

**TOWNSHIP OF NORTH HUNTINGDON, BOARD OF COMMISSIONERS
REGULAR MEETING, WEDNESDAY, MAY 20, 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:
Michael M. Turley
Bruce E. Dice
Chief Daugherty
Richard G. Albert
Andy Blenko
Dan Miller

PLEDGE OF ALLEGIANCE

OPENING PRAYER

Reverend Jim Reiter, V.F.W. Chaplain, gave the opening prayer.

CITIZENS' INPUT

Cindy Corder, Dartmoor Drive: It was brought to the attention of Ward 3 that their Commissioner was not residing on Palomino Drive nor in the Township and they are asking that he submit his resignation tonight as he must live in the Township by the rules.

RESPONSE TO CITIZENS' INPUT

Cindy Corder

Mr. Patter stated he will not resign and he is a resident of the Township.

Mr. Martino said it was stated that Mr. Patter does not live in the Township even though he is a resident.

Mr. Patter said he lives in the Township at his current address.

May 20, 2009

APPROVAL OF MINUTES

Motion: Mr. Furlin So move. (Regular Meeting – 3/18/09)
Second: Mr. Martino

Motion Carried 7 – 0 – 0

Motion: Mr. Furlin So move. (Special Meeting – 4/9/09)
Second: Mr. Austin

Motion Carried 7 – 0 – 0

TREASURER'S REPORT

Motion: Mr. Austin So move. (March & April 2009)
Second: Mr. Furlin

Motion Carried 7 – 0 – 0

PAYMENT OF BILLS

Motion: Mr. Martino I make a motion we pay Voucher No. 57744 through Voucher
Second: Mr. Austin No. 57843.

Remarks

Mr. Moffatt asked about a voucher to Larry Crespo for goose management.

Mr. Turley said that was the consulting fee for goose management.

Motion Carried 7 – 0 – 0

PUBLIC WORKS REPORT

There were no Board comments.

PARKS AND RECREATION REPORT

There were no Board comments.

POLICE REPORT

There were no Board comments.

EMERGENCY MANAGEMENT REPORT

There were no Board comments.

May 20, 2009

FIRE OFFICIAL'S REPORT

There were no Board comments.

SUBDIVISION & LAND DEVELOPMENT APPLICATION REPORT

- 1) Action to adopt Resolution No. 121 of 2009, which approves S-5-2009, Lincoln Hills Phase 5A, R-3 Zoning.

Mr. Blenko said Hempfield Township residents are concerned about the impact of the project in their area. The problem is Lockport Drive is narrow and it will be a major cut thru as a shortcut when Wal-Mart opens. Hempfield feels if they improve the road, it will be more attractive for a shortcut, and if they leave it in poor condition, the residents aren't happy. The Hempfield Solicitor sent a letter about the plan submitted and that Phase 5A was before the Board to be approved. He asked for certain conditions to be added. 1) No construction vehicles on that portion of Lockport until Phase 5B is approved. 2) Adequate storm drainage is installed until Phase 5B is approved. He is asking Hempfield Township and North Huntingdon review the plan for traffic impact on Lockport Drive. Hempfield Township is requesting that the Board of Commissioners take into consideration comments that Hempfield Supervisors may have before final approval of Phase 5B. Lockport Drive in Hempfield is posted for 10 Ton weight limit which doesn't permit heavy equipment or trucks to go over it. The roads in Phase 2 & 3 will be used as an access route to Phase 5 for construction vehicles. The developer will continue a maintenance bond on those roads until completion of Phase 5. As far as the request for adequate storm water drainage, it may require a phased approach. If Phase 5B is not built, a permanent detention pond won't be built. It is common during construction to have a temporary pond that is removed at a later date. As far as construction vehicles on Lockport Drive, it will not be connected to Hempfield until Phase 5B. The Resolution addresses the issues with the conditions.

Mr. Moffatt asked if the two conditions were added to the Resolution.

Mr. Blenko said the two conditions were addressed. As far as no construction vehicles, if Lockport is posted 10 Tons in Hempfield, that will exclude anything over a dump truck. They are approving Lot 5A and the storm sewer system and road improvements to serve 5A only.

Mr. Moffatt wants the developer to contact Hempfield Township to discuss the concerns.

