

**Elizabeth Township  
Board of Commissioners  
Monday, July 17, 2017  
Commissioners' Meeting**

**Call to Order**

**Pledge of Allegiance & Moment of Silence**

**Roll Call**

Commissioner Similo-present  
Commissioner Saxon- present  
Commissioner Kuzma-present  
Commissioner Blake-present  
Commissioner Rhoderick-present  
Commissioner Evans-present  
President Beckowitz- present

**Executive Session Acknowledgement:** President Beckowitz states that there was an Executive Session Monday, July 17, at 6:00 to discuss litigation issues.

**Presentation:** Joseph Muscatello from the firm Boenning and Scattergood, Investment Banker's to the Township since 1997, spoke about refinancing the 2011 Bond Issue. The Township bonds have interest rates that go from 1.8% to 4% and they have an outstanding balance of \$1,790,000; they mature in 2022. Boenning and Scattergood suggest the Township replace those bonds by refinancing bonds with rates that go from 1.50% to 3.35%. This will lower Township interest rates, keep debt service payments the same, keep the term of the bond the same, and the Township ends up with at least \$35,000 up front as a one-time payment.

Interest rates have come down and he wants to inform the Board what's going on in the market place to see whether or not the Township wants to be in a position to refund these bonds. He has been working with Assistant Manager Joelle Whiteman to put together a Preliminary Official Statement and post it on EMMA. That takes about 3 - 4 weeks to get a bond issue done because it has to go to Standard & Poors. If interest rates move and they go higher and you are not able to save what Boenning and Scattergood say, they don't invoice you for anything. If it goes to Standard & Poors, they're going to invoice the Township \$11,000. Usually through these bond issues you can save about 2 ½ % to 3% which would be around that \$47,000 - \$50,000. If the Board wants to go forward, Mr. Muscatello will work with Joanne and Joelle to complete the Preliminary Official Statement and he will do a Minimum Savings Resolution for the Board.

If he gets the okay to put together the Preliminary Official Statement, he will call the Township before any costs from Standard & Poors are incurred. There is discussion between Mr. Muscatello and the Board Members regarding interest rates and fees. President Beckowitz advises this will be considered and put on the agenda.

**Department Reports:**

**Code Enforcement-** John Snelson is on vacation and gave the Board of Commissioners his written report.

**Engineer-** Engineer Churilla did not submit a written report. Dennis Drive is almost complete and there will be an inspection and punch list done tomorrow. The 2017 paving contracts are back from the Township, and Public Works has been working to get all drainages completed, and the Township will be informed as soon as there is a schedule for actual paving.

Public Works current dump site at the Sportsman Club had been shut down and KLH has surveyed another location and is getting permits; however they are going to see what their alternate options are. Received the Forest Hills study from Ackenheil and after reviewing it will forward it to the Commissioners to see what the recommendations are on repairing the landslide.

There was a meeting with representatives of Sewickley Township; they and Sutersville Borough are the only outstanding Resolutions on the Act 537. Sutersville has stated that they will follow suit with Sewickley because it is a joint Municipal Sanitary Sewer Authority. Sewickley has requested a meeting with the DEP to see what their options are and the meeting is tentatively scheduled for August 1<sup>st</sup> at 10:00 am at the DEP office. Sewickley Township and their engineer have already said they're good that day and they also were going to reach out to Sutersville and the Municipal Sanitary Authority. Engineer Churilla is hoping to get everybody in a room at once and get this thing ironed out. Commissioner Blake, Commissioner Similo, and President Beckowitz stated they would attend the DEP Meeting.

KLH looked at various storm water issues throughout the Township as they come up and he would like some direction on Arrow Drive. The spring/ground water issue over there has come up multiple times and they were going to get proposals for a geotechnical or a hydrologist to do a study to figure out where it was coming from and what needed to be done. After discussions with multiple firms, he was told that a study would not provide any useful information other than the original recommendation to put in a French drain. Engineer Churilla met with Public Works Foreman Jake Wiegand and the plan would be to run a storm sewer under drain from beyond the garage down along the fence line to an existing storm sewer that ties into the main culvert. At this point all we would need is authorization for movement and then survey to determine if we need easements from those property owners. Not sure how close we can squeeze in to the garage because of the foundations, so it may need to be on their property.

