

# HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS

## MONTHLY MEETING

JANUARY 26, 2009

### *1. CALL TO ORDER AND PLEDGE TO THE FLAG:*

The monthly meeting of the Hempfield Township Board of Supervisors held at the Hempfield Township Municipal Building was called to order at 7:05 PM by Chairman John Silvis.

Members Present: Mr. John Silvis  
Mr. Bob Davidson  
Mr. John Bossi  
Mr. R. Douglas Weimer  
Mr. Tom Logan

Staff Present: Mr. Les Mlakar  
Mr. Mike Volpe  
Mr. Dan Schmitt  
Mrs. LuAnn Panigall

**Mr. Weimer announced that there are three items to be added to the agenda under “Action to be Taken”:**

dd. Consideration to Make an Offer of Employment to Kurt Ferguson to be Hired as the Township Manager Effective March 30, 2009 Subject to a Salary Being Established and a Contract Being Executed

ee. Consideration to Approve 2009 Bids for Materials and.

ff. Consideration to Approve Township Participation in the State Co-Stars Program

### *2. CITIZENS COMMENTS (As Per Resolution #99-11):*

- a. Mr. Greg Zimmerman, HEMA Coordinator, informed the Board that HEMA has their first weather drill scheduled for March 5, 2009 between 9:00 and 11:00 with PEMA, Westmoreland County Emergency Management, and the Hempfield School District. Mr. Zimmerman noted the next meeting of HEMA is scheduled for February 19, 2009 at the EOC at which time they will go over the emergency plans and standard operating procedures. Also scheduled is a table top exercise on February 26, 2009 at the University of Pittsburgh at Greensburg with the State Police. The HEMA coordinators met and went over the ID badges Westmoreland County is issuing for emergency management along with the those

the Township will be issuing. Mr. Zimmerman is also working on training and getting members PEMA certified.

- b. Mr. Greg Saunders, Bovard Fire Chief, presented and explained to the Board, at the Board's request, with various fire reports for Bovard for 2008 and also for January 2009. Mr. Saunders noted that Bovard responded to 485 calls in 2008 and those calls are broken down in the various reports. Mr. Saunders asked the Board to review the reports and let him know what information the Board would like included on the reports. Mr. Saunders stated that he is going to try to get all twelve fire companies to give him a report every month, and Mr. Saunders will put them together and bring them to the next supervisors' meeting.
- c. Mr. Russell Karr, 319 Darragh-Herminie Road & Mrs. Holly Keener, spoke to the Board regarding an ongoing water problem affecting their properties. Both Mr. Karr and Mrs. Keener indicated that their properties are flooding due to water draining from Buffalo Hill Road, Tillbrook Road, and the state road. Mr. Schmitt indicated that when the Sewage Authority extends sewer lines in that area, the Township plans on removing stormwater from Buffalo Hill Road from the existing system and install a separate stormwater system to take the water from Buffalo Hill Road to Sewickley Creek. The Board of Supervisors directed Mr. Volpe and Mr. Schmitt to look at Tillbrook Road and see if that roadway is causing problems on Mr. Karr's and Mrs. Keener's properties.

### ***3. EXECUTIVE SESSION:***

Mr. Silvis acknowledged that executive sessions were held January 14, 2009, January 21, 2009, and January 26, 2009 to discuss legal and personnel issues.

### ***4. SECRETARY'S REPORT:***

Mr. Weimer made a motion, seconded by Mr. Davidson, to approve the minutes of December 22, 2008, Supervisors' Monthly Meeting; and January 5, 2009, Supervisors' Reorganization Meeting. Vote: 5-Yes. Motion carried.

Mr. Weimer informed the Board that he received a letter from Woody Weissinger resigning from the Planning Commission.

### ***5. STAFF REPORTS:***

- a. Public Works – Mr. Volpe previously submitted his report to the Board and has nothing to add.
- b. Engineer – Mr. Schmitt submitted his report to the Board at the Caucus Meeting and has nothing further to add except for items listed on the agenda.
- c. Solicitor – Mr. Mlakar advised the Board that he has reviewed the Township's fire code and it hasn't been revised for years. Mr. Mlakar recommended that the Board appoint two members to sit with Mr.