Mr. Blenko said it is in the Resolution that the applicant coordinates road alignment of the Lockport Drive improvements with Hempfield Township. The plans were sent to Hempfield Township last week, but that is with Phase 5B. Phase 5A is to extend the utilities on Lockport from where it now ends. The sanitary sewers have to come up from the bottom of the hill.

Mr. Moffatt asked if the intent was always to connect Lockport Drive.

Mr. Shuster said they did two traffic studies and the second was done with that in there.

Mr. Blenko said Bradgate was to connect with Braden but there are wetlands which are too costly to move. They put a storm water detention pond in that valley and made each street a cul-de-sac.

May 20, 2009

Motion: Mr. Furlin I make a motion to approve Resolution No. 121.
Second: Mr. Martino

Remarks

Mr. Moffatt said as long as the two items that Hempfield wants addressed are in there.

Mr. Blenko said it is not spelled out, but as long as Lockport does not connect, both items are covered.

Motion Carried 7 – 0 – 0

- 2) Action to adopt Resolution No. 122 of 2009, which approves SP-02-2009, Shorkey Kia Dealership Site Plan, 13230 Route 30, C-1 Zoning.

Mr. Blenko read the Resolution with the conditions.

Mr. Furlin asked about the zoning.

Mr. Blenko said it has been C-1 zoning forever. This item was put off because of the drainage in the read. They received a grading and slope easement, a storm sewer easement and a sanitary sewer easement signed by both parties.

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

Motion Carried 7 – 0 – 0

Mr. Martino asked about the Sonic project.

Mr. Blenko said there is a meeting at PennDOT next Wednesday to discuss the concerns.

Mr. Moffatt asked what the concerns were.

Mr. Blenko said the issue brought up by Chief Daugherty is not that they don't agree about the no left turn from Billot Avenue, but that it will cut off access to businesses from westbound traffic. They want to know what the long term intentions of PennDOT are for Route 30.

Mr. Moffatt thought they agreed to right in, right out at the last meeting.

Mr. Blenko said they agreed with that, but want to know what PennDOT will do long term.

Mr. Moffatt said they agreed with Sonic and there were almost no conditions.

Mr. Blenko said Sonic had to obtain a Highway Occupancy Permit from PennDOT and they won't issue it unless the Township makes Billot Avenue right in, right out.

May 20, 2009

Chief Daugherty said PennDOT is holding this up because with the increased traffic going to Sonic, the left turn from Route 30 to Billot Avenue is dangerous. They want to restrict it and want Sonic to approve. The Township doesn't disagree with that, but if they restrict access, there is no access to that side of the highway. This restricts traffic trying to get to the south side of Route 30. PennDOT wants that stipulation in the Highway Occupancy Permit.

Mr. Blenko said the other issue is that PennDOT is looking for the Township to put in an island and put up signs on Billot Avenue because it is our road. He feels if this is necessitated by the Sonic Drive-In and Mr. King will pay for the improvements, this would be okay.

Mr. Moffatt said he thought they would still be allowed to make the left turn in but PennDOT said it wasn't allowed. The Township has always been in agreement with what the State says and if Mr. King gets the State to change, the Township is out of it.

Mr. Blenko said if the State okays it, then it is all right with the Township. The Planning Commission recommended Billot Avenue be a no left turn at Route 30. PennDOT wants a raised median at the intersection. If Sonic will construct the median, would that be okay.

Chief Daugherty said that road is narrow and to put a barrier up, they would have to take land from the other businesses.

Mr. Blenko said there is a sufficient right-of-way there, but that would take land.

Chief Daugherty said if the median is put in, traffic going in a westerly direction would not be able to make the left hand turn.

Mr. Blenko said they could put a double median in so Route 30 traffic could make a left hand turn. The Planning Commission recommended a right in only but could still make a left turn in.

Chief Daugherty said it is still up to PennDOT and if they put the median in, you would be restricting traffic going southbound. They get complaints from Kenny Ross about vehicles using the business as a turnaround and you don't want the businesses to have that.

Mr. Turley said they have to ask PennDOT about the long term plan because this is restricting access but this is a business corridor and they have to provide some type of turnaround.