Commissioner Saxon asks where the water is going to pick up from and is informed that the water is coming from the hillside, not because anybody directs it there, it's just a geologic feature the way the ground water moves through the layers and it's so shallow at the base of the hill that their yards are always wet.

Commissioner Rhoderick asks Engineer Churilla what needs to be done on Arrow Drive and if it can be done in-house or if it has to be bid out and he states the concern with it being in-house is the added work in addition to what Public Works already has going on. Commissioner Similo asks about the estimated cost. Engineer Churilla answers that it was around \$20,000 when it was looked at 2 years ago and that once we do a plan we can get proposals and see if they come in lower.

The second item that requires attention is a similar situation on Everglade Drive where the middle of resident's property is at the base of the hill and the ground water level is high and surfaces. It used to drain onto Everglade, but Everglade was built up with paving and now it gets trapped.

KLH's recommendation to resolve that is to drop a catch basin and tie it into the storm sewer that's already there which can be done in-house.

President Beckowitz addresses Greenock Buena Vista Road and Engineer Churilla informs her that it was looked at and if there is authorization to have it done in-house, they will. There were discussions about what pipe will fit there and what it needs to be replaced with. Commissioner Evans addresses the Fox Run Development and states that there are a lot of issues because there's been a cone sitting on one catch basin for about 3 ½ years and it seems to be getting lower and lower. The Commissioners ask if that is something that can be done in-house or if it has to be bid out and are told it would have to be publicly adopted because it's on Township roads. The biggest issue is needing an analysis of what needs to be done because the cul-de-sacs are not as big as they need to be.

There is discussion to bring the cul-de-sacs to state specs and if it is something that will be approachable. The requirement for the cul-de-sacs is a radius of 40 feet and they are 36 feet back so that's another 4 feet into someone's yard. Engineer Churilla also informs the Board that the estimated cost to pave and upgrade those streets is \$313,888.50. It is agreed to see what needs done to get the cul-de-sacs and streets into compliance even if it means buying some property. Commissioner Evans requests getting some patch work done around the catch basins because it is a safety issue. It is agreed by the Commissioners that the Township should at least repair the catch basins. Engineer Churilla believes the reason this was not addressed earlier is that Fox Run has never been adopted as Elizabeth Township streets and that's why the Township hasn't fixed them. There is agreement among the Commissioners to repair the catch basins only and it will be done in-house.

**Police-** Chief Kerestes reads his report log of 528 events logged through Allegheny County 9-1-1 for June 2017. There were 12 adult arrests; 2 juvenile arrests; officers conducted 133 traffic stops and issued 35 traffic citations; officers investigated 13 motor vehicle crashes, 4 reportable and 9 non-reportable with 7 injuries. K-9 fund ending balance is \$14,647.23. Received email that there is an additional \$400 from t-shirt sales from St. Michael's Fair for the K-9 fund.

**Public Works-** Still getting roads ready to be paved. Has to get that work done before starting work on the catch basin; plus crew is doing odd jobs on the side and they got the wall done. There is a meeting with West Penn Power tomorrow about that tree. Commissioner Blake asks to have the grass cut at the end of Meade Street above the Dollar General. There is discussion about the proper care of this land and President Beckowitz suggests that it gets discussed further when Code Enforcement Officer John Snelson gets back.

