

1. CALL TO ORDER

Chair David Piper called the meeting to order at 7:02 p.m. (present at the Community Center). Other Supervisors present were Patti Hartle (present at the Community Center); Bob Strouse (present at the Community Center); Chuck Beck (present at the Community Center) and Ron Servello (present at the Community Center). Staff present were Denise Gembusia, Township Manager (present at the Community Center); Amy Smith, Township Secretary (present at the Community Center); Brett Laird, Township Treasurer (present at the Community Center); and Zachary Rice, Township Solicitor (present at the Community Center). Residents & others in attendance: Mary Hawes (present by Zoom); Mark Hartle (present by Zoom); Klaus Keller (present by Zoom); Reed Moyer (present by Zoom) Laurie Strouse (present by Zoom); Andy Merritt (present at the Community Center); Sharon Rovansek (present at Community Center); Virginia Squier (present at Community Center); Wayne Foster (present at Community Center); Lorin Nauman (present at Community Center); Georgina Motter (present at Community Center); Hyeseon Kim (present at Community Center); Cindy Hahn, C-NET (present at Community Center); John Hoover (present at Community Center); Roseann Hoover (present at Community Center); Connie Pascavage (present at Community Center) and Rebecca Brooks (present at Community Center).

OPENING ANNOUNCEMENTS

More information is available on the website: www.halfmoontwp.us

- This evening's meeting is being LIVE recorded on C-NET's YouTube channel <https://www.youtube.com/user/CNetCentreCounty> You may also view locally produced programs online at www.cnet1.org
- The township is asking for resident's email addresses for important updates and notices. To sign up, visit www.halfmoontwp.us and click on the CONTACT US button on the homepage.
- Volunteers are needed for open positions on various committees and boards. If you are interested in volunteering, please visit the township website, or contact the manager.
- Item to note: Chair Piper will be the representative for the CCMPO Technical Committee while Barbara Spencer will be the representative for the CCMPO Coordinating Committee.
- Port Matilda Fire Company is looking for a volunteer grant writer. The next grant is due during the May/June timeframe.

2. CITIZEN COMMENTS

Ms. Gembusia stated she received an email from Ms. Brenda Black from 143 Cedar Ridge Drive regarding damage to her mailbox. Ms. Gembusia commented that Ms. Black is alleging the township plow hit her mailbox and caused damage. Ms. Gembusia stated public works staff has been fantastic about reporting to staff when they have hit a mailbox. Ms. Gembusia commented that if staff does hit a mailbox, it is replaced or repaired if applicable so the resident can still receive mail. Ms. Gembusia stated Ms. Black accused staff of lying and will take possible legal action if the mailbox is not restored by February 15th, 2022. Ms. Gembusia commented that Mr. Brown has been driving the Western Star truck and if the plow on this truck would have hit the mailbox, it would have been obliterated. Mr. Servello questioned whether the mailbox is in the township right-of-way and whether it was set back properly. Mr. Piper commented that there are no real setbacks and that most likely every mailbox is in the right-of-way. Mr. Strouse commented there could have been a number of things that damaged this mailbox but does not agree that it was the township plow. Mr. Servello agreed that there are other potential causes other than the snowplow. Ms. Gembusia stated she emailed Ms. Black to inform her that the township would not be replacing her mailbox. Mr. Piper questioned what the responsibility is of the township. Solicitor Rice commented that staff should make the insurance company aware. Solicitor Rice explained that under the tort claims act the burden is on the property owner to prove the township damaged the mailbox. Solicitor Rice stated if the Board agrees that the plow would not have caused the minor damage shown in the picture provided by Ms. Black, then he can write a brief written response to Ms. Black.

- ***MOTION: Mr. Strouse moved to authorize the Solicitor to respond in writing to the request indicating the Township does not intend to take any action upon that request and that if legal action is brought the Township will vigorously defend it; Mr. Servello seconded; Vote 5-0-0; Motion Carried.***

Ms. Kim thanked the Board for allowing her the opportunity to speak on behalf of the Lunar New Year. Ms. Kim stated she and her husband moved to the area in 2005, after agreeing the area had a resemblance to their home in Korea. Ms. Kim added she became involved in the community through her children's involvement in boy scouts and volunteering as a Park & Recreation Board member. Ms. Kim stated she never considered how she was visible to other community members until last April when a shooting occurred in Atlanta. Ms. Kim added the shooting became a wakeup call to her because of the way the media made her feel about herself as an Asian

woman. Then in May, Halfmoon Township passed their Asian and Pacific Islander Resolution, which made her feel great, because she felt recognized and seen by her community. Ms. Kim stated this was the background history to her requesting the Board's proclamation of the Lunar New Year and hoped it would continue to make her and other members of the community of Asian descent feel noticed and welcomed in their community.

