

**BLAIR TOWNSHIP BOARD OF SUPERVISORS**  
**375 CEDARCREST DRIVE**  
**DUNCANSVILLE, PA 16635**

**MINUTES OF THE MONTHLY MEETING OF AUGUST 11, 2015**

Chairman Richard Lasek called the meeting to order at 7:00 p.m. and led the assembly in the salute to the flag.

In attendance were Chairman Lasek and Supervisors Edward Silvetti and Palmer Brown, Secretary/Treasurer Betty Robertson, Road Foreman Lance Dick, Chief of Police Roger White, Teddie Kreitz representing Keller Engineers and Solicitor Rick Gieg.

Chairman Lasek announced: "Public comment is both welcome and invited. Any persons wishing to speak on an agenda item or during the public comment period will be limited to five minutes per person."

Supervisor Silvetti made a motion to approve the minutes of the Monthly Meeting of July 14, 2015. Chairman Lasek seconded the motion. The motion passed with a unanimous vote.

Payroll and payroll liabilities for the month of July totaled \$57,560.29. General Fund disbursements for the month of July totaled \$81,091.20. Local Services Tax disbursements totaled \$1,652.00. Supervisor Silvetti made a motion to approve total disbursements in the amount of \$140,303.49. Supervisor Brown seconded the motion. The motion passed a unanimous vote.

Supervisor Brown made a motion to approve the Treasury Balance for July 2015 as \$742,745.41. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Chairman Lasek made a motion to approve the "Specific Service Investment Account Funds" treasury balance for July 2015 as \$87,445.42. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

Jeff Holtzinger of DPPS addressed the Supervisors regarding the **Pleasant View Phase 6 Subdivision** plan. The cul-de-sac, he stated, is ready to have stone placed. A narrative and revised plan is needed due to changes made in the field regarding the length of the roadway leading to the cul-de-sac, as well as the cul-de-sac itself; the roadway length has been shortened by 20-feet. Solicitor Gieg has scheduled a meeting in his office on Wednesday with Mr. Holtzinger, Lance Dick, Betty Robertson and representatives from the Blair Township Water and Sewer Authority. The purpose is to resolve issues between the Developer, Township and the Authority. Mr. Holtzinger has assured the Township that the cul-de-sac will be completed in time to qualify for Liquid Fuels funds this year. Solicitor Gieg suggested a Special Meeting may be in order to determine whether or not the revised plan is acceptable. Supervisor Silvetti made a motion to **table the Pleasant View Phase 6 Land Development Plan**. Supervisor Brown seconded the motion. The motion to table passed with a unanimous vote. The municipal review period will end September 26, 2015.

The **Chimney Rocks Partners LLC** Subdivision and Land Development plan, as prepared by Eric Banks of Stiffler and McGraw, was discussed: the stormwater fund payment in the amount of \$1,500 has been received; First National Bank has confirmed Financial Security in the amount of \$157,690.50; and, the Land Development plan is in order. The Developer's Agreement is in the process of being reviewed by the project owner's legal counsel. Supervisor Silveti made a motion to table the **Chimney Rocks Partners, LLC Developer's Agreement**. Supervisor Brown seconded the motion. The motion to table passed with a unanimous vote.

Supervisor Silveti made a motion to table the **Chimney Rocks Partners, LLC Land Development** plan. Supervisor Brown seconded the motion. The motion to **table the Chimney Rocks Partners, LLC Land Development** plan passed with a unanimous vote. The municipal review period will end October 03, 2015.

The **Weidley Lot 10 & Park Lot Land Development** plan, as represented by Elizabeth Heggi of P.J. Lehman, was discussed. Everything is in order. The developer is requesting a 180-day extension inasmuch as he does not intend to start the construction process until the spring of 2016, and thus does not want to post the required Financial Security until he is ready to begin the project. Supervisor Brown made a motion to approve the 180-day extension as requested, pending a revised letter is received "granting" the extension, by the developer. Chairman Lasek seconded the motion. The 180-day extension passed with a unanimous vote.

