

Mr. Mlakar stated that the Township has no influence over the fish and game commission or PennDOT. Mr. Mlakar recommended that Mr. Ciarimboli and his brother get an attorney to assist and represent them with respect to what is going on. Mr. Ferguson informed Mr. Ciarimboli that PennDOT wants to have a community meeting regarding the overview, details and status of this project, but a date has not been determined. He added that when a date is set, the Township will post it on the website.

- f. **Mr. Greg Saunders, Fire Chief, Bovard VFD**, stated that he had a report, which was submitted to the Supervisors, that all 12 fire companies reported 389 responses to emergency calls. Ten fire companies reported 715.68 man hours for the month of October 2009. Mr. Saunders announced that the fire chiefs' meeting will be on Wednesday, December 2, 2009 at 7:00 p.m at the HEMA Building.

Lastly, Mr. Saunders informed the Board that there are still a few fire companies that are not on the state reporting system.

- g. **Dan Nescot, Fire Chief, Grapeville VFD**, Mr. Nescot highlighted the following: (a) Eighty-five firefighters attended a highway safety training course led by Mr. Baldwin from the Turnpike Commission at Grapeville Fire Department on September 21, 2009; (b) Five firefighters attended a compressed air foam training class on November 7, 2009 at Butler County Community College. Certificates were issued upon completion of training.
- h. **Greg Zimmerman, Emergency Management Coordinator**, Mr. Zimmerman highlighted the following: (a) plans for weather drill in March 2010 with Hempfield School District; (b) plans to operate "campus shield" with the County which will include a table-top exercise to be held at one of the schools in Hempfield. He informed the Board that this program is funded with federal grant money through Region 13.
- i. **Susan Scherff, Linmor Drive**, representing the Five-Star Trail Committee, publicly thanked Mr. Volpe and the road department for the work they did on the Five-Star Trail, specifically the improvements at the intersection with the black-top and the new dust.
- j. **Mary Leeper, 115 Pores Road, Greensburg**, addressed the Board concerning the status of the closed bridge on Pores Road. Ms. Leeper lives on the Unity side of the bridge, but she does own 7.2 acres of undeveloped property in Hempfield Township.

Mr. Schmidt stated that as a representative to Unity Township, Mr. Schmidt and Unity Township Supervisors' visited a bridge that was constructed in Mt. Pleasant Township last year which was completed in utilizing local forces and in-house work. He then explained that Unity Township Supervisors asked us to look at a design comparable to see if we can duplicate that situation here.

4. EXECUTIVE SESSION

Mr. Silvis acknowledged that Executive Sessions were held on the following:

- (a) October, 26, 2009 – Legal & Personnel Matters
- (b) November 11, 2009 – Personnel Matters
- (c) November 12, 2009 – Personnel Matters
- (d) November 18, 2009 – Legal & Personnel Matters

5. **SECRETARY'S REPORT**

- a. **Consideration to Approve Minutes** – Mr. Weimer made a motion, seconded by Mr. Logan, to approve the minutes of the October 26, 2009 Supervisors Monthly Meeting as presented. Vote: 5 - Yes. Motion carried.

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

- a. **Public Works** – Mr. Volpe previously submitted his report to the Board and has nothing to add.

- b. **Township Engineer**

Mr. Schmidt responded to the issues raised regarding Bothwell Road:

1. The concern was traffic coming off of Route 119 at the time due to the darkness and narrowness of the bridge.
2. Consideration was given at one time of getting rid of the “s” curve and coming straight out to Route 119. When the Township did a field check of the properties, the first “s” curve is by the veterinarian and the second “s” curve is located near a piece of ground owned by Verizon and the Township would have to acquire that piece of ground. Mr. Schmidt indicated that the “s” curves serve a purpose for speed. When the Township looked at traffic calming, they wanted to maintain the “s” curve for maintaining the speed of the traffic.
3. After you get out of the “s” curve, Lynnwood Phase III is located on the right hand side. When Lynnwood Phase III was completed, they did widen a portion of Bothwell Road.
4. During the June 17th flood, the Township lost a portion of the road at South Meadows and up the hill towards Hannastown Golf Course. The asphalt peeled off of that area and the road is showing some deteriorations. The Public Works Department has made some repairs to keep it passable at this point. Mr. Schmidt noted that we can look at the conditions of the swales in that area.

