

APPLICATION FOR SOLICITOR'S PERMIT

Name of Applicant _____
(Last) (First) (MI)

Present Address _____

Present Phone Number _____ How long have you lived at this address? _____

Company/Business you are representing _____

Company/Business Address _____

Company/Business Phone _____

Type of Merchandise/Goods/Services _____

Time associated with above firm: _____

Names of the three most recent cities/communities where you have solicited door to door: _____

DESCRIPTION OF APPLICANT

SSN: ___ - ___ - ___ DOB ___ / ___ / ___ Place of Birth _____ HT _____ WT _____

Eye Color _____ Hair Color _____

Have you ever been arrested? Yes No If so, date of arrest _____

Location of arrest _____ Charge _____

Make of Automobile to be used _____ Model _____ Year _____

Color _____ License No. _____

Driver's License No. _____
(State) (Number)

Are any other vehicles going to be used? Yes No If yes, how many? _____

List Make, Model, Year, Color, License Plate of all vehicles to be used: _____

Applicant's Signature: _____

Date of Application: _____

APPROVED: _____
(Chief of Police)

Hopewell TWP Board of Commissioners
Manager-Secretary

ORDINANCE NO. 2011-01

AN ORDINANCE OF HOPEWELL TOWNSHIP, BEAVER COUNTY,
PENNSYLVANIA ESTABLISHING PROCEDURES AND REGULATIONS FOR
ALL PEDDLING AND SOLICITING ACTIVITIES FOR THE PROTECTION AND
MAINTENANCE OF HEALTH, SAFETY AND WELFARE OF THE
INHABITANTS OF THE TOWNSHIP

NOW THEREFORE, BE IT ENACTED AND ORDAINED as follows:

1. This Ordinance shall be known as the Peddling and Soliciting Ordinance.

2. Purpose.

To regulate the distribution of certain materials, peddling, soliciting and related activities within Hopewell Township. The registration of persons engaged in the above-mentioned activities is required so that the identity of persons going door-to-door or distributing materials within the Township may be established, so that general regulations may be more effectively enforced for the protection and maintenance of the health, safety and welfare of the inhabitants of the Township and to prevent dishonest business practices and deter criminal activity in the Township.

3. Definitions.

Distributor – Any person who distributes or causes to be distributed on any public place within the Township any handbill, advertisement, circular, card, pamphlet or printed material of any kind other than a regular delivered newspaper, magazine or periodical.

Merchandise -- All goods, wares, food, meat, fish, ice cream, fruit, vegetables, magazines, periodicals, printed materials, farm products, services and orders, or contracts for orders, home improvements or alterations and anything that may be sold or distributed by peddlers, solicitors or distributors as defined herein.

Peddler – Any person, whether a resident of the Township or not, who goes from house to house, from place to place or from street to street traveling by foot, automotive vehicle or any other type of conveyance, carrying or transporting merchandise for the purpose of selling or delivering the merchandise to customers.

Person – Any natural person, partnership, association, firm or corporation.

Solicitor – Any person, whether a resident of the Township or not, who goes from house to house or from place to place traveling by any form of conveyance, soliciting, taking or attempting to take orders for the sale of merchandise or services of any kind for future performance or delivery, whether or not he/she be collecting advance payments of such sales or orders, or who engages in these types of activities in any public place, The word “solicitor” shall include “canvasser”, “peddler”, “transient

merchant” or any person who goes from door to door as described herein for the purpose of soliciting in any form.

4. Registration Required.

It shall be unlawful for any peddler, solicitor, distributor or transient merchant to sell, offer for sale or distribute merchandise, printed material or services within the Township without first filing an application for registration and obtaining permission from the Township.

5. Permits.

Upon obtaining a permit, a peddler, solicitor, distributor or transient merchant may conduct his/her activities within the Township only so long as he/she adheres to the regulations as set forth herein and carries the permit upon his/her person at all times during the conduct of services. The permit shall identify the person and the type of activity for which registered and shall be shown to any citizen upon request. All permits shall expire upon the dates shown thereon. The Township Manager is hereby authorized to suspend or revoke any permit issued hereunder when not in full compliance with this ordinance or when deemed beneficial to the health, safety and welfare of the Township and its inhabitants or for providing false information on the application for said permit. Any person aggrieved by the action of the Manager in denying or revoking/suspending a permit under this ordinance shall have the right to appeal such action to the Township Board of Commissioners. Every such appeal shall be in writing, setting forth the matters objected to, and shall be filed with the Township Manager no later than Ten (10) days after the action being appealed. Such appeal shall be heard by the Board of Commissioners at its next regular meeting or within 10 days following the filing of the appeal whichever shall occur later. No refund for fees paid shall be issued in the event of a revocation or suspension unless said revocation or suspension is reversed on appeal.

