

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS**  
**REGULAR MEETING, WEDNESDAY, MARCH 17, 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 | Michael M. Turley |
| Commissioner Gray    | Present | Craig Alexander   |
| Commissioner Martino | Present | Chief Daugherty   |
| Commissioner Austin  | Present | Richard G. Albert |
| Commissioner Moffatt | Present | Andy Blenko       |

**PLEDGE OF ALLEGIANCE**

**OPENING PRAYER**

Pastor Paul Baer of the Suburban Community Church gave the opening prayer.

**CITIZENS' INPUT**

David Castle, 1089 Brownstown Road: He is there to ask about the weight limit signs. He brought information and passed it out to the Board. This included a letter from the Daycare place and his lease with Joe Hart where he parks his truck full time.

**RESPONSE TO CITIZENS' INPUT**

David Castle

Mr. Blenko said there are two issues affecting Mr. Castle. In Chapter 8 of the Zoning Ordinance under Section 820.2.8, it states that no commercial vehicles larger than 1 Ton shall be parked in a residential area. Heavy trucks shall not be parked in residential districts except when used as part of a construction project on a temporary basis. The second issue on the condition of the roads, there is a deterioration of School Street continuing on to Mr. Castle's driveway. Excessive weight trucks on a regular basis can cause the cracking in the road. He recommended a weight limit be posted of 5 Tons there.

Mr. Moffatt said the Ordinance states for no one ton vehicle.

Mr. Blenko said it is for no commercial vehicles greater than one ton which is based on the hauling capacity.

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Mr. Moffatt said Mr. Castle has brought the truck home for 15 years and the Zoning Department told him it was all right.

Mr. Blenko said he discussed it with Mr. Evers and Mr. Stitt and they were told by the Police Officer who did code enforcement that the magistrate ruled if a vehicle was being worked on by the owner, he could bring it home. That is not what the Ordinance says and they either have to change the Ordinance or bring it back to the magistrate.

Mr. Moffatt said they didn't cite him or change the Ordinance. It seems it was posted to single out one person.

Chief Daugherty said he brought the truck home on a regular basis. They were called out every weekend and no one was working on the vehicle. When the Zoning Department talked to him, he told them he brought the truck home to work on it. The road is cracked and breaking apart and needs to be fixed.

Mr. Moffatt said it is not in good shape but there are worse roads.

Chief Daugherty said the truck is 13 Tons unloaded and has a capacity of 35 Tons. The roadway is deteriorating and it is violating the Ordinance as it sat, and it was brought before the Board.

Mr. Castle said the rest of the road isn't deteriorated. There is a section of the road that has deteriorated where you turn to his driveway, but that is where the Water Company did work. He wants to know why his truck didn't deteriorate the rest of the road going up to that corner.

Chief Daugherty said the deterioration is all the way up.

Mr. Blenko said it is all the way from Brownstown Road to the corner.

Mr. Castle said the Water Company put a curb on the whole road and the backhoe tore up the road.

Chief Daugherty said if it wasn't a continuous problem, it wouldn't have been brought to this point. It got to be a regular occurrence and the answer was that he was working on the truck. There were probably times he did work on it, but when there were many times when they got a call that the truck was just sitting there.

Mr. Moffatt said the neighbor called ten times over the last three years that the truck was parked in the driveway. He has a problem how the Township went about it. He brought the truck home for so long and they didn't cite him for it. It seems he is being singled out.

Chief Daugherty said when it is on a regular basis and they get complaints, they address it with the people and it either stops or is infrequent. With Mr. Castle, it was constant as of late.

Mr. Castle said the only complainer is Catherine Brown.

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Chief Daugherty said it doesn't matter who is complaining, if it is a violation, they have to look at it if it is a violation of the Township Ordinance. They felt it was and the only way to take care of it was to post the weight limit.

Mr. Castle said the road off Brownstown isn't as bad as that corner and it shouldn't be blamed on that one truck.

Mr. Herold asked when the truck is brought home to the top of the hill, does he pull down and then back up.

Mr. Castle said the yard on the corner was torn up since the Water Company did the curb. They came back several times to put dirt in.

Mr. Martino said he isn't sure which way to go with this.