- **MOTION:** *Mr. Strouse moved to declare February 1, 2022; Lunar New Year in Halfmoon Township; Ms. Hartle seconded; Mr. Piper welcomed Ms. Kim to Halfmoon township and thanked her for contributing to the community; Mr. Piper added that he was okay recognizing February 1st as a special day but hesitated calling attention to one specific race but wants everyone to celebrate and have a positive feel to things; Mr. Strouse added that it is important to recognize the ethnic and racial diversity within the Township and the Township needed to make its citizens feel important and heard; Mr. Servello inquired whether this proclamation was due to an underlying problem or concern. Ms. Kim confirmed it was not due to an underlying problem or concern and it is simply to celebrate the year of the Tiger; Ms. Gembusia stated she received email comments from various citizens and read names of those who were both for and against the proclamation; Mr. Merritt added he also was in favor of the proclamation; Ms. Rovanseck and Ms. Motter also added their support; Mr. Piper added he felt it took a special kind of person to move into the country from another land and recognized it is not as easy to fit into as it would be in a more diverse city setting; Ms. Hoover stated she was confused as to how the proclamation fits within the parameters of Township business. Ms. Hoover added that the meeting had already been going for twenty minutes but the Board had yet to discuss Township business. Ms. Hoover stated she agreed with the idea behind the proclamation but felt it seemed like a distraction; Mr. Piper responded that it was true that the proclamation was not typical township business, but it was just recognizing a day of celebration and others are welcome to come and celebrate special events in their lives as long as it doesn't pick out a specific group and includes everyone. Mr. Piper said if proclamations will make citizens in the community happy, he was all for it; Mr. Strouse added that adding proclamations in agendas is typical business that is done all the time in the state of Pennsylvania. Mr. Strouse stressed that the Board has approved resolutions in the past for recognizing events, for example May is Bike Month, and it has never hindered Township business; Ms. Gembusia stated if approved it would become Resolution 2022-11; Mr. Piper stated he did not know the Board was making a Resolution he thought it was a simple motion; Solicitor Rice commented that a proclamation is a phrase specific to Mayors of Boroughs; Solicitor Rice added that Townships of the Second Class can pass ordinances and resolutions and resolutions are generally expressions of will of feelings on a particular subject where and ordinance is adopting law, which is not the case tonight; Mr. Strouse moved to revise the motion and approve Resolution 2022-11 declaring February 1, 2022 as Lunar New Year; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.*

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3. APPROVAL OF AGENDA

Mr. Piper stated it was not his intent to bring any action on agenda item 6.b. and just wanted to have a discussion on the Joint Articles of Agreement. Mr. Piper would like the agenda amended to remove the possible action language from agenda item 6.b.

- **MOTION:** *Mr. Strouse moved to approve the agenda as amended; Mr. Beck seconded; Vote 5-0-0; Motion Carried.*

4. SUBDIVISION/LAND DEVELOPMENT PLANS OR CONDITIONAL USES AND PUBLIC HEARINGS

- a. Time Extension - Don Houtz Final Minor Subdivision (Plan #2021-04), plan expires February 13, 2022.

Ms. Gembusia stated this plan is under the Planning Commission review and is set to expire February 13, 2022. Mr. Houtz provided a 90-day extension. Mr. Piper requested Solicitor Rice explain who is granting who the extension. Solicitor Rice commented that it's a two-way street, if you have a plan that did not get through the Planning Commission review yet, the Board of Supervisors is the ultimate arbiter of the plan and have that 90-day period to approve or deny the plan. Solicitor Rice added that if the 90 days under the MPC is about to expire the township would be within their rights to deny the plan because it's still in the Planning Commission stage and there are several things that need to be refined or clarified or changed to the plan. Solicitor Rice explained the developer is providing the township with more time than provided under the MPC and the township is providing the developer enough time to work through the planning and engineering comments so the plan can be refined and brought back to the Board for final

action. Solicitor Rice summarized that if an extension is requested of the Board, then the Board must grant the extension.