6. Permit & Application.

Every applicant for a permit shall file with the Township a written application which shall give the following information and/or documents:

- (1) The name and description of the applicant and/or organization.
- (2) The permanent home address and full local address of the applicant.
- (3) A statement of the nature of the activity and a description of all materials or services to be offered.
- (4) If employed, the name and address of the employer including credentials establishing the exact relationship.
- (5) The length of time for which the permit is desired.
- (6) If a vehicle is to be used, a description of it and license information.
- (7) A copy of Photo Identification.

7. Fees.

The fee to be paid in conjunction with the issuance of a permit, payable at the time of issuance of the permit, shall be set by Resolution of the Board of Supervisors of the Township. Such fees as

imposed shall be for the purpose of defraying the costs of administering and enforcing the provisions of this Ordinance.

8. Issuance of Permit.

Upon receipt of the completed application and payment of the required fee, a permit may be issued by the Township. The permit shall give appropriate information to identify the applicant and the activity of involvement. The decision to issue or deny a permit shall be made no later than Five (5) days following submission of all information required by this ordinance and payment of the required fee.

9. Restrictions.

No person shall:

- (1) Peddle, solicit or distribute merchandise EXCEPT between the hours of 9:00a.m. and 5:00 p.m. Monday through Saturday (with the exception of members or representatives of religious or political organizations which are exempt by the First Amendment) unless specifically invited or having made an appointment.
- (2) Attempt to peddle, solicit or distribute merchandise or printed material without first identifying oneself and displaying the required permit.
- (3) Have exclusive right to any location wherein the operation may impede or inconvenience the public health, safety and welfare.
- (4) Conduct oneself in such a manner as to become objectionable or to annoy an occupant of any residence.
- (5) Enter any residence of the Township without an express invitation from the occupant of the residence.
- (6) Distribute any merchandise or printed material which advocates unlawful conduct.
- (7) Litter any areas within the Township with any merchandise or printed materials.
- (8) Violate any Ordinance of the Township or Law of the Commonwealth of Pennsylvania.
- (9) Peddle, solicit or distribute on holidays.

10. Exemptions.

The following persons or organizations are exempt from the payment of fees upon compliance with all other provisions of this ordinance and submission of applicable information to support the claim of exception:

- (1) Any charitable or religious society that shall conduct solicitations or sales of personal property when the proceeds thereof shall be applied to charitable or religious object for which the society exists.
- (2) Any person engaged in door-to-door canvassing, religious proselytizing, anonymous political speech and the distribution of handbills of a noncommercial nature deemed to be protected speech under the First Amendment to the United States Constitution.

- (3) Any person engaged in the delivery of goods or merchandise in the regular course of business.
- (4) Any school, political or civic organization, benevolent society, service club or organization, not for profit.
- (5) Persons conducting a bona - fide auction sale pursuant to law or a sale required by statute or by order of any court.
- (6) Minors (Township resident/school children under 16 years old) involved in the sale or solicitation, provided however, that such persons are working as agents for an organization.

11. Interpretations.

This ordinance shall not be applied so as to place any undue burden upon interstate commerce with respect to any business or activity referred to herein. It is the intent of this ordinance to protect the health, safety and welfare of the inhabitants of the Township and not to unduly regulate or control the proper conduct of any business or commercial property.

12. Enforcement Remedies.

The following enforcement remedies shall be available to the Township:

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$ 500.00 plus all court costs, including reasonable attorney's fees incurred by the Township as a result thereof:
 - (1) No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice.
 - (2) If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure.
 - (3) Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.
 - (4) All judgments, costs and reasonable attorney's fees collected from the violations of the ordinance shall be paid to the Township.
- B. The Court of Common Pleas, upon petition, may grant a order of stay, upon cause shown, tolling per diem fine pending a final adjudication of the violation and judgment.

