

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
REGULAR MEETING, WEDNESDAY, OCTOBER 19, 2016, 7:00 P.M.
11279 Center Highway, North Huntingdon, PA 15642
Presiding Officer – Tony Martino, President, Board of Commissioners**

CALL TO ORDER

Commissioner Martino called the meeting to order at 7:00 P.M.

ROLL CALL

Commissioner Herold	Present	Also Present:
Commissioner Haigis	Present	John Shepherd
Commissioner Bertani	Present	Michael Turley
Commissioner Gray	Present	Solicitor Craig Alexander
Commissioner Faccenda	Present	Andrew Blenko
Commissioner Kucera	Present	Rich Albert
Commissioner Martino	Present	Dan Miller

PLEDGE OF ALLEGIANCE

**Proclamation: Declaring November 17 as “World Pancreatic Cancer Day”.*

OPENING PRAYER

The opening prayer was given by Pastor Bruce Judy from United Methodist Church.

CITIZENS’ INPUT

1. Mark Hamilton ó North Huntingdon Police Department ó states he is a lifelong resident of the Township and was hired by the police department in 2009 while serving in the 171st Pennsylvania National Guard and 171st Refueling Wing. He states the military members have had issues with the Township. With that being said, once issues were made public, many members of the public supported them. He states they have stayed quiet, trying to do the right thing and go through the process. Mr. Hamilton states he is there representing himself, Justin Wardman and Jay Kettren to defend themselves against comments made by Commissioner Gray. He states to the public that members of the Board have led them to believe that their complaints have been solely about money. He states they have also notified the Township about many acts of discrimination and have shown documentation, the emails and meeting notes. Mr. Hamilton states Commissioner Gray has stated misleading and inaccurate statements such as the members did not use their chain of

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command, it is the Township Manager's position and responsibility to handle these issues, they never put anything in writing or went to their Union, they have not given a single thing for us to address or specific examples of discrimination, that the military members went around their boss and right to the Board of Commissioners. Mr. Hamilton states this is what actually occurred and he has documentation to back it, the emails and the meeting dates. Mr. Hamilton states Commissioner Gray asked why they haven't filed a grievance. He shows a copy of the Collective Bargaining Agreement that references the Township SOP and the Police SOP (Standard Operating Procedure). He states nothing in those documents he just referenced have military discrimination in it and therefore is a non-grievable item. Mr. Hamilton states Commissioner Gray asked why they didn't go to their Union and he states they did go to their Union when Chief Lisiecki was hired and there was blatant, documented discrimination against military members is when they went to their Union. In December 2015 was Mr. Hamilton's and Mr. Wardman's first attempt to notify the Township of discrimination in Manager Shepherd's office to file a grievance on a personnel matter. Then in January 2016, Mr. Hamilton states they filed a complaint with the Employer Support of the Garden Reserve (ESGR) and were assigned an ombudsman who is a neutral mediator between the Township and its employee. Each military member was assigned an ombudsman for separate cases. Mr. Hamilton states his ombudsman contacted Manager Shepherd who directed him to speak with the solicitor. Mr. Dice's office stated to give him something in writing. Mr. Hamilton stated the next time they reported the grievance was January 11, 2016 and reiterated their feelings of discrimination again. He states nothing was done and they asked for an outside investigation. Mr. Hamilton states nothing was done and a meeting was set up with Commissioner Martino and Manager Shepherd on January 19, 2016. In that meeting, Mr. Hamilton states they explained every scenario and act of discrimination by Chief Lisiecki and other members of the Township where Mr. Hamilton stated he fears further retaliation by the Chief and Manager Shepherd. In August 2016, a supervisor actively and blatantly discriminated against him and just today, he found out that same supervisor discriminated against another military member. Mr. Hamilton states in March 2016, still nothing has been done except House Bill #88 was corrected and some other issues were corrected, but no discrimination issues were mentioned. He states they emailed President Martino requesting to meet with all seven Commissioners. He then was asked for an agenda for the meeting that clearly stated items beyond pay issues. The meeting was cancelled by Commissioner Martino for lack of interest the day before the meeting because some of the Commissioners were unable to attend. Mr. Hamilton states there was a meeting on August 29, 2016 where he and his attorney met with Solicitor Alexander, Commissioner Martino and Commissioner Bertani. At that time, Mr. Hamilton states he spoke for two and a half hours about documented discrimination.

