

TOWNSHIP OF HOPEWELL
BOARD OF COMMISSIONERS
Beaver County, Pennsylvania
May 29th, 2018
BUSINESS MEETING MINUTES

7:16 P.M. **Call to Order**
Business Meeting Called to Order by President Richard Bufalini. President Bufalini indicated that the meeting is being recorded.

7:16 P.M. **Pledge of Allegiance**

7:17 P.M. **Roll Call**
President Richard Bufalini – In Attendance
Vice President Joe Kusnir – In Attendance
Commissioner David Ciccone – In Attendance
Commissioner Nick DiPietro – In Attendance
Commissioner David Swihart – In Attendance

Others Present
Marie Stratakis Hartman, P.E., Engineer/Manager
Michael B. Jones (McMillen, Urick, Tocci & Jones), Township Solicitor

7:17 P.M. **Officer Recognition**
Police Chief Brian Uhrmacher announced that the name of Officer Robert Walker, Hopewell Township's only Police Officer death in the line of duty, was placed on the Police Memorial in Washington D.C. Chief Uhrmacher and his wife, along with the family of Officer Robert Walker, were present during the police week activities in Washington D.C. and to hear the reading of Officer Robert Walker's name.

Police Chief Brian Uhrmacher recognized the following Police Officers for recent awards and accomplishments:

- Sergeant Jill Banovsky received the Beaver County District Attorney's Investigation Award for her investigation into a case involving a burglary/robbery that materialized into a larger investigation involving drug trafficking, which ultimately led to a federal conviction. Over \$15,000 in restitution was ordered to victims as a result of this investigation.
- Officer Nicollette Lopez received the Women's Center Award for her work with victims of sexual assault. Officer Nicollette Lopez was not present at the meeting this evening as she recently became a new mother.
- Officer Jared Rogers received the 2018 Officer of the Year Award. Officer Jared Rogers started as a part-time officer with the Department in 2011. He has been a full-time officer for the last four (4) years. Officer Rogers is a Physical Fitness Instructor, a Defensive Tactics Instructor, OC Spray Instructor, and is Hopewell Township's first member selected to the Beaver County Emergency Services Unit. Officer Rogers has received several Letters of Recognition and Appreciation. He also received the District Attorney's top Gun Award for Traffic Enforcement in 2015. As one of the department's initial recipients of a Physical Fitness Award, Officer Rogers recently showed leadership by example when he successfully completed the Pittsburgh Half-Marathon. Officer Rogers has been involved in two (2) suicidal person calls, and a call involving an elderly lady reporting the passing of her husband in their home. Officer Jared Rogers is described as technically sound and compassionate.

7:23 P.M. **Public Comments**
No Public Comments regarding the proposed Business Agenda.

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7:24 P.M.

Business Agenda

President Bufalini announced that the Tax Collector’s Report and Treasurer’s Report are available for public inspection at the Municipal Building.

Commissioner Kusnir: Motion to approve the April 23rd, 2018 Business Meeting minutes.

Commissioner Bufalini: Second the Motion.

Roll Call Vote:

Commissioner Swihart	Yes
Commissioner Ciccone	Yes
Commissioner DiPietro	Yes
Commissioner Kusnir	Yes
Commissioner Bufalini	Yes
Motion Carried	

Commissioner Ciccone: Motion to approve the List of Bills dated May 29th, 2018, as presented: General Fund \$49,776.47; Sewer Fund \$10,508.91; and Capital Improvement Fund \$1,066.00.

Commissioner Swihart: Second the Motion.

Roll Call Vote:

Commissioner Swihart	Yes
Commissioner Ciccone	Yes
Commissioner DiPietro	Yes
Commissioner Kusnir	Yes
Commissioner Bufalini	Yes
Motion Carried	

Commissioner Kusnir: Motion to approve the Tax Collector’s Monthly Report for the month of April, 2018 for Tax Year 2017.

Commissioner Swihart: Second the Motion.

