

HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING &
HEARING TO VACATE A PORTION OF HEIGHTS LANE ALLEY &
RE-ZONING HEARING FOR GETGO PORTFOLIO LP
MAY 29, 2018

REGULAR MONTHLY MEETING
HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS

1. CALL TO ORDER AND PLEDGE TO THE FLAG:

The regular meeting of the Hempfield Township Board of Supervisors, held at the Hempfield Township Municipal Building, was called to order at 7:00 p.m. by Chairman George Reese, followed by the pledge of allegiance.

Members Present: Mr. George Reese
Mr. John Silvis
Mr. Rob Ritson

Mr. Doug Weimer
Mr. Tom Logan

Staff Present: Mr. Scott Avolio
Mr. Jason Winters
Mr. Doug Cisco
Mr. Len Delleria

Mrs. Denise Rosak
Mrs. Melanie Phillips
Mr. Dan Schmitt

2. HEARINGS:

- a) **7:01 p.m. – Hearing to Vacate a Portion of Heights Lane Alley**
- b) **7:33 p.m. – Re-Zoning Hearing for GetGo Portfolio LP**

HEARING TO VACATE A PORTION OF HEIGHTS LANE ALLEY

The hearing of the Hempfield Township Board of Supervisors, held at the Hempfield Township Municipal Building, was called to order at 7:01 p.m. by Chairman George Reese. We have some hearings tonight. Mr. Avolio.

Solicitor Avolio: Yes, Mr. Chairman. The first matter, and as you know, these all relate to the property of the potential GetGo. There is also a conditional site plan approval later on in the agenda. But we are going to take into order the first hearing, specifically set aside to consider the vacation of the alleyway. That vacation would be an ordinance to vacate that alleyway. However, you will hear a proposal that there will be a proposed relocation of that alleyway and then the next matter will be a rezoning of the parcels that have been either accumulated or under contract. I see representatives from GetGo are present. I thought we'd call and ask them. They are already represented by counsel. I am

going to ask counsel to give an overview. But we will take in the order of the first meeting the meeting being the alley vacation ordinance consideration and then the rezoning.

Mr. Sittig: Hi. My name is Bill Sittig. I represent Giant Eagle. I have starting with the street vacation. The plan that I just handed out and which John Howell, who is an engineer for the project, is showing on the easel. It shows the portion of Heights Lane that essentially bisects the site that we are looking to have vacated and the idea is that, as you already know from and it on our business objective is that we are looking at consolidating all of these lots and creating a single zoning lot and eliminating Heights Lane and ultimately to have the road at the northerly end of the property. So, the first step would be to eliminate, vacate, this portion of Heights Lane between Lewis and Lowry and then to consolidate and to rezoning to sort of set up the land development plan for the proposed GetGo. So, it is pretty straight forward. Ultimately, it will be an improvement, better connections are that roadway is moved to the north and provide better intersection and better driveway cuts with both of those public streets and it will be up to Township standards whenever the new roadway is installed. So, unless there are any questions about the nature of the request, it is pretty straight forward.

Mr. Ritson: I have a few questions. This is a request... I don't show the proposed... Do you have another document that shows us where the proposed road's going to be relocated to?

Mr. Sittig: Well... (Passed out plans to the Board of Supervisors for review.)

Mr. Weimer: While they are passing that out, can I ask how many feet or yards, when it moves, how far that is going to be moved?

Mr. Sittig: Well, as you will see from the plan, it's pretty variable, but from the... John, I don't know if you can help us to measure? But, to answer the first question first. What I have shown is a site plan. We haven't ... but don't want to get caught up in this as the final plan, but what you are seeing is something or something like this hopefully for a land development plan, but, you will see that the driveways have been moved to the north. You will see it flowing behind, essentially that driveway and that roadway is behind the proposed store, the retail building.

Mr. Ritson: So, Scott, the ordinance, as we are considering it right now, is just to vacate the alley?

Mr. Avolio: It's just to vacate.

Mr. Ritson: All of the relocation issues are going to pop up under the site plan?

Mr. Avolio: Yes. There will be a public dedication of that right-of-way.

Mr. Weimer: This says it is New Stanton. I have a New Stanton one.

Mr. Sittig: Oh, I'm sorry.

Mr. Silvis: That's what I was trying to show you.

Mr. Sittig: Do you have a smaller one?

Mr. Ritson: He was good. He was pointing at my thing.

Mr. Silvis: I saw New Stanton Borough.

Mr. Ritson: I was looking at this and it's not the right streets.

Mr. Sittig: No. It wasn't straight across and it's not for public dedication. (Distributed a new plan to the Board of Supervisors.) John (Heyl), I don't know if you can estimate the distance?

Mr. Heyl: Good evening. My name is John Heyl with Lennon, Smith, Souleret Engineering.

Mr. Avolio: Bill, I will swear him in since he is going to testify. Do you swear to tell the whole truth, nothing but the truth, so help you God?

Mr. Heyl: I do.

Mr. Avolio: The existing alleyway is approximately 160 feet from Route 30. The proposed alleyway is approximately back 200 feet from Route 30.

Mr. Logan: Heights Lane is currently one way. Will the new proposed road be one way or two way?

Mr. Sittig: It will be two.

Mr. Avolio: Do you swear to tell the truth, the whole truth, so help you God?

Mr. Pat Avolio: I do. Hi. My name is Pat Avolio, Director of Real Estate Development for Giant Eagle, Inc. We are still working with PennDot on the final configuration of Heights Lane because Lewis Avenue is also a State route. Right now, the two-way out at Lowry Avenue, which is a County road. PennDot is looking to restrict the left turns in off of Lewis Avenue to avoid any backup onto Route 30 itself. We are still in dialogues with them but they are working through the traffic engineer review but their desire has been expressed to not permit left turns in northbound Lewis onto Heights Lane. Their argument was it is already only that direction to begin with but that was their limitation. We still haven't finalized that aspect.

Mr. Weimer: The County had no objections then?

Mr. Pat Avolio: The County is not looking at that. They are looking for the Highway Occupancy Permit or the right-of-way occupancy permit at that time.

Mr. Sittig: They'll be both directions but there won't necessarily be full service but at least right-ins and right-outs.

Mr. Pat Avolio: Yes. You would be able to make a right on southbound Lewis into Heights Lane. So, it would be two-way. They just want to prohibit left turns on Lewis heading north towards Jeannette into Heights to avoid any issues with Route 30.

Mr. Reese: Any other questions? John, do you have any?

Mr. Silvis: No.

Mr. Reese: Tom?

Mr. Logan: I don't know. It's about we are not getting much information about where the new... You haven't delineated very well how new Heights Lane is going to be.

Mr. Ritson: I think that is a good point that you are making. Unfortunately, we are only considering the abandoning of that. I am anxious to hear if there is anybody else here to testify.

Mr. Logan: Yes. I don't have any other questions.

Mr. Weimer: But they did state that there was a 40 feet difference further away from Route 30.

Mr. Logan: Yes.

Mr. Ritson: I caution the Board that nothing that they present here tonight as a site plan or a proposed site plan they can be held by. We are treating this as a sole abandonment of the alley. They can change that plan and submit...

Mr. Sittig: Yes. And that's why, especially since we are not in control of the third parties that are controlling, not only the Township but the County and PennDot. But, we preliminarily working with the County and with PennDot and certainly with the staff review, are pretty comfortably with that's where it is going to be.

Mr. Reese: Okay. Any other questions? No? Okay.

Mr. Avolio: Bill, do you have anyone else on behalf of Giant Eagle?

Mr. Sittig: No.

Mr. Avolio: Is there anybody here that wishes to testify in this matter? Would you come up and state your name and I will swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Ms. Alexander: I do. My name is Jessica Alexander. I am a co-owner of Champion Waterproofing at 1216 Lowry Avenue. Our sole access to our business is through Heights Lane and if you abandon or vacate, we want to know how we are going to get into that property?

Mr. Sittig: You are utilizing the unnamed alley? Is that what you are talking about after you come in Heights Lane, you have an alley in the middle there?

Ms. Alexander: Yes. It's like the parking lot behind that one building. That's the only way... That's our only access through there.

Mr. Sittig: Access is not being denied.

Ms. Alexander: Well, if you're going to be doing construction, I am not sure how we are going to get through there.