- C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

13. Severability.

The provisions of the ordinance are severable, and if any section, clause, sentence or part or provision thereof shall be held illegal, invalid or unconstitutional, the decision of the court shall not affect or impair the remaining parts and provisions of this ordinance.

14. Repealer.

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict. This provision specifically repeals Ordinance No. 75-3.

ENACTED AND ORDAINED into law this 24th day of January, 2011.

ATTEST:

TOWNSHIP OF HOPEWELL

BY: Andy Brunette
Andy Brunette, Manager
Hopewell Township

Board of Commissioners

BY: Richard Bufalini
Richard Bufalini, President

**HOPEWELL TOWNSHIP
BOARD OF COMMISSIONERS MEETING**

The regular monthly meeting of the Hopewell Township Board of Commissioners was held on Monday, January 24, 2011 at 7:10 p.m. at the Hopewell Township Municipal Building, Clark Boulevard, Aliquippa, PA 15001.

President Rich Bufalini presided and asked everyone to rise for the flag salute and announced that the meeting is being tape recorded.

The Opening Prayer was given by Andy Brunette, Township Manager/Controller.

ROLL CALL - COMMISSIONERS

Mr. Kusnir - Present
Mr. Rohm - Absent
Mr. Kraus - Present
Mr. Bufalini - Present

OTHERS PRESENT

Andy Brunette - Township Manager/Controller
Marie Stratakis Hartman - Widmer Engineers
Chas Srafin - Public Works Superintendent
Patricia L. Owens - Recording Secretary
Diane Palsa - Treasurer/Tax Collector
John Bates - Zoning Officer
Michael Jones - Solicitor
Chief Gene Ungarean - Hopewell Police Department

A public hearing was conducted by Mike Jones, Township Solicitor, on Ordinance No. 2011-01, an Ordinance of Hopewell Township, Beaver County, Pennsylvania establishing procedures and regulations for all peddling and soliciting activities for the protection and maintenance of health, safety and welfare of the inhabitants of the township. This Ordinance repeals Ordinance No. 75-3. Said Ordinance was advertised in the Beaver County Times in accordance with the requirements for its adoption.

Mr. Kraus: Motion to adopt Ordinance No. 2011-01 an Ordinance of Hopewell Township, Beaver County, Pennsylvania establishing procedures and regulations for all peddling and soliciting activities for the protection and maintenance of health, safety and welfare of the inhabitants of the township.

Mr. Kusnir: Second the motion.

Board of Commissioner's Meeting

January 24, 2011

Page 2

Roll Call Vote: Mr. Kusnir- Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes

Public Comments Regarding the Business Agenda Proposed Action

None

BUSINESS AGENDA

The Tax Collector and Treasurer's reports are available for public inspection at the municipal building.

BUSINESS MEETING MINUTES

Mr. Kusnir : Motion to approve the business meeting minutes of November 22, 2010.

Mr. Kraus: Second the motion.

Roll Call Vote: Mr. Kusnir- Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes

TAX COLLECTOR'S REPORT

Diane Palsa, township tax collector gave the tax collector's report for the month of December, 2010.

Mr. Kraus : Motion to approve the tax collector's report for December, 2010.

Mr. Kusnir: Second the motion.

Roll Call Vote: Mr. Kusnir- Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes

TREASURER'S REPORT

Diane Palsa, township treasurer, gave the treasurer's report for the month of December, 2010.

Board of Commissioner's Meeting

January 24, 2011

Page 3

Mr. Kusnir: Motion to approve the treasurer's report for the month of December, 2010.

Mr. Kraus: Second the motion.

Roll Call Vote: Mr. Kusnir- Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes

LIST OF BILLS

Mr. Kraus: Motion to approve the List of Bills for January 24, 2011.

Mr. Kusnir: Second the motion.

Roll Call Vote: Mr. Kusnir - Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes, but abstaining from Bufalini's Plumbing, page 2.

Mr. Kraus: Motion to approve the blocking of August 20, 2011, pavilions #1 and #2 for the Hopewell Football mothers' hosting of a Sports Bash. Hopewell Football Mothers are to pay full rate of rental for each pavilion. In addition, they are to also rent pavilion #1 for the following day, which is Sunday, to ensure clean-up and take-down of tents. The Park Board also is requiring a \$500.00 deposit to be returned only after the caretaker or Carl Wagner inspects the areas. Recommended by unanimous vote by the Park Board.

