

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
SPECIAL MEETING, THURSDAY, JUNE 11, 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 7:05 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:
Michael M. Turley
Craig Alexander
Andy Blenko

PLEDGE OF ALLEGIANCE

CITIZENS' INPUT

Ed Barton, 293 Everglade Road, Greensburg: He is concerned about leasing the property on Route 30 for Sonic that has been vacant for a year. He is 92 years old and he needs income from the property. He pays taxes there and he used to own the Norwin Diner. Whatever can be done to put the Sonic through, he would appreciate it.

Mrs. Barton, 293 Everglade Road, Greensburg: She is there on behalf of Mr. King in reference to the Sonic property. They own the property and want to know what will happen.

- 1) Action to donate \$200.00 to the 77th Annual Norwin Community Picnic (Note: this is the same funding as in previous years).

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

Motion Carried 7 – 0 – 0

- 2) Action to approve the request of the Penns Woods Civic Association to conduct a fireworks display on July 4, 2009 (rain date July 5, 2009) in the Penns Woods Park.

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Mr. Moffatt said it wasn't being used for personal use and the motion was only to award the vehicle to Larimer Fire Department and Rescue 8. There were no conditions on the motion. There was discussion at the Special Meeting, but nothing in the motion.

Motion: Mr. Martino I'll make a new motion on the Rescue 8 vehicle that it sits at Rescue 8 in the evening.

Mr. Moffatt said it can't be done now as they already gave them the vehicle.

Mr. Martino said they knew the conditions were there and that is why Larimer Fire Department didn't take the car.

Mr. Moffatt said he doesn't feel they should have conditions on the vehicles and it isn't their job to oversee if the vehicle is being used for personal use. Rescue 8 does not use vehicles for personal use. There is nothing in the motion from last August that the Township or the Board oversees the vehicle.

Mr. Herold said they are to keep a daily log on the vehicle.

Mr. Moffatt said there is a log for every vehicle. He read the motion again and there was discussion on it, but the motion should have been amended to include the conditions. Rescue 8 would not use the vehicle for personal use as they would get in trouble. They could put it in a parade.

Mr. Herold said a parade is not personal use, but taking it home for personal use.

Mr. Martino said if they take it home and leave it in the driveway and go back to work.

Mr. Herold asked if all the employees could use the vehicle like that.

Mr. Moffatt said if they are on call. No one uses any vehicles for personal use.

Mr. Herold said he has received phone calls about personal use of the vehicle.

Mr. Moffatt said they should have approached the two Board members who are on the Rescue 8 Board instead of sending a letter accusing Rescue 8 of doing something improper.

Mr. Turley read the letter stating the vehicle was not to be used as a take home vehicle or for personal use and to limit the use for official purposes.

Mr. Moffatt said the letter implies that it is not being used for what it was supposed to be used for. The motion was clear.

Mr. Herold said the Chief said it was clear that it was not to be used as a take home vehicle.

Mr. Martino said Mr. Moffatt needs to talk to people over there and see how it was used.

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Mr. Moffatt said he spoke to Chris Price and the vehicle was taken home while people were on call.

Mr. Herold said he can get written statements that they are taking it home for personal use.

Mr. Moffatt said the motion had no conditions attached to it. There are conditions on the vehicle voted on tonight and he voted against it because the conditions aren't clear.

Mr. Furlin said he would stop over there tomorrow to check on it.

7) Planning/Engineering Topics.

a) Planning Commission Agenda Items:

1) S-6-2009, Kirk Haight Auto Sales Subdivision, Route 30, C-1 & PEDD-2 Zoning.

Mr. Blenko said this is a lot consolidation with three lots. Mr. Haight owns property fronting Route 30 and wants to purchase Parcel #2 from Walnut Capital Partners and a piece of property from the Township. The parcel will be created when Subdivision 22 is recorded. On June 1, the Planning Commission recommended approval of the subdivision with no conditions. This had been tabled at the May meeting because he was trying to consolidate lots that weren't created. Mr. Haight brought the rest of the funds for the Township property.

2) S-8-2009, Thomas & Margaret Clark Subdivision, Route 30, C-1 & R-2 Zoning.

Mr. Blenko said it is a minor subdivision on Route 30. They own a lot on Route 30 that is zoned C-1 and another lot that is landlocked that is zoned R-2. They want to divide the larger lot into two lots and provide road frontage for the landlocked lot. Lots 2 & 3 will be flag lots that have access to Route 30. They have a buyer for the storage area in the back and need to subdivide it to get access to Route 30. One driveway will serve three lots. The Planning Commission recommended approval.

3) SP-3-2009, Dollar Bank Site Plan, 889 Magill Drive, C-1 Zoning.

Mr. Blenko said this is a site plan for a new bank to be located adjacent to the Walgreens on Magill Drive near Norwin Avenue. An underground storm water detention pipe is proposed and the developer is proposing a bio-infiltration swale to help cleanse runoff and recharge the groundwater table. A Sewage Planning Exemption is needed for one EDU which must be approved by DEP. The Planning Commission recommended approval contingent on resolution of those items.

Mr. Moffatt asked how the infiltration swale would work.

