

MUNICIPALITY OF MONROEVILLE
RESCHEDULED CITIZEN'S NIGHT MEETING
COUNCIL WORK SESSION

JULY 11, 2017

MINUTES

The meeting was called to order at 6 p.m. by Mayor Gregg Erosenko.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at this time.

ROLL CALL

The following were present: Mayor Erosenko, Linda Gaydos, Nick Gresock, Ron Harvey, Jim Johns, Paul Caliarì, Steve Duncan, Tom Wilson, Tim Little, Bob Wratcher, Josephine Rock, Paul Hugus, Joe Sedlak, Paul Whealdon and Darren Myer.

ELISA BECK

Dr. Elisa Beck, a resident, came forward as the founder of Sustainable Monroeville. She expressed her gratitude for being a Monroeville resident for the past 25 years and commended council for their great job. She also expressed her concerns for the proposed seismic testing and how a local newspaper article stated it did not lead to fracking.

Dr. Beck had questions for council. She reported she has a background in biology, is a neurodevelopmental optometrist and that she has done many hours of research with people who support the ban on fracking in the City of Pittsburgh. She wants answers and was hopeful that everyone could work together. She reported that on June 20, 2017 the Pennsylvania Supreme Court by majority rule passed the Environmental Rights Act which guarantees the citizens of Pennsylvania clean air and water.

Dr. Beck questioned whether seismic testing is in our best interest in terms of clean air and water and whether Marcellus Fracking and Utica Fracking is in our best interest in terms of health and wellness in the State of Pennsylvania. Mayor Erosenko inquired whether she wanted to know if it is legal to do the seismic testing. Dr. Beck indicated currently in Monroeville it is legal because there is no ordinance that limits where the seismic testing can be done. She reported there are 130 municipalities in the county and half of them do not yet have seismic or fracking ordinances in place. She appealed to all seven council members to put an ordinance in place that bans fracking or an ordinance that limits where it can be done and establishes rules. She stated by law it cannot be prevented but something should be done to protect property values. She mentioned how residents do not understand seismic testing or fracking or how it is affecting our air or water.

Dr. Beck inquired why a company brochure is on the municipal website explaining seismic surveying. She felt the information either came from Huntley and Huntley or the company doing the seismic testing. She requested it be removed from the website unless the municipality puts something on the website about the risks and dangers of explosives going into the air to do seismic testing. She was adamant that it was not okay to put the gas seismic testing company's information on the public website and not have information for citizens. She felt it was misleading to have this information on the website without the counter point and requested it be removed immediately unless there is information available about seismic testing.

Dr. Beck inquired whether it was legal for Huntley and Huntley or the other company doing the seismic testing to come onto her property without her permission. Mr. Wratsher stated they would have to have some right for private property. Dr. Beck questioned whether there is currently a law on the books that tells the citizens what their rights are and if there is damage from the explosives such as damage to foundations, windows and walls that the citizens do not have to pay for it but will be paid by the gas company. Mr. Wratsher answered there is no such law but he felt it is part of the body of common law that if someone damages your property, they are responsible. Dr. Beck respectfully requested Dr. Gresock share the email she sent him that included an ordinance that South Fayette County put in place in 2012 concerning seismic testing. She indicated that she would forward an ordinance put in place in 2016 for oil and gas exploration rules so that the municipal lands are not used inappropriately that will hurt the health and wellness.

Dr. Beck questioned why there is no mention that she should have a pre-survey and post-survey inspection before allowing them on her property. She explained how this would assist her if she has to file a claim against Huntley and Huntley or the other company doing the testing. She inquired what her homeowners insurance would say about allowing the explosive devices on her property.

Dr. Beck inquired who in the municipality has given this corporation the right to enter her property without her express written consent. Mayor Erosenko indicated no one can do that at this level. Dr. Beck disagreed and referred to what South Fayette put in place. She mentioned that Oakmont passed a seismic testing ordinance on July 3, 2017 that would be in our favor. She indicated she is representing Sustainable Monroeville on behalf of at least 150 in the community and herself, as a resident. Mayor Erosenko stated they cannot go onto her property to do seismic testing without her approval. Further discussion ensued about how residents would have to be notified before anyone can go on their property. She mentioned the Halliburton Loophole concerning the gas and oil industry having exceptions. She wanted to know her rights and the protocol for her to be notified.

Dr. Beck questioned whether she owns the rights under her property for oil and gas exploration or anybody else in the municipality who owns property. Mr. Wratsher suggested that most people do not own the rights. Dr. Beck inquired whether that means they can come on her property because she does not own the rights. Mr. Wratsher felt it is possible but there are restrictions about coming onto the surface of her property and trespassing. He stated she is not without protection. Dr. Beck was concerned with whether this company can horizontally come under her property from her neighbor's because they own the rights. Mr. Wratsher answered affirmatively but stated that is not how the

seismic testing would be done. Further discussion ensued about how seismic testing is done. Mr. Wratcher explained it is not always done with explosives sometimes it is done with thumper trucks that make a noise that is monitored. Dr. Beck inquired about the number of decimals for the noise, whether it falls within the requirements of the municipality and what the decimal limitation is within the municipality. Mayor Erosenko felt those are questions for the Huntley and Huntley and Dr. Beck felt that it is the municipality's responsibility to provide the citizens with this information. She asked whether the citizens need to do the research. Mayor Erosenko agreed that it is the municipality's responsibility to make sure whatever they do is appropriate but specific information about decimals would be answered by the company.

