

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

MINUTES OF THE MONTHLY MEETING OF SEPTEMBER 13, 2022

Chairman Paul Amigh II called the meeting to order at 6:00 p.m. and led the assembly in the salute to the flag.

Township elected officials and personnel included Chairman Paul Amigh, II; Supervisor Brad Germaux; Supervisor Louis Lusk, Secretary/Treasurer, Betty Robertson; Police Sergeant, Roger Peacock; Road Foreman, John Reed; Office Assistant, Kami Bilek; representing Stiffler McGraw, Eric Banks; and Township Solicitor, Patrick Fanelli.

Visitors: Trina Illig, CDBG Administrator; Ken Szala of Lehman Engineers representing the Hummingbird Daycare Facility; Paula Reid, Samantha and Troy Radford, Robert and Patricia Gray, Chris King, Jim and Paula Foreman, Donna Hymes, Bob and Nancy Huether, Julie Mills, Jason and Jenilee Hatch, Kaitlyn Tomlinson, Jim James, Brandon and Theresa Gillie, Joe Neely, Teresa Ellis, Jeff Ellis, Dodie Amigh, Brigitte Donlan, Vicki Wray, and Marja Baronner.

Public comment is welcome and invited in accordance with the Township policy and the Commonwealth of Pennsylvania's Right-To-Know provisions and the Sunshine Act.

Supervisor Brad Germaux made a motion to approve the minutes of the Monthly Business Meeting of August 9, 2022. Supervisor Lusk seconded the motion. The motion to approve passed with a unanimous vote.

Disbursements for the month of August: Payroll \$28,794.97; General Fund disbursements and payroll liabilities \$67,608.25; Liquid Fuels \$996.35; Capital Reserve \$2,212.74; and Local Services Tax, \$2,625.31.

Supervisor Germaux made a motion to approve the total August disbursements in the amount of \$102,237.62. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Supervisor Germaux made a motion to approve the Treasury Balance for August 2022 of 1,666,079.11. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Supervisor Germaux made a motion to approve the "Specific Service Investment Account Funds" Treasury Balance for August 2022 of \$122,819.24. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Chairman Amigh invited public comment.

Julie Mills, 437 Stableview Court, Harvest Glen Phase I Development, indicated that the developer, S & A Homes notified the Stableview Court residents of their intent to construct infiltration beds on their individual properties. Ms. Mills questioned whether the recorded plans

included the infiltration beds and if so, why they were not constructed before the property owners had purchased and landscaped their yards. The Supervisors consulted with the Township Engineer, Eric Banks. Eric indicated that he is unable to comment or offer an opinion, as his firm, Stiffler and McGraw, is the engineering firm contracted by S & A for the Harvest Glen Development and his opinion would be a conflict of interest. Solicitor Fanelli stated that S & A is currently in the process of moving into the Second Phase of the Harvest Glen project and they are working to secure an NPDES Permit. Chairman Amigh stated that he will investigate the concerns and contact Ms. Mills to discuss his findings.

Vicki Wray, 9380 Charger Highway, took the podium to discuss her dissatisfaction with the maintenance and upkeep of neighboring property owned by Mr. Thomas Richardson. As agreed at the August Supervisor's Meeting, Chairman Amigh, and Supervisor Germaux have visited the site and contacted the owner. Mr. Richardson has contracted with a maintenance company. Supervisor Germaux spoke directly with the contractor and reassured Ms. Wray that maintenance work is scheduled for the site. Chairman Amigh stated that the DEP had also been contacted. No residence exists on the site, this classifies the field portion of the property as a meadow, not a yard, therefore that portion of the property does not violate any township ordinances. The Blair County Conservation District indicated the possibility of an endangered fern species being located on the Richardson property; the fern name was not provided.