Question:

Mr. Davidson asked if any temporary repairs can be done right now. Mr. Schmidt stated he was not aware of the residents coming to us and he will go out and view the site. Mr. Weimer suggested that the Township do a traffic count on Bothwell Road.

- c. **Solicitor** – Mr. Mlakar previously submitted his report to the Board and has nothing to add.

- d. **Township Manager** –

Mr. Ferguson reported on the following: (1) He is pleased to present the 2010 Budget which represents Hempfield's 20th year without a tax increase. Mr. Ferguson stated that a budget meeting is scheduled for December 9th and at the time he will go over all of the items in detail. (2) Outlined in this budget is consideration for projects totaling 4.85 million which include projects on Walton Tea Room Road, Bothwell Road culvert replacement, and West Point and Cambridge storm water project. (3) \$70,000.00 is budgeted this year to deal with retention ponds in a very aggressive way. (4) Significant plans for paving roads in 2010. The roads outlined for 2010 compile 30 miles of road in

the Township. Mr. Ferguson noted that this is a tremendous step towards addressing the issues of infrastructure. (5) Mr. Ferguson stated that Mr. Beitel will focus on increased training for the fire departments in 2010. Two laptops will be purchased, one for the emergency management coordinator and the other for our Township emergency trailer that is taken on scenes. An 800 megahertz base radio was budgeted for the emergency operations center. (6) Staff is working on Community Days for 2010 to make it a more significant event which will include more vendors and more things for children to do.

7. TREASURER'S REPORT

Mr. Logan reviewed the Treasurer's Report which is attached to the agenda.

Mr. Weimer made a motion, seconded by Mr. Davidson, to approve the Treasurer's Report as presented. Vote: 5 - Yes. Motion carried.

8. PAYMENT OF BILLS

Mr. Logan made a motion, seconded by Mr. Davidson, to approve the following bills for payment as presented: (a) General Fund -- \$460,062.62; (b) Light District Fund-- \$7,372.84; (c) Recreation PLGIT Account -- \$2,087.50; (d) Fire Escrow Account -- \$27,560.00. Vote: 5 - Yes. Motion carried.

9. SCHEDULING OF HEARINGS

a. Consideration to Approve Scheduling Hearing for the Moween Zone Change –

Mr. Weimer made a motion, seconded by Mr. Bossi, to authorize the solicitor to schedule a hearing for Moween Zone Change. Vote 5 – Yes. Motion carried.

The hearing will be scheduled for Monday, December 28, 2009 at 7:00 p.m.

10. DECISIONS FOR HEARINGS

a. Consideration to Approve Roland Blake Zone Change Decision – Mr. Mlakar informed the Board that he has prepared Ordinance #2009-07 for Board's decision on the Roland Blake Zone Change. Mr. Logan made a motion, seconded by Mr. Weimer to approve Ordinance #2009/07.

Question:

Mr. Davidson questioned if they are merging two properties into one. Mr. Mlakar stated that this is the purchase of the Armbrust School.

Vote 5 – Yes. Motion carried.

11. PLANNED RESIDENTIAL DEVELOPMENTS (PRD) - None

12. SITE PLANS

- a. **Consideration to Approve Resolution #2009-98, Which Grants an Extension of Time to Comply With Site Plan Approvals for Greensburg Environmental Site Plan No. 20060042 and Hempfield Commercial Properties LP Site Plan No. 20080062 and Rite Aid Subdivision Plan No. 20080061** – Mr. Davidson made a motion, seconded by Mr. Logan, to approve as presented. Vote: 5 – Yes. Motion carried.

13. SUBDIVISION PLANS

- a. **Consideration to Approve Resolution #2009-99, Which Grants Final Approval to the Darragh Civic Association Subdivision Made for William H. Gabel and Karen L. Gabel (#20090023)** – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- b. **Consideration to Approve Resolution #2009-100, Which Grants Final Approval to the Esther B. Sweitzer Plan #1 (#20090020)** - Mr. Logan made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 5- Yes. Motion carried.

