

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS  
REGULAR MEETING, WEDNESDAY, APRIL 15, 2009, 7:00 P.M.  
11279 Center Highway, North Huntingdon, PA 15642  
Presiding Officer – David E. Herold, President, Board of Commissioners**

**CALL TO ORDER**

Mr. Herold called the meeting to order at 7:03 P.M.

**ROLL CALL**

Commissioner Furlin	Absent	Also Present:
Commissioner Patter	Present	Michael M. Turley
Commissioner Gray	Present	Bruce E. Dice
Commissioner Martino	Present	Chief Daugherty
Commissioner Moffatt	Present	Richard G. Albert
Commissioner Austin	Present	Andy Blenko
Commissioner Herold	Present	

**PLEDGE OF ALLEGIANCE**

**OPENING PRAYER**

Pastor Todd Neveu of the Calvary Assembly of God gave the opening prayer.

**CITIZENS' INPUT**

Dan Ash, 2383 Haflinger Drive: He passed out copies of an invoice and an article to the Board. He lives in Dartmoor and he had a sign in the yard for one week and then it was gone. He filed a report with the Police and then got a bill a few days later from Mr. Caruno who removed the sign. The Police didn't want anything to do with it. This is theft and he wants to know why this can't be followed up on. All the sign had on it was what the Chief said to the Post Gazette.

Chief Daugherty had no idea on what happened.

Mr. Patter said there was no call or letter to remove the sign.

Mr. Moffatt said if this information is correct that someone removed something from his yard and he knows who it is, the Township should be able to do something.

Mr. Dice asked how much the sign cost.

Mr. Ash said it was over \$100.00. He went to the Police station and talked to the Sergeant on duty.

Chief Henaghan said for private complaints, it is two years. You would go to the District Attorney's office where they will approve or disa

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Mr. Dice said Chief Daugherty should have a few days to look into this as there is a two year statute of limitations. This can be done through the Police Department or privately. This is a theft and the grade of the theft is based on the amount taken. Where this has happened in other communities, people have been prosecuted.

Mr. Gray said this happened in December 2007 and he tried to file a complaint with the Police Department.

Mr. Ash said he went to the Police Department the following day but didn't hear anything. He got a letter from Greensburg that someone is filling a complaint for an outstanding invoice.

Mr. Gray said the letter was recently but this happened in 2007 and he got the bill then also.

Chief Daugherty said Mr. Ash should come to the Police Department as there is a two year statute of limitation on this.

Mr. Ash said he requested an incident report today and he should have it on Friday this week.

Mr. Dice said Mr. Ash should bring the bills to the Police and ask the neighbors if they have any pictures of the sign.

George Blissman, 11725 Dartmoor Drive: The residents of Dartmoor have submitted a petition to extend Greer Street into the plan. The petition is based on public safety and he has talked to Mr. Patter about this issue who said he will not support the residents. He is asking the Board for help as it was the original intent of the Board to have the access through Greer Street. Documentation shows errors were made by two former Township officials in the proper application of the waivers granted. If the waivers had been applied, the entrance would be in today.

Bill Sombo, 13380 St. Clair Drive: He is representing Circleville Fire Department as the Assistant Chief. He is there to address the egress and ingress to the Dartmoor Estates. As the Fire Department for that area they have safety concerns and would like to see an additional entrance for the plan. Some reasons include: 1) Emergency exit in the event of an injury or fire. 2) Water line gridlock with only one access limits them to one water supply. 3) Tanker shuttle operations in the event a water line would rupture, they would have to go to that. 4) Response time with one access, an alternative access would reduce response time.

Mr. Martino said this issue isn't going away and as a Board, they should see how they can help out the residents of Dartmoor.

Mr. Patter made his comments at the last meeting. This plan is similar to Franklin Farms which only has one entrance.

Mr. Sombo said they addressed it and know there should be a secondary access. Fortunately, there have been no major fires there, but it needs addressed.

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Mr. Herold said there have been no residents from Franklin Farms here but they have had residents from Dartmoor and they should try to help them out.

Mr. Sombo said there is another way in to Franklin Farms which is an off street.

Mr. Dice said there is a petition to put in a street which they need to address. They need to ask the engineer for a cost and if it is feasible to discuss it properly.

Mr. Patter said the developer has no responsibility for a road and all costs would be on the Township.