Mr. Kraus: Second the motion.

Roll Call Vote: Mr. Kusnir - Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Yes
 Mr. Bufalini - Yes

SWEARING IN OF APPOINTED COMMISSIONER NICKOLAS J. DIPIETRO

District Magistrate Janet Swihart was present to swear in Nickolas J. DiPietro as newly appointed commissioner of Hopewell Township, filling the vacancy of Chuck Piroli, who recently resigned from his position as Vice President Commissioner.

COMMISSIONERS' REPORTS

None

Board of Commissioner's Meeting

January 24, 2011

Page 4

MANAGER'S REPORT

Andy Brunette, Township Manager/Controller gave his report for the month of December, 2010.

ADMINISTRATION AND SEWER REPORTS

Mr. Brunette also gave the administrative and sewer reports for the month of December, 2010.

ENGINEERING REPORT

In addition to her written report, Mrs. Hartman briefly covered these items:

- (1) Laird Road – Erosion and Sediment Control Plan
- (2) Verizon pole location

WATER POLLUTION CONTROL REPORT

Chas Srafin, the public works superintendent, gave the water pollution control report for the month of December, 2010, prepared by Rich Boguszewski, operator in charge.

ROAD DEPARTMENT

Chas Srafin, the public works superintendent, gave the road department report for the month of December, 2010.

POLICE REPORT

Chief Gene Ungarean gave the police department report for the month of December, 2010.

PLANNING/ZONING REPORT

Mr. Bates, the planning and zoning officer did not give a report this month.

The following reports are on file: Water Pollution Control, Road Report, Police Department, Hopewell Township Planning & Zoning Commission, Beaver County Planning Commission, Sewer Authority, Volunteer Fire Department, and Veteran's Service Center for the month of December 2010.

OLD BUSINESS

None

Board of Commissioner's Meeting

January 24, 2011

Page 5

NEW BUSINESS

Mr. Kusnir: Motion to nominate Norm Kraus to fill the vacant position of Vice President of the Board of Commissioners.

Mr. Bufalini: Second the motion.

Roll Call Vote: Mr. Kusnir- Yes
 Mr. Rohm – Absent for vote
 Mr. Kraus – Abstain
 Mr. Bufalini - Yes
 Mr. DiPietro - Yes

CITIZEN'S COMMENTS

Rose Marie McCallum
1018 Duke Street

Mrs. McCallum said that she feels the sewer and garbage rates being increased, as well as the taxes is a hardship on the residents. She wanted to know if there was any way to cut the budget so that these increases wouldn't be necessary.

Commissioner Bufalini explained that the reserve is gone and now the township expenses are higher than the incoming revenue. It is absolutely necessary to raise certain budget items in order to cover the expenses. Mr. Bufalini added that the township budget is much like a household budget on a larger scale.

John Lopata
Woodlawn Park

Mr. Lopata wanted to know if the commissioners were still going to get their pavilion rentals before the general public on February 21st. He feels they should have to stand in line like the rest of the residents.

Commissioner Bufalini said they will not be getting the pavilions first this year, but will take their turn with the other residents.

Mr. Lopata also wanted to commend the road department for the excellent job they have been doing during the snow season.

Board of Commissioner's Meeting

January 24, 2011

Page 6

Steve Coley
2007 Timber Lane

Mr. Coley asked if any vehicles had been towed during the recent snow removal in the township. Chas Srafin indicated there hadn't been any as yet. Mr. Coley also asked who did the towing for the township. Mr. Srafin said that Junak's and another company that he wasn't sure of the name, did the towing for us.

Jamie Young
Physical Therapist
Hopewell Shopping Center

Mr. Young is in the process of opening a physical therapy office at the Hopewell Shopping Center. He wanted the township to be aware that Peg Russell who works for Code Systems, our building code inspectors, has been very uncooperative and sometimes rude in his dealings with her. He feels they should be more cooperative in encouraging new business in Hopewell Township instead of having a poor attitude. He stated that Andy Brunette, the township manager, and John Bates, the zoning officer, have been very helpful to him.

