

# HEMPFIELD

— TOWNSHIP —

## BOARD OF SUPERVISORS MONTHLY PUBLIC MEETING

SEPTEMBER 26, 2022 | 7:00 pm

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Supervisors Present: Mr. George Reese  
Mr. R. Douglas Weimer  
Mr. John Silvis

Mr. Bill Bretz  
Mr. Tom Logan

Staff Present: Mr. Jason Winters  
Mr. Scott Avolio  
Mr. Patrick Karnash  
Mr. Lloyd Fait  
Mrs. Callie Krueger

Mr. Aaron Siko  
Mr. Dan Schmitt  
Mr. Doug Cisco  
Mr. James Shaw

### A. CALL TO ORDER & PLEDGE OF ALLEGIANCE

The regularly scheduled monthly meeting of the Hempfield Township Board of Supervisors, held at the Hempfield Township Municipal Building, was called to order at 7:00 p.m. by Chairman, George Reese.

### B. PUBLIC HEARINGS

#### 1. Zone Change Request Suburban Residential (SR) to Regional Commercial (RC) – LMJ Partners LP Located at 285 and 287 Old Route 30 (Tax Map Nos. 50-22-04-0-016 and 50-22-04-0-017)

Mr. Scott Avolio – The public hearing tonight is a zoning change scheduled to request Suburban Residential be rezoned to Residential Commercial. This proposal is on behalf of LMJ Partners located at physical mailing address 285 and 287 Old Route 30. Tax map numbers are 50-22-04-0-016 and 50-22-04-0 parcel 017. I believe Mr. Karnash is available and I would ask him to put into the record the posting and mailing and advertising of this hearing.

Mr. Patrick Karnash – The property was posted on August 24, 2022. The adjoining property owners were mailed on August 24, 2022 and it was advertised in the Tribune Review on August 25 and September 1, 2022.

Mr. Avolio – Is anyone here on behalf of the applicant LMJ Partner? Mr. Karnash could you, I think I explained it in the title, but could you just explain to the board the proposed change?

Mr. Karnash – The proposed change is from Suburban Residential. It's two parcels to change from suburban residential to match the surrounding area which is regional commercial. This is part of a greater development for a new Ford/Lincoln Dealership. It's just making the singular parcel all the same zoning district.

Mr. Avolio – Thank you. Is anyone here in opposition to the proposal? Sorry to call you out as entering late but are you here in interest to the rezoning of the parcel.

Audience member – No.

Mr. Avolio – No one has appeared in opposition. Does the Board of Supervisors have any questions concerning the rezoning?

Mr. Tom Logan – Are there any structures located on these two parcels?

Mr. Karnash – That is a negative. Both structures that were there were both recently in the last two weeks demolished.

Mr. Logan – Okay, no further questions.

Mr. George Reese – Okay, anybody else? No further questions.

Mr. Avolio – You'll see it later on the agenda for the Supervisors to consider it. Just one word of advice, a zoning is a purely legislative function fully within the authority of the Board of Supervisors to decide the determination. With that, I would close the hearing.

**2. Transfer of PLCB Liquor License - Greensburg Entertainment Group, LLC Located at 4589 State Route 136 (Tax Map No. 50-20-12-0-038)**

Mr. Scott Avolio – The next item for consideration is an intermunicipal liquor license transfer. This is a proposal of Greensburg Entertainment Group LLC located at 4589 State Route 136. The tax map number is 50-20-12-0 parcel 38. Is anybody, the applicant present? Could you please raise your right hand to be sworn? Do you intend to tell the truth, the whole truth and nothing but the truth so help you God?

Mr. Robert Hogue – I do.

Mr. Avolio – Please state your name.

Mr. Hogue – Robert Hogue.

Mr. Avolio – Rob, what is your role with the proposed applicant?

Mr. Hogue – Managing partner.

Mr. Avolio – Would you please explain to the Board of Supervisors where did the liquor license come from and what your intention is with this transfer.

