



A. Call To Order

Zachary Haigis

President, Board of Commissioners

B. Roll Call

Commissioner Stump

Commissioner Atwood

Commissioner Gray

Commissioner Zona

Commissioner Wengrzyn

Commissioner Gass

Commissioner Haigis

C. Pledge Of Allegiance

D. Citizen's Input

E. Work Session Discussion Topics

1. HVAC Warranty - Discussion

Documents:

[HVAC WARRANTY.PDF](#)

2. Opioid Settlement Agreement - Discussion

Documents:

[OPIOID SETTLEMENT AGREEMENT.PDF](#)

3. Waste Management Automated Transition - Discussion

F. Planning / Engineering Topics

1. Kenny Ross Mazda Site Altercations

Documents:

[SP-03-2020 KENNY ROSS MAZDA.PDF](#)

2. S-25-2021: Tomasic Consolidation, Woodside Drive, R-4 Zoning

Proposed consolidation involving two adjoining lots on Woodside Drive.

Documents:

[S-25-2021 TOMASIC CONSOLIDATION.PDF](#)

G. Old Business

H. Further Board Comments

I. Adjournment

Memorandum

To: Board of Commissioners



Date: December 29, 2021

From: Michael Turley

A handwritten signature in black ink, appearing to read "M. Turley", is written over the printed name "Michael Turley".

CC:

RE: HVAC Warranties

After some discussion with the Contractor for the HVAC work, I have some updated information regarding the question of extended warranties. Currently there is a 1 year parts and labor warranty on all work after date of substantial completion. Warranty for the air handler is not recommended. They are basically a motor and coil and an air supply box which can be bought and replaced locally.

The Chiller could be considered for extended warranty. This unit has compressors and control components that could go bad. The supplier as presented through our Contractor are only recommending a parts warranty for the chiller. A 5-year parts warranty including compressor or circuit board or motors is \$3,250. A 5-year compressor only warranty is \$2,200. These warranties would have to be in place before the chiller leaves the factory which is scheduled for late January. So if an action were to be taken it should be at the January meeting.

The Contractor has said they don't get this request very often. It is likely that extended warranties may occasionally be written into the specifications. I don't have a recommendation except to share the Contractor's view that he doesn't often see this request and if we consider it – we should consider what the Supplier has offered related to the chiller parts and the two options. I think extended warranties are Often personal preferences. Myself, I rarely if ever purchase them, but acknowledge they could end up being beneficial.

OFFICIAL

TOWNSHIP OF NORTH HUNTINGDON

RESOLUTION NO. 1 OF 2022

Authorizing the Township of North Huntingdon to Enter into the Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., and Agree to the Terms of the Pennsylvania Opioid Misuse and Addiction Abatement Trust.

WHEREAS, the United States is facing an ongoing public health crisis of opioid abuse, addiction, overdose, and death. The Commonwealth of Pennsylvania and Pennsylvania local governments spend billions of dollars each year to address the direct consequences of this crisis; and

WHEREAS, since at least 2017, state and local governments in Pennsylvania and around the United States have been pursuing investigations and litigation against certain manufacturers, distributors, and retailers of opioid pharmaceuticals (the “Opioid Defendants”) in an effort to hold the Opioid Defendants financially responsible for the impact of the opioid epidemic on the County of Westmoreland and to recover resources necessary to combat the opioid epidemic; and

WHEREAS, negotiations to settle claims against several of the Opioid Defendants, specifically McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (the “Settling Defendants”) have been ongoing for several years; and

WHEREAS, negotiations with the Settling Defendants have resulted in proposed nationwide settlements of state and local government claims to settle the litigation; and

WHEREAS, the proposed terms of those proposed nationwide settlements have been set forth in the Distributors Master Settlement Agreement and the J&J Master Settlement Agreement (collectively “Settlement Agreements”); and

WHEREAS, copies of the Settlement Agreements as well as summaries of the main terms of the Settlement Agreements have been provided to the County; and

WHEREAS, the Settlement Agreements provide, among other things, for the payment of a certain sum to settling government entities in Pennsylvania including to the Commonwealth of Pennsylvania and Participating Subdivisions upon occurrence of certain events as defined in the Settlement Agreements (“Pennsylvania Opioid Funds”); and

WHEREAS, Pennsylvania local governments as well as the attorneys representing those local governments have engaged in extensive discussions with the Commonwealth’s Office of Attorney General (“OAG”) as to how the Pennsylvania Opioid Funds will be allocated, which has resulted in the Proposed Pennsylvania Opioid Misuse and Addiction Abatement Trust (the “Trust”); and

WHEREAS, a copy of the Trust has been provided to the County; and

WHEREAS, the Trust proposes to allocate the Pennsylvania Opioid Funds 15% to a Commonwealth Account; 70% to local governments in a County Abatement Account; and 15% to a Litigating Subdivision Account. For the avoidance of doubt, all funds allocated to Pennsylvania from the Settlements will be combined pursuant to the Trust, and 15% of that total shall be allocated to the Commonwealth of Pennsylvania (the “Commonwealth of Pennsylvania Account”), 70% to the County Abatement Account (“County Abatement Account Allocation”), and 15% to the Litigating Subdivision Account (“Litigating Subdivision Account”); and

WHEREAS, the Counties and Litigating Subdivisions, their Associations, such as the County Commissioners Association of Pennsylvania, and Counsel for the Subdivisions have participated in a series of meetings to draft allocation formulas. Those meetings have resulted in allocation formulas for the County Abatement Account and the Litigating Subdivision Account and established a Local Allocation Share under each Account for Eligible Local Subdivisions; and

WHEREAS, the County will receive its Local Allocation share only when it becomes a Participating Subdivision by signing the Participation Agreements to the Settlements.