Mr. Pat Avolio: We are not proposing construction at this point. That plan, details of that, will be identified. Associated with this property... John, could you put the aerial up? So, currently your access is through a piece of property that we currently have under contract. Relocated Heights Lane would be full width and immediately adjoin your property and would line up with that. We could go over the details of that. That would be a separate review in land development because without the vacation and the rezoning, we wouldn't go any further. But, again, I will provide you a card and provide an access and you would directly front onto... You will have access from Lowry but Heights Lane would be relocated along here, through the Edmiston's Associate's parking lot, so what is paved

currently would be the relocated Heights Lane. That's where your access would be. You would actually have improved access to and from Lowry and Lewis Avenue itself.

Ms. Alexander: Okay.

Mr. Pat Avolio: So, we can share details with plans and you have my card and have you contact our engineer.

Mr. Ritson: Hold on. Don't sit down yet. That is a legitimate question. So, there is an unnamed alley that is perpendicular to Heights Lane. If we abandon Heights Lane today, then technically, Giant Eagle or GetGo, whatever you want to call the properties, owns that right-of-way. Hold on a second. I'm talking to the solicitor. So, the question is then, people who have public access off of that unnamed alley, do they have to go through that property owner to get a right-of-way access through an easement or some type of agreement? Because, essentially, we are abandoning their public access to that alley.

Mr. Avolio: Well, you have this point here where you are abandoning the road but then they are dedicating. During that void, there is just that. A void in time. But once accepted, that unnamed alley, they are actually moving the access up a bit so you will still be going through the unnamed alley but you will just be hitting – what was the testimony, 200 feet earlier. But there is that void in time between tonight's vacation of the alley and then the proposed acceptance of the public dedication.

Mr. Ritson: Right. That could be a sizable void.

Mr. Logan: How do we bridge that? Do we do an abandonment contingent upon?

Mr. Avolio: Well, the problem is you have a certain time limit. Now I could ask Giant Eagle to extend those time limits and maybe, Bill, you have a plan of when they are going to dovetail together. But you have this naturally created void in the statute, really, between...

Mr. Sittig: No. That's one of the issues we raised from the very start that we are willing to waive and so this can drag on. The main thing we want to know that that it will be at some point – that it will be vacated – because we don't, different zonings and having that public street running through there doesn't do us any good. And, Giant Eagle's bought the properties so we are all at risk here. So, we realize that this street vacation should trail and we are willing to extend to do that. Now, there is going to be a time – that could drag on – and we could do a dovetailing with the other approvals but there is going to be a time during construction where the site is going to be – you know, before the new road is in – where there is going to be an inconvenience during construction. But the actual vacation of the street, no magic that it happens exactly tonight. We weren't really pushing to have to have it. We wanted everything to be in front of the Township.

Mr. Avolio: So, if you waive that time period, because the statute does provide for a petition to vacate a street where the Township must rule within so many days, you could say contingent upon acceptance of the public dedicated and formalized site plan pursuant to the waiver of Giant Eagle.

Mr. Logan: I guess looking beyond the dedication and the approval of site plan, I would like to see construction of Heights Lane, the new relocated Heights Lane completed before GetGo starts construction on their property.

Mr. Ritson: We have one property at the back end of that unnamed alley. Are you here tonight?

Ms. Klejka: Yes.

Mr. Ritson: I would love for you to be able to testify or at least come up to the microphone so we could ask you questions. I promise we won't be mean. We want to make sure you have access. But I mean that is a concern because right – once – that's their only access. This is a good point. That was why I raised it. I mean logistically.

Mr. Logan: I've lived that scenario.

Mr. Ritson: Can we have them come up right now and testify?

Mr. Logan: I'm sorry, ma'am. Are you done with your testimony?

Ms. Alexander: I am.

Mr. Ritson: You raised the question. We're following up on it so that it's being...

Mr. Silvis: You weren't here last month, were you?

Ms. Alexander: I was not.

Mr. Silvis: But these people were.

Mr. Ritson: You can stay, too.

Ms. Klejka: Well, I mean yes. Obviously, our concern is during construction that we are not going to have access there.

Mr. Logan: Yes.

Mr. Avolio: I'm going to swear you in now. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Ms. Klejka: Yes. My name is Carol Klejka and I live right behind Champion so the only access to get to my house is Heights Lane and then I cut from their parking lot and I go back to my house. So, if you take away that, then I don't have access, even if an emergency vehicle or someone needs back there. So, I mean, you guys have all of these wonderful plans but you are not really thinking of everyone else also.

Mr. Ritson: We didn't create the plans.

Ms. Klejka: Right now, it is a one-way street. Well, that's wonderful but a lot of time you see one car coming down and out and there are cars flying down the alley the wrong way. So, two-ways is not going to solve the problems. And then, if you make it closer to Champion, then down on Lowry, that's hard to pull right or left. There could be more accidents there. It's a steep grade. Everyone says oh you live close to Route 30. Well, I do live close to Route 30 but my house has all woods there, fenced in, my dog's there, but like it's secluded.

Mr. Logan: I'm looking at it on the map. I have the map. I know where you are at.

Ms. Klejka: Yes. That's the point. I don't get what everyone is saying that oh you live by Route 30 and all that. Well, that's why I chose there because it is secluded. I just bought it in January.

Mr. Logan: Okay.

Ms. Klejka: So, it is more of a big deal.

Mr. Ritson: Thank you. That's all I wanted to know. Thank you. Thank you, too. That was a good question.

Mr. Sittig: Just so we are clear. We are not looking that it be voted and vacated tonight. We eventually need to be vacated. Part of that is coordination with staff. If they are willing to issue building permits with that street not having been vacated, we are willing to move on that. It is just that it has to be cleaned up. What Giant Eagle is committing to is that there is going to be maintained access at some point – even if it is temporary before the street. We will be able to do that. Like I said, we are not looking for a vote tonight in closing the road tonight. This eventually has to be voted on and whatever sequence the Township wants to be voted on, that's fine, and then we get the land development plan. Giant Eagle is going to be able to coordinate to show that that access will be maintained at all times. So, again, this is just procedurally getting this in front of everybody. This isn't about the cutoff of your roads or denying the access. Pat, I don't know if you can talk about construction and maintaining that?

Mr. Avolio: No. I mean our intent is always to maintain the access. They cannot cut anybody off from having access to a public street. I mean from a procedural perspective, when we met with staff at one point, they indicated that the vacation aspect, in order, because there is a rezoning aspect, and based off working with your zoning map, they alley itself doesn't currently have zoning and that was one of the reasons to vacate the alley first procedurally. Because, systematically we would have to enter into a development agreement, there's public improvements and roadway improvements, that need engineer and review but this is the first step. The vacation, the rezoning. And, again, we are not pushing to cut off access and have it vacated immediately. That said, there are certain procedural aspects that staff has advised us of that this is the first aspect is the vacation subject to... That could occur, close the hearing, and have the information if the rezoning goes through, then we would come in with the details and plans, but we would not intend to cut off any access at any point in time to folks. We would maintain access. Speaking to those points, driving through there this evening, I mean, somebody was coming out of the PNC drive-thru, or ATM machine, which is still active, the wrong way on Heights Lane.

Mr. Sittig: So, all that we would ask is we would like to close the hearing and then extend as long as we need to get you comfortable to actually vote on it.

Mr. Avolio: Well, as soon as we're... I want to make sure everybody can testify.

Mr. Sittig: Yes. Obviously.

Mr. Avolio: I know what you mean. Yes, at the end then we could consider that they are waiving the timeline. Anyone else here wishing to testify?

Mr. Edmiston: Yes.

