

WEST HEMPFIELD TOWNSHIP SUPERVISORS
REORGANIZATIONAL AND REGULAR BOARD MEETING
Minutes of January 6, 2020

The reorganizational meeting and regular monthly Board of Supervisors meeting was held at the Township Municipal Building, 3476 Marietta Avenue, Lancaster, Pennsylvania on Monday, January 6, 2020. David Dumeyer, along with Board members Edward Fisher, Kent Gardner, Naomi Martin and Robert E. Munro were present. Also in attendance were: Township Manager Andrew Stern, Police Chief Lisa Layden, Zoning Officer Dwayne Steager, Public Works Director Dale Getz, Township Engineer Melissa Kelly and Recording Secretary Brenda Baumbach.

Reorganizational Meeting

A. CALL TO ORDER

David Dumeyer called the reorganizational meeting to order at 7:30 p.m.

B. Nomination and Election of Officers

David Dumeyer turned the meeting over to Edward Fisher who entertained nominations for the office of Chairman and Vice-Chairman. Kent Gardner moved, seconded by Robert Munro, to *elect* David Dumeyer as Chairman and Edward Fisher as Vice-Chairman. Motion passed (5-0).

C. Appointment of Secretary/Treasurer and Assistant Secretary/Treasurer

Kent Gardner moved, seconded by Robert Munro, to *appoint* Andrew Stern as Secretary/Treasurer and to *appoint* Brenda Baumbach as Assistant Secretary/Treasurer. Motion passed (5-0).

D. Appointment of Township Solicitor

Kent Gardner moved, seconded by Robert Munro, to *appoint* Josele Cleary of Morgan, Hallgren, Crosswell & Kane as Township Solicitor. Motion passed (5-0).

E. Appointment of Special Counsel for Labor Matters

Kent Gardner moved, seconded by Robert Munro, to *appoint* Theresa Mongiovi of Brubaker, Connaughton, Goss & Lucarelli, LLC, as Special Counsel. Motion passed (5-0).

F. Appointment of Township Engineer and Assistant Township Engineer

Kent Gardner moved, seconded by Robert Munro, to *appoint* Rettew Associates as Township Engineer and David Miller/Associates as Assistant Township Engineer. Motion passed (5-0).

G. Appointment of Sewage Enforcement Officer and Assistant Sewage Enforcement Officer

Edward Fisher moved, seconded by Kent Gardner, to *appoint* Marvin Stoner as SEO and David Lockhart as Assistant SEO. Motion passed (5-0).

H. Appointment of Auditor for 2019 Financial Statements

Edward Fisher moved, seconded by Robert Munro, to *appoint* Bertz & Hess Certified Public Accountants to audit the Township's 2019 financial statements. Motion passed (5-0).

- I. Appointment to Zoning Hearing Board
Robert Munro moved, seconded by Kent Gardner, to *adopt* Resolution 01-20 *appointing* Daryl Peck to the Zoning Hearing Board for a term to expire December 31, 2022. Motion passed (5-0).
- J. Appointment of Zoning Hearing Board Solicitor and Alternate Solicitor
Edward Fisher moved, seconded by Kent Gardner, to *appoint* Matthew Creme of Nikolaus & Hohenadel as Zoning Hearing Board Solicitor and Julie Miller of Russell Kraft & Gruber as Alternate Zoning Hearing Board Solicitor. Motion passed (5-0).
- K. Appointment of Open Records Officers
Kent Gardner moved, seconded by Robert Munro, to *appoint* Maria McDonald as Open Records Officer for Administration and Kerri Sensenig as Open Records Officer for the Police Department. Motion passed (5-0).
- L. Appointment of Emergency Management Coordinator
Kent Gardner moved, seconded by Robert Munro, to *appoint* John Leas as Emergency Management Coordinator. Motion passed (5-0).
- M. Appointment of Voting Delegate for the PSATS State Convention.
Kent Gardner moved, seconded by Robert Munro, to *appoint* Andrew Stern as voting delegate to the PSATS State Convention May 3-6, 2020. Motion passed (5-0).
- N. Designation of Depository for Township Funds
Kent Gardner moved, seconded by Robert Munro, to *designate* Fulton Bank and PLGIT as the depositories for Township funds. Motion passed (5-0).
- O. Setting Mileage Reimbursement Rate to IRS Standard
Robert Munro moved, seconded by Kent Gardner, to *set* the mileage reimbursement rate to the IRS standard of 58 cents per mile. Motion passed (5-0).
- P. Setting Bond Amount for Treasurer and Assistant Treasurer
Kent Gardner moved, seconded by Robert Munro, to *set* the bond amount for 2020 at \$1,500,000 for both the Treasurer and Assistant Treasurer. Motion passed (5-0).
- Q. Adjournment of Reorganizational Meeting
There being no further business before the Board, Chairman David Dumeyer closed the reorganizational meeting and moved to the regular meeting at 7:42 p.m.

