

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

MINUTES OF THE MONTHLY MEETING OF JUNE 08, 2021

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

Township elected officials and personnel present included Chairman Silvetti; Supervisor Paul Amigh II; Supervisor Robin Cadwallader, Ph.D.; Secretary/Treasurer, Betty Robertson; Chief of Police, Roger White; Building Code and Ordinance Enforcement Officer, Donald Ott; Highway Foreman, John Reed; Township Engineer, Eric Banks; and Township Solicitor, Patrick Fanelli.

Visitors to the meeting included Jessica Sorge, Louis Lusk, Ken Szala, Mildred McFarland, and Todd and Karen Stanford.

Chairman Silvetti announced that following tonight's meeting a brief Executive Session would be held for the purpose of discussing a legal issue. He confirmed no vote would be taken after the Executive Session.

Public comment is welcome and invited in accordance with the Township of Blair policy and the Commonwealth of Pennsylvania's Right-To-Know provisions and the Sunshine Act. Chairman Silvetti stated that it was nice to see the live attendance once again now that COVID-19 restrictions are easing and asked everyone to silence their cell phones during the meeting.

Supervisor Cadwallader made a motion to approve the minutes of the Monthly Business Meeting and the Public Hearing of May 11, 2021. Supervisor Amigh seconded the motion. The motion to approve the minutes of the May 11, 2021, Business Meeting passed with a unanimous vote.

Disbursements for the month of May were reviewed. Secretary/Treasurer Betty Robertson presented the report as follows: Payroll totaled \$32,673.90; General Fund disbursements and payroll liabilities for the month of May totaled \$46,978.37; Liquid Fuels, \$7,303.41; Capital Reserve, \$1,822.56; and Local Services Tax, \$1,844.00.

Supervisor Amigh made a motion to approve total May disbursements in the amount of \$90,622.24. Supervisor Cadwallader seconded the motion. The motion to approve the total May disbursements in the amount of \$90,622.24 passed with a unanimous vote.

Supervisor Amigh made a motion to approve the Treasury Balance for May 2021 of \$1,474,699.04, as presented. Supervisor Cadwallader seconded the motion. The motion passed with a unanimous vote.

Supervisor Amigh made a motion to approve the "Specific Services Investment Account Funds" Treasury Balance for May 2021 of \$89,029.84, as presented. Supervisor Cadwallader seconded the motion. The motion passed with a unanimous vote.

Chairman Silvetti called for public comment.

Major Todd Stanford, on behalf of himself and his wife **Karen**, addressed the Supervisors expressing their displeasure in fireworks. Mr. Stanford noted the need for a non-fireworks ordinance. He explained that combat veterans, people with disabilities affected by loud noise, livestock animals and domestic pets are all adversely affected by fireworks. He stated that it appears legally nothing can be done to resolve the Fireworks issue. He commented that since 2016, when the State lifted the ban on fireworks, it sounds like a warzone for weeks. Chief White stated that the fireworks law falls under agriculture and that the IRS has added a 12% tax to the purchase of fireworks. A total of 18% State Tax is charged when purchasing fireworks. Chief White indicated that the Nuisance Ordinance is too broad. The fireworks must be a minimum of 150-feet from a structure, but time limits and specific days are not specified. Additionally, he noted that enforcement is very difficult, explaining that an officer must see the actor light the firework in order to prosecute. Chief White stated that a “Disorderly House Ordinance” may be the best means to address the fireworks issue. All commercial grade fireworks require a license to sell and a permit to purchase. Solicitor Fanelli stated that commercial grade fireworks, by State Law, must be used by a licensed professional, commenting also that the Second-Class Township regulations must agree with the State law; the municipality has no authority to circumvent or supersede the State law.

Jessica Sorge, Director, Hollidaysburg American Legion Ambulance Service, presented a verbal statistical report, noting that, as expected, calls are down this year compared to the Pandemic-related calls received in 2020. Additionally, she informed the Board that HALAS has purchased three new ambulances and hired four employees and three paramedics. An open house will be held on August 14th; all are invited.