**Solicitor-** Nothing outside of items discussed during Executive Session.

**Sanitary-Veolia Water-** June 2017 written report is read to the Board.

#### **Items for Consideration:**

1. Motion to ratify approval the General Fund Bill Warrant dated June 21, 2017 in the amount of \$210,419.58. **Motion:** Commissioner Saxon. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
2. Motion to ratify approval of the Sanitary Fund Bill Warrant dated June 21, 2017 in the amount of \$102,958.36. **Motion:** Commissioner Blake. **Second:** Commissioner Evans. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**

3. Motion to approve General Fund Bill Warrant dated July 17, 2017 in the amount of \$234,720.44. **Motion:** Commissioner Blake. **Second:** Commissioner Kuzma. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries**
  
4. Motion to approve the Sanitary Fund Bill Warrant dated July 17, 2017 in the amount of \$191,895.63. **Motion:** Commissioner Similo. **Second:** Commissioner Saxon. Question on the Motion: Commissioner Similo wants to know if KLH is included on this Bill Warrant and is told no. **Roll Call Vote - All in Favor: Motion carries.**
  
5. Motion to approve payment of KLH invoices dated May 2017 and June 2017 in the amount of \$15,227.10 to be paid out of the General Fund. **Motion:** Commissioner Blake. **Second:** Commissioner Kuzma. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
  
6. Motion to approve payment of KLH Sanitary invoices dated May 2017 and June 2017 in the amount of \$18,618.06 to be paid out of the Sanitary General Fund. **Motion:** Commissioner Saxon. **Second:** Commissioner Evans. Question on the Motion: Commissioner Similo asks if this is for 537 and is told that it's primarily for the 2 Penn DOT jobs that have reimbursement agreements. **Roll Call Vote - All in Favor: Motion carries.**
  
7. Motion to approve Bond Requisition No. 49 in the amount of \$31,676.75. **Motion:** Commissioner Similo. **Second:** Commissioner Saxon. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
  
8. Motion to approve Bond Requisition No. 50 in the amount of \$29,335.25. **Motion:** Commissioner Saxon. **Second:** Commissioner Evans. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
  
9. Motion to waive the fee for rental of the Community Center for the YWCA for their upcoming community event being held on July 25, 2017. **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **All in Favor: The Ayes have it, Motion carries**
  
10. Motion to sponsor tee sign in the amount of \$100.00 for Operation Second Chance, Inc. fundraiser held by Butler's Golf Course on Monday, August 7, 2017. **Motion:** Commissioner Rhoderick. **Second:** Commissioner Saxon. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
  
11. Motion to approve difference of \$860.00 in accordance with the agreement between Industrial Appraisal Company and Elizabeth Township for completion of appraisal. **Motion:** Commissioner Saxon. **Second:** Commissioner Similo. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**

12. Motion to approve the 1<sup>st</sup> revision to the Brandywine Partition No. 2 as recommended by the Elizabeth Township Planning Commission a lot line revision for 233 Williamsburg Drive. **Motion:** Commissioner Kuzma. **Second:** Commissioner Blake. There are no questions on the Motion. **All in Favor: The Ayes have it, Motion carries.**
  
13. Motion to ratify phone vote for the hiring of Anita Carr from Account Temps beginning June 19, 2017. **Motion:** Commissioner Blake. **Second:** Commissioner Saxon. There are no questions on the Motion. **All in Favor: the Ayes have it, Motion carries.**
  
14. Motion to donate \$500.00 to Blaine Hill Fire Department for their Annual Community Day being held Saturday, August 5, 2017. **Motion:** Commissioner Saxon. **Second:** Commissioner Blake. There are no questions on the Motion. *Commissioner Evans abstains because he serves as the Fire Chief in the Buena Vista Fire Company.* **Roll Call Vote – 6:1 Vote: Motion carries.**
  
15. Motion to ratify phone vote taken June 17, 2017 to put out RFP to evaluate cost estimate of Elizabeth Township’s current proposed Act 537 Plan to determine if it could be completed in a more cost effective manner. **Motion:** Commissioner Similo. **Second:** Commissioner Blake. There is a question on the Motion. Commissioner Rhoderick asks whether the Township looks at something different or takes a different route, what does that do with the work that’s already been done and would we have to start over from square one again if there’s any change to the 537?  
  