Roll Call Vote:

Commissioner Swihart	Yes
Commissioner Ciccone	Yes
Commissioner DiPietro	Yes
Commissioner Kusnir	Yes
Commissioner Bufalini	Yes
Motion Carried	

Commissioner Kusnir: Motion to approve the Tax Collector’s Monthly Report for the month of April, 2018 for Tax Year 2018.

Commissioner Ciccone: Second the Motion.

Roll Call Vote:

Commissioner Swihart	Yes
Commissioner Ciccone	Yes
Commissioner DiPietro	Yes
Commissioner Kusnir	Yes
Commissioner Bufalini	Yes
Motion Carried	

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Commissioner Swihart: Motion to approve the improvement and repair of the walking trail between Shelter #3 and Shelter #4 by Friends of Hopewell Park. All proposed work is to be coordinated with Park Superintendent Carl Wagner and Engineer/Manager Marie Hartman.

Commissioner DiPietro: Second the Motion.

Roll Call Vote:

Commissioner Swihart Yes
Commissioner Ciccone Yes
Commissioner DiPietro Yes
Commissioner Kusnir Yes
Commissioner Bufalini Yes
Motion Carried

Commissioner Kusnir: Motion to approve the annual Preventive Maintenance Agreement with TUDI Mechanical Systems, Inc. for the Municipal Building HVAC System in the amount of \$2,424.00 per year commencing on June 1st, 2018.

Commissioner Ciccone: Second the Motion.

Roll Call Vote:

Commissioner Swihart Yes
Commissioner Ciccone Yes
Commissioner DiPietro Yes
Commissioner Kusnir Yes
Commissioner Bufalini Yes
Motion Carried

7:27 P.M. **Commissioner’s Reports**
No Commissioner Reports.

7:27 P.M. **Department Reports**
The various Department Reports were presented and are on file at the Hopewell Township Municipal Building.

Police Chief Brian Uhrmacher, Sewer Department Superintendent Chris Thompson, Road Department Superintendent Dave Kriger, Zoning Officer John Bates, and Engineer/Manager Marie Hartman presented their respective reports.

7:38 P.M. **Old Business**
No Old Business.

7:38 P.M. **New Business**
No New Business.

7:38 P.M. **Citizen’s Forum**
Brigette Kelly Omlor, 3005 School Street, Hopewell Township
Ms. Omlor indicated that she lives right below the HAP center and asked “What is going in the HAP center?” Ms. Omlor indicated that she has heard rumors that the facility will be a personal care home, and other rumors indicating that it will be a drug and alcohol center.

Solicitor Mike Jones
Solicitor Jones reported that he has reviewed the Zoning Hearing Board Transcript concerning this matter and it was not clear to him as to what the proposed use is for this property. Consequently, Solicitor Jones indicated that the Applicant must submit a Zoning Permit Application to delineate what it is they are proposing to do. In addition to the

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Zoning Permit Application, the Applicant would need to obtain a Building Permit and an Occupancy Permit, none of which have been received by Hopewell Township yet.

Patrick LaSala, 1079 Tee Line Drive, Hopewell Township

Mr. LaSala asked "Who decides if that use is appropriate?"

Solicitor Mike Jones

Solicitor Jones indicated that the Zoning Hearing Board has already approved an Extended Care Facility at that location. The definition of Extended Care Facility is very broad. The testimony presented at the Zoning Hearing Board Hearing was not as specific as we think it should have been, which is the reason that Hopewell Township is requesting more information in the form of a Zoning Permit Application. Building Permits are reviewed by Hopewell Township.

Patrick LaSala, 1079 Tee Line Drive, Hopewell Township

Mr. LaSala indicated that Clairmont Manor residents were not notified via individual letter.

Solicitor Mike Jones

Solicitor Jones informed that requirements contained within the Municipalities Planning Code (MPC), which is a Pennsylvania Statute, and the Hopewell Township Zoning Ordinance, dictate who is to be notified directly and dictate the public notice requirements. Only properties that adjoin the subject property or properties located within a certain distance are notified directly. Zoning Officer John Bates followed the notification requirements and notified all property owners within 200 feet of the subject property, placed a notice in the Beaver County Times, and posted a notice at the subject property.