Mlakar and the president of the Fire Chief's Association and Mr. Zimmerman to review the Township Code and make the appropriate revisions to the fire code. Mr. Mlakar stated there some issues with NIMM certification that need to be addressed. Mr. Weimer noted that there is a Fire Study Board who could meet with Mr. Mlakar.

## ***6. TREASURER'S REPORT:***

Mr. Logan informed the Board that the unofficial year end 2008 revenue and expenditures indicate the cash carry over from the beginning of 2008 to the beginning of 2009 increased by \$700,000. Mr. Logan indicated the January Treasurer's report does not have enough historical data to compare. Mr. Logan made a motion, seconded by Mr. Bossi to approve the Treasurer's report. Vote: 5-Yes. Motion carried.

## ***7. PAYMENT OF BILLS:***

Mr. Logan made a motion, seconded by Mr. Davidson, to approve payment of bills as follows: General Fund, \$561,254.80; Light District Fund, \$6,909.80; and Recreation PLGIT Account, \$1,235.00. Vote: 5-Yes. Motion carried.

## ***8. SCHEDULING OF HEARINGS: None***

## ***9. DECISIONS FOR HEARINGS: None***

## ***10. PLANNED RESIDENTIAL DEVELOPMENTS (PRD): None***

## ***11. SITE PLANS:***

- a. Consideration to Approve Resolution #2009-5, Which Grants Final Conditional Approval to the ADK Cardiology, Inc. Site Plan (#20080003) -- Mr. Davidson made a motion, seconded by Mr. Bossi, to approve Resolution #2009-5, which grants final conditional approval to the ADK Cardiology, Inc. site plan. Vote: 5-Yes. Motion carried.
- b. Consideration to Approve Resolution #2009-6, Which Grants Final Conditional Approval to the Hempfield Mini-Storage Addition Phase II Site Plan (#20080047) -- Mr. Bossi made a motion, seconded by Mr. Davidson, to approve Resolution #2009-6, which grants final conditional approval to the Hempfield Mini-Storage Addition Phase II site plan. Vote: 5-Yes. Motion carried.

## ***12. SUBDIVISION PLANS:***

- a. Consideration to Approve Resolution #2009-7, Which Grants Final Approval to the Heinnickel Subdivision Plan (#20080070) – Mr. Logan made a motion, seconded by Mr. Davidson, to approve

Resolution #2009-7, which grants final approval to the Heinnickel subdivision plan. Vote: 5-Yes. Motion carried.

- b. Consideration to Approve Resolution #2009-8, Which Grants Final Approval to the Grandview Estates Phase I-Revision 1 Subdivision Plan (#20080074) – Mr. Logan made a motion, seconded by Mr. Davidson, to approve Resolution #2009-8, which grants final approval to the Grandview Estates Phase I-Revision 1 subdivision plan. Vote: 5-Yes. Motion carried.
- c. Consideration to Approve Resolution #2009-9, Which Grants Final Approval to the Bradish Consolidation Subdivision Plan (#20080075) – Mr. Logan made a motion, seconded by Mr. Davidson, to approve Resolution #2009-9, which grants final approval to the Bradish Consolidation subdivision plan. Vote: 5-Yes. Motion carried.
- d. Consideration to Approve Resolution #2009-10, Which Grants Final Approval to the Eastgate Enterprises Plan of Lots Subdivision Plan (#20080071) – Mr. Davidson made a motion, seconded by Mr. Logan, to approve Resolution #2009-10, which grants final approval to the Eastgate Enterprises Plan of Lots subdivision plan. Vote: 5-Yes. Motion carried.
- e. Consideration to Approve Resolution #2009-11, Which Grants Final Approval to the Reynolds Subdivision Plan (#20080045) – Mr. Davidson made a motion, seconded by Mr. Logan, to approve Resolution #200-11, which grants final approval to the Reynolds subdivision plan. Vote: 5-Yes. Motion carried.