Engineer Churilla answers if you change the plan, you have to go back and get all the resolutions done. There is discussion regarding steps involved with this. Commissioner Rhoderick recommends instead of starting over to table this until after the August 1<sup>st</sup> DEP meeting. **Motion to table:** Commissioner Rhoderick. **Second:** Commissioner Blake. *Commissioner Similo votes no.* **Roll Call Vote – 6:1 Vote: Motion is tabled.**
  
16. Motion to promote Officer Kyle Deppen to the rank of Sergeant for the Elizabeth Township Police Department effective July 17, 2017. **Motion:** Commissioner Saxon. **Second:** Commissioner Similo. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion Carries.**
  
17. Motion to promote Officer Adam Blake to the rank of Sergeant for the Elizabeth Township Police Department effective July 17, 2017. **Motion:** Commissioner Similo. **Second:** Commissioner Saxon. There are no questions on the Motion. *Commissioner Blake abstains.* **Roll Call Vote – 6:1 Vote: Motion carries.**
  
18. Motion to promote Officer Jamie Evans to the rank of Sergeant for the Elizabeth Township Police Department effective July 17, 2017. **Motion:** Commissioner Similo. **Second:** Commissioner Kuzma. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
  
19. Motion to approve tentative Police Department Agreement with Teamsters 205. **Motion:** Commissioner Similo. **Second:** Commissioner Evans. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**

20. Motion to renew contract for School Resource Officer with Elizabeth Forward School District for the 2017/2018 school year. **Motion:** Commissioner Rhoderick. **Second:** Commissioner Blake. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
21. **ADDED MOTION:** Motion to give \$5,000.00 Monetary Bonus to Joelle Whiteman as part of an Employee Anniversary Review. **Motion:** Commissioner Blake. **Second:** Commissioner Evans. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.** Commissioner Kuzma explains why he votes yes; that a lot of people seem shocked and he knows that seems like a lot of money but she's been doing two (2) jobs for months and months now and he thinks she deserves it.
22. **ADDED MOTION:** Motion to direct Joe Muscatello to move forward to investigate bond re-issue with a minimum savings of \$40,000. **Motion:** Commissioner Similo. **Second:** Commissioner Saxon. There are no questions on the Motion. **Roll Call Vote - All in Favor: Motion carries.**
23. **ADDED MOTION:** Motion to direct the Engineer to bid out the Arrow Drive Project. **Motion:** Commissioner Similo. **Second:** Commissioner Kuzma. There are no questions on the Motion. **All in Favor: the Ayes have it, Motion carries.**
24. **ADDED MOTION:** Motion to direct the Engineer to proceed with the Everglade Project. **Motion:** Commissioner Kuzma. **Second: Commissioner Saxon.** Clarification that this is going to be done in house is requested and confirmed. **All those in Favor: the Ayes have it, Motion carries.**
25. **ADDED MOTION:** Motion to direct the Engineer to proceed with the Greenock Buena Vista Road project which is also in house. Engineer Churilla tells the Board that he will have to be involved because that's a State Route and will have to get an Occupancy Permit. **All those in Favor: the Ayes have it, Motion carries.**
26. **ADDED MOTION:** Motion to review and correct the catch basins in the Fox Run Development. **Motion:** Commissioner Similo: **Second:** Commissioner Evans. There are no questions on the Motion. **All in Favor: the Ayes have it, Motion carries.**

There are two (2) ordinances referred by Planning Commission for review.

1. Keeping of Chicken and Poultry in the Township.

Solicitor Racunas states there are two (2) Ordinances that were proposed to clean up some inconsistencies. It puts in some regulations as far as the type of structure for keeping chickens, the number of chickens, and no roosters so there wouldn't be any noise.

