

1. CALL TO ORDER

Chair David Piper called the meeting to order at 6:02 p.m. (present at Community Center). Other Supervisors present were Bob Strouse (present at Community Center); Patti Hartle (present at Community Center); Chuck Beck (present at Community Center) and Ron Servello (present at Community Center). Staff present were Denise Gembusia, Township Manager (present at the Community Center) and Amy Smith, Township Secretary (present at Community Center); Brett Laird, Township Treasurer (present at Community Center) and Corey Rilk, Township Planner (present at Community Center) and Township Solicitor, Zachary Rice (present by Zoom). Residents & others in attendance: Wayne Foster (present by Zoom); Connie Jones (present by Zoom); Melissa DeSandre (present by Zoom) Tonya Pick (present by Zoom); John Hoover (present at Community Center); Bruce Helms (present at Community Center); Virginia Squier (present at Community Center) Mark Saville, Engineer from Herbert, Rowland & Grubic, Inc. and Lisa Rives Collens, Schlow Library Director.

2. MOMENT OF SILENCE

Mr. Strouse stated he would like to read a prepared statement and hold a moment of silence afterwards. Mr. Strouse stated that Brandon Lee Koppenhaver Jr. was a very caring and helpful young man who would unselfishly do for others before doing for himself. His tragic loss will forever impact his friends and loved ones, and he will be sorely missed by the community. This loss will be forever tied to the loss of Brandon's friend David O'Connell, who served on the Port Matilda Fire Department, and passed away exactly one year prior to Brandon. We all need to cherish every moment with our loved ones, as we never know when it will be our last. Please keep the Koppenhaver family, as well as the O'Connell family in your thoughts and prayers during this tremendously difficult time.

Mr. Strouse commented that he would like to add; in these troubling times, no one is okay. Even those who seem like they're made of iron are struggling. Life during a pandemic is tremendously taxing on the psyche of everyone, both young and old, and you never know who is fighting an invisible battle with their demons. Please check in on your friends and loved ones on a regular basis, and if there is a voice inside you telling you that someone is in crisis, please seek help on their behalf. If it's you who is in crisis, please remember that there are people in this world who love you dearly, and please seek help.

Mr. Strouse provided the number for the National Suicide Prevention Hotline (1-800-273-8255) and added that if you or someone you know is struggling, call that number and they can put you in touch with local resources that can help. A moment of silence was observed.

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.
- We're looking for residents to volunteer on various committees and boards. If you would be interested in serving, please visit the township website for more information on these vacancies.
- Ms. Gembusia requested an executive session at the adjournment of this meeting to discuss personnel.

4. CITIZEN COMMENTS

Ms. Rives Collens, Schlow Library Director, thanked the Board and Way Fruit Farm for partnering with Schlow Library on the installation of the footlockers. Ms. Rives Collens stated there were twenty-three citizens who signed up for usage of the footlockers. Ms. Rives Collens commented the first footlocker delivery was on Tuesday and they filled all nine footlockers. Ms. Rives Collens stated that if anyone had any questions or wanted to sign up for the service, they could visit www.schlowlibrary.org/lockers or call Schlow Library. Mr. Strouse congratulated Ms. Rives Collens on the success of the footlockers and commented that they may need to add more footlockers. Ms. Rives Collens commented that they are going to request an additional nine lockers.

5. AGENDA

Mr. Piper requested that the agenda be amended to add a more open discussion for the strategic plan under agenda item 6a.

- **MOTION:** Mr. Strouse moved to approve the agenda; Ms. Hartle seconded; Vote 4-1-0; Mr. Piper, yea; Mr. Strouse, yea; Ms. Hartle, yea; Mr. Beck, yea; Mr. Servello, nay, no abstentions; Motion Carried.

