

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
SPECIAL MEETING, THURSDAY, APRIL 15, 2010, 7:00 P.M.
11279 Center Highway, North Huntingdon, Pa 15642
Presiding Officer – Lee D. Moffatt, President, Board of Commissioners**

CALL TO ORDER

Mr. Moffatt called the meeting to order at 7:00 P.M.

ROLL CALL

Commissioner Herold	Present	Also Present:
Commissioner Haigis	Present	John M. Shepherd
Commissioner West	Present	Bruce E. Dice
Commissioner Gray	Present	Michael M. Turley
Commissioner Martino	Present	Andy Blenko
Commissioner Austin	Present	
Commissioner Moffatt	Present	

PLEDGE OF ALLEGIANCE

CITIZENS' INPUT

Bob Shuster, 8958 Hill Drive: He is there about the Third Party Inspection request for proposals on the agenda. He builds in many communities and some of them have delayed customers as much as two months. He waited for one inspector for seven days and you can't wait that long when pouring concrete. They send out people who aren't qualified as he had one person who didn't know what went in a footer. They have held up inspection reports and then he can't get paid. RWS is paying about \$1,000 a house for building permits. Wal-Mart is about \$30,000 building permit. Those inspectors get \$40,000 to \$50,000 a year and RWS pays enough in building permits to pay their salaries now. If you get an outside inspection, you will need someone in the Township to follow through with it. He wants all the houses inspected that are being built to make sure they are up to the PA code standards. There are also costs to the homeowner because of the delays with the outside inspectors. Not many contractors build houses the way he does. In another Township, the inspectors didn't know that the sewer lines didn't belong to them and he had to call another municipality to get the lines inspected. As far as costs on a house, for a \$320,000 house, there are \$38,000 of taxes and fees. North Huntingdon charges \$3,000 for a sewer tap, Western Westmoreland Municipal Authority charges \$1,500 for a sewer tap and then \$1,500 for a building permit.

- 1) Presentation by Diane D. Selvaggio, Executive Director, Turtle Creek Watershed Association.

Diane Selvaggio, Turtle Creek Watershed Association: North Huntingdon has the largest mine discharge in Pennsylvania. It comes out underneath Alfieri's Metal Co. and goes down Tinkers Run into the creek. The discharge is the primary contamination in Brush Creek. The iron is high

April 15, 2010

and the stream is not an economic or aesthetic asset to the Township. The iron is a pollutant now but can become a valuable asset.

Bob Hedden, Hedden Environmental: He has been working with the Turtle Creek Watershed for seven years on the discharge. He has worked with the Sewickley Creek Watershed on some of their projects that have been successful. The discharge has been there for decades and every so often, someone tries to come to figure out what to do about it. The latest is the Growing Greener funded project through the Westmoreland County Industrial Development Corporation that hired his company to see if the new technologies were amenable to the Irwin Discharge. This discharge is suited for passive treatment. This is a large discharge and it will take the whole community to make it work. DEP is behind it because it is on the list of degraded streams. Brush Creek can be fixed. The miners combined all the water and mines into one point and have it come out at Tinkers Run discharge point. He and other people can take the iron sludge and turn it into a marketable product. They have been able to sell iron oxide produced from the Lowber site and the Wilson Run site. Water can be treated and electric can be produced and geothermal is possible. The passive systems are ponds and wetlands. You hold the iron back in the ponds and the wetlands polish the water and then there is a clear discharge. The problems they have now are muskrats and geese. There have been no problems with mosquitoes as this is an ecosystem.

Ms. Selvaggio said the concept plan is to pipe the water further downstream to the Barner Hill area where there is enough land to build the system.

Mr. Hedden said to do a passive system and they need 60 acres of land. There is property owned by Norfolk Southern and they will talk about it but it costs money to talk to them. There aren't many people who want to jump on board. Sewickley Township bought the property first and then did a model project. To clean up the creek, they may have to do several discharges. He feels it can be done but they need community support.

Ms. Selvaggio said they have talked to landowners and some are interested although Mr. Woomer is not interested in doing anything with his land. They are hoping to get better contacts with the landowners and Kriebel Resources.

Mr. Gray asked if the presentation was more informational or what are they looking from the Board and if they were competing with Kriebel.

