



## **ORDINANCE NO. 2012-09**

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA GRANTING AN EXCLUSIVE LICENSE FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE, RUBBISH, BULKY WASTE, YARD WASTE, DESIGNATED RECYCLABLE MATERIAL, HOUSEHOLD HAZARDOUS WASTE, AND E-WASTE FROM CERTAIN RESIDENCES IN THE MUNICIPALITY, AND ASSESSING FEES RELATIVE THERETO, REQUIRING ADHERENCE AND FIXING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Township of Hopewell recognizes the need for an orderly and efficient garbage, rubbish, bulky waste, yard waste, designated recyclable material, household hazardous waste, and e-waste removal program; and

WHEREAS, the Township of Hopewell is required to establish a curb side recycling and waste reduction program; and

WHEREAS, this Ordinance shall be known as the Solid Waste and Recycling Ordinance; and

NOW, THEREFORE, the Township of Hopewell, Beaver County, Pennsylvania, hereby ordains as follows:

### **ARTICLE 1 – SOLID WASTE STORAGE, COLLECTION, AND DISPOSAL**

#### **Section 1 Definitions**

The following words and phrases as used in this Ordinance shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

1. ACT or ACT 97

The Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980).

2. ACT 101

The Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act (SB528, Act 1988-201, July, 1988).

3. AGRICULTURAL WASTE

Poultry and livestock manure, or residual materials in liquid or solid form, generated in the production and marketing of poultry, livestock, fur-bearing animals, and their products, provided such waste is not a hazardous waste. The term includes the residual materials generated in producing, harvesting, and marketing of all agronomic, horticultural, silvicultural, and agricultural crops or commodities grown on what are usually recognized and accepted as farms, forests, or other agricultural lands.

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**4. BULKY WASTE**

Large items of solid waste including but not limited to appliances, furniture, large auto parts, trees, branches, or stumps which may require special handling due to their size, shape, or weight.

**5. COMMERCIAL ESTABLISHMENT**

Any establishment engaged in nonmanufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers, and theaters.

**6. CONSTRUCTION AND DEMOLITION WASTE**

Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block, and unsegregated concrete. The term does not include the following if they are separated from other waste and are used as clean fill:

- a. Uncontaminated soil, rock, stone, gravel, unused brick and block and concrete.
- b. Waste from land clearing, grubbing, and excavation, including trees, brush, stumps, and vegetative materials.

**7. DEPARTMENT**

The Pennsylvania Department of Environmental Protection.

**8. DISPOSAL**

The incineration, deposition, injection, dumping, spilling, leaking, or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air, or is discharged to the waters of the Commonwealth of Pennsylvania.

**9. DOMESTIC WASTE or HOUSEHOLD WASTE**

Solid waste, comprised of garbage and rubbish, which normally originates in the residential private household or apartment house.

**10. GARBAGE**

Any solid waste derived from animal, grain, fruit, or vegetable matter that is capable of being decomposed by microorganisms with sufficient rapidity to cause such nuisances as odors, gasses, or vectors.

**11. HAULER or PRIVATE COLLECTOR**

Any person, firm, co-partnership, association, or corporation who has been licensed by Hopewell Township or its designated representative to collect, transport, and dispose of refuse for a fee as herein prescribed.

**12. HAZARDOUS WASTE**

Any solid waste or combination of solid wastes as defined in the Act, which because of its quantity, concentration, physical, chemical, or infectious characteristics may:

- a. Cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or
- b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or, or otherwise managed.

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**13. INDUSTRIAL ESTABLISHMENT**

Any establishment engaged in manufacturing or processing, including but not limited to factories, foundries, mills, processing plants, refineries, mines, and slaughterhouses.

**14. INSTITUTIONAL ESTABLISHMENT**

Any establishment engaged in service, including but not limited to hospitals, nursing homes, orphanages, schools, and universities.

**15. MUNICIPALITY**

The Township of Hopewell, Beaver County, Pennsylvania.

**16. MUNICIPAL WASTE**

Garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation of residential, municipal, commercial, or institutional establishments and from community activities; and any sludge not meeting the definition of residual or hazardous waste under Act 97 and Act 101 from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. The term does not include source-separated recyclable materials.

**17. OCCUPIED DWELLING**

A permanent building or fixed mobile home that is currently being used on a regular or temporary basis for human habitation.

**18. PERSON**

Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution or agency, or any other legal entity which is recognized by law as the subject of rights and duties. In any provisions of this article prescribing a fine, imprisonment, or penalty, or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

**19. PROCESSING**

Any technology used for the purpose of reducing the volume or bulk of municipal or residential waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, and resource recovery facilities.

**20. RECYCLING**

The collection, separation, recovery, and sale or reuse of metals, glass, paper, leaf waste, plastics, and other materials which would otherwise be disposed or processed as municipal waste, or the mechanical separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than as fuel for the operation of energy.

**21. RECYCLING FACILITY**

A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute or a supplement to virgin raw materials. The term "recycling facility" shall not mean transfer stations or landfills for solid waste nor composting facilities or resource recovery facilities.

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**22. REFUSE**

All solid waste materials which are discharged as useless.

**23. RESIDUAL WASTE**

Any garbage, refuse, other discharged material or other waste, including solid, liquid, semisolid, or contained gaseous materials, resulting from industrial, mining, or agricultural waste supply treatment, wastewater treatment facility, or air pollution control facility, provided that it is not hazardous. The term "residual waste" shall not include coal refuse as defined in the Coal Refuse Disposal Control Act. Residual waste shall not include treatment sludge from coal mine drainage treatment plants, disposal of which is being carried out pursuant to and in compliance with a valid permit issued pursuant to the Act of June 11, 1937 (P.L. 1987, No. 394) known as the Clean Streams Law.

