

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
REGULAR MEETING, WEDNESDAY, JUNE 16, 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
Commissioner Haigis	Present
Commissioner West	Present
Commissioner Gray	Present
Commissioner Martino	Present
Commissioner Austin	Present
Commissioner Moffatt	Present

Also Present:
John M. Shepherd
Craig Alexander (Arrived 7:05 PM)
Michael M. Turley
Chief Daugherty
Richard G. Albert
Andy Blenko
Dan Miller

PLEDGE OF ALLEGIANCE

OPENING PRAYER

The opening prayer was given by Reverend Jim Reiter, V.F.W. Chaplain.

CITIZENS' INPUT

Toni Casey, 4111 Fundistown Road: She has been here before about the water coming off the hill at Cavittsville. Someone is putting a garage up there and putting in a road. All the water comes towards her. She is not happy but if a drain system is put in, it may make a difference.

Patricia Aubele, 4121 Fundistown Road: She's had a water problem prior to the pending building project. When it rains, it floods her basement and yard and washes out the driveway. This has been going on for 35 years that she has lived there, but it is getting worse. If building is going on above them and they don't take care of the drainage, it will be more of a problem for them.

Dawn Keenan, 700 Leger Road: She is there about Brush Creek that runs along Paintertown Road where her parents live. Brush Creek flooded a year ago and they had damage to their homes and cars. It is a mess there with logs, debris and trees lying on top that will go into the creek if there is another flood. They called the Township, but there is no money to do anything. She is asking the Board to apply for grant money to do something about it. There is so much mud and weeds in the creek that you can't see the water in some parts. Last year was a freak storm but it could happen again. They need help there.

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Ted Babich, 4131 Fundistown Road: He has lived on Fundistown Road since 1976. The Cavittsville area was built in the 1960's and there was no planning for water runoff. Both Walurba Avenue and Westinghouse Avenue dead end and water runs off from both streets into the back yards on Fundistown Road. Now the Township is allowing a road to be cut in without drainage. They want an engineer from the Township to go down there when it is raining to assess the water runoff and to plan for catch basins on Walurba and Westinghouse Avenues. This is a Township problem as they were negligent in planning of not putting in sufficient storm drains in the 60's. This is one of the oldest areas in the Township and they need to address this problem.

Stacy Krigbaum, 4091 Fundistown Road: The flooding has gotten worse over the years. When doing research, the #1 problem of complaints to the Township is flooding. There is not enough money to fix all the problems. In 2009, the Township was trying to form a policy on who gets help. The proposed policy is that the Township only gets involved in the cases where the Township has contributed a significant amount of water to create the flooding issues. Walurba and Westinghouse Avenues dead end perpendicular to Fundistown Road and there are no storm drains there. The water comes down so hard that it white caps. The water went into her neighbor's basement and ruined the furnace a couple months ago. Water is really bad when it runs down the road. Mr. Blenko suggested that a pre-development survey for a new plan should be done when it is raining. This is Township water coming towards Fundistown which was the first area of the Township. They need catch basins put in at the end of Fundistown Road. This man is putting in a 150 ft. road and taking a lot of trees out.

William Remai, 4120 Fundistown Road: He has been there since 1976 and has had the water problem the whole time. The opposite side of the street is the drain and his side is the catch basin. When it was storming, the gravel from the driveway across the road cut a ditch under his trailer taking the water and gravel a 100 ft. down his back yard. There is a large pothole collecting med in front of his house that needs fixed. There are cracks in the pavement and damage to the driveway apron. The road drops 6" into the driveway. The road slants towards his property and he gets all the water. He was at the Township two years ago asking for help and was told it wasn't in the planning then. This needs fixed.

Lloyd Myers, 4151 Fundistown Road: He has been there 80 years and is the oldest resident there. If it gets any worse there, the residents will not be able to sustain what is happening there. This is a storm drain problem and when it rains hard, water from Westinghouse Avenue runs down into these people's homes. There is stimulus money coming out, possibly they can get help from the Federal Government.