Mr. Avolio: Please come forward. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. Edmiston: Yes. My name is James Edmiston, Hempfield Township. My wife and I own Edmiston and Associates. Our property is part of this relocation. These folks have a legitimate concern and I am sure that Giant Eagle wants to work through this. Ours is the property... You know you talked about the unnamed alley, in practice that is not used. These folks access their properties through my parking lot. And, they have been good neighbors and we have been good neighbors to them and we want to make sure that they are taken care of and I am sure Giant Eagle wants to do that, too. So, I know we can come to some good workout for this. Everybody wants to make it work. The issues are with this through, that unnamed alley doesn't get used at all. We pay for all of the maintenance of the parking lot and allow them to use it and there is damage to the parking lot from the trucks that come through and things like that. We've never talked to them about financial reimbursement. Ours is the access and we want them to continue to have good access from Heights Lane. Obviously, we're in support of this project. That Heights Lane, as it is right now, is one-way. As we have owned this property from 2005, multiple times a year, there are accidents there. It's one-way going from Lowry out to Lewis but everybody drives on it both ways. There were accidents out in front of our building three to four times a year. So, we think it is a good idea if it can be relocated and give these folks better access than they have right now through our property. These properties right now have little value. When we bought it and put my wife's accounting practice over there, that we would upgrade our building, which we did. We put probably \$30,000.00 to \$35,000.00 into the property to make it better thinking that others would do the same. But the buildings in that area are becoming dilapidated. They are falling into disrepair and nobody is coming in to buy one little parcel of land to put a \$250,000.00 house on it. This area has grown over 50 years into a commercial district and the development that has taken place there has been very good for the community. You had that old battery building over there for decades. It was a dump and now we have the medical facility there. Dunkin Donuts came in and cleaned up an area. Giant Eagle and GetGo are good corporate citizens. We think they are going to do the same thing. So, this is going to be good for everyone, I believe. I am sure they'll work together. I wouldn't support it if these folks were cut off. Nobody wants to see them cutoff. They have legitimate concerns and I am sure that it will be worked out. Thank you.

Mr. Silvis: Do you actually live there or just your...?

Mr. Edmiston: No. It's our business. Our business was there. We moved the business out because Walgreen's was going to buy out all the properties in 2010 and then the economy crashed and that closed up.

Mr. Silvis: Walgreen's or Rite Aid?

Mr. Edmiston: Rite Aid. I'm sorry. Rite Aid. Until that we have been renting it out because we didn't move the practice back in at that point. But we've been renting it out. It's been vacant now for about a year for this deal. We are really hopeful that it will go through. The Heights Lane would move from the south side of our property to the north side of our property. Actually, through where the building is actually right now. So, it's not going to be that much of a move and we think it's going to be good for the community. Thank you.

Mr. Avolio: Anybody else wishing to testify? What I would like to do now is I am just going to ask Len Deller just to read in his posting and mailing dates. I'll swear you in Len. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. Deller: I do.

Mr. Avolio: Would you just state for the record the postings and the mailing of the properties for tonight's hearing.

Mr. Deller: The property was posted with public notices on May 15th and the adjoiners were sent out on May 7th to all the adjoining properties and abutting properties.

Mr. Avolio: With that, I heard a request of counsel to close the hearing, unless there are any questions of the Supervisors?

Mr. Ritson: You're going to close testimony? I have questions for staff. I don't need to hear any more testimony.

Mr. Avolio: Okay.

Mr. Ritson: Maybe you just want to close the testimony and/or your staff comments are part of the testimony?

Mr. Avolio: I'd rather have them part of it.

Mr. Ritson: So, he mentioned that he's ... that they've had meetings with staff and you guys have given them a timeline on how things work. Can you tell me what was discussed in those meetings and how does that timeline – was that proposed to them?

Mr. Avolio: I'll go on that one. The initial one was the conditional site approval that was in front of first last month. The initial plan through staff would be to have had that site consolidation occur so that the rezoning could take into consideration the current proposed legal metes and bounds. Once that got tabled by the Board, your kind of back into the back into it. So, we wanted a consolidation of lots, then have a rezoning, along with the vacation so that all of that area could be rezoned. That was it. That's the plan that they have been following.

Mr. Reese: Any other questions?

Mr. Weimer: Yes. I just want to try to understand here about the moving of a lot or the moving of the alley, Heights Lane, and how that affects construction and how this all fits in. I mean like they are saying like they were going to start some site prep there. I don't know them demoing buildings or whatever without waiting on us to do something with the lane. I don't think that is fair for us to do that to the applicants. I mean I think this Board has to make some decisions about what we're doing with the lane before property owners start doing things not knowing whether or not we're actually going to do something on the lane. So, I'm just trying to understand what you said about well they can wait on it. They said they could wait on it. At what point is this Board making a decision about what we are doing with the lane?

Mr. Avolio: Well, that will be up to this Board. They did waive the otherwise 60 days on the petition to vacate a roadway. So, in essence, I think, they are willing to wait until this Board is comfortable with the plan in front of it and that the property owners are being accommodated. At the same time, you know, you are asking the developer to kind of just hang out on this – if that is what you want to call it – an appendage of properties together. So, your next hearing tonight is going to be rezoning. And then you're going to address that issue. If any one of those things are denied, then the plan naturally has difficulty going forward. I think that's what they are asking to know. One of the problems... You have a couple different statutes. You have one statute requiring different notices and hearings for vacating the road. You got a rezoning statute. Then you got our normal land use and

development plan. Everybody trying to dovetail this project together that has a couple components. I think you are hearing that the developer is willing to be flexible. I don't know if you want to speak though to what your time constraints are to the Board. I think Supervisor Weimer is just sort of asking, you know, how long can we put this off?

Mr. Sittig: No. We aren't going to do anything to affect the access until we are ready to move forward. It would only be in conjunction with the Township. That is what we have done from the start just trying to lay out a process, how they see it and how it fits. The last shoe has to be the land development that we need the use first. We can't have a land development plan that has a road running through it. We have to have those set up so that... The land development can be made contingent subject to the vacation. The rezoning has to be done because the use can't be approved. The land development plan can be approved subject to the vacation. The vacation can even come last.

Mr. Logan: The relocation. Yes.

Mr. Avolio: We've closed the hearing. We've had the testimony. You're waiving the time limits so that could be voted on kind of the same meeting that you would have something in front of you, if you are willing to grant the...

Mr. Logan: So, we can table a decision on the vacating of the lane? Is that what you're telling me?

Mr. Avolio: With their waiver which is of record now.

Mr. Logan: Okay.

Mr. Weimer: And then there is no time limitation. It can come into effect with everything else being approved. Okay. That's what I needed to know. And that there would be... Heights Lane nothing is going to change to its access with anything else you might do until we decide what we are doing with that lane.

Mr. Logan: Right. Good.

Mr. Weimer: Thank you.

Mr. Ritson: I just want to go on record as saying that I won't vote on this until I see some type of guarantee that the people that have access off of Heights Lane now, will maintain access during the time period of the vacation till a completed road is there. So, however that happens, I mean that is my number one concern. If there is going to be a problem, there's going to be a time lap. There's going to be construction. So, however, you guys work that out, I want those people that have access off Heights Lane to maintain it. My vote will be predicated on that if and when the time comes to do that.

Mr. Weimer: That's something that can be resolved privately behind between the property owners?

Mr. Ritson: It will have to be because we are going to vacate the lane. There has to be a private agreement.

Mr. Avolio: There could be the private agreement. The time to vote on that there would be some decision on the dedication but you will probably have to make something to make the residents comfortable for whatever the plan of construction is. What we're really talking is two. There's the approvals, then there is the actual practical construction.

Mr. Sittig: Yes. My position legally and we can cross that however you want to slice it, but once we dedicate it and make it available, you guys don't necessarily have to accept it before there is public access. So, you may want to wait until all of the improvements are done. That'll be up to you. Often times...

Mr. Weimer: That's true but I know what Mr. Ritson is saying is that like during this entire process of what you are doing on the site, your construction period, or building the new Heights Lane, whatever, that the landlocked folks need to be able to get in and out the entire time.

Mr. Sittig: We understand what we're talking about. Whenever you get into the details, there may be an access that isn't finished for public dedication, so you are not ready to accept it, but it's still suitable for public access.

Mr. Weimer: For the local access. Yes.

Mr. Sittig: Yes.

Mr. Weimer: Yes. I don't think that you were talking about making sure anybody in the whole Township could go back and forth?

Mr. Ritson: No. I'm really concerned about those that testified today and that we are concerned about their access.

Mr. Sittig: And they may have that changed access, in fact it may take even an interim step depending on how the construction sequence, but it may not be an accepted public street but they will still have access. Which they do now. These aren't accepted. The acceptance would occur last.

Mr. Pat Avolio: Just to add. We will have more detail when we come in with the land development plans and we will have further dialogue with the affected owners.

Mr. Ritson: Yes. I mean I have a legitimate concern over an acceptance of a roadway that is going to be rear access to your... That's a whole separate issue there. To consider whether or not to accept the public road that is going to have a rear access but I don't get a chance to look at that until I get site plan so it's kind of like the cart before the horse.

Mr. Avolio: Going back to when we were trying to rezone the whole parcel, it made sense in giving that out. You had to choose one way. If we would have sat there before, and say, how come this was rezoned...

