta said those kind of cases get litigated and it is discretionary with the Township because if they are not producing garbage and they can prove it, it could be exempt. Commissioner Iacoboni said he doesn't know where this place is but somebody will obviously have to take a look at this. Commissioner Iacoboni said he said there are no utilities on at this place. Chairman DeRienzo said usually that is done on a case by case basis. Solicitor Maatta said not every municipality around exempts people; they make them prove it at a hearing if they have been cited for nonpayment. Commissioner Beck, Sr. said one of the biggest issues he has had with the garbage is the picking up of the recycling – a lot of people think they are dumping it in the same truck. Commissioner Beck, Sr. said he thinks the truck should be marked differently and talked about having the recycling done on a different day than the regular pickup. Solicitor Maatta said if made a formal request he would be more than happy to put it in the specs. Chairman DeRienzo said that is the only thing he brought up yesterday because there seems to be a big problem. Finance Director/Office Manager Keffer said it shouldn't cost them any more if they are using two (2) trucks. Chairman DeRienzo said his garbage day is Monday to pick up regular garbage and recycling. Chairman DeRienzo said he can't see why they couldn't switch to garbage on Monday and recyclables on Tuesday; that way there would be no cross contamination and being done right. Solicitor Maatta asked if the residents will know to do it that way though and would have to be thoroughly explained. Chairman DeRienzo said it is a thought. Finance Director/Office Manager Keffer said a notice could be added when we send the bills out. Solicitor Maatta said people get bad habits. Chairman DeRienzo said we have gotten a lot of complaints and phone calls on recycling whether it is right or wrong truck, throwing recyclables in with regular garbage or vice versa. Chairman DeRienzo said he brought up to have on a separate day. Chairman DeRienzo said they are still in the Township because they pick up five (5) days a week. Commissioner Litvany said over his way recycling is picked up between 7-9 a.m. and the garbage later in the afternoon; we can still accomplish what you are saying without going another day. Solicitor Maatta said it works that way for him too. Commissioner Litvany said that doesn't mean it is done the same way the whole way across the Township. Commissioner Litvany said it is not a bad idea but asked if it would be an inconvenience to the people. Solicitor Maatta asked if we do it a different day if we still need them to re-designate their truck as a recycling truck so nobody gets confused. Commissioner Beck, Sr. said he wonders how it will affect the cost of the bid. Solicitor Maatta said they are coming out twice. Commissioner Iacoboni said they schedule their crews to sections of the Township. Chairman DeRienzo said both trucks are at his place on Monday, they are at Commissioner Litvany's on Tuesday – they are still within the Township; just saying that truck moves back one day or something. Solicitor Maatta asked if he is to put it in for separate days. Commissioner Iacoboni said we took an ear beating four (4) years ago. Solicitor Maatta said the DEP never filed citations against as recycling violations. Commissioner Litvany said he didn't think so. Commissioner Litvany asked if they could be asked to put magnetic signs on the trucks when they are using it for recycling. Chairman DeRienzo suggested they paint red; both trucks are exactly the same and might cause some confusion. Commissioner Iacoboni said he thought that was what was happening. Commissioner Litvany said to have it on two (2) days would eliminate that. Commissioner Iacoboni said he would like that if we could get the public to buy into it. Commissioner Litvany said in his area with the small streets they tear the alleys up. Chairman DeRienzo asked if it is something needing to be looked at because there are certain roads in Pricedale, Lynnwood, etc. that require a small truck. Solicitor Maatta said it is in the specs. Chairman DeRienzo asked if it is in the specs for Collinsburg. Secretary Beard read the section of the specs which did include Collinsburg for the small trucks. Chairman DeRienzo said if there is a problem we have to hold them accountable. Commissioner Iacoboni said if there was an issue that someone came to a meeting Big's went down right away and fixed it up and remembered an instance of side swiping that was taken care of. Commissioner Litvany asked if there is anything in there about experience and asked what is thought about it