Commissioner Similo thinks we need to decide how we want to keep the Township and whether we want to redo the zoning or have no zoning and let people do what they want; he is opposed to this and thinks we need to look at it very closely. People pay good money for their houses and ninety (90%) percent of them are well kept and he thinks the Township has an obligation to those people.

There is discussion regarding the current ordinance of 10 chickens with a minimum lot area of 40,000 square feet which is an acre. Commissioner Evans wants to know if this is being brought up because of complaints and President Beckowitz states that the ordinances have to be straightened out because they are in conflict. There is further discussion about other municipalities to use for comparison as far as limitation that we don't currently have.

President Beckowitz asks each Commissioner for their opinion:

**Commissioner Similo:** Most of my homes are back to back and we have an obligation to the people who are neighbors to have strict rules. For people that have a lot of property this may have to be looked at differently.

**Commissioner Saxon:** Has mixed emotions about this. He realizes people want healthier food or their own food, but worries about small animals bringing in predators. His concern is when you bring that into a neighborhood you want to air on the side of caution. There is discussion about predators being around regardless and you can't prevent wildlife from living around the area. Commissioner Saxon states that we can prevent it from becoming worse and you don't want to do anything to attract predators.

**Commissioner Kuzma:** Believes (ten) 10 chickens on an acre is too many. He doesn't come from a housing plan but residents pay high taxes living here and thinks if you want to do something with your property, you should be allowed to do it. He states we should be able to work with residents and if all of your neighbors agree with it, then it should be okay to have chickens.

**Commissioner Blake:** States that she is not against having chickens, but does agree that (ten) 10 chickens on an acre is too many. She also believes there needs to be regulations on the coop so that it isn't an eyesore and a fence so that chickens are not running onto other people's property. She believes 5 chickens would be a reasonable number.

**Commissioner Rhoderick:** Explains that his father had 5 chickens on a quarter acre lot in Forward Township and nobody knew they were there. He agrees that predators like coyotes, bobcats and foxes are going to be around and coyotes will eat a cat as soon as they'll eat a chicken. He's not big on telling people what to do, but thinks there should be some kind of permit and inspection of the coop to make sure it's aesthetic. He suggests charging a fee to handle the administrative issues of inspections and permits.

**Commissioner Evans:** He knows there are a few residents in his ward that have chickens and there have never been any complaints. He thinks it's important to control the number you can have and to inspect the coops to make sure they're keeping up on it. He also asks if there is anything in the ordinance about selling the eggs because of the potential for salmonella; if you want to raise chickens for yourself that's perfectly fine, but we shouldn't allow them to sell the eggs.

President Beckowitz asks if the Board is ready to rule on this

The decision is to allow five (5) chickens as the number, limit the size of the coop, and no selling of the eggs. These are the three (3) changes and this is strictly about all residential zoning districts, not agricultural. Solicitor Racunas will make the Amendments and bring it back for review. He will also look into whether or not it has to go back to Planning.

2. The second issue is the proposed Map Change and Text Amendment by Invenergy which has been referred by the Planning Commission. At this time it's really not ripe for discussion and the only thing I would like to do is set a date for a public hearing, take public comment and then go through that procedure. This will be an Amendment to the Zoning Ordinance as proposed.

Solicitor Racunas would like the Commissioners to set a hearing date and he proposes August 22, at 6:00 for the Map Change and Tax Amendment. After discussion among the Commissioners, the hearing is set for August 22, at 6:00 p.m. at the Municipal Building. It will be advertised and notices will go out to property owners as well as being posted on the webpage.

**Citizens to address items:**

**Megan McDonough:** How is the public hearing about Invenenergy going to be conducted and what will the time limit be for public comment?

Solicitor Racunas responds that in this situation more time was made for public comment because of the nature of the discussion and how important it is to Township residents. Solicitor Racunas explains he will talk to President Beckowitz about time limits because they want everybody to have their input however, they want to avoid repetitive comments over the same concerns and keep it moving. Ms. McDonough asks if presentations will be allowed if numerous residents are represented by an organization or legal representative. She is told yes, anything that saves time and makes your point.