Mr. Hogue – The liquor license we purchased from Alfie McDuff's in Vandergrift and what we intend to do is we purchased the property over here the address stated, the old Shop'N Save. We are going to open a family entertainment center with a bar and restaurant inside. The bar and restaurant will be Bites and Brews. It's a very family-oriented place. We will have bowling, laser tag, arcade, axe throwing, escape room, all kinds of fun stuff to do so we needed a liquor license to be able to serve alcohol there. We purchased it within Westmoreland County and would like to transfer it into Hempfield Township for that use.

Mr. Avolio – And just for clarification you obviously intend to conform to all of the liquor license laws for operation, hours, employees, square footage, all of those items?

Mr. Hogue – Absolutely, yeah, we have already submitted the application to the PLCB, so we just needed this approval to have it in the township to move on. We do have another location in Johnstown in Cambria County where we operate the same type of, the same exact thing, the family restaurant Bites and Brews our restaurant and bar in there.

Mr. Avolio – Do the supervisors have any questions for the applicant?

Mr. John Silvis – Yeah can you give an explanation of the format of operation? When people ask me, I tell them it's like Chuck-E-Cheese.

Mr. Hogue – No, that is incorrect, sir.

Mr. Silvis – Okay, explain what it is going to be.

Mr. Hogue – We are going to have twenty lanes of bowling, six of those will be in a private setting so you can have a private party. We will have four event rooms. Sixty-ish arcade games, we will have a ropes course over the arcade. We will have an escape room; we will have four lanes of axe throwing. We will have a three-thousand square foot laser tag arena. We will have two sports simulators, it will have golf and a whole bunch of other, football, baseball, dodgeball, soccer, they do all kinds of different things. And then the full restaurant and bar.

Mr. Silvis – It will be a family-oriented activity?

Mr. Hogue – Very family oriented, yes sir. We don't do live entertainment or anything like that. We've done, in the past, at the other location, we've done a little bit of karaoke we do some bingo things like that but we like to keep it very family oriented. With leagues we will develop youth programs, birthday parties, corporate events.

Mr. Silvis – Where is the one in Cambria County?

Mr. Hogue – It's in Richland Township.

Mr. Silvis – Up on the hill in Johnstown?

Mr. Hogue – Yes, sir.

Mr. Silvis – George you were just up there.

Mr. George Reese – What are you open? Seven days a week?

Mr. Hogue – Yes, sir.

Mr. Reese – And your hours?

Mr. Hogue – We are 10 to 10 during the week. I think midnight on Fridays and 1 a.m. on Saturdays because we do a rock and bowl from 11 to 1 and then 10 on Sundays.

Mr. Reese – How many lanes?

Mr. Hogue – There will be twenty total lanes. So, fourteen in the main lane bed and then six in the VIP private area.

Mr. Reese – Very good. Thank you. Any other questions?

Mr. Bill Bretz – Yeah, your facility in Cambria County, is it located at the mall or a strip mall setting or is it more in a neighborhood cause you're kind of close to a neighborhood here.

Mr. Hogue – Very similar, it's right smack in the middle of, there's houses on that pretty much - it's commercial in front of us and commercial down the left side behind and to the right which is very similar to what we have over here is all residential. We have not had any issues whatsoever up there almost two years.

Mr. Silvis – Do you have a liquor license there?

Mr. Hogue – Yes, sir. Same exact set up. Same exact. We will have the same menu, same drinks, same everything. We don't get crazy we don't serve doubles we don't, you know. We're just not going for that. We are just looking for somebody to have a couple beers or you know a glass of wine or slushy something like that while they're doing something and having fun. We're not looking for somebody who is sitting at the bar hammering shots. That's not the crowd that we are looking for. We will probably have the NFL Sunday ticket. We will have a nice huge screen that we will be able to play everything on at the bar so any football fans that like to watch that can.

Mr. Silvis – You know you have competition with the casino?

Mr. Hogue – Yeah, yeah. Well, we aren't doing the sports betting so, well I guess anybody can do it from their phone now right? So, I guess you can. I think it's a little bit different crowd than goes to the casino.

Mr. Avolio – Any other questions from the supervisors?

Mr. Doug Weimer – Since we are asking just about anything, yes.

Mr. Avolio – You don't have to.

Mr. Weimer – No, I do. So, when is this opening?

