

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of December 1, 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, Zoning Officer Dwayne Steager, Public Works Director Dale Getz, and Chief of Police Lisa Layden were also physically present. 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. The Chair called for a motion to approve the Revised Agenda for tonight's meeting. The Revised Agenda had been posted more than 24 hours prior to this meeting. **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the Revised Agenda as submitted for tonight's Board of Supervisors Meeting. The motion passed (5-0).

II. MINUTES

- A. October 30, 2020 Road Tour
- B. November 5, 2020 Regular Meeting
- C. November 13, 2020 Budget Work Session

Moved by Robert Munro and seconded by Kent Gardner to **approve** the October 30, 2020 Road Tour Minutes; November 5, 2020 Regular Meeting Minutes; and November 13, 2020 Budget Work Session minutes as presented. The motion carried (5-0).

III. COMMUNICATIONS

- A. BOARD OF SUPERVISORS – Chairman Dumeyer reported Mr. Murry has requested a meeting to discuss development and the Board's vision. There were no objections and Mr. Stern was asked to schedule a meeting with Mr. Murry and his representatives.
- B. TOWNSHIP MANAGER – Andrew Stern reviewed his written report and remarked that he is feeling optimistic. He also reported the Township has received the Pennsylvania DEP 902 Grant in the amount of \$251,751 for a new leaf loader truck and upgrades to our woody waste facility. There were no questions from the Board and Chairman Dumeyer thanked Mr. Stern for the great report.

INTERNAL MATTERS

- 1. **Revenues.** Update on EIT and LST: At the time of this memo, we had not yet received November data from the LCTCB. I will provide this information upon receipt. ***The information has been received. Copies were provided to the Board prior to the meeting and it has been added to the end of this report.***

2. **Recycling 902 Grant.** We have been selected for a Pennsylvania DEP 902 Grant in the amount of \$251,751 for a new leaf loader truck and upgrades to our woody waste facility.
3. **Grants.** Summary of 2020 awarded grants:

a. Murry Park	\$ 75,000
b. NFWF Stoltzfus	\$ 200,000
c. H20 Farmdale	\$ 400,000
d. Small Streams Farmdale	\$ 400,000
e. DEP 902	<u>\$ 251,751</u>
Total:	\$1,326,751
4. **Credit Card Payments.** We have resolved our credit card payment issues. Starting November 30, we will again be accepting credit cards and will also be accepting online payments. We will be remaining with MunicPay, our current provider.
5. **Pandemic Response Team.** The team met again Wednesday, November 18, 2020 to discuss updates on the COVID situation. As I am sure the Board is aware, the numbers in Lancaster County have dramatically increased in recent days. We are well stocked with supplies and have had about eight months to prepare for this second wave. At this time, I am not recommending that we close our building, or split our staff, as we had done in the Spring. We will continue to monitor the situation and act accordingly.
6. **January Reorganizational Meeting.**
 - o **Planning Commission:** Barry Carter's term is ending. He is willing to serve another term.
 - o **Zoning Hearing Board:** Gary Lintner's term is ending. He is willing to serve another term.
 - o **Board of Auditors:** We have a vacancy due to the resignation of Michael Lavery.

EXTERNAL MATTERS

1. **None at this time.**

MUNICIPAL AUTHORITY

1. The Stormwater Committee met November 11, 2020 for our third and final "pre-fee" meeting. We are hopeful to continue meeting with this committee once the fee is established in order to monitor it and recommend adjustments as needed. A meeting of the Municipal Authority is needed this month to update the Authority on recommendations from staff and the committee.

PERSONNEL

1. **Staffing.** We currently have two employees in quarantine who will be returning after Thanksgiving. We have had a total of seven staff quarantines since the

beginning of the COVID Pandemic (5 unique individuals – 2 have been quarantined twice) with only one employee eventually testing positive - as a result of a non-work related exposure. We have not had any positive cases attributed to a workplace exposure.

2. **Public Works.** Jim Paternoster will start with Public Works on December 1, 2020 to replace Scott Keemer. Jim has his CDL and extensive experience with trucks and equipment. As of December 1, 2020, we will be fully staffed.
3. **Public Works.** On Friday, November 13, 2020, our Public Works staff competed in the First Annual Intermunicipal Public Works Bowling Tournament at Leisure Lanes. We came in third place.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** We will again host LIMC on December 9 at 7:30 am here at West Hempfield. One item of note – several LIMC municipalities are looking at a plan to help one another with plowing should any of us be shorthanded due to quarantines and/or illnesses. If this occurs, the assistance would be to provide emergency responders a clear path, rather than curb to curb clearing of snow.
2. **CLC.** CLC COG met via Zoom on November 25, 2020.

