

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
SPECIAL MEETING, THURSDAY, AUGUST 13, 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 7:00 P.M.

ROLL CALL

Commissioner Furlin	Present
Commissioner Patter	Present
Commissioner Gray	Present
Commissioner Martino	Present
Commissioner Moffatt	Present
Commissioner Austin	Present
Commissioner Herold	Present

Also Present:
John M. Shepherd
Craig Alexander
Andy Blenko

PLEDGE OF ALLEGIANCE

CITIZENS' INPUT

Thomas Benish, 564 McMahon Drive: His Dad bought the lot in 1950 and in 1996, he built a \$250,000 after his father passed away. The value of his house has increased all the other homes on the street, and he is complaining about burning in the neighborhood. One of the neighbors has been burning everyday of the week at all times. He was trained on burning of different materials such as rubber, plastic and equipment at the Philadelphia Fire School. The burning is irritating to the eyes, lungs and throat. They can't keep the windows open nor can they sit out on the deck because of the smoke. All the drapes and furniture smell like smoke. This neighbor burns in the middle of the night and he has to change the filter on the air-conditioning once a week. He and his wife always have burning eyes, throat and are getting headaches. They are worried about a long term health problem and they don't know what chemicals are in the smoke. It is not brush or wood being burned, but possibly some type of construction materials are being brought in and then burned at night. There is a bobcat, dump truck and other equipment kept at 601 Buttermilk Hollow Road in a residential area. He wants the burn ban in the Township as the homes are too close together. He gave handouts to the Board.

Mr. Furlin said he was up there morning and night and this was turned into the Police. There were two officers up there for a week walking through the yards and they couldn't find any burning. There is an Ordinance and they have to get a permit.

Mr. Benish asked if this person had got a permit. On the day this happened, they called to that home and the resident admitted to burning stuff from the garage. Now this resident is complaining about being harassed by them calling her.

Mr. Herold said they will have the Police investigate it.

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Tony Bazzo, 2968 Clay Pike, Rillton: He is a realtor with Prudential and he is with Attorney Jerry Tierney representing Rose Jessup. She owns property near the entrance to Indian Lake Park and there has been a problem for a number of years. He gave handouts to the Board. Her father-in-law purchased the property in the 70's and he and a partner were trying to do restoration work around the lake. In 1981, they got two prefab homes and got all the permits for them. One home burned down, but he did get two sewer taps and water taps. In the mid 80's, the federal government seized the property because the business partner was in some illegal practices. In 1991, the lake property was sold to the Township and the Jessup kept the one acre parcel with the two homes. When the Township excavated for the walking trail, the sewer lateral lines were severed to the Jessup property and the Mackenzie property. The Township repaired the Mackenzie line at no cost to her. The Jessup family was not informed that their lines were severed. In 2003, Mrs. Jessup wanted to sell the property and he found that two taps were paid for. In 2004, there was a buyer for the property, but the dye test failed. The Sewage Authority put a camera down and found out that the line was broken. They are trying to sell the house and need to tap back into the sewer lines. Mr. Gilbert from the Sewage Authority said they would put in a manhole and tie the line in which would not affect the walking trail. The buyer will absorb the cost.

Mr. Alexander asked what they wanted the Township to do.

Mr. Bazzo said they want permission to go on Township property to hook up the line. The Sewage Authority will help out. They can't go to Clay Pike to tap in because there is no sewage there.

Mr. Alexander said this would be referred to the Township Engineer to find the most feasible solution to help them out.

Jerry Tierney, Attorney: Mr. Blenko suggested they come before the Board and they are just asking for an easement/right-of-way. There is no cost to the Township.

Mr. Alexander said the Township will look at it and possibly have an answer at the next week's meeting.

Mr. Moffatt asked where the sewage was going for the second house that is still standing.

Mr. Bazzo said the house was never completed or lived in and all the utilities are off to the property.

- 1) Action to accept the resignation of Charles Snyder as an alternate member from the Civil Service Commission.

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

Motion Carried 7 – 0 – 0

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- 2) Action to award the bid for the 2009 Street Reconstruction Program.

Mr. Shepherd said this can be awarded or deferred to next Wednesday's meeting. To award the bid, the Board must consider the base bid and two alternate bids. Tresco is the lowest bidder and he is using the numbers in the budget developed for this year for the paving, engineering, seal coat program and a test application. The base bid of Tresco fits within the budget and they could go with Option 1 that would just be a little outside the budget but would still work.

