

**HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS**  
**MONTHLY MEETING**  
**JULY 23, 2018**  
**7:00 PM**

Supervisors Present: Mr. George Reese                      Mr. John Silvis  
                                 Mr. Rob Ritson    Mr. Tom Logan

Staff Present:                      Mr. Jason Winters                      Mr. Dan Schmitt  
                                 Mr. Doug Cisco                                      Mr. Jamie Shaw  
                                 Mr. Patrick Karnash                      Mr. Matthew Cunningham  
                                 Mrs. Melanie Phillips                      Mr. Anthony Kovacic  
                                 Mr. Scott Avolio                                      Mrs. Callie Krueger

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

The regularly scheduled Monthly 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.

**2. HEARINGS**

**a. Heinnickle Farms to be Included in the Agricultural Security Area for Tax Map #50-11-00-0-123**

**Mr. Avolio** – I did speak to their attorney, on Friday, which is Dennis Zuzick and he indicated to me that the applicant themselves would be here, so I hate to defer back to the Board.

**Mr. Ritson** – I guess the question would be, is there anybody here objecting to the Agricultural Security inclusion?

**Mr. Avolio** – So I am going to ask the crowd, is there anybody here objecting to the 7 p.m. hearing, Heinnickle Farms request to be added to the Agricultural Security Zone? I want to indicate to the Board, negative. Again, nobody is here to appear. I believe the Board may consider that on its merits, its application. I did review that application, my indication is, for all intents and purposes, that property does meet the criteria of an Agricultural Zone.

**Mr. Logan** – and for the reference, it does adjoin a piece of land approved last year.

**Mr. Avolio** – Absolutely, and I think without advocating for it, I want to offer that there was a question that this property had already been submitted. The Westmoreland County Tax Maps indicated with a symbol to acknowledge it as an Agricultural Zone. When this property was available for, I don't want to say sale, but whatever occurred, it was acknowledged that there's nothing in the Recorder of Deeds that indicates it has been accepted other than the tax map symbol.

**Mr. Logan** – So this is just clean-up work?

**Mr. Ritson** – Would it be in your opinion, if we opened the hearing and you just stated that there was a formal application and stated that you reviewed it and opened it up to see if there is any opposition and we could close the hearing and then you have a record of that?

**Mr. Avolio** – I would make that opinion. For the record, indicating that no opposition has applied, there has been a legally sufficient application for an Agricultural Zone for Tax Map 50-11-00-0-123. With no objection appearing, I would suggest we close the record.

**Mr. Ritson** – So moved.

**Mr. Reese** – Second.

**Mr. Avolio** – Thank you, Mr. Chairman.

**b. Inter-Municipal Liquor License Transfer for JJ GBC, LLC at 106 West Point Drive, Suites 9 & 10**

**Scott Avolio** – I believe counsel, Mr. Nichols, is present. I will ask you to address the Board and I will swear in anybody that's going to testify, other than Mr. Nichols. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

**Joshua Jones and Patrick Conway** – Yes, sir.

**Greg Nichols** – My name is Greg Nichols, I am an attorney from Greensburg. I am here to represent an Entity by the name of JJ GBC, LLC. The first order of business is to introduce you to two of the individuals, two of the three individuals, who comprise that entity. Mr. Conway and Mr. Jones. The two of them have been cumulatively in the restaurant business for probably over 40 years, but never on their own. The history with Denunzios and a place called Tapped. Mr. Conway will handle the back of the house. Mr. Jones will handle the front of the house. Mr. Conway has worked as a chef for over 30 years. They saw an opportunity to get together and open a place on their own. They signed the lease and in the process of renovating the premises at 106 West Point Drive, Greensburg, which is over at West Point and in the same plaza with the Red Brick. Their intention, and they're here to testify on their own behalf, their intention is to open a restaurant with a general American menu but obtain a liquor license as an accommodation to their food service. The transfer is of a license out of Belle Vernon, it's actually a golf course which is now going to relinquish its R license and apply for what's called a PGR license to operate their golf course. Mr. Jones, would you please, in your own words, explain to the Board, type of operations, hours of operation, food, and will you guys pass this out to the Board?