Dr. Beck questioned where the seismic testing has occurred so far and which technics they have used in Monroeville; Mr. Wratcher was uncertain. Mayor Erosenko indicated they have not started and Mr. Little agreed. Dr. Gresock inquired whether the municipality has the locations yet and Mr. Little answered they are attached to the map that has been provided. He explained a list of roads was provided to council and anyone else interested can have one. He reported the roads on the list have to be bonded for the seismic truck. Dr. Beck questioned whether they would do pre-inspections for households and Mr. Little answered negatively. He added that it is a private matter. Further discussion ensued concerning bonding.

Dr. Beck reported that she has been advised that, as a private citizen, if she is approached by a seismic testing company asking permission to do seismic testing on her property she should contact an attorney to review and amend the seismic testing company's agreement so the citizen's rights are protected. She felt she was working for all the rights of the residents and reported she is not working against anyone but suggested they are working together to protect themselves. She requested a proposal be made based on the one that South Fayette has in place and what Oakmont has recently approved as soon as possible. She reported her ultimate goal is to make sure the municipality does not get sued because it is not complying with the act that is now the majority of the supreme court in the State of Pennsylvania that says our air and water are protected.

Dr. Beck reported she lives on Trotwood Drive and she has a sign in her yard that says, Protect Our Children, Don't Frack Near Schools. She explained she has it because of a school in Butler that closed because their water was contaminated by fracking. She suggested she put those signs in her yard because potentially seismic testing and fracking is coming to Monroeville. She indicated that she would be happy to work with anyone that is interested. Mr. Little requested a list of her questions and Dr. Beck respectfully suggested that he review the tapes and provide answers.

GLORIA BENNETT

Ms. Gloria Bennett, a resident, came forward to report that she has been studying seismic testing. A discussion ensued concerning an email. She had a list of ten items that should be done by companies doing seismic testing by mapping the locations of underground shale and natural fractures. She stated the company applies for permits to drill and extract gas. She questioned who gave them permission to do it. Mayor Erosenko indicated they cannot be stopped. Mr. Little reported that he had

a meeting in late February with Huntley and Huntley and Cougar Land Services and Geo Kinetics. He stated there is nothing the municipality can do to legally stop them from doing a seismic survey within the boundaries of the municipality except road bonding and traffic control. He mentioned that it is not at the point of fracking but he agreed with the concept of a non-fracking ordinance. He explained the seismic survey is legally within their rights as long as they comply with the municipal ordinances. He stated the municipality does not have an ordinance prohibiting seismic surveys. Ms. Bennett requested an ordinance be written to ban fracking and Mr. Little indicated it is council's decision. Ms. Bennett felt it is a serious thing if New York, Maryland and Pittsburgh found it necessary not to have it. She was concerned with the well-being and health of the residents and the future generations of our grandchildren. She expressed her concerns with fracking and volunteered to provide a copy of the list of concerns.

Mr. Little reported he met with Cougar Land Services on the road bonding issue and their timeline for the seismic testing of the whole 200 square miles swath would be by the end of August. He estimated that they would begin in Monroeville in November with the seismic survey.

NANCY LAPCEVICH

Mrs. Nancy Lapcevic, a resident, came forward to promote an organization she volunteers with called Cheats. She explained it is a non-profit and they have a free clinic for the under insured and non-insured. She reported of their first fundraiser on July 25, 2017 at Anthony's Coal Fired Pizza for 20 percent off their order. She also explained anyone who needs their services they are at Assembly of God Church.

Mrs. Lapcevic commended Mr. Johns and the Fourth of July Committee for all their work. She felt the parade was fantastic and she thoroughly enjoyed it. She mentioned the fireworks in the park and she felt everyone should remember this was the first change of venue. She pledged that the committee will review the logistics of parking, the police, the vendors and everything. She reviewed how wonderful the parade was and that it was a wonderful showing of the community. She reported most of her constituents thought the fireworks were good.

ROBERT SERAFINI

Mr. Robert Serafini, resident, came forward to express his concerns. He emphasized Councilman Johns did a great job on the Fourth of July Celebration. He requested a convex mirror be placed on Northern Pike coming out of Maria Street to help see cars coming up and down Northern Pike. Mayor Erosenko inquired whether it would be a problem and Mr. Hugus answered it would depend on where it is located. He stated if it is on Northern Pike it is a state road and it is on a municipal road if it is on Maria Street. Mr. Serafini indicated it would have to be on Northern Pike. Further discussion ensued.

Mr. Serafini inquired whether the municipality has come to any conclusions about submitting information for the ballot for the home rule charter. He felt a synopsis of that would be great. Mr. Wrtcher reported that several of the substantive items are being considered. Mr. Little added it would

be Article VI through X. Mr. Wratcher stated it will be discussed under ordinances on the agenda and it is expected that council will act on it.