Mr. Hogue – We are hoping – we just got the schematic design done today. So, we are looking for construction designs to be done next month so back here for construction permits by the end of the year and looking to open next summer.

Mr. Weimer – Wow that's great. Well, thank you for all of that additional information.

Mr. Reese – Tom, do you have anything?

Mr. Logan – No, I'm good.

Mr. Reese – That's all Mr. Avolio.

Mr. Avolio – Does anybody here wish to testify in either support or opposition of this proposed liquor transfer?

Mr. Reed Crosby – I'm in support, should you swear me in?

Mr. Avolio – Yes, come on up. Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. Reed Crosby – I do.

Mr. Avolio – Alright, please state your name.

Mr. Crosby – Reed Crosby.

Mr. Avolio – Please tell the supervisors your thoughts on this proposed transfer.

Mr. Crosby – Sounds great, wish my kids were younger. I'm in.

Mr. Avolio – Any questions? Anybody else? Thank you very much. Mr. Chairman I would close the hearing for the liquor license transfer.

### **C. CITIZENS COMMENTS (AS PER RESOLUTION #2012-24)**

Tony DeGregorio – 14 Beaver Road – Mr. DeGregorio requested portable speed bumps to be placed on Yale Street after several high-speed incidents have occurred and resulted in damages to properties along the roadway.

Reed Crosby – 119 Tall Oaks Trail – Mr. Crosby spoke in support of amending the Zoning Ordinance for the Township to allow for backyard hens. He mentioned other municipalities that do allow for backyard hens and also feels that families can create food security for themselves.

Terry McCann – 324 Taggart Drive – Mr. McCann spoke in favor of amending the Zoning Ordinance to allow for backyard hens. Mr. McCann's family is currently involved in a zoning violation involving their six hens. The violation cites Animal Husbandry which references farming operations of a commercial nature. His family is not farming on their property. He asks that the Zoning Ordinance be made clearer that backyard chickens are not a commercial agricultural operation and stop putting undue burdens on taxpayers.

Wendy McCann – 324 Taggart Drive – Mrs. McCann would also like for the Board of Supervisors to amend the Zoning Ordinance to allow for backyard hens. She cited the Headlining Hempfield Letter from the Supervisors in which they recognize that change and growth are recognized for an ever-enduring community. Mrs. McCann also gave information on the increase and surge in recent years regarding families sustaining their own flocks for food sustainability.

### **D. EXECUTIVE SESSIONS**

- 1. August 22, 2022 – Legal & Personnel**
- 2. September 21, 2022 – Legal & Personnel**

Mr. Reese stated that Executive Sessions were held on the listed dates.

### **E. APPROVAL OF MINUTES**

- 1. Consideration to Approve the Minutes from the August 22, 2022 Hempfield Township Board of Supervisors Monthly Meeting**

Mr. Bretz made a motion seconded by Mr. Weimer to approve the minutes from the August 22, 2022 Hempfield Township Board of Supervisors Monthly Meeting. Vote: 5-0. Motion carried.

### **F. STAFF REPORTS – (WRITTEN REPORTS DISTRIBUTED PRIOR TO MEETING)**

Mr. Jason Winters – Township Manager – Ongoing projects include Racetrack Road reconstruction, Monkeywrench Road is wrapping up, and the Headquarters building renovation is moving along. A budget meeting will be scheduled with the board. An addition to the agenda since Wednesday is the authorization of the LSA Grant submission to Westmoreland County.

Mr. Aaron Siko – Assistant Township Manager & Director of Parks & Recreation – Mom & Me Mini Golf was successful. Fall Family Night is scheduled for October 8<sup>th</sup> at Hempfield Park. Trunk or Treat is scheduled for October 23<sup>rd</sup> also at Hempfield Park. In November the final summer facilities report will be ready.

Mr. Patrick Karnash – Director of Planning & Zoning – Community Outreach Events for the Comprehensive Plans have been rescheduled for the following dates and locations: October 20<sup>th</sup> at Hempfield High School October 26<sup>th</sup> at West Point Elementary School and October 27<sup>th</sup> at West Hempfield Elementary School. A Steering Committee meeting will be held on October 12<sup>th</sup>.