Colene Shannon, 4081 Fundistown Road: She has lived there four years and her yard has the trench with the drain in it. The water runs into it from the street above and the water has jumped the drain and made a path through the yard. The storm last year left a foot of water in her basement ruining the furnace. The driveway washed away and the rocks plugged up the drain. They need something done there.

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RESPONSE TO CITIZENS' INPUT

Fundistown Residents

Mr. Austin said that he, Mr. Herold and Mr. Martino were in that area last year after the storms and walked the rear of the properties. He understands their plight and there was no action taken because there is no money. Many areas in the Township have flooding issues and they have to make a decision of their course of action. They need to do something to get money somewhere. There are dozens of areas in the Township that they need to look at. They need to establish a policy to get something done.

Mr. Herold asked Mr. Albert if he had looked at the inlets and storm drains in that area and if they could install some inlets to take the water away.

Mr. Albert said this is an ongoing problem. He doesn't know about the construction of a new road. When those streets were put in back in the 60's, there was no zoning or storm water management, and now they have to deal with those problems. There were pipes to discharge water on private property because there were fields there. Years later when that property is sold and they want to build a house, they are running water on private property. They are faced with no easements and they can't go on private property, so there is no place to run the water. There are some inlets on Fundistown Road and it is a flat road. Not all of the water running down is Township water as some of the water is coming from a hillside where there are homes that are discharging roof water. The water is coming from everywhere.

Mr. Blenko said he has been there in dry and rainy weather. A gentleman purchased a lot behind the homes on Westinghouse Avenue where there was a subdivision there with 10 lots on a paper street where no lots were developed. This is a paper street and he is building a driveway to get to his lot. The Ordinance states anything over 5,000 sq. ft. of impervious ground needs storm water management. He plans to put in a gravel road about 200 ft. long and to build a green house. The gentleman is going past another property owner who has filled his yard and is worried about losing support in his yard with the cutting of that road. The Township cannot get involved in a driveway that is a paper road. Runoff from Westinghouse Avenue is part of the water on Fundistown Road. There is probably only two acres of impervious area that drains to the back of the homes on Fundistown Road. The homes are getting 18 acres of runoff at the bottom of the hill. In looking at the contour lines, there isn't a clear direction for the water to run except through their back yards. The thought was to put in a storm drain in and follow the right-of-way to Brush Creek but the most effective solution is to put a ditch at the back of their yards to have the water run perpendicular to Brush Creek, but everyone would have to do this for it to be effective. The problem Mr. Remai has is that Fundistown Road is sloped sideways and the grade of the street is flat. His house is the low spot and the water collects there. He recommends regarding the road, putting in a center crown and slope it left to right, put in a storm drains and inlets and give it a 1% gradient. The problem won't be fixed until they can re-build Fundistown Road. A storm drain could be done but he is not sure that would address the problems.

Mr. Moffatt asked about the other street.

Mr. Blenko said he is not familiar with Walurba Avenue and he would look at it.

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Mr. Martino asked if swales behind those properties would help the issue of the water.

Mr. Blenko said it could divert about half of the water.

Mr. Martino asked what had to be done to make that happen. If they put storm drains on Westinghouse and swales behind the property would it help.

Mr. Blenko said you would need easements on everyone's lot to Brush Creek.

Mr. Martino said most of the people are here tonight, but they need to do something as they have problems everywhere. Are there any grants to help them out?

Mr. Shepherd said they can look at a C.D.B.G. grant as a storm water project would qualify. They would have to do an income survey in the area to qualify. They weren't able to receive local stimulus money as it went to the State for road projects.

Mr. Martino said they aren't done with these problems and they need to come up with a plan to address these issues in the Township.

Mr. Gray said they need to have a rating system of the people impacted as they won't be able to help everyone. If they look at the chart from last year's flooding, they could determine the number of homes impacted and the severity of the damage and address the worst cases first. As far as grant money, they have explored many grants but were told it wasn't available to North Huntingdon because the Township is prosperous. There haven't been too many issues that they were successful in obtaining grants.

