

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
REGULAR MEETING, WEDNESDAY, APRIL 20, 2016, 7:00 P.M.
11279 Center Highway, North Huntingdon, PA 15642
Presiding Officer – Tony Martino, President, Board of Commissioners**

CALL TO ORDER

Commissioner Martino called the meeting to order at 7:00 P.M.

ROLL CALL

Commissioner Herold	Absent	Also Present:
Commissioner Haigis	Present	John Shepherd
Commissioner Bertani	Present	Michael Turley
Commissioner Gray	Present	Solicitor Craig Alexander
Commissioner Faccenda	Present	Lieutenant Rod Mahinske
Commissioner Kucera	Present	Andrew Blenko
Commissioner Martino	Present	Rich Albert
		Dan Miller

PLEDGE OF ALLEGIANCE

**Norwin Junior ROTC ó Presentation of Colors

OPENING PRAYER

The opening prayer was given by Reverend Nate Patnode from Norwin Church of Nazarene.

CITIZENS' INPUT

Justin Kucera ó 13710 Marven Drive ó states his name his Cadet Major Kucera with the Norwin Airforce Junior ROTC. He thanks the Commissioners for giving them the opportunity to present the colors and hand out the stars. Their unit is made up of one hundred thirty cadets and as a unit, they help the community. Their goal this year for community service was fifteen hundred hours. They exceeded that goal by hitting eighteen hundred plus hours. They help with the Fishing Derby, Race for Grace, and the Westmoreland County Food Bank. They can be contacted at the Norwin High School. Recently they raised over eight thousand dollars for the Wounded Warrier Project. A few months ago they did a Penny War in school and all the money raised was donated to a needy Knight. In total, they raised \$766.00 to donate.

Anthony Fragelic ó 13290 Ardara Road ó states that he had spoken at the previous meetings about Ardara Road and Leger Road and noticed Ardara Road is going to have some repairs to it. He is

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wondering if there is a breakdown of the phases for Ardara Road and if there is an update on Leger Road and the bridge. He states the last repair PADot had done to Leger Road has failed and caved over the hillside.

Karen Watkiss ó 851 Iris Drive ó states she is a lifelong resident of the Township and presently serving as the secretary treasurer of the Norwin Vet 2000 Committee who takes care of the memorial in front of the Town House. She is here on behalf of the committee to thank the Board for including the Veteran and Community Memorial on the Township's insurance policy and to thank John Shepherd in all the work he did in making that possible. This is a huge help enabling them to maintain the plaza over the years to come.

Marty McGill ó 10625 Roseway Boulevard ó states she is a lifelong resident of the Township. Last month at the meeting, she was uncomfortable by the casual suggestion of needing to add additional staff. When the time comes to add more staff, it should be posted on the Township website for any qualified Township resident to have the opportunity to apply for the job.

Andrew Lisiecki ó 11279 Center Highway ó states he has several things to bring up to the Board basically dealing with the meeting that occurred last Thursday that he was not present at and feels again that false and misleading statements were made about him and his conduct. The first question is are there any sanctions or disciplinary actions that can be taken against Commissioners for the treatment of their subordinates. The Township manual deals with how employees are to treat other people, supervisors, and subordinates and also how to treat the public. This is the second meeting in a row that Chief Lisiecki had been called a liar by one Commissioner and a professional liar by another Commissioner in front of the public. So what, if any, sanctions can be taken against the Commissioners for their unprofessional behavior.

The second issue he addresses is the young lady that was claiming she doesn't appreciate the way our military people are treated. There were implications from one Commissioner who requested an investigation be done on it. Chief states he would like to see an investigation be done on it. What he will not condone, nor should any member of the Board condone, is when an officer blatantly violates policy and procedure that have been in effect for years, first denying knowing about the policy and when shown that he did in fact know about the policy, then tries to throw up a federal law saying nothing can be done to him because he is in the military. In Chief's opinion, it is a slap in the face to every current and former military officer serving. Commissioner Bertani made a statement that he talked to the individual involved and Chief would like to know who that individual was because the Chief was also involved in it and Commissioner Bertani never addressed it with him. He would've told Commissioner Bertani his side of the story. If the Commissioners are going to suggest training for the Department Heads and Staff, then he would also suggest training for Bruce Dice and Associates because they are the ones that gave the recommendation that it did not violate federal law.

