

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
REGULAR MEETING, WEDNESDAY, DECEMBER 21, 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 Bruce Dice
Commissioner Faccenda	Present	Andy Blenko
Commissioner Kucera	Present	Rich Albert
Commissioner Martino	Present	Dan Miller

PLEDGE OF ALLEGIANCE

OPENING PRAYER

The opening prayer was given by Reverend Terry Erwin from Norwin Christian Church.

CITIZENS' INPUT

1. Jennifer Kassimer ó 7546 Natale Lane ó states she is here to voice her concerns on the Hollybrook Plan. She voiced several concerns to the Planning Commission and have researched if further. Her first concerns relate to the stormwater management Ordinance. She proposes to further look at Article 4, Section G, No. 7 and No. 9. The plans do not show adequate drainage easements on the private property next to the development which is her parent's home. In No. 9, the Ordinance requests that you show the grade line, the material, distance and pipe size of each line in the storm drainage system with the plan immediate adjacent to the site. She states nothing was mentioned on the corner where it will connect to her parent's drainage which will create more run off without creating additional space for the water to go. Ms. Kassimer states the other Ordinance is Saldo No. 11 of 2000 drawing attention to 305.2. She states at the December 15, 2016 meeting, Mr. Blenko made a comment stating the property owners shouldn't complain about Maronda coming to fix the pipe. There is a pipe that runs under the property that is too small. Maronda is proposing a larger pipe however Ms. Kassimer does not feel it is adequate and are very leary of their promises and want everything in writing. She also states the original

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plan did not include sidewalks but since have added them and does not believe the line of site are valid. There have not be any easements approved by the private property owners. Finally the safety issues regarding the bus stop, Ms. Kassimer is requesting a transportation study be done to support some of the safety concerns.

2. Marianne Houck ó 1981 Clay Pike ó states she has lived there for twenty eight years and is concerned about the safety of the Hollybrook Plan. There have been many reportable and non-reportable accidents in this area. Cars go too fast on that road. She states she has a water problem and there are springs all over the property. She is concerned about when they start digging where the springs will re-route. She states she has a huge concern with the retention pond above her house when they start changing the course of the water. Ms. Houck states she wants everything in writing regarding her driveway. She states the Board needs to consider the safety factor for the kids. She spoke with Henry Fitz and he said they have line of site at the point on the bend.

Manager Shepherd states Henry Fitz is the County Engineer who reviewed and issued the permit for the access.

3. Joe and Cheryl Grgic ó 1976 Park Hill Road ó states he lives at the bottom of Park Hill Road and shares a driveway and right of way with neighbor Paul Reynold. He states he has lost a driveway and property because so much water comes down there since the bridge was redone upstream. He states his bridge is sinking, his driveway is caving in and lost four feet of dirt. He states he has been trapped on his property eight or nine times over the last couple of years and if something were to happen, there is no way somebody could get in there. Last summer, they met with PADot who put survey crews, painted lines, and placed flags and nothing has been done. He states his home is virtually worthless and somebody needs to do something upstream as he cannot afford to keep repairing this.
4. Paul Reynold ó 1978 Park Hill Road ó states he has repaired the bridge with cement and rocks to put pressure underneath the bridge to secure it. He states even Park Hill Road is eroding away. The last rain sent logs and huge trees down the stream. He has repaired his driveway three times and each time more and more is eroding away. He feels this is a safety concern if a gas meter would be hit.
5. Rich Siniawski ó 8064 Pennsylvania Avenue ó wants to thank Mr. Shepherd for putting up the signs on Pennsylvania Avenue for the deer crossing. Secondly, he thanks Dan Miller and the Parks Department for putting the bench in Braddocks Trail Park honoring Mr. Warren Gardner. Thirdly, he asks about the investigation that was sent to the District Attorney and where it stands.
6. Byron and Bethany Wardropper ó 12150 Wilshire Drive ó states they are there on behalf of their elderly parents who live at 8301 Tussey Lane. She states there is a major drainage

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problem on Lincoln Way. Her parents have lived there since 1970 and they have never seen flooding like they did on Sunday. This has gotten increasingly worse. She states she understands they live on a private road, however there were so many stumps, logs, debris and garbage that washed down. Machinery had to be used to clear the debris. If the bridge is not repaired, the next storm, either the bridge won't be there or emergency vehicles are not going to be able to go across it. She states the Township needs to look at this and figure out a way to correct it. The last time it was flooded was October 2013, you could not even drive on Lincoln Way. She states it was cleaned out this past October, but somebody is dumping upstream and causing this problem

7. Ben Capezuto ó 1881 Clay Pike ó states he is here in reference to the Hollybrook Plan. He states he has no interest in the plan itself however has concerns as to where the entrance will be. He witnessed several accidents on that bend and asks if the line of sight study was given on the inside of the bend or cars turning left into the plan and the school buses. He feels it is a huge safety concern.