Mr. Doug Cisco – Director of Public Works – Projects for the Public Works Department include paving, and stormwater updates as well as discussions with PennDot for the issues with the traffic lights along Route 30, PennDot is monitoring the situation and there have been three days without complaints. A potential stormwater project on Timothy Drive will be discussed.

Mr. Lloyd Fait – Director of Finance – Mr. Fait reported that Revenues for the Township are at 86% and Expenses are at 54%.

Mr. James Shaw – Director of Code & Safety – Visited Feightner Road today, provided photos to the board, and reported that the line of sight is up to code.

Mr. Scott Avolio – Township Solicitor – An agenda item was added since Wednesday, it is for a tax settlement for Peter and Eileen Billey.

Mr. Dan Schmitt – Township Engineer – Paving is to begin on Monkeywrench Road on Wednesday. The West Point project will begin on November 11<sup>th</sup>, Camera for the pipe at N. Hempfield will begin on October 17<sup>th</sup>. Mr. Schmitt also reminded residents of the MS4 stormwater regulations for keeping waterways clean. The proposal for fixing the stormwater damage on Almont Lane is up for approval tonight and the owner of the property is in favor of the work proposed but would like an asphalt surface to be placed on the gravel so that it can be easily maintained during the winter months until the driveway is fixed.

## **G. TREASURER'S REPORT**

Mr. Logan stated that the Treasurer's Report was given at the work session Wednesday and there was nothing additional to add.

## **H. PAYMENT OF BILLS**

- 1. Consideration to Approve the following Payment of Bills**
  - a. Fund 100 – General Fund - \$644,803.52**
  - b. Fund 202 – Light District Fund - \$4,462.33**
  - c. Fund 235 – Liquid Fuels Fund - \$687,836.50**
  - d. Fund 418 – Capital Projects Fund - \$16,818.59**
  - e. Fund 420 – Bond Issue Fund - \$7,504.98**
  - f. Fund 493 – ARPA Fund - \$270,805.17**

Mr. Logan made a motion seconded by Mr. Bretz to approve the payment of bills as listed. Vote: 5-0. Motion carried.

## **I. DECISIONS FROM HEARINGS**

- 1. Consideration to Approve Ordinance No. 2022-07; Authorizing the Zone Change from Suburban Residential (SR) to Regional Commercial (RC) for 285 and 287 Old Route 30 (Tax Map Nos. 50-22-04-0-016 and 50-22-04-0-017)**

Mr. Bretz made a motion seconded by Mr. Weimer to approve Ordinance No. 2022-07. Vote: 5-0. Motion carried.

- 2. Consideration to Approve Resolution No. 2022-131; Approving the Liquor License Transfer for Greensburg Entertainment Group, LLC Located at 4589 State Route 136 (Tax Map No. 50-20-12-0-038)**

Mr. Reese made a motion seconded by Mr. Weimer to approve Resolution No. 2022-131. Vote: 5-0. Motion carried.

## **J. ITEMS FOR ACTION TO BE TAKEN**

- 1. Consideration to Approve Resolution No. 2022-132; Granting Final Approval for the Mason Park Plan of Lots Revision 3 – Plan No. PA-22-30**
  - **Applicant: Penn Line Real Estate Holdings**
  - **Location: Mason Park Plan of Lots**
  - **Purpose: to consolidate parcels 3R-1 and 2 to create one buildable lot**
  - **Planning Commission: 5-0**

Mr. Logan made a motion seconded by Mr. Weimer to approve Resolution No. 2022-132. Vote: 5-0. Motion carried.

- 2. Consideration to Approve Resolution No. 2022-133; Granting Final Approval for the Callen Farm Plan – Plan No. PA-22-26**
  - **Applicant: Wayne Callen**
  - **Location: near Bridge Street near the border of Hunker and Hempfield, residual parcel is located in Hempfield**
  - **Purpose: to create a new lot for a single-family home in Hunker**
  - **Planning Commission: 5-0**

Mr. Weimer made a motion seconded by Mr. Reese to approve Resolution No. 2022-133. Vote: 5-0. Motion carried.

