

DERRY TOWNSHIP BOARD OF SUPERVISORS

Minutes, June 6, 2023 Regular Meeting

5:00 p.m.

The regular meeting of the Derry Township Board of Supervisors was called to order in the Municipal Building at 5321 Route 982, Derry, PA at 5:00 p.m. and the Pledge of Allegiance was recited.

Motion was made by James Prohaska and seconded by Donald Kepple to adjourn the previous meeting.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Members present were: David Slifka, James Prohaska, and Donald Kepple - Supervisors; Terry Giannini, Code Enforcement Officer; Samuel Dalfonso, Solicitor; Donna Wano, Secretary/Treasurer

Announcements:

Grass clippings are not to be left on township roads. First offense will be a warning; second offense, a citation will be issued.

The meeting was opened to the public for comments:

Public Comments regarding Halfway House in New Derry:

Maria Soohey, Rosalie Bell and Katrina Mitchell, Pennsylvania licensed practicing attorneys with strong ties to the community spoke of their opposition to the placement of the Angel's Light Inpatient Drug and Alcohol Treatment Facility at the current Wicklow Logistics site located in New Derry, Pennsylvania. They feel Angel's Light facility falls within the definition under 621D of the Pennsylvania Municipal Planning Code as being a methadone treatment facility. Section 621D of the code states that a methadone treatment facility shall not be established or operated within 500 feet of an existing school, public playground, public park, residential housing, child care facility, church or other place of regularly stated religious worship established prior to the proposed methadone treatment facility. There are houses, some within 39 feet of the facility, a ballpark 279 feet, a restaurant 175 feet, in addition a preschool, a church, Grandview Elementary, Derry Area High School and Middle School. All within very close proximity. There's a school bus stop in front of this facility. In the event that Section 621D of the Municipal Planning Code in this particular matter would be found by a court to either not apply or even be considered discriminatory it is our position that the Angel's Light facility will pose a significant risk to the public safety of the community.

Because and despite the fact that there is no zoning in Derry Township, the MPC applies due to preemption. And when considering the current facts, Section 621D is applicable and application of it should not be found to violate the Americans with Disabilities Act. Also, there is the lack of law enforcement and extended response time from the police when called. It's a fact that home values will plummet if the facility is opened at this site. With that premise I would ask that a special public meeting be scheduled, one specifically focused on this matter publicized as such that allows the residents across Derry Township to be heard. And since time is of the essence,

perhaps we can have an action plan that involves the different pieces because obviously the legal basis is going to be very necessary and we have to work on that to further develop it but it's also going to be very necessary to inform the rest of the township and the residents so that they can provide the rest of the evidence that we'll need as far as the harm and the seriousness of this.

Gib Stemmler – asked what supervisors are doing to confirm that the information told to you when you visited was accurate. What is the actual number of police calls down at Uniontown or any other facilities. How are life sustaining meds controlled and given. Asked about a contract with Allegheny County or with any other out of county prisons, hospitals, DNA programs that will send non-community residents here to the township.

Betty Jean Smith – asked if we looked into the facility. She knows for a fact that the value of their homes is going to decrease. Asked if there was a covenant for Grandview Heights to stop this. Asked if we requested the 911 calls and her concern with the state police response time. She asked for contact information for Angel's Light.

Vince DeCario – asked if the Township was looking into adopting an ordinance like we had for Megan's Law so this won't happen again in the Township.

Nancy Findish – asked who you contact to express your concerns about the licensing of the Angel's Light facility. She talked about the tax millage and property owners having properties reassessed and how that would affect the whole township.

Melissa Kaufman – talked about research she has been doing and the licensing process that she looked at online. It says even if there is no zoning, these facilities still have to be held accountable.

Mark Thomas – asked as of today's date if the deal was final. Closing scheduled for end of July or August depending on the permitting.

David Slifka – read the letter sent to Angel's Light owners to the residents (see attached).

Bob Smith – said he didn't quite understand why we sent a letter like that based on what we heard at the other meeting and what we are hearing now. We don't want it and we want the township to do everything that it can to stop it.

Terry Stemmler – asked why the residents weren't notified sooner that this was a possibility.

Christina Weimer – asked for guidance. This isn't our area of expertise so we're looking to you guys for guidance. Tell us what to do next and we'll do it.

Ron Hamacher – said we're here to offer support, we're a community. Let's work together guys.

Donald Kepple – read post from Chandra at Angel's Light (copy attached).

Nick Moff – asked for clarification if it is voluntary thing.

Mike Connor – asked how close they are legally allowed to walk up to a property line and his concerns regarding that.