due to the last time. Solicitor Maatta said picking up residential garbage is not like brain surgery. Solicitor Maatta said he would think the only experience really needed is administration of the contracts, making sure you are where you need to be when you need to be there, and understanding DEP rules and regulations. Solicitor Maatta said that would imply some necessity for experience and said it would be up to the Board as to how many years of experience. Solicitor Maatta said having none invites someone brand new all the way up to Republic or Waste Management. Commissioner Beck, Sr. asked if it is known what the surrounding communities do. Solicitor Maatta said in the other part of the Mon Valley, Glassport, they do require five (5) years of experience but doesn't know why. Solicitor Maatta said he guesses they are looking to make one (1) aspect of governmental life easier. Commissioner Beck, Sr. said there is truth to that. Solicitor Maatta said he remembers it being talked about as guinea pigs and asking why we should have to teach how to do the job. Solicitor Maatta said it is up to the Board and will put in whatever they want. Commissioner Litvany said he thinks there should be something in it and if five (5) years is too much make it 2-3 years. Chairman DeRienzo said let's start at two (2). Commissioner Beck, Sr. said he is at three (3) years. Commissioner Iacoboni said he is at two (2) years; if you did something for two (2) years you should know what you are doing. Commissioner Iacoboni said if you bid a job like that you should know what you are doing. Commissioner Iacoboni said we deal with that with the grass cutter and take a gamble. Solicitor Maatta said you don't want to be an apprentice program for somebody else's mistakes. Solicitor Maatta asked if Commissioner Boldyzar, Jr. will need to be called to break the tie. Commissioner Litvany said he will go with three (3). Solicitor Maatta suggested reaching Commissioner Boldyzar, Jr. Chairman DeRienzo said we won't necessarily take the lowest bidder. Solicitor Maatta said the language is lowest responsible bidder.

24. Chairman DeRienzo said the Grass Cutting Contract is due to be bid out this year. Finance Director/Office Manager Keffer said he mentioned this to Commissioner Boldyzar, Jr. as it falls under his department. Finance Director/Office Manager Keffer said usually this happens in October/November. Finance Director/Office Manager Keffer said it is advertised to meet here at the Complex to be shown the areas that need to be kept. Finance Director/Office Manager Keffer said he usually meets with Road Foreman Godzak to discuss any problems and tweak anything in the specs. Finance Director/Office Manager Keffer said this will probably be advertised in September.
25. Chairman DeRienzo said 2017 Audit Report completed and distributed to the Commissioners. It has been filed with the DCED. Motion to approve ratifying advertisement. Finance Director/Office Manager Keffer said the Commissioners were given a copy of the audit. Finance Director/Office Manager Keffer said the legal was placed in the paper showing the basic balance sheet. This will be a motion to ratify the advertisement will be at the August 1, 2018 monthly meeting.
26. Chairman DeRienzo said a letter was received from Kristin Kaib concerning the availability of basketball courts in Rostraver. Finance Director/Office Manager Keffer said the letter was copied for the Commissioners. Chairman DeRienzo said she talks about two (2) places with one (1) being property the Township doesn't own and if considered would be in a floodplain anyway. Chairman DeRienzo said it is something to consider and not the first time he has heard of the need for a basketball court for recreation. Chairman DeRienzo said we are in planning stages in Pricedale. Commissioner Iacoboni said Finance Director/Office Manager Keffer and he met with Mr. Hollick who owns several properties in Pricedale. Commissioner Iacoboni said the properties being looked at were in a diagram at the last meeting for a basketball court and to add on to the Tot Lot. Commissioner Iacoboni said Mr. Hollick seemed receptive but is also

involved with his two (2) sisters on that property that was given to them by his parents. Commissioner Iacoboni said Mr. Hollick took the information and will get back to us. Commissioner Iacoboni said the process is started and will take a while. Commissioner Litvany said she brought up about having one at the Complex and that might not be a bad idea. Chairman DeRienzo said it is something to think about come budget time. Chairman DeRienzo said he would like to send Ms. Kaib a letter stating we did receive her letter and will take it into consideration during budget time. Commissioner Beck, Sr. said when he had recreation Engineer DeiCas and he wanted to try to get a grant to put a facility down here because the one was eliminated in Pricedale; they are all used and Engineer DeiCas had some ideas for here. Chairman DeRienzo said it is something we can talk about again. Finance Director/Office Manager Keffer said he will get with Secretary Beard and take care of sending a letter.

