

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

MINUTES OF THE MONTHLY MEETING OF JULY 29, 2025

Chairman Paul Amigh 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, Supervisor, Brad Germaux; Supervisor, Lou Lusk; Secretary/Treasurer Kami Bilek; Police Chief Roger Peacock; Road Foreman, John Reed; representing Stiffler McGraw, Eric Banks; and Solicitor Patrick Fanelli, Esq.

Visitors present were Township residents Joseph Pompa, Sharon Baker, and Marty Culp regarding the proposed firearms discharge ordinance discussion; and Diane Fees and Matthew Kreuger regarding their request for waiver of the nuisance ordinance. Auditor Jacob Wible was also in attendance to discuss the firearms ordinance discussion. Non-residents in attendance were Bonita Shreve and Dennis Shreve, representing the Blair County Second Amendment Coalition, and Colette Costlow from the Altoona Mirror.

Chairman Amigh stated that public comment is welcome and invited in accordance with Township policy and the Commonwealth of Pennsylvania's Right to Know provisions and Sunshine Act. Chairman Amigh asked that all cell phones be silenced during the meeting.

Supervisor Germaux made a motion to **approve the minutes of the Monthly Business Meeting of June 10, 2025**, with no additions or corrections. Supervisor Lusk seconded the motion. The motion to approve passed with a unanimous vote.

Disbursements for the month of June: Payroll \$34,241.26; General Fund disbursements and payroll liabilities \$105,340.07; Capital Reserve \$4,983.06, which was for the Garage salt shed and will be reimbursed from ARPA funds, and Local Services Tax Account, \$2,763.10.

Supervisor Germaux made a motion to **approve the total June disbursements in the amount of \$147,327.49**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Supervisor Germaux made a motion to **approve the Treasury Balance for June 2025 of \$2,186,455.17**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Disbursements for the Stormwater Management fund for the month of June to reimburse Metz Brothers Builders for their Stormwater Management deposit was \$46,090.00.

Supervisor Germaux made a motion to approve the **"Specific Service Investment Account Funds" Treasury Balance for June 2025 of \$241,536.71**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Supervisor Germaux made a motion to approve the **FNB Credit Card Statement for the month of June** in the amount of \$952.85, the **Sam's Club Credit Card** in the amount of \$160.98, and the

Wex Bank Sunoco Fleet gas card in the amount of \$2,203.14. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Chairman Amigh opened public comment at this time and announced that anyone wishing to address the Board of Supervisors on general Township issues may do so at this time. Additionally, prior to votes being taken on items shown on the agenda, public comment may also be offered following discussion by the Board of Supervisors. Public comment may be limited to three (3) minutes per Township resident. Those wishing to comment on specific items listed on the agenda are asked to defer their comments until those items are reached and discussed. For the record, it is requested each speaker stand, if able, and clearly state his/her name. Chairman Amigh stated that he is aware that there are individuals in attendance that wish to speak on the Second Amendment item that is on the Agenda for discussion and stated that he will move that to the front of the agenda at this time.

Bonita Shreve, President of the Blair County Second Amendment Coalition spoke on behalf of the citizens of Blair Township. Ms. Shreve stated that she is grateful that the Board of Supervisors had tabled the proposed Ordinance at the previous meeting and understands that the Supervisors plan to have only a discussion at this meeting, but asked that the Supervisors strike the Ordinance completely, as she understands it to be unconstitutional and illegal based on Pennsylvania preemption Laws. Her recommendation would be to enforce reckless endangerment laws rather than enact stricter gun control laws. Solicitor Fanelli stated that there is a Criminal Code in place. The crimes code provides both options and challenges to enforce those codes. Solicitor Fanelli stated that he is comfortable with the ordinance that was presented as being both legal and constitutional. He stated that it is similar to ones that the Pennsylvania Supreme Court has ruled on previously. Solicitor Fanelli addressed the Board of Supervisors and stated that from a statutory or Constitutional standpoint, he is comfortable that it would be legal to adopt the ordinance; However, he would leave it to the Board of Supervisors to determine whether or not it would be best from a policy standpoint to adopt it.

At this time, Blair Township Resident and Blair Township Auditor Jacob Wible addressed the Board of Supervisors. Jacob reiterated that he feels that he believes they, collectively, are all for the second amendment, and feels the best way to address the concerns with the safety issues in Blair Township is to look at the laws that already exist on the State or Federal level that can already be enforced with our local police department rather than create newer ordinances and redefine State laws, particularly distances from structures that would affect hunting regulations. He stated that he feels very strongly that safety issues need to be addressed, but all other areas need to be exhausted before enacting an ordinance.