Ms. Selvaggio said they are not sure about Kriebel. There are no efforts to make people understand that there are economic benefits.

Kevin Astley: This is a nice place to live, but there isn't much to do here. There is talk about building a community center. If the plan is successful to clean up the stream, that could be stocked with trout and there would be a place to fish locally. He is involved because he helps out with the Watershed and is a fireman with Larimer Fire Department and is on the Code Hearing Board.

Ms. Selvaggio said if the Township was engaged actively with the oil and gas drillers, it would be perceived differently. The ponds in Lowber are flowing and the fishing has improved.

April 15, 2010

Mr. Hedden said Upper St. Clair did a successful project with the help of a commissioner and a steering committee.

Mr. Moffatt asked if a steering committee was set up.

Ms. Selvaggio said not for this project, but they would like one.

Mr. Herold asked if there was funding available.

Ms. Selvaggio said they were awarded a Growing Greener grant for the second phase. It will be expensive to build the system and if legislators are involved, it is easier to get funding.

Mr. Hedden said there is Federal money for reclamation of abandoned mines in the next 10 years. Thirty percent of the money can go to mine water treatment. The funding now is to organize a team to put together the plans and specs for the project and they are ready to keep going.

Ms. Selvaggio said the Office of Surface Mining has funding to purchase property.

Mr. Gray asked about a regulation later on that would put it on the Township.

Ms. Selvaggio said the total maximum daily load regulations are getting ahead and this could get thrown back on the municipality.

Mr. Moffatt asked if the Watershed sells the 1,000 lbs. of sludge.

Mr. Hedden said he has been selling it and paying Sewickley \$10/Ton. He has developed the technology to get it out. They will be doing that this summer at St. Vincent's College.

2) Flood Mitigation RFP – discussion.

Mr. Shepherd said this is in the budget for \$30,000 to deal with flood related issues in the Township. They have the RFP to solicit proposals from firms for engineering and technical services. They need authorization to put this out to get proposals from interested parties and bringing it back to the Board. This will be an as needed consultant and if the Board agrees, they will move forward.

The Board agreed to move forward with it.

3) Third Party Inspection Request for Proposals – discussion.

Mr. Shepherd said this would be to assist the Planning and Zoning Department to help with building and also code work. The budget includes \$25,000 to utilize a Third Party Inspector. The Third Party would supplement the employees and not be a replacement. This helps pick up the slack.

April 15, 2010

Mr. Blenko said he is not sure that is where they need the help. He needs help with site inspection of new developments. When they have used an outside firm in the past in a new development, when you call them you get someone different and he has to take the time to explain all the work and make copies and by that time, he could have done it himself. For code enforcement, Mr. Stitt has plenty of time available. He feels Mr. Stitt is not proactive. When he gets a call, he is out the door and on a complaint as soon as someone calls it in. He has a problem with that because he doesn't feel Mr. Stitt is out looking for complaints. It is up to the Board if that is what they want or don't want. He would rather see him out on the road looking for problems than sitting at the desk reading his code enforcement manuals. At the level of new home construction and building permit work, they aren't having a problem covering it. It is a good idea to have someone on hand to stand in. He has heard from other municipalities that they have had problems with the third party inspectors in not being responsive or getting good information back.

Mr. Moffatt asked if Mr. Fonzi could be used and if he was qualified to inspect the roads.

Mr. Blenko said he doesn't have the background. Mr. Morrison had suggested the idea of an engineering technician who would help out with code enforcement and building inspection but mostly with the field work. The Board was concerned about the decline in building and having another person on staff.

Mr. Moffatt said they should be looking for a consultant for an engineering technician. They use services during the paving program and would that be the same services.

Mr. Blenko said it would be the same services. He has worked in that area and the problem would be is that the goal of those companies is to keep all the inspectors employed. Sometimes they are so spread out that they spend more time driving than inspecting. You need someone who can be in the community all the time.

Mr. Shepherd said there is value in having an engineering firm they can use as needed. When Mr. Blenko was originally hired, he was not to handle all the engineering. There was money for outside consulting services because he couldn't do it all but could get a lot done. They get an outside consultant for the road program every year. It would be beneficial to select a firm on an as needed basis.

Mr. Martino asked Mr. Blenko if he would rather hire someone to work in that position than to go to an outside firm.