Mr. Serafini expressed his concerns for the trees being cut off of Point Circle Drive. He requested a tally of the number of trees requested to be cut and how many were cut. Mr. Hugus was uncertain. Mr. Serafini reported he does not see the tree planner on the property to determine what trees should be cut. Mr. Wratcher questioned whether the county conservation district has a hand in it with the DEP and Mr. Hugus answered negatively. He stated the forester of record is responsible. Mr. Wratcher inquired whether the municipal inspector can ask the question or whether it has to go through the DEP. Mr. Hugus indicated the municipality can ask the question but the president of the Point Circle Association will not allow any municipal personnel on the site unless they are escorted. Mr. Serafini was adamant that the municipality should do something. Mayor Erosenko mentioned the new law passed limits the municipality. Mr. Serafini reported of the activity and he felt they should penalize them somehow. He questioned whether the municipality derives any benefit through the taxes by cutting the trees and Dr. Gresock questioned whether it falls under earned income tax. Mr. Little answered it would be business privilege tax for the company doing the work within the municipality. Mr. Serafini reported he cannot find a tax identification number or any tax information on them. Again, he felt the municipality is not doing enough to resolve the problem. Mayor Erosenko indicated the municipality has done everything legally possible. Further discussion ensued. Mr. Wratcher explained the municipality has limited ability to regulate any of that activity because the state took it away with the new legislation. He added they can require them to bond the streets. Further lengthy discussion ensued.

Mr. Wilson questioned whether the timbering company submitted a plan in order to cut down the trees and Mr. Wratcher answered affirmatively but it was not submitted to the municipality. Mr. Hugus explained one was submitted in 2010 but after the attorney general made the municipality change the ordinance, they did not have to submit anything further. He added the ordinance referenced select cuts and prohibiting cuts on certain soils but all that has eradicated. He reported they are allowed to clear cut a property. Mr. Wilson questioned whether the municipality has access to the plan submitted and Mr. Hugus answered that many parts of the original plan are null and void pertaining to the ordinance per the attorney general's decision. Mr. Wilson inquired whether there is a plan concerning the number of trees to be cut or allowed to be cut; Mr. Hugus answered affirmatively.

Mr. Serafini asserted the forest planner had to initiate and make a plan for them to cut. He reported the cutting is occurring on Sunday and they are in excess with what they are doing. Mr. Wratcher explained the municipality will call the county conservation district and the DEP on behalf of the residents for additional information. Mr. Serafini questioned whether something could be done about getting the assessment raised so they have to pay additional taxes. Mr. Wratcher reported the municipality is not permitted to select the properties for reassessment and it has been done uniformly by the county assessors. He explained they cannot reassess one property without a sale or other activity and it can only be done as a county-wide reassessment. He reported the municipality is powerless to recommend the county place a higher value on a property. Mr. Caliaro inquired whether they took it from a residential property to a full-profit company and Mr. Serafini answered affirmatively. Mr. Wratcher suggested it has been done practically but not in the strict legal sense. He added anyone can

clear timber as long as they comply with all the state regulations. Mr. Caliari questioned whether selling it made a difference and Mr. Wratsher answered negatively. He stated the whole impetus for the state legislation was for people in the middle of the state who own hundreds of thousands of acres which do not have as much of an impact as it does on town settings like Monroeville. He suggested the stated they looked at the agricultural law and the impact on Monroeville is not good.

Mr. Serafini requested the information about the contact person from the attorney general and Mr. Wratsher agreed to provide it. Further discussion ensued. Mr. Wilson inquired whether the Sunday cutting was being done illegally and Mr. Wratsher was uncertain. Mr. Hugus pointed out the ordinance stipulated certain times and date limitation which may have been stricken. Mr. Wilson questioned whether they have to have a permit and Mr. Hugus answered they got a permit. Mr. Wilson inquired about the Sunday cutting being permitted and Mr. Hugus indicated the Point Circle Association would have to tell the municipality that they are trespassing. He suggested they may have given permission to cut the trees. Further discussion ensued.

VAL ZOLA

Mr. Val Zola, a resident, came forward to express his concerns about the Fourth of July fireworks. He reported that he lives on Illini Drive but his access to it is on Elliot Road which is in very poor travel condition. He compared it to driving a tank on tank trails in Germany that were smoother than that road. He reported that he asked Councilman Johns last year whether Elliot Road would get paved and he was told there was not enough money in the budget. He indicated he had a recording of him telling his son it would be paved this Summer. He added the mayor told him that morning that there is no money in the budget to get Elliot Road paved. Mayor Erosenko corrected that Elliott Road probably will not be done this year because there are so many other roads that need attention. He explained the municipality is trying to live within their budget and every ward has roads that need attention. Mr. Zola questioned who decides which roads get paved and Mayor Erosenko answered council. Mr. Zola inquired who does a site inspection to determine which roads need paved. Mr. Little explained the engineering department has a PASER Rating (Pavement Surface Evaluation Rating) adopted by PennDOT which is given to council each year on the most sever roads to be paved. Mr. Zola questioned who knows definitely that Elliot Road will not get paved.