Dan Lynch – I've heard they're for-profit and they're in the field to make money. We need to cost them so much money, and I'm not a lawyer, but can't we tie this up into legal fights and cost them enough money to throw their hands up in the air.

Cindy DeCario – asked about the playground program in the township, specifically the one next to the proposed facility site.

Other Public Comments:

Al Magnone – asked about paving schedule for 28th and 27th Streets in Brenizer and piping in his ditch. Also asked about chicken coop ordinance that says any structure for raising a farm animal is supposed to be 200 feet from any residence. A discussion was held.

Tony Pratt – asked about barking dogs from morning to night. A discussion was held.

Terry Mekics – asked about water problem in the alley. A discussion was held.

Motion was made by Donald Kepple and seconded by James Prohaska to approve Minutes of May 2, 2023.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to approve the payroll of May 11 and 25, 2023 for payment.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by David Slifka to approve the bills of May 10 and 24, 2023 for payment.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to approve the Treasurer's Report for May 2023.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to approve advertising for bids to purchase a tractor and side mounted hydraulic boom mower.

Voting: Donald Kepple-yes, James Prohaska-yes and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to hold a special meeting on Thursday, June 15, 2023 at 9 a.m. to open bids and award bid.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to approve Operation and Maintenance Agreement with Chestnut Ridge Foam.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to approve Pay Estimate #9 in the amount of \$5,916.08 to Steel Nation Environmental, Inc. for the Maple Drive and Penn Avenue Stormwater Improvement Project.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to approve the Moyer Subdivision off Brennan Avenue which has been approved by the Westmoreland County Department of Planning.

Approval of this plan does not constitute acceptance of the streets as dedicated and laid out on said plan until they are developed to the Township's specifications at which time formal written notice of acceptance of dedication will be delivered by the Derry Township Board of Supervisors to the developer.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to approve the Latimer Farm Subdivision on Latimer Lane which has been approved by the Westmoreland County Department of Planning.

Approval of this plan does not constitute acceptance of the streets as dedicated and laid out on said plan until they are developed to the Township's specifications at which time formal written notice of acceptance of dedication will be delivered by the Derry Township Board of Supervisors to the developer.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to approve the Guyer Side Lot Addition on Pittsburgh Street which has been approved by the Westmoreland County Department of Planning.

Approval of this plan does not constitute acceptance of the streets as dedicated and laid out on said plan until they are developed to the Township's specifications at which time formal written notice of acceptance of dedication will be delivered by the Derry Township Board of Supervisors to the developer.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to approve the Freeman Subdivision on Pandora Road which has been approved by the Westmoreland County Department of Planning.

Approval of this plan does not constitute acceptance of the streets as dedicated and laid out on said plan until they are developed to the Township's specifications at which time formal written notice of acceptance of dedication will be delivered by the Derry Township Board of Supervisors to the developer.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to grant a donation to the Derry Borough VFD, Blairsville VFD, and New Alexandria VFD in the amount of \$1,500 each.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to grant a donation to the Mechesneytown, Pershing, and Salem Cemeteries Associations for the abandoned cemeteries in the amount of \$800 each.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by David Slifka to grant a donation to the Caldwell Memorial Library in the amount of \$2,500.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by James Prohaska and seconded by Donald Kepple to grant a donation to "Faith in Action" in the amount of \$800.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Motion was made by Donald Kepple and seconded by James Prohaska to grant a donation to the Barbara Thompson Early Learning Center in the amount of \$800.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

Derry Township Playground Program will begin Monday, June 12 – Ages 5 to 13

Monday - Thursday

Mornings: 9:30 to 11:30

Afternoons: 12:30 – 2:30

New Derry John's Field

New Alexandria

Derry Community Park

Brenizer

Motion was made by James Prohaska and seconded by Donald Kepple to recess until 9 a.m. on Thursday, June 15, 2023.

Voting: Donald Kepple-yes, James Prohaska-yes, and David Slifka-yes

DERRY TOWNSHIP SUPERVISORS

5321 State Route 982, Derry, PA 15627

June 5, 2023

Keith Greenberg
Angels Light Addiction Specialists
1023 Pittsburgh Road
Uniontown, Pennsylvania 15401

RE: Proposed Half Way House at 314 Pittsburgh Street, Derry, Pennsylvania

Mr. Greenberg:

Thank you for your and your team's attendance at the public meeting on May 23, 2023. Please allow this letter to express the concerns of the Township and the residents in the neighborhood of the proposed Angels Light Half Way House.