Mr. Castle said he needs to be there two to three times a week to do service on the truck and probably not every week. He doesn't use it in the winter. It wouldn't be there overnight.

Chief Daugherty said they should look at what they are opening up as it could be a problem.

Mr. Moffatt said it was open for 15 years and nothing was done about it until now.

Chief Daugherty said if there had been a constant complaint somewhere else, it would have been handled the same way. They didn't have the continuous complaints like this one.

Mr. Moffatt said the complaints were from one person. He feels they are singling out one person to post the sign. If you want to cite him and take him to the magistrate, that's the way it should be.

Mr. Blenko said many complaints his department investigate are neighborhood feuds. They don't want to be involved in a neighborhood dispute. Mr. Castle has said about Catherine Brown and the problems between the two of them. If you live in a residential area, you may not want to look at a tri-axle truck parked in a neighbor's driveway. He doesn't feel this was handled right, but if you delete that Ordinance, it could be a problem.

Mr. Moffatt said he doesn't want the Ordinance changed, but it should be enforced and handled properly.

**APPROVAL OF MINUTES**

Motion: Mr. Martino

I'll make that motion. (Special Meeting – 1/27/10)

Second: Mr. Gray

Motion Carried 6 – 0 – 0

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Motion: Mr. Gray  
Second: Mr. Austin

Motion to approve. (Special Meeting – 2/11/10)

Motion Carried 6 – 0 – 0

Motion: Mr. Herold  
Second: Mr. Martino

So move. (Public Hearing – 2/17/10)

Motion Carried 6 – 0 – 0

Motion: Mr. Austin  
Second: Mr. Martino

So move. (Regular Meeting – 2/17/10)

Motion Carried 5 – 0 – 1 (Mr. Gray)

**TREASURER'S REPORT**

Motion: Mr. Martino  
Second: Mr. Austin

I'll make that motion to approve the Treasurer's Report for February 2010.

Motion Carried 6 – 0 – 0

**PAYMENT OF BILLS**

Motion: Mr. Herold  
Second: Mr. Gray

Mr. Chairman, I'll make a motion we pay Voucher No. 59450 through Voucher No. 59540.

**Remarks**

Mr. Martino asked about Voucher 59458 for locks and keys for \$910.90.

Chief Daugherty said it is for the Parks for the bathrooms. They had them all changed and gave keys.

Mr. Albert said there was work done at Public Works also last month for \$150.00 plus they had additional work done in the last two weeks.

Mr. Martino feels they are expensive locks and keys.

Mr. Albert said there could be more to it or it could be all be put together as there was work done at Public Works on the garage doors. This could all be the same.

Mr. Martino said for Voucher No. 59526, the Mickanin Road Project for \$1,185.75, is it coming out of the \$99,000 received for Fee-in-Lieu.

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Mr. Turley said they received \$97,000, but that amount is coming out of the General Fund. If the project comes in under budget, it would cover the engineering costs. He doesn't feel it will come in under \$97,000, so they will pay the engineering costs.

Mr. Martino said they received the money for the project and they should work to make sure it comes in under budget.

Mr. Turley said when it was started, they wanted to see where the bids come in. They were told it would come in around \$90,000. They will pay \$10,000 to \$15,000 for the engineer but they will get a project for \$115,000. When the bids come in, they could scale it back to bring it back to \$100,000.

Mr. Haigis said for Voucher No. 59452, why are they paying for flags.

Mr. Moffatt said that was payment to James Casorio for \$267.15 for flags.

Mr. Gray asked if the check was written to the State and is he the flag vendor.

Mr. Martino said that could be a special size because Mr. Casorio only hands out 4'x5' flags.

Mr. Moffatt asked Mr. Turley to look into it for the next meeting and to get a copy of the bill.

Motion Carried 6 – 0 – 0

### **PUBLIC WORKS REPORT**

Mr. Martino asked about the cabinets that were built for Emergency Management.

Mr. Albert said this is at their garage bay at Public Works building where they building shelving and cabinet for them.

Mr. Herold thanked Mr. Albert and Mr. Fyock and all the Public Works employees for the great job they did this past winter.

Mr. Albert said it was a hard winter and now they have to assess all the damages done from putting all the treatment down.

Mr. Herold asked how the salt brine system worked.

