

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of December 3, 2019

The regularly scheduled meeting of the Board of Supervisors was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue. Board Chairman David Dumeyer and Board Members Kent Gardner, Edward Fisher and Naomi Martin were present. Also in attendance were: Township Manager Andrew Stern; Township Solicitor Josele Cleary; Court Reporter Rhonda Adams (For Conditional Use Hearing), Zoning Officer Dwayne Steager; Police Chief Lisa A. Layden; Finance/HR Director Brenda Baumbach, and Township Engineer Kara Kalupson (Rettew). Robert Munro was not present at the meeting.

Chairman David Dumeyer called the meeting to order at 7:30 p.m. and led with the Pledge of Allegiance. He announced that following the regular Board of Supervisors meeting the Board will move into Executive Session to discuss a personnel matter.

- I. **CONDITIONAL USE HEARING: Case #82 – Increase in Building Height**
Applicant: ART Mortgage Borrower Propco 2010-5 LLC
Address: 10 Glenlake Parkway, South Tower, Suite 600, Atlanta, GA 30328
Location of Property: 3800 Hempland Road, Mountville, PA 17554 Zoning: I-2

Chairman Dumeyer opened the Conditional Use Public Hearing with a summary of the proposal and explanation of procedural rules and regulations of the Conditional Use Public Hearing process. After the Board has received all relevant evidence, the Board will close the record. The Board has 45 days after the close of the record within which to issue a written decision and the Board will issue its decision at a public meeting. The Board may make a decision on the application at tonight's meeting or any subsequent meeting held within 45 days after the close of the record.

West Hempfield Township Zoning Officer Dwayne Steager was sworn in and confirmed the advertising and posting of procedural exhibits related to this hearing. Present on behalf of the applicant ART Mortgage Borrower Propco 2010-5 LLC were Tom Powers, Scott Cox, and Carla Jeffries; Caroline Hoffer of Barley Snyder; and Jim Boyer and Brent Detter, RLA of David Miller/Associates.

Motion: Kent Gardner moved and Edward Fisher seconded to *accept* Brent Detter of David Miller/Associates as an expert witness to the testimony. Motion passed (4-0).

The applicant proposes to combine two tracts of land and expand the existing cold storage warehouse and distribution facility. Section 502.5.C of the I-2 General Industrial District provides for an increase in the maximum height of a building by conditional use subject to compliance with the terms of that section.

Mr. Detter and Ms. Hoffer presented testimony regarding the Americold building and site and submitted 12 conditions that address the terms of the conditional use. Members of the Board asked questions pertaining to storm water, emergency vehicle access, retaining walls, and the existing tree line on the west side of the property.

Ms. Cleary clarified the timeline for this project. Under Section 703.1.2 – Uses, the applicant must submit the subsequent subdivision and/or land development application within one year

after the date when the conditional use is finally granted, and the applicant shall have secured a zoning permit for such use within three years of said date.

Mr. Dumeyer asked for comments from audience, Mike Steinmetz said he supports any manufacturing and job growth in the area. Lisa Riggs of the Economic Development Company (EDC) has been working with Americold on this project and is happy to help grow the business and create jobs.

Motion: Kent Gardner moved and Edward Fisher seconded to *close* the Conditional Use Public Hearing at 8:25 p.m. Motion passed (4-0).

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the Conditional Use application for ART Mortgage Borrower Propco 2010-5 LLC for property located at 3800 Hempland Road, provided the 12 conditions as presented by the applicant and listed in applicant's Exhibits A1 through A3 are met along with an additional condition included by Ms. Cleary regarding tree maintenance. Motion passed (4-0).

II. APPROVAL OF MINUTES

- A. October 30, 2019 Road Tour
- B. November 4, 2019 Budget Meeting

Motion: Kent Gardner moved and Edward Fisher seconded to *approve* the Board's October 30, 2019 Road Tour minutes and November 4, 2019 Budget Meeting minutes as presented. Motion passed (4-0).

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

- 1. Kent Gardner reported the LIMC will meet in Millersville Borough on December 11, 2019.

B. TOWNSHIP MANAGER

1. **Additional item: Lancaster County Drug Task Force**

Reimbursement issues with Lancaster County were discussed. Mr. Stern has concerns regarding the financial arrangement and the gap in funding. The Township has budgeted 50 cents per capita for 2020.

2. **Transferable Developments Rights**

Mr. Stern provided information on transferable development rights (TDR) to Board members for clarification purposes and is available to discuss TDRs with Board members.

3. **Pension Mortality Tables**

The Township pension advisor suggested changing the pension and mortality chart for employees, based on when a person retires and/or dies. Mr. Stern disagreed and indicated the Township adjusted the tables in 2018. There could be a significant cost factor involved based on actuary information, but the pension advisor has agreed not to pursue this issue. The Board is in agreement.

4. Cost to Televis Neighborhood Storm Sewer Systems

Board members were given information on the costs involved in televising neighborhoods. He worked with Rettew Associates to develop an amount and reminded the Board this project is not included in the 2020 Township budget.