Mr. Blenko said at the meeting with PennDOT, there are three things that can come out of it. First that PennDOT keeps the position that Route 30 is no left turn if Sonic goes in. Second that PennDOT may say that Billot Avenue will be a right turn in only but can still make a left turn from Route 30 onto Billot. Third is if PennDOT backs off completely and don't have to do anything with Billot Avenue.

Mr. Moffatt said that is what they had decided before other than they would be looking at it again in six months about making the left turn out.

Mr. Blenko said another issue is if PennDOT won't change their mind, Sonic may ask for full access from Billot Avenue.

May 20, 2009

Mr. Furlin asked if the developer approved of the right in, right out.

Mr. Blenko said he doesn't because it would limit access to his business to eastbound traffic only. It is an option that he may pull out.

SOLICITOR'S REPORT

- 1) Action to adopt Proposed Ordinance No. 4 of 2009, electing to change the Police Pension Benefits it has in the Pennsylvania Municipal Retirement System under Article IV of the Pennsylvania Municipal Retirement Law, agreeing to be bound by all provisions of the Pennsylvania Municipal Retirement Law as amended. If adopted, this would be Ordinance #2132.

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

Second: Mr. Furlin

Remarks

Mr. Gray asked what is changing.

Mr. Turley said that was about the marriage clause that was discussed.

Motion Carried 7 – 0 – 0

TOWNSHIP MANAGER'S REPORT

- 1) Action to approve the April check register.

Motion: Mr. Furlin Motion to approve.

Second: Mr. Martino

Motion Carried 7 – 0 – 0

- 2) Budget Report – April 2009.

There were no Board comments.

- 3) Action to approve the surface agreement with Kriebel Resources.

Mr. Turley said this is property near Penns Woods Park that the County deeded to the Township but severed the gas rights and entered into an agreement with Kriebel Resources. The Township is eligible for free gas but have no way to use it. Kriebel has offered the Township \$500.00 a year in lieu of free gas. The agreement is with the County and Kriebel and the Township cannot stop them from drilling on the property.

May 20, 2009

Motion: Mr. Martino I'll make that motion that we approve the surface agreement.
Second: Mr. Austin

Motion Carried 7 – 0 – 0

- 4) Westmoreland Cleanways Household Hazardous Waste Collection sponsorship of \$1,120.00 – discussion and potential action.

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

Motion Carried 7 – 0 – 0

- 5) Action to appoint Ryan Fonzi to the position of Associate Planning Director at an annual salary of \$48,000.00

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

Motion Carried 7 – 0 – 0

- 6) Action to approve the list of roads for the 2009 Road Paving Program and authorization to advertise for bids.

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

Motion Carried 7 – 0 – 0

- 7) Action to appoint Commissioner Tony Martino to the Peer-to-Peer Committee for the Norwin Regional Recreation Committee.

CITIZENS' INPUT

There was no Citizens' Input.

Motion: Mr. Furlin Motion to approve Mr. Martino to the Peer-to-Peer Program
Second: Mr. Austin

Motion Carried 7 – 0 – 0

FURTHER BOARD COMMENTS

There were no Board comments.

May 20, 2009

ANNOUNCEMENTS

- 1) 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.nhtpa.us or contact the Administration Office.
- 2) North Huntingdon Township Department of Parks & Recreation is hosting a “Back to the 50’s” – Memorial Day Summer Kick-Off Classic on Saturday, May 23, 2009 from 5:00 P.M. to dark at Norwin Hills Shopping Center. The event will feature a Classic Car Cruise, Sock Hop Dance Contest and the movie “Grease” that will be shown at dark. (Rain date is Saturday, May 30, 2009)
- 3) 2009 Summer Camp registration is underway with openings still available at five various camps throughout the summer. Children ages 4 – 12 are invited to attend. For more information, please contact the Parks & Recreation office.

The Board of Commissioners held the following Executive Session:

Wednesday, May 20, 2009 -- Personnel, Real Estate

ADJOURNMENT

Motion: Mr. Furlin Motion to adjourn.
Second: Mr. Austin

Motion Carried 7 – 0 – 0

- Regular Meeting Minutes of May 20, 2009 were approved by the Board of Commissioners on July 15, 2009.

David E. Herold, President

Michael M. Turley, Assistant Township Secretary

/mec