Mr. Shepherd said they haven't qualified on the income surveys and that is what this will be based on. That is the only money they can get. One thing they have done is to get an engineer to help with the flooding problems. They received proposals and have it down to three or four firms to hopefully have someone in by July or August to look at some of these problems and see what needs to be done.

Mr. Moffatt said they should start with the estimate of the storm drains. If they go for the grant, the residents will have to fill out an income survey to see if they qualify. If enough residents qualify, there will be grant money.

Mr. Shepherd said Mr. Blenko could identify the scope of the project to see who to survey on what streets.

Mr. Moffatt asked if Cavittsville Road was contributing to the problem.

Mr. Blenko said it is on the other side of the ridge line.

Mr. West said Mr. Moffatt talked about looking at the drainage and if it was the swales or catch basins at the end of the road.

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Mr. Blenko said storm water detention can be done with the swales and piped outlet structure. Storm water detention in the back yard will slow down the water and catch it. It can be a long linear pond behind the property lines. He will get an estimate for the storm sewers and lay out how to collect the water.

Mr. Moffatt said the income surveys will be the first step.

Mr. Shepherd said that is the first step and depending on the design, they can say who will qualify. As soon as they know who will benefit, they can add 20 to 30 property owners. The County will tell who should be surveyed. Getting the income surveys back is important.

Mr. Herold asked for a price to reconstruct Fundistown Road.

Mr. Moffatt said for Mr. Remai, a pothole can be fixed in front of his house.

Mr. Remai said he may have mentioned it at a meeting and thought it would be fixed. His biggest problem is that the water comes up over the apron of the driveway when it rains.

Mr. Albert said he would look at getting the pothole fixed and also look at his driveway.

Mr. Blenko said Mr. Remai is at the middle of the low spot of the road and that's where he goes to get into his driveway. If the curb is built up, he will scrape up his car. There may have to be other adjustments to fix the problem.

Dawn Keenan

Mr. Shepherd said they had a tree down and a Fire Department cut it down, but didn't remove it from the creek. The Township removed the tree to assist the residents. There is debris in the guide rail and along the road but it is a State road. They can contact the State to clear it away.

Ms. Keenan said there is mud in the creek that will cause a problem.

Mr. Moffatt said that is a common problem and they will contact the State to remove the debris.

APPROVAL OF MINUTES

Motion: Mr. Martino I'll make that motion. (Special Meeting – 5/13/10)
Second: Mr. Austin

Motion Carried 7 – 0 – 0

Motion: Mr. Herold So move. (Regular Meeting – 5/19/10)
Second: Mr. Austin

Motion Carried 7 – 0 – 0

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TREASURER'S REPORT

Motion: Mr. Gray Motion to approve. (May 2010)
Second: Mr. Herold

Motion Carried 7 – 0 – 0

PAYMENT OF BILLS

Motion: Mr. Martino I'll make a motion we pay Voucher No. 59941 through
Second: Mr. Austin Voucher No. 60052.

Motion Carried 7 – 0 – 0

PUBLIC WORKS REPORT

There were no Board comments.

PARKS AND RECREATION REPORT

Mr. Miller presented Greg Hollinger, Norwin High School graduating senior, who has been on the Recreation Advisory Board since he was a freshman with a Certificate of Appreciation.

Mr. Hollinger thanked the Board for the opportunity to serve on the Recreation Board and it has been a great honor to be on it.

POLICE REPORT

There were no Board comments.

FIRE OFFICIAL'S REPORT

There were no Board comments.

SUBDIVISION & LAND DEVELOPMENT APPLICATION REPORT

- 1) Action to adopt Resolution No. 124 of 2010, which approves SP-2-2010, Cleveland-Price Site Plan, 14000 Route 993, I Zoning.

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

Remarks

Mr. Martino said he would like to be kept informed on the conditions to be completed.

Motion Carried 7 – 0 – 0

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- 2) Action to adopt Resolution No. 125 of 2010, which approves S-9-2010, Kingsbury Development, Nike Road, R-1A Zoning.

Motion: Mr. Martino I'll make that motion.