The public meeting was initiated by the Township to provide representatives from Angels Light Addiction Specialists an opportunity to address the public regarding numerous concerns and misinformation being shared amongst the community regarding the proposed half way house. The Supervisors even provided you with copies of several social media postings related to the proposed half way house for your review so that you would be fully prepared. The Township felt this forum would help calm the 'fears of the unknown' for the Township residents and potentially your future neighbors. Unfortunately, your team fell woefully short of that goal in many aspects.

It was clear your team did not prepare sufficiently prior to the public meeting. Despite the detailed explanations to the Supervisors during the tour of the Youngwood facility regarding the daily operations and the actual programs and benefits you provide to your clientele, none of that information was relayed to the audience in a discernable fashion for them to understand. It was very unclear as to what the 24-hour supervision mentioned would entail, who was responsible for that supervision, and how those employees are trained or otherwise qualified for the position. It was unclear how your clients would be referred to you or otherwise how they would be accepted into the home and what rules they were to follow. It was further unclear to the audience how you would handle the dispensing of certain medication, primarily methadone.

A primary concern of the residents was the safety of the neighborhood. Rather than assuring the residents and informing them of your protocols when someone breaches your security, it was stated that this could happen at any facility. A detailed explanation of how such a situation has been handled or will be handled would potentially have provided a sense of relief to those residents.

724-694-8835

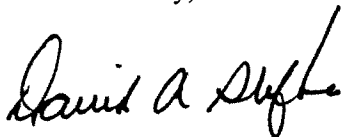
In the event that you successfully receive the state license and the proposed half way home moves forward, we strongly encourage you to include these items as priorities in the implementation of your plan:

- Twenty-four (24) hour security guard(s)
- Posted signage concerning daily curfew hours and lockdown procedures
- Sufficient alarm system to alert neighborhood of unauthorized leave of facility resident
- Provide list of security safeguards (locked windows, door locking devices, supervision, ability to roam outdoors)
- Permit access to emergency road behind building for egress
- Appropriately renovate exterior of building/property to ensure unification into neighborhood.
- List of prior community involvement/engagement and proposed ideas for Derry Township

While the Township understands that part of the selection of this location was the lack of zoning and other regulations, the Township hopes that you will strongly consider implementing these requests in your plan for the proposed half way house. These requests would address many of the concerns the residents and the Township have concerning this project and would allow for Angels Light to be a welcomed neighbor.

Should you wish to discuss this matter further, please do not hesitate to contact our offices.

Sincerely,



David A. Slifka,
Chairman



James Prohaska,
Vice-Chairman



Donald Kepple
Supervisor

c: Jason Hoover
Chandra Chiado

Chandra's Post



Derry Area Topics

Chandra Chiado · June 1 · 🌐



We at Angels light addiction specialists appreciate the invitation by your town supervisors to provide an overview of our Halfway House program and answer questions related to such from residents.

Unfortunately, our attempts to explain that the program is NOT a lock down program for prisoners is not being comprehended. The program is and will always be a voluntary treatment program. This allows our clients to discontinue treatment at any time. Accordingly they will not be escaping in the middle of the night to threaten residents.

There is also a mistaken concept related to the exact type of facility we are operating. The program is NOT an outpatient Medical Assistance Treatment program dispensing daily methadone and other maintenance drugs. As a consequence, clients in great volumes don't come and go daily. In addition, as a licensed In Patient Treatment Center it can be located anywhere in a town as well as areas zoned residential if's town so desire.

During the meeting we were also told our halfway house had approximately 90 911 calls since 2016. We explained that we only started operating in Youngwood 2 months ago and had no calls to date and that it was the former bar/ hotel that had the calls. We were hen told that we were lying and attacking the residents character. We further explained that as a licensed facility any incident (i.e 911 calls) would have to be reported to the PA DDAP. WE have had none and this can be checked easily through DDAP should anyone so desire.

It became clear to us that nothing we could say would change residents minds about the good and safety of our program.

After discussion among our leadership and your town supervisors we would like to take one of the following measures to alleviate resident concerns:

Option 1

Payment by Angels Light for the hiring of one entry level police person for Derry. As the supervisors explained that the town could not hire this person they suggested we speak to the state police to see if this could be arranged.

We will be having this conversation and should it not be possible we will provide option 2.

Option 2

Angels light will hire a full time security guard to assure that parents of children going to school and back or passing the property feel secure.

We have already put in motion how we will maintain the property and plan on being a good neighbor. You can expect our leadership to become involved in community events and support local charity.

We look forward to the days residents of Derry embrace our program.

The Leadership of Angels Light Half Way House



85

77 comments

Like

Comment

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Top comments



Steve Mark Wicz

What about Option 3 ? Put it somewhere else. Below are the 911 logs from your Uniontown location you claim didn't have 60 ems calls, in only 6 months. Some of them



Write a comment...