Regular Monthly Meeting

- I. CALL TO ORDER
Chairman David Dumeyer called the regular monthly Board of Supervisors meeting to order at 7:45 p.m. Boy Scouts Lewis and William Calder of Troop 267 led the Pledge of Allegiance. They are working on their Citizenship and Community merit badges.

II. SPECIAL RECOGNITIONS

Rick J. Steffy, Retirement from Full Time Employment, Resolution 02-20. Chairman Dumeyer read the resolution recognizing Rick Steffy for his 21 years of service to the Township. Mr. Steffy, an Air Force veteran, was commended for his past performance and demonstrated leadership in his Public Works role. He expressed his gratitude for the Township's support, especially the residents. The Board wished him a happy retirement.

III. APPROVAL OF MINUTES

- A. October 1, 2019 Regular Meeting
- B. November 7, 2019 Regular Meeting
- C. December 3, 2019 Regular Meeting

Kent Gardner moved, seconded by Edward Fisher, to *approve* the October 1, November 7 and December 3, 2019 Regular Board of Supervisors Meeting minutes as presented. Motion passed (5-0).

IV. COMMUNICATIONS.

A. BOARD OF SUPERVISORS

- 1. **LIMC:** Kent Gardner reported the LIMC voted to discontinue providing funding to the Clean Water Consortium. Mr. Stern talked about the newly formed group, Clean Water Partners, and said discussion will continue with both groups to determine the best use of money going forward.

B. TOWNSHIP MANAGER

- 1. **PSATS Conference:** May 3–6, 2020. Board members should inform Mr. Stern if they wish to register.
- 2. **Pension RFP.** January 1, 2020 pension payments will continue with BB&T. After these payments, everything will transfer to Conrad Siegel/Charles Schwab for investment and future payments.
- 3. **MS4:** The Township received notification that the National Fish and Wildlife Foundation (NFWF) grant request for a PRP project in Chiques Creek was approved for \$200,000. The request for Little Conestoga Creek was denied. We have several other grants through other entities still pending review.
- 4. **Stormwater Fee.** As instructed at the budget meeting, Mr. Stern spoke to Rettew and CS Davidson. Enclosed in this agenda packet is a separate memo concerning this matter.
- 5. **Recreation/Parks.** On December 17, 2019, the Recreation Committee met with representatives from Hempfield Rec, West Hempfield Fire & Rescue, Fulton Bank, Mr. Munro and Mr. Stern to plan activities for Township parks in 2020. The largest of activities planned is "2020 Fall Fest West," an event at Fairview Park on Saturday, September 19, 2020 with food, music, activities and hopefully fireworks. More information to follow.

EXTERNAL MATTERS

1. **Murry/Traditional Village District.** On December 10, 2019, Supervisors Munro and Fisher met with staff and Chris Venarchick to further discuss the pending zoning map and text change amendments. Chris Venarchik will revise their request based on discussions and follow up at a future date.
2. **Americold.** Township Solicitor Josele Cleary provided the Board with the written decision for the Americold Conditional Use approved at the December 3, 2019 meeting.

PERSONNEL

1. **Police.** Sergeant Russell Geier has submitted his DROP paperwork, indicating retirement by January 2023.
2. **Public Works.** A conditional offer of employment was made and we anticipate that person will begin with the Township on January 22, 2020.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** The next meeting is February 12, 2020 at 7:30 a.m. at Manor Township.
2. **CLC.** The next meeting is March 25, 2020 at 8:30 a.m. at East Petersburg Borough.