Chairman Amigh stated that he understands there are other Townships and Municipalities out there that have similar ordinances out there but also accepts that this ordinance is not worded how we want it to be. He stated that the Township will move forward with forming a committee to work on a solution and contact those who signed up to be on the Safety Committee to discuss meeting times. Ms. Shreve mentioned that she was concerned that, according to the attorneys at Gun Owners of America, the ordinance could open up potential lawsuits with the Township, and Chairman Amigh stated again that the Board of Supervisors did not plan to move forward with the Ordinance at this time but plan to work toward other solutions for safety issues within the township. No action will be taken on the Firearms Ordinance.

Chairman Amigh asked for a motion to table the Firearms Discharge Ordinance, with the intention of letting the ordinance die. Supervisor Germaux made a motion to **table the Firearms Discharge Ordinance**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Diane Fees and Matthew Kreuger of 555 Hillsideview Drive Duncansville addressed the Board of Supervisors to ask for a waiver of the Nuisance Ordinance for their property. Mr. Kreuger stated that they moved into the home, which is located in the Penn Farms area of Blair Township, in June 2022. They noticed areas of red clay and mud falling from a ninety degree “cliff” onto their driveway. He stated there were deep rooting perennials and also invasive species. He indicated that Ms. Fees is a master gardener and he has extensive experience in gardening. He reported that throughout the first years of living in the home, they had planted various perennials and planted over seventy-seven new trees and bushes for shade and to help eliminate water erosion. He indicated that in the past they had been asked to cut the hillside plants back. He stated that it takes time to evaluate what is there and what is working versus what need to be cleared out. Their plan for the property is to leave the native perennials and to remove the invasive species. Ms. Fees asked that they be granted a waiver to put the garden plan into action. She indicated that it can take several seasons to establish certain plants. She reminded the Board of Supervisors that ultimately it is a stormwater management plan, and they have noticed a significant improvement in the water runoff and erosion since the vegetation has grown in. Mr. Kreuger stated that there is Mountain Mint, Goldenrod, Queen Anne Lace, among other native plants that are just beginning to become established. The homeowners presented photos of additional native plants that they will plant, as well as invasive plants that they plan to remove. They also indicated that they will continue to be compliant with the nuisance Ordinance that requires them to keep their lawn mowed to within the ordinance requirements, and to follow the PMCA recommendations to keep a clear delineated line between the lawn and the garden and from the street to ten feet up the bank to the garden.

Chairman Amigh made a motion to **approve the waiver of the nuisance ordinance for high grass, recognizing 555 Hillsideview Drive as a natural habitat/bank erosion prevention project**. Supervisor Germaux seconded the motion. The motion passed with a unanimous vote.

Mr. Kreuger thanked the Supervisors and asked them to stop by the property at any time. He stated that the property is recognized as a certified wildlife sanctuary.

PennTex Ventures, LLC, from the Dollar General project along Dunnings Highway has requested a reimbursement of the Stormwater Management Funds that was deposited to the Township. Eric Banks reported that he completed his final inspection of the site, and there are several deficiencies noted. He also stated that there were two complaints submitted to the Township office of water runoff, both stemming from the swale located behind the Dollar General. He noted that there is clear indication of erosion that should not be present. Stiffler McGraw provided the Supervisors and the developer with an inspection letter on July 21, 2025 outlining the areas that need to be addressed. Eric does not recommend releasing the financial security until all deficiencies are addressed. No formal action was taken.

Solicitor Pat Fanelli reported that, as part of the Beaverdam Branch Project that the Intergovernmental Stormwater Committee is working on, they require access to properties along the portion of ground where the project is located. One property owner, G.G. Holliday Land 2002, LP, denied the ISC access and instead wished to donate the ground. Since the ISC is unable to own land, they in turn asked Blair Township to accept the land from the property owner. The parcel consists of

approximately six acres, four of which makes up the easement in which the project will be located, and two on which an existing stormwater basin exists. Pat indicated that the ISC expressed understanding that, while Blair Township will take on the maintenance of the stormwater basin, they will support the Township with any unexpected issues that may arise in the future with the stormwater basin, as there was only a cursory inspection of the basin prior to the Township taking ownership. Solicitor Fanelli stated that all expenses related to the transfer of the property and associated fees will be taken care of by the ISC, and there will be no financial burden to the Township aside from general maintenance of the stormwater basin and potential loss of local tax revenue. After additional discussion regarding the maintenance of the four acres and the stormwater basin, Chairman Amigh called for a motion to accept the land from G.G. Holliday Land 2002, LP.

Supervisor Germaux made a motion to **accept land and holding pond from G.G. Holliday Land 2002, LP by dedication of deed**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Chairman Amigh asked for a motion to approve the signing of the Settlement Agreement between the Blair County ISC, GG Holliday Land 2002, LP, and Blair Township resolving the dispute between the ISC and the landowner.

