

February 1, 2022

REGULAR MEETING

The Regular Meeting of the Hempfield Township Board of Supervisors was held on Tuesday evening, February 1, 2022, at 7:00 P.M. in the Township Municipal Building.

Supervisors Gary E. Hittle, David A. Geisel and Todd P. Hittle were present.

Chairman Gary Hittle called the Regular Meeting to order.

Chairman Hittle opened the meeting for Public Comment. Rita Clemente, President of the Community Recreation of Northern Mercer County group presented information on the Baughman Family Community Center, the former East Elementary School. The center will be managed by the Buhl Club Administration group focusing on providing recreational and educational programs, services and facilities to promote health, well-being and activity that strengthens and unites the community. They have completed their first capital campaign and opened a second capital campaign to assist in additional building renovations. Information on the capital campaign and the community center was discussed. Chairman Hittle thanked the group for their attendance and presentation.

Chairman Hittle said he would entertain a motion to approve of and dispense with the reading of the Minutes of the Annual Organization Meeting and Regular Meeting of January 3, 2022. Supervisor Geisel made the motion to approve of and dispense with the minutes. Supervisor Hittle duly seconded the motion and it was unanimously approved by Chairman Hittle. Motion carried. Chairman Hittle said the minutes are a public document and may be viewed during regular business hours at the Township Building.

Chairman Hittle stated Ordinance 2022-1 has been prepared and properly advertised to amend the Hempfield Township Zoning Ordinance 2001-2, adding provisions for the installation of both large and small scale Solar Energy Systems in the Township. The secretary read Ordinance 2022-1. No discussion followed. Supervisor Geisel made the motion to approve Ordinance 2022-1 with a second from Supervisor Hittle and it was unanimously approved by Chairman Hittle. Secretary Hittle polled the Board: Chairman Hittle-Yes; Vice-Chairman Geisel-Yes; Supervisor Hittle-Yes. Motion carried.

A letter of intent from the PA Department of Community and Economic Development/Governor's Center for Local Government has been received to participate in a Regional Fire Services Study with neighboring municipalities and Fire Departments. A motion by Supervisor Geisel to endorse and participate in the study was presented with a second from Supervisor Hittle. It was unanimously approved by Chairman Hittle. Motion carried.

Resolution R7-2022 was prepared and presented to authorize certain members of the Hempfield Township Volunteer Fire Department to participate in Operational Support Activities as designated in Pennsylvania Act 108 of 2020. Secretary Hittle read Resolution R7-2022 in full. A motion by Supervisor Hittle to approve Resolution R7-2022 was presented and seconded by Vice-Chairman Geisel and unanimously approved by Chairman Hittle. Motion carried

Chairman Hittle said Resolution R8-2022 has been prepared appointing a voting delegate and adopting procedures to participate in the 2022 Mercer County Joint Seal Coat Bid Program. Supervisor Hittle read the resolution in full. Chairman Hittle asked if there is any discussion. Supervisor Geisel made a motion to approve Resolution R8-2022. Supervisor Hittle duly seconded the motion and it was unanimously approved by Chairman Hittle. Motion carried.

Chairman Hittle stated next the Supervisors need to approve February activities for the Hempfield Township Volunteer Fire Department. They are Feb. 3 & 10-Training; Feb 14-Membership Meeting; Feb. 17 & 24-Training. Supervisor Geisel made a motion to approve the activities as presented; it was seconded by Supervisor Hittle and unanimously approved by Chairman Hittle. Motion carried.

Next on the Agenda is the viewing of reports of the various Township departments for the month of January. The police report was first presented. The men worked 784 man hours and traveled 4,409 miles. They issued 3 traffic citations and 3 non-traffic citations. There were 4 accidents with 1 injury. There were 71 criminal-related incidents, 439 service incidents, 30 police information, and 95 additional traffic related incidents. Property stolen was in the amount of \$5,946.03, property recovered in the amount of \$1,546.03. There was no damage to property reported.