Supervisor Brown made a motion to **table the Weidley Lot 10 & Park Lot Land Development** plan. Supervisor Silveti seconded the motion. The motion passed with a unanimous vote. Solicitor Gieg confirmed that the BTWSA is in agreement with the proposed sewer line placement. The municipal review period will end February 26, 2016.

The **Mezzy Court Subdivision** plan as prepared by Todd Beiswenger of Young & Associates, developer, John Castle is not ready for review at this time. The plan was tabled by the Blair Township Planning Commission at their July 6<sup>th</sup> meeting. Supervisor Silveti made a motion to table the plan. Supervisor Brown seconded the motion. The motion to **table the Mezzy Court Subdivision** plan passed with a unanimous vote. The municipal review period will end October 04, 2015.

The **Barnhart Land Development** plan was discussed. Teddie Kreitz commented that Keller Engineers continue to wait for the stormwater plan. Supervisor Silveti made a motion to waive the Developer's Agreement and to table the Barnhart Land Development plan. Supervisor Brown seconded the motion. The motion to **waive the Developer's Agreement and table the Barnhart Land Development** plan passed with a unanimous vote. The municipal review period will end October 04, 2015,

The **Michael Crawford Land Development** plan was discussed. Supervisor Brown made a motion to waive the Developer's Agreement and approve the Michael Crawford Land Development plan. Supervisor Silveti seconded the motion. Joe Crossman, developer, was present. Teddie Kreitz explained in great detail the erosion and sedimentation regulations, which were then questioned by Mr. Crossman. She recommended that he attend an upcoming class as sponsored by the Blair County Conservation District. He assured her that he would look into attending the class. The motion to waive the Developer's Agreement and **approve the Michael Crawford Land Development** plan passed with a unanimous vote.

The **McGroarty Variance Agreement**, as prepared by Solicitor Gieg, was discussed. The property is located at 118 McDonald Drive. There is an existing garage with a side setback encroachment abutting McDonald Drive, a Township roadway that does not comply with setback requirements. This violation has been long-standing, but was not clear to any party prior to a now-pending property sale. Lance Dick confirmed that the garage has been there many years and it has never been an issue. Chairman Lasek made a motion to **approve the McGoarty Variance**. Supervisor Silveti seconded the motion. The motion passed with a unanimous vote.

Chairman Lasek made a motion to approve **release** of the **Letter of Credit** being held for the infiltration basins and stabilization for the **Harvest Glen Development**. Supervisor Brown seconded the motion. The engineering review authorizing release was performed on 12/28/2011, but subsequent action had never been taken. The motion to release the Harvest Glen Letter of Credit passed with a unanimous vote.

The **Verizon Wireless Tower** plan was discussed. The plan, dated 8/23/13, revised 11/12/13, then approved by the Board of Supervisors on 03/11/2014, was stalled following Township approval because the PA State Historical Preservation Office had required certain modifications. To date, a revised plan has not been submitted to the Township. At the recommendation of Solicitor Gieg, formal action to rescind the vote is necessary. Supervisor Silveti made a motion to **rescind prior approval** for the **Verizon Wireless Tower**. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

Supervisor Silveti opened discussion regarding the **Greendown Acres Mobile Home Park CDBG-funded sewerage project**. A draft Agreement between Blair Township and the BTWSA has been modified by himself and Dick Furmanchik of the Blair COBRAH Authority to include revised language, particularly in Section 4 covering responsibility for cost overruns. Supervisor Silveti suggested that should the project cost escalate, the Township would likely be agreeable to using additional CDBG entitlement funds. He questioned whether the Authority is committed to add its funds in the event of cost overruns. Tim McGaw suggested that the project be bid in order to determine if additional funds may be necessary. Solicitor Gieg noted that the Township stands nothing to gain in this project, but the Authority would benefit because it would solve an infiltration issue. The Solicitor suggested that the Agreement be first executed by the Township and Authority, followed by completion of bid documents. Supervisor Silveti made a motion to **table the Agreement** between **Blair Township** and the **Blair Township Water and Sewer Authority**. Supervisor Brown seconded the motion. The motion passed with a unanimous vote. No action was needed on a draft Keller Engineering Agreement with the Township.