**Mr. Jones** – Our goal is to open up a nice family restaurant up in West Point Plaza and the liquor license we want is just to accommodate our guests if they want to have a nice cocktail or a good craft beer while they're enjoying their dinner, that's fine. We are going to have 16 beers on tap and for the most part they're going to be all local craft breweries. We are going to try and support the local guys. My Executive Chef, Patrick Conway can look over the food menu with you guys.

**Patrick Conway** – We're keeping it casual, it's going to be family oriented. We are trying to put a little bit of a twist on things, sort of like we did at Tapped and it was very successful. Our intentions are to have a smaller place that we can control things a little bit better and keep the quality level really high.

**Mr. Nichols** – Tell the Board your hours of operation.

**Mr. Conway** – We'll be open on Mondays 3-11, Tuesdays through Thursdays 11 am to 11 pm, Fridays and Saturdays 11 – 1 am and Sundays 11 – 9.

**Mr. Nichols** – and are you going to have table service?

**Mr. Conway** – We will have table service. We'll have take-out service too, as well.

**Mr. Nichols** – Will you have a bar?

**Mr. Conway** – We will have a bar with approximately 12 seats.

**Mr. Nichols** – Does the Board have any questions of either of these individuals?

**Mr. Reese** – Where is this license being transferred from?

**Mr. Nichols** – Rostraver Township.

**Mr. Reese** – Rostraver, okay.

**Mr. Nichols** – The smaller golf course down there. There's Cedar Brook and Willow Brook. It's the Willow Brook license.

**Mr. Logan** – Are you going to have a six pack shop or are you selling beer for take-out or is this just for consumption within the restaurant?

**Mr. Jones** – Yes, we will have a small six pack cooler, and you're mostly going to get, they're called Crawler Machines, it's like a canning system so if somebody orders a take-out order they can come and pick a draft beer and we can fill it up with our can, we'll have a device to put a label on it and they can take that to-go as well.

**Mr. Silvis** – I'm in the food business, what is "Cheesey Ratatouille?"

**Mr. Conway** – Ratatouille, it's generally a vegetable made with zucchini, eggplant, tomatoes, onions, and olives, and I just gave the recipe out. We are putting a little twist on it, as a vegetable option, we have a lot of meat things on the menu.

**Mr. Reese** – that's all we have Mr. Avolio.

**Mr. Nichols** – if the Board please, I don't mean to be repetitive or redundant, and I'm sure you've done these before, but without this Board's consent, the license cannot be moved into Hempfield for use in Hempfield Township. We are respectfully a resolution approving the transfer.

**Mr. Avolio** – Thank you, Mr. Nichols. Is anyone here to testify during this hearing? The audience indicated negative so I believe we can close the record for the hearing. Thank you.

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

**Tony DeGregorio** – Representative from Lincoln Heights Civic Center. Mr. DeGregorio asked the Board of Supervisors to reconsider yearly Fire Inspections which are costly to small organizations. He also brought attention to the extensive activity on Beaver Road from a drilling project in the area that is causing large trucks and noise and safety hazards for neighbors and vehicles traveling the roadway. He asked the Board of Supervisors to look into the matter to see what could be done to stop the activity.

**Phylis Levino** – 4020 West Lake Drive. Mrs. Levino has concerns regarding stormwater runoff from a neighboring property at 23 Renaissance Dr. She is sure that in the winter, water will cause black ice and the issue needs to be fixed now. She distributed photos to the Board of Supervisors of water run-off. Mrs. Levino believes the work done to the property at 23 Renaissance Dr. does not match the permitted project and feels the owner needs a stormwater management and land disturbance permit.

**Dan Nescott** – Fire Chief, Grapeville VFD. Mr. Nescott invited everyone to the Centennial Celebration of the Grapeville Volunteer Fire Department August 24<sup>th</sup> and 25<sup>th</sup>.