Mr. Johns agreed Elliot Road is in his ward and he told him and his son what he knew. He requested the engineer and the manager drive the road and he has discussed it with several people about the number of residents that have to use it for access to the top of the hill. He pointed out that Sheetz has spent a lot of money to get to the end of their property subsequently it will not cost as much money to get to Illini Drive. He explained the cost to do that section came down from the original costs and the administration was trying to find the funds to finish that section.

Mr. Zola questioned whether State Representative Markosek could help the situation and Mr. Little answered negatively. Mayor Erosenko understood his concerns but explained the funds are not available. Mr. Zola inquired whether it would be done this summer and Mayor Erosenko answered it

was council's decision but all the wards have roads that need attention. Mr. Johns explained that he looked at that road as a main thoroughfare for people that live on top of the hill.

Mr. Zola inquired whether the merchants pay for the fireworks in Monroeville and where the money comes from to pay for them. Mr. Johns answered it comes from the municipality and the Monroeville Convention Visitors' Bureau. Mr. Zola clarified that taxpayer money pays for a small portion of the fireworks and Mr. Johns answered affirmatively. Mr. Zola pointed out that people come from Murrysville, Plum and Penn Hills for the fireworks and they do not pay taxes. He suggested some of that money be used to pave roads and the priorities need to be reviewed.

Mr. Zola voiced how much he admired the mayor and council and the officials for what they do and thanked them for their time and efforts.

VIRGINIA DEGRANO

Ms. Virginia DeGrano, a resident, came forward to agree with Mr. Zola that Elliot Road needs to be paved. She recommended not patching it because it does not do any good. She questioned whether the council member's road get fixed before anyone else. Mrs. Gaydos clarified that the mayor was referring to all the roads in each council member's ward that needs attention. Mr. Little pointed out that is why the PASER Rating is used to keep things objective when selecting the roads that need to be fixed. Ms. DeGrano stated everyone pays their taxes and she wanted to know why they could not get any assistance. Mayor Erosenko explained the municipality is trying to live within their budget and not borrow money because the debt service is \$3 million per year.

Further discussion ensued and Mr. Harvey explained how the municipality has been trying to live within their budget and let the engineering department determine which roads will cost the most to repair. He agreed they have not been fixing roads fast enough and he felt council was going to try and pick up the pace of repairing roads next year. He explained how the municipality wants to do a road the right way not haphazard and it might need reconstruction. He would rather the municipality fix it properly than just repairing it.

Mr. Wilson referred to the financial report where it shows a debt issue of bonds of \$30 million and the annual municipal obligation is \$3.3 million for the bond issues. He reported those bond issues were taken out before this council was elected. He felt that \$3.3 million used for the annual obligation could be used for roads. Dr. Gresock added prior councils were borrowing money to pave roads instead of working the cost into the annual budget every year. He explained that over time the debt got so high that the bond rating was cut back so it was decided to cut back on capital spending to reign in the borrowing of money to pay off the debt. He clarified that the PASER Rating is used by the engineering department to compose a list of roads. He explained they came up with a list of 36 roads and only ten with ratings of threes and fours and below were dealt with and the remaining 26 roads only got preventative maintenance. He stated only ten roads are being milled and paved and he reported it is \$250,000 to mill and pave one mile of road. He reported the entire budget for road paving was \$561,000. He stated the municipality is trying to stretch the money with the fog sealing and preventative maintenance instead of paving. He understood the roads need to be dealt with and he felt

council needs to find a way to increase that amount in the budget to address the roads. He reported Elliot Road is not on the list and he was uncertain what score it had. Mayor Erosenko added it is not being ignored intentionally. Mr. Harvey did not want to just repave it but felt it should be rebuilt so it does not collapse again.

JO ANN SMITH

Ms. Jo Ann Smith, a resident, came forward to agree with everything reported about Elliot Road but she pointed out that Turnpike Gardens was completely repaved with some type of paving. She felt Elliot Road should have been done before that and she pointed out that someone's whole driveway was done on Burt Drive when the repaving was done. She mentioned it is snow plowed every year and she had a picture. Mr. Hugus reported that is a stub road on Burt Drive and indicated it is Low Lane. He explained it is a municipality owned maintained segment of roadway and it is a stub road leading to the road behind it. He added it has been part of the roadway system since the development occurred and is an access road to several properties. Dr. Gresock pointed out that they did not do a mill and pave over in that plan it was chip sealed which is a technique the engineering department is using to extend the life of the roads.

JAY WRIGHT

Mr. Jay Wright, a resident, came forward to thank Mr. Johns for his work on the fireworks. He reported he watched them from his driveway. He thanked the police and fire department for doing a fantastic job with a bad situation. He felt the parks people also did a fabulous job.

Mr. Wright questioned whether something is being done in the park to make it a water park and Mrs. Gaydos answered negatively. Mr. Wright inquired whether the sinking pavement would be fixed on the tennis courts and he reported there was no water in the water fountains on the Fourth of July. Mr. Little answered the pavement on the tennis courts and basketball courts is being addressed through a grant. Dr. Gresock pointed out the water should be on at the park. He reported the repair of the courts has been delayed because of the rain earlier this year. Mrs. Gaydos reiterated that all that work is being done with a grant.

