

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

MINUTES OF THE MONTHLY MEETING OF DECEMBER 08, 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, Chief of Police Roger White, Building Code and Ordinance Enforcement Officer Donald Ott, Teddie Kreitz representing Keller Engineers, Solicitor Rick Gieg and Attorneys Matthew Gieg and Chris Jancula.

A Special Meeting was held on Tuesday, November 24th, 2015 to approve the FY 2015 CDBG Application Submission.

The Blair Township Planning Commission will hold their January 2016 Meeting on Monday, January 11, 2016 at 7:30 p.m.

The Blair Township Elected Auditors: John Young, Eric Prendergast and Harley Ebersole will hold their annual Organization Meeting on Tuesday, January 05, 2016 at 5:00 p.m.

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 Brown made a motion to approve the minutes of the Monthly Meeting of November 10, 2015. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Chairman Lasek made a motion to approve the minutes of the Special Meeting of November 24, 2015. Supervisor Silvetti seconded the motion. A correction was noted: 'the Meeting began at Noon and adjourned at 12:30 p.m'. The motion to approve the corrected minutes passed with a unanimous vote.

Payroll and payroll liabilities for the month of November totaled \$44,163.96. General Fund disbursements for the month of November totaled \$31,464.61. Local Services Tax disbursements totaled \$1,652.00. Supervisor Brown made a motion to approve total disbursements in the amount of \$77,280.57. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Chairman Silvetti made a motion to approve the Treasury Balance for November 2015 as \$797,036.19. Supervisor Brown 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 November 2015 as \$135,512.24. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

In the absence of Jeff Holtzinger, agenda item number one was postponed until his arrival.

Supervisor Silveti made a motion to table the **Weidley Lot 10 & Park Lot Land Development** plan. Supervisor Brown seconded the motion. The motion passed with a unanimous vote. The municipal review period will end February 26, 2016.

The **Mezzy Court Subdivision** plan was announced. Supervisor Silveti explained that, due to the fact that resolution of an issue impacting Mezzy Court Subdivision between Mr. Crossman and Mr. Castle doesn't appear likely in the near future, the Blair Township Planning Commission recommended that the Board of Supervisors issue a letter to Mr. Castle. This letter should indicate that the current plan is rejected, with the possibility that the developer could resubmit the plan following resolution by the two former business partners. Supervisor Silveti made a motion to authorize Chairman Lasek to sign and forward a letter to Mr. Castle. Chairman Lasek seconded the motion. The motion passed with a unanimous vote. Chairman Lasek made a motion to table the Mezzy Court Subdivision 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 January 7, 2016.

Jeff Holtzinger then addressed the Supervisors regarding the **Pleasant View Phase 6 Subdivision** plan. A revised plan was presented. He also stated the cul-de-sac is paved. Solicitor Gieg requested permission to draft an Easement Agreement between the Township and Mr. Holtzinger allowing the Township use of the cul-de-sac prior to roadway takeover. Mr. Holtzinger having no objection, Chairman Lasek made a motion to **authorize** Solicitor Gieg to prepare the **Easement Agreement** between the Township and Mr. Holtzinger. Supervisor Silveti seconded the motion. The motion passed with a unanimous vote.

Mr. Holtzinger is hopeful to soon complete **PV Phase 6** improvements, thus requesting preliminary plan approval followed by final plan approval. Solicitor Gieg was asked to proceed with drafting the Developer's Agreement. Mr. Holtzinger granted a 90-day extension to the municipal review period. Supervisor Silveti made a motion to approve the 90-day extension for municipal review. Supervisor Brown seconded the motion. The motion to approve the **90-day extension** passed with a unanimous vote.

Supervisor Silveti made a motion to **table** the **Pleasant View Phase 6 Subdivision** plan. Supervisor Brown seconded the motion. The motion to table the plan passed with a unanimous vote. The current municipal review period will end March 24, 2016.

The Supervisors agreed to address agenda item #13 **Sunoco Pipeline Construction Access** while Mr. Holtzinger was available to comment. Supervisor Silveti commented on Sunoco's plan to place dual pipelines through an area in Blair Township, noting that their planned access to that area may include use of Hamer Drive. The Supervisors expressed their dissatisfaction with Sunoco's proposed route. Supervisor Silveti referenced a meeting with Sunoco representatives which both he and Supervisor Brown attended a few months ago. At that time Sunoco was very clearly advised that using the residential street was not acceptable. Maps were presented that indicated alternate access was available. Since that time, the Township has become aware that the pipeline project still plans for the use Hamer Drive as a construction access route. Teddie Kreitz, having received a request to provide a Stormwater Consistency Letter, contacted Sunoco's Environmental Engineer, responded that such a letter would not be

forthcoming until the access issue was resolved. Jeff Holtzinger, Phase VI owner, commented that he was recently contacted by Sunoco and is very concerned that the placement of a “block valve” in the cul-de-sac area would deter the sale of lots in the planned development. He had suggested to Sunoco that they use an existing powerline Right of Way, which would allow for a 10-20 foot gap between the Sunoco lines and the Penelec lines. He also advised them that vehicles with a GVW exceeding 10,000 lbs. would not be acceptable on the roadway and that Sunoco would need to get authority from the Township to use the roadway. Supervisor Silveti once again elaborated on the Supervisors position with reference to use of the streets in the Pleasant View Development, noting such use is totally unacceptable. He commented that it is this Board’s position to take care of the interests of our residents and that Sunoco needs to understand the Township’s positions and concerns. Betty was instructed to provide dates for a meeting with Sunoco, as well as with the Township residents.