There were 2 zoning permits issued in the month of January. The Permits were issued to First National Bank of Mercer County of 51 Hadley Road for new signage at an estimated market value of \$19,911.00 and Greenville Municipal Water Authority of 5 4th Avenue for a Water Booster Pump Station at an estimated market value of \$700,000.00.

The maintenance report for January was then presented. Checked roads and ditches on Township Roads; Mixed salt/anti-skid; Plowed and salted roads numerous times; Marked sewer lines at 31 Hadley Road for PA One Call; Picked up garbage along Township Roads; Reassembled front spindle on John Deere Loader/Backhoe; Checked anti-freeze in lines of Bucket Truck and Street Sweeper while stored at Barn at Hempfield Park over winter; Checked fuel leak in Ford Dump Truck; Cleared/hailed scrap from Township property; Installed electric cord for block heater on Massey Ferguson Tractor while stored at Barn at Park; Removed rust and washed Ford Pick Up; Disassembled ditcher head for renovations and repairs; Washed plow trucks; Worked on repairs to ADA swing for park; Serviced HTPD Unit#3, Washed HTPD vehicles numerous times: Greased trucks after winter maintenance; Removed down trees from Township Roads; Cleaned windows at Township Building; Marked PA One Calls; Scraped ice/Snow Pack from Township Roads; Mixed more salt/anti-skid; Moved snow piles from Township Parking Lot; Washed plow trucks; Greased salt hopper; Pushed back snow piles at Township intersections; Worked on Ford Dump Truck; Worked on differential lock on 99 International Truck; Worked on back broom attachment for Massey Ferguson Tractor.

Chairman Hittle opened the floor for miscellaneous business. There was none.

Chairman Hittle said that prior to adjournment, a motion should be made and seconded that checks be issued in payment of all utility bills, and that all other bills be checked and upon approval, be paid. The motion was made by Supervisor Geisel, duly seconded by Supervisor Hittle and unanimously approved by Chairman Hittle. Motion carried.

There being no further business, Supervisor Hittle made a motion to adjourn. Supervisor Geisel duly seconded the motion and Chairman Hittle unanimously approved. Motion carried.

Chairman Hittle declared the meeting adjourned.

Todd P. Hittle, Township Secretary

GENERAL FUND:

Aqua Filter Fresh.....	\$ 51.45
BSFCU.....	\$ 4.50
BSFCU.....	\$ 459.30
Brownies Oil Comp.....	\$ 699.16
Davevic Benefits Co.....	\$ 2,500.00
Dave Morgan.....	\$ 423.40
Penn Power Co.....	\$ 244.05
National Fuel.....	\$ 364.74
Hittle Auto Supply.....	\$ 513.61
Kelly Hittle.....	\$ 160.00
Mary Lentz.....	\$ 120.00
McGill, Power, Bell LLP.....	\$ 2,000.00
Mer.Co.Police Chief Assoc.....	\$ 40.00
Open Signs.....	\$ 30.00
Pitney Bowes.....	\$ 62.17
Greenville Record Argus.....	\$ 347.70
Reeves Info.Tech.....	\$ 145.00
Roger R Shaffer, Jr.....	\$ 750.00
Robert Ohr.....	\$ 1001.00
Shred-It.....	\$ 335.68
Tri-County Industries.....	\$ 143.11
Steve Vosler.....	\$ 225.00
Zacherl Motor Truck.....	\$ 63.16
Wal-Mart.....	\$ 73.77
Manufacturer & Business Assoc.....	\$ 295.00
Busy Beaver.....	\$ 261.54
John Prosek.....	\$ 120.00

STATE FUND:

Penn Power Co.....	\$ 1,927.40
Fredonia Tire Co.....	\$ 140.00
Flynn's Commercial Tire.....	\$ 157.03
Stephenson's Equipment Inc.....	\$ 343.04
Five Star Equipment Inc.....	\$ 259.15