27. Chairman DeRienzo said Industrial Appraisals has completed the 2018 Revaluation Report for Insurance Values. Secretary Beard showed the report and welcomed the Commissioners to look at it. Secretary Beard said these are buildings including the structures at the recreation Complex. Commissioner Iacoboni asked if it includes equipment. Secretary Beard said it is insurable buildings. Secretary Beard said our insurance company uses values that are generated in this report to price out the package insurance. Secretary Beard said no changes were noted from last year to this year; they calculate and adjust the values each year. Secretary Beard said she asked them to make note for next year that our address has changed to Rostraver Township.
28. Chairman DeRienzo said he Pennsylvania Association of Municipal Administrators (PAMA) annual conference is being held August 12-15 at the Desmond Hotel in Malvern. Secretary Beard would like to attend. The registration cost is \$300.00 which includes many of the meals and the room is \$148.74 per night. Secretary Beard said she has gone to this in the past and it used to be called the Pennsylvania League of Governmental Secretaries Association (PLGSA). Secretary Beard said Malvern is outside of Philadelphia. Chairman DeRienzo asked what it is concerning. Secretary Beard said it is mostly local governmental secretaries and there is an itinerary of various programs to go over. Chairman DeRienzo said he just wanted an overall concept. Secretary Beard said overall it is an annual conference that usually has very pertinent programs for the local government secretaries and what they deal with on a daily basis, changes in laws, and things to be aware of. Commissioner Litvany asked how many nights. Secretary Beard said it is three (3) nights – Sunday thru Wednesday. Secretary Beard said she will be back in time for the work session on Wednesday, August 15<sup>th</sup>. Commissioner Iacoboni asked if she would use her own car. Secretary Beard said she has used her own car in the past. Commissioner Iacoboni asked if they would give her mileage. Secretary Beard said yes, and tolls are involved. This will be a motion at the August 1, 2018 monthly meeting.
29. Secretary Beard asked if there is to be a motion from Item #23 on the August 1, 2018 to advertise the garbage hauling contract. This will be a motion at the meeting. Solicitor Maatta said it sounds like we are only changing 1-2 things. Commissioner Iacoboni said he will tell the guy who didn't want to pay his garbage bill that it is on a case by case basis. Solicitor Maatta said if he gets cited to go to plead guilty and got to Magistrate Christner and plead his case; Magistrate Christner may decide it is a user's fee rather than a tax, because he has made that argument successfully.
30. Commissioner Litvany said thank you to Chairman DeRienzo, Road Foreman Godzak, Finance Director/Office Manager Keffer, and Engineer DeiCas for checking out the stormwater ponds near Salem Church Road in poison over their heads. Commissioner Litvany said the stormwater ponds were found to be working pretty well. Commissioner Litvany said there was just a lot of rain.

31. Commissioner Beck, Sr. said a complaint was received today on the dump about smell. Commissioner Beck, Sr. said it is hard to put a finger on what is going on with the smell because as soon as the call came in Finance Director/Office Manager Keffer and Road Foreman Godzak went out; they smelled nothing. Commissioner Beck, Sr. said there was a lady walking who said she smelled nothing. Commissioner Beck, Sr. said Road Foreman Godzak happened to be on the DeiCas Highway at 7:00 and 9:00 and smelled nothing. Commissioner Beck, Sr. said it was investigated thoroughly and no one, not even the residents, smelled anything. Commissioner Beck, Sr. said the odor survey was done at 7:30 a.m., 9:30 a.m., and 1:00 p.m. today; nothing was smelled. Chairman DeRienzo said he got the email at 8:05 a.m. this morning and immediately called Finance Director/Office Manager Keffer who was with Road Foreman Godzak. Solicitor Maatta asked who made the complaint. Commissioner Beck, Sr. said it was Debbie Fought. Commissioner Iacoboni said he was on the DeiCas Highway at 9:30 a.m. and smelled nothing; the DEP guy pulled over in front of me and stopped; right away somebody was there. Finance Director/Office Manager Keffer said he was there at 8:20-8:40 a.m. Chairman DeRienzo said we talked about some kind of extended line beforehand but a lot of the phone calls are the next day. Chairman DeRienzo said sometimes it puts us in a predicament that we are out there a day later. Commissioner Litvany said her email was saying she was complaining the night before too and right then and there. Commissioner Beck, Sr. said Road Foreman Godzak was there the night before, twice.
32. Commissioner Beck, Sr. said Planner Spedalieri and the Intern have done a very good job researching feral cats. Commissioner Beck, Sr. said he went out to Lynnwood on the 4<sup>th</sup> of July and talked to Mr. Lewis. Commissioner Beck, Sr. said he trapped 22 cats off his property last year. Commissioner Beck, Sr. said there were two (2) litters of kittens around the property and the smell is terrible. Commissioner Beck, Sr. said he can't sell the house because of it. Commissioner Beck, Sr. said Planner Spedalieri has researched other communities for their ordinances. Commissioner Beck, Sr. said K2 is going out tomorrow to talk to a lady who has been feeding these cats. Commissioner Beck, Sr. said there is also a complaint on Indian Hill where a gentleman is feeding these cats. Commissioner Iacoboni said a guy came to him two (2) weeks ago who showed him a picture on his phone of a coyote by the Belle Vernon Cemetery. Commissioner Iacoboni said our dog catcher isn't going to come after this thing. Commissioner Iacoboni said he told him he wants it to kill the cats. Chairman DeRienzo said over the past week and a half there has been a coyote spotted in the middle of the day in Fellsburg, by the Ice Gardens, and Willowbrook Road. Chairman DeRienzo said we have ordinances on dogs and a dog catcher. Chairman DeRienzo said there are 4-5 behind his house and they can be a real nuisance. Planner Spedalieri said the ordinance we are leaning towards is Monessen's, but when you call and ask them how they are doing with enforcement they don't use the ordinance because there are two (2) elderly women in their community that they call when they get a complaint who bring them into their house. Solicitor Maatta said it is like rescue. Planner Spedalieri said Monessen's ordinance makes it that you can't be ground feeding animals that aren't licensed, spayed, or neutered. Planner Spedalieri said the code enforcement officer can be sent out. Planner Spedalieri said if it comes down to needing to get rid of those cats that is the tricky part; we have talked to our animal control who is not under contract with us to do that. Planner Spedalieri said they are recommending definitely that an ordinance be in place; they are not just going to come out and do that because of public scrutiny. Planner Spedalieri said there would be a cost involved. Planner Spedalieri said they cautioned that there was one community that did adopt the ordinance and when they went out and removed all of the cats a year later they have a rodent problem, and they want the cats back. Planner Spedalieri said Monessen's ordinance is written that you work with the humane society but there is a cost associated; someone in the Township has to trap the cats. Commissioner Beck, Sr. said he talked to the humane society; and they want nothing to do with that. John Lorenzo said a couple years ago at his father's place they had an issue with cats. Mr. Lorenzo said he contacted the humane society and they told him he could either catch and release them but if they are feral you