RESPONSE TO CITIZENS INPUT

Commissioner Bertani recommends to discuss the Hollybrook Plan under the Planning and Zoning Report. Commissioner Martino agrees.

1. **PARK HILL ROAD** ó Manager Shepherd states that most of the Board is familiar with the location on Park Hill Road and himself and Andy Blenko have been there. The concern about the water is legitimate and the majority of the development in the area does not have storm water detention. He also states the homes do not have storm water detention. He states they have looked within the past few years trying to locate a place in the watershed to deal with a detention system. The Board funded the project at Lions Park on property owned by the Township to construct a detention pond to help Jacktown Acres in the amount of a quarter million dollars. He states the problem now is finding a place to put this facility because of limitation of property and to retain a significant amount of water.

Mr. Blenko states in the Long Run watershed there may be eight to ten detention ponds. The pond in Lions Park is a great start, but could use another twenty of those. The problem is there are very few places where there is a flat enough piece of ground to capture run off to protect downstream properties. There is a nice site between Wainwright and Lincoln Way that is all floodplain and can never be built on. He states he thought it would be a perfect place for the Township to build a massive detention pond, but the problem is you're building a pond on the stream. The DEP does not favor that because of wildlife. Mr. Blenko states every time a home is built, a driveway is increased or a garage or carport is put up, more runoff is created. He states the residents of Park Hill Road have three problems. The first being the twenty foot by four foot high bridge that they're trying to put the water flow through a 4 foot pipe under the driveway. Secondly, is the stream is

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jumping the stream channel and flowing through both yards. Thirdly, is there are no storm sewers on Park Hill Road.

Manager Shepherd states the Township has looked for property, however there are State Roads and even on Township roads, some roads have no solutions and some are private property issues.

Commissioner Gray states he is very familiar with this area and has been down there many times. If anyone had come up with any kind of solution, the Township would have pursued it. He states Manager Shepherd summed it up the best in saying there is no where to do anything. The areas are either flat or at the bottom of a valley.

Manager Shepherd states the property that Mr. Blenko reference earlier that could be considered, the hurdle would be extremely high in getting permits from the DEP but also a federal permit from the Army Corp of Engineers. It would be very complicated and expensive but also very time consuming.

Commissioner Gray states sometimes it would be better to buy the properties but no one would want that.

2. **RICH SINIAWSKI** ó Manager Shepherd reports the report was turned over to the District Attorney who forwarded it to the Attorney General and he believes it is being investigated, but at this point do not have any response yet.

APPROVAL OF MINUTES

Motion: Commissioner Haigis Motion to approve. (Public Hearing ó 11/10/16)
Second: Commissioner Bertani

Motion Carried 6 ó 0 ó 0

Motion: Commissioner Faccenda Motion to approve (Special Meeting ó 11/10/16)
Second: Commissioner Bertani

Motion carried 6 ó 0 ó 0

Motion: Commissioner Haigis Motion to approve (Public Hearing 11/16/16)
Second: Commissioner Faccenda

Motion carried 6 ó 0 ó 0

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Motion: Commissioner Bertani
Second: Commissioner Faccenda

Motion to approve (Regular Meeting 11/16/16)

Motion carried 6 6 0 6 0

PAYMENT OF BILLS

Motion: Commissioner Haigis
Second: Commissioner Bertani

I make a motion we pay Voucher No. 73292 through
Voucher No. 73397.

Motion Carried 6 6 0 6 0

STAFF REPORTS

PUBLIC WORKS REPORT

There are no Board comments.

PARKS AND RECREATION REPORT

There are no Board comments.

POLICE REPORT

There are no Board comments.