Ms. Gembusia commented that she thought the developer granted the extension and the Board accepted it.

Solicitor Rice stated that it is a question of semantics, and it is the Boards time restriction so it's the Board's obligation to act within the 90 days or get more time.

- **MOTION: Mr. Strouse moved to accept the 90-day time extension for the Don Houtz Final Minor Subdivision Plan (2021-04); Ms. Hartle seconded; Vote 5-0-0; Motion Carried.**

5. APPROVAL OF MINUTES

- a. January 3, 2022 - Organizational Board of Supervisors Meeting
- b. January 3, 2022 - Regular Board of Supervisors Meeting Minutes

- **MOTION: Mr. Strouse moved to approve the organization and regular meeting minutes of January 3, 2022; Mr. Servello seconded; Vote 5-0-0; Motion Carried.**

6. CONSENT AGENDA

- a. Ratify payment of the Bills List for the period of 12/18/2021 to 12/31/2021 from the following funds:
 - a. General Fund in the amount of \$31,889.46
- b. Approve payment of the Bills List for the period of 1/1/2022 to 1/7/2022 from the following funds:
 - a. General Fund in the amount of \$56,219.45

- **MOTION: Ms. Hartle moved to approve the Consent Agenda; Mr. Strouse seconded; Vote 5-0-0; Motion Carried.**

7. OLD BUSINESS

There was no old business.

8. NEW BUSINESS

- a. Podgurski Open Space Preservation Application (#2021-37) and 10-Year Advanced Payment Request for Property at 2233 Halfmoon Valley Road (MEMO)
 - a. Application
 - b. Deed
 - c. Ariel Map
 - d. On-Site Inspection Report
 - e. Land Rating Score Sheet
 - f. Planning Commission and Open Space Preservation Board Actions

Ms. Gembusia commented that the Open Space Preservation Board and Planning Commission accepted the application to forward to the Board of Supervisors but did not recommend the 10-year advance. Mr. Piper questioned how many acres many acres this would add to the program. Ms. Gembusia stated this property has 40.25 acres and is located adjacent to the Way Fruit Farm property. Mr. Piper stated there are over 2,200 acres preserved and protected because of the Open Space Preservation Program. Ms. Gembusia commented the Board would need to forward the application to the Solicitor for a title search.

- **MOTION: Ms. Hartle moved to approve accept the application and forward to the Solicitor for review; Mr. Beck seconded; Vote 5-0-0; Motion Carried.**
- b. Discussion Regarding Halfmoon Township's Participation in Centre Region Council of Governments' Agencies
Mr. Piper stated he had concerns with the wording in the Articles of Agreement of how a municipality withdraws from the Centre Region COG. Solicitor Rice reviewed the withdraw procedures and stated a municipality can withdraw by providing one year's notice of the withdraw to the Centre Region COG. Solicitor Rice stated this would be the same procedure for withdrawing from an individual program.

Solicitor Rice commented this is onerous to the member municipalities, but it does give the Centre Region COG time to figure out budgeting and funding. Solicitor Rice commented that if there was an amendment to the agreement, this process would start at the General Forum, and it would need to be approved by a majority vote.

Mr. Strouse commented that if the intent is to withdraw then the Board needs to do it the right way, but he is not in favor of withdrawing.

Mr. Servello commented the purpose of this discussion, as a new sitting board member, is to understand what is in the contract, what can change and what can not be changed. Mr. Servello stated he would like to know what we pay for and commented the board should always be thinking about the cost of services. Mr. Servello commented he would like to understand what the value of these services are compared to what is paid for them and what options the board has if they want to make any changes. Ms. Servello commented this is not a rash action and wanted to have a public discussion because there is value in the process of discussion.

Ms. Hartle stated the board should look at each item, look at the data and services provided and weigh what it would cost to get those services somewhere else.

Mr. Beck commented that he would like to investigate the services, make sure the township is getting its monies worth and getting the full benefit.