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Mr. Blenko said the runoff goes through a certain variety of plants which take the metals and runoff and absorb it. This is the new way to go that is encouraged by the State. The storm water management takes care of the volume and the bio-infiltration takes care of the water quality issues.

b) Plan Updates:

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

Mr. Blenko said they brought new drawings on June 1 and the footprint has been reduced by 9,000 sq. ft. The outside color is different and the parking layout has been redesigned. The construction is to begin in 2010 and it will open in 2011. There will be out parcels available and there will be more trees in the parking lot. There are diagonal strips that will help slow the traffic down. There is a second entrance to the site for delivery trucks in the back of the store.

Mr. Patter said the delivery trucks would have to use the other entrance because there is no room to turn around.

Mr. Blenko said there is room in the back to turn around. There is room for five tractor trailer trucks to back up to the loading dock.

- 2) Sonic Drive-In Site Plan, Route 30 at Billot Avenue, R-3 Zoning.

Mr. Blenko said he went to a meeting at PennDOT for the requirement being imposed on the development. A letter was sent on May 12 stating they would not issue a Highway Occupancy Permit unless Billot Avenue is right in, right out only with no left turns permitted westbound onto Route 30. The Township would be responsible for modifications to Billot. There is a history of traffic accidents there and some were caused by cars making left hand turns or rear end accidents. PennDOT gave two choices which were to construct a center turn lane on Route 30 or make Billot Avenue right in, right out. The Sonic traffic consultant stated the cost to widen Route 30 was \$150,000 and the cost to put in a raised medial strip on Billot Avenue would be about \$15,000. Mr. King said he would be all right with the no left turns from Route 30 and PennDOT said a design and a Highway Occupancy Permit application would have to be submitted on behalf of the Township. There is no money in the budget to do that work on Billot and the Township would expect Mr. King to do the work. Timing is an issue and PennDOT said it would take 60 days to approve which would take it into August. Mr. King asked if his company could put up a bond for the work on Billot and when the Highway Occupancy Permit is sent to PennDOT, could he start the work and when the application is approved, he could start the work on Billot Avenue. PennDOT seemed to be satisfied and one way is to not issue the Occupancy Permit until the work is done on Billot.

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Hartley King, 2118 Mill Drive, Elizabeth: He is not for closing off Billot because there are many people back there. If the bus company leaves there, it would be hard to lease that area. The Auction Company has trucks coming from the Turnpike making a left turn there. He feels the right in, right out would work. Most of the accidents were from people turning left out of Billot onto Route 30. The Jioio's Restaurant is a new project that is wide open as well as the Swimming Pool Co. and the Car Wash.

Mr. Alexander asked Mr. King about the statement made that he was not in agreement with the no left turn and how would he get the Highway Occupancy Permit from PennDOT.

Mr. King said he doesn't know and that is why he is there. That is a pre-existing condition.

Mr. Moffatt asked if he showed PennDOT the half pork chop and if they would go for that.

Mr. Blenko said PennDOT wanted either a dedicated turn lane or a right in, right out only. They felt the left turn was the major source of the problem. There have also been a lot of rear end accidents.

Mr. King asked if they had gotten the traffic study from the School District that was done a few years ago.

Mr. Blenko said he got them yesterday, but hasn't looked at them yet. At that time the School District was looking at a left turn off Route 30 but it was cost prohibitive.

Mr. Alexander asked the Board if they had any issue with prohibiting left hand turns from Route 30 onto Billot Avenue. He asked Mr. King if he would accept that to be able to begin construction, but that he wouldn't be able to get a building permit until he gets a Highway Occupancy Permit.

Mr. Moffatt said they aren't against the left turns off Route 30.

Mr. Blenko said the only reason Mr. King needs the Highway Occupancy Permit is because the site plan proposes an entrance onto Route 30. Mr. King said he could have one driveway out of the restaurant onto Billot. But PennDOT said the proposed use of the restaurant will impact the intersection at Route 30.

Mr. King feels that PennDOT is wrong about not putting in a half pork chop.

Mr. Herold said people will find a way to get there and there will be a lot of people from the school.

Mr. King said if you are only drawing from one side of the road, how much does it impact the area. He has talked to Goodwill Industries that have trucks that make left turns and so do the school buses.

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Mr. Herold called for a motion to go into Executive Session.

Motion: Mr. Moffatt I'll make a motion we go into Executive Session.
Second: Mr. Furlin

Motion Carried 7 – 0 - 0

Mr. Herold called for a motion to reconvene the meeting.

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

Motion Carried 7 – 0 – 0

ROLL CALL

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

Mr. King said if that is shut off it would reduce the value of the property back there.

Mr. Alexander said there is Board support for the half pork chop at the intersection and it will be put on the agenda for next week. They will draft a letter to PennDOT stating the Board supports the left turn from Route 30 onto Billot with the half pork chop with the condition that the Township would allow construction now but not occupy until the Highway Occupancy permit is resolved. PennDOT may not approve that concept.

Mr. King said he has all the other conditions satisfied and this was a pre-existing condition.

Mr. Blenko said the owner of Soccer 'n Stuff stated most accidents are due to a left turn in or out and if one of the left turns was eliminated, there would be fewer accidents.

3) Walgreens/Norwin Avenue.

Mr. Blenko said they have started to cut in the area for Nichols Drive which is a second entrance from Route 30. This would be a pre-requisite for occupancy for Walgreen's.

June 11, 2009

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

- Personnel
- Real Estate

ADJOURNMENT

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

Motion Carried 7 – 0 – 0

- Special Meeting Minutes of June 11, 2009 were approved by the Board of Commissioners on _____.

David E. Herold, President

Michael M. Turley, Assistant Township Secretary

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