

HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS

REGULAR MEETING

SEPTEMBER 24, 2018

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. James Shaw
Mr. Aaron Siko
Mr. Anthony Kovacic

Mrs. Denise Rosak
Mrs. Melanie Phillips
Mr. Dan Schmitt
Mr. Patrick Karnash
Mr. Doug Cisco

2. HEARINGS: None

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

- a) **Mark Sabota** – Mr. Sabota of 616 Stamford Drive, West Point, Greensburg, said that this is probably the third time where he has come to a meeting beginning, he thinks, in 2003 talking about the damage that's done to the property owners on Stamford Drive. During that time, he noted that Supervisors Doug Weimer and John Silvis were on the Board that long and Supervisor Rob Ritson, he believes, may have been the Township Manager at that time. Mr. Sabota continued saying that the sad news is, with the exception of a little bit of work done on the upper end of Stamford, that project has been given no attention at all. He went on to explain that he believes in 2017, it was recorded that there was more than 30" of rainfall in this area and we are probably getting close to being north of 40" of rainfall for this year. Supervisor Logan advised that we are at 60" of rain. Mr. Sabota said that it is increasing the depth and the breadth of the open drainage ditch. He stressed to the Board of Supervisors that it demands their attention. He commented that Supervisors Ritson and Reese have visited his home recently and they have seen the extent of the damages, including the open gaps where sewer and gas lines are exposed. Mr. Sabota fervently told the Board of Supervisors that this situation constitutes a serious health and safety issue and he said it is one of the tragedies of our area that it's taken so long to get remediation. Supervisor Weimer explained to Mr. Sabota that one of the reasons why the Township is now able to do some work over there is the Board was diligent in acquiring some properties that took some time to acquire. He added, "So now the Township actually owns some property over there and we are going to be able to do some stormwater work pond to retain this water and to work out the project differently than what DEP was not allowing us to do. So, as I just want to make sure you understand, it never fell between the cracks but it is something that has been, I know, a long time in coming. But it is something we have been working on year after year to try and resolve."

- b) **Jeff Astley** – Mr. Astley of Astley Precision Machine Company, located at 160 South Thompson Lane, Irwin, explained that his property has been experiencing an on-going water and erosion problem that he discussed with Hempfield Township back in 2013 initially. He said a curb was installed by the Township in 2013, which diverted the stormwater to a catch basin about 30’ or 40’ away. Since the resurfacing of Thomas Lane in 2017, the problem has returned; however, after contacting the Township, another curb was installed. Mr. Astley respectfully requested that the damages done to his property be rectified since it was the stormwater runoff from Thomas Lane that caused it. Public Works Director Doug Cisco said, “The Township did look at the site and spoke to the Board about this issue a couple of months ago and at that time, the Board said it wasn’t their contention that it was the Township’s responsibility and a letter was sent to Mr. Astley advising him of such.” Township Engineer Dan Schmitt said, “I think it’s from the staff’s recommendation that the Board wrote that letter but the bottom line is we did visit Mr. Astley out at the site. We acknowledged that there is some water runoff from Thompson Road that contributed to it but I don’t believe it was the sole source of the landslide itself. So, basically, we talked about putting a curb in there to kind of get us out of that picture. Mr. Astley has a driveway, like he indicates, that’s parallel to the creek and then I believe North Huntingdon has a roadway that’s parallel to the creek on the opposite side and they are also seeing signs of erosion and blowout and I think it’s a number of factors that’s causing that but I wouldn’t say that our runoff from Thompson was the sole source of that. So, I think it was, again, we kind of recommended putting a curb there to kind of get us out of that whole entire picture.” Mr. Astley said he asked contractors, John Brentzel and Ken Spira, to give their professional opinion on the water and erosion issues and they both concurred that it’s the water coming off of Thompson Lane. He stressed that it’s not erosion from the creek itself. Supervisor Tom Logan asked, “So did the surface, did the ground erode away from the roadway or did the bank slide from the roadway?” Mr. Astley told Supervisor Logan that the bank is sliding. Supervisor Tom Logan responded, “That’s because of your water table is so high there. See, the surface water would have eroded off of the road down into the bank, would have cut a ditch, okay, but when you got the surface water underneath there, clear up underneath there, that’s what makes the whole thing slide.” Mr. Astley told Supervisor Logan that that is not what happened. Supervisor Logan responded, “I know what hydrological things will do with soil in those kinds of areas and I would say, the surface water may have contributed to it some, but it’s the water table being so high this year that’s probably exacerbated that problem.” Supervisor Logan continued, “The surface water comes down off the road, doesn’t wash away the road, doesn’t get underneath, doesn’t penetrate down into the soil that deep to make it slide. That’s ground water coming up.” Mr. Astley presented the Board of Supervisors with photos showing the issues he talked about this evening. Supervisor Reese told Mr. Astley, “Personally, myself, I need to know more. I want to look into it a little bit more and I’m going to come down. I want to see it. We will get back to you. You got my attention.”
- c) **Bob Davidson** – Mr. Davidson asked that he be skipped so that he could talk later.
- d) **Paul Gothier** – Mr. Gothier of 606 Stamford Drive, West Point, Greensburg, presented a copy of his comment letter (entitled “The Ditch – Stamford Drive) to the Board of Supervisors and asked that it be entered into the record. (See Page 24 & 25 attached) Mr. Gothier did praise the Township for the way it takes care of its roads.
- e) **Leslie Gothier** – Mrs. Gothier of 606 Stamford Drive, West Point, Greensburg, asked the Board of Supervisors how many of them have actually gone to see what has happened to the properties on Stamford Drive. Four out of the five Supervisors raised their hands. She told the

Board that if that was happening behind their houses, they would have acted immediately. She begged them to start doing something about it now.

- f) **Carol Clayton** – Mrs. Clayton of 608 Stamford Drive, West Point, Greensburg, commented as follows: “I’ve lived there for forty (40) years. We have watched, since our kids were really little, sled riding down that hill. They could go in this little ditch that stopped them and it was safe. If you’ve been out there, that is no longer a ditch. If a kid falls in there, it’s going to be disastrous. Something needs done. I just want to mention, whenever the company came out that bulldozed all of those trees down, supposedly to start, guess what? The trees are still laying there. It looks like a tornado went through. Come on up and look out there. All of you need to go out there. Not just three. All of you. You would not put up with it in the back of your house.”
- g) **Jay Clayton** – Mr. Clayton of 608 Stamford Drive, West Point, Greensburg, commented, “When we bought that house 40 years ago, I could step across that creek. Today, what bothers me the most, is there’s a gas line about 5’ up in the air and if something hits that, you won’t worry about me being back at another meeting because I don’t know if it’s the gas company’s responsibility or the Township’s responsibility. But, that is what bothers me the most is that gas line. Go out and look at it. It’s at least 5’ in the air right now.” Supervisor Doug Weimer said, “It’s their line. We’ve told them. And as far as I am aware, they didn’t think that it was a problem.” Mr. Clayton continued, “But what I’m saying is did they tell you if something hits it, it’s not going to blow up?” Supervisor Weimer said, “They’ve been informed.”
- h) **Greg Ziegler** – Mr. Ziegler of 636 Stamford Drive, West Point, Greensburg, said that he couldn’t top what these people have already said. However, “I’m at the lower end of Stamford and I think that 10’ was mentioned and I’m thinking that’s about right – behind our house. It’s terrible. You people need, like she was just asking, to go out and look at that property back there and you need to do it in the rain. It’s worse now than it’s ever been, since they did the upper end. I mean it’s bad. I can’t tell you how bad it is. It is like a riverbed. We are losing our bank back there. I have a sewer pipe coming up through. I wasn’t really prepared to speak here but we’re tired of fiddling around. We’ve been here, this is what the third time we’ve been here? We have been to the court house. Judge Scherer didn’t even know why we were even there. We haven’t heard anything since. I am just asking you gentlemen if you could... You want to see for yourself what’s going on. Go out there after a heavy rain. Sixty (60) inches was mentioned. I believe it. This really needs to be addressed and not put on a back burner or anything.”
- i) **Bob Davidson** – Mr. Davidson of 606 Stamford Drive, West Point, Greensburg, commented as follows: “I’m not affected directly, as far as the creek is, ditch, I’m sorry. I don’t want to misidentify it. I came tonight to talk specifics and physical condition. You’ve heard it all. I have been involved with this, at this stage of the game, about ten (10) years. I just have a few comments that I’d like to bring to your attention. Whatever has happened, whatever the reasons, and whatever the accusations are, let’s put it behind us and let’s get this project finished. This has reached the point of being ridiculous. You don’t need it. Nobody else needs it. It needs fixed. The project in Newport was 1.2 million dollars placed in the First National Bank over here at Woodward Drive. Hopefully, that money is still there. I have my doubts. I have my doubts that 1.2 million is going to do it and that’s unfortunate. Whatever the delays and whatever the problems, let’s get them solved and if it takes the Township and the Public Works Department or if it takes an outside contractor, then so be it. And I say this to you with... one thing came to my attention in the past week a reason why for a delay. Somebody said well roads come first. Roads don’t generate a penny in Hempfield Township or any other