2. Jason Trayers ó 790 Brownstown Road ó states he is here to follow up on the Ordinance regarding commercial vehicles at residential homes and what happens next.

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3. Fran Bevan ó 640 Stonebridge Drive ó states she is here in disappointment beyond words that she heard as far away as Colorado that the Board had dismissed Chief Lisiecki. The North Huntingdon community is appalled they fired the Chief even though some of the community knew of despicable intentions before the election. Ms. Bevan states the õgang of fourõ she is referring to are Commissioners Martino, Herold, Faccenda and Bertani in that they were not hired by the community to put forth their own personal agendas or vendettas but to oversee the efficient and effective work of the Township. Before the election, they had a hit list and according to their plan are on their way to fulfilling that list. As the war goes on against police and police officers in our Country, they are waging their own war against the police department of North Huntingdon Township. Corruption comes in two forms, money / financial corruption or moral corruption when they serve themselves instead of the residents. This Board is corrupt. Ms. Bevan states she would like the community to know that Mr. Faccenda failed to file a financial report after the election and was fined four hundred and sixty dollars by the Election Bureau. It is public record. This community deserves better.
4. Eric Gass ó Ormsby Drive ó states he is a longtime resident and a combat veteran in Iraq. He is here in support of Mark Hamilton and to make sure his voice is heard and to make sure toxic leadership is not accepted. He states there will be no more discrimination against the military and he supports the firing of Chief Lisiecki.
5. Bob Merta ó 12130 Sedona Drive ó states he is a longtime resident and was a Commissioner for a lot of years. He states he has seen a lot of things go on within the last three to six months. He states the Board looks bad and you cannot fire someone without document or proof as they did with Chief Liseicki. Years ago, Chief Henaghan was pushed out and ended up costing the taxpayers over two hundred fifty thousand dollars plus lifetime benefits for himself and wife. Then another two hundred fifty thousand dollars was spent to look for another Chief and then more money to find Chief Lisiecki who was fired last month. This Board has to work together or this Township will fail. Be prepared to pay some money for the firing of Chief Lisiecki. Get it together and work together.

RESPONSE TO CITIZENS INPUT

1. Commissioner Gray thanks Mr. Hamilton for his service and commends his research. He states as far as his comments, Mr. Hamilton quoted him accurately however Commissioner Gray states if he feels he was making false comments, then why would he video stream the meeting for everyone to see. He states he stands by every comment he made because that is the truth as he knows it. The comment that Mr. Hamilton made about it not being all about money is the only issue that came to the Board. Commissioner Gray states that in previous meetings before they were recorded live, the only issue discussed in public was financial. He called upon Manager Shepherd and the Solicitor asking if the Board was

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following the law and was assured they were as far as finances go. As far as the alleged discrimination complaints, Commissioner Gray states he is still not aware and was never presented as a Board with anything. When Mr. Hamilton requested the meeting, Commissioner Gray states he asked Commissioner Martino for an agenda but it was not specific as to specific allegations. He states as far as he knows, the Board was told Mr. Hamilton could go to the Union and has multiple layers of appeal. Commissioner Gray states at last month's meeting, Mr. Hamilton's father stated that Commissioner Gray did not know what was going on and he was right because all the information did not reach all of the Commissioners. He states if it had, he would have acted on it.

Mr. Hamilton states a lack of communication on the Board is not his problem. He says Commissioner Gray should have listened to not only an employee but one that lives in his Ward.

Commissioner Gray states he has quoted many times that it is not helpful to the organization for Commissioners to meet with specific groups no matter who they are in any collective bargaining unit.

Mr. Hamilton states they have followed their chain of command and all options were exhausted other than suing the Township. He states he understands Commissioner Gray has to stand by his comments and states he rebutted them with documented proof that will be available at litigation after Commissioner Gray is deposed. Mr. Hamilton states that Manager Shepherd failed to act on four different meetings.

Commissioner Haigis thanks Mark for his service. Originally, when this all came up, he states he was not comfortable coming to the meeting and was not aware he went to Manager Shepherd and nothing was done. As far as the agenda, it was not specific. At the public meeting, it was decided that Commissioner Martino, Manager Shepherd and the Solicitor would be the only ones there. The other Commissioners were invited by Commissioner Martino after the fact. He states they were told they would receive a brief summary of what happened at the August 29th meeting. Commissioner Haigis states two weeks went by when he requested from the Township Manager the summary and didn't receive it until at least a month after the meeting of what transpired.