6. SUBDIVISION/LAND DEVELOPMENT PLAN, CONDITIONAL USES, OR PUBLIC HEARINGS

- a. Plan # 2021-04 - Don Houtz Final Minor Subdivision, expires May 14, 2022
- (i) Waiver Request of Subdivision and Land Development Ordinance, Chapter 215-19: Sanitary Sewage Disposal Waiver (**waiting for signature from the applicant**)
 - (ii) Planning Waiver & Non-Building Declaration (**waiting for signature from the applicant**)
 - (iii) Action on Plan (MEMO)

Mr. Rilk commented the Planning Commission reviewed this plan at their January 18th meeting. Mr. Rilk stated this plan is a lot line adjustment which will add 2.9 acres from the Whittaker property to Don Houtz's property. Mr. Rilk stated staff has not received signed copies of the waivers from the Subdivision and Land Development Ordinance, Chapter 215-19: Sanitary Sewage Disposal or the Planning Waiver & Non-Building Declaration. Mr. Rilk commented that staff recommends that the Board table this plan until these items have been received. Mr. Rilk stated Mr. Houtz will also need to provide an easement for the well that is located within the lot line adjustment.

- **MOTION:** Mr. Strouse moved to table the Houtz Final Minor Subdivision until these items have been received and all requirements are met; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.

- b. Plan # 2021-05 - Weaver Replot of Tax Parcel 17-004-033 and 17-004-003B, expires February 14, 2022
- (i) 90-day Time Extension Letter

Ms. Gembusia commented that this is a final minor subdivision. Ms. Gembusia explained the barn was constructed with grant monies so to not hold up the grant funding the Weavers agreed to address the need for a lot line adjustment after construction. Ms. Gembusia stated that is what this plan is addressing. Ms. Gembusia commented that the developer's engineer has not had a chance to address staff comments, so they have requested a time extension. Ms. Gembusia stated the plan will expire on May 15, 2022, if this extension is accepted.

- **MOTION:** Mr. Strouse moved to accept the 90-day time extension for the Weaver Replot of Tax Parcel 17-004-033 and 17-004-003B; Mr. Beck seconded; Vote 5-0-0; Motion Carried.

- c. Plan # 2021-06 - Final Minor Subdivision of George Peters Jr. (Dean & Linda Spanos), expires March 15, 2022
- (i) Waiver Request of Subdivision and Land Development Ordinance, Chapter 215-8: Minor Subdivisions (Engineer's Letter, dated December 15, 2021)
 - (ii) Resolution # 2022-12: Sewage Planning Module for the Final Minor Subdivision Plan of George Peters Jr. (Dean & Linda Spanos)
 - (iii) Action on Plan (MEMO)

Mr. Saville stated this is a four-lot subdivision and each lot will have access to Buffalo Lane. Mr. Saville commented that each lot has been tested for septic and passed. Mr. Saville stated each driveway will be 50 feet apart from each other and each lot has a proposed 70 X 70 buildable area. Mr. Saville stated the Upper Halfmoon Water Company will provide water to the lots and there will be an installation of a new hydrant. Mr. Saville added that the water lines will be upgraded to 8" inch lines. Mr. Saville explained this will be done after the approval of the subdivision. Mr. Saville added staff comments have been addressed.

Mr. Piper commented that there should be some type of bonding or security in place to make sure that the original house is demolished, and the junk cars are cleaned up. Mr. Saville stated that Mr. Spanos has been working with the township to clean up the cars and the plan includes a note that the house will be demolished within 18 months of plan approval. Mr. Piper questioned whether staff is satisfied that this will get done. Mr. Servello questioned whether the garage will also be removed. Mr. Seville commented that garage will remain. Mr. Strouse questioned whether Mr. Spanos is going to continue with the car repair business. Mr. Saville commented that he could not speak for Mr. Spanos but that is not the plan.

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Mr. Rilk commented that the Planning Commission recommended approval of this plan, but the township engineer provided comments after the Planning Commission review regarding stormwater. Mr. Saville stated he has added the comments provided by the township engineer regarding roof sump drains requirements and Mr. Franson has approved those revisions. Mr. Piper questioned whether there were any setbacks requirements from the roof sump drains and the septic systems. Mr. Saville commented that no setback requirements were noted but they would be at least 25' away from any septic.

Ms. Gembusia commented that under the Subdivision and Land Development Ordinance (SALDO) process the developer can request a waiver to move the plan from a preliminary plan to final minor subdivision approval if no infrastructure is being proposed.