Christopher King, owner of 611-617 Harvest View Lane townhouses, expressed his concerns regarding water runoff from Harvest View Lane into the shared private drive that his townhouses share with 3 other townhomes, runoff is also affecting 591 Harvest View Lane. Road Foreman, John Reed, stated that he would investigate the possibility of grading the berm of Harvest View Lane, creation of a lip may also be beneficial, but stated that doing so may cause additional water to run into the front yards of the townhouses and create issues for the occupants. Chairman Amigh stated he will follow up with the Road Foreman to consider the possibilities.

Chairman Amigh asked Township residents who attended the meeting to discuss stormwater runoff issues to approach the podium one at a time and stated that he will address the room after all residents wishing to speak have had an opportunity to address the Supervisors.

Patricia (Trish) Gray, 2137 Maple Drive, Manor Park, opened with concerns that Manor Park residents have regarding stormwater runoff. She stated that she and her husband had spent \$6,000 to have internal French drains installed. The drains had worked for a few years, but recently water runoff has been flooding her property. In her opinion, it is due to ditch deterioration, recent construction, and neglected, narrow, shallow ditches allowing drainage to backup, contributing to water on her property, which now pours into her basement. She asked Solicitor Fanelli to investigate the legality of the township's responsibility for drainage on private property when it is connected on either side to a township drainage system.

Jenilee Hatch, 2205 Charcoal Drive, Manor Park, stated concerns with flooding on her property and on the roadway. She states that with heavy rains, there are excessive amounts of stones and large rocks that are being washed into the roadway. She has concerns of standing water in the road that may contribute to accidents. Ms. Hatch stated that the township had previously assisted with cleaning out the storm drains, requesting that is done once again.

Emily Knepp (Agenda item #3), 109 Lowry Drive, Holliday Heights, expressed her disappointment in lack of disclosure when she purchased her home. She stated that she is a one-year resident and her investment in stormwater damage repair has exceeded \$30,000. She noted that the storm drainage in the development is backing up and creating a river that flows around her house. She also requested that modifications to the curbing is considered.

Jim Foreman (Agenda Item #2), 133 Lowry Drive, prepared and presented a detailed report and photos regarding extensive flooding around his home and the Holliday Heights development, also indicating he is expressing the concerns of Donna Himes and Bob and Nancy Heater. The extensive flooding, he believes is a result of brief and intense rainfall that is overwhelming the sinking concrete inlets and an insufficient stormwater system. Mr. Foreman offered solutions, such as dropping inlets and recontouring around them, and installing a parallel system to accommodate the amount of water runoff from unprecedented recent storms.

Jeff Ellis, 736 Brentwood Drive, suggested there should be a retention pond for waters coming from Quince Court in Hollidaysburg Borough, as the water coming from that area is contributing to flooding on his, and his neighbors, properties.

Samantha Radford (Agenda item #1), 626 Peachdale Lane, addressing the Supervisor's on behalf of the Radford's, the Tewell's 724 Brentwood, the Gillies' 630 Peachdale, the D'Agaro's 622 Peachdale, and the Sweeney's 632 Peachdale, expressing dissatisfaction with the Township relating to poor drainage throughout their neighborhood. She stated that there have been ongoing problems with a "giant sink hole" in her yard. She mentioned a drainage inlet between Brentwood and Peachdale previously repaired by the Township, which needs repaired again. Ms. Radford is suggesting the aid of Environmental Engineering students as a resourceful aid in trying to find a solution.

Ken Szala of P. Joseph Lehman spoke of a previous study he had conducted on storm intervals for a neighboring municipality and stated that in that instance, it was determined that it would be unrealistic to plan infrastructure around the possibility of a 20-, 50-, or 100-year storm as it is normal and appropriate to plan storm drainage infrastructure for no more than a 5-year storms. The magnitude of the most recent storms assumably caused by climate change, weather patterns and microbursts create a simple question, "where is the water to go?". Due to State requirements and MS-4 regulations, local governments are no longer permitted to dredge rivers and streams.