Commissioner Kucera states he does not recall any conversations with the Chief making comments about the military and yes, they had a conversation at the golf outing. He states he has spoken with some officers and agrees Mr. Hamilton has some valid points. He states he thought Commissioner Martino would have brought something back to the Board after the meeting that could've been added to the agenda. He states he feels this was overdue and should have done it before.

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Commissioner Herold asks if Justin Wardman is a ranked officer. Mr. Hamilton states he is a First Sergeant in United States Army. Commissioner Herold states that he would know the chain of command. He asks if Jay Kettern is a ranked officer. Mr. Hamilton states he is East 79th United States Army. Commissioner Herold states he would also know the chain of command. Commissioner Herold asks about Mr. Wardman's medical drug test. Mr. Hamilton states that is a personnel matter and will not comment. Commissioner Herold states he will testify in court on behalf of the military people.

2. Jason Trayers ó Manager Shepherd responds that any zoning change that is proposed would need to be first reviewed by the Planning Commission and bring back any recommendations to the Board.
3. Fran Bevan ó no Board comments.
4. Eric Gass ó no Board comments.
5. Bob Merta ó Manager Shepherd states the searches from a cost standpoint were not that expensive.

APPROVAL OF MINUTES

Motion: Commissioner Haigis Motion to approve. (Special Meeting ó 9/15/16)
Second: Commissioner Faccenda

Motion Carried 7 ó 0 ó 0

Motion: Commissioner Haigis Motion to approve (Regular Meeting ó 9/21/16)
Second: Commissioner Kucera

Motion carried 7 ó 0 ó 0

PAYMENT OF BILLS

Motion: Commissioner Haigis I make a motion we pay Voucher No. 72962 through
Second: Commissioner Faccenda Voucher No. 73050.

Motion Carried 7 ó 0 ó 0

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STAFF REPORTS

PUBLIC WORKS REPORT

Commissioner Herold asks if the salt shed is complete.

Mr. Albert responds the salt shed is completed.

Commissioner Herold asks if salt is in yet.

Mr. Albert states salt is on order and is being delivered. He states the prep work for the trucks for the winter is being done along with mapping routes.

Commissioner Herold asks if they started making salt brine.

Mr. Albert states they have not started yet, but still has some.

PARKS AND RECREATION REPORT

Commissioner Bertani states he briefly attended the Youth Fishing Derby and was a very nice event and well attended even though rain.

Commissioner Faccenda states the guys did a great job.

Mr. Miller announces the Haunted Halloween Trail on Saturday, October 22. He states they are trying something new this year to appease the older kids in expanding the trail to a scare trail which will be a little more scary.

POLICE REPORT

There are no Board comments.

EMERGENCY MANAGEMENT REPORT

There are no Board comments.

PLANNING AND ENGINEERING REPORT

FIRE OFFICIAL'S REPORT

There are no Board comments.

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SUBDIVISION & LAND DEVELOPMENT APPLICATION REPORT

1) S-13-2016 – Norwin Town Square Encroachments, Bethel Rd/Route 30, R-2/C-1 Zoning

Action to adopt a Resolution for a subdivision plan intended to correct the number of encroachments onto Norwin Town Square from residential properties.

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

2) S-14-2016: LPP Plan, Hahntown-Wendel Road, R-2 Zoning

Action to adopt a Resolution for a boundary line revision involving three adjacent lots on Hahntown-Wendel Road.

Motion: Commissioner Bertani
Second: Commissioner Faccenda

Motion to approve.

Motion carried 7 ó 0 ó 0

3) S-15-2016: Koelsch Consolidation, Scotch Hill Road No. 1, R-4 Zoning

Action to adopt a Resolution for a lot consolidation involving two lots on Scotch Hill 1.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

4) S-16-2016: Spezziale Plan V, Brownstown Road, R-2 Zoning

Action to adopt a Resolution for a boundary line revision involving two lots on Brownstown Road.

Motion: Commissioner Bertani
Second: Commissioner Haigis

Motion to approve.

Motion carried 7 ó 0 ó 0

5) S-17-2016: Nagy Plan II, Wagner Drive, R-3 Zoning

Action to adopt a Resolution for a minor subdivision involving two lots on Wagner Drive.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

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6) S-18-2016: Guest Plan, Barnes Lake Road, R-3 Zoning

Action to adopt a Resolution for a boundary line revision involving two lots on Barnes Lake Road at Hahntown Wendel Rd.