**24. RESOURCE RECOVERY FACILITY**

A processing facility that provides for the extraction and utilization of materials or energy from Hopewell Township waste that is generated off site, including, but not limited to, a facility that mechanically extracts materials from Hopewell Township waste, a combustion facility that converts the organic fraction of Hopewell Township waste to usable energy, and any chemical and biological process that converts Hopewell Township waste into a fuel product.

**25. RUBBISH**

All nonputrescible Hopewell Township waste except garbage and other decomposable matter. This category includes, but is not limited to, ashes, bedding, cardboard, cans, crockery, glass, paper, wood, and yard cleanings.

**26. SCAVENGING**

The unauthorized and uncontrolled removal of material placed for collection or from a solid waste processing or disposal facility.

**27. SEWAGE TREATMENT RESIDUES**

Any coarse screenings, grit, and dewatered or air-dried sludge from sewage treatment plants and pumpings from septic tanks or septage which are a municipal solid waste and require proper disposal under Act 97 and Act 101.

**28. SOLID WASTE**

Any waste, including, but not limited to, municipal, residual, or hazardous wastes, including solid, liquid, semisolid, or contained gaseous material.

**29. SOURCE SEPARATED RECYCLABLE MATERIALS**

Materials that are separated from municipal waste at the point of origin for the purpose of recycling.

**30. STORAGE**

The containment of any waste on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of any waste in excess of one (1) year constitutes disposal. This presumption can be overcome by clear and convincing evidence to the contrary.

**31. TRANSFER STATION**

Any supplemental transportation facility used as an adjunct to solid waste route collection vehicles.

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**32. TRANSPORTATION**

The off-site removal of any solid waste at any time after generation.

In this Ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

**Section 2 Prohibited Activities**

1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within Hopewell Township any garbage, rubbish, bulky waste, solid waste, or any other municipal or residual solid waste except in accordance with the provisions of this Ordinance, and any Department rules and regulations adopted pursuant to Act 97 and Act 101.
2. It shall be unlawful for any person to burn any solid waste within Hopewell Township except in accordance with applicable Hopewell Township Ordinances, the provisions of this Ordinance, and any Department rules and regulations adopted pursuant to Act 97 and Act 101.
3. It shall be unlawful for any person to process and/or dispose any solid waste in Hopewell Township except in accordance with the provisions of this Ordinance, and any Department rules and regulations adopted pursuant to Act 97 and Act 101.
4. It shall be unlawful for any person to collect, haul, transport, or remove any solid waste from public or private property within Hopewell Township without first securing a license to do so in accordance with the provisions of this Ordinance.
5. It shall be unlawful for any person to scavenge any materials from any solid waste that is stored or deposited for collection within Hopewell Township without prior written approval from the Hopewell Township Manager.
6. It shall be unlawful for any person to salvage or reclaim any solid wastes within Hopewell Township except at an approved and permitted resource recovery facility under Act 97 and any Department rules and regulations adopted pursuant to Act 97 and Act 101.
7. It shall be unlawful for any person to throw, place, or deposit, or cause or permit to be thrown, placed or deposited, any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within Hopewell Township except as provided in this Ordinance.

**Section 3 Standards for Storage of Solid Waste**

1. The storage of all solid waste shall be practiced so as to prevent the attraction, harborage, or breeding of insects or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness, or public nuisances.
2. Any person producing municipal waste shall provide a sufficient number of approved containers to store all waste materials generated during periods between regularly scheduled collections, and shall place and store all waste materials therein. Solid containers shall be of a capacity not less than ten (10) nor more than 32 gallons and shall be watertight with a close-fitting lid and have handles thereon. Every such container shall be maintained in good condition and shall be replaced by such person or responsible occupant of the premises when the same becomes unsanitary or offensive. No such container or trash bag shall be filled so full that the covers will not fit down tightly or be so full that the waste material overflows therefrom. Such waste material that is scattered shall not be gathered up by the hauler but shall be the responsibility of the offending person(s) or responsible occupant of the subject dwelling unit. Rubbish in

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grocery bags, loose piles, wet boxes or containers in excess of 32 gallons or larger drums shall not be picked up.

3. Any person storing municipal waste for collection shall comply with the following preparation standards:
  - a. All municipal waste shall be drained of free liquids before being placed in storage containers.
  - b. All garbage or other putrescible waste shall be securely wrapped in paper, plastic, or similar material or placed in properly tied plastic bags.
  - c. All cans, bottles, or other food containers should be rinsed free of food particles and drained before being placed in storage containers.
  - d. Garden clippings and tree trimmings shall be placed in approved containers or shall be cut and tied securely into bundles. Bundles shall be not more than four (4) feet in length, not more than two (2) feet in diameter, and not more than forty (40) pounds in weight.
  - e. Newspapers and magazines shall be placed in approved containers or shall be tied securely into bundles of not more than forty (40) pounds in weight.
  - f. When specified by Hopewell Township or its designated representative, special preparation and storage procedures may be required to facilitate the collection and recycling of certain recyclable materials.
4. Individual containers and bulk containers utilized for storage of municipal waste shall comply with the following standards:
  - a. Reusable containers shall be constructed of durable, watertight, rust-resistant, and corrosion-resistant material, such as plastic, metal, or fiberglass, in such a manner as to be leakproof, weatherproof, insectproof, and rodentproof.
  - b. Reusable containers for individual residences shall have a tight-fitting cover and suitable lifting handles to facilitate collection.
  - c. Reusable containers for individual residences shall have a capacity of not less than 10 gallons nor more than 40 gallons, and a loaded weight of not more than 40 pounds.
  - d. Disposable plastic bags are acceptable containers, provided the bags shall have sufficient wall strength to maintain physical integrity when lifted by the top, shall be securely tied at the top for collection, and shall have a capacity of not more than 40 gallons and a loaded weight of not more than 40 pounds.
5. Any person storing municipal waste for collection shall also comply with the following storage standards:
  - a. Containers shall be kept tightly sealed or covered at all times. Solid waste shall not protrude or extend above the top of the container.
  - b. Reusable containers shall be kept in a sanitary condition at all times. The interior of the containers shall be thoroughly cleaned, rinsed, drained, and disinfected as often as necessary to prevent the accumulation of liquid residues or solids on the bottom and sides of the containers.
  - c. Containers shall be used and maintained so as to prevent public nuisances.
  - d. Containers that do not conform to the standard of this Ordinance, or which have sharp edges, ragged edges, or any other defect that may hamper or injure

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collection personnel, shall be promptly replaced by the owner upon notice from Hopewell Township or its designated representative.

