

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING  
Minutes of November 5, 2020

The regular meeting of the Board of Supervisors was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue. The public was permitted to attend in-person or remotely via Zoom (video and audio), with instructions provided at the Township's internet website. The agenda posted to the Township's website and posted on the front window of the Township Building advised of the public's ability to attend in-person or remotely.

Chairman David Dumeyer and Board Members Kent Gardner, Edward Fisher, Robert Munro, and Naomi Martin were physically present at the meeting. Township Manager Andrew Stern, Public Works Director Dale Getz, Chief of Police Lisa Laden; and Mountville Fire Chief Dean Gantz, Jr. were also physically present. Zoning Officer Dwanaye Steager was absent. In attendance remotely via Zoom was Judy Carrier, Recording Secretary.

- I. CALL TO ORDER: Chairman Dumeyer called the meeting to order at 7:30 p.m. and led with the pledge of allegiance.
- II. PUBLIC HEARING: ZONING MAP AMENDMENT PETITION, KOLLER, 4301 MARIETTA AVENUE.

Chairman Dumeyer opened the Public Hearing at 7:35 p.m. and reviewed the nature and purpose of the Hearing and the rights of the Board of Supervisors pertaining to Public Hearings. The purpose of this legislative Hearing is to provide the public with the opportunity to review and discuss the Millfield Green LLC Zoning Map Amendment Petition for a rezoning of Property, currently in the R District, to the R-3 District to facilitate the proposed development of a residential development consisting of townhomes and to bring the zoning of the property into alignment with its UGA designation. Andrew Stern attested that the zoning amendment was properly advertised in accordance with Municipality Planning Code. There were no questions or comments about the Public Hearing procedural process.

Claudia Shank Esq., McNees Wallace Nurick LLC, representing the applicant, briefly walked through the chronology of the project and the sketch plan process, stating that tonight's Hearing is the 2<sup>nd</sup> step of a 4-step process. William Swiernick, David Miller/Associates, was present to answer any questions pertaining to the conceptual plan and Mark Stanley Esq., McNees Wallace Nurick LLC was present remotely through Zoom. Andrew Stern explained third party enforcement and advised that the Township Solicitor is comfortable with supporting the Declaration. Mr. Robert Riahi, Managing Partner, Millfield Green, provided additional information regarding his company and presented visual examples of completed projects.

Two residents had concerns about the development's effect on traffic and impact on School District planning and growth. At the conclusion of all discussion (Board and Public), **motion** was made by Kent Gardner and seconded by Robert Munro to *close* the Public Hearing at 7:58 p.m. The motion passed (5-0).

The regularly scheduled West Hempfield Township Board of Supervisors meeting re-opened and the following action was taken:

- **Moved** by Edward Fisher and seconded by Robert Munro to *approve* the petition to amend the zoning map amendment petition for Millfield Green LLC-Koller 4301 Marietta Avenue, and *adopt* Ordinance No. 06-2020 to amend the West Hempfield Township Zoning Ordinance of 1988, as amended, Zoning Map, to rezone Tax Parcel ID No. 300-48962-0000 from the R Rural Agricultural District to the R-3 Residential District. The motion passed (5-0).

III. MINUTES.

- A. October 6, 2020. **Moved** by Robert Munro and seconded by Kent Gardner to *approve* the October 6, 2020 Meeting Minutes as presented. The motion carried (5-0).

IV. COMMUNICATIONS

A. BOARD OF SUPERVISORS – None

- B. TOWNSHIP MANAGER – Andrew Stern reviewed his written report and added that the insurance carrier for liability will not be covering any claims related to COVID-19. He highlighted Item #1, Lancaster County’s approval of an ADDITIONAL \$133,952 in COVID CARES Funds for the Township (in addition to the \$68,859 already received) and gave a simplified explanation of the Special Disbursement of \$7,015 received from Lancaster County Tax Collection Bureau. He also asked the Board to review Item #4, the Postemployment GASB 75 Report received from Conrad Siegel.

**Internal Matters**

1. **Revenues.** Update on EIT and LST: LCTCB has provided an updated estimate which shows our EIT revenue at \$97,813 below budget for the year. At the end of May, the LCTCB estimate was that we would be \$257,723 below budget, so estimates are still looking good! These are only estimates (educated guesses!). We continue to track close to budget for the year at the time of this report. We continue to be warned by LCTCB that our numbers may still dip by year end and that current numbers are artificially skewed by the delayed individual dollars from the 2019 tax year (as the 2019 tax filing deadline was extended this year).