NOW, THEREFORE, BE IT RESOLVED: the Township of North Huntingdon through its Board of Commissioners approves and authorizes to settle and release the County’s claims against the Settling Defendants in exchange for the consideration set forth in the Settlement Agreements and Trust Agreement including taking the following measures:

1. The execution of the Participation Agreement to the Distributors Settlement Agreement and any and all documents ancillary thereto.
2. The execution of the Participation Agreement to the Janssen Settlement Agreement and any and all documents ancillary thereto.
3. The execution of the Pennsylvania Subdivision Intrastate Allocation Participation Form agreeing to the allocations to the County Abatement and Litigating Subdivision Accounts and agreeing to be a beneficiary of the Pennsylvania Opioid Misuse and Addiction Abatement Trust.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Commissioners of the Township of North Huntingdon with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Adopted by the Township of North Huntingdon of Westmoreland County on this 19th day of January, 2022, with a quorum being present.

TOWNSHIP OF NORTH HUNTINGDON

Zachary J. Haigis, President
Board of Commissioners

ATTEST:

Michael Turley, Township Secretary

Memorandum

To: Board of Commissioners



Date: January 11, 2022
From: Ryan Fonzi, Director of Planning & Zoning
CC: Michael Turley, Interim Township Manager
Robert Robinson, P.E., Interim Township Engineer
RE: Kenny Ross Mazda Site Alterations

The Board of Commissioners approved plans for a new Kenny Ross Mazda dealership in March of 2021. The project is currently underway, however the owner has run into problems during construction. An existing gas line running the length of Hams Way is intruding into the development area for this site. If construction proceeds as approved, any excavation in this area on the western edge of the site will certainly damage the gas line.

The owner is requesting that the concrete curb is not installed along Hams Way to avoid the gas line. There are also a series of light poles that will interfere with the gas line as well. The owner would like to move these poles further into the site. Parking spaces in the immediate area will need to be shortened by 2 feet to accommodate the light poles. Since this is an inventory lot, and not for public use, this request is acceptable. The 24' aisle width will be maintained in this part of the parking lot.

Landscaping along Hams Way will need to be relocated as well. The applicant has shown more robust landscape islands on the north and south portions of the site to compensate. The overall percentage of landscaping is not changing and the applicant still proposes more greenery than is required by ordinance.

In addition to these alterations requested by the owner due to the gas line, he has two more requests. First is a small building addition on the western edge of the proposed building to house equipment that is larger than anticipated. The addition is 97sf in size and barely changes the building footprint. The dimensions are 7' x 14'. This addition does not create new impervious surface and does not protrude into the adjacent aisle way in the parking lot. The second request is the installation of a flag pole near the main entrance from State Route 30. The flag pole does not need separate permitting or approvals, the owner just wanted to make the Township aware.

Don Housley of KU Resources has reviewed the proposed changes and is in agreement with the applicant's revised drawings. All changes will be reflected on the as-built drawings when the project is complete.

At their January 10th, 2022 meeting, the Planning Commission recommended approval of these requested changes. These alterations include:

1. Eliminating the concrete curbing and landscape islands on the western edge of the site. The new paving will be flush with Hams Way and parking blocks will be added to each parking space along the roadway.
2. The landscaping will be relocated elsewhere on the site. The applicant is still proposing nearly 20% more landscaping on site than is required.
3. Light poles along Hams Way will be moved a few feet into the site to avoid disruption of the existing gas line.
4. Construction of a 97sf addition along the western side of the building to accommodate equipment.
5. The installation of a flag pole on the east side of the main entrance coming off of State Route 30 to sit on the site of the existing Subaru dealership.

Memorandum

To: Board of Commissioners



Date: January 11, 2022

From: Ryan Fonzi, Director of Planning & Zoning

CC: Michael Turley, Interim Township Manager
Robert Robinson, P.E., Interim Township Engineer

RE: S-25-2021, Tomasic Consolidation, Woodside Drive, R-4 Zoning

This is a consolidation involving two adjoining lots on Woodside Drive. Thomas and Denise Tomasic of 271 Woodside Drive own both lots. Their home lot is 0.425 acres in size and they wish to append the neighboring vacant lot that is 19.054 acres. After the consolidation, the resulting lot 1R will be 19.479 acres in size and exceeds the minimum dimensional requirements for an R-4 district.

At their January 10th, 2022 meeting, the Planning Commission recommended this plan for approval with no conditions.