Mr. Wright inquired when the park was built and Mrs. Gaydos answered it started in 2005. Mr. Wright questioned whether it was a violation of the buyer's agreement when commercial and regional activities take place in the park. He felt the buyer's agreement precluded any commercial or regional events in the park. Mr. Kucherer, a resident, came forward to state he was uncertain whether it was in an agreement but when it was discussed, there were specific questions about whether or not it was going to be a regional park. He explained it was stated that it would be a community park not a regional park and it was never the municipality's intent to turn it into a regional park.

Further discussion ensued. Mr. Wilson questioned who the park purchased was from and Mr. Kucherer answered the Bohinsky Family and Madjerich. Mr. Wilson inquired whether it was specifically stated it could not be used for any commercial activity and Mr. Wright indicated he would have to review the agreement. Further discussion ensued. Mr. Wright thanked Mr. Harvey for taking most of

the abuse on the night of the fireworks. Dr. Gresock suggested it is challenging with the recreation activities to keep things just for residents. He referred to the Summer Concert Series that non-residents can attend and non-residents that use the tennis courts and playgrounds. He mentioned the soccer games and Easter Egg Hunt and the Halloween event. He again stated it is a challenge when planning activities for a regional park or community park or activities just for residents. He indicated there is nothing preventing anyone from outside the community coming to a Monroeville Park. He suggested the agreement should be reviewed.

Mr. Harvey reported he read and talked to someone that previous councils had accepted either state or federal park money to help improve the park which turned it into a regional park. Mr. Kucherer stated a regional park is something from the county. Mr. Estock added a regional park has to have a certain number of acres which the community park does not have. He reported 200 acres is needed to be considered for a regional park. He explained how back in 2008 it was discussed combining it with Monroe Park East and it still did not have enough property to be a regional park.

ED HABERLE

Mr. Ed Haberle, a resident, came forward concerning a subdivision he purchased. He reported he was sent a letter that he needs a review. Mr. Hugus reported he is on the agenda for a subdivision plan review.

DOUG GARRITT

Mr. Doug Garrett, a non-resident, came forward. Mayor Erosenko indicated he could not speak at this time but could contact the manager. Mr. Garritt inquired whether he could speak at the end of the agenda meeting and Mayor Erosenko answered negatively. Mr. Garritt indicated he wanted to respond to the allegations concerning the seismic testing.

CHAD STUBENBORT

Mr. Chad Stubenbort, a resident, came forward to respond to some things said at the June 13, 2017 meeting directed toward him. He referred to the number for the crimes statistics that he mentioned. He reported it was indicated that he gave numbers from dispatch calls from the municipal call center not from the uniform crimes statistics which is true. He explained how a stabbing occurring in Penn Hills but the victim is taken to Forbes Hospital would then constitute a stabbing call at the dispatch center. He reported he was accused of using the wrong statistics. He also referred to a statement, about "people need to quit picking out the things that show weakness and need to make suggestions on how to support everyone".

Mr. Stubenbort then distributed information which included crimes statistics. He explained on the front it shows a comparison of year-to-date over the last year compared to 2014 through the dispatch center. He reported the second page compares 2016 to 2015 with the uniform crimes statistics. He stated the last page compares year-to-date for 2017 to all of 2016. He referred to the 2016 the Uniform Crime Reporting which states there are zero assaults with a firearm but he then

showed a newspaper article reporting of two individuals that were shot on Mall Boulevard in 2016 at a shopping plaza in Monroeville. He was uncertain which statistics should be used. He reported that the dispatch center statistics show there has been a 45 percent increase in assaults, 50 percent increase in drug activity, 43 percent increase in gun shots wounds, overdoses, prostitution, stabbing etc. He indicated the uniform crime reports could be used but it is hard to determine which statistics should be used.

Mr. Harvey inquired whether he knew the requirements for the uniform crime report and Mr. Stubenbort answered negatively. Mr. Harvey explained there are different rules for filing uniform crime reports as compared to what is shown as something at the dispatch center. He suggested there could have been an error. He inquired what Mr. Stubenbort suggested to do about the two stabbings at the mall and Mr. Stubenbort indicated he would answer later.

Mr. Stubenbort agreed that the statistics are not always correct. He stated any statistics can be used. He stating using the uniform crimes report shows in 2015 there were two rapes and 2016 there were six rapes.

Mr. Stubenbort referred to the mayor's comments in his state of the municipality in January where he stated crime was down in Monroeville and he reviewed information comparing the uniform crimes code to the dispatch center statistics. He stated he used the same statistics that the mayor used and that Dr. Gresock used in an ad and he was accused of using the wrong statistics. Mayor Erosenko questioned whether he just wanted to focus on how bad Monroeville is and Mr. Stubenbort answered negatively. Mayor Erosenko felt the police department does a great job and he was grateful Monroeville does not have the crime that other towns witness. He disagreed with Mr. Stubenbort's suggesting that something is being hidden. He stated almost all the information in the police department can be requested with a right-to-know request. Mr. Stubenbort indicated he would use whatever statistics he suggested but he was accused of using the wrong ones. He suggested a problem cannot be fixed until it is admitted that a problem exists.

