

**REGULAR MEETING OF THE
UPPER BURRELL SUPERVISORS
WEDNESDAY, FEBRUARY 2, 2022
MEETING ROOM, 3735 - 7TH STREET ROAD**

Board of Supervisors, Chairman, Ross G. Walker, III, 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, Present**
 Michael P. Conley, Vice Chairman
 Kenneth R. Slahtovsky, Supervisor

Also present: David Kerchner, Engineer
 Melissa A. Cortilesio, Secretary
 John Pallone, Solicitor

OPENING OF BIDS – None

OPEN TO THE FLOOR – None

APPROVAL OF THE MINUTES

Motion made by Walker, second by Conley to approve the minutes of the January 3, 2022 regular meeting and Organizational Meeting. Motion passed 3-0.

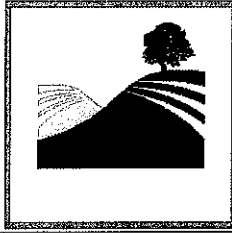
CORRESPONDENCE

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

ROAD REPORT – Supervisor Slahtovsky reported most of the time was spent doing snow removal and spreading salt and anti -skid and maintenance on the equipment.

POLICE REPORT – Chief Pate reported for the month of December 2021 there were 82 calls and for the month of January 78 calls for a total of 1,626 calls for the year 2021.

EMC REPORT – None



ENGINEERS REPORT –

Dave Kerchner reported that there is a grant program that does not require any local share, these funds come from the casino monies which become available to the municipalities. At next month's meeting Kerchner is going to recommend adopting the Resolution that is needed and applying for these funds which will be used to help cover the township share of the funds that may come from Senator Casey's office for the Lower Drennen slide repairs.

PLANNING COMMISSION -

Roger's Compressor Station – Land Development Application and Conditional Use Request

A number of members of the design team conducted a presentation to review details of the compressor station's locations, design elements, noise impacts and construction schedule. Site work for the compressor station pad will begin in the spring of 2022 and should be completed by late summer 2022. The dehydration phase of the work will begin in the fall of 2022. The compressor station building will begin construction in 2025. In a letter dated January 18, 2022, Bankson Engineer's reviewed the latest comment letter from CEC and recommends approval of the Land Development Plan contingent on CEC providing all permits required in Bankson's January 18, 2022, letter.

After a discussion, Chester Lockwood moved to approve the Land Development Plan and Conditional Use Application contingent on the approval of all outstanding permits, the motion was seconded by Rick Ryan and all were in favor. The next step is approval by the Supervisor's followed by a Public Hearing on the Conditional Use.

Dollar General Store

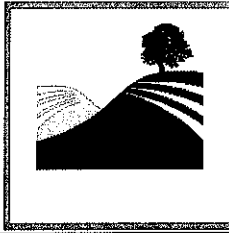
Scott Chermak reviewed items brought up by Amy Cromie discussed at the December 2021, Planning Commission meeting and indicated in an email dated January 12, 2022 that he will attempt to address the comments in a letter.

SOLICITORS REPORT –

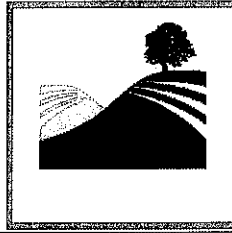
Solicitor Yakopec stated that Motion C under New Business should get zoning approval first.

NEW BUSINESS

- A. A motion was made by Walker second by Slahtovsky to grant the address request as per Westmoreland County 911 Addressing Agency to the compressor station as 815 White Cloud Road. Motion passed 3 – 0.
- B. A motion was made by Walker second by Conley to have the Engineer prepare the 2022 Road Material Bids for the March 2, 2022, meeting. Motion passed 3 – 0.