CORRESPONDENCE

1. **Rettew.** Rettew has submitted its 2020 Engineering Services Fees Schedule.
2. **Brubaker Connaughton Goss & Lucarelli LLC.** Theresa Mongiovi has submitted her fees for services in 2020.
3. **Lancaster Public Library.** The library has submitted a letter of appreciation for the Township's annual contribution.
4. **RHI Magnesita.** RHI has submitted an annual disclosure for its regulated substance storage in York, PA upstream of our Township.
5. **Audrey Lilley.** Ms. Lilley has attended prior Board meetings to express concerns about streetlight fees. She has now submitted her concerns in writing.

C. TREASURER'S REPORT: SEPTEMBER 2019 FINANCIALS

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-Uniformed Pension Fund	\$2,436,079.85
Recreation	\$41,618.65
Highway	\$980,512.94
Health Care (HRA)	\$26,512.37
MS4 Stormwater	\$100,205.90
Total All Funds	\$17,717,599.59

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

FIRE, EMS: On December 3, 2019 Chairman Dumeyer and Mr. Stern met with the three fire companies that service the Township: Columbia, Mountville and WHFR. The meeting was intended to get a handle on each company's finances to help determine what their needs will be in the upcoming years and how the Township can best plan to help financially.

- E. TOWNSHIP ENGINEER'S REPORT – None

- F. RESIDENTS – None

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. WHTPC 12-19

Stormwater Management Plan

Location: 360 Indian Head Road, Columbia PA 17512

Zone: R

Lot Size: 20.73 acres/902,999 sq.ft.

Stephen Gergely of Harbor Engineering presented for the applicants, Jamie and Rachel Clinton, who are under agreement to purchase the approximately 21 acre property. The Clintons submitted a revised Stormwater Management Plan for the development of a previously-approved subdivision and have requested four modifications of requirements. The Clintons wish to build a new house and driveway on the property.

Modification Requests

Section 122.36.A.1 – Plan Scale

The applicant is requesting a modification of the requirement to provide a plan at a scale of between one inch equals ten feet (1" = 10') and one inch equals 50 feet (1" = 50'). In the alternative, the applicant has provided a plan scale of one inch equals 100 feet (1" = 100') for the Existing Conditions Plan. The Township Engineer has recommended the Township approve this modification request based upon the alternative and justification provided.

Edward Fisher moved, seconded by Kent Gardner, to *grant* the request for modifications to Section 122.36.A.1 – Plan Scale based on the information provided and with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and Township Engineer. Motion passed (5-0).

Section 122.36.C.2 – Existing Features

The applicant is requesting a modification of the requirement to show all existing significant features within 200 feet of the subject tract. In the alternative, the applicant has provided surveyed information for the limit of disturbance only and provided GIS information for the remaining property and within 200 feet of the subject tract. The

Township Engineer has recommended the Township approve this modification request based upon the alternative and justification provided.

Edward Fisher moved, seconded by Kent Gardner, to *grant* the request for modifications to Section 122.36.C.2 – Existing Features based on the information provided and with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and Township Engineer. Motion passed (5-0).

Section 122.46.D.a.3 – Conveyance Facility Design Criteria – Pipe Cover for Vehicular Loading

The applicant is requesting a modification of the requirement to provide a minimum pipe cover of one foot to bottom of paving for pipes outside the public right-of-way and vehicular loading areas. In the alternative the applicant has provided less than one foot of pipe cover to bottom of the gravel driveway section and has provided manufacturers' information as support for this request. The Township Engineer has recommended the Township approve this modification request based upon the alternative and justification provided.

Edward Fisher moved, seconded by Kent Gardner, to *grant* the request for modifications to Section 122.46.D.a.3 – Conveyance Facility Design Criteria – Pipe Cover for Vehicular Loading based on the information provided and with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and Township Engineer. Motion passed (5-0).

Section 122.48.A.2.c – Loading Ratio

The applicant is requesting a modification of the requirement that volume control facilities in non-karst areas be 5:1 impervious drainage area to infiltration area and 8:1 total drainage area to infiltration area. In the alternative the applicant has provided the total loading ratio to be 9.3:1 and an impervious ratio of 2:1. The Township Engineer has recommended the Township approve this modification request based upon the alternative and justification provided.

Edward Fisher moved, seconded by Kent Gardner, to *grant* the request for modifications to Section 122.48.A.2.c – Loading Ratio based on the information provided and with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and Township Engineer. Motion passed (5-0).