A lengthy discussion took place regarding the proposed **Outdoor Furnace Ordinance**. The draft, as amended by Supervisor Brown, was discussed in great detail. The Ordinance needs additional and revised language and will again be addressed at subsequent meetings.

Supervisor Silveti stated the need to fill the Township's **Code Enforcement Officer Position**. The position has been vacant since the retirement of part-time Code Official/BCO, Tom O'Leary. Currently, Township Police handle all code issues, but there are too many issues that need to be addressed and which potentially detract from other police law enforcement activities. Supervisor Silveti has prepared a job description that encompasses both the position of Code Officer and Building Permit Officer, thus creating a full time position. Chairman Lasek made a

motion to approve the Job Description, as presented, to create a full time position of Blair Township Code Enforcement Officer, and to authorize the Township's Secretary-Treasurer to post this position opening for current Township employees' consideration, registering this also with PA Career Link. Supervisor Brown seconded the motion. Teddie Kreitz mentioned the need of a qualified person to enforce the Floodplain Ordinance, noting that code enforcement should be responsible to follow through with the Floodplain requirements. The motion passed with a unanimous vote.

Solicitor Gieg commented on the Non-Compete Agreement status relative to the **PA Municipal Code (Inspection) Services**, noting that the Court Order refused to enforce the Non-Compete Agreement. The Order thus allows PMCA to work in this local area. Currently, UCC Inspections are provided in the Township through an agreement with the Middle Department Inspection Agency (MDIA). Supervisor Silvetti stated that the most recent two-year contract with MDIA had a June 01, 2011 expiration with a 120-day cancellation notification provision. With no current contract in place, he then made a motion for Blair Township to terminate services with MDIA, effective with the close of business on December 31, 2015. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

The Township has received notification from **Enterprise Products Pipeline, LLC** that they are applying for a general permit to relocate the existing A-3 pipeline at two locations. One of the locations is in Allegheny Township, the other being at pipeline milepost 126.3 in Blair Township. This is being done to eliminate lengths of the pipeline that are exposed.

The Township also had received notification from **Sunoco Pipeline, L.P.** that they are applying to PA DEP for a Chapter 105 Water Obstruction and Encroachment permit application for the Pennsylvania Pipeline Project for the purpose of interconnecting with the Mariner East pipelines.

Jeff Holtzinger questioned the pipeline company's authority to condemn property, noting he is concerned with the tentative location of proposed haul routes, etc. Solicitor Gieg stated he does not feel the pipeline company has condemnation rights. Mr. Holtzinger commented that rumor has it the pipeline intends to begin submitting permit applications next Friday.

Robert Sell of 1185 **Pond Street** addressed the Supervisors, introducing his neighbor, Dennis **Weitzel**. Mr. Weitzel first expressed his dissatisfaction that the Township could require him to follow set back regulations when placing a shed, but could not enforce issues between him and his neighbor concerning property disputes. Mr. Weitzel stated that the neighboring property owner, Robert Lanier, had constructed a fence on the property line. The fence complies with the UCC, as it does not exceed six feet in height. But he contends the fence does present a Vehicle Code violation, as it obstructs the view for Mr. Weitzel when exiting his property. Chief White has addressed this with Mr. Lanier, the adjoining property owner. Mr. Lanier has since removed a 2-foot x 2-foot portion of the fence. According to Mr. Weitzel, the change to the fence is still not enough for good site distance when exiting his property. Chief White will once again address this with Mr. Lanier, expecting full cooperation and compliance. If that is not the case, another avenue will be taken. The Township has no authority to act, as this is a private matter, on a private street. The Police Department is, however, able to act under the PA Vehicle Code. Mr. Sell then addressed the Supervisors reiterating everything that Mr. Weitzel previously explained. Mr. Sell suggested that the Board of Supervisors could remedy this problem by requiring placement of a fence to be "a couple of feet" off of the property line.

**Other Business:**

There being no other business, Supervisor Brown made a motion to adjourn. Supervisor Silveti seconded the motion. The motion passed with a unanimous vote.

The meeting adjourned at 9:00 p.m.

Respectfully Submitted by:

Betty Robertson  
Secretary/Treasurer