CORRESPONDENCE

1. **Pennsy Supply.** We have received notification that Pennsy will be submitting an application to PA DEP Air Quality for permit renewals for their facility at the Landisville Quarry.
2. **Michael Lavery.** I have received Mr. Lavery’s resignation as an Auditor due to his relocation away from the Township.

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December 1, 2020 Manager’s Report Update
This information was not available at the time of my original memo.
I have since received it from the LCTCB.

Revenues. Update on EIT and LST: LCTCB has provided an updated estimate which projects 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.

EIT: 11/2020 YTD: \$ 2,296,340 (11/2019 YTD: \$ 2,283,562)
LST: 11/2020 YTD: \$ 332,552 (11/2019 YTD: \$ 332,379)
NON-RESIDENT EIT: 10/2020 YTD: \$ 13,339.21 (11/2019 YTD: 0) {NEW FOR 2020}

***Above numbers are the amounts distributed to us, net of LCTCB fees.**

C. TREASURER’S REPORT – OCTOBER 2020 FINANCIALS

General Fund	\$ 4,538,027.34
Refuse Fund	\$ 786,627.87
Street Light Fund	\$ 25,255.05
TDR Fund	\$ 623,760.11
State Liquid Fund	\$ 1,013,698.27
Police Pension Fund	\$ 8,348,224.98
Non-Uniform Pension Fund	\$ 2,869,490.21
Recreation	\$ 42,055.17
Highway	\$ 990,802.47
Health Care (HRA)	\$ 27,129.01
MS4 Stormwater Fund	\$ 184,627.64
Total All Funds	\$ 19,449,698.12

Mr. Stern stated that the Police Pension Fund should be moved to Conrad Siegel after the election.

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

Police: Chief Layden reviewed her written report and the Board was very complimentary.

Public Works: Dale Getz submitted and reviewed his November Report. and remarked that they have been running behind on leaf collection.

Zoning/Land Use: Dwayne Steager reviewed his written report and an additional item concerning a modification to land-locked property that is not normally handled by the Zoning Hearing Board. The Board unanimously agreed they are not in favor of making any adjustments to the land-locked parcel.

Fire: Written reports were submitted and reviewed.

EMS: No report.

E. TOWNSHIP ENGINEER’S REPORT – Andrew Stern reviewed Melissa Kelly’s written report and informed that he, Melissa and Dwayne met to discuss the Farmdale/Ferndale Stormwater Project which has to be done in 2023. This massive project is under way, with construction starting in 2022. An Anticipated Project Schedule has been prepared and they are working out what can be done internally and what will need to be subcontracted out. The project grant deadline is June 2023.

F. RESIDENTS - None

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

BRIEFING ITEMS:

- A. **620 Sycamore - WHTPC 13-2020 (90 Day 1-28-2021)**
Preliminary Subdivision Plan
Location: 620 Sycamore Drive
Zone: R-2
Size: 54.6 Acres/ 2,378,376 ft.²

Dwayne Steager briefed the Board on the 620 Sycamore preliminary subdivision plan consisting of 100 residences.

AGENDA ITEMS:

- A. **Conditional Use #84 (60 day 1-21-2021)**
Silver Spring Restaurant and Apartments
Location: 3653/3659 Marietta Avenue
Zone: TV
Size: Three parcels total 1.68 Acres/ 73180.86 ft²

The Applicant is the owner of three parcels totaling approximately 1.68 acres and located in the Traditional Village Zoning District of Silver Spring. The applicant is proposing to join all three tracts in common, retain the existing restaurant and construct two multi-family buildings, one a “townhouse” style and the second a garden apartment along with associated improvements including parking and access, lighting, curbing, sidewalks and stormwater facilities.

Action Required

Motion was made by Edward Fisher and seconded by Kent Gardner to *refer* Conditional Use – Silver Spring Restaurant and Apartments to the West Hempfield Planning Commission. The motion passed (5-0).

Motion was made by Edward Fisher and seconded by Kent Gardner to *schedule* a Public Hearing for Conditional Use – Silver Spring Restaurant and Apartments for January 4, 2021 at 7:30 p.m. The motion passed (5-0).

V. UNFINISHED BUSINESS - None

VI. NEW BUSINESS

- A. Conewago Enterprises, Road Cut Permit Request. Andrew Stern referred to his memo dated November 23, 2020 regarding Conewago Enterprises request for an extension to WHT Ordinance Section 126-25F which prohibits non-emergency street openings between November 15 and March 15. Conewago is currently completing a new building on the East Hempfield side of Stony Battery Road and needs to make water line connections. They would like to start December 2, 2020 and have provided

a \$5,000 bond to cover repair work in the spring if they fail to return to make necessary repairs. Mr. Stern confirmed the bond and all paperwork has been submitted.