She also asks if land owners in neighboring municipalities, such as Sutersville, will be allowed to give public comment and will we know ahead of time whether they will be allowed to give comment. Solicitor Racunas tells her that it's something that will need to be discussed.

**Carol Daily:** She states that in November 2016, Invenenergy signed a Land Option Agreement with Casturo's and asks if they have a permit for the trailers and motor vehicles on the property. She also states once the Agreement was signed that property became residential and the non-conforming use no longer applies. She asks to confirm that the hearings will be on the Text Amendment only and Solicitor Racunas agrees that the public hearing will be limited to the Text Amendment. Ms. Daily asks for a motion that the Township have no further discussions with Invenenergy until after the vote.

President Beckowitz asks for clarification and if anyone is going to make the motion on Ms. Daily's behalf. Ms. Daily clarifies the motion is for the Board and Solicitor Racunas to have no discussions with Invenenergy until after the public hearing. Ms. Daily claims the attorney for Invenenergy wants to discuss a development agreement before the vote.

Solicitor Racunas sympathizes with both sides and states he doesn't have an interest one way or the other but understand both sides of this argument. He states he wants the Board Members to hear everyone's opinion and have as much information as they can to make this decision.

**Emerson Dainty:** He's live above Smithdale for 24 years in the woods with no hassles, no bothers, and is upset that there may be a power plant built there. Mr. Dainty argues that the power plant will take millions of gallons of water out of the river and he believes it will create noise and odors when the plant pollutes the air and the water. He asks the Commissioners that once they put in the power plant, what his house will be worth and if the Township is willing to compensate him for any loss.

**Melissa Marshall:** She is a representative with the Mountain Watershed Association, home of the Youghigany River Keeper which represents over 1,400 members, many of whom are extremely concerned about the potential impacts of the proposed power plant. It would put a power plant in an otherwise residential area that is ripe with recreational and environmental resources that contribute to the overall quality of life of the residents here. These resources could be greatly diminished or entirely lost with the construction of a 550 mega-watt gas fired power plant. She speaks for the residents and everyone who enjoys the natural resources in this area and explains how those resources support the local economy. She asks the Commissioners if they would be open to an additional day for public hearings to

discuss this and is told by President Beckowitz that if the hearing needs to be extended or continued, it will. She also asks if the Board would consider hosting the public hearing at a larger venue to ensure greater public participation and is told that it will be looked into.

**Scott Taylor:** He reads the J Municipal Planning Code aloud to the Commissioners, Article 4, Section 402, Adoption of Official Map and Amendments and asks them if there was an accompanying ordinance to describe the proposed map change. Solicitor Racunas informs him that the application describing the map change and the Text Amendment was put together as part of the application. There is conversation between Mr. Taylor and Solicitor Racunas about ordinances being processed at the same time and if they should be, or if ordinances which are handled under Article 6 are totally separate processes. Solicitor Racunas tells Mr. Taylor that he doesn't have a problem with combining them and if there is a procedural validity challenge, then that's what happens. Mr. Taylor questions if this is spot zoning and is told based on Solicitor Racunas' research, it's not. He asks the Board of Commissioners to get co-counsel on this issue to help guide them rather than listening to one opinion.

**Tim Banfield:** He serves on the Board of Directors on the Mon-Yough Trail Council and is a volunteer on the Trail Maintenance Committee which is responsible for maintaining the Great Allegheny Passage in the Township. He addresses the Bike Trail Crossing at the Sutersville parking lot that crosses Douglass Run Road at the bridge. Currently the old railroad crossing that's in place serves as a speed bump to slow the automobiles down as they're approaching the trail. There was discussion about Penn DOT removing the railroad crossing and the need for additional safety measures to protect the trail users. His example is West Newton that has a number of safety features to help protect the people using the trail; portable yield to pedestrian signs for the cars to yield to bikers or walkers crossing the highway and painting the crossing on the road; flashing warning signs to get the automobiles attention to slow them down at the crossing. He is requesting if an arrangement could be made to put in some measures to protect the safety of the people using the trail. He distributes a letter which summarizes all of this information to the Board and is told that the Board will look at it.