place unless it's the Turnpike. Hempfield does a great job with roads. Always have. But I'll tell you, in my world, I'll tell you what comes first, and I know in your world it does too, because you put up with it tonight and every day that you are a Supervisor and that's the taxpayer. They come first. Thank you." Supervisor Reese commented, "Before I go on, I can't speak to past years, but I will tell you this, you folks from Stamford Drive, you are a priority. We talked in depth Wednesday night about our plan. I want you to stick around. Don't leave. We'll go around the table here to talk with our staff. Dan Schmitt, our Township Engineer, I'm going to have him talk about where we are within the limits of what we are allowed to do and where we are at. Time wise? It's a priority. We want to get it done. There's not a Board member up here that is opposing it in any way. We are trying to get things moving. So, we hear you. And Mr. Davidson, you are right. We need to move forward from this point and get it done."

- j) **Nadine Kobalsky** – Ms. Kobalsky of 230 Iowa Street, Greensburg, said she was just present at the meeting to hear the decision on the consolidation of her deed under subdivision considerations.
- k) **George Haines** – Mr. Haines of 622 Stamford Drive, West Point, Greensburg, presented pictures to the Board of Supervisors of what the stormwater does to the back of his house.
- l) **Brett Pasquarelli** – Mr. Pasquarelli of 626 Stamford Drive, West Point, Greensburg, commented as follows: "The ditch does go through my backyard. Over the last ten (10) years I have watched about 4' of my back yard disappear and I can validate it because I put a fence up to keep my dogs in and I've had to move it twice. I think what bothers me the most about this is that there are some people here, who sit on this committee, on this Township Board and so forth, who take advantage of resources in the West Point/Wendover area. Some have children going into our schools. But yet, it's not your backyards or your property isn't being flooded out. The biggest thing that I've seen, that is probably the worst it seems, is when Wendover Middle School was revamped and remodeled. It almost seemed like immediately the water level issues increased. It was as if the water flow was redirected down into our neighborhoods, instead of where they had previously been. It almost made me feel like because the development on the other side of Wendover Middle School had higher property values than ours, we were neglected. It wasn't a big deal. It was just to let it go. But yet, all that runoff is public and it's coming onto private property and it's destroying our properties." Supervisor Doug Weimer commented as follows: "I certainly feel for all of these residents. Yes, I've been on the Board for a number of years and this issue has been going on since Mr. Davidson was on the Board. We had, I thought, an excellent plan to address this, but we had to get DEP approval but they just would not allow that to happen. I know that Senator Ward's office was most likely aware of that, isn't that right Supervisor Ritson, that she would have been aware of our problems with DEP?" Supervisor Ritson said that was back in 2009/2010. Supervisor Weimer continued, "We tried everything we could. Working with the office that you are related with and to other legislators, to the Governor's office, to try to get that plan passed and they wouldn't do it. So, then we were back to square one and trying to solve this issue as best we could and try to seek approval with what DEP would actually allow. Through that long process, yes, it was mentioned in here, we had to acquire some properties. We've done that. We invested monies that we had to do that and the property owner was not cooperative. They weren't immediately willing to allow us to come in and work out a deal to get some of that property to do this plan. Through some time, that finally has occurred and it was great that last week we looked at some actual drawings and I'm looking forward to moving this project and trying to seek closure on it. Yes, if this was in my back yard, I would be impatient, as well. I

would be just as frustrated. So, I'll be very happy to see that this comes to conclusion. I hope this Board's going to be able to collective agree to get this done as soon as possible."

4. EXECUTIVE SESSIONS:

- a) **September 17, 2018 – Personnel Matters**
- b) **September 19, 2018 – Personnel/Legal**
- c) **September 24, 2018 – Personnel Matters**

Supervisor Reese advised that there were executive sessions conducted as referenced above.

5. APPROVAL OF MINUTES:

- a) **Consideration to Approve the Minutes of the Supervisors' August 27, 2018 Hempfield Township Board of Supervisors' Monthly Meeting** – Supervisor Ritson made a motion, seconded by Supervisor Silvis, to approve the minutes of the Supervisors' August 27, 2018 monthly meeting. Vote: 5-Yes. Motion carried.

6. STAFF REPORTS:

a) **Jason Winters, Township Manager:**

1. **Advanced Disposal Concerns** – Mr. Winters advised the Board of Supervisors that since the Township sent a letter to Advanced Disposal concerning service complaints, the Township received a response letter that Advanced was now under new management. In addition, there will be a meeting scheduled this week to meet with the new management. He noted to the Board that there has been an improvement in their service provided since receipt of the letter.
2. **PA Gaming Control Board Hearing** – Mr. Winters advised that on Wednesday, December 5th, 2018 the Pennsylvania Gaming Control Board will have a public hearing at 10 a.m. at the Township Building about the mini casino. He noted that he has a meeting coming up with them to get more details. The website and social media will be updated with pertinent information about the hearing and about the need to register to speak.

b) **James Shaw, Code & Safety Director:**

1. **Gayville** – Mr. Shaw said that he met with the residents of Gayville in regards to complaints about wild parties and possible drug problems with Seton Hill College residents in the area. In addition, he said, there was a follow-up meeting with Seton Hill College. Mr. Shaw advised that he thought it was beneficial and very productive.
2. **Training** – Mr. Shaw informed the Board that he attended a Department of Homeland Security training and is now certified for special events and public gatherings for security and protective measures, identifying risks and explosives. In addition, he noted that he attended a Westmoreland Drug and Alcohol Commission meeting at W.C.C.C.
3. **HEMA Activation** – Mr. Shaw advised that the Director of Fire and EMS and other staff members activated the EOC during the recent flooding and he said that he thought it went as successful as it possibly could. Supervisor George Reese said that it did go well and that Mr. Shaw did a good job. He also thanked Mr. Shaw for his efforts.

4. **Code/Zoning Department** – Mr. Shaw stated that the Code and Zoning Department finished the “Frequently Asked Questions” for the website and for distribution at the office window. In addition, he noted that the “Violation Notice” door hangers are being printed. Mr. Shaw said that he believes these door hangers should help the area residents realize that the Township is on the problem prior to them getting a certified letter. He is hopeful that this first step will make things go a little faster and get some of these nuisance violations corrected more quickly.

c) **Anthony Kovacic, Fire and EMS Director:**

1. **Fire Prevention Day** – Mr. Kovacic advised that his department has been busy preparing for the October 9th, 2018 Fire Prevention activities at Westmoreland Mall from 6:30 p.m. to 8:30 p.m.
2. **Firefighter I Wellness Checks**—Mr. Kovacic said that Firefighter I wellness checks took place this past Saturday, September 22nd, 2018 from 6:30 a.m. to 8:30 a.m., where twenty-four (24) firefighters took advantage of the program. He said it went very well.
3. **Training** – Mr. Kovacic said that, relative to emergency management, he attended knowledge center training, which was very beneficial. He noted that it’s a spring board to better reporting an activity through emergency management.
4. **HEMA Activation** – Mr. Kovacic acknowledged that the EOC was activated on Monday, September 10th, 2018 as a result of the flooding wherein the Center had fifty (50) weather incidents reported in a span of about five (5) hours. Supervisor Reese said, “It was a job well done. It’s important for our residents to know that during those incidents, like floods and storms, tornadoes, that we have the ability to take control here and address the needs faster and we did. Thank you.”

d) **Melanie Phillips, Finance Director:**

1. **OPEB and Defined Benefit Plan** – Mrs. Phillips said on Wednesday, September 19th, 2018 First National Bank gave a presentation on the Township’s OPEB and Defined Benefit Plan investment accounts.
2. **Financial Report** – Mrs. Phillips reported to the Board of Supervisors that at the end of August the revenues are at 76% collected. She noted that the real encouraging piece of the revenue stream that’s been coming in has been building permits which are at 171% of the Township’s projections for this year and that it looks as if the Township may reach 2011 levels at over \$500,000 for the year. Furthermore, she reported that expenses are at 56% spent at 67% into the year, which is excellent. In closing, she advised the Board that they will have the preliminary budget for 2019 by next month.

e) **Doug Cisco, Public Works Director:**

1. **Flooding/Storm Clean-Up** – Mr. Cisco said the Public Works Department is still working on the clean up from the September 9th and 10th, 2018 storms wherein there were seventeen (17) roads closed. In regards to the Five Star Trail, it is still closed between Willow Crossing and Buncher. He said he anticipates to hopefully finish it up by either the end of this week or next week to have it back open.