Jessica stated that a petition is forthcoming for Township and County signatures in reference to Blair County becoming a Second Amendment Sanctuary County. She invited the assembly to view the information online under: “Blair County Second Amendment Sanctuary.”

Mildred McFarland addressed the Supervisors expressing her need to be able to inhabit property that she is purchasing from Thomas Mongold. Ms. McFarland detailed issues relating to her interactions with Luke Helsel, Blair County’s SEO. Ms. McFarland has moved to the Reservoir Road address, with family and pets, from Florida. She stated she is currently “homeless” because of what Mr. Helsel has deemed a malfunctioning septic system and asked if the Township could over-ride Mr. Helsel’s decision. Chairman Silvetti confirmed that anyone with a malfunctioning septic system must comply with DEP and BCSA, make the necessary repairs, and receive approval, before inhabiting a property. Mr. Mongold, the seller, was aware of the malfunctioning system, taking no action with the BCSA to resolve the situation prior to entering into the sales agreement with Ms. McFarland. The Township cannot take a position on septic issues; that is the responsibility of the Blair County Sanitation Administration. Solicitor Fanelli assured Ms. McFarland that her complaint is not with this entity, advising her to seek legal counsel. Chairman Silvetti recommended that she speak with Luke Helsel and follow Mr. Helsel’s guidance.

Louis Lusk addressed the Supervisors requesting placement of two signs indicating the curves at Reservoir Church. He commented that accidents occur frequently on the curve and signage would caution the drivers to the potential danger. Highway Foreman John Reed stated that PA DOT would be required to make the recommendation as Reservoir Road is a State, not a Township, road.

The developer for the **Hollidaysburg Family Dental** Preliminary Land Development Plan has indicated that a formal vote on the Variance Request, previously discussed, is needed to proceed with the PA DOT Highway Occupancy Permit application. Eric Banks stated that the review comments from the February 22nd letter have not been addressed, noting that comment #13 is the request for waiver and justification recommendation.

Supervisor Amigh made a motion to conditionally approve the Variance Agreement request, pending the receipt of a formal request indicating justification for the variance. Supervisor Cadwallader seconded the motion. The motion to **approve the Hollidaysburg Family Dental Variance Agreement with conditions** passed with a unanimous vote.

Supervisor Amigh made a motion to **table the Hollidaysburg Family Dental Preliminary Land Development Plan**. Supervisor Cadwallader seconded the motion. The motion to table the plan passed with a unanimous vote. The municipal review period will now end on September 10, 2021.

Ken Szala, P.E., of Lehman Engineering, representing Matthew Fownes, **Dairy Queen Grill and Chill Land Development Plan**. The project area is in Allegheny and Blair Townships. The parcels will be merged. The building and most of the parking/stormwater facilities lie in Allegheny Township. The developer is requesting Blair Township waive its right to review the project under the SALDO, allowing Allegheny Township to review the plan since 75% of the development is in Allegheny Township and that the Stormwater Ordinances are similar between Blair and Allegheny.

Supervisor Amigh made a motion to waive the Township's SALDO & Stormwater Ordinance review of the **Dairy Queen Grill and Chill Land Development plan**. Supervisor Cadwallader seconded the motion. The motion for waiving Blair Township review passed with a unanimous vote.

Following a brief discussion, Chairman Silvetti made a motion to appoint Louis Lusk as LEMC for Blair Township. Supervisor Amigh seconded the motion. Mr. Lusk stated that he is looking forward to serving the Township as LEMC, noting that he is familiar with this job and holds many of the required certifications. He plans to attend the EMA meeting on behalf of Blair Township scheduled for Wednesday, June 9th. The motion to **appoint Louis Lusk as LEMC** for Blair Township passed with a unanimous vote. He was thanked for accepting the position.

Chapter 356 of the SALDO, addressing Swimming Pools, was discussed. The current Ordinance needs to be amended due to an oversight in the wording. Supervisor Cadwallader made a motion to approve amending the Ordinance to read, "Above ground pools are subject to the fee

schedules.” Supervisor Amigh seconded the motion. The motion to **redraft the SALDO Chapter 356 §356-7** for future adoption passed with a unanimous vote.