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) S-19-2016: Hollybrook Plan, Clay Pike, R-2 Zoning

Action to adopt a Resolution approving a subdivision plan to create twenty eight single-family lots.

Mr. Blenko states he would like to list the nine recommended conditions for approval.

1. Approval of the stormwater management and erosion control plans by the Westmoreland Conservation District.
2. Sewage planning approval from NHTMA and PA DEP.
3. Stream crossing permit for the proposed pipe culverts from PA DEP and the U.S. Army Corp of Engineers.
4. Installation of a replacement / additional culvert pipe at the downstream driveway crossing subject to design approval.
5. The applicant / property owner shall enter into a stormwater operation and maintenance agreement with the Township which will be recorded at the Westmoreland County Recorder of Deeds.
6. The developer must obtain the necessary off-site easements for drainage and sanitary sewers.
7. Review and approval of the Homeowners Association documents by the Township Solicitor.
8. Resolution of any remaining engineering review items.
9. The developer will enter into a Developers Agreement and provide bonding for public improvements.

Mr. Blenko feels some of the issues raised by the Houcks and their daughter are addressed by this conditions, but he will only say that with regard to the sight distance that have been brought up, Westmoreland County owns Clay Pike and control how people access it and at what locations and the approach angle. In October, they issued their approval for the entrance into the plan. He states he does not feel the fact that there could be an accident is a justifiable reason for the Township to deny the plan when there has been an approval for the access to Clay Pike.

Motion: Commissioner Haigis

Motion to approve.

Second: Commissioer Gray

Commissioner Bertani states he still has concerns over this and agrees with the residents on the safety concerns. He states he spoke with Ted Kopas who said the County's stance is it meets the standards for sight distance, therefore they issued the permit. That stretch of road has a history and he feels it warrants further traffic studies to determine what it is going to do to the flow of traffic by having an entrance to a housing plan on that bend. He has major concerns about that and having kids standing for the bus.

Commissioner Kucera states he too has a problem with it. They did a traffic study and the gentleman made a comment about it being sixty mile per hour for a sight distance, but people are

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not paying attention when they are driving and has concern about putting a school bus stop there plus the back up of cars. He feels they need to go back to the drawing board and come up with a way to get a school bus into the plan to pick up kids.

Manager Shepherd states that school buses can go into the plans, it's just something that the bus companies want to do primarily because of time issues. A lot of kids, these days, do not walk to a school bus rather get picked up at their homes.

Commissioner Kucera states putting a cement pad for a bus stop on Clay Pike is a target.

Commissioner Martino states his main concern is the kids standing on Clay Pike.

Commissioner Haigis states he has the same safety concerns and suggests reaching out to the school district, but with the conditions and the approval, he cannot see how they can deny it.

Commissioner Gray states he has all the same safety concerns and suggests having the kids walk towards the cul de sac instead of the road. He asks is there a legal basis to deny the plan and have the judge decide. Do the tax payers want to spend the money to fight if they get an appeal or suit.

Solicitor Dice states that when you leave a Township street to go onto a Federal Highway or County Road or State Road, the Township does not have authority to regulate what goes on those roads. If the issue is on a Township road, then the Township has jurisdiction to impose various regulations but not on a State or County Road.

Commissioner Gray asks Mr. Blenko is a condition to increase the size of the cul de sac or another accommodation for the school bus.

Commissioner Haigis states the cul de sacs are big enough for the bus to turn around, it's the school district's concern about cars being parked on them.

Solicitor Dice states there has to be a legitimate reason to deny and be able to say the cul de sac is not sufficient or the judge will state there are no good grounds for denial.

Manager Shepherd states the key is to not have cars parked in the cul de sac.

Mr. Blenko states the cul de sac, as designed, is large enough for a bus to turn around, there just cannot be cars parked there and the school district is willing to do it.

Solicitor Dice states Westmoreland County has jurisdiction over the sight distances and the Township cannot say anything about it.

Mr. Blenko states the sight distance is calculated in the driver's seat of a motor vehicle, not from the sidewalk. The sight distance was over six hundred feet in each direction. The requirements are three hundred ninety feet in one direction and almost twice that in the other direction. Another option could be surrounding the cement pad with guiderail.

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Manager Shepherd states the County would work with the Township in installing guiderail.

Commissioner Bertani states that because Clay Pike is a County road, the Township's hands are basically tied because they issued the permit and sight distance.