2. **Tar and Chip Program** – Mr. Cisco advised that even with the rain the tar and chip program is complete, which involved 13 ½ miles encompassing sixteen (16) roads.
3. **Salt Deliveries** – Mr. Cisco advised the Board that salt deliveries will be starting late next week.

Supervisor Reese commended Mr. Cisco and the Road Department for its accomplishments that weekend and leading into that storm on that day also.

f) **Aaron Siko, Parks and Recreation Director:**

Supervisor Ritson introduced the new Parks and Recreation Director, Aaron Siko, and welcomed him to his first meeting. Mr. Siko said he is very happy to be working for Hempfield Township and excited for this opportunity. He said there were no major changes from his report given on Wednesday. In closing, he said he has been given a great staff and he is looking forward to running with it.

g) **Patrick Karnash, Planning Director**

1. **Commercial Building Officials' Conference** – Mr. Karnash advised that he and the rest of the Code Department attended the Commonwealth Building Officials' conference which educates attendees on new inspection techniques, new materials, and building techniques. In addition, he said, it was personally very beneficial to him because it gave him the opportunity to network with some other local planners from Southwestern Pennsylvania.
2. **Community Development Block Grant Program** – Mr. Karnash told the Board that he had a preliminary meeting with Westmoreland County in regards to the CDBG Program, which assists with resolving problem issues in townships such as blight areas.
3. **Barbish III Site Plan No. 20180244** – Supervisor Ritson stated that under the "Purpose" for the Edward Barbish III Site Plan it states to place a 44' by 12' temporary job trailer on the site. He asked why a site plan is necessary for a temporary trailer. Mr. Avolio stated that for a structure, Labor and Industry is required, because he is going to use it long term. Mr. Karnash said it is proposed as a long-term trailer and not a temporary job trailer. It will, therefore, necessitate building permits in order to make it ADA compliant. Supervisor Ritson asked if there was a sewage requirement for this plan. Mr. Karnash responded that sewage is already available on the site. Supervisor Ritson said for the existing 12' x 8' frame office there is sewage, but what about the 44' by 12' temporary trailer being added. Mr. Schmitt said that the property owner is proposing to swap the tap out from the temporary unit that he has there to the new building. Supervisor Ritson said, "So there is no new building to be constructed but rather to put a job trailer next to an existing 12' x 18' frame office?" Mr. Karnash and Mr. Schmitt said that the long-term trailer is to become an office. Supervisor Ritson said that it needs to be explained better. Mr. Avolio said that the property owner proposes setting a job trailer, which will be for his business, on the site, which will be a temporary structure but must be treated for development purposes as permanent because it will be hooked up to sewage and it will be accepting the outside public. He further elaborated that it's referred to as temporary trailer because it is a titled trailer, which the Department of Transportation regulates, which makes it different. He added that because of the use proposed it has to be treated permanently and that is the reason it has its own moniker as temporary trailer because it is still titled by the Department of Transportation. Therefore, he said, like a mobile home, it has a title which makes it different than a brick and mortar structure.

h) **Scott Avolio, Solicitor:**

1. **Court Findings in the Objection by Excelsa Health System to Allegheny Health Network** – Mr. Avolio advised the Board of Supervisors about the court’s findings in the objection by the Excelsa Health System to Allegheny Health Network where they are continuing to move forward; however, the court did rule in the Township’s favor in that matter.
2. **Tax Assessment Appeals** – Mr. Avolio informed the Board that he attended and did appear at the tax assessment appeal hearings scheduled against a number of residential residents at the courthouse. He said he was informed that they had been withdrawn, all but for four (4) of the three (3) commercial and one (1) residential tax assessment appeals. He explained that those were continued to another time and that the property owners, that were originally noticed of those appeals by the School District, should be receiving written confirmation of the withdraw over the next couple of days.

Supervisor Weimer commented as follows: “On the topic of the tax assessment appeals, I have certainly been vocal about it and I’d like to ask that this Board consider having our Township solicitor go to any tax appeals that might be filed by the Hempfield Area School District against Township residents for the purpose of arguing that the Westmoreland County Tax Assessment Office maintain the status quo and that meaning that the Township should argue that the Westmoreland County Assessment Board, that the current assessed value, is the correct value, and it should not be changed against the residents. I am happy that the Hempfield School District took measures recently to temporarily change the scope of their property assessment appeal policy; however, they did not stop the predatory policy altogether, as I had requested. As far as I am concerned, all the residential – all the residential property owners are still at risk. I am not going to stop fighting the School Board until they change the policy and end it. I hope that everyone in this room would do the same. I think that a great first step on our part is to ask for the status quo to remain and that they not make changes to the residential property assessments. I would actually like to add that to the agenda.” Supervisor Silvis asked what the School District is paying the outside agency to pursue the appeals. Supervisor Weimer said that he submitted a right-to-know request for that information and did not receive it yet because they said they needed an additional thirty (30) days to fulfill the request. Supervisor Ritson said that he believes the agency receives thirty (30) percent of what they get in the difference in year one. Supervisor Weimer continued, “They are continuing to go, as Mr. Avolio said, and they are still appealing the property owners and so that’s not changed. They just changed at their meeting last month the scope of it, I believe for the remainder of this year and for 2019. So, there are still property owners in the Township that they are still working to appeal their assessments. They are not overlooking any policies, they are just continuing to do it. They have been quite up front about that. So, as for waiting for materials to come, if they, indeed, engage and initiate an appeal of residential property, then I would like to have us go and have the Board behind our solicitor and say just leave it the same – the way that it is. Status quo and remain the same.”

Supervisor Logan asked Mr. Avolio to explain the tax assessment appeal process. Mr. Avolio commented as follows: “The tax assessment office imputes a land and an improved value on property. What is occurring is that improved land value exists until changed by some mechanism – typically, an appeal or the homeowner does it, then they are asking for a reduction. The School District, and other school districts in recent past, have been looking

at the sales price alone determining that if the property is selling for a price that is disproportionate to what its current assessed value is, they would then initiate an appeal. So, there are a number of commercial properties pending in the Township; there were twenty-nine (29) residential. That is down to one (1) residential property based upon what I understand the School District is now using as a \$250,000 differential in residential. Commercial, I think it's just a matter of what the discrepancy is. Probably most notable is the AHN (Allegheny Health Network) property on the corner of Agnew is one of the properties that are pending." Mr. Avolio further explained as follows: "I mean typically what occurs, the more typical scenario, would be a property owner, a commercial property let's just say, would come in and ask that their tax assessment be reduced. At that time the School District, the Township, and the County usually join together to object to that and proceed to get to the fair value. In this case, I think, if I'm understanding what we're getting at, is for residential properties that Hempfield Township would like it to remain at whatever figure the tax assessment board has generated so you would be supporting the County in that way. Typically, in the other school districts that I have been involved in, the County has taken that position where it's sort of really made the School District itself kind of carry the ball, if you will, instead of working together. I often times would have seen these appeals with the School District, the Township, and the County will go as far as, and this is typical of Hempfield Township, divide the costs of appraisers and expert testimony by the percentage of the taxes and in those cases that I'm talking about where the School District has initiated those, the County and the Township in the past has backed off of that." Supervisor Weimer said, "The County has already assessed the properties. I am just saying we are backing them with what they have already done and not supporting the School District and asking for a change to it, to residential properties. The School District has the behavior now to go around and asking for an increase in the assessment thereby the residents have to pay more in taxes." Supervisor Logan asked about the Court of Common Pleas. Solicitor Avolio said, "The first step is the Board of Assessment and that's what I attended Thursday, which is a three (3) member board. If either aggrieved by that decision, the three parties, you take it to the Court of Common Pleas." Supervisor Weimer said that he would wait for "New Business" to add this item to the agenda for consideration.