14. ACTION TO BE TAKEN

- a. **Consideration to Approve Ordinance #2009-06, Which Amends the Township Code Section 83-14 to Designate an Additional Stop Sign Intersection Being Locust Street at Sells Lane** – Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- b. **Consideration to Approve Resolution #2009-101, Which Accepts the Defined Benefit Pension Plan Trust Investment Policy Statement Prepared by Freedom One Advisors and Dated November 13, 2009** – Mr. Davidson made a motion, seconded by Mr. Logan, to approve as presented. Vote: 5 - Yes. Motion carried.
- c. **Consideration to Approve Resolution #2009-102, Which Authorizes the Solicitor to Prepare a Resolution for the 2010 Supervisors' Reorganization Meeting to Appoint Maher Duessel, Certified Public Accountants, to Audit the Books and Records of the Township and the Tax Collector for 2009** – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- d. **Consideration to Approve Resolution #2009-103, Which is a Land Disturbance/Stormwater Management Application and Fee Schedule** – Mr. John Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5 – Yes. Motion carried.
- e. **Consideration to Approve Resolution #2009-104, Which Authorizes and Approves an Early Retirement Window Benefit Pursuant to Section 12.03 of the Hempfield Township Employee Defined Benefit Pension Plan and Trust** – Mr. Davidson made a motion, seconded by Mr. Logan, to approve as presented. Vote 5 – Yes. Motion carried.

- f. **Consideration to Authorize the Solicitor to Advertise an Ordinance Which Adopts the Hempfield Township Non-Union Employees Other Post Employment (OPEB) Retiree Benefits Plan & the Hempfield Township OPEB Integral-Part Trust** – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- g. **Consideration to Approve Agreement for Animal Control Services with Hoffman Kennels for a Period of One (1) Year Commencing January 1, 2010 and Ending December 31, 2010 at a Rate of \$425/Month** – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- h. **Consideration to Approve a Tentative Budget for 2010 Maintaining Property Tax Millage at 3 Mills and Establishing 2010 Light District Rates. Projected 2010 Expenses \$12,970,272.00 and Revenues \$12,970,272.00** – Mr. Logan made a motion, seconded by Mr. Bossi, to approve as presented. Vote: 5 - Yes. Motion carried.
- i. **Consideration to Approve Authorizing Township Manager to Advertise a Budget Meeting to be held on December 9, 2009 at 7:00 pm** - Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote: 5 - Yes. Motion carried.
- j. **Consideration to Approve Authorizing Solicitor to Advertise Amendment to the Burning Ordinance** – Mr. Logan made a motion, seconded by Mr. Davidson to approve as presented.

Question:

Mr. Weimer asked if this is in regards to the discussion the Board had on the burning ordinance.

Mr. Mlakar said that the language “as tolerated” will be deleted from the current ordinance. He then stated an amendment will be made to do it in just zoning classifications. Mr. Mlakar stated that if the fire departments are called out, he will add a provision in there that the property owner, if convicted of violating and a citation is filed, the property owner must also reimburse the volunteer fire departments for their cost and expenses. He noted that the Board will have the ordinance for review next month.

Vote 5 – Yes. Motion carried

- k. **Consideration to Approve Retaining the Services of a Real Estate Appraiser for the B/P Property Located Along State Route 136 for the Fort Allen Flood Protection Project** – Mr. Davidson made a motion, seconded by Mr. Logan to approve as presented.

Discussion:

Mr. Mlakar explained that he had contacted Mr. Jack Lizza of Professional Appraisers to do the appraisal on the B/P Property and asked that he be authorized to retain Mr. Lizza for services.

Mr. Weimer made a motion, seconded by Mr. Logan, to amend the motion to include Jack Lizza, Professional Appraisers.

Question:

Mr. Davidson asked if this will raise the possibility the Township will have to negotiate to see what an acceptable value of the property is. Mr. Mlakar explained that the Township needs approximately 2.3 acres from B/P.

He stated that the Township contacted B/P in regards to purchasing the acreage on Route 136 and their response was “make us an offer”. Mr. Mlakar explained that an offer cannot be made without an appraisal under the Second Class Township Code.

Vote 5 – Yes. Motion carried.