EIT: 10/2020 YTD: \$ 1,947,131 (10/2019 YTD: \$1,944,699)

LST: 10/2020 YTD: \$ 286,731 (10/2019 YTD: \$281,685)

Non-Resident EIT: 10/2020 YTD: \$ 8,082 (10/2019 YTD: 0) {new for 2020}

**We were JUST notified that the County has approved an ADDITIONAL \$133,952 in COVID CARES Funds for us (in addition to the \$68,859 we already received)!**

2. **Old Chickies Hill Rd.** We had received complaints about speed on Old Chickies Hill Road. Our police department conducted a speed study which found no unusual issues. Posted speed is 35 MPH, average speed was found to be 33.78 MPH and 85<sup>th</sup> percentile was at 38.61 MPH. There were obviously a handful of outliers with higher speeds, but nothing out of the ordinary. A copy of the study is attached.
3. **LCTCB.** We have received a special distribution of \$7,015 from the Lancaster County Tax Collection Bureau.

4. **Postemployment GASB 75 Report.** We have received our GASB 75 report from Conrad Siegel. This report provides an actuarial estimate on our unfunded liability for post-retirement health care benefits for the police which is at about \$3 million. We are not currently required to fund this, as we pay these benefits as we go – in other words as an officer retires we pay their healthcare benefits with general fund money.

#### External Matters

1. **None at this time.**

#### Municipal Authority

1. The Stormwater Committee met October 8, 2020. Our third, and possibly final, meeting will be November 12. A meeting of the Municipal Authority is NOT needed this month. We anticipate resuming Authority meetings December 1.

#### Personnel

1. **Staffing.** All employees are currently working as scheduled with no employees in quarantine or on medical leave at the time of this report.
2. **2021 Holidays.** Attached is the 2021 holiday schedule for non-uniform employees.
3. **Public Works.** Scott Keemer has submitted his resignation effective November 6, 2020. He has accepted a higher-level position with the City of Lancaster Public Works. He has been employed by us since April of 2019. We will be working to replace him as quickly as possible. We wish Scott the best!
4. **Leah Johnson.** Leah passed her Pennsylvania Notary exam and is now a Notary Public! Once she receives her official stamp, she will be assisting me with notarizing documents for the Township.
5. **Molly Sheckard.** Molly has announced her retirement, again, at the end of November 2020. She had retired from full-time employment with the Township January 7, 2019 and has been working part-time for us since then. Molly first started with the Township in February of 1998. We wish Molly the best now that she is really retiring!
6. **Cathy Cummings.** Cathy has accepted our offer to become full-time effective December 1, 2020 upon Molly's retirement. Cathy has been working for us part-time for about a year.
7. **John Leas.** John has indicated that he will be retiring from his volunteer role as Emergency Management Coordinator at the end of this year. I will be looking for a replacement. Please let me know if you have any suggestions.

#### Outside Boards and Committees

1. **LIMC.** LIMC met October 14 here at West Hempfield. We again host LIMC on December 9 at 7:30 am.

#### Correspondence

1. **Lancaster Public Library.** We have received a thank-you letter from the Lancaster Public Library for our 2020 contribution of \$27,900.

C. TREASURER’S REPORT – SEPTEMBER 2020 FINANCIALS

General Fund	\$ 4,067,351.17
Refuse Fund	\$ 795,498.01
Street Light Fund	\$ 27,185.63
TDR Fund	\$ 623,687.29
State Liquid Fund	\$ 1,049,893.11
Police Pension Fund	\$ 7,939,949.67
Non-Uniform Pension Fund	\$ 2,729,579.07
Recreation	\$ 42,050.26
Highway	\$ 990,686.78
Health Care (HRA)	\$ 27,128.73
MS4 Stormwater Fund	\$ 221,678.40
Total All Funds	\$ 18,514,688.12

D. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/LAND USE, FIRE, EMS

Police: Chief Layden submitted and reviewed the October report along with a comprehensive report prepared by Officer Ryan McKernan on a speed study conducted by the Police Department between October 6 to October 13, 2020 on Old Chickies Hill Road. Based on the data provided through this study, speed enforcement is not recommended due to average speed being under the posted speed limit and only medium risk vehicles were found.

Public Works: Dale Getz submitted and reviewed his October Report and remarked that the entire month primarily involved leaf collection.

Zoning/Land Use: Andrew Stern reviewed Dwayne Steager’s written report and noted that Dwayne and the Assistant Zoning Officer are working on a realigned schedule for appointments, office hours, etc.

Fire: Mountville Rescue IRS status is 501(c)(4), not 501(c)(3) as reported at the October 6, 2020 Board of Supervisors meeting.