Zoning Officer John Bates

Zoning Officer John Bates has a list of which properties were given an individual notice. All properties within 200 feet were provided with an individual notice.

Carmen Mancini, 3000 School Street, Hopewell Township

Mr. Mancini commented that something this serious should have been notified to the people.

Logan Mehalich, 199 Edgewood Avenue, Hopewell Township

Mr. Mehalich is concerned about speeding and vehicles running the stop sign at the intersection of Temple Road and Edgewood Avenue. Mr. Mehalich would like a "Children at Play" or similar sign or paint "Stop" on the roadway. Mr. Mehalich has confronted several culprits, who are his neighbors, concerning this matter. Engineer/Manager Marie Hartman will discuss this matter with Police Chief Uhrmacher for follow-up.

Lee Ann Spear, 3201 McConnell Street

Ms. Spear indicated that her home is her biggest investment. Ms. Spear is concerned about increased volume of traffic passing through her neighborhood because Heights Road has reopened. The subject building is in the middle of a residential area, and she is concerned that her property value may be affected. Ms. Spear indicated that she has always tried to be a good citizen, and asked the Board of Commissioners to take the big picture into account when making this decision.

Donald McCoy, 3204 McConnell Street, Hopewell Township

Mr. McCoy posed three questions:

1. Why would you approve a variance for something that is so vague?
2. Will you allow a Drug Treatment Facility?
3. If so, why would you do so in a residential area?

Solicitor Mike Jones

Solicitor Jones indicated that we do not know yet what type of business is planned for the Five Points School building. The Applicant proposed an Extended Care Facility, which is permissible by the Zoning Ordinance as a Special Exception in this Zoning District. Consideration of Special Exceptions are heard by the Zoning Hearing Board, not the Board of Commissioners. The Zoning Hearing Board is a separate and distinct board and

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is charged with hearing request for Special Exceptions. The Applicant submitted an Application for an Extended Care Facility and did not specify any additional information as to the particular intended use. Solicitor Jones stated that nothing in the Zoning Ordinance prohibits a Drug and Alcohol Treatment Facility in this Zoning District as a Special Exception. The law does not allow you to prohibit a particular use.

Donald McCoy, 3204 McConnell Street, Hopewell Township, PA

Mr. McCoy is opposed to having a Drug and Alcohol Treatment Facility 80 yards from his home. He indicated that these types of facilities have poor success rates. Mr. McCoy states that he drives past a methadone clinic on his way to work and people back out in front of him.

Thomas Rohm, 225 Sharon Grange Road, Hopewell Township, PA

Mr. Rohm is here to discuss Township Ordinance 08-13. Mr. Rohm asked the Board of Commissioners “Why do we have this Ordinance?” and “Why don’t we enforce this Ordinance?” Mr. Rohm’s complaint involves the deterioration of sidewalks throughout Hopewell Township. Mr. Rohm stated that he believes that Zoning Officer John Bates has been ordered to “stand down” and not enforce this Ordinance by the Board of Commissioners. Mr. Rohm recently posted five (5) photos of deteriorated sidewalks on Facebook to the Hopewell Township Connect page. Mr. Rohm opines that people “don’t have any pride in their property” and has received similar comments from his out of town visitors. Mr. Rohm “does not care to hear the poor mouth stories” as to why residents cannot repair or replace their sidewalks, and Mr. Rohm believes that Hopewell Township should arrange low interest loans with lending institutions to help the residents. Mr. Rohm indicated that when people purchase a home with a sidewalk, they accept the responsibility of maintaining and repairing the sidewalk. Mr. Rohm indicated that if Hopewell Township is not going to enforce this ordinance, then why does Hopewell Township continue to allow sidewalks to be installed in the new plans – namely Clairmont Manor?

