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**MINUTES**  
**REGULAR MEETING OF THE**  
**UPPER BURRELL SUPERVISORS**  
**WEDNESDAY, APRIL 6, 2016, 7:00 PM**  
**MEETING ROOM, 3735 - 7<sup>TH</sup> STREET ROAD**

Board of Supervisor's Chairman, Ross Walker, called the regular meeting of the Upper Burrell Township Supervisors to order at 7:00 pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** The following members of Council responded to roll call:

**Present:**            **Ross G. Walker, III, Chairman**  
                          **Peter F. Dombroski, Jr. Vice Chairman**  
                          **Allen E. Uhler, Supervisor**

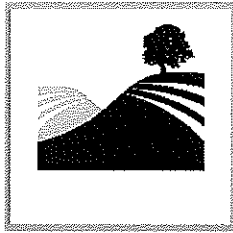
**Also present:** David Kerchner, Engineer  
                          Melissa A. Cortileso, Secretary  
                          Stephen Yakopec, Solicitor

**COMMENTS ON AGENDA ITEMS –**

Rich Jones, 201 Merwin Road, stated he also attended the presentation in Murrysville given by Scott Perry, DEP, (regulates the oil & gas drilling) and he found it very useful. Mr. Jones did provide a copy of that presentation on DVD for the Supervisors to review. Mr. Jones stated that Mr. Perry spoke about drilling violations being down. Mr. Jones stated that the DEP was part of the Oil & Gas Act of 2012 and has the sharpest teeth. Mr. Jones encouraged the Supervisor's to invite Mr. Perry to one of our meetings and put on this presentation. Mr. Jones as encourages the Supervisors to invite Huntley & Huntley also to a meeting and allow the residents to ask questions.

Paul Burke, Huntley & Huntley, VP & General Counsel, provided to the Supervisors & Solicitor a binder full of information with articles and studies relative to various aspects of the development of the Marcellus Shale formation.

Leon Yurkin, 3603 Baxter Drive, stated he was also at that same meeting which he also found very informative. Mr. Yurkin asked if someone could please tell him where the well that Dan Myers got moved is going to be moved to. He questioned now that it will be 1600' away from Mr. Myers & Mr. Jordan how close will it now be to other property owners. A reply was given when it is permitted that information will then be disclosed.



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Walker stated Huntley & Huntley graciously moved the well and they will always try to help.

Paul Burke, Huntley & Huntley, they may have difficulties with the parameter, there are several different tests that have to be done to determine just exactly where the site can be and if they can move things they will try to be accommodating.

Leon Yurkin, 3603 Baxter Drive, asked if that particular well will now be closer to his sister's home? Mr. Yurkin stated a time back his sister had gotten contaminated water along with Mr. Myers.

Dan Myers, 200 Barnview Drive, stated that yes he did get frack sand in his water but that was due to a wildcat contractor who never got permits and did not follow the rules.

Jeff Ciotola, 1000 Menk Road, stated he respects every ones concerns, and that the state has a practical setback and the township should not be negotiating this, follow the state guidelines.

Ron Slabe, 516 Angelcrest Drive, stated he spoke with a representative from DEP who stated there was no scientific reason why 500' setback was chosen, the gas industry and politicians came up with us and the township can certainly make it further. Mr. Slabe went on to cite several different health studies which all concluded that the closer the setback the greater the health risk. Mr. Slabe stated the DEP has been decimated by cuts over the last two (2) years and cannot do their job. Mr. Slabe stated the Supervisors should be ashamed of themselves for allowing this to go on for so long, increase the setback for health reasons, if 1600' is good for some it should be the same for everyone.

Chester Lockwood, 4425 Seventh Street, stated he has worked in the gas & oil industry for 35 years during the 1960's & 1970's fracking wells and every well the vegetation was green, cows were healthy.