Second: Mr. Haigis

Remarks

Mr. Moffatt said condition #2 will be for the homeowner's to maintain, not the Township.

Mr. Blenko said there will be language in the recorded plan so that all future property owners will maintain what was installed when the home was built.

Motion Carried 7 – 0 – 0

- 3) Action to adopt Resolution No. 126 of 2010, which approves S-10-2010, Saunders-Brozeski Plan, 13880/13900 Valley View Drive, R-1A Zoning.

Motion: Mr. Herold So move.

Second: Mr. Austin

Motion Carried 7 – 0 – 0

Mr. Gray asked for comments on the Plutto project.

Mr. Blenko said he spoke to Angela Gray who bought the property on Abrams Drive without seeing it for \$500.00. She didn't know about the stream going through it. He e-mailed her that they may need a right-of-way to do some work and would be in touch with her if necessary.

Mr. Moffatt asked if Ms. Gray seemed receptive to the work.

Mr. Blenko said she wanted her attorney to look at it first.

Mr. Gray said she bought the property over the Internet sight unseen and there were back taxes on it. The Tax Office told her to bring the taxes current before she did anything. She is going through a divorce and the Township may be able to acquire the property for taxes. The property can't be developed and it abuts the box culvert. They may be able to get the property and do a small project to protect the culvert. Mr. Plutto thought his permit covered working the whole stream to the back of his property. He would like Mr. Blenko to talk with Mr. Plutto to see if they are proceeding with their project.

Mr. Moffatt said possibly Mr. Plutto would want to buy it.

Mr. Gray said someone offered it to him a couple years ago for \$2,000 but he wasn't interested.

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Mr. Blenko said the recorded deed shows the selling price of \$500.00 and the annual taxes are \$50.00. No taxes have been paid for three years.

Mr. Gray said if they can get the property for \$150.00, they should pursue it.

Mr. Blenko said Mr. Plutto is waiting for a response from the Township about supplying materials or giving it at cost.

Mr. Moffatt said they can't do anything until they get the right-of-way or acquire the property.

Mr. West said Mr. Plutto will need the right-of-way also.

SOLICITOR'S REPORT

There are no items for Board action.

TOWNSHIP MANAGER'S REPORT

1) Action to approve the May check register.

Motion: Mr. Herold So move.

Second: Mr. Austin

Motion Carried 7 – 0 – 0

2) Budget Report – May Report.

There were no Board comments.

3) Action to approve the Norwin School District Occupation Resident and Per Capita Report for the month of May 2010.

Motion: Mr. Martino I'll make that motion.

Second: Mr. Herold

Motion Carried 7 – 0 – 0

4) Action to approve the request of the Penns Woods Civic Association to conduct a fireworks display on July 4, 2010 (rain date July 5, 2010) at the Penns Woods Park Ballfield.

Motion: Mr. Herold So move.

Second: Mr. Gray

Motion Carried 7 – 0 – 0

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- 5) Action to accept the resignation of Charles Geis from the Emergency Management Committee.

Mr. Shepherd said Mr. Geis no longer lives in the Township.

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

Motion Carried 7 – 0 – 0

- 6) Action to allocate the following funds from the Fire Service Fund:
(Total allocation for 2010)

- Seven Volunteer Fire Departments in the amount of \$59,150.00.
- Canteen in the amount of \$500.00.

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

Motion Carried 7 – 0 – 0

- 7) Action to allocate funds from the General Fund to Rescue 8 in the amount of \$36,000.00. (Total allocation for 2010)

Motion: Mr. Haigis Motion to approve.
Second: Mr. Austin

Motion Carried 7 – 0 – 0

- 8) Proposed weight limit on Frog Road and Southside Road – discussion.

Mr. Shepherd said this is a recommendation from Mr. Blenko and the Police for weight limit on Frog Road and Southside Road when they knew the Larimer Bridge would be closed. They are recommending a 5 or 6 Ton Weight and we can do an Ordinance for July.

Chief Daugherty said there has been speeding on that road and this will keep the heavy traffic off the road. There are no businesses up there so there will be no impact to any businesses.