- 3. Consideration to Approve Resolution No. 2022-134; Approving the Sewage Facilities Planning Module for the Al. Neyer Lot 16, WCIDC Distribution Park Phase II Parcel B Plan – Tax Map No. 50-41-00-0-169**

Mr. Logan made a motion seconded by Mr. Weimer to approve Resolution No. 2022-134. Vote: 5-0. Motion carried.

- 4. Consideration to Approve Resolution No. 2022-135; Granting the Release of the Financial Security for Al Neyer Lot 13, Tech Park II – Plan No. 20200156**

Mr. Weimer made a motion seconded by Mr. Silvis to approve Resolution No. 2022-135. Vote: 5-0. Motion carried.

- 5. Consideration to Approve Resolution No. 2022-136; Establishing the Minimum Obligation for the Hempfield Township Employee Defined Benefit Plan in the Amount of \$189,003.00 and Defined Contribution Plan in the Amount of \$29,198.00 for the Year 2023 Pursuant to Act 205 of 1984**

Mr. Logan made a motion seconded by Mr. Weimer to approve Resolution No. 2022-136. Vote: 5-0. Motion carried.

- 6. Consideration to Approve Resolution No. 2022-137; Appointing Members to Class I of the Hempfield Fire Department Relief Association**

Mr. Reese made a motion seconded by Mr. Logan to approve Resolution No. 2022-137, appointing the Township Manager and the Director of Finance to Class I of the Hempfield Fire Department Relief Association. Vote: 5-0. Motion carried.

- 7. Consideration to Approve Resolution No. 2022-138; Authorizing the Submission of 2022 Local Share Account (LSA) – Category 4 Facilities Program Grant**

Mr. Logan made a motion seconded by Mr. Weimer to approve Resolution No. 2022-138. Vote: 5-0. Motion carried.

- 8. Consideration to Authorize the Township Solicitor to Advertise an Ordinance for the Placement of a Stop Sign at the Intersection of St. Thomas Place and Buckingham Drive**  
Mr. Reese made a motion seconded by Mr. Weimer to authorize the Township Solicitor to Advertise an Ordinance for the Placement of a Stop Sign at the Intersection of St. Thomas Place and Buckingham Drive. Vote: 5-0. Motion carried.
- 9. Consideration to Authorize the Township Solicitor to Enter into a Stipulated Settlement Agreement on Tax Assessment Appeal for Matthew Turchetta for Case No. 5098 of 2017 - Tax Map No. 50-09-04-0-030**  
Mr. Logan made a motion seconded by Mr. Weimer to authorize the Township Solicitor to enter into a Stipulated Settlement Agreement on Tax Assessment Appeal for Matthew Turchetta for Case No. 5098 of 2017 – Tax Map No. 50-09-04-0-030. Vote: 5-0. Motion carried.
- 10. Consideration to Authorize the Township Solicitor to Enter into a Stipulated Settlement Agreement on Tax Assessment Appeal for Peter M. & Eileen C. Billey for Case No. 5664 of 2019 - Tax Map No. 50-25-00-0-104**  
Mr. Weimer made a motion seconded by Mr. Reese to authorize the Township Solicitor to enter into a Stipulated Settlement Agreement on Tax Assessment Appeal for Peter M. & Eileen C. Billey for Case No. 5664 of 2019 – Tax Map No. 50-25-00-0-104. Vote: 5-0. Motion carried.
- 11. Consideration to Approve Pay Estimate #1 in the Amount of \$18,900.00 to H.L. Thomas, Inc. for the Fire Department HQ Station 500 Project No. 22C-007**  
Mr. Logan made a motion seconded by Mr. Bretz to approve Pay Estimate #1 in the amount of \$18,900.00 to H.L. Thomas, Inc. for the Fire Department HQ Station 500 Project No. 22C-007. Vote: 5-0. Motion carried.
- 12. Consideration to Approve Pay Estimate #2 in the Amount of \$35,893.08 to TP Electric, Inc. for the Fire Department HQ Station 500 Project No. 22C-007**  
Mr. Logan made a motion seconded by Mr. Bretz to approve Pay Estimate #2 in the amount of \$35,893.08 to TP Electric, Inc. for the Fire Department HQ Station 500 Project No. 22C-007. Vote: 5-0. Motion carried.
- 13. Consideration to Approve Estimate #1 in the Amount of \$56,745.00 to Newman Plumbing, Inc. for the Fire Department HQ Station 500 Project No. 22C-007**  
Mr. Reese made a motion seconded by Mr. Bretz to approve Pay Estimate #1 in the amount of \$56,745.00 to Newman Plumbing, Inc. for the Fire Department HQ Station 500 Project No. 22C-007. Vote: 5-0. Motion carried.
- 14. Consideration to Approve Pay Estimate #2 in the Amount of \$226,905.30 to Tresco Paving Corp. for Racetrack Road Reconstruction – Contract 3/2022**  
Mr. Weimer made a motion seconded by Mr. Bretz to approve Pay Estimate #2 in the amount of \$226,905.30 to Tresco Paving Corp. for Racetrack Road Reconstruction – Contract 3/2022. Vote: 5-0. Motion carried.
- 15. Consideration to Approve Pay Estimate #3 in the Amount of \$106,227.90 to Graham Construction for Fire Department HQ Station 500 Project No. 22C-007**  
Mr. Logan made a motion seconded by Mr. Reese to approve Pay Estimate #3 in the amount of \$106,227.90 to Graham Construction for Fire Department HQ Station 500 Project No. 22C-007. Vote: 5-0. Motion carried.