**13. ACTION TO BE TAKEN:**

- a. Consideration to Approve Pay Estimate #2 (Final) to Tresco Paving Corp. in the Amount of \$5,000.00 (Attachment A) – Mr. Bossi made a motion, seconded by Davidson, to approve Pay Estimate #2 (Final) to Tresco Paving Corp. in the amount of \$5,000.00. Vote: 5-Yes. Motion carried.
- b. **Consideration to Approve “I-Tech Solutions” Network and Computer System Service Contract** for 2009 (Attachment B) – Mr. Logan made a motion, seconded by Mr. Davidson, to approve I-Tech Solutions network and computer system service contract for 2009. Vote: 5-Yes. Motion carried.
- c. Consideration to Approve the Following Emergency Service Applications Pending Successful Completion of a Physical Examination:
  - 1) Lacie Bryner                      High Park VFD                      Administration
  - 2) Robert Schifano                Bovard VFD                         Sr. Firefighter
  - 3) Raymond Giles                 Grapeville VFD                    Sr. Firefighter
  - 4) Brandon Fink                    Carbon VFD                         Jr. Firefighter

Mr. Weimer made a motion, seconded by Mr. Davidson, to approve the above-referenced emergency service applications pending successful completion of a physical examination. Vote: 5-Yes. Motion carried.

- d. Consideration to Approve Resolution #2009-12, Designating Sarp & Company (CPA) to Perform 2008 DCED Annual Financial Report (Attachment D) – Mr. Mlakar advised that this proposal is for

the DCED Annual Financial Report, \$2,500; Annual Audit-\$10,725; Tax Collector's Audit (if desired), \$3,000; and Single Audit (if required), \$2,700. Mr. Logan made a motion, seconded by Mr. Davidson, to approve Resolution #200-12, designating Sarp & Company to perform the 2008 annual financial report and audit. Vote: 5-Yes. Motion carried.

- e. Consideration to Approve 2009-2010 Actuarial Services Contract for the Township Employee Defined Benefit Pension Plan with Cowden Associates, Inc. – Mr. Mlakar noted that this item is Resolution #2009-21. Mr. Weimer made a motion, seconded by Mr. Davidson, to approve Resolution #2009-21, 2009-2010 actuarial services contract for the Township employee defined benefit pension plan with Cowden Associates. Vote: 5-Yes. Motion carried.
- f. Consideration to Approve Resolution #2009-13, Designating Cowden Associates, Inc. for Actuarial Information for Township Employee Post Retirement Health Care Benefits – Mr. Davidson made a motion, seconded by Mr. Logan, to approve Resolution #2009-13, designating Cowden Associates, Inc. for actuarial information for Township employee post retirement health care benefits. Vote: 5-Yes. Motion carried.
- g. Consideration to Approve Resolution #2009-14, Approving an Agreement Between the WCIDC and the Township to Correct a Course and Distance Description of a Property Line Between Parcel A and B in the Westmoreland Technology Park Lot 19 Resubdivision – Mr. Bossi made a motion, seconded by Mr. Davidson, to approve Resolution #2009-14, approving an agreement between WCIDC and the Township to correct a course and distance description of a property line between Parcel A and B in the Westmoreland Technology Park Lot 19 re-subdivision. Vote: 5-Yes. Motion carried.
- h. Consideration to Approve Resolution #2009-15, Which Approves a Contract with Keystone Collections and a Memorandum of Understanding for Collection of Act 511 Taxes – Mr. Logan made a motion, seconded by Mr. Davidson, to approve Resolution #2009-15, which approves a contract with Keystone Collections and a memorandum of understanding for the collection of Act 511 taxes. Vote: 5-Yes. Motion carried.
- i. Consideration to Approve Resolution #2009-16, Establishing Reasonable Costs of Collection for Delinquent Taxes and Imposing the Cost of Such Collection Upon Delinquent Taxpayer – Mr. Davidson made a motion, seconded by Mr. Bossi, to approve Resolution #2009-16, establishing reasonable costs of collection for delinquent taxes and imposing the cost of such collection upon the delinquent taxpayer. Vote: 5-Yes. Motion carried.
- j. Consideration to Approve Authorizing Solicitor to Obtain **“Government Affirmation Letter” from IRS Documenting the Township’s Federal Tax-Exempt Status** – Mr. Davidson made a motion, seconded by Mr. Logan, to approve authorizing the Solicitor to obtain a “Government Affirmation Letter” from the IRS documenting the Township’s Federal tax exempt status. Vote: 5-Yes. Motion carried.
- k. Consideration to Approve Resolution #2009-17, To Apply for a H2O Funding for the Hempfield Township West Point and Cambridge Regional Storm Water Project – Mr. Bossi made a motion, seconded by Mr. Logan, to approve Resolution #2009-17, to apply for H2O Funding for the Hempfield Township West Point and Cambridge regional storm water project. Vote: 5-Yes. Motion carried.