Supervisor Lusk indicated that the ISC is currently in the process of engineering a project to remove the riverbanks from the river traveling through the Fort Fetter area (Beaverdam Branch of the Juniata River). He indicated that by removing the riverbanks the area would flow as opposed to flood, during a storm event. This project is currently in the engineering phase.

Chairman Amigh asked if there were any additional public comments, and there were none.

Chairman Amigh addressed the assembly with reference to the **stormwater issue**, he stated that he had spoken to Dr. Erica Griffin, Data Management Specialist, at the National Oceanic Atmospheric Administration (NOAA) who provided data regarding historical rain amounts in the Northeast US from 2007 to present. Rainfall has increased from 18.87 inches of rainfall in 2005

to 20.7 inches of rainfall in 2016 and 28.29 inches of rainfall so far in 2022. The potential for flood events were 24 potential events in 2007, 19 potential events in 2016 and 42 potential flood events so far in 2022, with more expected. The unprecedented storm surges are due to extreme rainfall and increasing storms notably caused in part by climate changes. He sympathized with the group, wishing that he could offer a solution, while acknowledging the fact that he has contacted the neighboring municipalities and all are dealing with the same issues, and no one has a solution.

Chairman Amigh clarified the Township's responsibility in the matter of **stormwater runoff**. He stated that it is not the responsibility of the Township to maintain private property; however, he and the Road Foreman will continue to review each concern. Chairman Amigh also stated that due to DEP and EPA guidelines, the township is limited to what it is allowed to do by law regarding drainage ditches, streams, and creeks due to being in the Chesapeake Watershed. Chairman Amigh complimented the Highway Foreman, John Reed, noting that he does an excellent job in remedying stormwater situations, within his ability to remedy. Chairman Amigh stated that he has no answers for the public at this time but is open and agreeable to pursuing any avenue that will effectively and appropriately alleviate stormwater and drainage issues. The possibility of forming a Stormwater Committee to handle these issues in the future will be taken into consideration.

Theresa Gillie, 630 Peachdale Drive, stated that she had 9-inches of sewage water coming through her basement. Chairman Amigh stated sewage water is an issue for the Blair Township Water and Sewer Authority. Ms. Gillie indicated she contacted the Authority, hired a plumber to install a backflow, as the Authority instructed, and the problem remains. The Authority advised Ms. Gillie to relocate. Chairman Amigh stated that he routinely attends the BTW&SA meetings and offered to accompany her to a meeting.

An **engineering study** was previously done covering the upper Penn Farms area. The expense involved in addressing the stormwater issue far exceeds the funding that is available through the Township's available tax base. Chairman Amigh reminded the assembly that Blair Township's tax base is not funded by businesses but is funded in majority by individual property owners. This is a neighbor-to-neighbor issue. A flat fee tax proposal, sometimes referred to as a "rain tax" was discussed with prior administrations but was not a realistic approach due to the income diversity within the Township. An impervious unit fee could be implemented. The impervious unit fee is based on the amount of impervious ground, thus making individual property owners responsible for their specific amount of impervious area. People living on private streets or with extended driveways would pay much larger fees than those with surrounding pervious area. Grants become available, but are not always obtainable, many times due to income parameters. All these suggestions require time, money, and creating Ordinance(s).

Solicitor Fanelli commented that the regulations are not only coming down from DEP, but also from EPA. The Federal EPA places requirements on the State DEP, which in turn puts the onus on the municipal entities.

Having recognized the people wishing to comment, the Supervisors proceeded with the agenda.

A review of the **Longshadow & 26 Stone Stand Preliminary Subdivision Plan** as prepared by Jeff Gunnett on behalf of Thomas Mongold indicated that the developer is requesting a 95-day review period extension. Due to having no response to the review comments outlined in the December 16, 2021, Stiffler & McGraw letter, a motion was made by Supervisor Germaux to **deny** the request for extension and **deny** the **Longshadow LLC & 26 Stonestand LLC Reservoir Road Preliminary Subdivision Plan**. Supervisor Lusk seconded the motion. Chairman Amigh abstained from voting. The motion to **deny the extension request and deny the Longshadow LLC & 26 Stonestand LLC Reservoir Road Preliminary Subdivision Plan** passed with 2 yes votes.