Mr. Albert said when it worked, it was good. They have been going back and forth with the company it was purchased from because of some issues. The solution is a good method to put treatment down. It saves on salt usage but that is questionable. It does help the salt be more effective in colder temperatures.

### **PARKS AND RECREATION REPORT**

There were no Board comments.

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**POLICE REPORT**

Mr. Gray asked if there were any recent burglaries in the last week.

Chief Daugherty said there were some over the weekend. One was on a vacant house and there were a couple sporadic ones. The one most bothersome was on the house where the residents left for church and were only gone for an hour which seems to have been targeted.

Mr. Gray asked if there was something last night.

Chief Daugherty said there was a couple over the weekend. They were sporadic and not in one location. Many of the burglaries are drug related and many of those are family drug related.

Mr. Moffatt said they talked about a system that will let residents know if an area is being broken into. There is a company called Nixle where residents sign up to get e-mails or text messages to let them know what is happening in the Township.

Chief Daugherty said he has heard of the Red Star System and he talked to Mr. Komondor about that. They did get involved in the Child Alert System. The Red Star System seems more complicated. Most residents are elderly and don't have text message.

Mr. Moffatt said this is where the neighbor would come in if a younger couple gets in and alerts their elderly neighbors. It is free to the Township.

**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. 110 of 2010, which approves S-4-2010, Lincoln Hills Phase 7, Ashton Court, R-1A Zoning.

Motion: Mr. Martino

I'll make that motion to adopt Resolution No. 110 of 2010.

Second: Mr. Austin

Motion Carried 6 – 0 – 0

**SOLICITOR'S REPORT**

There were no items for Board action.

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**TOWNSHIP MANAGER'S REPORT**

- 1) Action to approve the February check register.

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

Motion Carried 6 – 0 – 0

- 2) Budget Report – February 2010 Report.

There were no Board comments.

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

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

Motion Carried 6 – 0 – 0

- 4) Action to approve the Norwin School District Municipal Distribution and Refund Reports for the months of January and February 2010 in the amount of \$1,935.89.

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

Motion Carried 6 – 0 – 0

- 5) Action to approve Amendment #1 to the C.D.B.G. Subrecipient Agreement 08-23(B), sanitary sewer lateral replacement project. The original budget was \$116,000.00 and the amended budget is \$102,981.85.

Mr. Turley said this is a lateral sewer line replacement and the actual cost came in lower than estimated so this is a bookkeeping matter.

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

Remarks

Mr. Moffatt asked if this was the second year they got this grant and did they use all the money.

Mr. Blenko said he couldn't tell him for sure, but every street is different and you get different failure rates and different levels of income to qualify for the funding. The failure rate has been higher than anticipated but the qualifying families have been lower than anticipated.

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Mr. Moffatt said there is a certain time frame to use the money and he would like a report on it.

Motion Carried 6 – 0 – 0

- 6) Action to appoint an official voting Delegate and alternate for the annual meeting of the MRM Workers' Compensation Pooled Trust.

Motion: Mr. Gray I make a motion we appoint Mike Turley as the Delegate.  
Second: Mr. Haigis

Motion Carried 6 – 0 – 0

Motion: Mr. Herold I'll make a motion for Mr. Gray as Alternate.  
Second: Mr. Martino

Motion Carried 6 – 0 – 0

- 7) Action to adopt Resolution No. 109 of 2010, providing for a street light assessment for certain properties along Coulterville Road and Clyde Drive, in accordance with Ordinance No. 668.

Motion: Mr. Gray Motion to adopt.  
Second: Mr. Herold

Motion Carried 6 – 0 – 0

- 8) Action to accept the retirement of James Lewis from the Parks and Recreation Department effective march 18, 2010.

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

Motion Carried 6 – 0 – 0

- 9) Action to accept the proposal of Conrad Siegel not to exceed \$4,500.00 for the actuarial services related to GASB-45.

Mr. Turley said this is a new audit requirement the auditor brought up that will have to be done every three years.

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

Motion Carried 6 – 0 – 0

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- 10) Action to hire the following persons for 2010 Seasonal Employment in Parks and Recreation:

Mr. Turley said this is a partial list and these are returning employees from last year and this is let them know there is a position for them.