Solicitor Dice said that is exactly what he's saying.

Manager Shepherd states Ordinances are reviewed section by section, line by line. If the Board decides to deny a plan, but if the requirements of the Ordinance are met, you have to itemize the reason why.

Mr. Blenko states there are still some minor outstanding issues to get final drawings on but he believes they will meet every provision of the Ordinance and have not asked for any waivers or modifications.

Solicitor Dice states waivers or modifications can be denied. You cannot deny if it meets all the criteria of the Ordinance. People have a right to develop their property even though others may not like it especially if it's in accordance with the Ordinance.

Commissioner Kucera asks about the stormwater conditions.

Mr. Blenko states the two main issues with stormwater management are the detention pond has an emergency spillway which will discharge across the Gongaware property. They need to obtain an easement from the Gongawares for the drainage. The other is the culvert that goes underneath the shared Gongaware / Houck driveway which is a fifteen inch pipe but should be a thirty six or forty two inch pipe. The developer has agreed to put in a larger pipe by either a second pipe or replace the existing pipe with a larger pipe. Mr. Blenko states he is a little concerned if the Houck's say no.

Manager Shepherd states a problem with that is it is off site in which you cannot make them do it. He also verifies that we had no stormwater pond that failed this past weekend.

Motion carried 6 ó 0 ó 0

2) S-25-2016: Gebrosky Plan, Rose Street, R-1 Zoning

Action to adopt a Resolution approving a boundary line revision involving two adjacent lots on Rose Street.

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

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3) SP-11-2016: La Bellezza Spa Site Plan, 12300 Route 30, C-1 Zoning

Action to adopt a Resolution accepting the application to build out the lower level of the existing building.

Motion: Commissioner Faccenda

Motion to approve.

Second: Commissioner Bertani

Motion carried 6 ó 0 ó 0

SOLICITOR'S REPORT – Solicitor Bruce Dice

- 1) Action to adopt Proposed Ordinance No. 7 of 2016 of the Township of North Huntingdon, Westmoreland County, Commonwealth of Pennsylvania, providing for tax exemption for improvements to eligible properties pursuant to the Local Economic Revitalization Tax Assistance.

Motion: Commissioner Haigis

Motion to approve.

Second: Commissioner Faccenda

Motion carried 6 ó 0 ó 0

- 2) Action to adopt Proposed Ordinance No. 8 of 2016 of the Township of North Huntingdon, Westmoreland County, adopting the 2017 Budget of the Township of North Huntingdon and providing provisions for the amending of the 2017 Budget.

Motion: Commissioner Faccenda

Motion to approve.

Second: Commissioner Bertani

Motion carried 6 ó 0 ó 0

- 3) Action to adopt Proposed Ordinance No. 9 of 2016 of the Township of North Huntingdon, Westmoreland County, affixing various tax rates for the year 2017.

Motion: Commissioner Haigis

Motion to approve.

Second: Commissioner Kucera

Motion carried 6 ó 0 ó 0

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TOWNSHIP MANAGER'S REPORT

- 1) Action to approve the November check register.

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

- 2) Budget Report ó November 2016 Report.

- 3) Action to approve a Tax Refund to Robert M. and Cherie O'Neal in the amount of \$87.54 due to a catastrophic loss in accordance with the November 28, 2016 letter from Westmoreland County.

Motion: Commissioner Bertani
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

- 4) Action to accept the resignation of Ernest Furno from the Recreation Board in accordance to the November 15, 2016 letter.

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 6 ó 0 ó 0

- 5) Action to approve the addendum to the Waste Management Contract expiring on December 31, 2019 to address over-filling of commercial dumpsters.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 6 ó 0 ó 0

- 6) Action to approve the AFSCME Labor Contract with a term beginning January 1, 2017 and ending on December 31, 2021.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Commissioner Gray states he has a concern the new language about declared emergencies which is a sudden, unforeseen event which requires immediate action to protect lives and/or property. He quotes ñin the event of an emergency that requires action to protect lives and property, the Township, prior to instituting any changes, will meet with Union officials to explain the situation and the measures being taken by the Township. He feels this is ludicrous and putting language in there to ask permission to protect the lives and property of the Township residents. He feels the last two sentences should be stricken. He states the language reads Union officials will be readily

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available to meet in the event of an emergency. He states they cannot require anyone to do anything and if for some reason they are not available, does that mean the Township cannot act to protect lives and property. What if the Union officials are involved in the emergency in another capacity and not available. He feels the Board should strike the language and give back to the Union to vote on and then adopt it. He has no problem with the rest of it.