Todd Holes of Stiffler McGraw presented the **Jerry and Deborah Goldstein Subdivision and Property Line Change** plan. The Blair Township Planning Commission had approved the Non-build Waiver and conditionally approved the plan at their November 9th meeting, pending receipt of the Blair County Planning Commission review letter. Since the BTPC meeting on November 9th a positive BCPC review has been received. Supervisor Silveti made a motion to **approve** the Goldstein Subdivision and Property Line Change plan. Supervisor Brown seconded the motion. Mr. Holes commented that the non-build was submitted in order to allow the project to move ahead promptly, as the owners have now moved to Oregon and were in the process of a pending sale. Mr. Holes stated that the new owner intends to resubmit the plan, removing the non-build waiver. The motion to approve passed with a unanimous vote.

The **Nyanko & Link Side Lot Addition** plan as submitted by Todd Beiswenger of Young & Associates was briefly introduced. The Blair Township Planning Commission conditionally approved the plan pending review by the Blair County Planning Commission. Supervisor Silveti moved to **table** the plan. Supervisor Brown seconded the motion. The motion to table passed with a unanimous vote. The municipal review period will end on March 06, 2016.

A revised **Proposal of Service/Contract** between Keller Engineers and Blair Township for the CDBG funded **Greendown Acres project** is ready for approval. The work elements that were previously completed are removed. Supervisor Silveti made a motion to approve accepting the revised Agreement, noting this Agreement replaces the previously approved Agreement of 09/08/2015. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

Supervisor Silveti made a motion to approve **Lowell Kirk**’s request to be reappointed to the **Blair Township Water & Sewer Authority**. Chairman Lasek seconded the motion. Supervisor Silveti apologized for tabling the reappointment at the November Meeting. Stating that he had wanted to verify the issue of authority board member compensation as outlined in the Municipal Authorities Act § 5610. As has now been determined, no action has ever been taken by a Blair Township Board of Supervisors to compensate members of the Authority. Verified with Tim McGaw, BTWSA Manager, members have nevertheless long received compensation. Legal opinion was sought by the Township regarding this issue. In accordance with this opinion, until action is taken by the Board of Supervisors, Authority members are not eligible to be paid. Supervisor Silveti commented that Mr. Kirk by all accounts is an excellent member of the

BTWSA Board. The motion to **reappoint** Lowell Kirk for a 5-year term beginning 01/01/2016 passed with a unanimous vote.

Discussion on the issue of Township approved **compensation** for the Blair Township Water and Sewer Authority Board Members continued. Supervisor Silveti commented that he is not faulting anyone, noting the level of detail in the statutes; however, while having been overlooked or ignored, the law is clear. Section 5610 of the **Pennsylvania Municipal Authorities Act** explains the powers of the Township elected officials in paragraph “(d)”, while paragraph “(e)” relates to the power of the Authority relative to its employees and agents. Township minutes were searched dating back to 1968 when the Authority was created; no record of approved Authority compensation was recorded. Supervisor Silveti suggested that the Chairman of the BTWSA present to the Board of Supervisors what the Authority feels is fair compensation and they would address this at a later date. Solicitor Gieg stated that backup counsel should be used due to conflict resulting as he represents both the Supervisors and the Authority. Chairman Lasek suggested that a stipend be approved at the Annual Organization Meeting in order to resolve this situation. Supervisor Silveti then presented a letter he had drafted for submission to the Authority on this issue for Chairman Lasek’s review and signature. He also noted that two neighboring Authorities’ board members receive no compensation, while a third authority is approved to compensate its members at \$25.00 per month as compared to the BTWSA which he understands is at \$100.00 per month. Mr. McGaw stated that he believes the amount is subject to the number of years of service.

Supervisor Silveti described himself as being disheartened by the prolonged grumbling and quibbling by the Authority over possibly having to contribute to the **Greendown Acres Sewer project**, this at the same time board members were receiving compensation. Mr. McGaw said that the compensation issue needs to be discussed and resolved with their Chairman Joe Pyzowski. Chairman Lasek agreed to forward a letter to Mr. Pyzowski, attaching the opinion provided by Attorney Michael Rouch, Blair Township alternate counsel of McQuaide Black, the Township’s alternate legal counsel. Once the letter is received, Chairman Lasek will meet with BTWSA Chairman Pyzowski to discuss fair compensation. Supervisor Brown made a motion to have Chairman Lasek sign the **letter to Mr. Pyzowski**. Supervisor Silveti seconded the motion. The motion passed with a unanimous vote.