Mr. Logan: Well, we had the testimony on record. We can table the decision and move forward to the next process. Right?

Mr. Avolio: Right.

Mr. Silvis: Doug, do we do the snow removal and maintain that Heights Lane?

Mr. Cisco: We currently do. Yes.

Mr. Ritson: We can do it with a one-ton dump right now?

Mr. Cisco: That's what we do it with. Yes.

Mr. Avolio: With that I will close the hearing on the vacation of Heights Lane.

Hearing to Vacate a Portion of Heights Lane Alley Closed at 7:32 P.M.

RE-ZONING HEARING FOR GETGO PORTFOLIO LP

Mr. Avolio: I call to order the hearing scheduled for the request to rezone. Mr. Sittig?

Mr. Sittig: I will hand out the, which is actually a copy of what's up there that may be harder to read. The two plans in front of you – the one that is not colored, it's the aerial map – it gives you a better idea where the zoning lines lie relative to adjacent districts and adjacent properties and you will see there on the Lowry side, that's basically, it's a local commercial street, and on the Lewis side, it's suburban residential essentially going back. So that what is going to be the consolidated lot all becomes regional commercial. You can see how it really fits with some of the existing land uses. Mr. & Mrs. Edmiston talked about what is going on on the one side of the street. It is essentially already commercial where we are just changing it from the local to the regional. And then, as mentioned, this has become more commercial in nature so it actually, the regional commercial, really fits with actual conditions. So, this is the lot and the depth of lot that is needed to be redeveloped and that zoning classification is suitable based upon the adjacent surrounding zoning districts. Certainly not creating any spot zoning. It is just sort of a natural progression. It is within the progression of what's happened over time with the use of the property becoming less and less residential and less and less local residential in nature. The colored plan gives a little better of an idea just how the red, we're actually looking to fill in, as you see with the hatch lines, to fill in the areas. On Lowry it's just the yellow portion and on Lewis it is the blue portion. You can see it. And along the highway it is essentially evening that out for the development of this parcel.

Mr. Pat Avolio: I would add that the existing commercial properties there, the size of the parcels are all non-conforming as to the district regulations so when everything – the alley is vacated and the properties are consolidated, creating a conforming lot and then the alley would be relocated to Heights Lane, which would be dedicated from that.

Mr. Sittig: And to the extent that the zoning district of regional commercial extends more to the north more than its adjacent properties, it's a reflection on how these lots have been chopped up and you actually have that access right through them. If you don't extend that zoning, then you are going to be left with that smaller lot and then these remnant lots that aren't really suitable as Mr. Edmiston testified to earlier. So, it's really, because of how it's developed, it's chopped up, and you have this access running between them, really this is just sort of a natural fix for all of that bringing into this classification and consolidating it.

Mr. Avolio: Questions? Is there anything further Mr. Sittig? Anybody wishing to testify in the rezoning hearing? I, again, would ask Len Deller, you have been sworn, to testify about the properties' posting and mailing.

Mr. Deller: Sure. Once again it was posted with the public notice on May 15th. The property owners were sent on May 7th.

Mr. Avolio: Any questions from the Board?

Mr. Ritson: Yes. What's the buffering requirement for an RC to an SR?

Mr. Deller: I believe it is 50 feet but I think that the contention is that the alley separates it.

Mr. Ritson: So, the argument is going to be that the new relocated alley is the buffer?

Mr. Avolio: Yes.

Mr. Deller: Yes.

Mr. Ritson: Setback per say, not the buffer. Do we have a buffering or I mean is there any type of?

Mr. Deller: We have the buffering between districts. Yes. But the alley separates the districts.

Mr. Ritson: So, there is no other form of ... we don't have any type of what's in our land development, land use, or site plan development stuff? Trees or what not?

Mr. Avolio: We have a landscaping...

Mr. Deller: Parking lot issues

Mr. Ritson: So, they are giving us a 50-foot right-of-way?

Mr. Deller: At least.

Mr. Avolio: It would actually be less than that based off the classification as an alley itself.

Mr. Deller: You have the width varies but you don't have any of the width shown.

Mr. Ritson: I think its... So, it's a 50-foot buffer though between the regional commercial and suburban residential.

Mr. Deller: They're showing a 15-foot side yard setback along the alley right now. Proposed. Fifteen feet to structures.

Mr. Avolio: So, the alley and the 15.

Mr. Deller: Yes.

Mr. Sittig: We think that is a setback and not a 50-foot buffer. We believe it is a 50-foot setback off of there so that is the right-of-way plus the 15.

Mr. Pat Avolio: Just for the record. We have been in contact with some of the adjoining property owners and the owners have been in contact with us and we are going to be talking to them about the land development process and we are going to address their concerns. I think one of them was here this evening as well about accessing their property through the Edmiston property.

Mr. Reese: Any other questions? John, do you have any?

Mr. Silvis: No.

Mr. Reese: Tom?

Mr. Logan: No.

Mr. Reese: Doug?

Mr. Weimer: No.

Mr. Reese: Okay.

Mr. Avolio: Close the record in the rezoning hearing.

Rezoning Hearing for GetGo Portfolio LP Closed at 7:39 P.M.

**REGULAR MONTHLY MEETING
HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS**

3. CITIZENS COMMENTS: (As Per Resolution #2012-24)

- a) **Linda Ruff** – Ms. Ruff of 536 Hemlock Drive in Eastern Estates, Greensburg, inquired about the laws in Hempfield Township for shooting fireworks since they are now legal to buy in Pennsylvania. She explained that she has a neighbor right next to her that shoots big fireworks off which are of a dangerous nature. Mr. Avolio responded that he would say generally that there is no civic law but you always have a nuisance claim through the Township but that is usually State regulated. Ms. Ruff asked if there were any regulations for shooting these types of fireworks in residential neighborhoods. Mr. Weimer advised Ms. Ruff that the Township has a permitting process for commercial displays. However, as for individual citizens, the Township has always differed to what the State law is. Mr. Ritson said that since the State has relaxed their laws on purchasing the selling of fireworks, that would prompt the Township to take a look at it because historically they were illegal, so the Township would not need to actually make another law making them illegal. Mr. Ritson said that he thinks it is a legitimate question. Mr. Weimer and Mr. Logan told Ms. Ruff that if she has an issue with her neighbor, she has a right to private litigation. Ms. Ruff responded that she prefers not to do that but she would like to see a law that would protect everyone. Mr. Weimer said that with the changes now that the Township is aware of, as Mr. Ritson said, the Board of Supervisors can now look at that. Ms. Ruff asked if she could anticipate something being done prior to the Fourth of July. Mr. Reese advised Ms. Ruff that the Board of Supervisors will discuss the issue but, as Mr. Weimer said, the Board will not have anything back July. Mr. Ritson commented that the Township must determine whether or not it can be enforced and by the Fourth of July, that would be pretty difficult to do. Ms. Ruff said that this particular neighbor shoots fireworks off other than on holidays. Mr. Ritson added that it also comes down to resources to enforce and how the Township will do that so the Board has to investigate this further. Mr. Reese advised Ms. Ruff to check back with the Township Manager, Jason Winters, in a month to find out the status of her inquiry. Mr. Weimer told Ms. Ruff that there is definitely a consensus on the Board to discuss this matter further at their next work session next month.

- b) **Greg Saunders** – Mr. Saunders, fire chief of the Bovard Volunteer Fire Department, read a letter into the record from the firefighters at his department as follows: “Since I am here on behalf of the Bovard Fire Company, they are wondering what the status of the new ladder truck or engine for Bovard, that was promised in the beginning of the Bureau of Fire. We currently have seventeen (17) firefighters who are regularly responding to alarms, which is very fortunate for our district. Those seventeen (17) firefighters are getting very frustrated with the Township not moving forward with the purchase of a truck. If the ladder truck is holding up the process, we would like to have an engine. Our guys have been very dedicated to training and following the guidelines set forth by the Board and would like some cooperation back on getting the equipment we so direly need to better protect Hempfield Township. Thanks.” Mr. Reese thanked Mr. Saunders for his comments.
- c) **John Corsaro** – Mr. Corsaro of 713 Sagamore Drive, Greensburg, advised the Board of Supervisors about his concerns with the property across the street from him at 712 Sagamore Drive. He explained that there is a mobile home, which has been empty for about 12 years, and a single-family dwelling, which has been vacant for about 5 years. He said that this property is a dump, even the back porch is loaded with garbage, two (2) oil tanks behind the mobile home, and a propane tank laying on the ground. He distributed to the Board photos that he took of the property. Mr. Ritson asked Mr. Corsaro whether this issue was brought to anyone’s attention in the Township office. Mr. Corsaro told Mr. Ritson that he has been to the Township office several times over the years, and his neighbors have called, too. Mr. Dellera advised that the Code Department has been to this property several times and that there are some ownership issues there, specifically what estate or who owns it. He added that the Township has had it cut a couple times over the years. Mr. Avolio added that there have been several municipal liens filed for the grass cutting on the current owner of record. However, he said, that owner may be deceased and no estate open. Mr. Corsaro said the grass currently is about 2 feet high. He also advised that the name he found on papers out front of the property was Kathleen Colligan and that her brother was the individual that had lived in the mobile home and then moved into the house. Mr. Ritson advised Mr. Corsaro that the Board will direct staff to look at the grass cutting immediately, and then work toward finding what resources the Township has to move that property one way or another. Mr. Reese told Mr. Winters to get the contact information from Mr. Corsaro.