Trina Illig, County of Blair Grants CDBG Coordinator reviewed the **FY22 CDBG Grant** funds breakdown. Funds available for projects are \$84,657.00. Maximum funds that can be allotted to Public Service Projects is \$12,698.00. Maximum funds that can be allotted to Slums/Blight is \$25,580.00. Administrative costs payable to the County of Blair is \$18,580.00. Supervisor Germaux made a motion to allocate the FY 2022 CDBG Grant funds to Housing Rehab, confirming that this category is eligible to be spent on the Reservoir Road Sewage Project. Supervisor Lusk seconded the motion. The motion to allocate the **FY 2022 CDBG Grant to Housing Rehab** passed with unanimous vote. Trina noted that there are currently four Blair Township residents on the Housing Rehab list.

Chairman Amigh requested that Trina report on the **Housing Demographic Surveys** with reference to the **BTW&SA Reservoir Road sewer project**. She stated that the surveys completed puts the percentage of low/moderate income residents at 50%. She reported that there are 34 surveys unaccounted for, excluding some structures that are confirmed vacant. With reference to the adults with disabilities living in group homes along Reservoir Road, she stated she is waiting for clarification from DCED as to whether those residents must complete individual applications or can be counted as residents in a single structure. Trina indicated that she expects an answer from DCED next week and will relay that information to the Township.

Trina stated that there are unused **CARES Act funds**. The funds are held by the County of Blair but are available for use by the individual municipalities. She stated that a meeting to discuss where to allocate grant monies should be held prior to the application due date of October 28, 2022, noting that the funds are scheduled to expire in November. Projects are limited to specific grant regulations and must be used strictly to either prepare, prevent, or respond to the COVID-19 pandemic.

Supervisor Germaux made a motion to table the **Mezzy Court Subdivision plan**. Supervisor Lusk seconded the motion. The motion to **table the Mezzy Court Subdivision plan** passed with a unanimous vote. The municipal review period will end 11/13/22.

Ken Szala of P. Joseph Lehman Consulting Engineers presented the **Hummingbird Daycare Facility Land Development plan**. Mr. Szala reviewed and confirmed, with Eric and the Supervisors, the sidewalk layout in question from the August 9, 2022, meeting. Mr. Szala stated that he continues to wait on answers related to a change in easements, specifically the BTW&SA sewer easement being review by Gieg & Gieg Law Office. Mr. Szala verified that a revised plan including sidewalks would be submitted for the Township to review.

Supervisor Germaux made a motion to table the Hummingbird Daycare Facility Land Development plan. Supervisor Lusk seconded the motion. The motion to **table the Hummingbird Daycare Facility Land Development plan** passed with a unanimous vote. The municipal review period will end on November 12, 2022.

No new information was reported on the **McKibbin Enterprises, LLC Lot Merger plan** as prepared by Andrew Ebersole of Keller Engineers. Supervisor Germaux made a motion to **table the McKibbin Enterprises, LLC Lot Merger plan**. Supervisor Lusk seconded the motion. Motion to table the plan was with a unanimous vote. The municipal review period will end on October 14, 2022.

The **2023 Minimum Municipal Obligation (MMO)** worksheets for both the Police and Non-Uniformed employees' retirement plans were presented. The obligation for 2023 is a slight increase from 2022. Calculations are based on the estimated wages paid through the end of the current year. Review and approval of the MMO worksheets is an annual requirement of the Pennsylvania Municipal Retirement System, the Township's retirement provider. The Township will receive aid, generally deposited in mid-September, from the Commonwealth to help defray the retirement plan cost to the municipality.

Supervisor Germaux made a motion to approve the 2023 MMO for the Police Pension Plan in the amount of **\$45,168.00**. Supervisor Lusk seconded the motion. The motion to **approve the 2023 MMO for the Police Pension Plan** passed with a unanimous vote.