- i) **Dan Schmitt, Engineer** – Mr. Schmitt advised that he submitted his report last week and that there was not anything new to add.
 1. **Stamford Drive** – Mr. Schmitt commented as follows: "I'm not going to go into the whole history of Stamford Drive but the bottom line is at one point in time we looked at putting a fix to that problem behind those houses with regards to piping that stream. And that is a stream. It was not a stream thirty (30) years ago, or fifteen (15) years ago, but now it is defined as a stream by the Department of Environmental Protection and the Commonwealth of Pennsylvania. We tried to put a pipe in through there and we were disallowed. So, what we did was we backed off the scope of our project to – they allowed us to put in a permitted pipe to go beyond – from Flagstaff down beyond where the gas line is exposed. So, that was our first premise and permit that they would allow us to do. Subsequently, the right-of-way easement negotiation with West turned into an acquisition and once that became an acquisition, we had some more ground to do some work, which allowed us to take that original piping beyond the gas line and revise it again, in which we added stormwater ponds to hold some of the water back. So, this is actually the third re-design we've had with regards to this project. At this point in time, you know there's been talking back and forth about whether it was going to be done in-house or whether it was going to be done by a contractor, and you, as the Board, are going to decide that, but we have permits in place to go beyond that gas line that's exposed. At the work shop last Wednesday, we talked about

also, in addition to that, taking care of the down stream stuff. As far as permitting is concerned, we can probably get a permit to armor those embankments. That armoring would consist of rock embankments and what not, as far as filling in some of that area in order to allow water to still become what I call a stream area. They would not let us pipe it down through there but we could do rock embankments and rock. The question we're going to really come into is how do we get down there and how far do we want to go, because as the residents indicated, there are some what I call pinch points where the residents' yards – they have lost ground and there's basically a deep ditch like indicated at 12' wide and 10' deep, but then there is a steep embankment on a hillside on areas down below that we ground that we do not own. So, how we do that beyond what we have permitted to this point, you know, we have to talk about from a staff and Supervisor position. It may require us to approach those property owners and get access through driveways and what not. Just so you are aware of that.”

Supervisor Ritson asked Mr. Winters, “To update them as to where we are at, as far as how we can conduct this project, the conversations verses, you know, contracting out verses doing it in-house, since you've got some up-to-date. Let's just get it out on the table.”

Mr. Winters said, “We have been talking to our union representatives to see about doing the project in-house or contracted out. At this point, we are looking to do it as an in-house project unless we need to move forward. If we want to move forward, in better terms, negotiating with the union to get the project.”

Supervisor Ritson said, “So I want to talk this out. So, basically, I think it was Mr. Gothier described that in 2018 or at the end of 2017, work was done with the trees -- trees that were still left there was brought up – by our own department. The minute that took place, under a prior administration, in the eyes of the union, they deemed that their work – the pond construction is their work. This Board has had a number of conversations about whether or not we could get them to forgo doing that so that we could contract it out with the proper bonding and insurances and assurances that way. It doesn't appear that the union is moving off of that so, as we look to discuss this tonight, and I want it to be fully out there, where we are at, and I think all of us has shared this – if the union is insisting on doing it, and Doug, it's going to be an enormous job and I understand that you are not built for this in some ways but you know, I am unhappy that they were put there and made that claim. We still may be able to work something out but I'm not holding out hope and I'm not going to wait another month while we do that. So, at the very least, I think we need to begin to move forward with the idea that it's your project and move forward from tonight and as far as budgeting goes, you know there's some work you can get started up there looking at that work. But, I also want to bring up the idea that maybe, while you are doing some of that prep work as you are in the project, and if it's going to be an in-house project, that we consider looking at a project manager, a third party project manager, who can supervise that project directly from start to finish, even under our peoples' work because we have two (2) management employees – two (2) management level employees in the back. This project in host, in my eyes, would start immediately and go through the winter. Well, the two (2) management employees are responsible for clearing roads throughout the entire winter so I don't want that to be an excuse. So, I don't know if we can do it but I really would like to get it done and I don't want to wait to get a project manager before we start some of that work but I'm thinking that that is probably the best thing for us if this is an in-house project we need to find somebody that comes in as a project manager and has those benchmarks set and is responsible – there is a sole responsible person who holds our people accountable for getting the work done. Because these guys got to know, if they are listed on the project,

and I'll say this to the union steward, I'm not afraid to, if they are listed on the project, because they want it, then they are committed to that project from start to finish. These people deserve that. They wanted it. That is where I stand on it. You know, as far as the gas and sewer line goes, responsibility – it's a public safety issue for me so I don't know what we got to do. If you got to shake some trees, Jamie, from the safety standpoint – tell them to get out there and take a look at it, because I'm not satisfied with the responsibility stuff at this point it is exposed. You know, one crack and that sewer gets in the water and the next thing you know the DEP is going to sit on this project for another month because there is raw sewage floating in that gully. I think it's important that everybody in this room understands that, that because we did that earth moving in December, we're kind of, us, we are kind of in a bind here and we've made attempts in the last sixty (60) days to get that out so that we could move forward. We rolled the plans out Wednesday. We told them that we wanted to expand the project downstream, in still in hopes that we were going to get a favorable result from our union and they were going to allow us to bid that out, preferably tonight, we would have been able to vote to bid that out tonight. It doesn't seem that's to be the case so at that point, no more talking about that. Now we are going to have to move forward and we should move forward. That's what I want to see done and if we can do it with a project manager, I think at that point, it gets somebody accountability. Then you are not stopping on it because we don't have a supervisor that can be there responsible for the whole project all the time and it's not fair to the residents, it's not fair to you, in your department, and it's not fair to us because we want to see the project done. I mean, look, we got to talk about how we get it done with what we're faced with. And that's why I want to have the conversation out tonight. Thoughts?"

Supervisor Weimer asked, "Are we able to work with a third party for a project manager and these won't be their employees so... I definitely would say that we need the staff and our legal team to look and see if that is something that's viable. I'd be interested to see if a third party would be interested in that since they are not really their employees. I mean, I know what you are saying, and I certainly want to get this done for the residents, so, I'm very interested to see if that will work. I don't want to continue dragging things out, obviously, and I don't want the residents to be thinking that there's more changes. So, I just hopefully think do this as soon as we can. Sure. Fine with me."

Supervisor Reese asked Mr. Cisco, "Since you own it now, can you get up there and get that cleaned up?"

Mr. Cisco said, "You are the Board. You tell me to do it, and we'll do it. Like I already said."

Supervisor Reese said, "And get those trees out of there."

Mr. Cisco said, "If that's what you want me to do. We'll do that."

Supervisor Weimer said, "You're telling me that the union thinks we own this and that they're responsible for the stormwater work because they cut trees down and moved some dirt?"

Supervisor Ritson said, "That's the opinion that we got from our labor council today. Yes, since they've started the project, it is their project."

Supervisor Weimer asked, "Oh, anything that happens there is their project?"

Mr. Winters said, "Yes."

Supervisor Weimer said, "I wasn't brought up to speed on that."

Supervisor Ritson said, "Sorry, he was supposed to say that, too. We did seek legal counsel on this as well, so it's not just an objective point of view or subjective. So, I mean, we're going to have to --- the benchmarks and get it working. I do have some concerns. Look, whether that project manager is somebody from the engineering firm that can oversee this project from start to finish, or do something in that relation, it's got to be somebody who is there all the time, because the elevations are going to have to be right in that pond. And look, I want the workers that are there... Under a private deal, we'd have a bond, we'd have insurance. If it wasn't done correctly, we would be able to go after that bond. We don't have that now. But that doesn't mean that we don't hold the people that are working at that pond to the same standards that we would hold a contractor. And it's a lot of pressure, Doug. And I get it. You're not a pond builder."