Brad Batchelor
111 Beaver Street

Mr. Batchelor inquired as to why he was not re-appointed as a member of the park board when his term recently expired. He said he was interested in remaining as a park board member.

Commissioner Bufalini told him to stay after the meeting and they would discuss it at that time.

ANNOUNCEMENTS

Hopewell Township's 2011 park pavilion sign-ups will take place on February 21, 2011 at 9:00 a.m. Please note that the first week of pavilion sign-ups are for Hopewell residents only. For more information please contact Hopewell Township's administration department.

ADJOURNMENT

Mr. Kraus: Motion to adjourn.
Mr. Kusnir: Second the motion.

All present voted in favor to adjourn by voice vote.
The meeting adjourned at 7:50 p.m.

RESOLUTION R-2011-07

**A RESOLUTION OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY,
PENNSYLVANIA ESTABLISHING A STANDARD PERMIT FEE AND DAILY FEE
FOR ALL PEDDLING AND SOLICITING ACTIVITIES IN HOPEWELL TOWNSHIP
IN ACCORDANCE WITH ORDINANCE NO. 2011-01**

BE IT RESOLVED by the Board of Commissioners of the Township of Hopewell, a Municipal Corporation situated in the County of Beaver and the Commonwealth of Pennsylvania, and it is hereby resolved:

SECTION 1 That the permit fee of One Hundred dollars \$100.00 and a daily fee of Fifty \$50.00 is hereby adopted as the standard fee for Peddling and Soliciting within the boundaries of Hopewell Township in accordance with Hopewell Township Ordinance 2011-01.

SECTION 2 It is hereby declared that the intent of this fee is to defray the costs involved in reviewing and administering the application and undertaking the required security background testing as administered by the Hopewell Township Police Department.

SECTION 3 Any Resolution or provision of any Resolution conflicting with the fee herein established is hereby repealed to the extent that said fee is inconsistent with the fee established by this Resolution.

THIS RESOLUTION shall be effective February 14, 2011

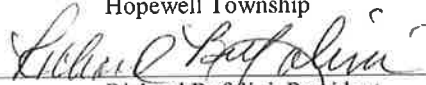
APPROVED BY THE BOARD OF COMMISSIONERS THIS 14TH DAY OF FEBRUARY 2011.

ATTEST:



Andy J. Brunette, Township Manager/Controller

Board of Commissioners
Hopewell Township



Richard Bufalini, President

**TOWNSHIP OF HOPEWELL
Beaver County, Pennsylvania
BOARD OF COMMISSIONERS
WORKSHOP MINUTES**

February 14, 2011
Meeting in Session at 6:34 p.m.

6:34pm: Workshop Meeting Called to Order by Mr. Bufalini and that the meeting will be recorded

ROLL CALL

President

Richard Bufalini

Vice President

Norm Kraus

Commissioners

Nick DiPietro

Joe Kusnir

Brian Rohm

Others Present

Andy Brunette, Township Manager/Controller

Mike Jones, Solicitor

Marie Stratakis-Hartman, Township Engineer

Jeff Meehan Grant Writer

6:35pm ENGINEERS REPORT Marie Stratakis-Hartman (Report on File)

Carl Hughes Veasey Road:

Mr. Huges, a resident who lives on Veasey Road, made numerous comments on what he thinks should be done with Veasey Road. Mr. Hughes was in disagreement with Mr. Years' comments on Veasey Road.

Bob Years 100 Grace Lane:

Mr. Years stated that he did not want to close his section of Veasey Road, he just does not want to maintain it especially if he does not need it. If someone wants to take responsibility for the Road he has no problem with it being open on his section of the property. Mr. Years also stated that he believes Veasey Road's current location is incorrect and does not line up with the surveys that he has.

Solicitor Mike Jones responded to both residents and advised them that the Board of Commissioners sole purpose of inviting them to the meeting was to let them know what occurred at the PennDot meeting and what the options would be for the residents that live on Veasey Road. What was confirmed at the meeting was that PennDot never abandoned the road, and neither do they nor does the Township have any intention of condemning any land in order to improve the road. PennDot gave the Township two options: 1) keep it in its current condition and improve the draining on the road or 2 to improve the road with a paved surface and improve the drainage system; however, the road has to stay in its current location in both scenarios. There is always the option of the road simply being abandoned by PennDot and letting the road just revert back to the property owners.