Commissioner Haigis states he agrees with Commission Gray in the event of an emergency where they need to get Public Works out, but also have to organize a meeting with Union officials for approval makes it more difficult.

Commissioner Gray clarifies it is not so much about getting our people out there but getting an outside contractor instead. He states in the event for immediate action to protect lives and property, they are going to do it. Why does that language need to be in there. It will only create problems later. He states he is willing to strike it and wait to vote.

Motion: Commissioner Gray
Second: Commissioner Haigis

Motion to table.

Motion carried 6 ó 0 ó 0

7) Action to adopt the Salary Scale Resolution for 2017.

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to approve.

Motion carried 6 ó 0 ó 0

8) Action to adopt the Salary and Wage Resolution for 2107.

Motion: Commissioner Faccenda
Second: Commissioner Haigis

Motion to approve.

Motion carried 6 ó 0 ó 0

9) Action to accept Storm Sewer Easements from:

- Eric Belak
- John Removcik and Bonnie Stecik

Motion: Commissioner Bertani
Second: Commissioner Faccenda

Motion to approve.

Commissioner Gray asks what this is related to.

Manager Shepherd states these are adjoining properties, each property with a ten foot easement for a total of twenty feet. This will be to alleviate flooding on Wainwright Drive where one of these properties that has significant flood damage in the house.

Commissioner Gray asks that it is not for yard damage or soggy yards.

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Manager Shepherd states it is significant structural damage multiple times.

Motion carried 6 ó 0 ó 0

10) Action to adopt revisions to the following personnel policies:

- Disciplinary Action
- Life and Disability Insurance
- Travel Expenses

Motion: Commissioner Faccenda

Motion to approve.

Second: Commissioner Haigis

Motion carried 6 ó 0 ó 0

11) Action to approve an invoice for The Stereoshop in the amount of \$2,548.96. This invoice is for work recently completed for the Emergency Management Center.

Motion: Commissioner Haigis

Motion to approve.

Second: Commissioner Faccenda

Commissioner Gray asks what did this include.

Mr. Bob Merta from Emergency Management states the overall project is a huge screen in the training room for presentations. He states the Stereoshop went out of their way to complete this project. There is a seventy five inch tv instead of a fifty five inch tv in which the Stereoshop gave a very good price. It also includes HDMI inputs on both tvs where you can plug in laptops. They did a very nice job on the installation.

Motion carried 6 ó 0 ó 0

12) Action to waive the building permit fee for Circleville Volunteer Fire Department in accordance with their December 18, 2016 letter.

Motion; Commissioner Haigis

Motion to approve.

Second: Commissioner Faccenda

Abstain: Commissioner Bertani and Commissiioner Martino

Motion carried 4 ó 0 ó 2

13) Action to approve the side letter agreement with AFSCME concerning LaVonne Shields.

Motion: Commissioner Haigis

Motion to approve.

Second: Commissioner Bertani

Motion carried 5 ó 1 ó 0

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FURTHER BOARD COMMENTS

No further Board comments.

ANNOUNCEMENTS

- 1) Westmoreland Cleanways is sponsoring a live Christmas tree recycling drop-off at the Public Works Building every Saturday and Sunday in January from 8:00 A.M. to 4:00 P.M. Please be sure to remove all decorations and tree bags before disposing.

- 2) North Huntingdon Parks & Recreation is sponsoring a Mardi Gras Ball on Saturday, February 18th from 5:00 P.M. until 9:00 P.M. at Stratigos Banquet Center. Tickets can be purchased only at the Town House on Saturday, January 14, 2017 from 9:00 A.M. until 12 NOON, payable by cash or check only. Please note: there is a ticket limit of 4 per person.

ADJOURNMENT

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to adjourn. (8:36 P.M.)

Motion Carried 6 ó 0 ó 0

- Regular Meeting Minutes of December 21, 2016 were approved by the Board of Commissioners on _____

Tony Martino, President

John M. Shepherd, Township Secretary
/jjm