4. EXECUTIVE SESSIONS:

- a) **May 1, 2018 – Personnel & Legal Matters**
b) **May 23, 2018 – Personnel Matters**

Supervisor Reese advised that there were executive sessions conducted as follows: May 1, 2018, personnel & legal matters; and May 23, 2018, personnel matters.

5. APPROVAL OF MINUTES:

- a) **Consideration to Approve the Minutes of the Supervisors’ April 18, 2018 Monthly Meeting** – Mr. Logan made a motion, seconded by Mr. Ritson, to approve the minutes of the supervisors’ April 18, 2018 monthly meeting. Vote: 5-Yes. Motion carried.

6. STAFF REPORTS:

- a) **Melanie Phillips, Finance Director** – Mrs. Phillips advised that her report was presented at the Public Work Session. She advised that the year to date through the end of April, the

Township has collected 41.15 percent of budgeted revenues. In addition, the Township has spent 28 percent of budgeted expenses. Also, she provided the Board with a year to date for revenue and expense 2018 versus 2017 at this time where the Township is ahead by 3.2 percent on revenue collection and spent 12.6 percent more than last year to date. In closing, Mrs. Phillips advised that the Township is at 63 percent of budgeted for building permits and at 96 percent ahead of last year. She said this is nearly double in comparison to last year. Mr. Ritson said that he saw on the report that the Township budgeted for engineering for \$250,000. He inquired about an \$112,000 expenditure. Mr. Logan responded that this particular expenditure is for the Holly/Redgrave Drives culvert replacement project which includes design, D.E.P. permitting, right-of-way acquisitions, and erosion and sedimentation control permits. Mr. Ritson asked if that comes out of the general engineering cost center or does that come out of a project cost center. Mr. Logan responded that it comes out of a project cost center. Mr. Winters added that this is being paid for out of bond money.

- b) **Doug Cisco, Public Works Director** – Mr. Cisco advised that his activity report was given with attachments at Wednesday’s Public Works Session which includes all of the completed jobs for the last month. He also updated the Board on the projects being worked on by the Public Works crews including working in catch basins and pre-pave areas, finishing up in the Renaissance and Buzzardtown areas, and will be heading to the Taggart Plan area after that. In addition, the crews are finishing up some weight stabilization areas due to the heavy rains the last couple of weeks on Stoney Springs and Himler Roads. Furthermore, he said the crews will be going to Henry Road for emergency road repairs due to some trees that took out part of the road over the weekend. In addition, he said the Public Works Department is currently patching catch basins, cross pipes, and failures of base repairs through the Township. In addition, he said the crews are also currently piping in trouble areas and pave areas, which mean underdrain and cross pipe replacements. Lastly, he said the Department will be starting the road stabilization job on Crissinger Road beginning this week. Mr. Cisco advised that his Department has three (3) action items for the Board’s consideration which include the selling of a Mack truck, which is in following the Township’s fleet plan, and purchasing two (2) speed trailers, as well as consideration of an intermunicipal agreement with Penn Township and Youngwood Borough for line painting. Mr. Weimer advised that he has received several calls about some road cleanups that happened and garbage that was bagged and has been sitting at the corners of several roadways – in particular two (2) state roadways and one is Township, which is at the corner of Beaver and 136, and also along Route 130 in the eastern part of the Township. He said these garbage bags have been out since he thinks Earth Day. Mr. Weimer asked who should be contacted to inform them about picking up the garbage at those roadways. Mr. Cisco responded that with regard to the Beaver Road location, they just actually today returned the cones borrowed from the Township, so the Public Works Department will take care of that trash. Relative to the bags at the location of Route 130, he said he will contact PennDot about picking up that trash.
- c) **Dan Schmitt, Engineer** – Mr. Schmitt advised that a copy of his report was provided at the work session. He updated the Board on the following current projects: The amphitheater project, the contractor is going to start mobilizing here this week with regards to their equipment and starting the excavation area. However, Mr. Schmitt said there is a rather large event scheduled for this weekend at the park so the contractor will be starting off a little slow until that event takes place and then he is going to go stronger, obviously, after this weekend. With regard to the Redgrave/Holly culvert replacement, Mr. Schmitt said notifications were sent to the residents as far as the time frame is concerned. In addition, he said the gas company still needs to relocate their facilities as part of the project. In closing, he said that there are some action items for the Board tonight with regards to the paving program. He said it’s a

rather large project and if it's awarded, some preconstruction meetings will be scheduled with the contractor. He advised that there are different entities involved because there are some roadways that abut the School District and some roadways also included in the line painting project.

- d) **Jason Winters, Parks & Recreation Director** – Mr. Winters updated the Board as follows: The amphitheater construction starts tomorrow and also the spring soccer is finishing up for this year. He said there is cricket out at the Park but because of the bad weather they haven't played their first game yet. They are hoping to play this weekend. Mr. Ritson asked Mr. Winters to get some pictures of the cricket games for the newsletter. Mr. Winters noted that this winter and early spring renovations were made to Pavilions B, C, and D. He added that Pavilion D now has a kitchen and it matches Pavilion E. As for Pavilions B and C, during the fire inspection last year, there were a lot of electrical issues, so those concerns were addressed, in addition to painting the pavilions and new picnic tables. Also, Mr. Winters said, exterior lighting is being installed on the pavilions so that it can provide for more lighting around the park. So, in updating the overall project at the Park, Pavilions B, C, D, and E are all renovated. There was some concern about the amphitheater construction and Pavilion D rentals for this year, he said that he spoke to the contractor to show him that the Township is going to fence in the area and that the site has to be clean for the weekend rentals. Mr. Ritson asked Mr. Winters if the Township has a credit card use policy in place. He said he saw FNB credit, when he looks at the bills, he sees a number of charges. Mr. Winters and Mrs. Phillips said that there is a credit card policy in place. Mrs. Phillips said that she would forward the policy to Mr. Ritson. Mr. Winters advised Mr. Ritson that a lot of what we do in Parks and Recreation we are able to purchase on credit card and we try to pay a lot of our bills on credit card. Mr. Ritson said that the bills he gets but there are a few things he has some questions on so he would prefer to see the policy before he talks about it further.

- e) **Scott Avolio, Solicitor** – Mr. Avolio advised that his report was provided at the Work Session. In updating the Board, he said there was one enforcement hearing at the Common Pleas level, which went well. He explained that the property owner got a local church to assist with a full cleanup. Therefore, he said, the court continued that case for thirty (30) days.

- f) **Len Delleria, Chief Zoning/Code Enforcement Officer** – Mr. Delleria said that he had nothing further to add at this time.

7. TREASURER'S REPORT:

Mr. Logan advised that there was nothing additional to add to the Treasurer's Report given at the Public Work Session.

8. PAYMENT OF BILLS:

Mr. Ritson made a motion, seconded by Mr. Logan, to approve the following payment of bills as listed below. Vote: 5-Yes. Motion carried.

a.	General Fund	\$ 1,001,976.09	b.	Light District Account	\$ 9,677.11
c.	2010 Bond Issue Fund	\$ 35,151.07	d.	Recreation	\$ 295.00
e.	Capital Projects	\$ 56,083.99			

9. SCHEDULING OF HEARINGS: None

10. DECISIONS FROM HEARINGS:

- a) **Consideration to Approve Ordinance No. 2018-03; Vacating Heights Lane in the Township of Hempfield** – Mr. Logan made a motion, seconded by Mr. Silvis, to table this decision until a point in time when we have had a chance to review a site plan. Vote: 5-Yes. Motion carried.
- b) **Consideration to Approve Ordinance No. 2018-04; Changing the Designation of Part of the Township from (RC) Regional Commercial; (LC) Local Commercial; and (SR) Suburban Residential to (RC) Regional Commercial** – Mr. Weimer made a motion, seconded by Mr. Logan, to approve Ordinance No. 2018-04. Vote: 5-Yes. Motion carried.