Ms. Gembusia stated that the revised plan was received this morning that included the township engineer's comments, and the township engineer approved these revisions. Mr. Servello questioned how the Board was supposed to approve this plan when they were not provided the opportunity to review the revised plan. Ms. Gembusia commented the Board can choose to table the plan, act upon the plan, or send it back to the Planning Commission. Mr. Piper stated it would be nice to get an updated plan to review the concerns. Mr. Piper commented there should be some type of guarantee that the house gets torn down and the cars are removed. Mr. Piper also commented he is reluctant to provide a waiver unless there is a good reason. Mr. Piper stated the Board could approve the sewage planning module to be forwarded to DEP for their review. Ms. Gembusia commented that the Board could not hold up a plan based on a third-party review if Halfmoon Township's criteria is met so the Board could approve the plan contingent upon DEP approval. Mr. Piper commented that he is not in favor of the waiver. Mr. Piper stated there is no guarantee that once the plan is recorded that the house will be torn down, or the cars will be removed.

Ms. Hartle questioned what staff recommends. Ms. Gembusia stated that the plan in front of the Board tonight is not the plan the Planning Commission reviewed but the township engineer did sign off on the comments that were added today. Ms. Gembusia commented that the Board could add a contingency to the approval that there must be some type of surety in place for the removal of the house and the township could call in the letter of credit if the house was not removed in 18 months. Ms. Gembusia stated she has been working with Mr. Spanos to remove the cars but does not know if there can be any contingency on the removal of cars. Mr. Saville commented that there is a note on the plan that states the house will be removed within 18 months of approval of the plan. Mr. Servello commented that a plan should be complete when it is submitted to the Board for approval. Mr. Servello questioned whether if the waiver is approved, the plan comes back to the Board after DEP approval of the sewage planning module. Mr. Piper stated that no, the plan does not come back to the Board. Mr. Piper commented that he has concerns that driveways will be cut around perc testing areas. Mr. Strouse stated he understands the concern that a revised plan has been brought to the Board without the Planning Commission review, but the change was insignificant, and staff has reviewed those revisions and he trusts that staff has good judgement. Mr. Strouse added he does agree with Mr. Piper that there should be some type of surety on the removal of the house. Mr. Saville stated the developer must sign the certification of ownership block on the plan so this is a commitment to honor the note stating the house will be removed in 18 months. Solicitor Rice stated although the note on the plan can trigger an obligation where the township could pursue legal action if nothing is done to appease the note, the flip side is the township would be in a stronger position to have financial security to ensure that happens. Solicitor Rice added that the Board could put a condition that an agreement be in place as part of any conditional approval of the plan.

Ms. Gembusia stated Mr. Foster questioned if the Board or staff knew where the vehicles will be removed to and if they would be moved within the township. Ms. Gembusia commented that she was not sure where the vehicles would end up.

- **MOTION:** *Mr. Piper moved to approve Resolution 2022-12; Sewage Planning Module for the Final Minor Subdivision Plan of George Peters Jr. (Dean & Linda Spanos); Mr. Strouse seconded; There was discussion on the order in which the waiver, sewage planning module and plan be addressed; Mr. Piper rescinded his motion.*

Mr. Rilk commented that he filled out components 4A & 4B in the sewage planning module. Mr. Rilk stated that there is a question under these components that specifically addresses whether a waiver was requested, and this may change those answers if there is no action on the waiver.

- **MOTION:** *Mr. Strouse moved to table the Final Minor Subdivision of George Peters Jr. (Dean & Linda Spanos) until an attempt can be made to negotiate a contractual financial obligation for removal of the house; Mr. Piper seconded; Vote 5-0-0; Motion Carried.*

7. APPROVAL OF MINUTES

d. January 13, 2022- Board of Supervisors Regular Meeting Minutes

- **MOTION:** *Ms. Hartle moved to approve the Board of Supervisors regular meeting minutes of January 13, 2022; Mr. Strouse seconded; Vote 5-0-0; Motion Carried.*

8. CONSENT AGENDA

e. Approve payment of the Bills List for the period of 1/8/2022 to 1/21/2022 from the following funds:

- (i) General Fund in the amount of \$3,316.93
 - (ii) Open Space Fund in the amount of \$50.00
 - (iii) Park & Recreation Fund in the amount of \$2,999.62
- **MOTION:** *Mr. Strouse moved to approve the Consent Agenda; Ms. Hartle seconded; Vote 5-0-0; Motion Carried.*

9. OLD BUSINESS

a. Centre Region Council of Governments Parks and Recreation Special Governance Committee
Appointee (Candidate Hyeseon Kim)

Ms. Gembusia commented that at the January organization meeting, there was no appointment to this committee. Ms. Gembusia stated this is a non-voting representative since the township is not a member of the Centre Region Parks & Recreation Program. Mr. Strouse added that although the township is not a member of the program, residents do still use the parks and can still participate in the programs and this representative will give those residents representation.

- **MOTION:** *Ms. Hartle moved to appoint Hyeseon Kim to the Centre Region Council of Governments Park and Recreation Special Governance Committee; Mr. Strouse seconded; Vote 5-0-0; Motion Carried.*

10. NEW BUSINESS

- a. Board of Supervisors 2022 Workplan and 2023 Priorities (MEMO)
- i. 2021 – 2026 Strategic Plan
 - ii. ARPA (American Rescue Plan Act) Final Rule
 - iii. 2022 – 2026 Road Improvements Plan

Ms. Gembusia provided the Board with a background of the ARPA money, and how much Halfmoon Township would receive in two tranches. Ms. Gembusia added due to the standard deduction the Township will be able to claim the entire three hundred thousand dollars as loss of revenue.

Mr. Piper stated he had spoken to different Board members and the common theme was they all felt Smith Road could use improvements to road width, berming & stormwater. Mr. Piper asked for an open discussion to try and get a common goal for possibly spending the ARPA funds on upgrading Smith Road.

Ms. Gembusia provided a 2019 presentation completed by the Township engineer, as well as the RoadBotics score assessment completed last year. Ms. Gembusia stated Smith Road has received a 1.91, which is a great score as the scoring runs from 1 being best and 5 being worst.

Mr. Servello questioned the logistics of RoadBotics and what criteria was used in determining the scores. Mr. Servello stated he felt the software was a nice start, but the Township needed an engineer's opinion of physically walking the road, as he felt the numbers could be skewed by having a very good portion of road. Mr. Servello added he was in favor of fixing Smith Road, as there are portions of the road where the asphalt has cracked and the berming is in rough shape, but only doing the portions that were bad, as he understood the funds are not there to complete Smith Road in its entirety.

HALFMOON TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES

JANUARY 27TH, 2022
PAGE 5 OF 8

Mr. Strouse stated he was in favor of working on Smith Road in portions as he also understood the funds are not there to complete Smith Road in its entirety. Mr. Strouse added that he would like to see the engineer present the Smith Road project in portions to ensure the Board does not squander the ARPA money.

Mr. Beck commented he felt the best approach was to fix what is there and if done correctly, it could make a huge difference in the quality of the road. Mr. Beck added he felt widening Smith Road beyond what was already there may lead to very costly easement purchases and utility pole replacements.

Mr. Servello questioned how many years the Township had to spend the ARPA funds. Ms. Gembusia responded the Board has until 2024 to commit the funds and 2026 to spend the funds.

Mr. Strouse questioned if the ARPA funds were paying for the previous years' work. Ms. Gembusia responded that roughly \$35 thousand was included in the FY 2022 budget for stormwater projects along Smith Road.

Mr. Piper inquired if the Board was interested in asking the engineer to provide an updated presentation, with the idea that Mr. Franson provide a scope of work determined on how much work could be completed for the amount of money available to the Township through the ARPA fund.

Ms. Hartle commented she felt the drainage and berming work needed completed on Smith Road sooner rather than later and Mr. Piper's project sounded more like a long-term plan.

Mr. Strouse added he felt this project should not take away from the already planned 2022 road projects nor deter the Board from following the 2022-2026 Road Improvement Plan.