Mr. Strouse stated there are some programs that are optional and some that are set but has no objection to discussion.

Mr. Piper commented that the township has limited funds and resources and stated if these services are so great, then why make it so difficult to make changes.

Mr. Strouse stated that yanking funding negatively impacts the other member municipalities and their budgets.

Mr. Piper commented that past boards signed this contract which tied the hands of the current board and future boards. Mr. Piper stated these services cost 15% of the township's revenue.

Ms. Squier requested the board members take advantage of training as a new board member and take a tour of the library and find out all the services that are available to the board and citizens.

Mr. Merritt agreed that \$163,700 is a lot of money that goes to the Centre Region COG and Schlow Library. Mr. Merritt commented that there were 2,790 citizens in Halfmoon Township in the 2020 Census. Mr. Merritt stated this equates to \$58.67 per resident for the COG services and \$18.63 per resident for unlimited library usage. Mr. Merritt stated Pennsylvania is the birthplace of the library and the library should be a source of pride and not contention. Mr. Merritt reviewed the services provided and asked the board where they wanted to nickel and dime those services. Mr. Merritt commented that if there is something the board wants to eliminate, it should be the Open Space Preservation Program. Mr. Piper stated that prior to this program the township was losing a farm a year and this program neutralizes taxes and protects ground water. Mr. Merritt commented that it strangles development, and those costs gets passed onto the citizens. Mr. Piper commented that open land is cheaper to keep than to develop. Mr. Merritt suggested that the program has served its purpose and may have run its course. Mr. Piper stated he is not against open discussion.

Ms. Rovanseck suggested a workshop where citizens can be educated and provide public comments.

Ms. Squier stated she had asked the board to consider having an open agenda item to include equality, diversity, and inclusion and has not been given a decision on whether this will be accepted.

- **MOTION:** *Mr. Strouse moved to add a standing line item on future agendas to set as a place holder for equality, diversity, and inclusion; Ms. Hartle seconded; Mr. Servello commented he is trying to understand why Ms. Squier is requesting this; Ms. Squier stated that it is the right thing to do; Ms. Squier commented Halfmoon Township needs to make room for this conversation and make it known that we value everyone's contributions and that everyone has a place here; Mr.*

Strouse commented that this may empower citizens to come forward to discuss whatever they want to discuss; Ms. Squier commented that it is hard to express her opinion to an all-white board with one sitting female; Mr. Servello commented that he takes offense to that statement because anyone is able to run for an elected position; Ms. Strouse voiced her support for Ms. Squier's proposal. Ms. Strouse stated that there are ideas and conversations about diversity, equality and inclusivity are hard or fraught. Ms. Strouse added there are general misconceptions that diversity, equality, and inclusivity does not include whiteness and she would like to dispel this notion as every member of the community is diverse. Ms. Strouse provided the example of Way Fruit Farm approaching the school district regarding their calendar being culturally responsive to farming communities that promote or participate in 4-H. Ms. Strouse stated she felt it was important for the Board to consider the wellbeing of the people in the community by promoting inclusivity within the Township, which will encourage people to come and be active members of the community; Vote 4-1-0; Mr. Strouse, yea; Ms. Hartle, yea; Mr. Servello, yea; Mr. Beck, yea; Mr. Piper, nay; No abstentions; Motion Carried.

- c. Board Appointments to Open Space Preservation Ad Hoc Review Committee (MEMO)
Ms. Gembusia stated that Halfmoon Township Code, Chapter 163 Open Space Preservation, created and defined the purpose of the Open Space program that was authorized a result of a voter referendum to acquire conservation and preservation easements on appropriate properties in the Township. Ms. Gembusia commented that a periodic review of the activities of the open space preservation program is to occur at least once every five years according to Section 163-10 of the Code. Ms. Gembusia stated to organize such a review, the Board of Supervisors shall appoint an ad hoc review committee. Staff compiled a list of people willing to serve on the committee.