The Township has needed new telephone equipment for some time. The current equipment is antiquated. Michael Snyder was contacted to provide an estimate for upgrading the IT/Telephone equipment. He met with Supervisor Amigh and Betty and presented a proposal. Supervisor Cadwallader questioned the lack of review time given to the Supervisors prior to the meeting. Betty explained that the phone system had failed, causing urgency to become a factor, also commenting that both the 2020 and 2021 Capital Reserve Budget Narratives indicated allocations for IT/Telephone system upgrades. Supervisor Amigh made a motion to approve the Estimate for Network and Phone System Upgrade as prepared by Michael Snyder in the amount of \$9,082 for Equipment and Installation. Supervisor Cadwallader abstained commenting that she had not had enough time to adequately look over the proposal. Chairman Silvetti seconded the motion, while stating that he would have preferred soliciting competing proposals from other vendors but wanted to move the system upgrade forward. The motion to **approve the network and phone system upgrade estimate** as prepared by Michael Snyder passed with two yes votes. Supervisor Cadwallader abstained. Purchases and contract work up to and including \$11,500 do not require phone quotes or bidding, as per PA DOT Public Bidding Requirements for 2021.

Chairman Silvetti noted that there is nothing new to discuss on the **Fort Fetter Community Park** plan.

Betty reported on the **American Rescue Plan Act funds**. The DCED Single Application was filed on June 4th, 2021. The amount scheduled for receipt by July 31, 2021, is \$234,459.04. The balance to be received by July 31, 2022, is \$234,459.04. This is an increase of \$25,990 from the initial announcement. The final rules for spending are to be released by DCED after July 16th.

Highway Foreman John Reed presented pictures of **faulty storm water inlets** located in Pleasant View Phase III, Jacks Way off Teds Way. The Township had accepted the Phase III roadway approximately 6-8 years ago. Chairman Silvetti confirmed with Solicitor Fanelli that once the Township has accepted the roadway the Township then owns it, again reiterating the need for the Township to have its own onsite inspectors during construction of public infrastructure.

Other Business and Informational Items:

PSATS Unemployment Compensation Group Trust notified participating Townships that a new UC benefits system is in place. Townships are recommended by PSATS to designate Interstate Tax Service, Inc. (ITS) as the Township’s Third-Party Administrator for UC issues. Supervisor Amigh made a motion to **appoint Interstate Tax Service, Inc., as the Third-Party Administrator for Unemployment Benefit** issues. Chairman Silvetti seconded the motion. The motion to appoint ITS passed with a unanimous vote.

Chairman Silvetti commented on a BTW&SA issue relating to an approved two-unit duplex located in the **Manor Park** neighborhood of the Township. According to the approved plan, one unit of the duplex was designed to include a “mother-in-law” suite. The duplex owner acquired a third address and rented the mother-in-law suite to a non-related party. The Township was

advised of this through the BTW&SA. Since notifying the owner of the property that this rental was in violation of the occupancy permit and approved building plan, the third party has moved out and the address has been forfeited. However, it appears that now a new party is now housed in the mother-in-law suite. The building was constructed as per the building plan, but the plan was designed as a duplex, not a triplex. The Occupancy Permit was issued for a duplex. Following an explanation by Officer Ott, it was determined that the duplex, if leased as a duplex, with a mother-in-law suite is compliant with the UCC law. If the duplex is being leased to three individual parties as a triplex, it would not meet the standards of the UCC, having no firewall, individual ingress, and egress, etc. Review of the lease agreement would be beneficial.

Chairman Silvetti called for further business. There being none, Supervisor Amigh made a motion to adjourn the meeting. Supervisor Cadwallader seconded the motion. Chairman Silvetti reminded the other Supervisors that an Executive Session to discuss a legal issue would be held following the adjournment. The motion to adjourn passed with a unanimous vote. The meeting adjourned at 8:20 p.m.

Respectfully Submitted by

Betty Robertson
Secretary