Motion was made by Edward Fisher and seconded by Kent Gardner to *grant* Conewago Enterprises Open Cut Request to make water line connections for a new building on the East Hempfield side of Stony Battery Road beginning December 2, 2020, with the condition that no work may be conducted after December 11, 2020 and the trenches must be complete and closed prior to that time. If inclement weather occurs prior to December 11, 2020, then the Public Works Director shall have the authority to modify or cancel this approval. The motion passed (5-0).

- B. Authorization to list 2001 John Deere 310 Backhoe for sale on Municibid. Andrew Stern referred to his memo dated November 23 2020 regarding the township's 2001 John Deere 310 backhoe. Public Works plans to purchase a new backhoe and would like to determine the value of the current 2001 backhoe prior to deciding whether or not a trade-in through the dealer is a good deal.

Motion was made by Kent Gardner and seconded by Robert Munro to *authorize* posting the 2001 John Deere 310 Backhoe for sale on Municibid, with a minimum bid price of \$20,000, with the condition that all bids may be rejected. The motion passed (5-0).

- C. Bertz & Hess, 2020 Township Audit Engagement Letter. Andrew Stern reviewed the Engagement Letter received from Bertz, Hess & Co., LLP for their audit services for the year ended December 31, 2020.

Motion was made by Robert Munro and seconded by Kent Gardner to *authorize* the Township Manager to sign the Bertz & Hess 2020 West Hempfield Township Audit Engagement Letter as presented. The motion passed (5-0).

VII. ORDINANCES AND RESOLUTIONS

- A. Resolution 14-2020: 2021 Tax Rates – Andrew Stern reviewed the components of Resolution 14-2020, fixing the tax levied on all real property within West Hempfield Township subject to taxation for the fiscal year 2021.

Motion was made by Edward Fisher and seconded by Kent Gardner to *adopt* Resolution 14-2020, fixing the tax rate for the year 2021. The motion passed (5-0).

- B. Resolution 15-2020: 2021 Budget – Andrew Stern reviewed minor changes made to the draft to update liability/auto insurance numbers and the addition of revenue and expenses related to DEP 902 grant into refuse fund and state liquid fuels fund, as outlined in his memo dated November 24, 2020. In addition, the Public Works Department is seeking to add approximately \$16,500 to the general fund expenses for the purchase of a Cub Cadet Pro-Z-972 zero turn mower. After discussion, the following actions were taken:

Motion was made by Kent Gardner and seconded by Edward Fisher to *approve* the addition of \$16,500 to the 2020 general fund expenses for the purchase of a Cub Cadet Pro-Z-972 zero turn mower and to *amend* the 2021 budget as discussed. The motion passed (5-0).

Motion was made by Robert Munro and seconded by Kent Gardner to *adopt* Resolution 15-2020: 2021 Budget, that has been set forth for approval. The motion passed (5-0).

- C. Resolution 16-2020: Deputy EMA Coordinator Appointment – Upon the pending retirement of John Lease on 12/31/2020, **Motion** was made by Kent Gardner and seconded by Robert Munro to *adopt* Resolution 16-2020 appointing Andrew Stern as Deputy Emergency Management Coordinator for the Township and he will serve as Interim Emergency Management Coordinator until such time as a permanent appointment can be made. The motion unanimously passed (5-0).

VIII. APPROVAL OF PAYABLES

FUND	AMOUNT	CHECK #'S
PAYROLL & TAXES	\$ 211,185.41	EFT
FULTON - GENERAL FUND	\$ 123,834.56	2884 - 2977
FULTON - MS4	\$ 1,021.21	1032
FULTON - REFUSE	\$ 53,879.58	1085 - 1086
FULTON - STREET LIGHT	\$ 4,236.49	1034
FULTON - STATE FUND	\$ 11,113.31	1146 - 1158
Total	\$ 405,270.56	

Moved by Kent Gardner and seconded by Robert Munro to *approve* payment of all bills between November 1, 2020 and November 30, 2020 and any residuals that may be forthcoming. Motion carried (5-0).

IX. GOOD OF THE ORDER

- A. Upcoming Meeting: **Monday**, January 4, 2021
 Re-Organization Meeting & Regular Meeting

X. ADJOURNMENT INTO MUNICIPAL AUTHORITY MEETING

Chairman Dumeyer *adjourned* the Board of Supervisors regular meeting into the Municipal Authority Meeting at 8:15 p.m.



Respectfully submitted,

Andrew B. Stern

Andrew Stern, Township Manager