- e. Containers shall be placed by the owner or customer at a collection point specified by Hopewell Township or its designated representative.
  - f. With the exception of pickup days when the containers are placed out for collection, the containers shall be properly stored on the owner's or customer's premises at all times.
  - g. The placement of solid waste for collection earlier than 24 hours prior to the normally scheduled pickup time is hereby prohibited.
  - h. Bulk waste items such as furniture, automobile parts, machinery, and appliances shall be stored in a manner that will prevent the accumulation or collection of water, the harborage of rodents, safety hazards, and fire hazards.
6. The storage of all municipal waste from multifamily residential units, commercial establishments, institutions, and industrial lunchroom or office waste sources is subject to the regulations and standards set forth in this Ordinance. The type, size, and placement requirements for bulk containers shall be determined by the waste generator and the waste hauler, and are subject to approval by Hopewell Township.

**Section 4    Standards and Regulations for Collection**

- 1. Hopewell Township shall provide for the collection of all garbage, rubbish, and bulky waste from individual residential units or condominium units and multifamily residential sources with four (4) units or less, or it may contract with a private collector or collectors to provide residential solid waste collection services. Collection shall not be provided for construction and demolition waste.
- 2. All households shall utilize the residential collection service provided by Hopewell Township.
- 3. All residents and non-residents who are legal and equitable owners of any real property within the Township of Hopewell, used in whole or in part for residential purposes, shall timely pay to the Township of Hopewell or their franchisee or licensee the charge for collection, removal, and disposal of garbage, rubbish, bulky waste, yard waste, designated recyclable material, household hazardous waste, and e-waste from any and all residential dwelling units on the real property of such residents, as said charge may be fixed from time to time by Resolution of the Township of Hopewell. This requirement shall include the continuing obligation to pay the applicable franchise fee for the availability of collection, removal, and disposal services even if no refuse is collected from the real property due to temporary or permanent vacancy or abandonment.
- 4. All multifamily residential sources with more than four (4) units, commercial, institutional, and industrial establishments shall negotiate and individually contract collection service with Hopewell Township's collector or any other properly licensed waste hauler of their choice.
- 5. All residential garbage and rubbish shall be collected at least once per week. Bulky wastes shall be collected following prior arrangement with Hopewell Township's collector and payment of any required special fees.
- 6. All commercial, institutional, public, and industrial lunchroom and office waste containing garbage shall be collected at least once per week. Rubbish collection from these sources shall be made as often as necessary to control health hazards, odors, insects,

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and unsightly conditions. Hopewell Township reserves the right to require more frequent collection when deemed necessary.

7. Residential collection schedules shall be published regularly by Hopewell Township or its contracted hauler.
8. All solid waste collection activity shall be conducted from Monday through Saturday between the hours of 7:00 A.M. and 10:00 P.M., unless prior written approval has been granted by Hopewell Township. No collecting, hauling, or transporting of solid waste shall be permitted on Sunday or on legal holidays.
9. All licensed haulers and haulers under contract with Hopewell Township shall comply with the following standards:
  - a. All municipal waste collected within Hopewell Township shall ultimately be disposed only at a landfill permitted by the Pennsylvania Department of Environmental Protection.
  - b. Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Act 97 and Act 101 and any regulations adopted pursuant to Act 97 and Act 101, including Title 25, Chapter 285, Subchapter B, "Regulations for the Collection and Transportation of Municipal Waste."
  - c. All collection vehicles conveying domestic waste and garbage shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors, the creation of odors, and other nuisances.
  - d. Collection vehicles for rubbish shall be capable of being enclosed or covered to prevent roadside litter and other nuisances.
  - e. All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards, and nuisances.
  - f. All solid waste collection vehicles shall be operated and maintained in a clean and sanitary condition.
10. The franchisee or licensee shall not in any manner be construed as an agent, servant, or employee of the Township of Hopewell, but shall, at all times, be considered and remain an independent contractor.
11. The Township of Hopewell may at any time hereunder, in addition to prosecuting violators of this Ordinance, upon 48 hours notice to the owners and occupiers of any real estate in the Township of Hopewell where accumulations in violation of this Ordinance exist, remove said accumulations by Hopewell Township work forces, at the cost and liability of the residents of said property, the actual cost of said removal to then and there be due the Township of Hopewell, the same to be the joint and several obligation of all owners, occupiers, possessors, tenants, or users of said property, the same to be at the option of the Township of Hopewell, collectible by suit in assumpsit, or by filing and indexing the same as a municipal claim in the manner allowed by law, with right in the Township of Hopewell to also assess any penalties, court costs, and reasonable attorney's fees as allowed by law.

**Section 5    Collection and Disposal Charges**

1. The Hopewell Township Board of Commissioners shall be authorized to make funds available, in accordance with the laws and procedures of Hopewell Township, for the establishment, maintenance, and operation of a municipal solid waste collection and disposal system, or for the contracting of such a service to a private collector.