Commissioner Richard Bufalini

Commissioner Bufalini indicated that the Ordinance does require that sidewalks are maintained by the homeowner. Hopewell Township has enforced the Ordinance and will continue to enforce the Ordinance, with the understanding that hardship cases do exist. Commissioner Bufalini strongly disagrees with Mr. Rohm in that Hopewell Township has not declined over the years. Hopewell Township has new housing being built and new development being planned and constructed. Commissioner Bufalini emphatically stated that the Board of Commissioners never advised Zoning Officer John Bates to not enforce the sidewalk Ordinance. Zoning Officer John Bates does enforce the sidewalk Ordinance.

Unidentified Resident

An unidentified resident complained about the Skeriotis property across from Dollar General. Commissioner Bufalini indicated that the property owner has been taken to the magistrate on several occasions concerning this matter.

Zoning Officer John Bates

Zoning Officer John Bates stated that he has never been told by any Commissioner not to enforce the Sidewalk Ordinance. Zoning Officer John Bates works diligently to correct all property complaints and have the complaint addressed. Zoning Officer John Bates would rather see the \$1,500 fine from the Magistrate used to fix the problem, not to be levied as a fine and have the problem remain. Zoning Officer John Bates reviews the sidewalks every year and sends letters – some get fixed and some do not get fixed. Zoning Officer John Bates hears and is sympathetic to financial and practical hardships that people have concerning sidewalk repair, and uses his judgement to do the best job possible to get the problem resolved. Zoning Officer John Bates is aware of the problem areas.

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Engineer/Manager Marie Hartman

Engineer/Manager Marie Hartman stated that when roads are paved, Hopewell Township encourages residents to repair/replace their sidewalks and works with them. Zoning Officer John Bates is involved in this process and is very helpful in making these improvements happen. To say that Zoning Officer John Bates does not enforce the sidewalk ordinance is incorrect.

Zoning Officer John Bates indicates that he deals with much more than sidewalks – sidewalks are not his only responsibility.

Jon Barna, 3206 McConnell Street, Hopewell Township

The property behind Dollar General is littered with garbage and trash. Zoning Officer John Bates has discussed this matter with Dollar General in the past and will approach them again. Mr. Barna also complained about the condition of the Skeriotis property.

Commissioner Joe Kusnir

Commissioner Kusnir stated that Hopewell Township has been addressing the Skeriotis property for many years, and this matter is progressing through the court system. Hopewell Township cannot control the pace at which the court system proceeds. Commissioner Kusnir informed Mr. Rohm that his son was a Commissioner and had majority control of the Board of Commissioners and did not, at that time, address the sidewalk issue. Mr. Rohm's son and the Board of Commissioners could have approached every citizen with sidewalks and enforced the sidewalk Ordinance. No one has directed Zoning Officer John Bates to "stand down" and not enforce the sidewalk Ordinance. Commissioner Kusnir believes that the sidewalk Ordinance should be enforced, and he is appalled by the Skeriotis property. Commissioner Kusnir stated that Mr. Rohm does not have a sidewalk and does not have to worry about repairing or replacing a sidewalk. Commissioner Kusnir stated that perhaps Mr. Rohm should start a fund to help elderly citizens who do not have the financial means to repair or replace their sidewalks. Commissioner Kusnir suggested that Mr. Rohm put his "money where his mouth is" and help these elderly citizens. It is easier to complain about the sidewalks than it is to approach an elderly citizen and force them to spend money that they do not have to repair or replace a sidewalk.

Ron Rossi, 2008 Casey Drive, Hopewell Township

Mr. Rossi, a resident of Clairmont Manor, is requesting that Stop Signs and Street Signs be installed in Clairmont Manor ASAP. Residents and visitors are speeding through the development, and without street signs, emergency vehicles will not know where to go. Zoning Officer John Bates informed that Street Signs and Stop Signs have been ordered but not yet received. Both Street Signs and Stop Signs will be installed as soon as they are received from the manufacturer.