Mr. Cisco said, "I'm making it clear right now. I feel that we should not be up there plain and simple. I'm making that public record that I don't think that we should be up there. If that's what we have to do, we'll do it, but I don't think my guys are capable of doing that pond with the manpower and experience on that. But, we'll do it."

Supervisor Weimer asked, "There's no way the union will back down and allow us to do this project outside."

Mr. Cisco said, "There was no negotiation. There was one thing and that was all it was. It was left at that." Supervisor Ritson said, "Well, that's fine but here is my problem. Yes. So, you are saying you only had one conversation with the union about this?"

Mr. Winters responded, "Yes, prior to Wednesday night's meeting."

Supervisor Ritson asked, "Just one?"

Mr. Winters said, "Well we had multiple conversations but we made them make a decision off of --- we haven't gone into extensive negotiating. After we... We were waiting to get the legal opinion before we went further on the negotiating."

Supervisor Ritson said, "Well, I don't want to wait while we go back and forth with the union whether they want extra overtime or lunches... that's sixteen (16) more days that the residents don't get work done. So, we are stuck. They got to get up there. If we get them up there and start doing the work now, it is what it is. It's fish or cut bait at this point. We've got to this point. So, we're moving forward. We're moving forward."

Supervisor Weimer said, "I don't want to wait either but we better have a plan that's been prepared appropriately and someone who is monitoring it to make sure that it's being carried out because it could end up costing us more money later. I don't want to have any liabilities with it either."

Supervisor Reese agreed and said, "We got to get going. That project manager. You got guys that can operate equipment, right? That's it. So, we're going to do some digging and some grading and putting pipe in. Project manager comes in and he runs the job. He has to. We got to go. We got to get it done. That's my point. Now I'd like you to get up there."

Mr. Cisco said, "We will be up there tomorrow."

Supervisor Reese said, "I want it cleaned up. That gives us time to start coming up with a more detailed plan. I do agree with the project manager that person will oversee and be responsible and will work with our guys to make sure it is constructed properly."

Supervisor Logan said, "I think we need to have some more discussion about how this project manager is going to have... I understand that you want to get started and we don't want to do the project twice. We can't afford to do the project twice. How long would it take us to get a permit for some of the down stream and bank stabilization work we talked about?"

Mr. Schmitt said, "That could fall under a GP permit, I believe. So, I don't think that's – that's a local issuance with the Westmoreland County Conservation District. I don't think that's lengthy. And due to the fact that we have mapping from the area previously, I don't think that's..."

Supervisor Reese said, "It's the access that concerns are about. "

Mr. Schmitt said, "Yes."

Supervisor Logan said, "It sounds to me like we are going to have to have an extended meeting for discussion of this whole project. Whether we do it at the next work session or whether we schedule another meeting in between, there's more to be discussed and involved here than we can decide at this meeting."

Supervisor Ritson asked, "Dan, if we were to contract it out, would you have an inspector on the site? Is this a job where, if we were to bid this out, would you have an inspector on site?"

Mr. Schmitt said, "Oh, if you bid it out I would. Yes."

Supervisor Ritson said, "Okay, so what's the difference between we're doing it in-house and you don't provide somebody in there to oversee that?"

Mr. Schmitt said, "Well, my guy just would oversee his progress. We wouldn't direct the means and methods other than seeing if he would follow the specifications as far as the design concern. You are actually sounding like you are looking for a working foreman that's going to..."

Supervisor Ritson said, "I'm looking for a leader."

Supervisor Logan said, "That's the difference of a person that's going to schedule the job, schedule the supplies to be there, schedule that the work gets done around the weather we are going to incur, and that's way beyond..."

Supervisor Ritson said, "I don't know if you are able to provide that type of ... Is your firm able to provide that type of service?"

Mr. Schmitt said "It's the first I heard of it. We typically do not do that."

Supervisor Ritson said, “And I want to go on record, for everybody in this room. This is not my preferred way of doing things, but we are boxed in because of what took place last year and where we are out right now. So, I’m with you Tom, and I’m all about – I really do want to lay it out. We did a glance look at the plans on Wednesday but I’m getting antsy too, and I want to be able to physically get up there and start helping. I know everybody up here does want to do that. We have to find a way to slow ... If we can do some work, while work on this other stuff. I want progress. They can start slow at first, but it’s got to be --- we have to start making progress up there. Another month, it’s creating anxiety for everybody -- myself included. We do need a separate meeting then with the details to discuss. The sooner the better.”

7. TREASURER’S REPORT:

Supervisor Logan advised that there was a treasurer planning meeting last Monday evening where there was discussion about a lot of details of the different departments and the Stamford Drive project. Therefore, he said, “It looks like we are going to start to build a budget and a plan for 2019.” Supervisor Ritson said, “It’s going to be one of two ways – it’s either going to be a lump sum or we’re building it into their individual budgets.” Supervisor Logan said, “Whatever it takes.”

8. PAYMENT OF BILLS:

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

a.	General Fund	\$ 596,007.03	b.	Capital Project Fund	\$ 69,730.00
c.	Light District Account	\$ 976.54	d.	Recreation	\$ 1,555.00
e.	Pop Fund	\$ 50.00			

9. SCHEDULING OF HEARINGS:

- a) **Consideration of a Motion to Authorize the Township Solicitor to Advertise for a Hearing for Textual Changes to Zoning Ordinance – Monday, October 22, 2018** – Supervisor Ritson made a motion, seconded by Supervisor Silvis, to authorize the Township solicitor to advertise for a hearing for textual changes to the zoning ordinance for Monday, October 22, 2018 at 7 p.m. Vote: 5-Yes. Motion carried.

10. DECISIONS FROM HEARINGS: None

11. SUBDIVISION PLANS:

- a) **Consideration to Approve Resolution #2018-111; Granting Final Approval to the Kolbosky Consolidation Subdivision – Plan No. 20180508:**

Location	Iowa Street
Purpose	Consolidate the two (2) parcels together to create one (1) lot
Planning Commission Recommendation	Approval 6-0
Conditions	None

Supervisor Logan made a motion, seconded by Supervisor Reese, to approve Resolution #2018-111. Vote: 5-Yes. Motion carried.

b) **Consideration to Approve Resolution No. 2018-112; Granting Final Conditional Approval for the Krueger – Spencer Subdivision & Consolidation Plan – Plan No. 20180510:**

Location	Christina Court
Purpose	To subdivide 12 feet from Lot #52 and attach it to Lot 51; then consolidate the remaining portion of Lot #52 with Lot #53
Planning Commission Recommendation	Approval 6-0
Conditions	<ul style="list-style-type: none"> • Adding the Hempfield Township Plan Number • Adding verbiage to plan to indicate the municipal waste was discovered on Lot #52

Supervisor Ritson made a motion, seconded by Supervisor Logan, to approve Resolution #2018-112 with the above-noted conditions listed. Vote: 5-Yes. Motion carried.

c) **Consideration to Approve Resolution No. 2018-113; Granting Final Conditional Approval for the Westmoreland County Housing Authority Plan No. 1 – Plan No. 20180405:**

Location	174 South Greengate Road
Purpose	Subdivide a 5-acre tract for the Odin View Apartments. Subdivide a 2-acre tract for the Westmoreland County Magistrate’s Office
Planning Commission Recommendation	Approval 6-0
Conditions	<ul style="list-style-type: none"> • DEP planning module approval

Supervisor Weimer made a motion, seconded by Supervisor Logan, to approve Resolution #2018-113 with the above-noted condition listed. Vote: 5-Yes. Motion carried.