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Next, is the false and misleading statements that Chief Lisiecki conducted, along with the Manager, an investigation into the missing millings. That never occurred. Absolutely and positively never occurred. Commissioner Gray volunteered his name at the last meeting, Chief states he was called to a meeting in the Manager's office where Commissioner Gray had given information about the possibility of theft of millings and the improper use of personnel on Township time. The person that was relating this information didn't want to go public at the time. Chief's recommendation to Manager Shepherd then as it would be now, is it is a third party complaint. The second recommendation he made was if, in the future, more evidence or the person was willing to come forward that the investigation be turned over to another agency whether it be County, State, or Federal. He didn't want himself or another officer go through the political issues to conduct an investigation. His other recommendation was did anyone in fact go to the location to see if the millings were there. He states that he and Rich Albert went to the location to confirm that the millings were there. That's as far as they took it.

The last statement that was made was that Chief Lisiecki has a copy of the report from the investigation. He states that he will swear under oath, take a polygraph or a stress voice analysis test. He does not have a copy of the report.

To recap, Chief Lisiecki would like the following questions answered.

1. Are there sanctions or reprimands for Commissioners that verbally abuse employees at a public meeting?
2. Who talked to who about the military discrimination?
3. Who did Commissioner Bertani talk to that claims the Chief is discriminating against the military. He states he does not do anything without the advice of the Solicitor to make sure he does not violate policies and procedures.
4. Who claims that the Chief conducted an investigation and says he has a copy of the report?

RESPONSE TO CITIZENS INPUT

1. Justin Kucera ó Commissioner Kucera states a Dime to Donate fundraiser is coming up on May 4th at Applebees.

Commissioner Martino thanks the Junior ROTC for showing up tonight. Very good job.

Commissioner Bertani commends the Junior ROTC and states the program is doing great things for the community.

Commissioner Faccenda is impressed with the community service hours spent.

2. Anthony Fragelic ó Manager Shepherd responds that he has the phases for Ardara Road and can share the memo from the engineer. The first phase is the hill, then three to four

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phases in total. He states they are still waiting for formal feedback from PADot or the PUC regarding Leger Road.

3. Karen Watkiss ó no Board comments.
4. Marty McGill ó Commissioner Martino states that regarding the hiring within the Township, if a position is available, it will be posted on the website and will go through normal procedures.
5. Chief Andrew Lisiecki
 - a. Sanctions against Commissioners ó Solicitor Craig Alexander states there are no real sanctions against an elected official other than what is called a censure basically if the Board majority would agree.
 - b. Commissioner Martino states he would like to comment on the training for USERRA and ESGR. He states that the Directors, Bruce Dice & Associates, and Manager Shepherd will be involved, including Chief Lisiecki once he is back to work.
 - c. Military Issues ó Commissioner Bertani addresses Chief Lisiecki in stating he does not believe he ever stated his name. He states he said Department Director, not calling him out in public without the opportunity to defend himself. Commissioner Bertani states he will discuss privately because it is a personnel matter, however he did speak with these individuals along with Commissioner Martino. Regardless of what policies there are, USERRA will supersede it.

Commissioner Gray states that they all have known about this issue for quite some time and spoke about it in Executive Session. In the policy, the Township makes up the difference in pay to make them whole so they don't lose any money. He believes the Township is in good position and have treated the military members very fairly and very well for that matter.

Commissioner Martino states he has been working with these individuals but also working with Solicitor Alexander to get things taken care of.

Manager Shepherd states he consulted with Commissioner Gray because he was the only to speak along with Solicitor Dice regarding the policy.

Commissioner Bertani states he believes the issues have been resolved but the fact there were still issues that should have never been or should of never happened.

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Commissioner Kucera references Andy Fragelic's question about the Leger Road bridge.

Manager Shepherd states they are awaiting information from the PUC.

Commissioner Gray clarifies that originally they expected a PUC Hearing in March.

Manager Shepherd states that at one point there would be a hearing but never a confirmed date.

APPROVAL OF MINUTES

Motion: Commissioner Haigis Motion to approve. (Special Meeting ó 3/10/16)

Second: Commissioner Bertani

Motion Carried 6 ó 0 ó 0

Motion: Commissioner Bertani Motion to approve (Regular Meeting ó 3/16/16)

Second: Commissioner Faccenda

Motion Carried 6 ó 0 ó 0

PAYMENT OF BILLS

Motion: Commissioner Haigis I make a motion we pay Voucher No. 72005 through

Second: Commissioner Bertani Voucher No. 72099.

Motion Carried 6 ó 0 ó 0

STAFF REPORTS

PUBLIC WORKS REPORT

Commissioner Faccenda thanks Rich Albert and Tab Fyock for cutting up three large trees that fell at Hilltop Park. He asks that in light of the two recent loss time accidents, are there safety meetings that are held either quarterly or monthly.

Mr. Albert states that he typically does safety meetings with the employees more in the winter months because there is more time. He typically does four to five meetings per year.