Mr. Martino said the base bid would keep it under the budgeted amount.

Mr. Shepherd said the budget is \$466,000 for the paving component, so this is slightly under. Depending how the paving goes down, the amount could be higher than the \$462,000 bid amount and they would like some flexibility.

Mr. Blenko said they would like a 5% cushion in case they run into any problems.

Mr. Shepherd said it is close so they may want to go with the base bid at this time.

Motion: Mr. Martino I'll make a motion that they go with Tresco Paving on the base
Second: Mr. Furlin bid at \$462,785.80.

Motion Carried 7 – 0 – 0

- 3) Action to approve Resolution No. 137 of 2009, Lincoln Hills Phase 5 Sewage Planning Module.

Mr. Shepherd said Lincoln Hills Phase 5 plan was previously approved and the Sewage Planning Module is necessary. The sewage will be going the Hempfield Township Municipal Authority.

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

Motion Carried 7 – 0 – 0

- 4) Planning/Engineering Topics.

- a) Planning Commission Agenda Items:

- 1) S-15-2009, Wardezak Revised Boundary Line Revision, 1525 Robbins Station Road, R-2 Zoning.

Mr. Blenko said this is to adjust a boundary line on two existing lots on Robbins Station Road. There is an undeveloped .46 acre lot behind the Wardezak which, if developed, could have frontage on Pickford Street. The change would make the parcel in the rear increased to .90 acres. The Planning Commission recommended approval with no conditions.

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- 2) SP-4-2009, Teddy's Restaurant Site Plan, 8695 Route 30, C-1 Zoning and S-13-2009, Teddy's Lot Consolidation Plan.

Mr. Blenko said the site plan was reviewed by the Planning Commission in July and forwarded to the Board with a recommendation to approve contingent on all parking spaces meeting the required 9-foot width. The applicant came in with a revised parking layout and the Board was concerned with an offset in the main exit driveway and that when vehicles entered from Route 30, had to make an immediate decision whether to turn left or right. The Board asked to have it revised. The plan was revised and there is a better plan as far as traffic flow. The Police reviewed the situation and the revised plan addresses their comments also. With the revised plan, coming off Route 30, you can go right or left or go to the back of the parking lot and make a right. The Police asked for a "Do Not Enter Sign" in the back. Sgt. Kucera reviewed the plan and the Planning Commission recommended approval of the revised site plan. Both plans are recommended for approval.

Mr. Moffatt said when you come off Route 30, you can make a right, a left or go straight and then have to make a right. Where do they go from there?

Mr. Blenko said when you make a right, there are many places to park, but if all are full, there is room to turn around. It is difficult because the lot is triangular shaped.

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

- Personnel

Mr. Gray said he was contacted about two situations from the flooding in June. One on Wainwright, Work Order #2009-412 and #2009-405. Rocks that were put in the stream when the Township restored it have washed downstream behind 1036 Wainwright and made a dam. Possibly look at it and put our rocks back on our property. The other area was 2840 Turner Valley Road where a section of pipe had washed downstream leaving a channel gap of 20 feet. It was repaired temporarily, but there are still gaps that cause water to go under his shed and barn.

Mr. Albert said he researched the ownership of the pipe and there is no history of the Township installing the pipe. Possibly the County had put it in before we took over Coulter Road. There is no easement there, but during that emergency situation, he sent a crew to do temporary repairs. He doesn't feel it is Township pipe.

Mr. Gray said they should notify the homeowner. According to the residents, Joe Shuster put the pipe in when he built the homes above.

Mr. Albert said Mr. Shuster would have done that on his own, but he is of the understanding that it has been there a long time and is not even buried. The Township would not do that type of installation and he did tell Mr. Lindh that, but because of the flooding, they did a temporary repair.

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Mr. Gray asked to have that put in the letter that it doesn't belong to the Township.

Chris Schear, Sheriff of Westmoreland County: He wanted to thank the Board of Commissioners for the use of the building for the gun permitting. It is done on the third Monday of every month and there has been an overwhelming response. He wanted to thank the Board and the Police for this service.

ADJOURNMENT

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

Motion Carried 7 – 0 – 0

- Special Meeting Minutes of August 13, 2009 were approved by the Board of Commissioners on _____.

David E. Herold, President

John M. Shepherd, Township Secretary

/mec