**Megan McDonough:** She wants to inform the Board that there exists a significant problem with Buena Vista Bridge Project. It caused the municipality to re-route sewage structures and they were put on private property without permission or an agreement and no just compensation. There is a manhole that is emitting an obnoxious odor for the resident, an underground structure, and an above ground structure that severely encroaches onto private property. It is her understanding that the Municipality, Penn DOT, the contractor, or the engineering firm KLH seeked permission for these permanent structures to be placed on private property. She is told by Engineer Churilla that according to his records that property was not owned by anyone. She states that Penn DOT was alerted and they did the survey and it is very much her property.

There is discussion between Engineer Churilla and Ms. McDonough about whether the design was on private property or an existing right-of-way. KLH records show that there's an existing right of way there but Ms. McDonough states it was put on the resident's property. He tells her that he will have to look at where it was actually place in comparison to where it was designed.

Ms. McDonough tells KLH if there was an inspection done and the Municipality was billed for this inspection, then the Municipality and the taxpayers are owed a refund considering it's not where it's supposed to be, that it's actually on private property which now opens the Municipality up to a lawsuit because they should have purchased a sewage easement from the landowner. Engineer Churilla think there's confusion between how it was designed and shown on the plan and where it ended up. Ms. McDonough tells him this is the importance of the inspection he states that he needs to look at it because

this is the first that he's hearing that it's not placed where it's supposed to be. There is further discussion about the inspection between Commissioner Similo and Ms. McDonough.

Engineer Churilla states this is a Penn DOT project and he needs to review the records and see what happened. The Township provided the design plan of where the sewer was supposed to go and had an inspector out there. That contractor was picked and hired by Penn DOT and it is his understanding that Penn DOT had told the property owner this and that she permitted them to sit on her porch to have the site meeting.

Commissioner Similo states that the inspector was out there for the inspection and he should have known this was on private property. If the Township made a mistake then we made a mistake and we need to rectify it. President Beckowitz agrees that the Commissioners need to rectify whatever's happened here and there is more inaudible discussion between Commissioners, Ms. McDonough, and residents in the audience.

Solicitor Racunas informs everyone that he's leaving for vacation and because of some of the time limitations he wants the Board to think about a request to move the meeting to sometime in early September rather than late August to give him time to coordinate with the administration to make sure that the right notices are going out. There is discussion among Board Members and Tuesday, September 12, at 6:00 p.m. is set for the Public Hearing on the Text Amendment Map Change. Joelle Whiteman advises that the date can be put on Facebook, on the Elizabeth Township website, and also an advertisement can be placed in the paper.

**Sandy Hearn:** She would like to make everything clear and transparent and suggests the Township purchase a large screen television and a projector so everyone in the audience would know what is being talking about. She also states that once there is an agreement on an ordinance language with the Planning Committee, it should be written and presented to the members for accuracy. For an example, she states at the last meeting she didn't know what ordinance they were looking at (Text Amendment map) and that an ordinance can go through many stages so it doesn't have to be pushed through in 30 seconds.

**Patty Hoffman:** She thanks the Police Chief for the wonderful work they did with a downed power line and specifically Adam Blake who kept them and the public safe. They did an excellent job once again.

Secondly, until the meeting on September 12<sup>th</sup>, she requested all residents and Commissioners look at the wording in Text Amendment Ordinance because it was written by Invenergy, telling us that they can do whatever they want on our property, as a permitted use, there is no conditional use on there whatsoever. Permitted uses means they can come in after the fact to do more stuff and they don't have to ask your permission to do it.

### **Motion to Adjourn.**

**Motion:** Commissioner Rhoderick **Second:** Commissioner Evans