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Mr. Albert updates the Board on the paving program. Tomorrow they have the pre-construction meeting with Liberoni Inc. who is doing the paving this year. This is a new company that we never worked with before. The paving company would like to start early, possibly the end of April.

Manager Shepherd states the paving company will probably come back again in June, July or August to finish.

Commissioner Gray states that is great news.

PARKS AND RECREATION REPORT

Dan Miller is not present at the meeting. There are no Board comments.

POLICE REPORT

Lieutenant Mahinske reports the Police Department got the Silver Community Award for traffic safety for 2015. They also received a thermal imaging camera from Larimer VFD. They upgraded their equipment and donated an older piece of equipment to the police department.

Commissioner Bertani asks if any data was collected on Clay Pike at Brokers Lane.

Lieutenant Mahinski states they were able to collect quite a bit of data. There were some very high speeds recorded but occurred at 1:00 A.M. The average speed was within the realm that would not have been able to be cited under State Law.

Manager Shepherd states he will give the data to the traffic engineer along with the accident reports that occurred in that area.

EMERGENCY MANAGEMENT REPORT

There are no Board comments.

PLANNING AND ENGINEERING REPORT

FIRE OFFICIAL'S REPORT

- There are no Board comments.

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SUBDIVISION & LAND DEVELOPMENT APPLICATION REPORT

- 1) Action to adopt a Resolution which reapproves SP-01-2014, Tuscan Hills Subdivision Phase I, Barnes Lake Road, R-2 Zoning.

Motion: Commissioner Haigis
Second: Commissioner Gray

Motion to approve.

Motion carried 6 ó 0 ó 0

SOLICITOR'S REPORT – Solicitor Craig Alexander

- 1) Action to adopt Proposed Ordinance No. 3 of 2016 granting approval, adoption and entry into the Seventh Amendment to the Service Agreement with Western Westmoreland Municipal Authority.

Motion: Commissioner Gray
Second: Commissioner Haigis

Motion to approve.

Motion carried 6 ó 0 ó 0

TOWNSHIP MANAGER'S REPORT

- 1) Action to approve the March check register.

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to approve.

Motion carried 6 ó 0 ó 0

- 2) Budget Report ó March 2016 Report.

- 3) Action to approve a tax refund to Dana Hochman, Tax Map #54-01-15-0-026 in the amount of \$13.39.

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to approve

Motion carried 6 ó 0 ó 0

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- 4) Action to reappoint Paul Dumnich to a six year term as an alternate member of the Civil Service Commission. His term expired on April 20, 2016.

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

- 5) Action to appoint John Shepherd as the authorized agent to execute agreements for the 2016 Snow Storm Disaster Declaration.

Motion: Commissioner Bertani
Second: Commissioner Haigis

Motion to approve.

Motion carried 6 ó 0 ó 0

- 6) Action to award the bid for Phase 1 Ardara Road Reconstruction to Tresco Paving in the amount of \$165,473.80.

Motion: Commissioner Kucera
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

- 7) Action to appoint Seasonal Public Works Department employees contingent upon successful completion of pre-employment drug and alcohol testing at the rate of \$10.00 per hour:

Nathan Hursh
William Kerr
Shaun Prines
Daniel Kiester

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

Commissioner Gray asks that all the candidates meet the policy requirements.

Manager Shepherd states all candidates are required to meet the requirements.

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- 8) Action to appoint Seasonal Parks & Recreation Department employees contingent upon successful completion of pre-employment drug and alcohol testing at the rate of \$10.00 per hour:

Rob Duffy
Jesse Hooke
Brandon Naretto
Charles Huss
Davis Kuhn
Joe Papp
Devin McCurdy
Sean Bowen

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 6 ó 0 ó 0

- 9) Action to hire Matt Stewart for the position of Summer Intern in the Planning and Zoning Department at an hourly wage of \$10.00 contingent upon successful completion of pre-employment drug and alcohol testing.

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to approve.

Motion carried 6 ó 0 ó 0

- 10) Action to approve for the Hops N Pops 13180 Route 30 the submittal of the PADot highway occupancy permit application and approval of the agreement between 13810 Holdings, LLC and the Township for enclosed Storm Water Facilities.

Motion: Commissioner Faccenda
Second: Commissioner Haigis

Motion to approve.

Manager Shepherd states this is the first commercial application that because of PADot's policies, the Township is getting involved in their drainage within their right of way. Manager Shepherd states he doesn't feel there is any way around this if we want to see development occurring in the Township. He states he would rather not be in this position, but there are no options around it. The agreement provides for bonding that in the event there is a problem with the drainage within the State right of way of a private property owner, there is money there that can be utilized to fix it. Even though the Township is agreeing to take care of it, ultimately there is bond money in place and mechanisms in place in case something would happen to the bond money the property can be liened.