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2. Fee schedules (if appropriate) shall be published by Hopewell Township on any competitively bid residential collection service contract that may be awarded by Hopewell Township.
3. Hopewell Township's contracted hauler and other licensed haulers shall be responsible for the collection of any fees for solid waste collection and disposal services provided the residential, commercial, institutional, or industrial sources within Hopewell Township.
4. It shall be lawful for the Township of Hopewell to bill directly in advance the legal or equitable owners or the occupants of the real estate referred to in Section 4 (3) above for the franchise fee as well as the actual cost of collection, removal, and disposal and to suspend the rendition of said services to any place for which there are past-due charges for said service, to fix the date and time for collection of said garbage, rubbish, bulky waste, yard waste, designated recyclable material, household hazardous waste, and e-waste, and to levy a late charge of five (5) percent per month on all delinquent accounts and to collect said delinquencies from any person delinquent therein, to adopt any other reasonable rules or regulations to implement the terms of this Ordinance, and to include in any franchise agreement such other conditions and terms reasonably calculated to effectuate the terms hereof.
5. Any person required to pay the franchise fee or the charge for the aforesaid removal and disposal services who fails to do so shall be subject to collection procedures by the Township of Hopewell and the Township of Hopewell shall have the right to collect the same either by suit in assumpsit, or by filing and indexing the same as a municipal claim in the manner allowed by law, or by recovering the same in a proceeding brought under the terms of this Ordinance, with additional right in the Township of Hopewell to also assess any penalties, court costs, and reasonable attorney's fees on said collection efforts as allowed by law.

**Section 6    Licensing Requirements**

1. No person shall collect, remove, haul, or transport any solid waste upon or through any streets or alleys of Hopewell Township without first obtaining a license from Hopewell Township or its designated representative.
2. Any person who desires to collect, haul, transport, or dispose of any solid waste within Hopewell Township shall submit a license application and an application fee of \$100.00 to Hopewell Township. A minimum period of thirty (30) days shall be allowed for Hopewell Township to review the application and take approval or denial action. Hopewell Township shall waive the application fee for the hauler under contract with Hopewell Township to collect residential waste. This exemption applies only to the residential service provided for under contract with Hopewell Township.
3. The license application shall set forth the applicant's qualifications and include the following information at a minimum:
  - a. Name and mailing address.
  - b. Contact person; telephone number; e-mail address.
  - c. List of available equipment and manpower.
  - d. Type of wastes to be collected.
  - e. Manner or method of collection.
  - f. Frequency of collection.
  - g. Point of collection.

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- h. Proposed place and method of disposal for each type of waste.
  - i. A Certificate of Insurance identifying the type and amounts of coverage carried by the applicant.
- 4. Prior to issuing a license, Hopewell Township may require an applicant to submit a Certificate of Insurance as evidence of insurance coverage for the minimum amounts specified by Hopewell Township.
- 5. All licenses shall be issued for a period of one (1) calendar year and shall be nontransferable.
- 6. An existing licensee shall submit a new license application and license fee to Hopewell Township at least thirty (30) days prior to the expiration of the license, if license renewal is desired. If the licensee continues to satisfy the requirements for a license, the license shall be renewed. Hopewell Township reserves the right to deny a license renewal if the licensee is in violation of the provisions of this Ordinance.
- 7. Any misrepresentation or falsification on a license application may be grounds for rejection of an application or immediate revocation of a license which has already been issued.
- 8. Licensed haulers shall be responsible for maintaining current lists of customers' services and records of the amounts and types of waste collected within Hopewell Township. Such records and customer lists shall be available for inspection and be provided to Hopewell Township or its designated representatives upon request.

**Section 7    Enforcement**

- 1. In the event that a licensed hauler is found to be in violation of this Ordinance, Hopewell Township may take the following actions, at its discretion, depending on the nature of the violation:
  - a. Hopewell Township may issue a Notice of Violation to the licensee. This Notice shall be in writing and sent by certified mail with return receipt requested to the address the licensee gave in the license application. The Notice of Violation shall state the nature of the alleged violation(s) and the necessary corrective action required. The licensee shall be provided a reasonable time period to either correct the violation(s) or appeal. If the violation is not corrected or appealed within the specified period, the license shall automatically be revoked with no right to administrative appeal, and the licensee may be prosecuted under the penalty provisions of this Ordinance; or
  - b. Hopewell Township may immediately revoke the hauler's license by issuing a written Notice of License Revocation to the licensee by certified mail with return receipt requested. The Notice of License Revocation shall state the reasons for Hopewell Township's actions and inform the licensee that the decision may be appealed within ten (10) days after receipt of the Notice. Any appeal must be filed in writing and show cause why Hopewell Township should not carry out the license revocation.
- 2. In the event that any person other than a licensed hauler is found to be in violation of this Ordinance, Hopewell Township may issue a written Notice of Violation to the alleged violator. This Notice of Violation shall be in writing and sent by certified mail with return receipt requested. The Notice of Violation shall state the nature of the violation(s) and the necessary corrective actions required, in detail. The person notified shall be provided a reasonable time period, stated in the notice, to either correct the violation(s) or appeal.

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**Section 8 Administrative Appeals**

1. All appeals shall be made in writing to the Board of Commissioners of Hopewell Township.
2. Pending a reversal or modification, all decisions of Hopewell Township shall remain effective and enforceable.
3. Appeals may be made by the following persons:
  - a. Any person who is aggrieved by the granting or the refusal to grant a license by Hopewell Township may appeal within ten (10) days after Hopewell Township announces the denial.
  - b. Licensees whose licenses have been revoked may appeal within the (10) days after receiving Hopewell Township's Notice of License Revocation.
  - c. Licensees and non-licensees who have received Notices of Violation may appeal within the time limit stated in their Notice of Violation.
4. The Notice of Appeal shall be served in writing and sent by certified mail with return receipt requested. Within twenty (20) days after receipt of the Notice of Appeal, Hopewell Township shall hold a public hearing. Notice of the hearing shall be sent to both parties in time to adequately prepare for the hearing. Notice shall be sent to the parties by certified mail with return receipt requested at the last known address in addition to publication in a local newspaper.