7:27pm CITIZEN COMMENTS PERTAINING TO THE AGENDA None

7:28pm BUSINESS AGENDA

Mr. Kusnir Motion to approve the Workshop Minutes of January 10, 2011
Mr. Kraus Second the motion

Page 2, February 14, 2011 Workshop Meeting Minutes

Roll Call Vote:

Mr. DiPietro Abstain
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Kusnir Motion to approve the list of bills dated for February 14, 2011
Mr. Rohm Second the motion

Mr. Kusnir did comment on following three invoices for clarification that he emailed to the Manager earlier in the day: Swiftreach the Township's call system, Mr. Kusnir did not know that we are on a "pay-as-you-go" system in regards to the snow removal ordinance January phone call. The second question was in regards to Triangle Pet's January invoice; Mr. Kusnir wanted to know why it was so high for the month? The reason was because the Township experienced a higher number of dogs that needed to be removed Township streets for the month of January. The third question was on the additional flood insurance for the Raccoon Plant. The Manager advised Mr. Kusnir that this is an annual invoice for additional blanket coverage that is below the main floor of the plant that our current liability insurance will not cover.

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Rohm Motion to approve Resolution R-2011-06 authorizing the disposal of 2002 and 2003 accounting and general records
Mr. DiPietro Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Kraus Motion to approve Resolution R-2011-07 establishing a standard permit and daily fees for peddling and soliciting activities in Hopewell Township in accordance with Ordinance No. 2011-07
Mr. Rohm Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Bufalini Motion to approve the Nira settlement of unallocated funds in the amount of \$225,000
Mr. Kraus Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

Mr. Kraus Motion to approve the 2011 concerts in the park series in the amount of \$2,000.00 per budget line item 1-454-473. Recommended by the Park Board unanimously

Mr. Bufalini Second the motion

Mr. Bufalini recommended to the Board and to the residents in attendance that they visit one of the concerts in the park this year. The concerts have been very successful, popular and have been growing every year.

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

Mr. Kraus Motion to approve the purchase of a flat screen T.V. in amount of \$500.00 to be raffled off at Park Fest 2011. This would be in lieu of running a 50/50 drawing per budget line item 1-454-470. Recommended by the Park Board unanimously

Mr. DiPietro Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

Motion to remove Gary Hickman from the Park Board was tabled and agreed by the Board of Commissioners that the Manager send Mr. Hickman a letter advising him of his attendance issue in regards to attending Park Board meetings.

Mr. Rohm Motion to appoint Brad Batchelor to the Park Board as an alternate member

Mr. Bufalini Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

7:52pm

GRANT WRITER REPORT. (Report on file)

8:08pm ITEMS FOR DISCUSSION

All items for discussion in regards to engineering were addressed in the engineers report and are on file at the Township Building. Marie also addressed the issue of the Webb Street sink hole and updated the Board that Chas will take care of it on his own in the spring. The Manager conferred that he will issue a work order in the spring for this repair as well as the repair for the Robinson property.

Mr. Rohm informed the Manager that he had a complaint from Dean Felgar about another sink hole on Durr drive. The Manager informed Mr. Rohm that he would investigate the complaint.

The Manager advised the Board that the Sweet Brier development that is currently in construction does not have a performance bond with the Township. There is no record of any performance bond with the engineer. Mr. Dickum has been contacted about this issue, but as of today has not contacted the Township nor has provided a performance bond to the Township. Mr. Jones will research his file and contact Mr. Dickum.

The request by a resident for a stop sign on the corner of Harvest and Airport Road will be evaluated by the Safety Committee, and they will recommend to the Board their decision on the placement of the stop sign.

The Board discussed the option of restricting parking during school hours along the streets that border the High School Area, because of the continuous residential complaints of school kids parking on their properties and causing damage. The Chief of Police will contact Mike Jones and inform him which streets are in question and Mike will create a resolution to solve this problem.

Mr. Jones discussed with the Board the proposed ordinance to regulate parking and the types of vehicles that are allowed to park within the Township, as well as restricting residents from parking vehicles in their front yards.