Motion carried 6 ó 0 ó 0

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11) PADot Winter Maintenance Agreements ó discussion.

Commissioner Martino states he would like get some feedback from the meeting.

Commissioner Kucera states there are a lot of roadways that could better serve our citizens that our trucks go down anyway. This would have to be discussed as to how much to get paid per mile. There are a few roadways that just as far as winter maintenance such as Colonial Manor Road that our trucks go on anyway. There is no reason we couldn't salt and plow it if economically it benefited the Township.

Commissioner Faccenda states that Brownstown Road is a main artery for a lot of his ward to get to Route 30.

Commissioner Kucera states some of the other roads looked at Skellytown Road, Maple Lane, Colonial Manor Road and Carpenter Lane. The only question would be how much material would our trucks have to carry and how many trips would it take to fill back up. Also, would more personnel be required.

Mr. Albert states it would be very problematic for the Public Works Department do winter maintenance on State Roads. Yes, the crews travel those roads to get to Township streets but the trucks are not capable of carrying enough material to be able to do both Township and State roads. The cost has also increased with the amount of money of what they are paying for winter maintenance per mileage. He states Commissioner Herold requested winter maintenance on Guffy Road, but how would you pick which road to do maintenance.

Manager Shepherd states that one of the interesting things that got attention was when PADot published a newsletter that talked about the cost reimbursement for the program but learned that the actual cost reimbursement isn't really a cost reimbursement just a little more per mile. He states the Township would still spend money on this and would never be a break even situation.

Commissioner Kucera states PADot uses the combination of salt and anti-skid whereas the Township uses salt.

Mr. Albert states the State uses a mix of sodium and anti-skid with small aggregate compared to the treatment the Township uses as straight sodium.

Commissioner Haigis states he would not be in favor of entertaining anything of this nature. He did not hear any complaints this past winter about the maintenance. He feels the Township cannot take any more roads on even if money was spent to buy a few more trucks along with additional staff.

Mr. Albert states that money would need to be spent. Currently there are six hundred plus streets and one hundred sixty miles of road. He can recall to go out and put one treatment down would take a little over two hours and now with all the new development, it takes over three hours to put one treatment down.

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FURTHER BOARD COMMENTS

Commissioner Gray states he had spoken with Manager Shepherd about the condition of the Town House. The front, the shutters, and the paint stains. He states he has been approached by a few citizens stating it should be in better condition.

Manager Shepherd he just met with the architect who is helping draw up the plans. Ryan Fonzi from the Planning & Zoning Department is assisting with the plans since he was involved with the ADA improvements. Currently, plans are being put together for the exterior repairs, along with improvements to shutters, soffet and facia, the parking lot, repairing stairs, etc. The inside of the building will also be looked at to finalize the bathrooms for ADA improvements along with terrazzo floors to be refurbished, meeting rooms, etc. This will be brought back to the Board sometime this summer and include it in the budget process for next year.

Commissioner Gray states he sent Manager Shepherd an email for everyone to be made aware that they are proposing a Marcellus Gas Powered electric plant on the other side of the river from Turner Valley in Elizabeth Township. He was contacted a few weeks ago from a resident from Elizabeth Township that is seeking support to stop the power plant. Commissioner Gray states he did not do that, but took information from her. The company is having a conditional use hearing this evening in Elizabeth. He also received an email from a resident from Knights Landing that raised the issue about concerns of pollution and noise.

ANNOUNCEMENTS

- 1) Parkview Community Federal Credit Union will be sponsoring a Community Shred Event on Saturday, May 14, 2016 at the North Huntingdon Town House parking lot from 10:00 A.M. until 1:00 P.M.

- 2) The North Huntingdon Parks and Recreation will be offering the Wildflower Walking Tours at Braddock Trail Park beginning on Saturday, April 2nd through May 14th at 10:00 A.M., weather permitting. Please call the Administration Office to reserve a space.

The Spring Yard Waste Collection is scheduled during the following weeks: April 5th, April 26th and May 10th on your regular day of trash service. Leaves and yard waste must be placed in biodegradable bags and placed at the curb by 6:00 A.M.

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ADJOURNMENT

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to adjourn. (8:07 P.M.)

Motion Carried 6 6 0 6 0

- Regular Meeting Minutes of April 20, 2016 were approved by the Board of Commissioners on _____

Tony Martino, President

John M. Shepherd, Township Secretary
/jjm