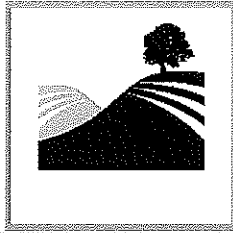
Tom Schmiedlin, 1120 Markle Road, stated in a recent EPA report there was no evidence of groundwater contamination. He asked how close would a new housing development have to be? Walker replied 500'. Mr. Schmiedlin stated that would be a permanent scar to our rural development and would be more damaging due to being here forever.

Pearl Jone, 201 Merwin Road, also attended the Murrysville meeting which she also found very informative, she stated it showed how drilling is done. The lady seated next to her at the meeting stated she just had a well drilled and it is 1/8 of mile away from her home and the cows go around the well the roads are good, seeded it all, a benefit to the community and Huntley & Huntley also put up a barrier, this is located in West Deer.

#### **APPROVAL OF THE MINUTES**

Motion made by Walker, second by Uhler, to approve the minutes of the March 2, 2016, regular meeting of the Township Supervisors.

Motion passed 3-0.



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### **OPENING OF BIDS**

Due to the bid opening being omitted on the Agenda, the Solicitor asked for any objections, questions on this matter. None were given.

All bids were opened and read aloud.

Motion by Walker, second by Dombroski, to award to the lowest bidder after the Engineer's review.

Motion passed 3 - 0

### **CORRESPONDENCE**

Chairman Walker asked Mrs. Cortileso, to review the correspondence from the month. Mrs. Cortileso reviewed the items that were listed on the agenda.

### **ROAD REPORT**

Supervisor Dombroski reviewed the activities of the Road Department for the month of March. Most of the time was spent removing trees some of which were very large and the backhoe was needed to remove them, made welding repairs to the broom, swept up anti-skid which will conclude in a week and then patching will begin.

Supervisor Dombroski also stated he would like permission to advertise for a part-time employee with the Road Department.

Supervisor Dombroski also announced 2016 Clean Up Days will be held this year on May 14, from 8:00 am – 2:00 pm.

**POLICE REPORT** – 103 calls, 35 Traffic Offenses. Sgt. Speer reminded all residents that there is only one (1) police officer on duty and about ¾ of their shifts are spend patrolling the Township. Sgt. Speer reminded and urged the residents to please not use the private line to call the Police Department, no matter what the residents need the police for whether important or not to always please call 911 it could be hours before any patrolman could return to the station to check the machine for messages.

### **EMC REPORT -**

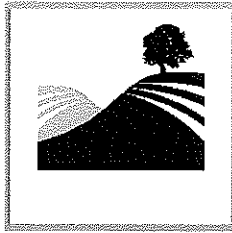
Mr. Knox reiterated what Sgt. Speer had to say about the importance of calling 911 and also stated that he will be attending another seminar coming up shortly in Allegheny Township.

Marcella Moore, 107 Lincoln Blvd. stated she does not mind calling 911 but they ask way to many questions that she cannot answer in regards to the accidents she has called about in the past.

Chester Lockwood, 4425 Seventh Street, complimented and thanked the Police Department for helping to slow the speeding card down along Seventh Street.

### **ENGINEERS REPORT**

Mr. Kerchner stated the township road inspections will resume again on April 19 and he will coordinate this with Pete.



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**PLANNING COMMISSION – None**

**SOLICITORS REPORT – None**

**NEW BUSINESS**

A motion was made by Walker second by Dombroski, to send Supervisor Uhler to attend the annual seminar for the Emergency Management Coordinators being held on Wednesday, April 13, 2016.

Motion passed 3 – 0

A motion was made by Walker, failure to obtain a second, to have any one of the Supervisors attend the PSNK Golf Outing.

Motion failed 3 – 0

A motion was made by Walker, failure to obtain a second, to donate to the ARDC Day of Giving.

Motion failed 3 – 0

A motion was made by Walker second by Uhler, to hold the 2016 Clean Up Days for the Township on Saturday, May 14, 2016.

Motion passed 3 – 0

A motion was made by Walker second by Dombroski to set up the meeting with the Westmoreland Conservation District to discuss the Floodplain Ordinance.