John Lopatta Platt Street Woodlawn Park:

Mr. Lopatta commented on the proposed ordinance that the Township cannot restrict a man's right to make a living and that it was illegal for the Township to pass this ordinance on restricting certain types of vehicles in the Township. President Bufalini and solicitor Mike Jones told Mr. Lopatta that he will be able to address all of his concerns at the public hearing for the ordinance and that no discussion on the ordinance will be discussed with the public at this time. Mr. Lopatta did not listen and continued to discuss the ordinance and argue with the Board. The Board then authorized Mr. Jones to advertise the ordinance for the public hearing after minor changes were made by the Board and Manager.

Mike Jones advised the Board that he is continuing to work on the oil and gas ordinance, the timber and harvesting ordinance. The main concern from the engineer and commissioner was to protect the Township's roads and water supply.

Mr. Bufalini commented on a discussion that he had with a commissioner from South Heights and his concern over the gas drilling and how it would affect the Creswell water tanks and water supply in his area. Mr. Bufalini told him that he would keep him updated on the progress of our oil and gas drilling ordinance when it is complete.

Mike and the engineer are currently working to revise and update the Township's grading permit.

The Manager discussed the request from the Chief of Police for the Township to develop a reciprocal police agreement with the neighboring communities. Because of the short staff or no staffing of the neighboring communities, Hopewell Township Police Department has to answer calls from 911 in these areas. This causes a lack of resources for our own community as well as an expense in which the Township of Hopewell needs to be reimbursed. Mike Jones will contact the Chief of Police to answer questions that he has on the agreement, and then develop an agreement for the Board to review in regards to this issue.

Mike Jones updated the Board on the Crown Communication assessment appeal and advised that the case was settled and he informed the Board that the two towers in Hopewell had a significant increase in assessment value and that the total recovery for the Township will be \$3,745.00.

Mr. Rohm asked Mike Jones about the Lamar advertising billboard tax issue; Mr. Jones told the Board that there has been no progress on this issue. Mr. Jones did advise the Board that Lamar Advertising is currently paying Potter Township the tax for their billboards.

Mr. Jones advised the Board that in regards to the Napa land development plan; most of the issues have been resolved except for the issue with the sanitary sewer service. The Manager recommended that the land development plan not be approved until the sewer department has signed off on the proper paper work. The Board agreed not to pass the Napa land development plan until the sewer department has signed off.

Jim McClaren 1089 Croxall Ave:

Mr. McClaren asked a question of solicitor Mike Jones in regards to parking in the Township, concerning the residents who have gravel driveways next to established driveways, and if that was ok, or will that be considered parking in the front yard? Mr. Jones advised Mr. McLaren that any gravel driveway should be first approved by the Township, but if existing for a long time, then it should be ok

Mr. Bufalini asked the Board if they had a chance to review the Planning applications for the open position of the unexpired term ending 12/31/2011. Mr. Bufalini was happy to see that the Township received four good applicants for the positions. The Board decided to bring in three out of the four candidates for a 10 minute interview before the workshop meeting on March 14, 2011.

Mr. Kraus Motion to reappoint Resident Mario Leone as the Hopewell Township's delegate for the Earned Income Tax Collector Committee and Andy Brunette as alternate
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

9:02pm CITIZENS FORUM None

9:02pm NEW BUSINESS

Commissioner Kusnir asked the manager if the Township had a program in place that solicited volunteer organizations to clean up Township streets. The Manager advised Mr. Kusnir that the Township currently does not have a program, but will send out a letter to volunteer organizations for assistance in cleaning up Township streets.

Mr. Kusnir asked the Board to see if there were any thoughts to have the zoning board complete a comprehensive review of the Township Zoning Board in order to have the Township rezoned. Mr. Kusnir directed the Manager to contact Mr. Bates so that he can start this process.

Mr. Kusnir wanted to know how the Township's winter expenses have been compared to the budget for the year. The manager advised Mr. Kusnir that he will be able to give him the winter expenses in April of 2011 after the winter season is over.