Edward Fisher moved, seconded by Kent Gardner, to *approve* the Stormwater Management Plan for 360 Indian Head Road based on the information provided and with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and Township Engineer. Motion passed (5-0).

VI. UNFINISHED BUSINESS

A. West Hempfield Township Municipal Authority

The hearing to establish a Municipal Authority is set for Tuesday, February 4, 2020. The pros and cons of a general municipal authority versus a specific municipal authority (such

as stormwater management) were discussed by the Board. Mr. Stern said establishing a general municipal authority is cost saving for the Township in the long run in terms of legal fees, advertising and more. The members of the Board of Supervisors would be the members of the authority and would control its finances and spending.

B. Stormwater Fees Proposal

The Township received proposals to conduct a stormwater fee study from Rettew Associates and CS Davidson. Mr. Stern recommended proceeding with Rettew and its bid of \$15,760. The Township is looking at several options to implement stormwater fees for residents. Melissa Kelly, Township Engineer, explained creating a fee is a better and fairer method to address stormwater issues.

VII. NEW BUSINESS

A. Authorize Sale of 2004 Ford F550 on Municibid

Mr. Stern is seeking to advertise the 2004 Ford F550 on Municibid with the condition the Board may approve or reject the final offer. Edward Fisher moved, seconded by Robert Munro, to offer for sale the 2004 Ford F550 on Municibid. Motion passed (5-0).

B. Discussion of Board Pay Policy

The current Board Pay Policy states that members are paid on a meeting attendance basis. The updated policy will pay Board members on a monthly basis. Edward Fisher moved, seconded by Kent Gardner, to *rescind* the previous policy and *create* a new Board Pay Policy according to the term of office from this point forward. Motion passed (5-0).

VIII. ORDINANCES AND RESOLUTIONS

A. RESOLUTION 03-20: TRASH FEES (AMENDED)

The amendment is necessary to correct a mathematical error in the amount of the discount available to those residents who pay their trash bill yearly. The correct discount amount is \$5.00. Kent Gardner moved, seconded by Robert Munro, to *adopt* amended Resolution 03-20 as discussed. Motion passed (5-0).

B. RESOLUTION 04-20: PAVING BID ESCALATOR

Mr. Fisher explained the necessity of an escalator clause resolution as it applies to the costs of paving material, which can change in the time between bid signing and actual paving work. Edward Fisher moved, seconded by Kent Gardner, to *approve* Resolution 04-20 as discussed. Motion passed (5-0).

C. ORDINANCE 01-20: NON-RESIDENT EARNED INCOME TAX

Mr. Stern explained the ordinance as necessary in order to collect taxes from people who work in the Township but reside outside of the Township. Most municipalities have reciprocal agreements with the Lancaster County Tax Collection Bureau, but not all. This ordinance will allow the Township to collect the full 1% EIT from non-residents who reside in municipalities with no reciprocal agreement with LCTCB. The Township's Solicitor has reviewed the Ordinance. Mr. Stern said this has the potential to generate income for the

Township once it is applied. Kent Gardner moved, seconded by Robert Munro, to *adopt* Ordinance 01-20 as discussed. Motion passed (5-0).

IX. APPROVAL OF PAYABLES

December 2019:

FUND	Amount	Check #'s
Payroll & Taxes	102,060.38	
FULTON – General Fund	606,072.94	1709-1815
FULTON – Refuse	49,221.38	1037-1040
FULTON – Street Light	4,706.92	1017-1019
FULTON – Escrow	105,694.88	1011-1017
FULTON – State Fund	72,145.41	1063-1072
Total	939,901.91	

Kent Gardner moved, seconded by Robert Munro, to *approve* payment of all bills between December 1, 2019 and December 31, 2019 and any residuals. Motion passed (5-0).

X. GOOD OF THE ORDER

UPCOMING MEETINGS: February 4, 2020 Regular Meeting

XI. ADJOURNMENT

Chairman Dumeyer asked for a motion to adjourn the regular Board of Supervisors meeting at 9:00 p.m. Edward Fisher moved, seconded by Robert Munro, to *adjourn* the regular Board of Supervisors meeting at 9:00 p.m. Motion passed (5-0).

Respectfully submitted,



Andrew Stern
Township Manager