**Section 9 Injunction Powers**

Hopewell Township shall have all the remedies normally incidental to a violation of any Hopewell Township ordinance, including the right to seek equitable relief and the right to petition the Court of Common Pleas, Beaver County, for an injunction, either mandatory or prohibitive, to enforce any of the provisions of this Ordinance.

**Section 10 Violations and Penalties**

Any person who violates any provision of this Ordinance shall, upon conviction, be guilty of a summary offense which is punishable by a fine of not more than \$1,000.00 plus cost of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding thirty (30) days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this Ordinance that is violated shall also constitute a separate offense.

**Section 11 Conflict**

Any Ordinances or any part of any Ordinance which conflicts with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

**Section 12 Effective Date**

This Ordinance shall take effect on the first day of January, 2013.

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**ARTICLE 2 – RECYCLING**

**Section 1 Findings and Purpose**

The Act of July 28, 1988, No. 101, known as the “Municipal Waste Planning, Recycling, and Waste Reduction Act,” provides that each municipality of the Commonwealth shall have the power and duty to adopt and implement programs for the collection and recycling of municipal waste or source-separated recyclable materials. Reduction of the amount of solid waste and conservation of recyclable materials is an important public concern by reason of the growing problem of solid waste disposal and its impact on our environment. Hopewell Township has determined that recycling conserves valuable material resources and energy, promotes greater efficiency in the regional economy, and provides for local employment. Recycling will reduce the overall amount of solid waste presently generated and thus reduce storage, collection, transportation, and disposal costs.

**Section 1 Definitions**

The following words and phrases as used in this Ordinance shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

1. ACT 101

The Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act (SB528, Act 1988-201, July, 1988).

2. ALUMINUM

Empty all-aluminum beverage or food cans.

3. BIMETAL CONTAINERS

Empty food or beverage containers consisting of steel and aluminum.

4. COLLECTOR

The entity or entities authorized by Hopewell Township to collect recyclable materials from residences, or authorized by commercial, municipal, and institutional establishments that do not receive collection services from Hopewell Township to collect recyclable materials from those properties.

5. COMMERCIAL ESTABLISHMENTS

Those properties used primarily for commercial or industrial purposes, and those multifamily residential buildings containing more than four dwelling units.

6. COMMUNITY ACTIVITIES

Events that are sponsored by public or private agencies or individuals, which include but are not limited to fairs, bazaars, socials, picnics, and organized sporting events attended by 200 or more individuals per day.

7. CORRUGATED PAPER

Structural paper material with an inner core shaped in rigid parallel furrows and ridges.

8. DESIGNATED RECYCLABLE MATERIALS

Those materials specified by Hopewell Township to be recycled.

9. FERROUS CONTAINERS

Empty steel or tin coated food or beverage containers.

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**10. GLASS CONTAINERS**

Bottles and jars made of clear, green, or brown glass. Expressly excluded are non-container glass, plate glass, automotive glass, light bulbs, blue glass, and porcelain and ceramic products.

**11. HIGH-GRADE OFFICE PAPER**

All white paper, bond paper, and computer paper used in commercial, institutional, and municipal establishments and in residences.

**12. INSTITUTIONAL ESTABLISHMENT**

Those facilities that house or serve groups of people, including, but not limited to, hospitals, nursing homes, orphanages, day-care centers, schools, and universities.

**13. LEAD ACID BATTERIES**

Includes, but shall not be limited to, automotive, truck, and industrial batteries that contain lead.

**14. LEAF WASTE**

Leaves from trees, bushes, and other plants, garden residues, chipped shrubbery and tree trimmings, but not including grass clippings.

**15. MAGAZINES and PERIODICALS**

Printed matter containing miscellaneous written pieces published at fixed or varying intervals. Expressly excluded are all other paper products of any nature whatsoever.

**16. MULTIFAMILY HOUSING PROPERTIES**

Any properties having more than four (4) dwelling units per structure.

**17. MUNICIPAL ESTABLISHMENT**

Public facilities operated by Hopewell Township and other governmental and quasi-governmental authorities.

**18. MUNICIPALITY**

The Township of Hopewell.

**19. MUNICIPAL WASTE**

Any garbage, refuse, industrial lunchroom, or other material, including solid, liquid, semisolid, or contained gaseous material, resulting from the operation of residential, municipal, commercial, or institutional establishments and from community activities, and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant, or air-pollution control facility. The term does not include source-separated recyclable materials.

**20. NEWSPAPER**

Paper of the type commonly referred to as newsprint and distributed at fixed intervals, having printed thereon news and opinions, containing advertisements and other matters of public interest. Expressly excluded are newspapers which have been soiled, color comics, glossy advertising inserts, and advertising inserts printed in colors other than black and white often included with newspapers.

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**Hopewell Township Solid Waste and Recycling Ordinance**

**21. PERSON(S)**

Owners, lessees, and occupants of residences and commercial, municipal, and institutional establishments.

**22. PLASTIC CONTAINERS**

Empty plastic food and beverage containers. Due to the wide variety of types of plastics, Hopewell Township may stipulate specific types of plastic which may be recycled.

**23. RECYCLABLE MATERIALS**

Materials generated by residences and commercial, municipal, and institutional establishments which are specified by Hopewell Township and can be separated from municipal waste and returned to commerce to be reused as a resource in the development of useful products. Recyclable materials may include, but are not necessarily limited to, clear glass, colored glass, aluminum, steel, and bimetallic cans, high-grade office paper, newsprint, corrugated paper, leaf waste, plastics, and any other items selected by Hopewell Township or specified in future revisions to Act 101. The recyclable materials selected by Hopewell Township may be revised from time to time as deemed necessary or useful by Hopewell Township.

**24. RECYCLING**

The collection, separation, recovery, and sale or reuse of metals, glass, paper, leaf waste, plastics, and other materials which would otherwise be disposed of or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials.

**25. RESIDENCES**

Any occupied single-family or multi-family dwellings having up to four (4) dwelling units per structure for which Hopewell Township provides municipal waste collection service.