### **4. EXECUTIVE SESSIONS**

An Executive Session was held June 25, 2018 for Legal and Personnel reasons.

An Executive Session was held July 2, 2018 for Personnel reasons.

An Executive Session was held July 18, 2018 for Personnel reasons.

### **5. APPROVAL OF MINUTES**

**a. Consideration to Approve the Minutes of the Supervisors June 25, 2018 Monthly Meeting** – Mr. Ritson made a motion, seconded by Mr. Logan to approve the June 25, 2018 meeting minutes. Vote: 4-0. Motion carried.

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

**Jason Winters** – Township Manager – 2015 ICC Code will be adopted and Craig McVicker will be available at the work session to explain the changes to the Board. The Youth Sports Grant will be mentioned in Headlining Hempfield and the Grant Application will be available in the Parks and Recreation Department. Mr. Ritson questioned the fire inspections that were mentioned by Mr. DeGregorio, he recommended that in lieu of waving the fee that the inspections could be done in house. Mr. Reese mentioned the Christina Court stormwater issues and Mr. Cisco addressed the question saying that his plan would be to take care of Marrose Estates, the Lexington Green area, and lower Fosterville. Mr. Ritson also asked if the staff had followed up with Tresco regarding the Bond letter and Mr. Winters and Mr. Schmitt said that a letter was sent.

**James Shaw** – Director of Code & Safety – Mapping of all of the signs in the township is underway.

**Patrick Karnash** – Planning Coordinator – The Planning Department received an updated site plan for Clover Community Development. The Mason Park Plan lots 2 and 3 has met all of the contingencies.

**Matthew Cunningham** – Asst. Director Parks & Recreation – Mr. Cunningham contacted the roofing company for the amphitheater and is in process of coordinating a meeting with the contractor. The anticipated completion date for the amphitheater is end of September.

**Dan Schmitt** – Engineer – The CDBG application is forthcoming and due in the fall. A meeting has been scheduled with the Westmoreland County Planning Department to discuss possible projects. There are concerns with the Holly/Redgrave project regarding utility relocations. The gas company indicated that they will have their line moved by August 6<sup>th</sup> however the water authority has not responded.

**Doug Cisco** – Director of Public Works – The line painting bid is on the agenda. Paving and catch basin repair is underway. Mr. Cisco followed up with the West Lake Dr. concern with pictures from his investigation and believes the driveway pipe is acceptable now that the grass seed has taken.

**Melanie Phillips** – Director of Finance – Noted that if the Debt Ordinance is approved, there will be a scheduled bond rating call and the new bond rating will be ready by August 6<sup>th</sup> and some pricing will be available mid-August and settlement would be mid-September. The current bond rating is AA-.

**Anthony Kovacic** – Director of Fire & EMS – Mr. Kovacic is working on summarizing the Gap Analysis for the August meeting. Mr. Ritson addressed the Fire Hydrant request from last month and asked if Mr. Kovacic could go to the location.

**Scott Avolio** – Solicitor – Planning issues were reviewed at Thursday's Planning meeting.

## **7. TREASURER'S REPORT - NONE**

## **8. PAYMENT OF BILLS**

- a. **General Fund--\$549,527.09**
- b. **Light District Account--\$5,169.29**
- c. **Recreation--\$2,105.00**
- d. **Act 13 Impact Fee Account--\$396,000.00**

Mr. Ritson made a motion, seconded by Mr. Logan to approve the payment of bills as listed. Vote: 4-0. Motion carried.