Mr. Blenko said under their situation now, they don't need another building inspector because Mr. Stitt and Mr. Evers have been getting all their certifications. There is more of a need for someone who can help out with inspections. His concern is if they hire in-house, could he be busy full time but if they get outside help, and you use them for a third of a work year, you will be paying them what you would pay someone for a year.

Mr. Herold asked if Mr. Fonzi could pursue aspects of the job to be used more.

April 15, 2010

Mr. Blenko said he doesn't know if Mr. Fonzi has the time and that you can turn someone into an engineer without engineering background. It would be better for someone with an engineering background or has worked for a construction company. They need someone with knowledge.

Mr. Martino said they should take the \$30,000 and keep it in-house. He is not in favor of the Third Party Inspection request.

Mr. Gray said it doesn't seem to suit what Mr. Blenko needs. New construction is not the issue but site plan review and those types of bigger issues. For code enforcement, they are proactive but you can be proactive and also reactive. This seems to work for us.

Mr. Blenko said if they hire an outside consultant, it is hard to have someone around when needed. You need someone who knows what to do.

Mr. Moffatt said the Third Party Inspection doesn't have any support. He could bring a proposal for a consultant to help.

Mr. Blenko said he would really like an engineering technician who knows about storm water issues and knows about construction and roads. They can handle the inspections in-house.

Mr. Shepherd said they can put proposals together for an engineering firm. It was discussed a year ago for a full time person and decided there wasn't a need. With a consultant, you don't have direct control over them. If the Board doesn't want a staff person, they need someone to assist.

Mr. Herold said they could use the consultant to do the road program also.

Mr. Blenko said the road program involves more than inspection, but they could use the same person.

Mr. Moffatt said he would like to get a consultant possibly with a two year contract.

The Board agreed with that.

4) E-Gov website – discussion.

Mr. Shepherd said it is in the budget for the re-development of the website. They need assistance with hosting the web page and with management of it. Mr. Turley looked at companies and they already use E-Gove for the work orders. They came back with a good proposal and price. It was budgeted between \$10,000 and \$15,000 and the number is lower.

Mr. Moffatt asked what they pay a host now.

Mr. Shepherd said there are no fees other than registering the domain name. The original web page was designed internally and then they got Front Page but it is old and won't be supported anymore.

April 15, 2010

The Board approved to move forward with it.

Mr. Turley said they need to enter into a contract and design the site which will take a few months.

5) Public Works Department salt utilization – discussion.

Mr. Shepherd said the funding they use for the road paving program is the same source for salt purchases. They have exceeded the budget for 2010 by \$180,000. They will bring a list of roads for paving at the next meeting with the costs for that. It exceeds the budget of \$470,000 which they can cut back on or they can re-allocate money. He recommended not doing the test sealer program of \$5,000. The engineering came in lower also. He also recommended reducing the scope of the Seal Coat Program, but Mr. Albert feels they need to keep doing it. They can allocate money from the General Fund to the road paving program or scale back the program.

Mr. Gray said he would fund it under the General Reserve fund and not scale back the program. They need to maintain the infrastructure of the Township. It gets held against them in contract negotiations because there is so much money sitting there.

Mr. Shepherd said they have submitted an application for Federal Disaster Assistance, but they won't have an answer for awhile.

Mr. Moffatt asked how much they submitted for reimbursement.

Mr. Turley said they are still finding things and if it goes through, they will look through the numbers. They have come up with about \$240,000 for a 48 hour event that includes overtime, overhead, salt usage, equipment damage and Fire Departments. It may be the end of April.

Mr. Herold said Westmoreland County and Allegheny County were mostly affected.

The Board agreed to take it out of the Reserve Fund.

Mr. Shepherd said they will have the list of roads for the meeting next week and do the budget amendment in May.

6) Planning/Engineering Topics

a) Planning Commission Agenda Items:

1) S-6-2010, Adelphoi-Iocco Subdivision, Route 30 at Ardara Road, C-1/R-4 Zoning.

Mr. Blenko said this is a boundary line revision. Mr. Iocco wants 1.56 acres from Adelphoi, Inc. which is the former site of Hartford Heights School. This lot is zoned C-1 and R-4 and the lot Mr. Iocco wants is zoned C-1. The Planning Commission recommended approval.