Mayor Erosenko felt the police department does an unbelievable job and Monroeville is a very safe place to live and suggested the way Mr. Stubenbort describes it, it is not.

Mr. Stubenbort agreed the police department is great. He reported over a three-year period the training budget went from over \$100,000 to \$4,000 last year. He pointed out there were individuals that had to call off work to go to training and pay for it on their own. He questioned whether the municipality is actually backing up the police department when it cuts its training budget from \$100,000 to \$4,000. Further discussion ensued. Mr. Stubenbort referred to cutting the traffic division and he questioned how many large container trucks go through Monroeville and how many drug activities go through the community. Mayor Erosenko indicated that was the chief's decision on cutting the traffic division because he wanted more officers on the street doing their job. Mr. Stubenbort suggested maybe the minimums should not have been lowered. Discussion ensued regarding the minimums.

Mr. Stubenbort made reference to the K-9 Officers and overtime pay and new hires. He mentioned how there is definitely a drug problem across the state and the country which is not specific

to just Monroeville. He pointed out that there are two hospitals in the community but he questioned the number of detox centers. He suggested the municipality work with the hospitals to possibly have a detox center in town. Mrs. Gaydos inquired whether the hospital would do a three-day detox and Mr. Stubenbort answered that it depends. Further discussion ensued. Mr. Stubenbort felt it would be better to have a detox center in town than to transport people out when there is a problem. Mr. Wilson inquired about alcohol problems and Mr. Stubenbort was uncertain. Mr. Wilson questioned whether people have been stopped and let go by the Pitcairn Police and Mr. Stubenbort suggested it should be referred to Pitcairn.

Mr. Stubenbort referred to the Monroeville Brawl where a bunch of teenagers were fighting and questioned how many arrests were made. Mayor Erosenko was uncertain. Mr. Stubenbort reported all the individuals involved were not from Monroeville so they were bused back to their place of origin but no arrests were made. He questioned what message that sends to people coming to Monroeville and committing crimes. He indicated he has given solutions and showed statistics but then he is criticized for making Monroeville look bad. He felt there is a problem and it needs to be identified and then work with the individuals. Mayor Erosenko indicated that is done and he is proud of this police department and suggested this is politics. He agreed there are issues but they are everywhere and are being addressed with the resources available. He felt this was just politicizing these issues.

Mr. Stubenbort inquired whether anyone knew anything about Danet through the district attorney's office. He explained it is a partnership in which it the municipality's police department makes an arrest and it can be followed up and additional referrals can be made or purchases. He stated the municipality's officers can participate then be reimbursed by the district attorney. Mayor Erosenko referred him to the police department. Mr. Harvey inquired why he thought that was a solution and Mr. Stubenbort indicated it would give the municipality free policing that reimburses overtime and pays for individuals to set apart. Mr. Harvey questioned what that solves crime wise and Mr. Stubenbort suggested it should be discussed with every surrounding community that is utilizing it. Further discussion ensued and Mr. Harvey did not think Danet would solve crime in Monroeville because if it did the police department would utilize it. Mr. Stubenbort suggested the municipality reach out to the district attorney's office and request whether it should be used then the information can be shared with council.

(A brief break was taken at this time at 7:30 p.m.)

DOUG GARRITT

Mr. Doug Garritt came forward representing Huntley and Huntley. He explained they hired Geokinetics and he introduced Mr. Gene Carpenter who would do the seismic testing in a 202 square mile area with a small portion of that in Monroeville. He reported they supplied the municipality with a map showing the northern tip of the municipality and the southern-most edge. He stated the center portion was cut out which starts in Allegheny Township ending up in White Oak and extending into Elizabeth Township. He explained the process for the seismic testing has been explained and they are mapping the subservice for future development and he is unaware of whether or not Huntley and

Huntley has any plans on drilling. He stated Mr. Ethen Shueller could answer those questions concerning their long-range plans. He added they have been contracted to map the subsurface so they know how deep and thick it is and how the subsurface traverses and are looking for any faults and fractures to allow for future horizontal drilling. He reported they are seismic testing and providing the mapping data to Huntley and Huntley.

Mr. Caliri inquired what kind of seismic testing is being done and how it works. Mr. Garritt explained they have a pre-plot grid on their map which could be flat and empty and that is the path they would follow or they have terrain such as this with a lot of culture to get around. He pointed out how their straight lines become crooked and they will provide a post plot map of where they are proposing to go, the roads they will use and the properties to be accessed. He stated all the people in the municipality have already been contacted. He explained the grid with the line spaces on the receiver lines is a device that is called a node which is a sensor the size of a coffee can. He stated it is a recording device and will be scattered in right-of-ways and on individuals' property that have been paid to allow the instrument. He explained the lines may be 880 feet apart and they will miss a lot of residents in between. He stated only people that will be contacted are the ones where they will place the devices on their property.

Dr. Gresock questioned how far apart they are placed and Mr. Garritt answered 220 feet apart on the line spacing which is 880 feet apart. He further explained the nodes can be placed anywhere and they are a passive device and only record data.