**16. Consideration to Approve an Emergency Repair to the Pipe and Headwall Damage on Almont Lane with Petrakis Contracting**

Mr. Weimer made a motion seconded by Mr. Reese to approve an Emergency Repair to the Pipe and Headwall Damage on Almont Lane with Petrakis Contracting and to Designate the Funds from General Fund. Vote: 5-0. Motion carried.

**17. Consideration to Approve the Following Emergency Service Applications as Members of the Hempfield Fire Department, to be effective Upon the Township Receiving a Physical Report from the Township Physician Stating that the Individual is Capable of Performing Activities Related to the Appointed Position and Successful Criminal History and Act 153 Clearance Requirements**

<b>Name</b>	<b>Position</b>	<b>Fire Station</b>
<b>Merrick Fritts</b>	<b>Jr. Firefighter</b>	<b>Fort Allen Station</b>
<b>Logan Duncan</b>	<b>Sr. Firefighter</b>	<b>Hempfield #2 Station</b>

Mr. Reese made a motion seconded by Mr. Bretz to approve the listed Emergency Service applicants as Members of the Hempfield Fire Department, effective upon the township receiving a physical report from the township physician stating that the individual is capable of performing activities related to the appointment position and successful criminal history and Act 153 clearance requirements. Vote: 5-0. Motion carried.

**K. OLD BUSINESS – NONE**

**L. NEW BUSINESS – NONE**

**M. SUPERVISORS COMMENTS**

Mr. John Silvis – The portable speed bumps are a short-term remedy for the Lincoln Heights area. He feels that other options should be looked into. He also wished good luck to the Hempfield Spartans football team.

Mr. Tom Logan – Appreciates the concern and the interest with the backyard chickens. He would like for the Steering Committee to have a discussion on this topic because of the ongoing Comprehensive Plan updates.

Mr. Bill Bretz – There are three public sessions coming up for the community to get involved in discussing ideas and opinions on changes within the Township regarding the Comprehensive Plan. He also mentioned the three separate fatal accidents on state roads within the township over the weekend and reminded the community to drive safely.

Mr. Weimer – Encouraged residents to participate in the Comprehensive Plan. Reminded everyone of the Homecoming game and parade on Friday night and Fire Prevention Night on October 11<sup>th</sup>. He also supports the idea of the temporary speed bumps to reduce traffic incidents and speeding. Mr. Weimer also noted that Senator Ward supports the Township’s RCAP application.

**N. ADJOURNMENT**

The regularly scheduled meeting of the Hempfield Township Board of Supervisors was adjourned at 7:59 pm by Chairman, George C. Reese.

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**CHAIRMAN**

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**SECRETARY**