**HEMPFIELD TOWNSHIP SOLAR ENERGY SYSTEMS ORDINANCE
2022-1**

AN ORDINANCE OF THE TOWNSHIP OF HEMPFIELD, MERCER COUNTY, PENNSYLVANIA, AMENDING PORTIONS OF THE HEMPFIELD TOWNSHIP ZONING ORDINANCE, NO. 2001-2, BY PROVIDING FOR ADDITIONAL DEFINITIONS IN SECTION 1801 AND AMENDING ARTICLE X TO PROVIDE FOR LARGE SCALE SOLAR ENERGY SYSTEMS AS A USE PERMITTED BY SPECIAL EXCEPTION IN THE INDUSTRIAL ZONING DISTRICT AND TO ALLOW SMALL SOLAR ENERGY SYSTEMS AS AN ACCESSORY USE IN ALL ZONING DISTRICTS.

SECTION 1. DEFINITIONS. Section 1801: Definition of Terms, related to Definitions is hereby amended to add the following:

Solar Energy System (SES) - An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy or heating requirements of the onsite user, or which is to be sold to a utility company to be used by others, or sold directly to other users.

Small SCALE Solar Energy System - Solar energy systems installed for PRIVATE use on residences, commercial properties and institutions AS ACCESSORY USE. A small solar energy system may be ground-mounted (i.e., placed on top of the ground surface) or roof-mounted (i.e., placed on or as an integral part of a building).

Large SCALE Solar Energy System - Solar energy systems installed on SINGLE OR MULTIPLE parcels of land for the purpose of generating revenue or utility-scale systems installed to benefit the community or an entire institution. ****MINIMUM COMBINED AREA REQUIRED – 50 ACRES.**

SECTION 2. SUPPLEMENTARY REGULATIONS. Article X is hereby amended to add a Section 1003, which shall read as follows:

Section 1003 – Uses permitted by Special Exception INDUSTRIAL DISTRICT – The following uses shall be permitted by Special Exception, utilizing the specific criteria provided herein:

Section 1003.1- Large SCALE Solar Energy System. A Large Solar Energy System may be permitted as a principal use and considered to be a single structure, subject to the following requirements:

- A. The following project information shall be submitted to the SUPERVISORS AND ZONING OFFICER/ZONING HEARING BOARD for review process for ANY proposed Large SCALE Solar Energy System facility:
1. Project narrative including the following: an overview of the project, project location, the approximate generating capacity, the number, representative types and heights of facilities to be constructed, including their generating capacity, dimensions, and respective manufacturers, and description of any ancillary facilities to the solar-energy system.
 2. An affidavit or similar evidence of agreement between the property owner and the solar-energy facility owner or operator demonstrating permission to apply

3. for necessary permits for construction and operation of a solar-energy facility and a copy of memorandum of lease.
 4. COMPLETE LAND DEVELOPMENT PLAN INCLUDING THE FOLLOWING:
 - a) Identification of the properties on which the proposed facility will be located and the properties adjacent to the proposed location.
 - b) A site plan showing the planned location of each proposed solar-energy facility, property lines, setback lines, access roads and the location of any ancillary structures, including equipment, cabling, buildings, structures, transmission lines, and substations.
 5. A viewshed impact analysis illustrating views of the proposed facility from multiple angles.
 6. Vegetation Preservation. Vegetation existing onsite at the time of the initial lease shall be preserved to the maximum extent practicable, except in connection with installation and operation of the SES, access driveways, utility connection and required stormwater management facilities.
 7. A design certification by a certified engineer consisting of the proposed foundation design and analysis of soil conditions.
- B. Plans for the SES shall be submitted for review according to the provisions of the Mercer County Subdivision and Land Development Ordinance as a Major Land Development Plan.
1. Preliminary and final land development approval is required for the construction of any solar-energy facility.
 2. The single SES Development Area may include improvements on a single or multiple properties, under single or multiple ownership WHEN ALL PROPERTY OWNERS ARE IDENTIFIED AND PROVIDE SIGNATURES AS REQUIRED.
 3. Subdivision of properties shall not be required when a SES Development Area includes improvements within an identified lease area that is less than the entire lot or tax parcel. Any subdivision of land must meet standard size requirements of the zoning district.
- C. To the extent required, all facilities shall comply with the Pennsylvania and/or the Uniform Construction Code.
- D. All electrical components of facilities shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.
- E. Facilities shall not display advertising or other signage, except for reasonable identification of the facility manufacturer or operator.