The **RFP** for Engineering (Resident Inspection) Services for the **Greendown Acres** project is prepared and according to Dick Furmanchik, ready to go. Supervisor Silveti made a motion to authorize issuance of the RFP, through Dick Furmanchik’s office. Supervisor Brown seconded the motion. Dick Furmanchik will advertise the RFP and proceed. The motion passed with a unanimous vote.

Supervisor Silveti made a motion to sign the **Cooperative Agreement** by and between the County of Blair and the Township of Blair for County administration of the **FY 2015 CDBG Grant Program**. Supervisor Brown seconded the motion. Supervisor Silveti stated he wished the Township was not being forced to change administrative entities, as the Township has been very pleased with the service provided by Dick Furmanchik’s office. The motion passed with a unanimous vote.

Proposals for UCC Inspection Services FY 2016-2018 were received from MDIA, PMCA, and CCIS. Following review of the proposals and a brief discussion Supervisor Brown made a

motion to **accept** the proposal as submitted by **PMCA** for **FY 2016-2018 UCC** Inspection Services. Supervisor Silvetti seconded the motion. Officer Ott noted that there are always permit issues that need addressed. Speaking from past experience, he stated that PMCA readily addresses inspection service issues. The motion passed with a unanimous vote.

Supervisor Brown made a motion to Authorize for Advertisement the revised Outdoor Furnace Ordinance. Supervisor Silvetti seconded the motion. The motion to approve **advertisement** of the revised **Outdoor Furnace Ordinance** for public review and then adoption at the January Meeting passed with a unanimous vote.

Discussion began regarding the **Blair County MS4 Organization** and stormwater funding. Chairman Lasek stated it wasn't that long ago that stormwater was budgeted at \$10,000, noting that stormwater issues have become a very expensive unfunded mandate. A \$28,000 line item has been added to the Act 32 2016 Budget in order to compensate for expenses relating to MS4 compliance. Supervisor Silvetti explained that the Blair County MS4 Group, having lacked centralized management oversight, has agreed that staff is needed to manage the MS4 program. Teddie Kreitz explained that the budgeted costs will cover both administration and projects. She noted that the cost calculation is a fair way to divide it among the municipalities. The employee, the MS4 Group agreed, would be housed at the Blair County Conservation District.

As required, 2016 Draft Blair Township Budgets were advertised and have been on public display at the office. There being no adverse comments, Chairman Lasek made a motion to approve **Resolution No. 2015-06 adopting the 2016 Budgets** as presented. Supervisor Brown seconded the motion. Chairman Lasek stated he is very pleased once again to adopt budgets that do not reflect a Real Estate Tax millage increase. The proposed ending balances for 2016 are as follow: General Fund \$46,395., Liquid Fuels \$56,768., Capital Reserve \$220,715., Local Services Tax \$94,186., and the Act 32 2012 \$28,542. Supervisor Silvetti thanked Betty for her work. David Orr asked, what if any, the increased gas tax revenue did to benefit the Township. The increased gas tax reflected greatly on the Liquid Fuels Budget, as was explained to Mr. Orr. The State Grant deposit to Liquid Fuels in 2014 was \$112,512, in 2015 \$119,959 and the Township was recently informed that the 2016 State Liquid Fuels Grant will be \$140,961. Chairman Lasek thanked Mr. Orr for the inquiry. The **2016 Budgets** were **adopted** with a unanimous vote.

Chairman Lasek announced that the **Annual Organization Meeting** will be held in combination with the **Regular January Meeting on Monday, January 4th, 2016**. The **Organization Meeting** will begin at **6:30 p.m.** and the **Regular Monthly Meeting** at **7:00 p.m.**

Chairman Lasek made a motion to authorize **advertising** the Township's intent to **appoint a CPA** firm to perform the annual DCED Audit for the fiscal year ending 12/31/2015, replacing the Elected Auditors. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Supervisor Brown made a motion to authorize **Donations** in the amount of **\$10,000 each to Duncansville, Frankstown, Freedom and Phoenix Volunteer Fire Companies**, as per the 2015 General Fund Budget. Supervisor Silvetti seconded the motion. Chairman Lasek commented that months ago the Phoenix Volunteer Fire Company was asked to provide financial statements from their CPA firm, Moses and Associates. To date the Township has not received

the current financial statements. It was determined this would not interfere with the donation, but due to the PA Auditor General's Report, the Township will continue to request the statements. The motion to authorize the donations passed with a unanimous vote.

Supervisor Silveti announced that the **Blair Township Planning Commission** has a **vacancy** should anyone be interested.

Other Business: No other business was discussed.

Chairman Lasek called for anyone not on the agenda that wished to speak. There being no response, Supervisor Silveti made a motion to adjourn. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

The meeting adjourned at 8:25 p.m.

Respectfully Submitted by:

Betty Robertson
Secretary/Treasurer