- l. Consideration to Approve Resolution #2009-18, To Apply for a H2O Funding for the Hempfield Township Fort Allen Flood Protection Project – Mr. Davidson made a motion, seconded by Mr. Logan, to approve Resolution #2009-18, to apply for a H2O funding for the Hempfield Township Fort Allen flood protection project. Vote: 5-Yes. Motion carried.
- m. Consideration to Approve a Request from Midway St. Clair VFD to Install a Drain for Storm Water Runoff in Front of Garage Doors to Prevent Future Water Damage – Mr. Bossi made a motion, seconded by Mr. Davidson, to approve a request from Midway-St Clair VFD to install a drain for storm water runoff in front of garage doors to prevent future water damage. Vote: 5-Yes. Motion carried.
- n. Consideration to Approve Sending Recreation Staff to Festival Planning Training Workshop April 8, Held at the Greensburg Courtyard Marriott – Mr. Bossi made a motion, seconded by Mr. Davidson, to approve sending recreation staff to festival planning training workshop on April 8, 2009 held at the Greensburg Courtyard Marriott. Vote: 5-Yes. Motion carried.
- o. Consideration to Approve Resolution #2009-19, Revising the Township Code Office Permitting Fee Schedule – Mr. Davidson made a motion, seconded by Mr. Logan, to approve Resolution #2009-19, revising the Township code office permitting fee schedule. Vote: 5-Yes. Motion carried.
- p. Consideration to Approve Participation with Central Westmoreland COG for Next Season Salt Purchase
- ff. Consideration to Approve Participation in the State Co-Stars Program
  - Mr. Logan made a motion, seconded by Mr. Bossi, to approve 100% participation in the State Co-Stars program salt purchasing program and decline participation in the Westmoreland COG salt purchasing program. Vote: 5-Yes. Motion carried.
- q. Consideration to Approve ASCAP 2009 Rate Schedule and Invoice for Current Year – Mr. Davidson made a motion, seconded by Mr. Bossi, to approve the ASCAP 2009 rate and invoice. Vote: 5-Yes. Motion carried.
- r. Consideration to Approve Hempfield Parks and Recreation Fund Investment Allocation Administered by the Community Foundation of Westmoreland County (Attachment 13R) – Mr. Davidson made a motion, seconded by Mr. Bossi, to approve the Hempfield Parks and Recreation fund investment allocation administered by the Community Foundation of Westmoreland County. Vote: 5-Yes. Motion carried.
- s. Consideration to Approve Authorizing Township Secretary to Enroll the Township in the LGA 2009 Municipal Intern Program – Mr. Davidson made a motion, seconded by Mr. Logan, to approve authorizing the Township Secretary to enroll the Township in the LGA 2009 municipal intern program. Vote: 5-Yes. Motion carried.
- t. Consideration to Approve Authorizing Solicitor to Prepare an Agreement with the Hempfield Volunteer Fire Departments to Apply for Township Addressing Data to be Used for Their Fund Drives – Mr. Logan made a motion, seconded by Mr. Bossi, to approve authorizing the Solicitor to prepare an agreement with the Hempfield volunteer fire departments to apply for Township addressing data to be used for their fund drives. Vote: 5-Yes. Motion carried.