11. SUBDIVISION PLAN:

- a) **Consideration to Approve Resolution #2018-69; Granting Final Approval to Subdivision Known as Lampl-Huber Consolidation Plan – Plan No. 20180152 – Purpose: Consolidate Lot 10 & 11 in the Woodhaven Plan No. 4 so as to Create One (1) Larger Lot by Consolidation – Planning Commission Approval 6-0** – Mr. Logan made a motion, seconded by Mr. Weimer, to approve Resolution #2018-69. Vote: 5-Yes. Motion carried.

12. SITE PLANS:

- a) **Consideration to Approve Resolution #2018-70; Granting an Extension of Time for COP Greensburg, LLC to Comply with the Final Conditional Approval for the FMC Greensburg Site Plan – Plan No. 20170706** – Mr. Ritson made a motion, seconded by Mr. Weimer, to approve Resolution #2018-70. Vote: 5-Yes. Motion carried.
- b) **Consideration to Approve Resolution No. 2018-71; Granting an Extension of Time for Property Acquisitions, LLC to Comply with the Final Conditional Approval for the Proposed Sheetz Store – Plan No. 20170566** – Mr. Weimer made a motion, seconded by Mr. Logan, to approve Resolution #2018-71. Vote: 5-Yes. Motion carried.
- c) **Consideration to Approve Resolution No. 2018-72; Granting an Extension of Time for ARCO II, LLC to Comply with the Final Conditional Approval for the Proposed ARCO Building Addition – Plan No. 20170790** – Mr. Logan made a motion, seconded by Mr. Weimer, to approve Resolution 2018-72. Vote: 5-Yes. Motion carried.
- d) **Consideration to Approve Resolution No. 2018-73; Granting Final Conditional Site Plan Approval for the Proposed Westmoreland County District Magistrate’s Office (10-3-01) Relocation – Plan No. 20180103 – Planning Commission Approval 5-0-1 – (1) Storm water management plan; and (2) Erosion and sedimentation control plan** – Mr. Logan made a motion, seconded by Mr. Ritson, to approve Resolution 2018-73. Vote: 5-Yes. Motion carried.
- e) **Consideration to Approve Resolution No. 2018-74; Granting Final Conditional Site Renegade Services – Plan No. 20180104 – Purpose: To construct an Approximate 15,000 Square Foot Building and Associated Parking, Utilities and Storm Water Facilities for Operation and Maintenance Facility – Planning Commission Approval 6-0 – (1) Storm water management plan; and (2) Erosion and sedimentation control plan** – Mr. Ritson

made a motion, seconded by Mr. Logan, to approve Resolution 2018-74. Vote: 5-Yes.
Motion carried.

13. ITEMS FOR ACTION TO BE TAKEN:

- a) **Consideration to Approve Resolution No. 2018-75; Applying for the 2018 DCED Grant for the Pavilion A/Gazebo/Playground Project** – Mr. Ritson asked what the cost estimate is for the preparation of the grant. Mr. Schmitt said he estimates \$2,500 to prepare this grant. Mr. Winters commented that the Township did receive CDBG funds for part of this project. After discussions with Gibson-Thomas Engineering, he said it was decided to apply for this project in whole and if the Township receives the award, rescope it at that time. Mr. Weimer made a motion, seconded by Mr. Reese, to approve Resolution No. 2018-75. Vote: 5-Yes. Motion carried.
- b) **Consideration to Approve the Creation of the Positions of Director of Fire and EMS and Director of Code and Safety, Further Authorizing the Solicitor to Prepare and Advertise an Ordinance Amendment to Eliminate the Positions of Director of Public Safety and Assistant Director of Public Safety and Reassign those Duties to the Newly Created Positions** – Mr. Weimer questioned whether or not the Township has to create an ordinance to create those positions as well in the future, because we are eliminating them in this ordinance. Mr. Avolio responded that you can create a position by resolution. Historically, for whatever reason, he said, Public Safety Director is cited throughout the fire safety ordinance. Therefore, he said, in order to eliminate that Public Safety Director reference, the Township has to amend that ordinance to basically reassign those duties. Mr. Ritson said so then we would like to create the new positions out of the ordinance, which gives the Township more flexibility. Mr. Avolio responded that the only thing is reassigning those duties because there is going to have to be some reference to who that position holder is. Mr. Ritson asked if that is in the resolution that would accompany the job description. He said that is what he believed the intent is. Mr. Avolio said that in the fire safety section, it will say things like the Public Safety Director is in charge of doing A, B, and C. So, he said, unless we scrap the entire fire safety ordinance, I don't know how to create... He said he may say something like that individual appointed by resolution by the Board is now in charge. Mr. Weimer asked then about an amendment that will correct that ordinance. Mr. Avolio responded yes. However, Mr. Weimer said, then no ordinance needs to be done for the positions. Further, Mr. Weimer asked if this was the point where the job descriptions are approved or is that in a different part of the agenda. Mr. Avolio said that he would assume in this resolution... Mr. Winters responded that creating of the positions, that's when the job descriptions come in. Mr. Weimer asked, so that the ones that were circulated amongst the Board, they are going to be a part of this. Mr. Winters said yes. Mr. Weimer said that he just wanted to bring some clarity because he knows he had some questions about the process and with some revisions and those were done today he assumes. He continued that in it, he said, he just wanted to get some clarity on the Director of Code and Safety, the job descriptions that were circulated, one of them said that, one of the items of responsibility was that they would act as the Chief Code Enforcement Officer for the Township with authorization to both direct and enforce activities in the form of the direct enforcement, when necessary, and he said he is totally in favor of all of that. He said he is not questioning that being in there. He said that he believed that when the Township had hired some ordinance officers in that department that we did ask for, in particular, that the International Property Maintenance Certification was obtained by them before they could start doing enforcement. So, Mr. Weimer said that he would think that in order to perform the direct enforcement that we would have to make sure that they had the necessary training and that the Township would

provide that. The Board concurred that the Township would provide the training. Mr. Ritson made a motion, seconded by Mr. Logan, to approve the creation of the positions of Director of Fire and EMS and Director of Code and Safety, further authorizing the solicitor to prepare and advertise an ordinance amendment to eliminate the position of Director of Public Safety and Assistant Director of Public Safety and reassign those duties to the newly created positions. Vote: 5-Yes. Motion carried.

- c) **Consideration to Approve Resolution No. 2018-76; Appointing the Township Manager for the Township of Hempfield and Authorizing the Execution of an Employment Agreement with the Hempfield Township Manager** – Mr. Logan made a motion, seconded by Mr. Weimer, to approve Resolution No. 2018-76 to appoint Jason Winters as the Township Manager with a salary of \$80,000 per year commencing immediately and running through December 31, 2019. Vote: 3-Yes. 2-No –Mr. Ritson and Mr. Reese. Motion carried.
- d) **Consideration to Approve Resolution No. 2018-77; Appointing the Director of Code & Safety for the Township of Hempfield and Authorizing the Execution of an Employment Agreement with the Hempfield Township Director of Code & Safety** – Mr. Ritson made a motion, seconded by Mr. Logan, to approve Resolution No. 2018-77 to appoint James Shaw, as the Director of Code & Safety, to a two (2) year deal with a starting salary of \$65,000 a year, in the first year, no health care benefits, no pension plan. Vote: 5-Yes. Motion carried.
- e) **Consideration to Approve Resolution No. 2018-78; Appointing the Director of Fire & EMS for the Township of Hempfield and Authorizing the Execution of an Employment Agreement with the Hempfield Township Director of Fire & EMS** – Mr. Ritson made a motion, seconded by Mr. Logan, to approve Resolution No. 2018-78 to appoint Anthony Kovacic, as the Hempfield Township Director of Fire & EMS, for a two (2) year deal at a base salary of \$70,000 a year, no health care, no pension. Vote: 5-Yes. Motion carried.
- f) **Consideration to Approve Ordinance No. 2018-05; Approving the Entry into an Inter-Governmental Cooperation Agreement with the Municipal Authority of Westmoreland County, Westmoreland County, Pennsylvania, for the Paving of a Portion of Fairfield Drive and Rutherford Drive, Which is Located Entirely in the Township of Hempfield** – Mr. Ritson asked who was being paid to pave the road. Mr. Schmitt responded that it is included with the Township's annual paving project and they will reimburse the Township for their portion. Mr. Logan made a motion, seconded by Mr. Reese, to approve Ordinance No. 2018-05. Vote: 5-Yes. Motion carried.
- g) **Consideration to Approve the Establishment of the Hempfield Township Youth Sports Grant Application** – Mr. Weimer asked for the details of the program. Mr. Winters responded, as was discussed at the meeting, he sent around an updated grant application after the discussion. He said that it will be one time a year and that it will be awarded in January and that it would be a total of \$15,000 awarded each year. Furthermore, he said a group can get up to \$5,000 but it would be based upon the number of applications received and the deeds of the applications. In addition, the focus will be on equipment, maintenance, capital and reporting requirements but nothing for buying uniforms or general operating. Mr. Ritson added that the funds would come from the Hempfield Parks & Recreation Fund. He said that it was agreed at the work session, that we would meet two (2) times a year, as the trustees of the fund, to make those disbursements officially and any other disbursements that are needed to be made to supplement the projects that we may be doing in the Township. Mr. Weimer asked so there could be three (3) or five (5) or there could be none. Mr. Ritson said there could be five (5)