Supervisor Lusk made a motion to **approve signing of the Settlement Agreement between the Blair County ISC, G.G. Holliday Land 2002, LP, and Blair Township**. Supervisor Germaux Seconded the motion. The motion passed with a unanimous vote.

Secretary/Treasurer Kami Bilek discussed the 2025-2030 PennDOT Winter Maintenance Agreement. She said that the Winter Maintenance Agreement had already been approved at the June meeting, but PennDOT had asked that a resolution be signed and submitted with the agreement for their records. They requested the resolution be dated as of the June 10, 2025 meeting, as well.

Supervisor Germaux made a motion to **approve Resolution number 2025-08 Winter Maintenance Agreement retroactive to June 10, 2025**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote.

Under informational items, no new information was available on the DCNR parks grant application. It was recommended that new letters from the Township and residents be sent out to elected public officials to make them aware of the importance of the park in the community. Eric Banks presented a draft flow chart that had been requested by the Supervisors showing the requirements for stormwater management systems for new residential construction under the Blair Township SALDO and Stormwater Ordinances. The flow chart is designed to assist new homeowners when construction new homes within Blair Township. Eric submitted two concepts to the Supervisors for review. Concept two offers additional details that will assist residents and builders in meeting the Township criteria for the Stormwater Ordinance. Chairman Amigh asked that Eric present both options to the Blair Township Planning Commission for their input prior to adoption. Road Foreman John Reed said that the salt shed at the Township Garage is almost completed. He said that after consideration, they decided to put rain spouting on the roof of the shed, as they noticed the water runoff is more than they anticipated. He believes this will put them slightly over the budget they submitted but will provide the estimate to the Secretary prior to ordering.

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Under other business, Chairman Amigh asked to discuss a couple items for the record. The first item is regarding the United States Department of the Interior Office of Communications Digital Media Policy regarding social media postings. Chairman Amigh reported that the Department of the Interior has specific guidelines where regulatory agencies are concerned when posting public information online and outlined several reasons for not posting meeting agendas on social media including record keeping and accountability, detailed information, ensuring accessibility for all, potential for misinformation, and legal and ethical considerations; such as detailed agenda items may be seen as crossing a line and influencing public opinion or promoting special viewpoints on proposed legislation. Chairman Amigh stated that is why Blair Township does not post the agenda or minutes on its social media page. He understands the desire for transparency, but if something is posted on a social media site that isn't accurate it can lead the public to come to a meeting with an incorrect idea of what is going to happen at that meeting.

The second item is regarding complaints that have been received regarding an elected or appointed official deleting social media posts and comments and/or blocking others from their social media account. Chairman Amigh shared the following information: The government cannot unjustifiably interfere with your freedom of speech when you use social media to share your thoughts or engage in discourse with public officials. If a social media account is clearly maintained as an official page by a government actor or a to-be elected government actor and, as such, is using an official title or name of the agency, it is considered an official account. Additionally, a social media page can shift from a personal account to an official account when the office holder and other government actors treat it as an official government account by posting or sharing official business under their personal account, whether or not it is listed as an official government account. As such, a government actor is not allowed to censor anyone based on their viewpoint; a comment can only be removed for posting personal threats or profane language in violation of the social media platform's community standards; and comments can only be removed by the social media platform. Chairman Amigh summarized, if one has a social media page, and they are acting as a government agent, they cannot block people, they cannot delete comments, and they cannot delete posts, even if they are disparaging in nature. To do so would violate constitutional rights under the First Amendment. Chairman Amigh stated that the best course of action is to post something and forget about it so that any negative comments remain unread and the temptation to delete them is not there. Chairman Amigh cautioned all elected, appointed, and potential officials to be cautious in the future and to continue to keep Blair Township in good standing and out of any negative public scrutiny.

Solicitor Fanelli mentioned that there were at least four cases that made it to the Supreme Court within the last few years regarding censorship on social media. One of the most public cases was President Trump who was found by courts to have been unconstitutionally blocking people from posting to his social media sites. Others involved school board candidates who had deleted comments and blocked members, and the courts found it to be unconstitutional, one that was an individual City Manager in New Jersey who posted city information on his personal social media page and was found to have violated the first amendment by blocking people from commenting on his page regarding city business. He also urges using caution when maintaining both personal and public social media pages if using them to promote Township business or treat it as an official government account.

With no further business, Chairman Amigh asked for a motion to adjourn. Supervisor Germaux made a motion to **adjourn the meeting of July 29, 2025**. Supervisor Lusk seconded the motion. The motion passed with a unanimous vote. The meeting was adjourned at 6:43 p.m.

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Respectfully Submitted by

Kami Bilek

Secretary