5. Farmdale/Ferndale Project

The pipe replacement project is almost completed and final paving is scheduled for spring. Dale Getz will report on the costs later in this meeting.

C. TREASURER’S REPORT

General Fund	\$	4,698,515.76
Sewer Fund	\$	147,046.93
Refuse Fund	\$	515,428.30
Street Light Fund	\$	27,014.45
Fire Hydrant Fund	\$	18,070.97
TDR Fund	\$	607,330.23
State Liquid Fuels Fund	\$	974,198.77
Police Pension Fund	\$	7,145,064.47
Non-Uniform Pension Fund	\$	2,436,079.85
Recreation Fund	\$	41,618.65
Highway Fund	\$	980,512.94
Post Retirement Fund	\$	-
Health Care (HRA)	\$	26,512.37
MS4 Stormwater Fund	\$	100,205.90
TOTAL ALL FUNDS	\$	17,717,599.59

D. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/LAND USE, FIRE, EMS - Written reports were received and reviewed.

Public Works Director Dale Getz reported the Farmdale/Ferndale project is nearly finished. The project cost of \$66,386.79 is significantly lower than if the work had been done by an outside contractor. The existing 100 foot corrugated metal pipe is still in the ground and he is working on a proposal for outside help to fill the old pipe. Mr. Getz commended the Public Works crew for their help with the project. They are still collecting leaves and will wrap up this week.

E. TOWNSHIP ENGINEER REPORT:

Kara Kalupson from Rettew Associates provided feedback regarding ongoing and future stormwater projects in the Township. There are four grant applications pending and the award for one grant will not occur until late summer 2020. Mr. Stern has asked Rettew to prioritize the grant applications. She is also working with Mr. Stern regarding televising the storm sewers.

F. RESIDENTS

1. Peter Doherty, W. South Avenue – Requested an explanation as to why the Board of Supervisors denied any action regarding a shed located in a storm drain area. Mr. Dumeyer explained the Board deemed the shed not to be an issue based on information gathered from the Road Tour in October and an onsite inspection.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

**A. Evercor Facility Management WHTPC 11-19 (90 Days: 1-15-20)
Request Waiver of Land Development and Stormwater Management Plan
Location: 509 S. 16th Street, Columbia, PA**

Ben Heisey, representing the applicant, is requesting three waivers for submitted plans to remediate a gravel lot that was installed without permitting.

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the waiver of Section 122-36.C.2.b – Utilities Within 200 Feet based on the information presented and provided the applicant submits utility information for the project site location. Motion passed (4-0).

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the waiver of Section 309 – Land Development Plan based on the information presented and provided the submitted stormwater management plan is approved. Motion passed (4-0).

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the Stormwater Management Plan for Evercor with the condition that they address all outstanding questions and concerns of the Township Engineer. Motion passed (4-0).

**B. JNJM WHTPC 09-18
Request for Release of Remaining Financial Security
Location: 1820 Franklin Road, Columbia PA**

The applicant is requesting the release of the remaining Financial Security in the amount of \$40,238.69.

Motion: Kent Gardner moved and Edward Fisher seconded to *approve* the release of the remaining Financial Security for JNJM of \$40,238.69. Motion passed (4-0).

**C. St. Francis WHTPC 07-18
Request for Financial Security Reduction
Location: 208 Primrose Lane, Mountville PA**

The applicant is requesting a partial release of their financial security, The Township Engineer recommends that the Financial Security be reduced in the amount of \$194,706.58 leaving a new balance of \$29,954.83.

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the partial release of the Financial Security for St. Francis in the amount of \$194,706.58 leaving a new balance of \$29,954.83. Motion passed (4-0).

D. Summit Living LLC WHTPC 10-17
Deny Full Release of Financial Security
Approve Reduction of Financial Security
Location: 755 Summit Drive, Lancaster PA

The applicant is requesting a full release of their financial security, The Township Engineer recommends that the Financial Security for Summit Living LLC be reduced in the amount of \$138229.52 leaving a balance of \$88,726.48.

Motion: Edward Fisher moved and Kent Gardner seconded to *deny* the full release of the Financial Security of \$226,956.00 for Summit Living LLC. Motion passed (4-0).

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* a reduction of the Financial Security of \$226,956.00 by \$138,229.52 for Summit Living LLC leaving a balance of \$88,726.48, Motion passed (4-0).

E. Conditional Use #79
One-Year Time Extension
Location: 620 Sycamore Drive, Columbia PA

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the one year time extension for Conditional Use #79 at 620 Sycamore Drive. Motion passed (4-0). The extension runs until March 5, 2021 and pulling permits is extended to March 5, 2022.

V. NEW BUSINESS

A. Hempfield RecCenter Tri-for-Life Triathlon

Motion: Kent Gardner moved and Edward Fisher seconded to *approve* the use of Township roads for the annual Tri-for-Life Triathlon scheduled for Sunday May 3, 2020. Motion passed (4-0).