**26. SOURCE-SEPARATED RECYCLABLE MATERIALS**

Those materials separated at the point of origin for the purpose of being recycled.

**27. SUSTAINED PUBLIC EDUCATION PROGRAM**

The ongoing effort of Hopewell Township to inform the general public concerning the requirements of this Ordinance.

**28. WASTE**

A material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed. The term does not include source-separated recyclable materials or material approved by the Pennsylvania Department of Environmental Protection for beneficial use.

**Section 2    Establishment of Program; Grant of Power**

1. Hopewell Township hereby establishes a recycling program for the mandatory separation and collection of recyclable materials and the separation, collection, and/or composting of leaf waste from all residences and all commercial, municipal, and institutional establishments located within Hopewell Township for which waste collection is provided by Hopewell Township or any other collector. Collection of the recyclable materials shall be made at least once per month by Hopewell Township, its designated agent, or any other solid waste collectors operating within Hopewell Township and authorized to collect recyclable materials from residences or from commercial,

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municipal, and institutional establishments. The recycling program shall also contain a sustained public information and education program.

2. The Board of Commissioners of Hopewell Township is empowered to make changes to program regulations as necessary and as described herein. Subsequent changes in the program regulations may be made through approval of the Board of Commissioners of Hopewell Township and public notice and notification of all affected parties.

**Section 3    Separation and Collection**

1. All persons who are residents of Hopewell Township shall separate all of those recyclable materials designated by Hopewell Township from all other municipal waste produced at their homes, apartments, and other residential establishments, store such materials for collection, and shall place same for collection in accordance with the guidelines established hereunder.
  - a. Persons in residences must separate recyclable materials from other refuse. Recyclable materials shall be placed at the curbside in containers provided by Hopewell Township for collection. Any containers provided to residences for collection of recyclable materials shall be the property of Hopewell Township and shall be used only for the collection of recyclable materials. Any resident who moves within or from the municipality shall be responsible for returning the container to Hopewell Township. Use of recycling containers for any purpose other than the designated recycling program or use of the recycling containers by any person other than the person allocated such container shall be a violation of this Ordinance.
  - b. An owner, landlord, or agent of an owner or landlord of a multifamily rental housing property with more than four (4) units shall comply with its recycling responsibilities by establishing a collection system at each property. The collection system must include suitable containers for collecting and sorting the recyclable materials, easily accessible locations for the containers, and written instructions to the occupants concerning the use and availability of the collection system. Owners, landlords, managers, and agents of owners, landlords, or managers who comply with this Ordinance shall not be liable for noncompliance of occupants of their buildings.
  - c. If recyclable materials are collected by a collector other than Hopewell Township or its authorized agent, owners, landlords, managers, and agents of owners, landlords, and managers shall submit an annual report to Hopewell Township reporting the tonnage of materials recycled during the previous year. This requirement may be fulfilled by submission of a letter or form from the collector which certifies that recyclable materials are being collected from the multifamily housing property.
2. All persons must separate leaf waste from other municipal waste generated at their houses, apartments, and other residential establishments for collection unless those persons have otherwise provided for composting of leaf waste.
3. Persons must separate high-grade office paper, aluminum, corrugated paper, leaf waste, and such other materials as may be designated by Hopewell Township generated at commercial, municipal, and institutional establishments and from community activities and store the recyclable materials until collection. A person maybe exempted from this requirement by:

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- a. Providing for the recycling of high-grade office paper, aluminum, corrugated paper, leaf waste, and other materials deemed appropriate by Hopewell Township.
- b. Submitting, at a minimum, an annual recycling report to Hopewell Township. The report shall document the amount of the municipal waste generated per year as well as the type and weight of materials that were recycled in the previous calendar year. Valid documentation shall include information from an end-use, recycler or waste hauler which describes the type and weight of each recyclable material that was collected and marketed. Documentation may be in the form of one of the following:
  - i. Copies of weight receipts or statements which consolidate such information;
  - ii. A report from the provider of recycling collection services which identifies the amount of each material collected and marketed; the type and weight of recyclables generated by an individual establishment may be approximated based on a representative sample of its source-separated materials;
  - iii. A report from the provider of waste collection services that identifies the type and weight of each recyclable material collected and marketed in cases where recyclables are co-mingled with the establishment's waste; the type and weight of recyclables generated by an individual establishment may be approximated based on a representative sample of its waste.

Where recyclables from several establishments are collected in the same vehicle, an individual establishment's contribution to the load may be apportioned. Only the weight of materials marketed for recycling purposes can be credited to an establishment.

4. If recyclable materials are collected by a collector other than Hopewell Township or its authorized agent, occupants of said establishments shall submit an annual report to Hopewell township reporting the type and weight of material recycled during the previous calendar year. This requirement may be fulfilled by submission of a letter or from from the collector which certifies that recyclable materials are being collected from the establishment.
5. All employees, users (patrons), and residents of commercial, municipal, and institutional establishments must be informed of the recycling program. The education program should describe the program's features and requirements and should include, at a minimum, an annual program meeting and an orientation to the program upon the arrival of a new employee or resident. Receptacles should be clearly marked with the recycling symbol and the type of recyclable material that is to be placed in the receptacle, and signs should be prominently displayed stating the requirements of the program.
6. Commercial, municipal, and institutional establishments which generate more than 2,200 pounds of municipal waste per month should also implement a waste minimization opportunity assessment which includes:
  - a. Waste characterization, including source, generation rate, management techniques, and management costs. The assessment should expressly consider high-grade office paper, aluminum, corrugated paper, leaf waste, and any other materials generated in significant quantities.