Mr. Kusnir asked the question to the Manager, on behalf of the Sewer Authority, regarding Rich Boguszewski telling members on the sewer authority board that the dye testing is consuming too much time. Mr. Kusnir's concern was, what was the protocol of how Rich's complaints are addressed, because it is not included on any of his reports that the dye testing is becoming a time issue, but he has been addressing this problem to other people who are not in the chain of command. The Manager advised Mr. Kusnir that the proper chain of command would be to bring the complaint to Chas first, then follow up with the Manager and then the Board of Commissioners. Mr. Kusnir was concerned that the proper chain of command be followed. The Manager did advise the Board that have this winter

there have been more homes sold than in previous winters, which has caused more stress on the Sewer Department to complete the dye testing, and that Rich has mentioned to him how time consuming the new test has become.

The Manager updated the Board on a meeting that would take place between the Township and Vue Pointe Hospitality on February 15, 2011 in regards to the possible development of a hotel in the Hopewell Township Business Park and development along Interstate 376.

Mr. Bufalini reorganized the Commissioners in the following order: Mr. DiPietro, Parks and Recreation, Mr. Kusnir Sewer Department, Mr. Rohm Administration and Finance, Mr. Kraus Planning and Zoning and Mr. Bufalini Police and Road Departments.

Mr. Kusnir went to the last C.O.G. meeting and updated the Board on the discussion that C.O.G. had in regards to on-site sewer systems

9:24pm **OLD BUSINESS**

Mr. Rohm asked the Manager what progress Jeff Meehan has made, if any, in acquiring a grant for an exit for Hopewell Township's Industrial Park. The exit would be between the Hopewell Township and Aliquippa interchanges. The Manager advised Mr. Rohm that it is still on Mr. Meehan's list, and that it was also discussed with the Airport Corridor Chamber of Commerce.

Mr. Rohm also asked about the removal of dirt that will come from the Laird Road repair and asked if the engineer could see if that dirt could be deposited on Steuer Lane to help with leveling the lane.

9:26pm **EXECUTIVE SESSION IN**

10:24pm **EXECUTIVE SESSION OUT**

Mr. Kraus Motion to approve Greg Gozur as an Independent Contractor as the Assistant D.U.I. Coordinator

Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

Mr. Kraus Motion to approve Chief Ungarean and Officer Gozur to attend the 2011 D.U.I. conference on March 23, and March 24 in the amount of \$268.00 plus fuel expenses per budget line item 1-410-530. All conference expenses to be reimbursed through the 2011 D.U.I. Grant

Mr. Rohm Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes

Motion Carried

Mr. Kraus Motion to approve the retirement payout to Officer Greg Gozur retiring April 1, 2011 in the amount of \$19,127.60 per budget line item 1-410-131

Mr. Rohm Second the motion

Roll Call Vote:

Mr. DiPietro
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Bufalini Motion to approve the hiring of a full-time police officer effective April 1, 2011 to replace retiring full-time officer Greg Gozur
Mr. DiPietro Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Rohm Motion to approve Officer Dave Bibbee to be removed from the Township Health Insurance Plan effective March 31, 2011 and to be placed on the Township buyback program as a onetime offer. Officer Bibbee will not be permitted to join the insurance program until open enrollment for the 2012 year. Officer Bibbee will be eligible for the buyback program effective in the second quarter of 2011.
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Mr. Kraus Motion to terminate the employment of part-time Park Maintenance worker Michael Parrish.
Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Rohm Yes
Mr. Kraus Yes
Mr. Bufalini Yes
Motion Carried

Page 8, February 14, 2011 Workshop Meeting Minutes

Mr. Rohm Motion to authorize the advertisement and hiring of a part-time Park Maintenance year round worker at a rate of \$9.25 per hour

Mr. DiPietro Second the motion

Roll Call Vote:

Mr. DiPietro Yes

Mr. Kusnir Yes

Mr. Rohm Yes

Mr. Kraus Yes

Mr. Bufalini Yes

Motion Carried

Mr. Kraus Motion to authorize the hiring of a part-time Public Works Employee at an hourly rate of \$14.00 per hour

Mr. Kusnir Second the motion

Roll Call Vote:

Mr. DiPietro Yes

Mr. Kusnir Yes

Mr. Rohm Yes

Mr. Kraus Yes

Mr. Bufalini Yes

Motion Carried

10:34pm ADJOURNMENT

Mr. Kraus Motion to adjourn

Mr. Kusnir Second the motion

Voice Vote: All in favor

Motion Carried

Minutes Recorded by: Andy J. Brunette 02/14/11

Minutes Prepared by: Andy J. Brunette 02/18/11