Supervisor Germaux made a motion to approve the 2023 MMO for the Non-Uniformed Pension Plan in the amount of **\$60,581.00**. Supervisor Lusk seconded the motion. The motion to **approve the 2023 MMO for the Non-Uniformed Pension Plan** passed with a unanimous vote.

Update: **Final Inspection and release of Letter of Credit, Barneywood Land Development**. Eric Banks suggested releasing the letter of credit upon receiving confirmation that the as-built plan has been recorded.

Supervisor Germaux made a motion to release the Letter of Credit based on Stiffler McGraw's recommendations. Supervisor Lusk seconded the motion. The motion to **release the Letter of Credit, Barneywood Land Development, with contingencies** set forth, passed with a unanimous vote.

Update: **General Office HVAC** project bids were received and opened on September 2nd. After reviewing the bids, Eric Banks, reported the lowest appropriate bid for General Construction/HVAC was submitted by Klesius and Sheedy in the amount of \$57,293.00, and the low bidder for the HVAC electrical bid was submitted by PBCI-Allen Mechanical and Electrical in the amount of \$8,400.00. Eric Banks recommended accepting both bids, pending the receipt of financial information from Klesius and Sheedy. ARPA monies are expected to be used for the project.

Supervisor Germaux made a motion to accept the General Construction/HVAC bid as proposed contingent on receiving financial information from Klesius and Sheedy. Supervisor Lusk

seconded the motion. The motion to approve the **General Construction/HVAC** bid in the amount of **\$57,293.00** as submitted by **Klesius and Sheedy** passed with a unanimous vote.

Supervisor Germaux made a motion to accept the Electrical bid as proposed from PBCI-Allen Mechanical and Electrical in the amount of **\$8,400.00**. Supervisor Lusk seconded the motion. The motion to approve the **PBCI-Allen Mechanical and Electrical** bid passed with a unanimous vote.

Eric Banks suggested tabling the request for Financial Security Release as submitted by O'Reilly Auto Parts Store noting that the developer did not respond to the letter sent by Stiffler McGraw on September 7, 2022.

Supervisor Germaux made a motion to table the Request for Financial Security Release. Supervisor Lusk seconded the motion. The motion to **table the O'Reilly Auto Parts Store Request for Financial Security Release** passed with a unanimous vote.

The Annual Renewal of the **Blair County ECC/911-E Alarm Monitoring Service** Contract is due. The annual renewal cost is \$300.00 and runs from August 18, 2022, through August 18, 2023.

Supervisor Germaux made a motion to **approve the renewal of the Blair County ECC/911-E Alarm Monitoring Service** Contract at a cost of **\$300.00**. Supervisor Lusk seconded the motion. The motion to approve the renewal passed with a unanimous vote.

Update: The **Henry Subdivision Plan** and Shared Well Agreement is recorded. Financial Security is in place pending construction of the well on Parcel D.

INFORMATIONAL ITEMS:

Harvest Glen Developer's Agreement. No new information presented.

Police Cruiser – Not delivered to date.

ARPA Funds – Second and final distribution in the amount of \$235,200.34 was electronically deposited into the General Fund and transferred to the ARPA Account on September 9, 2022. It was determined that the Supervisors will need to meet to discuss the allocation of funds. Supervisor Amigh suggested meeting over the lunch hour throughout the week.

Chairman Amigh called for other business. No other business was discussed.

Chairman Amigh called for Executive Session at 7:56 p.m. to discuss a legal issue.

The meeting was called back into session, with no decisions being made.

Supervisor Germaux made a motion to adjourn the meeting. Supervisor Lusk seconded the motion. The motion to adjourn passed with a unanimous vote.

Minutes of Monthly Meeting September 13, 2022
Blair Township Supervisors

The meeting adjourned at 8:19 p.m.

Respectfully Submitted by

Betty Robertson

Secretary