Mrs. Gaydos questioned how far into the ground they go and Mr. Garritt answered it depends on where they are placing them. He added it would be just below the surface so it is out of the way for farmers cutting hay or mowing lawns. Mrs. Gaydos inquired whether they have to drill down to drop it in and Mr. Garritt answered negatively. He stated it is done with a little spade or shovel and is dropped in and covered with dirt. He explained it sits there for two and a half to three weeks. Mrs. Gaydos questioned whether it would be used for data collection only and Mr. Garritt answered affirmatively. He added it is a passive device with no electrical current and will not harm anyone.

Mr. Garritt further explained that first they do a hazard assessment with their surveyors. He mentioned how they did the PA1 Calls and identified where all the utilities are located which is mapped out and came up with a plan for the energy. He stated the primary energy will be on roads with vibe trucks which are the size of a garbage truck. He asserted it is noisy more than anything but he was uncertain about the decibels at this time. He explained as the trucks travel down the road to a pre-determined survey point they will stop and lower a plate to the ground and they couple themselves to the ground. He pointed out how this is a Vibroseis truck and it couples itself to the ground with the plate and starts at a low frequency of 10 hertz and runs up to about 110 hertz. He explained how it does that for ten seconds, four times then the plate is picked up and they drive to the next spot. Mrs. Gaydos inquired what it does to the pavement and Mr. Garritt answered nothing. He explained they have done multiple seismic projects in southwest Pennsylvania in several similar municipalities in close quarter areas. He stated they have done projects in Elizabeth, Ford, Uniontown, Fellow Field, Jefferson Hills, South Park and Peters Township. He added they have done Vibroseis testing in all those municipalities

without issues. He added the biggest concern or inconvenience is traffic and they have their own traffic control plan company hired to help them maneuver through the municipality. He reported they will get their necessary permits and they will be on all the state roads within their 202 square miles. He stated they offer to bond the roads for the municipality. He indicated they have secured all of their permits for all the state roads from PennDOT and they have never been required to post a bond. He explained of one of the only bonds he ever posted was for \$10,000 for a bridge with a weight restriction. He reported they deal with that regularly and they are known for not tearing up the roads but they do bond the municipal roads.

Mrs. Gaydos questioned whether the testing would affect any of the sewer systems which are already in trouble. Mr. Garritt explained their surveyors identify all of that and they know the energy source here and they work with pure science not speculation. He reported they are aware of the peak particle velocity that their trucks create as they do their testing and they know the setback distances that are safe so they limit their peak particle velocity for home and water wells. He stated this is their primary source of energy because there are more roads here than places to put shot holes.

Mr. Garritt indicated they do use explosives and he explained their representatives meet with the property owners to GPS their house, water well or anything that has a concrete foundation on the property. He stated they then bring the information back and put a 325-foot buffer on their map around that structure or water well which sets a precedent for where it can be located. He further explained how even a 20-acre piece of property may not be big enough to place a shot hole because of the structures located on them and the necessary buffer areas so they eliminate where they cannot go. He stated their source of energy for the rural area is a charge with a 30-foot deep hole, three inches in diameter where they place a three-pound charge in the hole and backfill to be detonated at a later time. He added they are heavily regulated by the DEP and they already have their DEP blasting activities permit in place for the 202 square miles.

Mayor Erosenko inquired whether they are responsible for any damage to personal property even after they have taken all the required precautions and Mr. Garritt answered affirmatively. Mr. Little questioned whether they would be responsible for damage to an adjacent property owner and Mr. Garritt answered affirmatively. He added if it is caused by their seismic operations they are responsible.

Mrs. Gaydos questioned whether they would not be able to do a residential street with one of these shocks because their houses are too close together. Mr. Garritt agreed. He explained if everyone lived in the middle of an eight-acre piece of property there would not be any shot holes in the entire parameter. He was uncertain where on the map shot holes could be located. He mentioned there is room on the southern portion and he suggested the waste management side to the south is in the project and they are setting in the middle of the cut-out area. He again stated there will not be any charges in any of the neighborhoods.

Dr. Gresock questioned whether the spots are predetermined plots for the spots where the plate is lowered to the ground on the vibration truck. Mr. Garritt answered it would be determined. A man from the audience answered at some point they will be. Dr. Gresock inquired whether the spot

where the plate is dropped will be plotted out and Mr. Garritt answered affirmatively. Dr. Gresock questioned whether there will be a PA1 call at that point to verify the location of the residential sewer lines and where the storm water drains are located. Mr. Gene Carpenter came forward to answer they do the PA1 call and they have their surveyor work with the municipal engineering departments who would be aware of any existing problems or whether the sewer or water lines are really old. He explained how they adjust their activity to all of the municipalities to where they are allowed to work and they do not just come in and go everywhere. Dr. Gresock asserted the water authority is brought into the mix with this and Mr. Carpenter agreed. Dr. Gresock explained how most of the houses in Monroeville have terra cotta pipes for the sewage which is now being replaced when homes are sold because of cracks from houses to the main line. He stated the water authority will be contacted and the area will be mapped out. Mr. Garritt asserted they go to great lengths in determining where they are not going to do any damage.