- F. Solar-energy facilities shall not exceed a maximum height of 15 feet, measured from ground level to the tallest point on the facility.
- G. All solar-energy facilities and any associated accessory equipment shall comply with all area, dimensional, and yard setbacks for the zoning district in which the facility is located, as well as any other zoning provisions that apply, including buffering and screening.
- H. Buffers and screening shall be provided, as follows:
 - 1. A minimum 25-foot wide buffer area consisting of natural and undisturbed vegetation shall be preserved or provided around the perimeter of the site.
 - 2. Secure perimeter fencing shall be installed around the solar-energy facility. The fencing shall not be constructed within any required landscape buffer or setback.
- I. A MINIMUM 10-FOOT WIDE GRAVEL ACCESS DRIVEWAY SHALL BE PROVIDED WITHIN A MINIMUM 20-FOOT WIDE ACCESS EASEMENT CONNECTING THE SES DEVELOPMENT AREA TO A PUBLIC OR PRIVATE ROAD, TO ASSURE ADEQUATE EMERGENCY AND SERVICE ACCESS IS PROVIDED.
- J. A decommissioning plan shall be submitted as part of the zoning permit application for such system and shall include, but not be limited to, the following:
 - 1. A schedule and methods for the removal of such system;
 - 2. A plan for restoring the site to a condition similar to its condition that existed immediately prior to the development of such system, including grading and vegetative stabilization;
 - 3. A performance bond, decommissioning trust or escrow account, or letter of credit or a financial guarantee in an amount to be based upon the estimated cost of the decommissioning to insure completion of the decommissioning plan; and
 - 4. Any obsolete or unused MSES and appurtenant structures shall be removed from the property within 12 months of abandonment or decommissioning.

Section 1003.3 –Small SCALE Solar Energy System - Small solar energy systems are **PERMITTED IN ALL ZONING DISTRICTS AS AN ACCESSORY USE** to any lawfully permitted principal use or accessory use on the same lot or parcel upon compliance with the following requirements:

- A. The solar system must be constructed to comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Pennsylvania Department of Labor and Industry under its regulatory authority.
- B. All wiring must comply with applicable electrical codes and specifications.
- C. The solar energy system must be constructed to comply with ALL applicable fire safety codes.

- D. **SETBACKS** - The solar energy system shall not be placed in the established front yard and shall be subject to the same side and rear yard setbacks as other accessory structures. The required setbacks are measured from the lot line to the nearest part of the system. No part of the ground-mounted system shall extend into the required setbacks due to a tracking system or other adjustment of solar equipment or parts.
- E. Notwithstanding the height limitations of the zoning district:
1. For a building-mounted system installed on a sloped roof, the system must be installed at the same angle as the roof on which it is installed, with a maximum distance measured perpendicular to the roof of 18 inches between the roof and the highest edge of the system.
 2. For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached.
 3. For a building-mounted system installed on a flat roof, the highest point of the system shall not exceed six feet above the roof to which it is attached.
 4. Ground-mounted systems may not exceed 10 feet in height, measured from the tallest part of the structure when installed.
- F. The footprint of the ground-mounted solar energy system shall not exceed twenty-five percent (25%) of the lot area of the property on which it is placed.
- G. Screening and visibility.
1. Building-mounted systems on a sloped roof shall not be required to be screened.
 2. Building-mounted systems mounted on a flat roof shall not be visible from the public right-of-way within a fifty-foot radius of the property, at a level of five feet from the ground, in a similar manner as to any other rooftop HVAC or mechanical equipment. This can be accomplished with architectural screening such as a building parapet or by setting the system back from the roof edge in such a manner that the solar system is not visible from the public right-of-way within a fifty-foot radius at a level of five feet from the ground.
 3. If a building-mounted system is to be installed on any building or structure that is nonconforming because it violates the height or setback restrictions of the zoning district in which it is located, the building-mounted system is permitted so long as the building-mounted system does not extend above the peak or highest point of the roof to which it is mounted.
- H. Vacation, abandonment and/or decommissioning. The owner shall remove all solar energy systems, solar panels and support structures, buildings, cabling, electrical components, roads and any other associated equipment within ninety (90) days of cessation or abandonment of the use.