Nick Fallone  
Blake Ebbitt  
Ed Soboslay  
Mike Kalas  
Ross Weimer  
Josh Hooke  
Tom Zecchini

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

Motion Carried 6 – 0 – 0

- 11) Action to authorize the Township Solicitor to prepare a text amendment to permit micro-breweries in C-1, C-1A and C-2 Zoning Districts and also to provide definition of micro-brewery. The Township Planning Commission has recommended approval of the zoning text amendment, but limited to C-1A Zoning District.

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

Motion Carried 6 – 0 – 0

- 12) Discussion of the March 8, 2010 Waste Management request concerning delinquent accounts in the Township.

Charlene Cervino, 11070 Mockingbird Drive and Eric Queen, 9945 South Street:

Ms Cervino said they have met with the Township several times regarding bad debt. They have 1,300 delinquent accounts totaling \$300,000. They are asking permission to seek these revenues. They have done this in other communities, Penn Township, Hampton Township and Indiana Township and have signed up additional accounts that were not paying.

Mr. Moffatt said they are singling out one run to start with.

Ms. Cervino said they put in the streets they would start with and there are 21 stops on that route that aren't paying. There may be people that haven't signed up yet. This is the smallest route they have in the Township. On the day of service, they will tag the home but will pick up the garbage. They are given a week to contact Waste Management and if they don't call, they will leave the trash the following week hoping then they will contact Waste Management.

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Mr. Herold asked if the Township secretaries know these people are to contact Waste Management.

Ms. Cervino said it is made clear to contact Waste Management and customer service knows what to do.

Mr. Gray said the way the letter is worded, it looks like they are stopping service on all the streets, but it will only be on 21 homes.

Ms. Cervino said that is where the 21 people are.

Mr. Moffatt said if someone doesn't pay the bill, does Waste Management put the tag on when they come on Wednesday. If the person doesn't contact Waste Management, the following Wednesday will be no pick up.

Ms. Cervino said if a customer calls in and they even want to make payment arrangements, they work with them and remove them from the list. They address each individual account and if they can't pay, they will either take them to the District Justice or send a letter to the Township Solicitor. It will be a case by case, but most people when confronted, make an effort to pay.

Mr. Queen said they have a good success rate with the communities.

Mr. Moffatt asked if they would come back to the Township when they want to do another section of the Township.

Ms. Cervino said they will do whatever the Township wants them to do and will be in constant contact with the Township.

The Board all agreed to go ahead with the plan.

- 13) Action to re-appoint the following persons to the Emergency Management Committee retroactive to January 1, 2010 for a four-year term:

Herman Sieber  
Charles Henaghan  
Adrian Pierce  
Louis Durigon  
Charles Geis

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

Motion Carried 6 – 0 – 0

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- 14) Action to appoint Kevin Zenk to the Emergency Management Committee for a term ending on December 31, 2013.

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

Motion Carried 5 – 1 – 0 (Mr. Gray)

- 15) Action to appoint Robert Merda to the Emergency Management Committee for a term ending on December 31, 2013.

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

Motion Carried 5 – 1 – 0 (Mr. Gray)

- 16) Action to adopt Resolution No. 111 of 2010, appointing a Township Commissioner.

Motion: Mr. Gray Mr. Chairman, I'll make a motion that we appoint James Welsh III  
Second: Mr. Haigis as Township Commissioner.

**ROLL CALL VOTE**

|                      |     |
|----------------------|-----|
| Commissioner Herold  | No  |
| Commissioner Haigis  | Yes |
| Commissioner Gray    | Yes |
| Commissioner Martino | No  |
| Commissioner Austin  | No  |
| Commissioner Moffatt | Yes |

Motion tied 3 – 3 – 0

Motion: Mr. Gray Mr. Chairman, I'll make a motion that we appoint Eric Kwasny as  
Second: Mr. Haigis Commissioner for the Third Ward.

**ROLL CALL VOTE**

|                      |     |
|----------------------|-----|
| Commissioner Herold  | No  |
| Commissioner Haigis  | Yes |
| Commissioner Gray    | Yes |
| Commissioner Martino | No  |
| Commissioner Austin  | No  |
| Commissioner Moffatt | Yes |

Motion tied 3 – 3 – 0

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Motion: Mr. Herold  
Second: Mr. Martino

Mr. Chairman, I make a motion we appoint Brian West.

