

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING  
Minutes of March 3, 2020

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, Robert Munro and Naomi Martin were present. Also in attendance were: Township Manager Andrew Stern; Zoning Officer Dwayne Steager, Police Chief Lisa A. Layden, and Brenda Baumbach serving as Recording Secretary. Public Works Director Dale Getz was not present at the meeting.

I. Chairman David Dumeyer called the meeting to order at 7:30 p.m. and led with the Pledge of Allegiance.

II. MINUTES – February 4, 2020

**Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* the Board’s February 4, 2020 regular meeting minutes as presented. Motion carried (5-0).

III. COMMUNICATIONS

I. BOARD OF SUPERVISORS

1. Kent Gardner reported a stormwater meeting will be held at 3:00 p.m., March 4th at the Farm & Home Center.

II. TOWNSHIP MANAGER

**Internal Matters**

1. **Rutters Lawsuit.** Rutters is NOT dropping their actions against the Township and is now attempting to amend their original actions. Our Solicitor has kept me apprised of the details.

2. **Trick or Treat.** LIMC met and all present agreed to hold Halloween on Friday, October 30, 2020 per the LIMC resolution detailing when Halloween in the County will be held..

3. **Fire Service.** The Chiefs and Presidents of the fire companies serving us have met a couple of times with me to discuss the future of fire service in the Township. Dave Dumeyer joined us for the past two meetings. Two Mountville Borough Council members joined us for our last meeting. We are discussing funding needs and long-term capital needs.

4. **Pickleball:** Hempfield RecCenter is proposing to paint Pickleball lines on the Hockey Rink at Fairview Park. This would be done in a way which would allow both hockey and Pickleball to be played at the facility (although not at the same time!). Our cost would be \$3,000. STAFF IS SEEKING THE BOARD’S THOUGHTS ON THIS. *Rob Munro asked if the cost was budgeted and Andrew stated it should not affect the budget. Mr. Munro suggested placing signs to call to reserve the park facilities as Hempfield Rec now handles this, and the Board agreed.*

5. **South Garfield Road Bridge:** We have received our two-year inspection report for the bridge. There is over \$100,000 of recommended maintenance. There are no ‘Priority Code 0’ or ‘Priority Code 1’ issues, so there is not an immediate need to repair or close the bridge. However, staff is recommending that we do NOT make any repairs

to the bridge and at such time as a Priority Code 0 or 1 repair need comes to our attention we close the bridge permanently. Dale and I have met with our counterparts at Rapho Township, for whom we share the bridge, and they will be speaking to their Board as well. STAFF IS SEEKING THE BOARD'S THOUGHTS ON THIS. *Edward Fisher remarked he would not want to see the bridge closed and a dead end left; however, he can't see us putting a million dollars into repairs, so notwithstanding a grant closing the bridge seems to be the most practical resolution at which time we'll have to decide what to do with the dead end road. Chairman Dumeyer questioned if the repairs would be shared with Rapho Township. Andrew confirmed yes, they would be.*

6. **Grants (Recycling).** Dale and I met with LCSWMA and DEP about a grant we may be applying for (on this agenda). During the course of our discussion, they pointed out that there are several things we need to do, including the permitting of our woody waste site, additional recycling education for our commercial businesses in the Township, and possibly updates to our ordinances for recycling, littering, and open burning. We will continue to work with them on these items.
7. **Grants (PA):** On February 7 Dave, Dwayne, Kara, and I met with Senator Aument, and later on February 12, we met with Representative Hickernell. Both meetings were to ask for their support of grant funding for a portion of our Farmdale stormwater system project which the Board is aware of. The funding we are requesting is extremely competitive and political. Both offered their support and will be helping us as we move forward. We were unable to obtain outside professional assistance for this round so we are working hard on our own to try to obtain some level of funding, even if not the full amount requested.
8. **Grants (NFWF).** Kara has been working closely with Dwayne and I to get our NFWF funding moving forward. There is a bit of upfront red tape required which we are working through.
9. **Grants (Cleanwater Partners).** Dwayne and Kara have submitted a grant request to the Clean Water Partners for a project at Murry Park. As I have a conflict of interest, I have remained in the background and Dwayne is taking the lead. Dwayne has provided information in this packet.
10. **Grants (General).** We have been looking for every grant we can find and applying! This is a significant change for the Township and has been taking a bit of staff time. We are optimistic that our efforts will pay off for our taxpayers in coming months and years!