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- C. Motion to grant Land Development approval based on the Planning Commission's recommendation to the Roger's Compressor Station contingent on the approval of all outstanding permits. This item was not acted upon at the regular meeting. Approval was granted during the Conditional Use Hearing which took place immediately following the meeting. Please see that transcript.
 - D. A motion was made by Walker second by Slahtovsky to appoint Jonathan Barron, EADS Group as the Sewage Enforcement Officer. Motion passed 3 – 0.
 - E. A motion was made by Walker second by Slahtovsky to appoint Reggie Musser, EADS Group as the Alternate Sewage Enforcement Officer. Motion passed 3 – 0.
 - F. A motion was made by Walker second by Conley to rescind Resolution #4 of 2022, adopting the Sewer Disposal Fees. Motion passed 3 – 0.
 - G. A motion was made by Walker second by Conley to adopt Resolution #6-2002, adopting the revised Sewer Disposal Fees. Motion passed 3 – 0.
 - H. A motion was made by Walker second by Slahtovsky to approve and accept the School District and County's recommendation to settle the tax appeal for the Siemen's Corporation for the property located at 166 Prominence Drive. Motion passed 3 – 0.
 - I. A motion was made by Walker second by Conley to approve and accept the School District and County's recommendation to settle the tax appeal for the Siemen's Corporation for the property located at 500 Hunt Valley Dr. Motion passed 3 – 0.
 - J. A motion was made by Walker second by Slahtovsky to adopt Resolution #7-2022, requesting the Westmoreland County allocate 37% of the American Recovery Funds the County received to the 65 Westmoreland County municipalities. Motion passed 3 – 0.
 - K. A motion was made by Walker second by Conley to send a letter to the Westmoreland County Commissioners encouraging the Commissioners to ensure reasonable funding will be provided to the smaller communities. Motion passed 3 – 0.
 - L. A motion was made by Conley second by Walker to pay and ratify all the bills and accept the financial report for the month of January, 2022. Motion passed 3 – 0.



OPEN TO THE FLOOR

Dave Macpherson, 6071 Schafer Drive, asked the Supervisors to consider changing Ordinance #5-2011, Section 1613.12 – Noise. Macpherson stated the noise coming from the gas production at the Zeus pad has been very loud and that he did file a complaint and stated that Olympus Energy was prompt and did provide him a noise study that stated the site was under the decibel level and ambient noise level. Macpherson also stated another resident complained of the noise from the Porter site and the noise study stated the same thing. Macpherson stated that under the ordinance there is minimal penalty if found guilty and the ordinance fails to solve this. It was stated that more effort is needed to enforce this ambient sound and include a base line measurement.

Dan Myer, 200 Barnview Drive, stated a few months back that conditional use was granted for the Selene Well Pad, under 2 conditions that the 2 permits needed are approved. He asked if those permits have been approved. Myers stated then how is it the site is being prepared/logged if those conditions have not yet been met and they already have dates set for the compressor site when conditional use has not been granted. Kim Price, Olympus Energy stated the logging work that is being done on Alcoa property is a project that Alcoa is doing and not Olympus Energy. Myers read a quote from Section 107 from 1965 in regards to the health, safety and general welfare of the public and preserving the low density. Myers stated you're allowed to allow for light industry not industrial. Myers asked for a copy of the noise impact study. Solicitor Yakopec stated that the courts ruled in 2019 that you cannot hold up granting conditional use due to permits needed from outside of the agency.

Marcella Moore, Lincoln Beach, asked if the January meeting is always on the first Monday of the month. Walker replied yes. Moore asked how she could read meeting minutes. Cortileso stated the meeting minutes are available on the township website. Moore also asked if the township still owned the ballfield in Lincoln Beach and if they were considering to sell it. Walker stated the township still owns the property and are not at this time selling the property. Moore stated if the township were to ever consider selling there is a group in the community who would be willing to purchase it.

Chris Procyk, Merwin Road, stated the current ordinance need better stuff regarding noise. Procyk stated there could be a trick being played on the decibel levels. Procyk also asked what the average sound is and what kind of sound.

Adjournment

A motion was made by Walker second by Conley to adjourn, meeting adjourned at 7:28 p.m.

Minutes Submitted by: Melissa A. Cortileso,

Note*** Next monthly meeting, will be held on Wednesday, March 2, 2022, beginning at 7:00 p.m.