Motion passed 3 – 0

A motion was made by Walker second by Dombroski, to send Walker to attend the Luncheon with State Representative Eli Evankovich on Friday, April 15, 2016, if Walker is available.

Motion passed 3 – 0

A motion was made by Walker second by Dombroski to send a representative to attend the briefing on April 7, 2016 in regards to winter storm Jonas.

Motion passed 3 – 0

A motion was made by Uhler second by Walker, to pay all bills and accept the Financial Report.

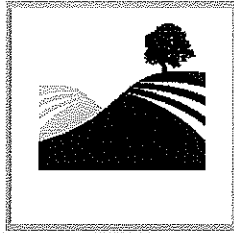
Motion passed 3 – 0

A motion was made by Walker second by Dombroski to advertise for Part-Time help for the Road Department.

Motion passed 3 – 0

A motion was made by Walker second by Dombroski, to assign the new address as per Westmoreland County Public Safety 911 to Nicole Spinella as 766 Myers Drive.

Motion passed 3 – 0



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A motion was made by Walker second by Uhler to allow Bryan Fitch, Chief UBVFD, to adjust their readout/calls with the County 911 System.

Motion passed 3 - 0

### **OPEN TO THE FLOOR**

Frank Ross, 1228 Markle Road, stated that the setbacks used to be 250' and in the last two (2) years have been moved to 500', which was looking out for the safety of people, if you were to try to get larger you are then taking away peoples mineral rights. Why even attempt to move this? The DEP did not just pull the 500' setback out of a hat. Mr. Ross asked if the solicitor says that 750 – 1000' is defensible, who is then accountable and who pays for it?

Ron Slabe, 516 Angelcrest Drive, stated the gentleman who previously stated about working on wells, we are now talking about unconventional wells vs. conventional well which the gentleman worked on, they are two (2) different animals. Mr. Slabe stated Mr. Ross mentioned they moved the setback to 500' for safety then why not more, the further away the safer. Mr. Slabe also stated that our own Solicitor stated that 1000' is defensible. Solicitor replied the further away the more dicey it gets.

Walker stated the Township is trying to strike a fair balance and not going to be able to please everybody, melt it all together to achieve and find that very sensitive balance.

Rick Jones, 201 Merwin Road, stated have the agency who regulates this come in, they have no dog in the fight. DEP was part of determining the 500' setback, it was not willy nilly and pulled out of the air.

Chester Lockwood, 4425 Seventh Street, asked if the setback was increased to 1000' and someone has property within 500' they could not sell due to being too close to the well. The Solicitor replied the owner can waive a setback.

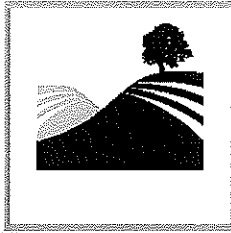
Ron Slabe, 516 Angelcrest Drive, stated that local communities have the right to say where the wells can go and the distance to the well bore to the protected structure.

Ed, Huntley & Huntley, stated that Mr. Slabe's statements are not factually correct, see the presentation they put on in Murrysville. The 500' setback was determined by all sorts of people.

Supervisor Uhler stated it seems that Huntley & Huntley are accommodating two (2) residents, where do you say it accommodates the other residents? Ed replied as long as he is under the guidelines he does not have to reveal that information.

Ken Slahtovsky, 6200 Shaffer Drive, stated the more you move to accommodate those people the more your going to choke them out.

Mrs. Yurkin, 133 Sauer Lane, stated the setback should be divided up equally if 500' is the law then leave it that way.



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**ADJOURNMENT**

Motion made by Walker, second by Dombroski, to adjourn, meeting adjourned at 8:24 p.m.

Minutes Submitted by:  
Melissa A. Cortilesio

Note\*\*\*

Next monthly meeting, will be held on Wednesday, May 4, 2016 beginning at 7:00 pm