

HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS  
MONTHLY MEETING  
AUGUST 24, 2009  
7:00 PM

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**1. CALL TO ORDER**

The regular monthly meeting of the Hempfield Township Board of Supervisors, held at the Hempfield Township Municipal Building, was called to order at 7:00 pm by Vice Chairman John Bossi.

**Members Present:** Mr. John Silvis (7:10 pm)      Mr. Robert Davidson  
Mr. John Bossi      Mr. Tom Logan  
Mr. R. Douglas Weimer

**Staff Present:** Mr. Kurt Ferguson      Mr. Les Mlakar  
Mr. Mike Volpe      Mr. Dan Schmitt  
Ms. Patricia Ritson

**2. HEARINGS**

- a. **Consideration to Approve Resolution #2009-77, Which Approves the Transfer of Restaurant Liquor License #R-3578 into Hempfield Township from Belle Vernon**—Mr. Weimer made a motion, seconded by Mr. Davidson, to approve Resolution #2009-77 as presented. Vote: 3-0. Motion carried. (See Attachment ‘A’ for full transcript of hearing.)

*Mr. Weimer advised that Item ‘s’ needed to be added to the agenda as follows: Consideration to Approve Authorization of the Execution of an Employment Contract with the Assistant Township Manager, Bruce Beitel*

**3. CITIZENS COMMENTS**

a. Ms. Phyllis Levino, 4020 West Lake Drive, Irwin, addressed the Board concerning a speeding problem on West Lake Drive and presented a petition requesting the following: (1) Speed bumps; (2) posting of 15 mph; and (3) posting of ‘no thru traffic’. Mr. Ferguson advised that the petition would be presented to the Traffic Safety Committee for review and recommendations.

b. Mr. Andy Levino, 4020 West Lake Drive, Irwin, addressed the Board concerning the speeding problem on West Lake Drive.

e. Mr. George Reuss, 4018 West Lake Drive, Irwin, addressed the Board concerning the safety issues with the traffic problem on West Lake Drive.

*f. Mr. Jack McHugh, 4009 West Lake Drive, Irwin,* addressed the Board concerning the speeding problem on West Lake Drive.

*g. Mr. Gerald Giernacky, 234 Bonita Drive, Greensburg,* addressed the Board concerning the proposed ordinance to adopt the Uniform Construction Code, stating that he hoped that the company that is hired to perform the inspections is reputable. Mr. Ferguson advised that the company the township is considering is well known and trains inspectors, as well as performs inspections. He added that the township's four code enforcement officers will be trained to perform inspections within six months.

*h. Mr. Frank DeMonte, 252 Prisani Street, Bovard,* addressed the Board concerning the need to have the roads in Bovard repaved. He was advised that a paving project was on the agenda for consideration.

*i. Mr. Greg Saunders, President, Hempfield Township Fire Chiefs Association,* reported on fire service for the month of August. He noted that the next meeting would be held on September 2, 2009 at 7:00 pm at the Hempfield EOC. Mr. Silvis noted that he was impressed with the fire companies participating in the parade that evening in Greensburg to honor the West Point girls softball team.

#### **4. EXECUTIVE SESSION**

Mr. Silvis acknowledged that Executive Sessions were held on the following: (a) August 12, 2009; (b) August 19, 2009; and (c) August 24, 2009. .

#### **5. SECRETARY'S REPORT**

Mr. Davidson made a motion, seconded by Mr. Bossi, to approve the following minutes as presented: (a) May 11, 2009 and June 24, 2009 Beacon Holdings hearings. Vote: 4-0. Motion carried.

#### **6. STAFF REPORTS -- (Written reports distributed prior to meeting)**

- a. Engineer** – Nothing to add to Work Session report.
- b. Department of Public Works**– Nothing to add to Work Session report.
- c. Solicitor**– Mr. Mlakar advised that he would like to review the findings for the Beacon Holding hearings in an Executive Session prior to September's monthly meeting.
- d. Township Manager** – Mr. Ferguson advised that Mr. Bruce Beitel began work as the Assistant Township Manager. He noted that Mr. Beitel will deal with traffic safety, emergency safety, public safety, fire departments, and workers compensation, as well as other duties.