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- b. A description of all possible waste minimization options, including use and waste reclamation.
  - c. An evaluation of the economic and technical feasibility of each option and ranking of each option.
  - d. An estimate of the payback period for each feasible option.
  - e. A statement of which options will be implemented, including an explanation and a timetable.
  - f. Identification of the individual(s) who will be responsible for implementing the plan.
7. The waste minimization plan should be periodically updated. Implementation of the plan should include:
- a. Recycling or composting of materials to the greatest extent feasible, either privately or through a municipal recycling program.
  - b. Use, to the greatest extent feasible, of products and materials which are recyclable or made of post-consumer materials.
  - c. Substitution, to the greatest extent feasible, of durable and reusable products and materials for products that are not durable or reusable.
  - d. Appropriate education materials and signs should be made available to employees or the public to encourage participation in recycling and waste reduction.

#### **Section 4    Ownership of Recyclable Materials**

All recyclable materials placed by persons for collection by Hopewell Township or its authorized collector pursuant to this Ordinance shall, from the time of placement at the curb or at other collection point, become the property of Hopewell Township or the authorized collector, except as otherwise provided by this Ordinance. Nothing in this Ordinance shall be deemed to impair the ownership of separated recyclable materials by the generator unless and until such materials are placed at the curbside or at another collection point for collection.

#### **Section 5    Collection by Unauthorized Persons**

It shall be a violation of this Ordinance for any person, firm, or corporation, other than Hopewell Township or one authorized by the Board of Commissioners or other entity responsible for providing for collection of recyclable materials, to collect recyclable materials placed by residences or commercial, municipal, and institutional establishments for collection by Hopewell Township or an authorized collector, unless such person, firm, or corporation has prior written permission from Hopewell Township to make such collection. In violation hereof, unauthorized collection from one or more residences or commercial, municipal, and institutional establishments on one (1) calendar day shall constitute a separate and distinct offense punishable as herein provided.

#### **Section 6    Existing Recycling Operations**

Any residential, commercial, municipal, or institutional establishment may donate or sell recyclable materials to any person, firm, or corporation, whether operating for profit or not, provided that the receiving person, firm, or corporation shall not collect such donated recyclable materials from the collection point of a residential, commercial, municipal, or institutional establishment without prior written permission from the Board of Commissioners of Hopewell Township or other entity responsible for authorizing collection of recyclable materials.

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**Section 7     Recycling of Materials**

Disposal by persons of recyclable materials with wastes is prohibited and shall be a violation of this Ordinance. The collected recyclable materials shall be taken to a recycling facility. Disposal by collectors or operators of recycling facilities of source-separated recyclable materials in landfills or to be burned in incinerators is prohibited unless markets do not exist and the collectors or operators have notified the Hopewell Township Manager in writing.

**Section 8     Enforcement and Administration**

1. The Hopewell Township Manager or his designated agent is hereby authorized and directed to make reasonable rules and regulations for the operation and enforcement of this Ordinance as deemed necessary or useful, including, but not limited to:
  - a. Establishing recyclable materials to be separated for collection and recycling by residences and additional recyclable materials to be separated by commercial, municipal, and institutional establishments.
  - b. Establishing collection procedures for recyclable materials.
  - c. Establishing reporting procedures for amounts of materials recycled.
  - d. Establishing procedures for the distribution, monitoring, and collection of recyclable containers.
  - e. Establishing procedures and rules and for the separation, collection and/or composting of leaf waste.
2. The Hopewell Township Manager or his designated agent is authorized to take such measures as may be required or helpful to verify compliance or noncompliance with this Ordinance. Such measures shall include, but are not limited to, inspection of recycling and solid waste containers.
3. Any person, firm, or corporation who shall violate any provision of this Ordinance, shall receive an official written warning of noncompliance for the first and second offenses. Thereafter, all such violations shall be subject to the penalties hereinafter provided.
4. Except as hereinafter provided, any person, firm, or corporation who shall violate any of the provisions of this article shall, upon conviction, be sentenced to pay a fine of not more than \$1,000.00 and costs of prosecution for each and every offense.
5. Hopewell Township or its collector reserves the right not to collect municipal waste containing recyclable materials in combination with non-recyclable materials.

**Section 9     License or Franchise**

1. Hopewell Township may enter into agreement(s) with public or private agencies or firms to authorize them to collect all or part of the recyclable materials from curbside.
2. Hopewell Township reserves the right and may direct such recyclable materials to the disposal or transfer site as may be determined by Hopewell Township.

**Section 10    Modifications**

1. Hopewell Township may, from time to time, modify, add to or remove from the standards and regulations herein and as authorized in Section 8.

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**Section 11 Injunction Powers**

Hopewell Township shall have all the remedies normally incidental to a violation of any Hopewell Township ordinance, including the right to seek equitable relief and the right to petition the Court of Common Pleas, Beaver County, for an injunction, either mandatory or prohibitive, to enforce any of the provisions of this Ordinance.

**Section 12 Violations and Penalties**

Any person who violates any provision of this Ordinance shall, upon conviction, be guilty of a summary offense which is punishable by a fine of not more than \$1,000.00 plus cost of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding thirty (30) days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this Ordinance that is violated shall also constitute a separate offense.

**Section 13 Severability**

If any chapter, section, subsection, paragraph, sentence, or phrase of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the Ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid..

**Section 14 Effective Date**

This Ordinance shall take effect on the first day of January, 2013.

**Section 15 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.

Ordained and enacted this 10<sup>th</sup> day of DECEMBER, 2012 by the Board of Commissioners of the Township of Hopewell.

ATTEST:

Board of Commissioners  
Hopewell Township



Andy J. Brunette  
Manager/Controller



Norm Kraus, Jr.  
President, Board of Commissioners

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

December 10, 2012  
Meeting in Session at 6:35 p.m.

**6:35pm: Workshop Meeting Called to Order by Mr. Kraus and that the meeting will be recorded**

**ROLL CALL**

President

Norm Kraus Jr.

