

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

MINUTES OF THE MONTHLY MEETING OF MAY 10, 2016

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 Palmer Brown and Edward Silvetti, Secretary/Treasurer Betty Robertson, Police Sergeant Roger Peacock, Building Code and Ordinance Enforcement Officer Donald Ott, Acting Road Foreman Denver Dick, Teddie Kreitz, representing Keller Engineers, and Solicitor Chris Jancula.

The next Public Work Session date is Monday, June 20, 2016, at noon. The regular Work Session date(s) of May 24th and June 28th are canceled.

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." Attendees were asked to silence their cell phones.

Supervisor Silvetti made a motion to approve the minutes of the Monthly Business Meeting of April 12, 2016. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

Payroll and payroll liabilities for the month of April totaled \$46,592.04. General Fund disbursements for the month of April totaled \$35,462.46. Capital Reserve disbursements totaled \$735.77. Local Services Tax disbursements totaled \$1,652.00. Supervisor Brown made a motion to approve total disbursements in the amount of \$84,442.27. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Supervisor Silvetti made a motion to approve the Treasury Balance for April 2016 as \$877,925.82. 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 April 2016 as \$148,484.31. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

The **Pleasant View Phase 6 Subdivision** plan was discussed. Jeff Holtzinger was unable to attend tonight's meeting. The Developer's Agreement has not yet been finalized for consideration of adoption. Supervisor Silvetti stated that the crux of the issue is a lack of financial security backing up completion of Pleasant View, Phase 6 infrastructure, noting that there is an apparent difference of opinion as to the cost of completing same. The question remaining is how much financial security is needed in order to guarantee completion the infrastructure. Supervisor Silvetti commented that his concern is the project moving forward, but without completion of all infrastructure soil erosion could cause ongoing problems. The current Municipal Clock expires May 24, 2016. The developer has granted a 180-day extension.

Supervisor Brown made a motion to **table the Pleasant View Phase 6 Subdivision Developers Agreement**. Supervisor Silveti seconded the motion. The motion to table the agreement passed with a unanimous vote.

Supervisor Brown made a motion to **table the Pleasant View Phase 6 Subdivision plan**. Supervisor Silveti seconded the motion. The motion to table the plan passed with a unanimous vote.

Supervisor Silveti made a motion to **approve granting Pleasant View Phase 6 a municipal review period extension of 180-days**. Supervisor Brown seconded the motion. The motion to approve the extension passed with a unanimous vote. The current municipal review period will end November 19, 2016.

The **CDBG/Greendown Acres Sewage Collection System Project** is nearing completion. The contractor, **Dave Roman Excavating, Inc.** has submitted his third Application for Payment in the amount of \$101,651.00. This reflects an approximate 96% completion of the contract. Supervisor Silveti participated in a walk-through of the project on May 5th, noting that the contractor has moved along very well and that he is very pleased with the results.

Chairman Lasek made a motion to **approve the third payment submission** request in the amount of **\$101,651.00**. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

A draft **Bill of Sale** transferring the **CDBG funded Sewerage Collection System Project** from Blair Township to Blair Township Water and Sewer is incomplete.

Supervisor Silveti moved to **table the Bill of Sale** between the **Township** and the **Authority**. Supervisor Brown seconded the motion. The motion to table passed with a unanimous vote.

Chairman Lasek made a motion to approve **Resolution No. 2016-15, the CDBG Program Income Reuse Plan**. Supervisor Brown seconded the motion. CDBG Administrator, Dick Furmanchik stated that the Resolution is self-explanatory and is a State requirement that applies to entitlement money. The Resolution is established to ensure accountability for the expending and accounting of CDBG program income. The motion approving Resolution No. 2016-15 passed with a unanimous vote.