Mrs. Gaydos questioned whether the four-page list of the streets given to council was the potential streets and Mr. Garritt answered those are every street within the mapped boundary of their project. Mrs. Gaydos clarified that it does not mean that it would be done on every street but only the potential ones and Mr. Garritt concurred. He added it is a list of all the streets.

Mr. Wilson inquired what happens when a property owner refused to allow this seismic testing on someone's property. Mr. Garritt explained if the property owner refuses permission on their permission request form they go to the next property owner. Mr. Wilson questioned how the residents are contacted to obtain permission and Mr. Garritt answered first by mail, then if no response is made then they will try to find a telephone number or email address and then they will contact them at home if necessary. Mr. Wilson mentioned it is a three-pound charge and Mr. Garritt clarified that it is 3.3 pounds.

Mr. Wilson asserted it will not be used in the local neighborhoods and Mr. Garritt agreed. Mr. Wilson questioned how much damage a 3.3 pound charge can do when out in a larger area. Mr. Garritt explained the charge is designed to go down and the energy that comes up does no good. He stated the way the charge is designed in the capsule it is designed to go down. Mr. Wilson questioned whether it fires projectiles out of the ground and Mr. Garritt answered negatively. He explained that it is designed to have the energy to go down and once the hole is drilled it is loaded immediately. He added they use crushed stone on top of the charge to put the weight on it. Mr. Wilson asserted it is like a normal dynamite practice. Mr. Garritt mentioned the mining operations and explained the size of the charge they use here is meniscal in comparison. Mr. Wilson pointed out that is a matter of perspective. He questioned what happens after a hole is drilled, then filled with a charge, packed with stone and fired and whether it makes the hole deeper. Mr. Garritt answered negatively. He stated it is not blowing anything up and he doubted anyone would even hear it.

Mrs. Gaydos inquired whether anyone would feel a vibration and Mr. Garritt answered negatively. Dr. Gresock questioned whether anyone had to be evacuated from the area and Mr. Garritt answered negatively. He explained when they shoot the charge and the shooters will be within 100 feet of hole when it is detonated then they cut the cap leads off below the surface and go to the next hole.

He added as they are going through neighborhoods and towns and they have an independent engineer company that monitors all of their work. He mentioned how the closest building to the truck will be monitored and when a road is Vibroseised they will monitor the house for the energy going to it and they will keep it below .35 inches. He suggested the ordinance probably stipulates that it must be maintained below .5 inches and they stay below .35 inches on their monitor. He stated when they shot a shot hole or charge on a property and monitored some wells, the monitor at the well did not even register.

Mr. Johns mentioned the charge and the hole and questioned what knowledge is gained when it is blown up. Mr. Garritt answered the little instruments or devices record when an area is Vibroseised and sends sound waves into the ground which reflect off different rock formations. He explained it is like the pixels in a television where the more pixels the better the image. He stated the sound wave will be captured from different GPS locations and there will be about 4,000 of the devices capturing the same sound wave from all different locations. He explained how it is then loaded into a computer that produces a 3D image of the subsurface. He stated any section of that map can be cubed which can be pulled out and looked at from any angle. He explained that it allows them to use the data in the future for drilling smarter, more productive wells.

Mr. Wilson stated one property owner prohibits permission to test on his property but his neighbor allows it and he questioned whether they can drill on one property vertically then go horizontally to his property to take under his property without his permission for the seismic testing. Mr. Garritt explained horizontal drilling. He reported Pennsylvania is a Right-of-Capture State which allows for vertical drilling on a neighbor's property but not on your property. He stated a well can be drilled vertically on one person's property and extract gas from underneath another person's property because it the right-of-capture. He explained there is no setback distance for that in the rule of law. He added the only states that have right-of-capture is Pennsylvania and West Virginia. Mr. Wilson clarified that it could move from his property to his neighbor's property. Mr. Garritt reported they will not drill underneath your property in horizontal drilling without a lease in place to allow for it but they could drill under your neighbor's property horizontally and get the gas legally because of the right-of-capture rule.

Mrs. Gaydos questioned whether the property owner is paid for it and Mr. Garritt answered they pay the people where they are drilling under. Dr. Gresock pointed out that not all residents have the mineral rights underneath their property and Mr. Garritt agreed. He added some do. Mrs. Gaydos questioned whether it is done when someone gets their mortgage. Mr. Garritt answered it is included in the deed when someone buys or sells a property. He explained how when he recently purchased a property he did not allow the seller to retain those mineral rights. Dr. Gresock inquired how a resident in Allegheny County would find out if they have the mineral rights to their property and Mr. Garritt answered they have to go to courthouse to research it. Mr. Wrtcher added it would be at the recorder of deeds which would require someone being hired to do a mineral search. Mr. Garritt suggested a person would have to go back to research back to the 1800's to make a determination. Mrs. Gaydos suggested they would have to be done prior to their work and Mr. Garritt agreed.

ADJOURNMENT

There being no one else come forward at this time, the meeting was adjourned at approximately 8:10 p.m.

Respectfully submitted,

Timothy J. Little
Municipal Manager

TJL/sam