Mr. Moffatt said Frog Road will be 6 Ton and Southside Road will be 10 Ton.

Mr. Blenko said the bridge over the railroad track is 10 Ton so Southside Road will match up to that.

Mr. Moffatt asked if 6-Ton trucks were a problem on that road.

Mr. Blenko said there is an escape route by coordinating the weight limit with North Irwin.

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- 9) Proposed “No Parking” on a segment of Fundistown Road – discussion.

Mr. Shepherd said there is a turnaround area on Fundistown Road that Mr. Myers had deeded to the Township. Some people are parking there and our vehicles can't turn around there. There is a report from Chief Daugherty recommending No Parking in that turnaround. An Ordinance can be done for the July meeting.

Chief Daugherty said Public Works improved the area with stone and it looks like an improved berm. When the snowplow goes up the road, the only way to get out would be to back up in a driveway. If the area is No Parking, the Township will be able to turnaround.

The Board agreed for an Ordinance to be prepared.

- 10) Action to approve the sharing of costs with Hempfield Township for repair of the culvert on South Thompson Lane in accordance with the letter from Kurt M. Ferguson, Hempfield Township Manager, dated May 24, 2010.

Mr. Shepherd said if approved, each community would pay \$1,900.00 to do the project. Hempfield Township agreed to do the work. He recommended they do the project as the road is caving in.

Mr. Albert said it is an unsafe condition as it is a culvert issue. They couldn't determine the dividing line so both communities agreed to share the costs.

Motion: Mr. Herold I make the motion to approve the cost sharing.
Second: Mr. Austin

Remarks

Mr. West asked if the costs were in line with what the Township was doing.

Mr. Albert said they would be.

Motion Carried 7 – 0 – 0

- 11) Policy for Nixle Messaging System – discussion.

Mr. Shepherd said this is a more detailed policy that was taken from the community of Tyrone, Georgia for reference.

Mr. Gray said he wanted something more specific and this policy is better, but if the whole policy was about Section D which is emergency alerts, it would be better. He feels it is not specific enough. He asked the Chief that when he registered for Nixle if it was open to any community or strictly for Police Departments.

Chief Daugherty said it is just Police agencies but they can use it for community purposes.

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Mr. Moffatt said Nixle has a corporate division also for price changes out in the field.

Chief Daugherty said it is not the same messaging system. It was supposed to start in the Spring and Murrysville and New Kensington were allowed to test the system out prior to that. He is still testing the system and there have been some problems.

Mr. Gray said a message was put out about the Pro Hall of Fame trip for the Recreation Department. He feels the Police should be in charge of emergency alerts. He has a problem when other departments have to clear their information through the Chief. The Township policy should say that the Police Department handles everything under emergency alerts including severe weather. Westmoreland and Allegheny County were recently under a tornado watch and he asked if that had gone out on Nixle.

Chief Daugherty said it hadn't because of the article in the paper, no one will do anything unless it is cleared through him. They may not have gotten a message over the scope.

Mr. Gray said he would like the recreation events or meeting cancellations come from the Township or Administration. All the messages that go out say they are from the Police Department and that concerns him as long term, the service could evolve into something else. If you scroll on the Nixle page, the next item is community news and then Nixle news. He doesn't want the Police to approve all the messages going out from all the departments as it looks like they are running everything. He feels the Administration should send out messages that are not emergency alerts.

Mr. Moffatt asked if there could be a different disclaimer when the message comes out and if they have a choice.

Chief Daugherty said there is no choice. Police Departments run the operation, but he can back out of it if they want him to. They can try to apply under John Shepherd to see if they will give him the opportunity to do it. The messages are only coming from him. The tornado warnings may not have been put out over the scope. The dispatchers handle decisions all day and there is a three page policy telling them how to send a text message. If there is an emergency, the dispatchers need to feel comfortable to send out a text message.

Mr. Gray said he is fine with that and he wants to make sure that this is right before locked in. Once you give power or control to the government or Police, you don't get it back.

Chief Daugherty said there was false information in the paper that misled the public that the Police Department should be putting information out on sexual violators and that is against the law. That information can only be given out through the Megan's Law web site, not the Police Department.