groups at \$3,000 or six (6) groups at \$2,000. He said it all depends. Mr. Ritson added that he thinks this is important to approve the establishment and that the details can be worked out as it progresses. However, he said that he believes that this gives the Township the green light but this season will probably be missed. Mr. Logan said that it will be put in the budgeting process for 2019. Mr. Weimer said so then some of the other details that we have worked out with the trustees of the fund, which all of us are, so that's a separate type of discussion then. Mr. Weimer said that the Township obviously has money in the fund and he thinks that there are things that we are using the fund for now and maybe there are things that we want to discuss of using these funds for in the future and then there is the discussion about people – there are beneficiaries – there are people that are benefitting that donate money to the fund and then there are expectations that they have for that money and we can talk about, well, if we are going to be dispensing out and what the donor's intents were. Mr. Weimer said was this what they wanted done with the money donated or did they want this to go towards playground construction or to pavilions or whatever. Mr. Weimer concluded so that he means there are disclosed details and then, as trustees, we can determine and then maybe that we could get into a way of raising revenue for the fund which would help take care of this every year. Mr. Ritson said that there is no question. He said that the better structured that the trustees are of the fund and an annual report, we can control, if there are dollars that are for designation, then the Township is creating a public transparent thing and then it can be put in the annual report, which can be used then to go and offer... So now prospective donors are looking to see how the trustees are managing the funds, as trustees, not just Supervisors, and yes, it is a potential for establishing additional funds – whether it be a fundraiser done by Parks and Recreation for the fund at one of the facilities at the Township. Mr. Weimer said that another township, in decades past, where there were Parks for Kids was set up and they had fundraising for it and then that... He said that this is what he is talking about that there is a way that we are seeing that there are monies coming into this pot dedicated to rolling out the grants. Mr. Weimer said that he wants to make sure that the trustees can define that. Mr. Weimer then said he is fine, as long as we are going to work further with the details from the trustee end. Mr. Ritson made a motion, seconded by Mr. Logan, to approve the establishment of the Hempfield Township Youth Sports Grant Application. Vote: 5-Yes. Motion carried.

- h) **Consideration to Approve the Hiring of Dominic Sackett & Andrew Proch for the Position of Park Maintenance Assistant (Seasonal) at the Rate of \$9.00 an Hour** – Mr. Weimer made a motion, seconded by Mr. Logan, to approve the hiring of Dominic Sackett and Andrew Proch for the position of park maintenance assistant (seasonal) at the rate of \$9.00 an hour. Vote: 5-Yes. Motion carried.
- i) **Consideration for Approval of Additional Training to the 2018 Bureau of Fire Training Schedule** – Mr. Ritson said that there is going to be a time period of transition between how the training is being done currently until when the new Director of Fire & EMS begins employment. Mr. Logan responded that he believed that the new director would be preparing the 2019 Training Schedule. Mr. Logan made a motion, seconded by Mr. Weimer, to approve additional training to the 2018 Bureau of Fire training schedule. Vote: 5-Yes. Motion carried.
- j) **Consideration to Approve the Following Emergency Service Applications as Members of the Hempfield Township Bureau of Fire, to be Effective Upon the Township Receiving a Physical Report from the Township Physician Stating that the Individual is Capable of Performing Activities Related to the Appointed Position and Successful Criminal History and Act 153 Clearance Requirements:**

	Name	Position	Fire Department
1.	Chris Claus	Senior Firefighter	Hannastown
2.	Alexis Wood	Senior Firefighter	Hannastown
3.	Joel Aston	Senior Firefighter	Midway/St. Clair
4.	Shannon Friel	Senior Firefighter	Midway/St. Clair
5.	Timothy Masarik	Senior Firefighter	Midway/St. Clair

Mr. Ritson made a motion, seconded by Mr. Logan, to approve the above-listed emergency service applications as members of the Hempfield Township Bureau of Fire, to be effective upon the Township receiving a physical report from the Township physician stating that the individual is capable of performing activities related to the appointed position and successful criminal history and Act 153 Clearance requirements. Vote: 5-Yes. Motion carried.

Mr. Logan commented that the SAFER Grant brought in twelve (12) recruits so far this year in the Township and a total of one hundred and nine (109) county-wide.

- k) **Consideration to Authorize the Solicitor to Advertise an Inter-Municipal Agreement for Joint Line Painting Bid with Penn Township and Youngwood Borough** – Mr. Weimer made a motion, seconded by Mr. Logan, to authorize the solicitor to advertise an inter-municipal agreement for joint line painting bid with Penn Township and Youngwood Borough. Vote: 5-Yes. Motion carried.
- l) **Consideration for Approval to Award the Sale of the 1998 Mack Truck – Truck #40 to Tom Tomasic for the Amount of \$15,600.00** – Mr. Logan made a motion, seconded by Mr. Weimer, to award the sale of the 1998 Mack truck (Truck #40) to Tom Tomasic for the amount of \$15,600. Vote: 5-Yes. Motion carried.
- m) **Consideration for Approval of the Purchase of Two (2) Speed Alert 24 Radar Message Sign/Trailers from All Traffic Solutions – Co-Stars #012-133 for \$12,390.00** – Mr. Ritson advised this does include a trade-in as well. Mr. Weimer made a motion, seconded by Mr. Ritson, to purchase two (2) Speed Alert 24 Radar Message Sign/Trailers from All Traffic Solutions – Co-Stars #012-133 for \$12,390. Vote: 5-Yes. Motion carried.
- n) **Consideration to Approve Awarding 2018 Hot Mix Paving Program – Contract 3/2018. The Following Bids Were Received and Opened on May 9, 2018:**

2018 HOT-MIX PAVING BIDS

	Company	Bid Amount
1.	A. Liberone, Inc.	\$2,223,181.60
2.	Mele & Mele & Sons, Inc.	\$2,244,849.00
3.	Derry Construction	\$2,362,188.45

Mr. Ritson made a motion, seconded by Mr. Logan, to award the 2018 Hot-Mix Paving Contract 3/2018 to A. Liberone, Inc. at \$2,223,181.60, the apparent low bidder meeting all specifications. Vote: 5-Yes. Motion carried. Mr. Weimer asked the estimated amount of miles that could potentially be paved. Mr. Cisco said that it would be possibly a little over twenty (20) miles.