## **9. SCHEDULING OF HEARINGS – NONE**

## **10. DECISIONS FROM HEARINGS**

- a. **Consideration to Approve Resolution No. 2018-92; Authorizing Heinnickle Farms to be Included in the Agricultural Security Area for Tax Map #50-11-00-0-123** – Mr. Logan made a motion, seconded by Mr. Ritson to approve Resolution No. 2018-92. Vote: 4-0. Motion carried.
- b. **Consideration to Approve Resolution No. 2018-93; Authorizing the Transfer of an Inter-Municipal Liquor License for JJ GBC, LLC at 106 West Point Drive, Suites 9 & 10** – Mr. Logan made a motion, seconded by Mr. Reese to approve Resolution No. 2018-93. Vote: 4-0. Motion carried.

## **11. SUBDIVISION PLANS**

- a. **Consideration to Approve Resolution No. 2018-94; Granting Final Conditional Approval to Ligonier Property Development Known as Mason Park Plan of Lots Revision 2 – Plan No. 2018-0312**
  - **Location: SR 3093 on east side of Ligonier Drive**
  - **Tax Map #: 50-41-00-0-177 & 178**
  - **Purpose: Adjust lot lines of Lots 2R & 3R**

- **Conditions: Addition of Hempfield Township Plan Number to drawings and show the new access easement from the public road to the existing gas well on the drawings**
- **Planning Commission Recommendation: Approval 6 - 0**

Mr. Ritson made a motion, seconded by Mr. Logan to approve Resolution No. 2018-94. Vote: 4-0. Motion carried.

## 12. SITE PLANS

- Consideration to Approve Resolution No. 2018-95; Granting an Extension of Time for Clover Communities Hempfield LLC to Comply with the Final Conditional Approval for the Clover Senior Housing – Plan No. 20180058 – 90 Day Extension** – Mr. Logan made a motion, seconded by Mr. Silvis to approve Resolution No. 2018-95. Vote: 4-0. Motion carried.

## 13. ITEMS FOR ACTION TO BE TAKEN

- Consideration to Approve Resolution No. 2018-96; Closure of Certain Roads in Grapeville for the 100<sup>th</sup> Anniversary Grapeville Volunteer Fire Company Celebration Parade** – Mr. Logan made a motion, seconded by Mr. Silvis to approve Resolution No. 2018-96. Vote: 4-0. Motion carried.
- Consideration to Approve Ordinance No. 2018-07; Authorizing the Issuance by the Township of General Obligation Bonds, Series of 2018, in the Up to and Not to Exceed Maximum Principal Amount \$5,000,000** – Mr. Logan made a motion to approve Ordinance No. 2018-07; Authorizing the Issuance by the Township of General Obligation Bonds, Series of 2018, in the Up to and Not to Exceed Maximum Principal Amount \$5,000,000 and not to extend the time or principal but to refinance to get the interest rate for the remaining time of the bond, seconded by Mr. Silvis. Vote: 4-0. Motion carried.
- Consideration to Authorize Township Manager to Contact Westmoreland County Board of Election to Inquire on Splitting Alwine Precinct** – Mr. Ritson made a motion, seconded by Mr. Logan to authorize the Township manager to contact Westmoreland County Board of Election to inquire on splitting the Alwine Precinct. Vote: 4-0. Motion carried.
- Consideration to Approve Update to 2018 Fee Schedule to Change Peddler Permit Fee for Background Checks to \$25.00** – Mr. Logan made a motion, seconded by Mr. Ritson to approve the update to the 2018 Fee Schedule to change the Peddler Permit Fee for Background Checks to \$25.00. Vote: 4-0. Motion carried.
- Consideration to Approve Cohen Law Group as Special Council to Begin Negotiations for Cable Franchising** – Mr. Logan made a motion, seconded by Mr. Ritson to approve Cohen Law Group as Special Council to being negotiations for Cable Franchising. Vote: 4-0. Motion carried.
- Consideration to Authorize the Closure of Route 136 for the 2018 Hempfield Area School District Homecoming Parade on Friday, September 28, 2018** – Mr. Ritson made a motion, seconded by Mr. Logan to authorize the closure of Rt. 136 for the 2018 Hempfield Area School District Homecoming Parade on Friday, September 28, 2018. Vote: 4-0. Motion carried.
- 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**