Mr. Gray said it would have been better if a policy had been written the first time instead of saying the less said the better.

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Chief Daugherty said he wrote a policy that he felt was best for the Township under the circumstances addressing everything. It states no political activity, and the facts on traffic, advisories, alerts and community activities. Any questions other than that, it has to go to him and his direct subordinate, Lt. Mahinske.

Mr. Gray asked if he was referring to this latest policy.

Chief Daugherty said it was the first policy he wrote.

Mr. Herold asked Chief Daugherty if he was to look into it, but never got a chance to respond.

Mr. Gray said Chief Daugherty responded with a memo saying the less written, the better.

Chief Daugherty said he felt that was right and he still feels that way. The dispatchers are afraid to put a message out.

Mr. Gray said if they use Section D of the new policy pertaining to emergency alerts, it would be good.

Chief Daugherty feels a three page policy to send a text message is too much.

Mr. Moffatt said if the Board agrees, could they get another Nixle system to put out public interest information that would run through administration. If that can't be done, then it would be up to what the Board wants.

Mr. West asked if that could be done from our web site where people sign up and notices can be done there and be controlled through administration. They can sign up for e-mail updates.

Mr. Moffatt said the key is the text messages.

Mr. Shepherd said they are working on the web site with a new provider and if the text would work, that would cover the concern.

Mr. West said then Chief Daugherty would only have to deal with the emergency alerts and there wouldn't be any worry about Parks wanting to put a message out through Nixle.

Mr. Gray said he likes both ideas. They should see if they can get another user name for Administration and separate the duties. If that can't be done, look into using the web site suggested by Mr. West.

Mr. Shepherd said if the Township can register for Nixle and have a North Huntingdon Administration account, that can be used for community notification. If that doesn't work, they can set up a system to run a data base to send out e-mail messages for community information through the web page. They can check on text messaging through that also. If neither works, the Board will have to look at again and make a decision.

Mr. Gray asked if Nixle was the only provider of that service.

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Mr. Shepherd said they can look at that for other information. Chief Daugherty had looked at another system last year, but it was expensive.

Mr. Moffatt said he looked for other systems and Nixle was the only free one because of the corporate side.

Mr. Gray said he has concerns about not know about Nixle and are they building a data base of the residents and are they selling it or keeping it confidential.

Mr. Shepherd said he would have something for the next meeting.

FURTHER BOARD COMMENTS

Mr. Moffatt asked about available funds for the C.D.B.G. grant for the lateral lines and how much was left.

Mr. Shepherd said he can get the numbers from last year and this year. The next area is the Country Hills area.

Mr. Blenko said the projected number of people to qualify isn't as high as they thought.

Mr. Moffatt asked about Fady's Furniture and how it was progressing.

Mr. Blenko said it is going slow and the person hasn't done the work he said he would.

Mr. Shepherd said the last information that was to be submitted was commercial building plans.

Mr. Moffatt said he would like to look at the time lines given him also.

ANNOUNCEMENTS

- 1) Discount Amusement Park tickets are available for sale at the Town House. For more information, please check out our web site at: www.nhtpa.us or contact the Administration Office.
- 2) North Huntingdon Department of Parks & Recreation will be holding a "Movie in the Park" on Friday, June 25 at Oak Hollow Park. The movie featured is "This Is It" starting at dusk. A second movie will be held on Saturday, June 26 also at Oak Hollow Park, featuring "Hotel for Dogs". Please arrive by 8:15 P.M.
- 3) Openings are still available for "Hot Fun in the Summertime" Playground Camp scheduled for July 12 – 16 at Oak Hollow Park for children ages 6 – 12. For more information, please contact the Parks & Recreation Office.

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ADJOURNMENT

Motion: Mr. Martino
Second: Mr. Gray

I'll make that motion.

Motion Carried 7 – 0 – 0

- Regular Meeting Minutes of June 16, 2010 were approved by the Board of Commissioners on _____.

Lee D. Moffatt, President

John M. Shepherd, Township Secretary

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