- ***MOTION: Mr. Strouse moved to update the 2019 Smith Road engineering presentation with updated cost estimates using the Roadbotics analysis and have recommendations for short-term use for ARPA funds; Mr. Piper requested the motion be amended to exclude sidewalks and only include road surface, shoulders, and drainage in the cost estimate updates; Mr. Strouse moved to amend the motion to include the exclusion of sidewalks and include road surface, shoulders, and drainage; Ms. Hartle as seconded; Vote 5-0-0; Motion Carried.***

Ms. Gembusia reviewed the 2021-2026 Halfmoon Township Strategic Plan.

Ms. Gembusia complimented Mr. Laird & Ms. Smith on their efforts to complete the website calendar goal within the strategic plan.

Mr. Piper commented that office staff will be moving back to the Community Center and would like the Board to authorize providing Mr. Servello \$3,000 - \$4,000 to contact and work with an architect.

Ms. Gembusia stated that she had received a quote for \$10,000 to tear down a wall and electric work and is working on finding a contractor who could meet the bonding requirements. Ms. Gembusia requested Solicitor Rice to explain a provision in the PA State Statue regarding bonding. Solicitor Rice stated under the Public Works Contractors Bond Law of 1967 any construction exceeding \$5,000 whether it is new construction, alterations, additions, or reconstruction must provide a performance & payment bond. Ms. Gembusia commented that due to this requirement she is finding it difficult to find a contractor.

Mr. Servello questioned whether this would require a change of use. Ms. Gembusia commented that we will need to apply for a change of use.

Mr. Servello commented that typically you have a scope of work or a detailed design to solicit bids.

Ms. Hartle questioned whether staff could not move back without any reconstruction. Ms. Gembusia commented that staff could move back without any alterations. Mr. Servello commented that there are alternatives to constructing walls and he would like to look at the plans and the space.

Mr. Servello questioned whether there were any waiver provisions in the statute. Solicitor Rice stated there is not a waiver provision.

Ms. Gembusia stated there are no written specs for the renovations. Ms. Gembusia commented that Mr. Mike Siggins was the architect for the original renovations that were completed and since he owns those plans the township will need to seek permission to use those plans. Ms. Gembusia states she would contact Mr. Siggins. Mr. Piper requested that this be placed on the next agenda and specify if there is any compensation that needs to be paid to Mr. Siggins.

b. Public Meeting Protocol & Policy & Resolution

- ***MOTION: Mr. Piper moved to table this item to a future agenda; Mr. Servello seconded; Ms. Hartle stated she would like to hear what this agenda item was about; Ms. Gembusia responded the item was a basis for discussion and no action was needed tonight. Ms. Gembusia added the idea of the topic was to give the Board an opportunity to control the length of meetings or other aspects of the meetings as they saw fit; Mr. Servello stated he understood and realized there is a need for policies and resolutions to help keep things running smoothly but felt the timing of the agenda item was based on a previous meeting being contentious and therefore, felt it should be tabled until a later date; Ms. Hartle stated she felt it was important and vital to begin a discussion tonight, even if no action is taken; Mr. Strouse commented that having meeting policies and procedures is a standard practice for most Boards & Commissions; Mr. Piper called for a vote since there was already a motion made and seconded; Vote 3-2-0; Mr. Piper, yea; Mr. Beck, yea; Mr. Servello, yea; Ms. Hartle, nay; Mr. Strouse, nay; No abstentions; Motion Carried.***

Ms. Gembusia commented that she hoped this topic would be a springboard to set the policies and procedures and would also help direct staff. Ms. Gembusia stated she had started a list of examples, one being, how the Board would like to handle citizens' complaints. Ms. Servello inquired if this would be included in the public meeting policy. Ms. Gembusia explained that they work hand-in hand as all staff and Board members need clear directives of who handles what, in certain situations. Ms. Servello commented that he agrees there should be a process and that he follows the practice of understanding that he is one individual and cannot make decisions on behalf of the Board. Mr. Piper stated he felt the topic could be discussed, but due to the late hour, he did not want to discuss the topic tonight. Mr. Piper requested staff put the list of items together and bring back for a future agenda.

11. DEPARTMENT REPORTS

- a. Treasurer's Report
- b. Tax Collector's Report
- c. Building/Code/Zoning Report
- d. Public Works Report

Ms. Gembusia complimented Mr. Scott Brown & Mr. Jim Smith on their hard work during the various winter events.