Supervisor Silveti commented that ten municipalities have committed in principal to creating the Intergovernmental Storm water Committee (ISC). Blair Township is one of these ten, and will become party to a **MS-4 Group Agreement. Ordinance No. 2016-02 Storm water Committee Ordinance** is the first step toward signing the proposed Agreement. A lengthy discussion took place. The Agreement will have a term of two years. The cost to participate is based on a formula including miles of stream, impervious surface area and population; Blair Township's portion (6%) would amount to \$5,868.00 annually. An employee will be hired by the ISC as part of the cost of implementation, and housed at the Blair County Conservation District. The employee would be responsible for implementing projects, applying for grants, etc. Each municipality will benefit inasmuch as responsibility for MS-4 permitting, etc. is mandated, along

with mitigating the adverse effects of stormwater. The Supervisors agreed this is an excellent example of municipal cooperation and is a very good and cost effective step.

Supervisor Silvetti made a motion to approve advertising **Ordinance No. 2016-02 Intergovernmental Stormwater Committee Ordinance**. Supervisor Brown seconded the motion. Once adopted, the Municipality will then be able to sign the Agreement. The motion passed with a unanimous vote.

Teddie Kreitz addressed the issue of hiring a specific contractor to do **MS-4 related mapping**. MS-4 permitting requires that all stormwater outfalls be outlined. The following areas were suggested as areas to begin. Either East or West of Newry Lane, Fort Fetter, or anything West of Newry Lane to include Greystone Estates. Teddie will provide a specific area in order to request a quote for the stormwater outfall mapping.

The Township's Local Emergency Management Coordinator; **Thomas Robison**, has submitted his resignation. Conditions of the letter state that his final day will be September 30, 2016, unless the Township is successful in finding a replacement before September 30th. The Supervisors expressed their appreciation in a job well done and also their reluctance in seeing Mr. Robison resign. He has done an outstanding job representing the Township. A letter of appreciation will be sent. Supervisor Silvetti moved to **accept Mr. Robison's resignation** under the conditions stated in Mr. Robison's letter. Supervisor Brown seconded the motion. The motion passed with a unanimous vote.

Solicitor Jancula explained a lien against **Hamerview Associates** in the amount of \$76,903.00. Mr. Holtzinger brought attention to the fact that the lien was to have been released. Solicitor Jancula confirmed this information, stating there is a Memorandum of Agreement on file. Following litigation, and placement by the Township of sidewalks and lights in a portion of Pleasant View Phase II, a new lien in the amount of \$12,172.13 was agreed upon. This was determined by the amount of General Fund money that was needed in order to make up the project balance. The lien is held against Pleasant View Phase 6. Supervisor Silvetti commented that it is unfortunate that the Township only got 60% of the job done. Solicitor Jancula recommended the Supervisors move to have him release the \$76,903.00 lien. Supervisor Brown made a motion to **release the lien** in the amount of **\$76,903.00**. Supervisor Silvetti seconded the motion. The motion passed with a unanimous vote.

Supervisor Silvetti introduced Pleasant View resident **Timothy Shaw**. Mr. Shaw responded to a Talent Bank Application request that was included in correspondence forwarded to the Pleasant View Phase 6 residents; along with prior Sunoco ME2 information. Mr. Shaw has agreed to serve on the Blair Township Planning Commission. Supervisor Silvetti moved to approve the **appointment of Mr. Timothy Shaw to the Blair Township Planning Commission**. Supervisor Brown seconded the motion. The Supervisors thanked Mr. Shaw for his willingness to volunteer his service to Blair Township. The motion passed with a unanimous vote.

Supervisor Brown commented on the **Traffic Study** as received from TRG (Transport Resource Group, Inc.) for the proposed **Rutter's Farm Store # 71**. He indicated that the only impact may be a stacking issue at Patchway Road, noting that could be resolved easily with the coordination of the traffic signal lights. This is for informational purpose only, as Blair Township has deferred review of this project to Allegheny Township.