Mr. Blissman said there is \$100,000 fee-in-lieu that has not been used.

Mr. Herold asked if there were any other avenues to use.

Mr. Blissman said they could look at going through Lions Park, but there is a sanitary line that runs through there.

Mr. Dice said they should get the engineer for answers to get some numbers and get alternatives for a road. The Board can direct the engineer to look into this.

The Board agreed to direct Mr. Blenko to look into this.

Mr. Dice said Mr. Blenko should explore alternatives for a second access and the feasibility and apply a cost.

Mr. Patter said he would be in favor of finding an alternative.

Mr. Blissman said they should look at the original engineer, Glenn Engineering, who made the determination in 2002 that the road could be put in with the waivers. He would have the files for these issues. The EADS Group did not apply both the waivers that were granted.

Mr. Gray said it isn't the waivers that were the issue but the safety of the road. The EADS Group said even with the waivers, the road should not be put in because of the incline.

Mr. Blissman said the report didn't read that way as they didn't apply one of the waivers and he is not sure what the conclusion would have been if they had applied both. The waivers were for slope and site distance.

Mr. Gray said if the site distance is waived, this is the safety issue. He feels that Greer Street is a dead issue.

Mr. Blenko said he wasn't here when this was investigated, but there would be a grade of 15%. D.E.P. limits stream enclosures to 100 ft. and the limit for side slopes is 3 to 1, that is how high above the stream the road can sit. By increasing the elevation to make the grades less, the length of the culvert is increased. To make that work, they would have had to bury the last two homes.

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Mr. Blissman asked if that was documented.

Mr. Turley said there are homes there now and there are issues with the gas lines and the curve.

Mr. Blenko said the gas company wouldn't let the culvert on the top of the lines, so they would have to be moved and Maronda Homes spent \$125,000 to move the lines once. They checked into connecting Haflinger Drive in Kerber Farms but they would have to purchase a lot in Kerber Farms to do that.

Mr. Dice said you would first try to negotiate with the owner of the lot.

Mr. Blenko said all the lots on Thoroughbred Drive are sold. It could be connected to Frieda Drive but the slopes wouldn't work. You could come through Lions Park but would have to build a bridge over the creek to handle a public road.

Mr. Herold asked Mr. Blenko to check some alternatives.

Mr. Gray asked Mr. Blissman if he would be open to an alternate route other than Greer Street.

Mr. Blissman said the only one is Lions Park if you could around the ball field and come out on Robbins Station Road.

Mr. Moffatt said if it is an access road for emergency purposes, it could be a stone road through the park.

Mr. Blissman said they would like access for both residents and emergency vehicles.

Mr. Moffatt said possibly they could only do a stone road with locked gates.

Mr. Sombo said it would help in emergency situations

Mr. Gray said a road, not a gravel path, would work for the residents, but possibly they could do something else other than Greer Street. The initial engineer who looked at it and said okay, looked further and said it wouldn't work.

Mr. Blissman said the work done in 2006 by the other engineer was flawed.

Mr. Gray said the original engineer, who is doing work in Cedar Glenn now, was released from the Township and from the North Huntingdon Township Municipal Authority because of flawed work. He doesn't want to rely on that for Greer Street because they can't his guidance on Greer Street for that.

Mr. Herold said they spent three quarters of a million dollars for a heating and air conditioning system put in by The EADS Group.

Mr. Gray said The EADS Group is being sued by the Township over that. Glenn Engineering is being sued by the Sewage Authority.

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Mr. Herold said they went with the cheapest engineer for the Paving Program last year and it cost the Township \$50,000 extra. He asked if the Fire Chiefs were in favor of another access road.

Mr. Sombo said the two Chiefs involved, Chief Hinish and Chief Bilesimo, were in favor.

**APPROVAL OF MINUTES**

Motion: Mr. Martino                    I'll make that motion. (Regular Meeting – 2/18/09)  
Second: Mr. Austin

Motion Carried 6 – 0 – 0

Motion: Mr. Martino                    I'll make that motion for Special Meeting approval. (Special  
Second: Mr. Austin                    Meeting – 3/12/09)

Motion Carried 6 – 0 – 0

**PAYMENT OF BILLS**

Motion: Mr. Martino                    I'll make the motion that we pay Voucher No. 57575 through  
Second: Mr. Austin                    Voucher No. 57669.