**ROLL CALL VOTE**

|                      |     |
|----------------------|-----|
| Commissioner Herold  | Yes |
| Commissioner Haigis  | No  |
| Commissioner Gray    | No  |
| Commissioner Martino | Yes |
| Commissioner Austin  | Yes |
| Commissioner Moffatt | Yes |

Motion Carried 4 – 2 – 0

- 17) Action to approve C.D.B.G Subrecipient Agreement #08-13(B) and #09-13(B) for removal of architectural barriers at the Town House. The total grant amount is \$262,000.00.

Mr. Turley said it is the retrofit of the building for handicap accessible.

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

Motion Carried 7 – 0 – 0

- 18) Action to accept the February 4, 2010 proposal from R.S.S.C. Architecture for architectural and engineering consultant services for the architectural barrier removal at the Town House. This is a lump sum contract in the amount of \$31,000.00.

Mr. Turley said it is for architectural work for building renovations. The C.D.B.G. grant money will pay for construction but the Township has to pay for engineering.

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

Motion Carried 6 – 0 – 0

- 19) David Castle 5-Ton Weight Limit – discussion.

Mr. Moffatt said he would like the signs removed and the code enforced.

Mr. Martino said he would be all right with that as long as they enforce the code.

Mr. Moffatt said this could be put on for next month's agenda.

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Mr. Martino asked to add to the agenda, authorization to advertise for request for proposals for potential oil and gas lease on Township property.

Motion: Mr. Martino                      Motion to add to the agenda.  
Second: Mr. Haigis

Motion Carried 6 – 0 – 0

**CITIZENS' INPUT**

There was no Citizens' Input.

Motion: Mr. Martino                      I'll make that motion to advertise.  
Second: Mr. Haigis

Motion Carried 6 – 0 – 0

**FURTHER BOARD COMMENTS**

Mr. Herold asked that they send a letter to Jim Lewis thanking him for his years of service.

**ANNOUNCEMENTS**

- 1)        The Volunteer Income Tax Assistance Program will be available to give tax counseling for the elderly age 60 and over every Tuesday and Thursday from 9:00 A.M. to 1:00 P.M. at the Town House through April 15, 2010.
- 2)        North Huntingdon Department of Parks and Recreation will host an Easter Eggapalooza at Oak Hollow Park on Saturday, March 27 from 12:00 to 2:00 P.M. The event is free and open to Norwin School Students only, ages 3 – 6 and 7 – 12. Participants must pre-register with the Administration Office by March 22 either by mail or phone 724-863-3806. Don't forget to bring your own basket!
- 3)        North Huntingdon Department of Parks and Recreation will host a "Teen-Egger Easter Egg Scavenger Hunt" at Indian Lake Park on Friday, March 26 from 7:30 to 8:30 P.M. Bring your flashlight and search for prize-filled eggs in the dark. The event is free and open to Norwin School Students in 6<sup>th</sup> through 9<sup>th</sup> grade. Either stop in at the Town House or call 724-863-3806 to register by March 22. Don't forget your flashlight and carry bag!
- 4)        North Huntingdon Department of Parks and Recreation invites the public to a Neil Diamond Dinner Show, "Diamonds are Forever", on April 10, 2010. For more information, call Parks and Recreation Department at 724-863-3806, Ext 124.

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- 5) The Spring Yard Waste Collection is scheduled for curbside pick-up by Waste Management on the regular day of trash service during the week of March 23, April 20, and May 25, 2010. Leaves and yard waste need to be placed in special **biodegradable** bags that are available at most retail stores such as Home Depot and Lowe's. Please have bags out at curb by 6:00 A.M. during those weeks.

The Board of Commissioners held the following Executive Sessions:

Thursday, March 11, 2010 -- Personnel, Real Estate

Wednesday, March 17, 2010 -- Personnel, Real Estate

**ADJOURNMENT**

Motion: Mr. Gray So move.

Second: Mr. Herold

Motion Carried 6 – 0 – 0

- Regular Meeting minutes of March 17, 2010 were approved by the Board of Commissioners on \_\_\_\_\_.

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Lee D. Moffatt, President

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John M. Shepherd, Township Secretary

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