- u. Consideration to Approve Resolution #2009-20, Which Approves the C. Angelicchio Enterprises, LP Stormwater Plan – Mr. Davidson made a motion, seconded by Mr. Bossi, to approve Resolution #2009-20, which approve the C. Angelicchio Enterprises, LP stormwater plan. Vote: 5-Yes. Motion carried.
- v. Consideration to Approve Appointment of Two Members to the Hempfield Township Planning Commission for a Four Year Term Expiring December 31, 2012 – Mr. Davidson made a motion, seconded by Mr. Weimer, to appoint Patricia Volpe and Alan Kurzinski to the Hempfield Township Planning Commission for a four-year term expiring December 31, 2012. Vote: 5-Yes. Motion carried.
- w. Consideration to Approve Appointment of One Member to the Hempfield Township Planning Commission to Fill the Remaining Two Years of the Four Year Term Previously Held by Woody Weissinger. Term will Expire on December 31, 2010 – Mr. Davidson made a motion, seconded by Mr. Bossi, to appoint Jim Errett to the Hempfield Township Planning Commission to fill the remaining two years of the four-year term previously held by Woody Weissinger with the term to expire December 31, 2010. Vote: 5-Yes. Motion carried.
- x. Consideration to Approve Appointment of One Member to the Hempfield Parks & Recreation Commission for a Five Year Term Expiring December 31, 2013 – Mr. Davidson made a motion, seconded by Mr. Bossi, to appoint Ken Wees to the Hempfield Parks & Recreation Commission for a five-year term expiring on December 31, 2013. Vote: 5-Yes. Motion carried.
- y. Consideration to Approve Appointment of One Member to the Zoning Hearing Board for a Five Year Term Expiring December 31, 2013 – Mr. Bossi made a motion, seconded by Mr. Davidson, to appoint Bob Jackson to the Zoning Hearing Board for a five-year term expiring on December 31, 2013. Vote: 5-Yes. Motion carried.
- z. Consideration to Approve Appointment of One Member to the Hempfield Township Municipal Authority for a Five Year Term Expiring December 31, 2013 – Mr. Davidson made a motion, seconded by Mr. Logan, to appoint Brad Mellor to the Hempfield Township Municipal Authority for a five-year term expiring December 31, 2013. Vote: 5-Yes. Motion carried.
- aa. Consideration to Approve Appointment of One Member to the Hempfield Township Municipal Authority to Fill the Remaining Two Years of the Five Year Term Previously Held by Brian Melenia. Term will Expire on December 31, 2010 – Mr. Davidson made a motion, seconded by Mr. Bossi, to appoint Douglas Pike to the Hempfield Township Municipal Authority to fill the remaining two years of a five-year previously held by Brian Melenia with the term expiring December 31, 2010. Vote: 5-Yes. Motion carried.
- bb. Consideration to Approve Appointment of Four (4) Citizens at Large, One (1) Alternate and One (1) Representative from Emergency Services to the Hempfield Township Local Traffic Advisory Committee for Terms of One Year Ending December 31, 2009 – Mr. Weimer made a motion, seconded by Mr. Davidson to appoint Scott Bailey, John Rock, Carol Booth, and Joe Lutz as the four citizens at large and Ken Wees as the representative from emergency services to the Hempfield Township local traffic advisory committee for a term of one year ending December 31, 2009. Vote: 5-Yes. Motion carried.

- cc. Consideration to Approve Appointment of One Member to the Vacancy Board for a One Year Term Expiring December 31, 2009 – Mr. Logan made a motion, seconded by Mr. Davidson, to appoint Gerald Eisaman to the Vacancy Board for a one-year term expiring December 31, 2009. Vote: 5-Yes. Motion carried.
- dd. Consideration to Make an Offer of Employment to Kurt Ferguson to be Hired as the Township Manager Effective March 30, 2009 Subject to a Salary Being Established and a Contract Being Executed – Mr. Bossi made a motion, seconded by Mr. Logan, to make an offer of employment to Kurt Ferguson for the position of Township Manager to be effective March 30, 2009 subject to a salary being established and a contract being executed. Vote: 5-Yes. Motion carried.
- ee. Consideration to Approve 2009 Bids for Materials and Supplies – Mr. Weimer made a motion, seconded by Mr. Bossi, to award the 2009 bids for materials and supplies to the bidder and for the prices highlighted in bold print as attached to these minutes. Vote: 5-Yes. Motion carried.

*14. NEW BUSINESS: None*

*15. OLD BUSINESS: None*

*16. PROCLAMATIONS AND CERTIFICATES OF ACCOMPLISHMENT: None*

*17. SUPERVISORS' COMMENTS:*

- a. Mr. Weimer and the other members of the Board are happy to enter into an agreement with a new Township manager and look forward to him coming on board. Mr. Silvis commended the staff for the way they have conducted themselves the last thirty days.
- b. Mr. Davidson expressed his appreciation to Mr. Greg Zimmerman for the work he is doing on emergency management.

*18. ADJOURNMENT:*

Mr. Silvis adjourned the meeting at 8:15 P.M.

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Chairman

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Secretary