can actually terminate them. Mr. Lorenzo said he was catching and releasing them and they were finding their way back. Mr. Lorenzo said they can smell their way back and wound up having to terminate some. Mr. Lorenzo said it is a nuisance. Commissioner Beck, Sr. said there is one agency in Pittsburgh that she is waiting the hear back from; they will come out and trap them and they won't come back. Commissioner Beck, Sr. said it is a problem on Mary Street by the Cemetery. Planner Spedalieri said the problem with putting on the book is the cost and who traps them. Planner Spedalieri said Sable Kennel said if we want we can set up traps but the traps have to be monitored every hour to check especially in the summer time. Mr. Lorenzo said another big issue with cats is the diseases they carry; he got bit by one and almost lost his hand through a blood infection. Commissioner Beck, Sr. said he is trying to get a solution to satisfy these residents.

33. Solicitor Maatta said if we have all of the comments back for the cell tower ordinance could we advertise it; we have a federal court deadline. Solicitor Maatta said Planner Spedalieri's comments were appropriate and necessary, and they need to be addressed. These will be motions on the August 1, 2018 monthly meeting if the comments are addressed.

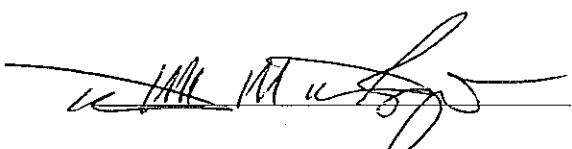
34. Finance Director/Office Manager Keffer said there was an issue with the bid that was received for the Seal Coat Project. Solicitor Maatta said we are going to rescind the award of Suit-Kote on the date and have a supplementary motion to rebid without line painting. Finance Director/Office Manager Keffer said he will get with Engineer DeiCas to pull that. Finance Director/Office Manager Keffer said we decided not to do line painting. Solicitor Maatta said then we won't need a project number. There will be two (2) motions: to rescind the award to Suit-Kote on whatever date that was and to return to them their performance bond and to advertise the new bid without the line painting at the August 1, 2018 monthly meeting. Secretary Beard asked what is being changed. Finance Director/Office Manager Keffer said the line painting and prevailing wage will be removed. Secretary Beard said the line painting required her to go to Labor and Industry for prevailing wages but generally without line painting the seal coating is a maintenance item that doesn't require prevailing wages. Solicitor Maatta said that is what they thought. Secretary Beard asked if Engineer DeiCas is going to write a letter. Solicitor Maatta said Engineer DeiCas can just tell us and we can put a note in the file. Secretary Beard said the bids can be opened at a Special Meeting on August 15, 2018 and awarded at a Special Meeting on August 29, 2018. Chairman DeRienzo said Finance Director/Office Manager Keffer talked to them and they are going to keep the same dates. Finance Director/Office Manager Keffer said they are leaving us on the schedule. Finance Director/Office Manager Keffer said he talked to Rick Skovensky about the timeline for Liquid Fuels. Finance Director/Office Manager Keffer said he will contact Engineer DeiCas tomorrow. Secretary Beard offered to send him the package in order to look over the changes.

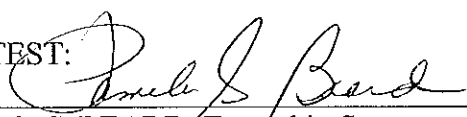
**ADJOURNMENT:**

There being no further business to discuss Gary N. Beck, Sr. moved the Work Session be adjourned at 7:53 p.m. Raymond Iacoboni seconded the motion. The following yea and nay votes were recorded:

Raymond Iacoboni – yea                      Gary N. Beck, Sr. - yea  
Gary L. Litvany – yea                         Devin M. DeRienzo – yea

Total yeas - 4; nays – 0

  
Devin M. DERIENZO, President

ATTEST:   
Pamela S. BEARD, Township Secretary

THIS MEETING WAS TAPED.