SECTION 3: SEVERABILITY. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.

SECTION 4: EFFECTIVE DATE. The provisions of this Ordinance shall become effective

in seven (7) days.

ORDAINED AND ENACTED into law by the Hempfield Township Board of Supervisors, Mercer County, Pennsylvania, this 1st day of February, 2022.

HEMPFIELD TOWNSHIP
MERCER COUNTY, PENNSYLVANIA

RESOLUTION NO. R7-2022

BE IT RESOLVED THAT, THE HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS OF MERCER COUNTY, PA, HEREBY approves and authorizes Participating Members of the Hempfield Township Volunteer Fire Department, to participate in the following Operational Support activities as designated in the Pennsylvania Workers Compensation Act as modified by Act 108 of 2020:

Operational Support Activities

1. Maintaining the Station and Equipment
2. Acting as a Trustee
3. Organizing Fundraisers
4. Providing Information Technology Support
5. Assisting with Recruitment and other Administrative Tasks

AND, FURTHER RESOLVED, that Participating Members of the Hempfield Township Volunteer Fire Department may engage in the forgoing approved operational support activities; and further

RESOLVED, that in accordance with this authorization and Act 108 of 2020 these activities of the Participating Members of the Fire Department are approved for the policy term 1/1/2022 to 1/1/2023.

TOWNSHIP OF HEMPFIELD, MERCER COUNTY, PENNSYLVANIA
RESOLUTION NO. 8- 2022
A RESOLUTION TO ADOPT THE
2022 MERCER COUNTY JOINT SEAL COAT BID PROGRAM

WHEREAS, the Board of Supervisors of Hempfield Township acknowledges the requirements to participate in the 2022 Mercer County Joint Seal Coat Bid Program;

WHEREAS, the Board of Supervisors of Hempfield Township deems it necessary to appoint a delegate and alternate delegate to act as the voting authority at the time of the bid opening to represent the Municipality of Hempfield Township, Mercer County for practical and cost effective means of Seal Coating Township Roads;

NOW, THEREFORE, BE IT RESOLVED that the 2022 Mercer County Joint Seal Coat Bid Program be adopted to implement cost effective means for Seal Coating Roads within the Municipality. The 2022 Mercer County Joint Seal Coat Bid Program is hereby adopted as the official Bid Program of the Township of Hempfield, Mercer County, and

- Each participating Municipality will be represented by one Delegate. Hempfield Township hereby appoints Todd P. Hittle as Delegate and Gary E. Hittle as Alternate Delegate (in the absence of the Delegate) as representative for Hempfield Township to act as the voting authority at the time of bid opening, and
- The respective officials for the Lead Municipality, Delaware Township, are given the Authority to either award or reject the bid or bids, based on the votes of the appointed Delegates. The Lead Municipality for the Mercer County Joint Seal Coat Bid Program, Delaware Township, is hereby directed to implement the recommended activities assigned to them, and
- Hempfield Township, Mercer County will pay the Lead Municipality, Delaware Township, its share of the bidding costs.

ADOPTED AND ENACTED, this 1st day of February, 2022.