#### **7. TREASURER'S REPORT**

It was noted that the Treasurer's report was attached to the agenda.

#### **8. PAYMENT OF BILLS**

Mr. Weimer made a motion, seconded by Mr. Davidson, to approve the following bills for payment as presented: (a) General Fund -- \$633,739.23; (b) Light District Fund-- \$7,566.49; (c) Recreation PLGIT Account -- \$3,917.00; and (d) Fire Escrow Account -- \$28,180.00. Vote: 4-0. Motion carried.

## ***9. SCHEDULING OF HEARINGS***

Mr. Weimer made a motion, seconded by Mr. Bossi, to authorize the solicitor to schedule a hearing for the Roland D. Blake (Hempfield Area School District) zone change for September 28, 2009 during the monthly meeting. Vote: 4-0.

## ***10. DECISIONS FOR HEARINGS - None***

## ***11. PLANNED RESIDENTIAL DEVELOPMENTS (PRD) - None***

## ***12. SITE PLANS***

- a. Consideration to Approve Resolution #2009-78, Which Grants Final Conditional Approval to the Bruce Marsteller Site Plan (#20090017)**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.
- b. Consideration to Approve Resolution #2009-79, Which Denies the Reflex Software (VanFleet) Site Plan #20090018 and Stormwater Plan #20090020**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.

## ***13. SUBDIVISION PLANS - None***

## ***14. ACTION TO BE TAKEN***

- a. Consideration to Approve Resolution #2009-80, Establishing the Minimum Municipal Obligation for 2009**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.
- b. Consideration to Approve Resolution #2009-81, Which Approves the 2009-2010 Westmoreland County Transit Authority Agreement**—Mr. Bossi made a motion, seconded by Mr. Weimer, to approve as presented. Mr. Davidson asked when the township would get recognition in the Transit Authority advertisements. He stated that he wants Hempfield's name on the flyer that is distributed. Vote: 3-1 (Mr. Davidson cast the dissenting vote). Motion carried.
- c. Consideration to Approve Resolution #2009-82, Which Transfers Unencumbered Funds from the Salt and Ashes Line Item of the 2009 Budget to the Park Facilities Major Equipment and Property Line Item**—Mr. Weimer made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.
- d. Consideration to Approve Resolution #2009-83, Which Authorizes the Execution of a Contract with Code Enforcement Associates as the Third Party Agency to Administer and Enforce the Pennsylvania Uniform Construction Code**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 3-1. (Mr. Silvis cast the dissenting vote and stated he would give his reasons under Item 'f'). Motion carried.

- e. **Consideration to Approve Resolution #2009-84, Planning Module for Irwin Medical/Richland Properties**—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.
  
- f. **Consideration to Approve Authorizing Solicitor to Advertise Ordinance for Adoption of the Pennsylvania Uniform Construction Code**—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Mr. Silvis advised that he was opposed to adopting the Uniform Construction Code for a number of reasons, He stated that the township originally voted to opt out in an effort to send a message to Harrisburg that it was too intrusive. He added that Mr. Ferguson pointed out all the money the township was losing by opting out and there were long discussions on the issue; however, he was philosophically against the legislation and didn't think it was best for Hempfield. He noted that it was the state forcing its will on an issue that the community was not asking for. Mr. Weimer stated that he voted to opt out to send a message to Harrisburg, but he was now voting to opt in to keep it under local control and preserve property values in the township. Mr. Bossi and Mr. Davidson both agreed with Mr. Weimer's statements. Mr. Davidson added that he appreciated Mr. Silvis' position on mandates from the state; however, he felt that if the township is going to be forced to do something it's better to have it under local control. Vote: 3-1. (Mr. Silvis cast the dissenting vote). Motion carried.
  
- g.. **Consideration to Approve Authorizing Solicitor to Advertise Ordinance Approving an Intergovernmental Agreement with the Central Westmoreland Council of Governments for the Township's Use of the Board of Appeals for Pennsylvania Uniform Construction Code Matters**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.
  
- h. **Consideration to Approve Awarding Maintenance Garage Building Addition Contract Contract. The Following Bids Were Opened on August 12, 2009:**

|                           |             |
|---------------------------|-------------|
| 1) Swede Construction     | \$65,500.00 |
| 2) J. Greenawalt Builders | 90,165.00   |

—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.
  