EMS: No report.

E. TOWNSHIP ENGINEER’S REPORT – Melissa Kelly was not present. Andrew Stern reviewed the written report she submitted and remarked they are still working on the bureaucracy of grants.

F. GUEST

- JAMIE HALL, LANCASTER PUBLIC LIBRARY – Jamie Hall, Director of Doner Relations and Cindy Farley, CFO were present. Ms. Hall presented a review of the library’s areas of funding and programs during the Pandemic. A

printed copy of the presentation was provided to each member of the Board. The Board also received a letter of thanks from the Library for West Hempfield Township's 2020 contribution of \$27,900 in support of the Library.

G. RESIDENTS

- Matthew McCormick, Hilltop Drive, expressed concerns about enforcement of persistent property code issues. Edward Fisher stated that the best the Township can do is file with the District Magistrate. Andrew Stern assured Mr. McCormick that he responds to every notice received on the web site. Mr. Fisher added the Township is very limited on what it can do due to PA processes.

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. Conditional Use #83, Preserve at Silver Spring – 3733 Marietta Avenue

- Condition 17: Consider Proposed Appraiser for Recreation Fee In Lieu Of. Mr. Stern referred to his memo dated October 26, 2020 pertaining to Condition 17 which requires the selected appraiser to be “acceptable to the Board of Supervisors”. Information related to the CBD Group's selected appraiser, Ann and Rudy DeLaurentis was attached to Mr. Stern's memo. They are requesting the Board's acceptance so they can proceed with the appraisal. Following discussion, **motion** was made by Edward Fisher and seconded by Kent Gardner to **approve** Ann and Rudy DeLaurentis as appraisers for the Preserve at Silver Spring. The motion passed (5-0).

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS

A. LCATS: Ballot for Officers – Mr. Stern submitted the slate of officers who are running unopposed. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to **accept** the slate of officers, as presented on the LCATS ballot and discussed, and **authorize** the Township Manager to cast the ballot for all nominees. The motion passed (4-0-1) with Edward Fisher abstaining.

B. 2021 Budget

- Advertise and/or Schedule Special Meeting for Adoption after December 8, 2020. The preliminary budget was discussed. **Motion** was made by Robert Munro and seconded by Kent Gardner to **accept** the preliminary budget and **advertise** for Public Review. The motion passed (5-0).

VIII. ORDINANCES AND RESOLUTIONS.

A. Ordinance 06-2020: Zoning Map Amendment, Koller, 4301 Marietta Avenue.

- *The Ordinance was **approved** by Board action taken following the close of the Public Hearing and upon the reconvening of tonight's Board of Supervisors meeting.*

B. Resolution 13-2020: Authorization to Submit Signal Application to PennDOT

- Sedgewick Development: Columbia Avenue at Laurel Run. Mr. Stern provided a copy of the Resolution and the accompanying Signal Application. Following

discussion, **motion** was made by Edward Fisher and seconded by Kent Gardner to **adopt** Resolution 13-2020 **authorizing and directing** Township Manager Andrew Stern to submit the Application for Traffic Signal Approval for Sedgewick Development: Columbia Avenue at Laurel Run to PennDOT and to **sign** the Application on behalf of the Board of Supervisors of West Hempfield Township. The motion passed (5-0).

IX. APPROVAL OF PAYABLES

FUND	AMOUNT	CHECK #'S
PAYROLL & TAXES	\$ 211,685.68	EFT
FULTON - GENERAL FUND	\$ 832,325.01	2789 - 2883
FULTON - MS4	\$ 37,067.91	1029 - 1031
FULTON - REFUSE	\$ 112,595.07	1081 - 1084
FULTON - STREET LIGHT	\$ 4,135.19	1033
FULTON - ESCROW	\$ 344,141.85	2030 - 2031
FULTON - STATE FUND	\$ 36,243.19	1136 - 1145
<b>Total</b>	<b>\$ 1,578,193.90</b>	

**Moved** by Kent Fisher and seconded by Robert Munro to **approve** payment of all bills between October 1, 2020 and October 31, 2020 and any residuals that may be forthcoming. Motion carried (5-0).

X. GOOD OF THE ORDER

- **NO MUNICIPAL AUTHORITY MEETING THIS MONTH**
- **UPCOMING MEETING: Tuesday, December 1, 2020**

XI. ADJOURNMENT INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ITEM(S)

Chairman Dumeyer **adjourned** the Board of Supervisors regular meeting at 8:42 p.m., moving into Executive Session to discuss personnel item(s).



Respectfully submitted,

Andrew Stern,  
Township Manager