Motion: Commissioner Haigis
Second: Commissioner Faccenda

Motion to approve.

Motion carried 7 ó 0 ó 0

7) S-21-2016: Bittner Plan I, Farview Drive, R-2 Zoning

Action to adopt a Resolution for a minor subdivision involving two lots on Farview Drive.

Motion: Commissioner Bertani
Second: Commissioner Faccenda

Motion to approve.

Motion carried 7 ó 0 ó 0

8) S-22-2016: St. George Acres Detention Pond, St. Nikolai Drive, R-2 Zoning

Action to adopt a Resolution for a boundary line revision involving detention pond parcel for St. George Acres.

Motion: Commissioner Faccenda
Second: Commissioner Herold

Motion to approve.

Motion carried 7 ó 0 ó 0

SOLICITOR'S REPORT – Solicitor Craig Alexander

- 1) Action to adopt Proposed Ordinance No. 5 of 2016 approving revisions of the Civil Service Rules and Regulations.

Motion: Commissioner Gray
Second: Commissioner Haigis

Motion to approve.

ROLL CALL:

Commissioner Herold ó YES
Commissioner Haigis ó YES
Commissioner Bertani ó YES
Commissioner Gray ó YES
Commissioner Faccenda ó YES
Commissioner Kucera ó NO
Commissioner Martino ó YES

Motion carried 6 ó 1 ó 0

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TOWNSHIP MANAGER'S REPORT

- 1) Action to approve the September check register.

Motion: Commissioner Herold
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

- 2) Budget Report ó September 2016 Report.

- 3) Action to accept the resignation of Todd Fry from the North Huntingdon Township Municipal Authority in accordance with his correspondence of September 11, 2016.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

- 4) Action to approve a Resolution to authorize an overhead banner for the Norwin High School Theatre Company on Route 30 near Malts Lane.

Motion: Commissioner Herold
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

- 5) Action to direct the Civil Service Commission to prepare an eligibility list for entry level police officer.

Motion: Commissioner Faccenda
Second: Commissioner Bertani

Motion to approve.

Motion carried 7 ó 0 ó 0

- 6) Action to settle the EADS Litigation in the amount of \$301,000.00.

Motion: Commissioner Herold
Second: Commissioner Bertani

Motion to approve.

ROLL CALL:

Commissioner Herold ó YES

Commissioner Haigis ó NO

Commissioner Bertani ó YES

Commissioner Gray ó YES

Commissioner Faccenda ó YES

Commissioner Kucera ó NO

Commissioner Martino ó YES

Motion carried 5 ó 2 ó 0

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7) Police Chief job opening ó discussion.

Motion: Commissioner Herold
Second: Commissioner Faccenda

Motion to table this item for a later date.

Motion carried 7 ó 0 ó 0

FURTHER BOARD COMMENTS

Commissioner Herold thanks John and Cindy Kisel for the recognition of Pancreatic Cancer Day

Commissioner Gray comments on his support of the settlement of the EADS case. He states this case has been going on for ten plus years and originally was firmly in favor for the full cost of the system which cost \$600,000.00. The HVAC system has been a problem since installed. He states he does not like the settlement amount but the legal system fails. He feels the Township lost out on this deal but at this point he feels it's in the best interest to put it behind us.

ANNOUNCEMENTS

- 1) The Fall Yard Waste Collection program is scheduled on your regular day of garbage pick up during the weeks of October 25th, November 8th and December 6th. Yard waste must be placed in biodegradable paper bags.
- 2) North Huntingdon is committed to growing small businesses. We are pleased to announce our small business development series featuring four critical sessions held at Excelsa Square, Norwin Avenue:
 - Understanding Financial Statements ó November 15th ó 4PM ó 7PM
 - People Compliance ó early 2017
 - Building a Marketing Plan ó early 2017
 - Exporting Essentials ó early 2017

ADJOURNMENT

Motion: Commissioner Haigis
Second: Commissioner Bertani

Motion to adjourn. (8:08 P.M.)

Motion Carried 7 ó 0 ó 0

- Regular Meeting Minutes of October 19, 2016 were approved by the Board of Commissioners on _____

Tony Martino, President

John M. Shepherd, Township Secretary
/jjm