- e. Manager's Report

Ms. Gembusia reported staff was currently involved in the FY 2021 audit with Boyer & Ritter and once completed the reports and presentation would be placed on a future BOS agenda. Ms. Gembusia stated staff was pleased with how the audit was going so far.

Ms. Gembusia added she met with Thomas & Michelle Spanos; Thomas is a 15-year old attempting to complete his Eagle Scout project, and will be completing the Free Little Pantry project.

- f. Budget Report

- i. P&L General Fund
- ii. Balance Sheet

Mr. Strouse inquired about why three separate line items in the P&L General Fund Report seemed high for the first month of the year.

Mr. Laird responded the line items in question were annual or quarterly payments, which would skew the numbers compared to the monthly figures.

12. SUPERVISORS' REPORTS

EXECUTIVE COMMITTEE – Mr. Strouse had nothing to report.

FINANCE COMMITTEE – Ms. Hartle had nothing to report.

HUMAN RESOURCES COMMITTEE – Mr. Strouse had nothing to report.

PUBLIC SAFETY COMMITTEE – Mr. Servello had nothing to report.

LAND USE AND COMMUNITY INFRASTRUCTURE COMMITTEE (LUCI) – Mr. Servello had nothing to report.

AD HOC FACILITIES COMMITTEE – Ms. Hartle had nothing to report.

SPRING CREEK WATERSHED COMMITTEE – Mr. Piper had nothing to report.

CENTRE AREA CABLE CONSORTIUM COMMITTEE – Ms. Hartle had nothing to report.

C-NET COMMITTEE – Mr. Strouse had nothing to report.

UPPER BALD EAGLE HALFMOON COG – Mr. Strouse had nothing to report.

OPEN SPACE PRESERVATION BOARD – Ms. Hartle had nothing to report.

SOLAR POWER PURCHASE WORKING GROUP – Mr. Strouse reported the Solar Power Purchase Agreement Working Group held their organizational meeting, where they received an update from the Project Management Team on their meetings held with GreenSky Development Group. Mr. Strouse stated the discussion was based around quantity of electricity used, with the end goal to be consuming the most amount of green energy for the best possible price. Mr. Strouse added that Halfmoon Township may not have as large of stake in the project, as some of the other entities but must continue doing its part. Mr. Servello inquired if a decision has been made. Mr. Strouse responded a decision was not made at this time.

STATE COLLEGE BOROUGH WATER AUTHORITY – There was no report.

CLIMATE ACTION & SUSTAINABILITY COMMITTEE - There was no report.

<u>Committee/Commission</u>	<u>2022 Representative</u>
Executive	Bob Strouse
Finance	Patti Hartle
Human Resources	Bob Strouse
Public Safety	Ron Servello
Ad Hoc Facilities Committee	Patti Hartle / Alt. Ron Servello
Climate Action & Sustainability	No Appointment
Land Use and Community Infrastructure	Ron Servello / Alt. Dave Piper
Parks & Recreation Governance	No Appointment
Solar Power Purchase Agreement Working Group	Bob Strouse
Spring Creek Watershed	Dave Piper
State College Borough Water Authority	Dave Piper
C-NET Member to Board of Directors	Bob Strouse
Upper Bald Eagle Halfmoon COG	Bob Strouse
Open Space Representative	Patti Hartle
CCMPO Coordinating	Barbara Spencer
CCMPO Technical	Dave Piper

13. GOOD & WELFARE

Ms. Squier stated she would like to apologize if she did anything at the last meeting to make it a contentious meeting. Ms. Squier requested the Board clarify when citizens should speak at certain points in the meeting.

Mr. Strouse responded that if the item of discussion is not on the agenda, then comments would be made under citizens comments and if the item was on the agenda, the Chair would ask for citizens comments during the discussion of that agenda item.

14. DIVERSITY, EQUITY & INCLUSION

Ms. Squier stated she had nothing to report. Ms. Gembusia thanked Ms. Squier for her time and asked, if at all possible, to provide presentations for Diversity, Equity & Inclusion ahead of time.

15. ADJOURNMENT

There being no further business before the board, the regular meeting was adjourned at 9:14 p.m.

Respectfully submitted,



Amy M. Smith,
Township Secretary

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