#### **External Matters**

1. **Chiques Roller Mill Dam:** This dam is near the Liederkrantz just east of the South Chiques Road Bridge. The dam was damaged during the August 2018 floods and is in need of repair. The American Rivers organization has been working with the property owners to plan a project to remove the dam instead of repairing it. While the dam itself is in Rapho and East Hempfield Townships, the potential effects of its removal COULD have significant impact on West Hempfield. If the years of sediment held back at the dam are not properly removed, the sediment could be released into the Chiques along Rapho and West Hempfield. All three Townships have had meetings and discussions amongst ourselves and with those involved with the project to express our severe concerns. Until very recently, none of the Townships were aware of the project or potential impacts and were not invited to any discussions. We are most

troubled by a comment from American Rivers staff which stated “I do want to clarify that our goal is not to prevent the release of sediment at this site.”

2. **LD projects.** Americold and Sedgewick are moving forward on schedule. No updates for Sycamore/Mud Lake.
3. **Hempfield Rec.** Bike racks for all parks has been approved.

**Personnel**

1. **Police Grievance.** A grievance was filed by the West Hempfield Township Police Association on February 13, 2020. As per our Collective Bargaining Agreement, it was to come to you at the March meeting. However, the Association and Police Chief resolved the matter and it has since been withdrawn.
2. **Workplace injuries.** February has been a tough month for injuries. Two volunteer firefighters and two police officers have been injured in the line of duty. None of the injuries were life-threatening.
3. **SEK CPA’s.** We have met with SEK CPA’s and Advisors and ‘hired’ them to provide on-call accounting and HR assistance for our Finance Department staff. SEK will also be assisting us in evaluating a potential change of financial software for 2021.
4. **Public Works.** Our newest employee Mike Martinson has successfully completed his CDL exam! He started with us in late January.

**Outside Boards and Committees**

1. **LIMC.** The next meeting is April 8 at 7:30 am at West Lampeter. The last LIMC meeting February 12 was very productive and even included former LIMC members East Hempfield Township and Manheim Township.
2. **CLC.** The next meeting is March 25, 2020 at 8:30 am at East Petersburg Borough.

**Correspondence**

1. **Springettsbury Township.** The Township has provided us with a downstream notification for the chemicals stored at their Wastewater Treatment Plant.
2. **Lancaster Farmland Trust.** We have received an updated list and map of preserved farms in our Township.

III. TREASURER’S REPORT: DECEMBER 2019 FINANCIALS

General Fund	\$ 3,410,730.24
Sewer Fund	\$ 147,527.00
Refuse Fund	\$ 579,883.19
Street Light Fund	\$ 14,868.33
Fire Hydrant Fund	\$ 18,094.13
TDR Fund	\$ 619,866.68
State Liquid Fund	\$ 546,016.11
Police Pension Fund	\$ 7,760,314.25
Non-Uniform Pension Fund	\$ 2,705,958.99
Recreation	\$ 41,792.01
Highway	\$ 984,600.65
Health Care (HRA)	\$ 20,791.68
MS4 Stormwater Fund	\$ 200,361.72
<b>Total All Funds - DECEMBER 2019</b>	<b>\$ 17,050,804.98</b>

All North West accounts have been closed.

IV. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/LAND USE, FIRE, EMS, TOWNSHIP ENGINEER

POLICE: A written report was submitted and reviewed. Chairman Dumeyer noted Officer Rich Bowermaster received a commendation letter from Deputy Schramm, Lancaster EMS, and Officer Gabriel Rimolo was recognized for outstanding enforcement efforts in 2019 by PA Aggressive Driving Enforcement and Education Program. Also, Chief Layden's photograph will be on the cover of the May issue of *Business Women Magazine*. Chief Layden provided additional information on the damaged automobile and will be going to court for restitution; reported that the Mountville Carnival is currently being discussed; and informed that an officer is being trained on using the trailer (which is movable and programmable) in response to speed complaints.