April 15, 2010

2) S-7-2010, Lincoln Hills Phase II Detention Basin, R-1A Zoning.

Mr. Blenko said this is a proposed subdivision of the parcel for the detention basin. The applicant wants to combine Parcel A with Parcel B for both to be owned by the Township. Parcel A is already owned by the Township. Parcel C will be retained by Lincoln Hills Realty for utility access. The issue with the subdivision is to combine parcels owned by different parties. Lincoln Hills Realty added the Township as a party to the boundary line adjustment as property owner and reviewer. The Planning Commission recommended approval.

Mr. Moffatt asked how this was originally set up.

Mr. Blenko said it was all to be given to the Township, but that would not allow access to the pond. The original intent was the entire parcel was to be given to the Township.

Mr. Moffatt asked if there was a right-of-way through all the back yards.

Mr. Blenko said there is a right-of-way along the rear of those lots for the access road.

3) S-8-2010, Forest View Estates, Ardara Road, R-4 Zoning.

Mr. Blenko said this involves 11.2 acres lot on Ardara Road. Mr. Parry wants to subdivide the property into six single-family lots. Three lots will be flag lots and this is an issue. The long driveway may be a problem in an emergency. The name Forest View Place may cause a problem for 911 as there is already a Forest Drive. The Planning Commission doesn't feel the lot configuration is the best use of the land and he is recommending a denial. On April 12, they received a letter from All State Mapping saying they want to revise the plan and remove the two flag lots and revise the plat. Mr. Parry wants the plan tabled until they can meet with the planners on May 3. He recommends doing nothing at this time.

Mr. Moffatt asked if the Planning Commission recommended the name change.

Mr. Blenko said that was brought up at the meeting. He doesn't want to put it on the agenda for next week.

Mr. Gray asked why it came in this way and did he not know about the flag lot restriction.

Mr. Blenko said they had buyers lined up for those types of lots. The applicant had looked at a cul-de-sac and this may have been a matter of shifting the cost out of the street into driveways for the homeowner instead of the developer.

b) Plan Updates:

1) Wal-Mart Retail Store, Mills Pointe, Barnes Lake Road, C-1 Zoning.

Mr. Blenko said for some background, all shopping centers are a conditional use. Under that use, it has to come before the Board of Commissioners to be approved after a Public Hearing. The Township approved the plan with 33 conditions. DeBartolo appealed the approval because some

April 15, 2010

of the conditions were overly restrictive. The Court modified some of them and it has been slow progress. Barnes Lake Road was closed but the construction never happened. The State had them re-open the road. Since 2003, Wal-Mart has gone through changes and there have been different plans for the building. They downsized the building and changed the look of the building and the garden center. We asked for changes to the parking lot and improvements to the traffic pattern and more landscaping. Under the Zoning Ordinance, if the changes are minimal, the conditional use can be modified. They just called to change it again. They want to minimize 28 ft. ceilings and make the stores more energy efficient. The Planning Commission didn't like the look of the store from Route 30 and wanted something more pleasing. The new design is cleaner looking. They changed the front with a sloped roof and they changed the rear to look nearly the same as the front. There are different color dividers in the rear. The Planning Commission did like the new look. They would like Wal-Mart to refer to the store as being in North Huntingdon, not Irwin.

Mr. Gray asked how many times it will come before the Board before they start building. Supposedly in November when they came before the Board for a traffic waiver, they were going to start immediately.

Bill Boyden, Architect of Record for the Wal-Mart: They will be starting to draw the plans tomorrow and submit for a building permit in August and the store opening next year. It is a 9-month building process.

Mr. Gray said in November, they said to get a pad ready it would be 180 days and then construction would start in April or May.

Mr. Boyden said they will be starting the architectural plan but the pad is almost ready to go. They need to get the footers in before the cold weather.

The Board of Commissioners held an Executive Session this evening to discuss the following:

- Personnel
- Real Estate

ADJOURNMENT

Motion: Mr. Gray So move.
Second: Mr. Herold

Motion Carried 7 – 0 – 0

Mr. Moffatt stated there would be an Executive Session after the meeting.

April 15, 2010

- Special Meeting minutes of April 15, 2010 were approved by the Board of Commissioners on May 19, 2010.

Lee D. Moffatt, President

John M. Shepherd, Township Secretary

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