- i. **Consideration to Approve Change Order #1 from Tresco Paving in the Amount of \$30,291.76 for 2009 Hot Mix Paving Program**—Mr. Weimer made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.
  
- j. **Consideration to Approve Pay Estimate #2 (Final) from Tresco Paving in the Amount of \$304,375.84 for 2009 Hot Mix Paving Program**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.
  
- k. **Consideration to Approve Pay Estimate #2 (Final) from Morgan Excavating in the Amount of \$4,949.58 for Red Onion CDBG Hot Mix Paving Program**

*AND*

- l. **Consideration to Approve Change Order #1 from Morgan Excavating in the Amount of (\$27,734.02) for Red Onion CDBG Hot Mix Paving Program**

*AND*

**m. Consideration to Approve Settlement Agreement with Morgan Excavating in the Amount of \$6,000.00 for Red Onion CDBG Hot Mix Paving Program**—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve Items k, l and m as presented. Mr. Schmitt advised that there was a reduction of \$27,734.02 in the overall quote, there was some additional work for \$4,949.58, and then there was a settlement agreement in the amount of \$6,000.00 due to litigation concerning the quantities in the original contract and the contractor wanting to use the escalator in the cost of asphalt. Vote: 4-0. Motion carried.

**n. Consideration to Approve Awarding Bovard CDBG Paving Project. The Following Bids Were Opened on July 27, 2009:**

|                           |              |
|---------------------------|--------------|
| 1) Tresco Paving          | \$229,310.00 |
| 2) A. Folino Construction | 230,030.35   |
| 3) Glenn Johnston, Inc.   | 236,175.25   |
| 4) Donegal Construction   | 237,860.40   |

—Mr. Bossi made a motion, seconded by Mr. Davidson, to award the bid to Tresco Paving, low bidder meeting all specifications. Vote: 4-0. Motion carried.

**o. Consideration to Approve the Following Emergency Service Applications Pending Successful Completion of a Physical Examination:**

|                   |                     |                 |
|-------------------|---------------------|-----------------|
| 1) Angelo Machado | High Park VFD       | Jr. Firefighter |
| 2) Drew Kubovcik  | High Park VFD       | Sr. Firefighter |
| 3) Adam Mathews   | North Hempfield VFD | Jr. Firefighter |

—Mr. Weimer made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.

**p. Consideration to Approve Authorizing Township Manager to Advertise for Audit RFP**—Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 4-0. Motion carried.

**q. Consideration to Approve Authorizing Township Manager to Advertise for Property and Liability Insurance RFP**—Mr. Bossi made a motion, seconded by Mr. Weimer, to approve as presented. Vote: 4-0. Motion carried.

**r. Consideration to Approve Designating 2010 Community Days Dates as August 14-15, 2010**—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.

**s. Consideration to Approve Authorization of the Execution of an Employment Contract with the Assistant Township Manager, Bruce Beitel**—Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 4-0. Motion carried.

**15. OLD BUSINESS - None**

**16. NEW BUSINESS - None**

**17. PROCLAMATIONS AND CERTIFICATES OF ACCOMPLISHMENT**

- a. **West Point Softball Team Proclamation**—Mr. Silvis advised that he presented a proclamation to the West Point Girls Softball Team, honoring their achievement of reaching the Little League World Series semifinals.

**18. SUPERVISORS' COMMENTS**

**Mr. Bossi:** He offered congratulations to the West Point softball team and expressed regrets that the entire Board was unable to attend the parade due to the hearing and meeting coinciding at the same time.

He stated that the Route 130/Slate Run Road bridge reopened.

He noted that he voted to opt into the UCC because it brings more control for the township. State lawmakers should take action if they want change.

**Mr. Weimer:** He offered congratulations to the West Point softball team.

He welcomed Bruce Beitel to the position of Assistant Township Manager..

He noted that he was in favor of opting into the UCC because it brings the township's involvement into the process. One of his concerns was that the township could perhaps look at the fire code that was in place prior to opting out of the UCC and bring some of the controls back into the township.

**19. ADJOURNMENT**

**MEETING ADJOURNED AT 8:06 PM**

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**CHAIRMAN**

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**SECRETARY**