12. SITE PLANS:

a) **Consideration to Approve Resolution #2018-114; Granting Final Approval to the Edward Barbish III Site Plan – Plan No. 20180244:**

Location	1125 Lowry Avenue
Purpose	Place a 44’ x 12’ temporary job trailer on this site, next to the existing 12’ x 18’ frame office
Planning Commission Recommendation	Approval 6-0
Conditions	None

Supervisor Logan made a motion, seconded by Supervisor Silvis, to approve Resolution #2018-114. Vote: 5-Yes. Motion carried.

b) **Consideration to Approve Resolution No. 2018-115; Granting Final Conditional Approval for the Proposed Service Facility of Best Choice Trailers Site Plan – Plan No. 20170394:**

Location	1449 Arona Road, Irwin (Former Serro Scotty Trailers)
Purpose	Proposed pull behind trailer sales and service facility to be constructed on existing site
Planning Commission Recommendation	Approval 6-0
Conditions	<ul style="list-style-type: none"> • Receipt of PennDOT HOP • Hempfield Township stormwater management approval

	<ul style="list-style-type: none"> • E & S Control approval and N.P.D.E.S. Earth Disturbance Permit is required • Plat needs to designate all of the trailer storage areas • Complete exterior lighting plans for entire site needs to be submitted and approved by the Township of Hempfield • Show right-of-way access to existing gas well
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Supervisor Ritson asked Mr. Karnash for an update on this plan, as far as the conditions listed on the agenda. Mr. Karnash said, “The conditions listed, in speaking to the ones which they are in control of, one of those being locating the areas where trailers are to be stored on the site – that condition has been met; Another one is an exterior lighting plan, which has been met. The first three (3) are outside of their control and the final one is showing right-of-way of access to existing gas well on the property. That has not been met. They do have representation in the audience if you would like to get any clarification on that.” Mr. Schmitt said, “Just as a side note, they submitted a plan that was prior to these conditions being or after our meeting on Wednesday. One of the items they did request is that they are removing the driveway off of the roadway where we have the gate. They have changed the drawing to show that that’s no longer going to be requested for a PennDot permit on that side.” Supervisor Logan asked, “Is the gate to be removed then?” Mr. Schmitt said, “Yes. It said blocked off and they had some verbiage to the affect. I can pull the drawing. It’s in my in basket. I just saw it this afternoon.” Supervisor Ritson said, “I don’t think they’re removing the gate. I think they are just blocking it off.” Mr. Karnash said, “Block off the existing gate with concrete blocks and permanently lock the gate from use.”

Supervisor Weimer made a motion to approve this with the conditions listed.

Supervisor Logan asked, “So we don’t have their right-of-way access shown on the drawing? Do we have a drawing that has the right-of-way access shown?”

Mr. Andy Gindlesperger of CME Engineering responded, “No, sir. I am the engineer on the job. I represent Best Choice Trailers. I thought I should come up and clarify some things. I appreciate all of the assistance from this point. Just going through the conditions, the driveway, I think we would like to – it’s a minimum use driveway. The PA Turnpike Commission used it when they built the bridge. They put the gravel road in there. Mr. Barrick is going to use that basically, during the winter, to get a plow up there, if he needs to, or to get trailers out of there. It’s going to be locked all other times. It is an unpermitted driveway. So, PennDOT is PennDOT. We are working on the last little comments that we have to address but it’s a thirty (30) day period each time. So, we would still like to keep that. We can run plans and resubmit. We would like to keep that as a condition – a minimum use approval. It’s not a normal driveway system -- minimum use – since it is under fifty (50) cars a day and that’s been approved by PennDOT – the use of it, but the HOP has not been. We are in the final stages of that. We would like to keep that in case Mr. Barrick wants to use that so I would like to add that as a condition. To go through the other conditions – stormwater approval is basically between Mr. Barrick and the Township for final bonding and NPDES is approved a month ago. Final NPDES approval is contingent on stormwater approval upon the normal grading permit from Mr. Siler. And the lighting plan. Getting back to the easement. This is not the first plan that has been approved for the same thing by the Board of Supervisors. This was originally approved last year so that Mr. Barrick could start construction on the building because permitting takes time, obviously, so here we are. The easement was not a requirement before and was not in the plans before and they were approved by the previous Board, some of them are still here. So, we can add then the easement on the plan and make that a condition also but the other four items we are basically in the final stages. So, we are asking for conditional

approval and if you want us to add the access easement, we can do that as well. So that is what we are asking for tonight – conditional approval with the condition of the minimum use driveway, stormwater approval, NPDES approval, lighting plan approval, and if you want the easement. Conditional approval we are asking for because those items should not take another month.”

Supervisor Weimer asked for the staff to clarify whether there is something added to what he was making a motion on as a condition? Mr. Avolio said, “The only thing that would have changed is the minimal access is not to be removed. They want to keep that. So, it is exactly like what it says. It should be required.”

Mr. Gindlesperger said, “So the gate can be locked until it’s approved, if that helps. Mr. Barrick can keep locks and block it off until he gets a permit.”

Supervisor Weimer said his motion was made and it still stands. Second by Supervisor Ritson.

Supervisor Ritson commented as follows: “Look the reality is this. As much as I have had enough of this project and you are right, we didn’t ask for the easement but we also didn’t approve lighting plan with the first site plan that is up there now. So, this is beside the point. So, if we deny this plan, we have to have a valid reasoning to deny the plan, right Scott?”

Mr. Avolio said, “Yes.”

Supervisor Ritson said, “As much as I would love to vote against it, I don’t want to put us in a legal position where we are denying it for just because it’s just a bunch of heartburn this project has been for us since the second plan. At this point, I’m seconding the motion and call for the vote but I don’t particularly like all of the conditions and I’ve told you that before. You know, if they’re fixable conditions, I don’t really want them to be fixed. The ones that are out of our control, PennDOT and stormwater, I don’t have a problem with. I’m not happy about it but I second the motion.

Supervisor Weimer made the motion, seconded by Supervisor Ritson, to approve Resolution #2018-115 with the above-noted conditions listed. Vote: 4-Yes. Supervisor Logan – No. Motion carried.

c) **Consideration to Approve Resolution No. 2018-116; Granting Final Conditional Approval for the William L. & Vicki A. Yarnell Building Addition – Plan No. 20180404:**

Location	1165 Garden Street
Purpose	Building addition
Planning Commission Recommendation	Approval 6-0
Conditions	<ul style="list-style-type: none"> Hempfield Township stormwater approval

Supervisor Logan made a motion, seconded by Supervisor Weimer, to approve Resolution #2018-116 with the above-noted condition listed. Vote: 5-Yes. Motion carried.

d) **Consideration to Approve Resolution No. 2018-117; Granting Final Conditional Approval for Odin View Apartments Site Plan – Plan No. 20180406:**

Location	174 South Greengate Road
Purpose	Construct 4-story senior apartment buildings
Planning Commission	Approval 6-0

Recommendation	
Conditions	<ul style="list-style-type: none"> • DEP planning module approval • PennDOT HOP • E & S control approval • Hempfield Township stormwater management approval

Supervisor Weimer made a motion, seconded by Supervisor Reese, to approve Resolution 2018-117 with the above-noted conditions listed. Vote: 5-Yes. Motion carried.

13. ITEMS FOR ACTION TO BE TAKEN:

- a) **Consideration to Approve Resolution No. 2018-118; Approving the Release of Financial Security for R.E. Michel Building Additions – Plan No. 20160584** – Supervisor Logan made a motion, seconded by Supervisor Ritson, to approve Resolution No. 2018-118. Vote: 5-Yes. Motion carried.
- b) **Consideration to Approve Resolution No. 2018-119; Authorizing the Execution of a Special Event Agreement Between Westmoreland Mall and CBL Management Inc. and the Township of Hempfield for the 2018 Fire Prevention Program on Tuesday, October 9, 2018** – Supervisor Weimer made a motion, seconded by Supervisor Logan, to approve Resolution No. 2018-119. Vote: 5-Yes. Motion carried.
- c) **Consideration to Approve Resolution No. 2018-120; Authorizing Westmoreland County Tax Claim Bureau to Sell Property Located at 2406 David Lane, Greensburg, PA 15601, Tax Map # 50-14-00-0-091-99-034, from the Tax Claim Bureau Repository** – Supervisor Weimer made a motion, seconded by Supervisor Logan, to approve Resolution No. 2018-120. Vote: 5-Yes. Motion carried.
- d) **Consideration to Approve Resolution No. 2018-121; Authorizing Westmoreland County Tax Claim Bureau to Sell Property Located at 2175 Nicholas Lane, Greensburg, PA 15601, Tax Map # 50-14-00-0-091-99-039, from the Tax Claim Bureau Repository** – Mr. Logan made a motion, seconded by Supervisor Ritson, to approve Resolution No. 2018-121. Vote: 5-Yes. Motion carried.
- e) **Consideration to Approve Resolution No. 2018-122; Approving the Resignation of Bruce Beitel as Safer Grant Coordinator Effective September 28, 2018 and Appointing Jamie Shaw as Interim Safer Grant Coordinator and the Township’s Primary Contact with FEMA** – Supervisor Ritson stated that he would like to add to Resolution No. 2018-122 that effective September 28th, 2018, that James Shaw and Melanie Phillips be each paid \$1,000 per month until a full-time coordinator is hired to share duties of that Safer Grant. Supervisor Weimer asked whether that money would be paid for out of the grant. Supervisor Logan said it would be paid for out of the grant. Supervisor Weimer asked whether that was permissible. Supervisor Ritson said, “At this point, you are just paying whatever the pro-rated portion of the \$25,000 or \$20,000 that you are supplementing out of Bruce Beitel’s salary can go to this and if we do our job, this should only last a month.” Supervisor Logan said it can only last a month. Supervisor Reese asked if there were any comments to the additions being made to Resolution No. 2018-122. No comments were received. Supervisor Ritson made a motion, seconded by Supervisor Logan to approve Resolution No. 2018-122, in addition to Melanie Phillips and James Shaw each receiving \$1,000.00 per month until a full-time Safer Grant Coordinator is hired and takes over said duties. Vote: 5-Yes. Motion carried.