- |                            |   |                         |
|----------------------------|---|-------------------------|
| <b>1. Nolen Ferree</b>     | <b>Sr. Firefighter</b>                        | <b>Carbon VFD</b>       |
| <b>2. Kory Kashin</b>      | <b>Sr. Firefighter (Transfer from Carbon)</b> | <b>Fort Allen VFD</b>   |
| <b>3. Gary Mumper, Jr.</b> | <b>Sr. Firefighter</b>                        | <b>Grapeville VFD</b>   |
| <b>4. Sarah Steadman</b>   | <b>Jr. Firefighter</b>                        | <b>Fort Allen VFD</b>   |
| <b>6. Juliane Tomasic</b>  | <b>Jr. Firefighter</b>                        | <b>Hempfield #2 VFD</b> |

Mr. Logan made a motion, seconded by Mr. Reese to approve the listed Emergency Service applicants as members of the Hempfield Township Bureau of Fire, 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: 4-0. Motion carried.

**h. Consideration to Approve Awarding of the 2018 Line Painting Program Bid. The Following Bids Were Received and Opened on Wednesday, July 11, 2018**

- |                                |                    |
|--------------------------------|--------------------|
| <b>1. Parking Lot Painting</b> | <b>\$99,315.00</b> |
| <b>a. Hempfield Township</b>   | <b>\$73,845.00</b> |
| <b>b. Penn Township</b>        | <b>\$25,470.00</b> |

Mr. Logan made a motion, seconded by Mr. Ritson to approve awarding the 2018 Line Painting Program bid to Parking Lot Painting. Vote: 4-0. Motion carried.

**i. Consideration to Approve Pay Estimate #2 in the Amount of \$54,902.07 for Hempfield Park Amphitheater Construction**

Mr. Logan made a motion, seconded by Mr. Reese to approve Pay Estimate #2 in the Amount of \$54,902.07 for Hempfield Park Amphitheater Construction. Vote: 4-0. Motion carried.

**j. Consideration to Approve Pay Estimate #1 in the Amount of \$37,014.12 for 2018 Hot Mix Paving Program – Mr. Logan made a motion, seconded by Mr. Ritson to approve Pay Estimate #1 in the Amount of \$37,014.12 for 2018 Hot Mix Paving Program. Vote: 4-0. Motion carried.**

**k. Consideration to Approve the Hiring of Five (5) Class C Operator(s) for the Department of Public Works at an Hourly Rate of \$19.97, Subject to the Six (6) Month Probationary Period as Set Forth in the Current Bargaining Unit Contract and the Completion of a Successful Physical Examination**

- 1. Sean Noschese**
- 2. David Miller**
- 3. Kyle Rosendale**
- 4. Taylor Schildkamp**
- 5. John Stewart**

Mr. Logan made a motion, seconded by Mr. Ritson to approve the hiring of Five (5) Class C Operators for the Department of Public Works, as listed, at an hourly rate of \$19.97, subject to a six month probationary period and the completion of a successful physical examination. Vote: 4-0. Motion carried.

**14. OLD BUSINESS**

- a. Consideration to Approve Ordinance No. 2018-03; Vacating Heights Lane in the Township of Hempfield – Mr. Logan made a motion to table Ordinance No. 2018-03, seconded by Mr. Ritson. Vote: 4-0. Motion carried.**

**15. NEW BUSINESS – NONE**

**16. PROCLAMATIONS – NONE**

**17. SUPERVISORS' COMMENTS**

**Mr. Silvis** – Stated that Hempfield is not only a great place to live, but a great place to work and wished the new Public Works hires good luck.

**Mr. Logan** – Extended best wishes to Mary Jo Silvis on her recovery.

**18. ADJOURNMENT**

The Regularly Scheduled Monthly Meeting of the Hempfield Township Board of Supervisors, held at the Hempfield Township Municipal Building, was adjourned at 8:00 p.m. by Chairman George Reese.

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**CHAIRMAN**

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**SECRETARY**