The membership of the review committee shall include:

- (1) A Chair who is a member of the Board of Supervisors who is not also a member of the Open Space Preservation Board. **Ron Servello**
- (2) A member of the Open Space Preservation Board. **Reed Moyer**
- (3) A member of the Township Planning Commission who is not also a member of the Open Space Preservation Board. **Marty Mehring**
- (4) One or two citizens of Halfmoon Township who are interested in the open space preservation program. **Mark Hartle**
- (5) A conservation leaseholder whose land is conserved through the open space preservation program. **Christine Bracken-Piper**
- (6) A representative of the Centre Regional Planning Agency who is not the planner assigned to Halfmoon Township. **Mark Boeckel**
- (7) One or two representatives of governmental agencies or nonprofit organizations who are familiar with land conservation practices. **Ryan Hamilton and/or Suzy Yettters**
- (8) One or more individuals with special expertise in finance and/or areas that the Board of Supervisors believes would be useful in conducting the review. **Joe Viglione**

Ms. Gembusia commented that in addition to the items listed below, the Board of Supervisors should determine if they would like the committee to undertake any additional review responsibilities. The review committee shall be charged to:

- Review the past activities of the open space preservation program, especially during the most recent five-year period, with respect to:
 - Whether the lands conserved provide the open space benefits outlined in § 163-2 of this chapter and are consistent with the objectives outlined in the specific intent section of the Township's open space preservation and land use plan; and
 - Whether the program has made the most efficient use of the funds available.
- The review committee shall offer comment on these past activities and, if appropriate, make recommendations for improvements.

- Consider possible future changes in conservation objectives and in funds that may be available and, if appropriate, make recommendations as to the future direction of the open space preservation program
 - **MOTION:** *Ms. Hartle moved to approve appoint the committee members as presented; Mr. Strouse seconded; Vote 5-0-0; Motion Carried.*
- d. Preliminary Discussion and Setting Date for Board of Supervisors 2022 Workplan and 2023 Priorities
- a. 2021 – 2026 Strategic Plan
 - b. ARPA (American Rescue Plan Act) Final Rule
 - c. 2022 – 2026 Road Improvements Plan

Mr. Piper stated since there were discussions regarding updating Smith Road, he would like to gather information on how to complete this and make good decisions. Mr. Piper suggested having a work session on January 27th to discuss these items. Mr. Strouse proposed a 6:00 p.m. start time for this work session. Ms. Gembusia stated this meeting has already been advertised but can be readvertised as a work session to begin at 6:00 p.m.

- e. Township Administrative Offices Remodel/Relocation Options Presented by Supervisor Ron Servello
Mr. Piper stated the contract for the office space in Brother's Pizza is set to expire on December 31, 2022. Mr. Piper commented the Board is looking to move staff back to the Community Center, but it is currently not set up for offices. Mr. Piper stated Mr. Servello has experience with facilities management and is working with Ms. Gembusia to make the move back. Mr. Servello provided his background experience and stated he is retired from Penn State where he worked in facilities management and met with Ms. Gembusia prior to this meeting to discuss options.

9. DEPARTMENT REPORTS

- a. Treasurer's Report
- b. Tax Collector's Report
- c. Building/Code/Zoning Report
- d. Public Works Report
- e. Manager's Report
- f. Budget Report
 - a. P&L General Fund
 - b. Balance Sheet

Ms. Gembusia stated that due to some of the items discussed tonight and interruptions that happened she and Solicitor Rice will come up with a public meeting comment policy that will be brought up at the next meeting as part of the discussion items that we will be doing for the workplan.

Ms. Gembusia commented she would also like a clear direction on the agenda and would like to come up with a workplan for the year because there is a lot of confusion for who & what should be on the agenda, so we are not duplicating work.

10. SUPERVISOR'S REPORTS

EXECUTIVE COMMITTEE – Mr. Strouse stated the Executive Committee has not met for the month.

FINANCE COMMITTEE – Ms. Hartle reported the Finance Committee is looking at the requests of the Facilities Committee and there was nothing major to report at this time.

HUMAN RESOURCES COMMITTEE- Mr. Strouse reported the meeting was a standard organizational meeting. Mr. Strouse stated the discussion was based on future topics for the year.

PUBLIC SAFETY COMMITTEE- Mr. Servello reported the Public Safety Committee held their organizational meeting and he had nothing to report at this time.