- f) **Consideration to Approve Resolution No. 2018-123; Authorize and Submit the Application for Traffic Signal Approval to Pennsylvania Department of Transportation for Route 30 Corridor from Possum Hollow Road to North Greengate Road** – Supervisor Ritson made a motion, seconded by Supervisor Weimer, to approve Resolution No. 2018-123. Vote: 5-Yes. Motion carried.
- g) **Consideration of a Motion to Approve Submission and Establish Priority Ranking of 2019 CDBG Application** – Mr. Winters added that Application No. 1 will be the North Greengate/Pearl Heights paving areas and Application No. 2 will be demolition. Supervisor Logan made a motion, seconded by Supervisor Reese, to approve submission and establish priority ranking of 2019 CDBG Application as follows: Application No. 1 – North Greengate, Berger Plan – Pearl Heights paving area; and Application No. 2 – Demolition. Vote: 5-Yes. Motion carried.
- h) **Consideration to Approve Pay Estimate #4 in the Amount of \$85,105.75 to JT Masonry Construction for the Hempfield Park Amphitheater Construction – Contract 2/2018** – Supervisor Logan made a motion, seconded by Supervisor Weimer, to approve Pay Estimate #4 in the amount of \$85,105.75 to JT Masonry Construction for the Hempfield Park Amphitheater Construction – Contract 2/2018. Vote: 5-Yes. Motion carried.
- i) **Consideration to Approve Change Order #1 in the Amount of \$20,815.40 Reducing the A. Liberoni, Inc. Contract for the 2018 Hot Mix Paving Program – Contract 3/2018** – Supervisor Logan made a motion, seconded by Supervisor Reese, to approve Change Order #1 in the amount of \$20,815.40 reducing the A. Liberoni, Inc. contract for the 2018 Hot Mix Paving program – Contract 3/2018. Vote: 5-Yes. Motion carried.
- j) **Consideration to Approve Pay Estimate #3 in the Amount of \$245,491.31 to A. Liberoni, Inc. for the 2018 Hot Mix Paving Program – Contract 3/2018** – Supervisor Logan made a motion, seconded by Supervisor Ritson, to approve Pay Estimate #3 in the amount of \$245,491.31 to A. Liberoni Inc. for the 2018 Hot Mix Paving Program – Contract 3/2018. Vote: 5-Yes. Motion carried.
- k) **Consideration to Approve Change Order #1 in the Amount of \$3,000 to JT Masonry Construction for the Hempfield Park Amphitheater Construction – Contract 2/2018** – Supervisor Logan made a motion, seconded by Supervisor Reese, to approve Change Order #1 in the amount of \$3,000 to JT Masonry Construction for the Hempfield Park Amphitheater Construction – Contract 2/2018. Vote: 5-Yes. Motion carried.
- l) **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.	Akshai Chundru	Senior Firefighter	Hempfield #2
2.	Gabe Dodds	Jr. Firefighter	Grapeville
3.	William McHenry	Senior Firefighter	Hempfield #2
4.	Ethan Peters	Senior Firefighter	Hempfield #2
5.	Brian Ramos	Senior Firefighter	Fort Allen

6.	Jonathan Rossman	Senior Firefighter	Hempfield #2
7.	Christopher Sarracino	Transfer	Ft. Allen to Grapeville

Supervisor Logan made a motion, seconded by Supervisor Weimer, 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.

- m) **Consideration to Approve the Hire of Andrew Proch as Park Maintenance Assistant (Part-Time) at the Rate of \$11.00 Per Hour** – Supervisor Logan made a motion, seconded by Supervisor Weimer, to approve the hire of Andrew Proch as Park Maintenance Assistant (part-time) at the rate of \$11.00 per hour. Vote: 5-Yes. Motion carried.
- n) **Consideration to Approve the Hire of Morgan Sperber and Ella Hudson as HTAC Facility Attendants at a Rate of \$11.00 Per Hour** – Supervisor Ritson made a motion, seconded by Supervisor Logan, to approve the hire of Morgan Sperber and Ella Hudson as HTAC Facility Attendants at a rate of \$11.00 per hour. Vote: 5-Yes. Motion carried.
- o) **Consideration to Approve the Employment Agreement with Aaron Siko for the Position of Director of Parks & Recreation through December 31, 2020 at the Salary of \$55,000 for Years 2018 & 2019 and \$58,000 for Year 2020 (Includes Township Benefit Package)** – Supervisor Weimer made a motion, seconded by Supervisor Logan, to approve the Employment Agreement with Aaron Siko for the position of Director of Parks & Recreation through December 31, 2020 at the salary of \$55,000 for years 2018 & 2019 and \$58,000 for Year 2020 (includes Township Benefit Package). Vote: 5-Yes. Motion carried.
- p) **Consideration to Approve the Following Department of Public Works Class Changes Set Forth by the Collective Bargaining Agreement – Scott Johnson – B-Operator to A-Operator** – Supervisor Ritson made a motion, seconded by Supervisor Reese, to approve the Department of Public Works class changes set forth by the Collective Bargaining Agreement – Scott Johnson – B-Operator to A-Operator. Vote: 5-Yes. Motion carried.

14. OLD BUSINESS: None

15. NEW BUSINESS:

- a) **Consideration to Authorize the Township Solicitor to Argue to Have the Westmoreland County Tax Assessments Support the Status Quo and Not Make Changes to Residential Properties in Hempfield Township** – Supervisor Weimer commented as follows: “I’d like to bring an item up that I was talking about earlier tonight. I would like to add to the agenda to authorize the Township solicitor to argue on behalf of the Board of Supervisors to have the Westmoreland County Tax Assessment Board support the status quo and not make changes to residential property assessment requested by the Hempfield Area School District to residential properties in Hempfield Township. I make it a motion to add it to the agenda.” Supervisor Silvis seconded the motion. Supervisor Reese asked for any public comments. No comments were received. Supervisor Ritson asked, “So when it gets to the point of the Common Pleas Court, what’s our policy going to be, because at this point the School District’s got no skin in this game. So, their attorneys are fighting these arguments on their own dime. So, we are paying you to do this on every one of their residential appeals but if they go to Common Pleas Court, with that appeal, the Board needs to decide what we are going to do. Because my

impression is that the Assessment Board has been kind of, has historically or recently been backing the original fair market assessed. Mr. Avolio said, “That is right. My suggestion would be, unless something were to change, that I only would participate once we get to the Court of Common Pleas and you can decide for me not to participate at all. Value wise, a hearing or two, we are not paying an expert. Pay a couple hundred dollars in it for the Court of Common Pleas letter. I think you’re right, unless the Board of Assessment does a 180 but basically, we’re requiring the School District – they are coming in there and they are saying here is the deed for the sale of \$500,000 and here is an assessed value of \$300,000 and the Board is saying that’s not good enough. Then they get to the Court of Common Pleas and I’m hoping that one of the things and doing this globally in other cases, too, is that the School District will be required to get an appraisal because that’s the appropriate evidence about for the fair market value, not a deed alone, because they could factor in many reasons. So far, I am unaware that they have gotten an appraisal for any of the residential cases or in any other municipalities to which they represent.” Supervisor Ritson said, “I don’t think they have.” Supervisor Logan asked, “If we don’t participate, then the School District will have to foot that bill?” Mr. Avolio said, “Yes, the entire amount of the appraiser.” Supervisor Weimer said that he is not asking to share any appraisal. Supervisor Ritson said that what he is asking is that we take this consideration and limit it to the Tax Assessment Board. Any further action would require a separate discussion. Supervisor Weimer said that is all he is asking. Mr. Avolio said, “Generally I bring those cases back to you to talk about in executive session when we get to that point.” Supervisor Weimer made a motion, seconded by Supervisor Silvis, to authorize the Township solicitor to argue to have the Westmoreland County Tax Assessments support the status quo and not make changes to residential properties in Hempfield Township. Supervisor Reese asked if there were any comments to the proposed motion being added to the agenda. No comments were received. Vote: 5-Yes. Motion carried.