- l. Consideration to Approve Change Order #2 in the Amount of \$6,000 and Pay Estimate #3 (Final) in the Amount of \$6,000 with Morgan Excavating for the 2008 CDBG Hot-Mix Paving Program (Red Onion Area) – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5 – Yes. Motion carried.**
- m. Consideration to Approve Change Order #2 in the Amount of \$49,963.29 and Pay Estimate #2 (Final upon Receipt of the Maintenance Bond) in the Amount of \$8,273.00 with Tresco Paving for the Bovard Paving Contract #5/2009 – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5 – Yes. Motion carried.**
- n. Consideration to Approve Pay Estimate #2 (Final upon Receipt of Maintenance Bond) in the Amount of \$1,500.00 with Swede Construction for the Maintenance Garage Building Addition – Mr. Bossi made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5-Yes. Motion carried.**
- o. Consideration to Approve Granting Gibson-Thomas Engineering Contract Extension for the Old Route 30 Bridge Replacement Project (Contract #125405 Part I) to December 31, 2010 – Mr. Davidson made a motion, seconded by Mr. Bossi, to approve as presented.**

Question:

Mr. Davidson questioned when the bridge is going to be replaced. Mr. Mlakar stated that the Old Route 30 Bridge is a Township bridge and should be replaced in 2010.

Vote 5 – Yes. Motion carried.

- p. Consideration to Approve Kenneth R. Sloan Insurance Agency as the Insurance Carrier to Handle the Township Insurance Needs – Mr. Davidson made a motion, seconded by Mr. Logan, to approve as presented. Vote 5 – Yes. Motion carried.**
- q. Consideration to Approve Appointment of One Alternate Member to Serve on the Local Traffic Advisory Committee – Mr. Logan made a motion, seconded by Mr. Weimer, to table the appointment of one alternate member to serve on the Local Advisory Committee until the January 2010 meeting. Vote 5 – Yes. Motion carried.**
- r. Consideration to Approve Appointment of One Member to Fill an Unexpired Term on the Planning Commission (Term to expire 12/31/10 and previously held by James Errett) – Mr. Logan made a motion, seconded by Mr. Weimer to table the appointment of one member to fill an unexpired term on the Planning Commission until the January 2010 meeting. Vote 5 – Yes. Motion carried.**

- s. **Consideration to Approve Ratification of the 2009 Spring, Summer & Fall Recreation Staff as Listed on Attachment ‘A’ at the Rates Indicated** – Mr. Logan made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5 – Yes. Motion carried.
- t. **Consideration to Approve the 2010 Winter Recreation Staff as Listed on the Attachment ‘B’ at the Rates Indicated** – Mr. Davidson made a motion, seconded by Mr. Logan, to approve as presented. Vote 5 – Yes. Motion carried.
- u. **Consideration to Approve the Following Emergency Service Applications Pending Successful Completion of a Physical Examination:**

1) Matthew Johnson	HEMA	(Rostered Firefighter)
2) Angele Mahkovich	High Park VFD	Sr. Firefighter
3) Eric Sphon	Carbon VFD	Jr. Firefighter

- Mr. Weimer made a motion, seconded by Mr. Davidson, to approve as presented. Vote 5- Yes. Motion carried.

15. OLD BUSINESS - None

16. NEW BUSINESS – None

17. PROCLAMATIONS AND CERTIFICATES OF ACCOMPLISHMENT - None

18. SUPERVISORS’ COMMENTS

- a. **John Bossi** – No comment.
- b. **Mr. Davidson** - Mr. Davidson stated that he received a call regarding the per capita tax and asked what the status is. Mr. Mlakar explained that he and the school district filed a tax appeal and talked about granting the waiver. The issue of concern is the thirty cent difference and Les informed the Board that can be worked out logistically.

Mr. Ferguson explained that one of the things the Township is looking to do is extend the discount period through the end of the year. Mr. Ferguson noted that the information would be posted on the website. Mr. Mlakar advised that if the Board is agreeable and because the next Supervisors’ meeting is late in December, he recommended that the Board authorize Kurt to proceed, subject to the agreement with the school district.

Mr. Logan made a motion, seconded by John Bossi, to extend the discount time till the end of the year for the per capita tax. Vote 5 – Yes. Motion carried.

- c. **Mr. Logan** – Mr. Logan wished everyone a safe and Happy Thanksgiving.

- d. **Mr. Weimer** – Mr. Weimer thanked the Township Manager for his efforts in preparing the 2010 Township budget.
- e. **Mr. Silvis** – Mr. Silvis wished everyone a Happy Holiday.

19. ADJOURNMENT

Mr. Silvis adjourned the meeting at 8:28 p.m.

CHAIRMAN

SECRETARY