Vice President

Rich Bufalini

Commissioners

Nick DiPietro      Arrived 6:48pm

Joe Kusnir

Brian Rohm      Dismissed 7:45pm

Others Present

Andy Brunette, Township Manager/Controller

Marie Stratakis-Hartman, Township Engineer

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

**6:55pm      CITIZEN COMMENTS PERTAINING TO THE BUSINESS AGENDA    NONE**

**6:55pm      BUSINESS AGENDA**

Mr. Rohm      Motion to approve the Workshop Minutes of November 5, 2012

Mr. Kusnir      Second the motion

Roll Call Vote:

Mr. DiPietro      Yes

Mr. Kusnir      Yes

Mr. Rohm      Yes

Mr. Bufalini      Yes

Mr. Kraus      Yes

Motion Carried

Mr. Bufalini      Motion to approve the list of bills dated December 10, 2012

Mr. Kusnir      Second the motion

Roll Call Vote:

Mr. DiPietro      Yes

Mr. Kusnir      Yes

Mr. Rohm      Yes

Mr. Bufalini      Yes,

Mr. Kraus      Yes

Motion Carried

## Page 2, December 10, 2012 Workshop Meeting Minutes

Mr. Kusnir      Motion to approve Ordinance 2012-06 prohibiting stopping, standing or parking on portions of Westfield Drive where designated as a Fire Lane  
Mr. Bufalini      Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Kusnir      Motion to approve Ordinance 2012-09 granting an exclusive franchise for the collection, removal and disposal of garbage, rubbish, bulky waste, yard waste, designated recyclable material, household hazardous waste, and e-waste  
Mr. DiPietro      Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Kusnir      Motion to approve Ordinance 2012-10 establishing licensing, application and issuance requirements for mechanical amusement devices, review and investigation of applications, licensing fees, revocation of licenses, prohibited devices, and violation and penalty provisions relative thereto  
Mr. DiPietro      Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. DiPietro      Motion to approve Resolution R-2012-21 establishing fees for mechanical devices in conjunction with Ordinance 2012-10  
Mr. Bufalini      Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Kusnir      Motion to approve Resolution R-2012-19 authorizing an amendment to the agreement dated January 1, 1987 between the Township of Hopewell and the Pennsylvania Municipal Retirement board to reduce for 2013 only the required member contribution to the municipal pension plan  
Mr. Bufalini      Second the motion

## Page 3, December 10, 2012 Workshop Meeting Minutes

### Roll Call Vote:

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

Motion Carried

Mr. Kusnir Motion to approve the Hopewell Township 2013 annual meeting dates  
Mr. Rohm Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Rohm Motion to approve the advertisement of the Hopewell Township 2013 annual meeting dates  
Mr. Bufalini Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Bufalini Motion to approve the second reading of the 2013 proposed budget: General Fund \$5,170,000, Sewer Fund \$3,035,000, Sewer Reserve/Construction Fund \$768,000, and the Liquid Fuels Fund \$316,610  
Mr. Rohm Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Bufalini Motion to approve payment application No. 2 from Lone Pine Construction, Inc. in the amount of \$71,083.91 as recommended by the Township Engineer for the Raccoon Aeration System Upgrade  
Mr. DiPietro Second the motion

### Roll Call Vote:

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

Motion Carried

Mr. Bufalini	Motion to approve the closing of the Municipal Offices and Public Works Departments at noon on December 21, 2012 in observance of the Christmas Holiday
Mr. Kusnir	Second the motion

Roll Call Vote:

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

Motion Carried

**7:50pm            CITIZENS FORUM        None**

**7:51pm            NEW BUSINESS**

**Commissioner DiPietro**

Mr. DiPietro wanted to thank Greg Brown for his help in taking the Santa Pictures at the visit with Santa and making the photos available on his website free of charge.

**Commissioner Kraus**

Mr. Kraus wanted to thank Commissioner DiPietro for volunteering his time this past weekend to be Santa Claus as well as thanking his family members Patti DiPietro and Nicole DiPietro for participating in the event

**7:52pm            OLD BUSINESS            None**

**7:56pm            EXECUTIVE SESSION IN**

**9:06PM            EXECUTIVE SESSION OUT**

Mr. DiPietro     Motion to appoint Anthony Altieri to the Hopewell Township Park Board replacing Mark Faiella  
term ending December 31, 2015

Mr. Bufalini     Second the motion

Roll Call Vote:

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

Motion Carried

Mr. DiPietro     Motion to appoint Joe Durinski as an alternate to the Hopewell Township Park Board

Mr. Bufalini     Second the motion

Roll Call Vote:

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

Motion Carried

Mr. DiPietro     Motion to reappoint James Douds, Jr. and Dale Wachter to the Hopewell Township Planning  
Commission to four year terms, terms ending December 31, 2016

Mr. Kusnir        Second the motion

Roll Call Vote:

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

Motion Carried

Mr. Kusnir Motion to appoint Donald Fluharty and reappoint Rick Miller to the Hopewell Township Universal Construction Code Board of Appeals Board to six year terms, terms ending December 31, 2017

Mr. Bufalini Second the motion

Roll Call Vote:

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

Motion Carried

Mr. Bufalini Motion to reappoint Ed Kotun, Tom Alexander, and Wayne Palmer to Hopewell Township's Civil Service Commission to six year terms, terms ending December 31, 2018

Mr. Kraus Second the motion

Roll Call Vote:

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

Motion Carried

Mr. Bufalini Motion to approve Dale Kazarovich as a Police Intern for criminal justice for 15 weeks starting the second week of January with the Hopewell Township Police Department. Approval pending the signing of the Police intern release form

Mr. DiPietro Second the motion

Roll Call Vote:

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

Motion Carried

**9:10pm**

**ADJOURNMENT**

Mr. Kusnir Motion to adjourn  
Mr. Bufalini Second the motion  
Voice Vote: All in favor

Motion Carried

Minutes Recorded by: Andy J. Brunette 12/10/12  
Minutes Prepared by: Andy J. Brunette 12/11/12