- b) **Schedule a Meeting for Stamford Drive Project Discussion** – Supervisor Logan recommended the public work session on Wednesday, October 17th, 2018 begin at 6 p.m. to discuss the Stamford Drive project. Supervisor Ritson agreed. Supervisor Logan said there’s going to be some preliminary work done. Supervisor Ritson said, “There is going to be a level of expectation though, from staff to have when we go to this meeting that there needs to be answers to most questions where you have to anticipate, based upon what we’ve talked about. I’m more than happy to do that in advance but we are not going to sit there and have another plan conversation. Supervisor Weimer said he will be late to the meeting because he has another commitment that night but he could call in. Supervisor Weimer asked, “Are we were having a work session discussion or are we having an action voting meeting?” Supervisor Ritson said, “Just a work session conversation.” Mr. Winters said he will advertise the Stamford Drive project discussion meeting to the public for 6 p.m. on Wednesday, October 17th, 2018 and revise the original advertisement.

16. PROCLAMATIONS:

17. SUPERVISORS’ COMMENTS:

Supervisor Doug Weimer – Supervisor Weimer commented as follows: “I appreciate the Board joining together tonight to make a statement to the School District to leave our residents alone with their tax assessments and allow them to remain as they are. I think that this whole matter has been very concerning to me because I think that it’s affecting our community in the eyes of our neighbors and for residents and businesses – anybody who is looking to come into Hempfield Township. I think it’s definitely something that could be seen as a detriment to all of the efforts of this Board over the last past decade here investing in our community and our stormwater projects,

as we are talking about tonight. Investing in the community, into our parks programs, into our roads, into our bridges that all of this effort and the money that we've invested was all part of a plan to attract new development and to attract new business which would then bring about new revenue to the Township to support our parks and recreation programs and roadways. So, whenever the School District is being what I think to be predatory, it is not something that is seen very favorably by those that want to invest in our community and bringing new developments. So, they really need to stop doing that and I will be very happy to see that they will finally stop that at some point – sooner rather than later. Looking forward to the activities that are ahead – the program at the mall with our emergency services and very happy to see that our amphitheater is just about finished and looking to the plan then that the staff is going to develop for us to really kick that off and cut the ribbon on that next year. So, I hope that that's going to be in the planning process as well.”

Supervisor Tom Logan – Supervisor Logan did not have any comments.

Supervisor John Silvis – Supervisor Silvis said, “In line of what Supervisor Weimer said, I can direct this to Rob Ritson. You probably have more knowledge than Doug or equal knowledge. Any other municipalities pursuing this?” Supervisor Weimer said that Latrobe School District was one. Supervisor Ritson said Latrobe and Greensburg Salem also. Supervisor Ritson added that most of Allegheny County has been doing it since the reassessment. In closing, Supervisor Silvis welcomed the new Parks and Recreation Director, Aaron Siko.

Supervisor Rob Ritson – Supervisor Ritson commented as follows: “Welcome Aaron. We had a planning meeting last week. I hope that we get a chance, maybe sooner than later, to talk about some ideas we have for our parks and recreation. During your interview, you said some interesting things and I'd like to flush that out a little bit more so I look forward to having that conversation as a group and with you. I want to talk about what Doug has brought up. I think that the School District did decide recently to alter their policy. I think it was very public. I think there is a considerable amount of participation and push back from our residents in Hempfield and I think that's applauding. Because when you really look at it from a municipal standpoint, we could fight or make these arguments and make these fights and it looks like the Township is fighting the School District and vice versa and then you have the good arguments, as far as development – I like to call it quantity verses the more we get the better we are. I consider it the thing. But the residents, at this particular, I think they spoke loudly as well. So, I'm really happy to see that came up. We will continue to push away. I have no problems with what we did tonight. Also, during the flood I was down here and stopped up to see the EOC and I didn't get a chance and it wasn't the time last week but the phone system was down. The Township's phone system was down, which makes the secretaries probably happy but in in a flooding situation... In that situation I went up and the EOC was flourishing and I saw Melanie there and Jason you and Tony weren't there at the time, it was probably around lunch, but Jamie was there and I saw Gary come up. He was asking me what I was doing there and I was asking him what he was doing there. Again, I really appreciate the all out – Denise was there. All hands-on deck. It's something that we've always come to expect here. It's something that has always been delivered. So, it's a standard that continues and I appreciate it as a supervisor and as a resident of Hempfield. Thank you.”

Supervisor George Reese – Supervisor Reese did not have any comments.

18. ADJOURNMENT

Supervisor Reese adjourned the meeting at 8:51 p.m.

Chairman

Secretary

PAUL GAUTHIER

"THE DITCH" – STAMFORD DRIVE

Background – The erosion has been ongoing for over 10 years. Storm water runs off onto private property. Stamford Drive homeowners have seen their property being washing away. About 9 years ago "The Ditch" was about 5 feet deep and about 5 feet wide. Today in places it is 10 feet deep and 17 feet wide.

Results of this Problem:

- Erosion and loss of private property, which is increasing
- Exposed 30 feet of sewage line
- Exposed 18 feet of high pressure gas line

Hempfield Supervisors will tell you this is not a problem. However, if debris flowing in "The Ditch" hits either of these lines the result will be a catastrophe. Do we want another California, Salem Township or Massachusetts gas explosion? This is a problem for both sides of Stamford Dr.

In regard to the sewage line, we will have a sewage backup in our homes. Guess who is liable? Hempfield Township, the sewage authority and the gas company.

Why the delay in completing this project? Excuses from Supervisors and Township employees.

- First, delay was getting DEP approval. Finally, approval was received on a portion of the project.
- Why was this project pulled in 2012? Was it the result of the Hempfield wetland fiasco? What can be done to get this project started and completed?
- Then we needed a right-of-way and easement from West Homes, Inc. After many delays, Hempfield purchased this land from West at considerable cost.
- Project was started in November 2017; trees were knocked down, a partial stone path built. Then, project was stopped because 2 gas lines were discovered that were not on approved plans, even though they were on the original blueprint.
- Per then Township Manager Andrew, waiting for approval from Water Conservation Authority. I then called that agency and discovered they had not received anything from the Township. I called Andrew back and his response that time was then changed to "oh, we're meeting with them next week".
- Project was then to start in July 2018 – The excuse this time was the snowy winter, spring rain and mud. Repairing roads was now a top priority. (This excuse issued every year). "Don't forget we have the amphitheater to complete."
- I was informed in May 2018 that project would start at end of July or first week of August 2018.
- I attended Hempfield Planning Meeting August 22, 2018. The Stamford Drive project was discussed. Results – Project not on agenda, nor for September, and it's not in the budget. What budget? These monies were already funded in 2010 with \$1.2 million. (Another excuse). This money is in an escrow account at 1st National Bank.

Goal is now October 2018 – Does Hempfield have the personnel, manpower and equipment to handle this project. Who did the work on the Fort Allen project? Proposal then made to get outside contractors to do the project. Will this be another delay or excuse since Supervisors will probably need to review bids?

There is a Township Meeting Monday September 24, 2018 at 7:00pm at the Township building. You need to attend this meeting and demand answers. One or two people will have little impact. Numbers speak loud and clear. Your voice needs to be heard! The Hempfield Supervisors need to know that they are accountable to the residents of Hempfield Township—not to just give lip service to get re-elected.

Hempfield Township created this problem by allowing storm water run off flow onto private property. It is now time for the Hempfield Supervisors to step up to the plate and take action or we elect someone who will.

Paul Gauthier
606 Stamford Dr.
Greensburg, Pa. 15601