Motion Carried 6 – 0 – 0

**PUBLIC WORKS REPORT**

Mr. Moffatt asked about when they would be doing crack sealing.

Mr. Albert said they would be doing it later this summer.

Mr. Herold asked how the salt went this year.

Mr. Albert said the salt storage shed is at 5/8 to 3/4 capacity. He does a report at the end of the season and got the figures from the National Weather Bureau. There was 41 inches of snow from October to the present and they were called out 35 times putting down 51 applications of treatment. They used 6,100 Tons of salt with the bid price being \$75.00/Ton which is an increase from last year. One treatment cost about \$12,000 after work hours and there are 150 miles of road to maintain.

Mr. Herold said the Road Department did a good job this year. He asked about the salt brine system.

Mr. Albert said it was used at the end of the season and they are ready for next year.

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**PARKS AND RECREATION REPORT**

Mr. Turley said the Easter Egg Hunt was successful and the Wildflower Tours are under way at Braddock's Trail Park. Equipment boxes were installed at some of the parks and grass cutting has begun in the parks. Phase 2 for the walking trail at Indian Lake has been laid out.

Mr. Herold thanked the Recreation Board for the hard work done for the Easter Egg Hunt.

**POLICE REPORT**

Mr. Herold asked if the report was done for the Police Officers.

Chief Daugherty said the Justice Department sent notification that they received the completed application, but there won't be any notification of funding until after the end of September.

**EMERGENCY MANAGEMENT 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. 114 of 2009, which approves SP-7-2009, Walter Minnick Site Plan, 14290 Route 30, C-1 Zoning.

Motion: Mr. Moffatt                      I'll make a motion to approve.

Second: Mr. Austin

Motion Carried 6 – 0 – 0

- 2) Action to adopt Resolution No. 118 of 2009, which approves S-25-2008, Campbell Plan No. 2, Peregrine Drive, 2 lots, R-3 Zoning.

Mr. Blenko stated there are two conditions for approval. One, that the applicant must get approval from DEP of a Sewage Planning Module Exemption and, second, that the applicant execute and record the Covenants, Restrictions and Conditions for Campbell Plan No. 2. The approval includes a waiver of public road construction standards for the private road to Lots 4, 5 and 6.

Mr. Gray said with the waiver, the road would become a Township road.

Mr. Blenko said it would remain a private road under the covenants.

Mr. Dice said it is a subdivision plan and should be shown as private on the plan.

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Mr. Blenko said the Subdivision and Land Development Ordinance is phrased that they may request and the Township may grant a waiver of public road standards.

Mr. Dice said if they wanted to petition the Township to take the road over, they would have to improve the road to bring it up to Township standards.

Mr. Gray said with the waiver could they come back with that.

Mr. Dice said it will not be required to take it over unless it is up to Township standards and it will be marked on the plan as a private road.

Mr. Moffatt asked to add that to the covenants that if they want it public, it has to be brought up to standards.

Mr. Dice said it should be left as private and not worry about 20 years from now.

Mr. Gray said he is concerned about someone in 20 years wanting it to be taken over because the standards were waived.

Mr. Dice said it has to be waived because of the Subdivision Ordinance.

Motion: Mr. Martino                    I'll make a motion that we adopt Resolution No. 118 of 2009.  
Second: Mr. Austin

Motion Carried 6 – 0 – 0

3)        Action to adopt Resolution No. 119 of 2009, which approves S-31-2008, Walnut Capital Partners Revised, 12119 Route 30, C-1 Zoning.

Mr. Blenko said this is to adjust boundaries to create Lot 1 (65,142 sq. ft.), Lot 2 (171,053 sq. ft.) and Lot 3 (14,505 sq. ft.) with conditions, many which have been met. This is to get the right lot lines on the storm water easements.

Mr. Moffatt said some of the contingencies on the plan were based on occupancy. Walgreen's is separate from the part with the contingencies on it and could this be occupied and not meet the contingencies.

Mr. Blenko said most of those read that no building permits will be issued in connection with the final land development approval. It is related to any of the lots. None of the contingencies are lot specific, but relate to the entire site.