B. Selection of Property & Casualty Insurance Provider

Mr. Stern is seeking to replace the current property/casualty insurance carrier due to increasing high premiums and costs. The Kocman Insurance Group's proposal shows a significant decrease in the premium amount. At this time the Township is not eligible for dividends but will be in the future. Mr. Stern also reported that Kocman received good reviews from those municipalities using this company.

Motion: Kent Gardner moved and Edward Fisher seconded to *approve* the proposal from Kocman Insurance Group as the Township's property/casualty insurer. Motion passed (4-0).

C. Williams Pipeline Escrow Return Request

Mr. Stern reported that Williams Company has repaired any damage done to Township roads during the pipeline installation and is satisfied with the work. He recommended the release of the two escrow amounts.

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the release of the Williams Pipeline road bond of \$84,625.00 and the escrow of \$10,000.00 Motion passed (4-0).

D. Guiderails – Old Chickies Hill Road

Public Works Director Dale Getz received a request to install guiderail along Old Chickies Hill Road where there is a steep drop down the embankment to Chiques Creek. The cost of \$4,000.00 will come from Liquid Fuels monies.

Motion: Edward Fisher moved and Kent Gardner seconded to *approve* the installation of guiderail along a section of Old Chickies Road. Motion passed (4-0).

E. Creation of West Hempfield Township General Authority

Mr. Stern explained the benefits of creating a Township General Authority, especially in terms of stormwater management, infrastructure issues, availability of grants, etc. The Board of Supervisors would be the only members of the authority. The Board directed the Township Manager to put this item on a future agenda and to advertise the ordinance. No motion is necessary.

F. 2020 Public Meeting Dates

Motion: Kent Gardner moved and Naomi Martin seconded to *approve* the 2020 meeting dates established for the Board of Supervisors, Zoning Hearing Board and the Planning Commission. Motion passed (4-0). Meeting dates will be publicized in the Lancaster newspaper.

VI. ORDINANCES, RESOLUTIONS, AND AGREEMENTS

A. Resolution 22-19: Tax Rates for 2019

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 22-19 establishing the 2020 tax rate. The rate is the same as in 2019, 1.75 mils. Motion passed (4-0).

B. Resolution 23-19: Setting 2020 Refuse Collection Fees

The fees proposed are \$72.50 per quarter or \$285.00 per year This significant rise is due to the increase in recycling costs from LCSWMA. Trash tag prices are also increased.

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 23-19 setting the 2020 Refuse Collection Fees. Motion passed (4-0).

C. Resolution 24-19: Adopting Budget for 2020

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 24-19 setting the Township budget for 2020. Motion passed (4-0).

D. Resolution 25-19: 2020 Fee Schedule

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 25-19 setting fees for 2020. Motion passed (4-0).

E. Resolution 26-19: PA Small Water and Sewer Grant: Farmdale/Ferndale

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 26-19 regarding a grant for the Farmdale/Ferndale project. Motion passed (4-0).

F. Resolution 27-19: H2O PA Storm Water Project Grant: Farmdale/Ferndale

Motion: Kent Gardner moved and Edward Fisher seconded to *adopt* Resolution 27-19 regarding stormwater project grants for the Farmdale/Ferndale project. Motion passed (4-0).

G. Non-Resident EIT Ordinance: This allows the Township to collect taxes from non-township residents working in West Hempfield.

Motion: Kent Gardner moved and Edward Fisher seconded to *authorize* the advertisement for the Non-Resident EIT Ordinance for adoption on January 6, 2020. Motion passed (4-0).

H. Conrad Siegel Pension Advisory Agreement

Motion: Kent Gardner moved and Edward Fisher seconded to *authorize* the Township Manager to sign any and all agreements related to the Conrad Siegel Pension Plan. Motion passed (4-0).

I. 2019 Audit: Bertz & Hess Engagement Agreement

Motion: Edward Fisher moved and Kent Gardner seconded to *authorize* the Township Manager to sign the Bertz & Hess Engagement Agreement for the 2019 Township audit. Motion passed (4-0).

VII. APPROVAL OF PAYABLES

FUND	Amount	Check #'s
Payroll & Taxes	102,430.75	EFT
FULTON – General Fund	887,756.11	1622-1708
FULTON – Refuse	116,788.44	1032-1036
FULTON – Street Light	4,521.17	444
FULTON – Escrow	6,074.20	1010
FULTON – State Fund	71,710.65	1047-1062
Total	1,189,281.32	

Motion: Kent Gardner moved and Edward Fisher seconded to *approve* payment of all bills between November 1 – November 30, 2019 and any residuals. Motion passed (4-0).

VIII. GOOD OF THE ORDER

UPCOMING MEETINGS: Monday, January 6, 2020 Organization and Regular Meeting

IX. ADJOURNMENT

Chairman Dumeyer asked for a motion to adjourn the regular Board of Supervisors meeting at 9:25 p.m. and move into Executive Session to discuss a personnel matter.

Motion: Kent Gardner moved, seconded by Naomi Martin, to *adjourn* the regular Board of Supervisors meeting at 9:25 p.m. and move into Executive Session to discuss a personnel matter. Motion passed (4-0).

Respectfully submitted,



Andrew Stern,
Township Manager