Sandy Giordano, Washington Street Apartments, Hopewell Township

Sandy Giordano commented that the condition of the roadway and parking area associated with the Hopewell Township Shopping Center and the entrance/exit driveway from Our Lady of Fatima are in poor condition and have very large potholes. Both are privately owned and not the responsibility of Hopewell Township. John Bates indicated that he will contact Schreiber Company concerning the poor condition of their parking lot and access roadways.

Jim Skal, 1223 Buchanan Avenue, Hopewell Township

Jim Skal started Outdoor Immersion (a 501c3), that works with at-risk youth, people in recovery from addiction and incarceration, and veterans. Mr. Skal is in favor of a Drug and Alcohol Treatment Facility at the former Five Points Elementary School, and feels that it will help Hopewell Township residents to unite against addiction. The patients of these facilities are people are trying to get help and trying to get clean. Many patients are veterans that have had medical issues that resulted in their addiction to prescription drugs and ultimately to opioids. These veterans are trying to get help with their addiction. Mr. Skal stated that we need to be neighbors and help one another as a community. Mr.

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Skal stated that every mental and behavioral health organization in Beaver County received an RFP for funds to do this type of treatment, including Gateway Rehabilitation. Many organizations, including Gateway Rehabilitation, submitted a response for the RFP. Beaver County Behavioral Health submitted a response to the RFP and was awarded the funds for this project. Gateway was trying to get the school and do this work. Mr. Skal stated that the bottom line is that the problem exists in Hopewell. Mr. Skal is a member of the Magisterial Diversion Team for Hopewell and Aliquippa and has access to information. Mr. Skal wants to encourage the Board of Commissioners, as they go through this process that has already been approved by the Zoning Hearing Board, to consider "How do we help those that are addicted, sometimes through medical prescriptions and sometimes through no fault of their own, to get clean?"

Mary Lou Klemencic, 2407 Martha Street, Hopewell Township

Mary Lou Klemencic is a nursing home administrator by trade and is employed as the Director of Health Information Management for Gateway Rehabilitation Center. Ms. Klemencic stated that Gateway Rehabilitation did not submit an RFP for School Street. Beaver County received over \$2.8 million of grant money that was given to a Philadelphia based developer to turn the former Five Points Elementary School into a drug and alcohol facility. How did this get through the Zoning Board with the vague information on the application? Ms. Klemencic stated that this facility was advertised as an extended care assisted living facility, not a drug and alcohol detox or inpatient facility. We asked the solicitor to go back to the developer to get more information. The people would like to know what is going in at this location. Beaver County knows that this is targeted for a drug and alcohol facility. Ms. Klemencic stated that Gateway Rehabilitation did apply for the funding to be used at their existing facility in Center Township, not to be used to open a new facility in Hopewell Township. Gateway Rehabilitation has available beds at their Center Township.

Solicitor Mike Jones

Solicitor Jones indicated that Hopewell Township has not yet received a Zoning Permit Application from the developer. Solicitor Jones intends to speak with the Developer's attorney tomorrow to get some clarification. Solicitor Jones stated that there is not an approval for a drug and alcohol treatment facility at that location.

The Zoning Hearing Board only meets upon request. If this matter goes back to the Zoning Hearing Board, the meeting will be advertised on the web site.

The Zoning Permit Application will be submitted to the Board of Commissioners for review.

8:27 P.M.

Announcements

The Hopewell Township Rec-On-The-Run Program and Camp Lakewood program begin on Monday, June 4th, 2018.

Please visit our website at www.hopewelltpw.com, our Facebook page, and Twitter, for updates on Hopewell Township news and events.

8:28 P.M.

Executive Session-Beginning

The Board of Commissioners entered into Executive Session to discuss Police Department personnel issues (FMLA requests, Police Contract issues).

9:00 P.M.

Executive Session-End

9:00 P.M.

Adjournment

Commissioner DiPietro: Motion to Adjourn.

Commissioner Ciccone: Second the Motion.

Voice Vote:

All in Favor

Motion Carried

Minutes Recorded By: Marie S. Hartman 05/29/2018

Minutes Prepared By: Marie S. Hartman 06/05/2018