- o) **Consideration to Approve Change Order #2 in the Amount of \$4,178.33 for Bathroom Renovations (ADA Compliance) – Contract 7/2017** – Mr. Weimer made a motion, seconded by Mr. Ritson, to approve Change Order #2 in the amount of \$4,178.33 for bathroom renovations (ADA Compliance) – Contract 7/2017. Vote: 5-Yes. Motion carried.
- p) **Consideration to Approve Pay Estimate #5 (Final) in the Amount of \$7,336.50 for Bathroom Renovations (ADA Compliance) – Contract 7/2017** – Mr. Logan made a motion, seconded by Mr. Ritson, to approve Pay Estimate #5 (Final) in the amount of \$7,336.50 for Bathroom Renovations (ADA Compliance) – Contract 7/2017. Vote: 5-Yes. Motion carried.
- q) **Consideration to Approve Applying for the ARLE Grant for the Updates to School Zones and Beacon Lights** – Mr. Weimer made a motion, seconded by Mr. Logan, to approve Change Order #2 in the amount of \$4,178.33 for bathroom renovations (ADA Compliance) – Contract 7/2017. Vote: 5-Yes. Motion carried.
- r) **Consideration to Approve the Change of the 2018 Monthly Board of Supervisors Meetings from a Joint Public Meeting on Monday, November 26, 2018 to the Public Work Session on Wednesday, November 21, 2018 and the Supervisors Monthly Meeting on Tuesday, November 27, 2018 and the Joint Public Meeting on Wednesday, December 19, 2018 to the Public Work Session on Wednesday, December 12, 2018 and the Monthly Supervisors Meeting on Monday, December 17, 2018** – Mr. Ritson commented that it was agreed upon not to advertise these proposed changes until the Township has something else to advertise. Mr. Logan concurred. Mr. Logan made a motion, seconded by Mr. Ritson, to approve the change of the 2018 monthly Board of Supervisors meetings from a joint public meeting on Monday, November 26, 2018 to the public work session on Wednesday, November 21, 2018 and the Supervisors’ monthly meeting on Tuesday, November 27, 2018 and the Joint Public Meeting on Wednesday, December 19, 2018 to the Public Work Session on Wednesday, December 12, 2018 and the monthly Supervisors meeting on Monday, December 17, 2018. In addition, that said changes would not be advertised until the Township has something else to advertise as well. Vote: 5-Yes. Motion carried.

14. OLD BUSINESS:

- a) **Consideration to Approve Resolution No. 2018-58; Granting Final Conditional Approval to Subdivision Known as GetGo Hempfield Plan of Lots – Plan No. 20180096 – Purpose: Consolidating Seven (7) Lots into One (1) Lot with Right-of-Way to be Dedicated to Hempfield Township – Planning Commission Approved 7-0** – Mr. Logan made a motion to.. Mr. Avolio advised that since the Board of Supervisors did not vote on the vacation of the road and additional conditions, it won’t be able to be recorded because apparently is has the vacation in it. He recommended that Resolution No. 2018-58 be approved contingent upon the vacation of the road. Mr. Weimer asked if the motion needed to be amended. Mr. Avolio said to add the condition for approval of the vacating of Heights Lane and he said that he would amend the resolution to that fact. Mr. Logan made a motion, seconded by Mr. Weimer, to approve Resolution No. 2018-58; granting final conditional approval to the subdivision known as GetGo Hempfield Plan of Lots – Plan No. 20180096 contingent upon the vacating of Heights Lane. Vote: 5-Yes. Motion carried.

15. NEW BUSINESS:

- a) **Consideration to Advertise for Parks and Recreation Director** – Mr. Logan said that he would like to add an item to “New Business” to advertise for a Parks and Recreation Director. Mr. Ritson asked if anyone in the audience had any comment on the item to be added to the agenda. Mr. Reese asked for any comments. No comments received. Mr. Logan made a motion, seconded by Mr. Ritson, to advertise for a Parks and Recreation Director. Vote: 5-Yes. Motion carried.

- b) **Discussion on Possibility of Incorporating on the Township’s Website the Staff Reports for the Public Work Session** – Mr. Ritson said that he would like consideration to be given to consolidate the staff reports so that the work session material can be made available online. He said that he has received some emails from residents. If we could find a way to do it from the work session agenda and then our work session discussions, he said that would be very beneficial. He said he understands that we get a lot of information on the work session so that it would need to be a consolidated report. Mrs. Phillips questioned whether he met a summary of the reports. Mr. Ritson responded yes. He wants the people to understand what was discussed at the work session and how those items then are on the agenda for the Supervisors’ meeting. Mr. Ritson said whether we do an agenda before the work session, in a general sense, with some key items so that the people could come to that work session to hear that topic but a summary report prior to. He said he knows that our time is tough but that he is just proposing that we look at that. He told the Board that he would like to have further conversation regarding this matter. Mr. Logan said he would like to receive some feedback from staff to see how that would work effectively. He said he doesn’t want them to burn up a lot of their time... Mr. Winters said that he actually looked at a software that could help manage our agendas more and that would actually do this same thing to our website that he was going to bring up at the June work session.

16. PROCLAMATIONS:

- a) **Recognition of the Boy Scouts Assistance in Tire Cleanup on Earth Day** – Mr. Weimer advised the Board that he will have a proclamation for next month’s meeting to recognize the Boy Scout Troop, through Westmoreland Cleanways, that provided assistance with the tire cleanup on Earth Day in the area of a local Hempfield Township store. He said that he would have the pertinent information for the up-coming public work session so that the Troop can be present to receive the proclamation at the June monthly meeting.

17. SUPERVISORS’ COMMENTS:

Supervisor George Reese – Mr. Reese commented as follow: “My friends at the Bovard Fire Department. As you can see, it has been a busy five (5) months. The commitment of this Board is evident to public safety. If you remember, just to remind you, we hired a consultant. The consultant is out there finalizing and going to report back to us with the GAP Analysis. We want to have a plan moving forward. We have two (2) new guys that we brought on board tonight. I applaud you for your service. I ask you for more patience. I look for this to be resolved shortly. As you can see, we had to do some other things first. We had to redo our priorities gentlemen. Okay. So, we continue to do whatever repairs you have. We are taking care of. We will continue to do that with your trucks. But, I just wanted... It was not forgotten. It was not forgotten by me. So, that’s all I have.”

Supervisor Rob Ritson – Mr. Ritson commented as follows: “So we made a number of items on this agenda, and I just want to say to the rest of my Board that I enjoyed the debate. I really did. A lot of personnel items are discussed in Executive Session. I think residents of Hempfield need to

know that as we filtered out – we come up with something that really none of us had any idea we were really looking to do when we started off on some of this stuff. I think it had a lot to do with peoples’ willingness to look outside the box and even listen to each other’s disagreements. We all kind of did that through the process. I am willing to take a chance to move forward and do that. I appreciate the rest of my Board willing to do that as well. I also want to say that Jason, I appreciate what you did on the program documentation you did on that local Parks Grant thing that we are doing. Working that fund and Doug’s points were incredibly valid and it’s a big deal for me and it’s always been that we look towards helping these organizations. I appreciate the Board’s vote on taking that first step. The idea of getting this Parks and Recreation fund formalized and moving to potentially drawing more money and helping expand our services and our systems is an exciting endeavor. I appreciate the support not only from you putting it together but from the Board’s vote. Thank you.”

Supervisor John Silvis – Mr. Silvis commented as follows: “In lieu of what you said about the five (5) months, it’s been a hectic five (5) months, and I want to wish the three (3) new hires our best wishes and good luck. The current events our last six (6) months maybe prompted some of these changes. I think George has been preaching Director of Public Safety for a long time. We finally took action. I wish the Board, the new hires, and the public a lot of luck because we’ve made some changes.”

Supervisor Doug Weimer –Mr. Weimer commented as follows: “I also want to welcome the new employees to our team. These new positions that we have, the Board has spent a lot of time creating and discussing. I think that they will be a great benefit to the Township, to our community, and to the citizens and for us to continue to move forward. I want to congratulate Jason on his new role and have great expectations for you. I know you are going to step up to meet those. And I just wanted to close by thanking all of our veterans for their service to our country, those that are currently in the armed services, those that have served in the past, and, of course, our veterans here – our emergency service folks – everyone that is here helping to serve in various capacities to make Hempfield a great place. Thank you to everyone.”

Supervisor Tom Logan – Mr. Logan commented as follows: “Every agenda has some things on it more or less from month to month that may be a couple years in the works and this month is a pretty good example of that. We awarded a pretty aggressive paving project this month, that started out with us with the sale of the Sewer Authority allowing some funds to be available for some capital improvement projects, moving through us hiring a study done instituting a pavement management system, so I am looking forward to getting back on track with stabilizing and improving the infrastructure in the Township. I think we made a good step towards that tonight. Thank you.”

18. ADJOURNMENT

Mr. Ritson made a motion, seconded by Mr. Logan, to adjourn the meeting at 8:38 p.m.

Chairman

Secretary