Motion: Mr. Martino                    I'll make the motion that we adopt Resolution No. 119.  
Second: Mr. Austin

Motion Carried 6 – 0 – 0

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**SOLICITOR'S REPORT**

- 1) Action to adopt Proposed Ordinance No. 1 of 2009, accepting Westminster Drive, Phase I & II, Oxford Court, Phase II & III, Bradgate Drive and Abbey Lane, Phase III in the Lincoln Hills Plan, Phase II & III. If adopted, this would be Ordinance #2130.

Motion: Mr. Moffatt I'll make a motion to adopt Proposed Ordinance No 1 of  
Second: Mr. Austin 2009.

Motion Carried 6 – 0 – 0

- 2) Action to adopt Proposed Ordinance No. 2 of 2009, accepting Augusta Circle and St. Ann Commons in the Legends Plan Phase I & II. If adopted, this would be Ordinance #2131.

Motion: Mr. Moffatt I'll make a motion to approve.  
Second: Mr. Austin

Motion Carried 6 – 0 – 0

**TOWNSHIP MANAGER'S REPORT**

Mr. Dice said Mr. Turley had questioned him on whether you could have a voice vote via telephone. There is a Supreme Court Case about various agency officials voting via telephone which is the Milk Marketing Court Case of 1992. When there is a quorum, you can participate via telephone as long as the person can hear you and he can be heard. They can attend all or part of the meeting. Mr. Furlin wants to participate in the Township Manager's Report and we can call him now. He asked Mr. Furlin to state his name and if he can hear.

Mr. Furlin stated his name and that he was able to hear Mr. Dice.

Mr. Dice told Mr. Furlin that they were starting the Township Manager's Report and that he wanted to participate in that portion.

Mr. Furlin agreed to that.

- 1) Action to approve the March check register.

Motion: Mr. Furlin I make a motion to approve.  
Second: Mr. Martino

Motion Carried 7 – 0 – 0

- 2) Quarterly Financial Report and Budget Report – March 2009.

There were no Board comments.

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- 3) Action to hire Melanie Lane to the position of Summer Intern in the Parks and Recreation Department at the rate of \$8.75. per hour.

Motion: Mr. Furlin                      So move.  
Second: Mr. Martino

Motion Carried 7 – 0 – 0

- 4) Action to hire Matthew Henderson to the position of Summer Intern in the Planning and Zoning Department at the rate of \$8.75 per hour.

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

Motion Carried 7 – 0 – 0

- 5) Action to appoint Dennis Brugnoli to the full-time Code-4 Operator Position in the Public Works Department.

Motion: Mr. Furlin                      I'll make that in the form of a motion.  
Second: Mr. Martino

Motion Carried 7 – 0 – 0

- 6) Action to hire the following individuals as temporary seasonal employees for the Summer Employment Program in the Public Works Department and Parks Department at a rate of \$8.00 per hour:

Michael Kalas	Matthew Hursh
Thomas Zecchini	Allen Fidazzo
Steven Popovic	Christopher Ellis
Brandon Rupert	Ross Weimer
Nicholas Fallone	Joshua Hooke
Becca Coles	Blake Ebbitt
Adam Mueller	Edward Soboslay

Motion: Mr. Furlin                      Motion to approve.  
Second: Mr. Martino

Motion Carried 7 – 0 – 0

- 7) Action to hire Dan Miller to the position of Parks and Recreation Director at a salary of \$52,000 with the starting date of May 1, 2009.

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

Motion Carried 7 – 0 – 0

8)        Consulting Engineer for the 2009 Road Program.

Motion: Mr. Martino                  I make a motion we hire Glenn Engineering for \$29,500 for  
Second: Mr. Furlin                    the 2009 Road Program.

Remarks

Mr. Moffatt said he would not support it because it is not the lowest bid. It has been said that the engineer last year cost the Township \$50,000. Senate Engineer's bid last year was approximately \$18,900 and he was paid over \$20,000. He doesn't know how the engineer cost so much and if they did, why hasn't action been taken against them. He understands the over budget price came from the price of the asphalt going up and additional binder.

Mr. Herold said Senate Engineering was to measure the roads, but he used the GIS system instead. Contractors called and said the measurements were not close to what was bid.

Mr. Blenko said the bid for the wearing material was for 39,400. The quantity installed was 39,355 sq. yd. putting it under by 45 sq. yd.

Mr. Herold asked if Mr. Blenko measured the roads or used the GIS system.