LAND USE AND COMMUNITY INFRASTRUCTURE COMMITTEE (LUCI)- Mr. Servello reported the Land Use and Community Infrastructure Committee held their organizational meeting and he had nothing to report at this time. Mr. Strouse added that the information provided to this committee is overwhelming at first but once understood it becomes vital information.

Mr. Servello questioned how the various Centre Region fire companies relate to the Port Matilda Fire Company and Warriors Mark Fire Company. Mr. Strouse responded the Port Matilda Fire Company belongs to the Upper Bald Eagle COG along with the Port Matilda EMS and they control the purse strings for both entities. Mr. Strouse added the Port Matilda Fire Company and Warriors Mark Fire company are the primary fire companies for Halfmoon Township. Mr. Strouse stressed the importance for the Township to fund both fire companies and the Port Matilda EMS. Mr. Strouse commented the Port Matilda EMS is in a situation where there are times they are not staffed enough to be able to help Halfmoon Township consistently which defaults to Centre Life Link. Mr. Strouse explained Centre Life Link is about 20 minutes from the Township. Mr. Strouse added the same applied to the fire companies, if we do not support our local emergency services, the support will be further away which could lead to more devastating results.

Mr. Servello questioned how the local companies fit into the regional fire protection plan. Ms. Gembusia responded there are box calls and different maps that determine fire coverage and all companies back each other up in certain situations. Mr. Servello questioned if the companies were independently funded, in the aspect that they are not one large company sharing funding. Ms. Gembusia responded that each company has its own separate funds and are not part of one large company. Mr. Strouse added the fire companies work more together as a partnership instead of a financial conglomerate.

AD HOC FACILITIES COMMITTEE- Ms. Hartle reported she was appointed Chair for 2022. Ms. Hartle stated the COG Facilities Coordinator is in the process of visiting the various COG facilities in an attempt to be pro-active instead of re-active in how COG approaches their facilities. Ms. Hartle stated the committee is evaluating the three fire companies in town and taking action based on what was discovered in the evaluation. Ms. Hartle commented the committee is advertising for a Project Manager for the Whitehall Road Regional Park Project and Nature Center Phase 2 Spring Creek Education Building of the Millbrook Marsh.

UPPER BALD EAGLE HALFMOON COG – Mr. Strouse stated the meeting was an uneventful re-organizational meeting. Mr. Strouse acknowledged his desire for the fire company to attend the meeting, because the COG is still awaiting the presentation of the capital budget. Mr. Strouse stated the COG made the decision to reject a non-essential equipment request, which is non-life saving equipment in an effort to gain the fire companies attendance.

OPEN SPACE PRESERVATION BOARD – Ms. Hartle reported the Board had approved the Podgurski property. Ms. Hartle reported at the organizational meeting Reed Moyer was appointed Chair and she was appointed Vice-Chair. Ms. Hartle thanked Lorin Nauman for his years of service as the Chair to the Open Space Preservation Board.

	<u>Committee/Commission</u>	<u>2022 Representative</u>
A.	Executive	Strouse
B.	Finance	Hartle
C.	Human Resources	Strouse
D.	Public Safety	Servello
E.	Facilities	Hartle, Alternate Servello
F.	Climate Action & Sustainability	No Appointment
G.	Land Use and Community Infrastructure	Servello, Alternate Piper
H.	Parks & Recreation Governance	No Appointment
I.	Solar Power Purchase Agreement Working Group	Strouse
J.	Spring Creek Watershed	Piper
K.	State College Borough Water Authority	Piper
L.	C-NET Member to Board of Directors	Strouse
M.	Upper Bald Eagle COG	Strouse
N.	Open Space Representative	Hartle
O.	CCMPO Coordinating	Spencer
P.	CCMPO Technical	Spencer

11. GOOD & WELFARE

Mr. Servello commented he would like to remind citizens that inflation is a real thing, and it affects both public and private sectors. Mr. Servello added the cost of services provided will increase no matter the case due to inflation, which causes everyone to manage their money more closely which is proving to be more difficult.

12. ADJOURNMENT

There being no further business before the board, the regular meeting was adjourned at 9:04 p.m.

- **MOTION:** *Ms. Hartle moved to adjourn the meeting; Mr. Strouse seconded; Vote 5-0-0; Motion Carried.*

Respectfully Submitted,



Amy M. Smith
Township Secretary