PA DOT has forwarded a draft **Municipal Resolution** to the Township concerning the **Newry Bridge** project scheduled for **2017**. The draft document was forwarded by the Township to Senator John Eichelberger for review for consistency with Commonwealth rules/regulations inasmuch as this tact by Penn DOT is new to the Township. The Resolution proposes maintenance obligations that the Township is not comfortable with. Solicitor Jancula stated recently they addressed a similar issue at Frankstown Township with a ditch. Supervisor Silveti stated that according to comments by other townships in the Commonwealth, PA DOT will negotiate on some points. Communication will take place between PA DOT and the Township before this Resolution is formally approved.

Blair Township's **CDBG FY 2016 allocation is \$86,971.00**, and will be administered by the County of Blair, as mandated by the State. Supervisor Silveti stated that the County will take the full 18% for administration as opposed to the 12% previously taken by County of Blair Redevelopment Authority for administration. This in turn lessens the amount available to be spent on projects.

Other Business:

Chairman Lasek called for anyone not on the agenda that wished to speak.

Solicitor Jancula stated that he has been working diligently with Officer Ott to resolve issues relating to **Mr. Burdick** of **724 Chimney Rocks Road**. He commented that issues with the Burdick's have been "tooth and nail" every day. Examples are sheds being placed without permits and within setbacks, neighborhood issues, blocking alley issues, BMPs not being practiced, etc. The Burdick's have retained Attorney Beverly Mears, noting that the Township has incurred a lot of man hours and attorney expense in an effort to have the Burdick's comply with simple Township regulation. The ongoing issues began in November of 2015. Solicitor Jancula suggested, and the Supervisor's agreed, that he will issue a letter to the Burdick's. From the date of receipt, they will have five days to come into compliance. If they choose not to follow through, citations will be issued. He noted this is an instance of a resident simply being difficult.

Trudy White, of Willard Way, addressed the Supervisors questioning **Dr. Mohammad Dowlut's** plans for renovation of the vacated **Blair Chalet** on Reservoir Road in Blair Township. The Township has mailed correspondence to Dr. Dowlut requesting he provide information regarding future plans for the building and the site. Numerous residents also in attendance spoke up regarding existing concerns and also future issues of concern relating to the Dowlut property. Many rumors have circulated, but nothing formal has been presented by the property owner. Building Code and Ordinance Officer Don Ott assured the group that the Board of Supervisors are being very proactive with respect to Dr. Dowlut's activity. Dr. Dowlut has not responded verbally or in writing to any of the Township's attempts to communicate with him. Officer Ott offered assurance that any construction and/or renovation to the building or property must be in compliance with the Subdivision and Land Development Ordinance and also must abide by the Uniform Construction Code. Relative to the fear of a methadone treatment facility; the PA Department of Health, PA Municipal Code Alliance (3rd party UCC agency) and the PA Department of Labor & Industry would all need to review and approve the plan. Also, nuisance violations are being addressed with regard to mowing and unsightly garbage or refuse stored and

randomly located on the property. The vacated building does include a private sewage system, which DEP has the ability to reactivate at the request of the property owner. Supervisor Brown stated that without zoning, the Township's hands are tied, proceeding to explain the advantages of zoning. Thus, the assembly then asked how difficult it would be to get zoning. Supervisor Silveti explained that it is a long process, with many necessary steps. In the past when zoning was suggested by a former Board of Supervisors, it was misunderstood due to misrepresentation. Supervisor Silveti commented it is very hard for local government to restrict the legitimate uses of land by private property owners. Chairman Lasek reaffirmed that the Township has inquired of Dr. Dowlut, to which he has not responded, stating that at this point the Township does not know his plans. He thanked Officer Ott for the informative summary. The Supervisors were thanked by the residents for taking the extra step and publicizing the issue.

Carol Jannetta commented that **speeding on Reservoir Road** is a problem. Sergeant Peacock stated that since the gates are now closed at the Blair Chalet it is more difficult to find an area in which to monitor the speed.

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

The meeting adjourned at 8:16 p.m.

Respectfully Submitted by:

Betty Robertson
Secretary/Treasurer