Mr. Blenko said he used the wheel for the width and the GIS for the length.

Mr. Herold asked why the roads were different from when the contractors called and the measurements weren't close. They were \$50,000 over on the price.

Mr. Blenko said they were 45 sq. yd. under. They were over due to some of it being for binder, milling and scratch wearing. He measured all the roads.

Mr. Moffatt feels Senate Engineering is taking the heat for something they didn't do.

Mr. Herold said they should call Senate Engineering. Senate Engineering had to measure the roads and they weren't right.

Mr. Moffatt said even if they go with the lowest bidder and they are off by \$2,500, it is still \$8,000 less than Glenn Engineering. It would still be cheaper to go with Lennon Smith Souleret.

Mr. Patter said he can't support it either as it is the highest bidder. If there were calls from contractors that the roads were measured wrong, it should have been addressed.

Mr. Herold said it was brought up to him at the end of the season.

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Mr. Moffatt said he would not recommend Senate this year and he feels they should go with the lowest bidder, Lennon Smith Souleret.

Mr. Martino said this is a professional service and does not have to be a bid item. According to the First Class Township Code, they don't have to bid that and they can take whoever they want.

Mr. Patter said there isn't a disagreement to take whoever you want, but it is better to take the lowest bid.

Mr. Moffatt said there is no reason not to take the lowest bid of another engineer.

Mr. Herold said they took Gateway Engineering for \$35,000.

Mr. Moffatt said he doesn't understand why they won't take the lowest bidder who is not Senate Engineering and go with the highest bidder.

Mr. Gray said he can't support Glenn Engineering because of the situations that they have been left with by prior work. He has been released by the Township and the Sewage Authority and in litigation.

Mr. Herold said they went from spending \$200,000 to \$800,000 with The EADS Group.

Mr. Gray said Glenn Engineering is in litigation with the Sewage Authority because of upgrades to the Sewage Plant and he is current the high bidder.

Mr. Herold said he has always done a good job for the Township.

**ROLL CALL VOTE**

Commissioner Furlin	Yes
Commissioner Patter	No
Commissioner Gray	No
Commissioner Martino	Yes
Commissioner Moffatt	No
Commissioner Austin	Yes
Commissioner Herold	Yes

Motion Carried 4 – 3 – 0

**FURTHER BOARD COMMENTS**

There were no Board comments.

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**ANNOUNCEMENTS**

- 1) The last Spring Yard Waste Collection is scheduled for curbside pick-up by Waste Management on the regular day of trash service during the week of May 11, 2009. Leaves and yard waste must be placed in special **Biodegradable** bags that are available at most retail stores such as Home Depot and Lowe's. Paper bags are preferred as they decompose quicker. Please have bags out at curb by 6:00 A.M. during those weeks.
- 2) The last scheduled Wildflower Tour at Braddock's Trail Park will be taking place on Saturday, April 18 at 10:00 A.M. Participants will learn interesting facts about the flowers and foliage throughout the park. The tour will begin from the Braddock's Trail parking lot and is presented by Dr. John Boylan, Superintendent of Norwin School District.
- 3) Sign-up for the Summer Camps will be held on Monday, May 11 at 8:00 A.M. for North Huntingdon Township residents only. Only checks or money orders will be accepted and families are only permitted to sign up their own children. A driver's license will be needed for proof of residency. The Adventure Camps for ages 4 to 6 (A.M. & P.M.) will be held on June 8 – 12 and the cost is \$45.00. The Sports Camp for ages 7 to 9 is from July 6 – 10, ages 10 to 12 is from July 13 – 17 and the cost is \$75.00. The Nature Camp for ages 7 to 9 is from July 20 – 24, ages 10 to 12 is from July 27 – 31 and the cost is \$65.00.
- 4) Discount Amusement Park tickets will be available in the near future for sale at the Town House. For more information on this, please check out our web site at [www.nutpa.us](http://www.nutpa.us) or contact the Administration Office.

The Board of Commissioners held the following Executive Session:

Wednesday, April 15, 2009                      --                      Personnel, Legal

**ADJOURNMENT**

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

Motion Carried 6 – 0 – 0

- Regular Meeting Minutes of April 15, 2009 were approved by the Board of Commissioners on \_\_\_\_\_.

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David E. Herold, President

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Michael M. Turley, Assistant Township Secretary

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