PUBLIC WORKS: A written report was submitted. Andrew Stern informed that Dale Getz is under the weather and that Silver Spring bank work is being done by staff.

ZONING: A written report was submitted. Dwayne Steager reported rain barrels would be for sale and can be ordered online for delivery around May 7<sup>th</sup> to a central distribution area for pick up.

FIRE: Written reports were received from all departments and reviewed.

EMS: No report/comments.

TOWNSHIP ENGINEER'S REPORT: Written report was received listing grant opportunities; status of NFWF Grant Received for Chiques Creek Streambank Stabilization/Stormwater BMP project; project reviews; and a reminder that the Township needs to determine Stormwater Committee members.

RESIDENTS:

- ❖ Jim Seiple, Primrose Lane - Concerns regarding billboards (large real estate signs) at the end of Corporate Boulevard and Marietta Avenue; questions about 100' sight triangle; 45mph posting on Corporate Blvd.; Ivy Drive (landowner was previously notified of the issue and some cutting back of the trees did occur); Indian Spring Drive (cannot see to right); Stony Battery Road, Marietta (right on red/large tree prohibits seeing clearly). Ed Fisher clarified the difference between clear sight triangle and sight distance and commented that the related township ordinance requirement pre-dates stop signs. He informed Mr. Seiple that PennDOT approves sight distance. If for some reason a real estate/sales sign is blocking the sight distance, that would be a violation of their PennDOT permit and they would have to move it. Mr. Seiple proposes there are more modern ways to go about this and perhaps a better standard could be adhered to. The township agreed take a look at the billboards under discussion before PennDOT is contacted.
- ❖ Ken Smith, Sylvan Retreat – Mr. Smith thanked the Board and Chief Layden for the Sign at the corner of Colonial; however, he believes that as soon as the sign is removed, the

speeding problem will be back. He stated there is going to be more traffic with the building of the new development at the top of the hill and believes four speed risers are needed. He requested that action to be taken so an accident can be prevented.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

**BRIEFING ITEMS:**

**A. Americold Logistics, LLC– WHTPC 02-2020 (90 Day 5/11/2020)**

**Preliminary/Final Lot Add-On & Land Development Plan**

**Location: 3800 Hempland Road**

**Lot Size: I-2 16.2 acres/705,672 sq.ft. and 23.9 acres/1,041,084 sq.ft.**

The Applicant, ART Mortgage Borrower Propco 2010-5 LLC, is the owner of two adjoining tracts of land located on the south side of Hempland Road and on the east side of Spring Street in West Hempfield Township, Lancaster County, Pennsylvania. Tract 1 contains approximately 16.2 acres and is numbered as 3800 Hempland Road. Tract 2 contains approximately 23.9 acres. The Property is located in the I-2 General Industrial District. Tract 1 and Tract 2 will be combined into one lot. Tract 1 is currently developed with a cold storage warehouse and distribution facility. Warehouse and distribution facilities are uses by right in the I-2 General Industrial District. Access to the property is by way of two existing driveways located along Hempland road. Tract 2 will be the most impacted by the proposed improvements and is currently maintained in a fallow condition. The proposed improvements include the construction of an automated high bay cold storage warehouse, additional truck parking and maneuvering areas and stormwater management facilities. The site is approximately 40-acres in size with approximately 25-acres of anticipated disturbance associated with the project. The Property is currently serviced by both public water and sewer.

**AGENDA ITEMS:**

**A. 360 Indian Head. – WHTPC 12-19**

**Stormwater Management Plan**

**Location: 360 Indian Head Road**

**Lot Size: RA 20.73 Acres/902,999 sq.ft.**

Plan was previously approved at the January 2020 meeting and needs the Plan O&M Agreement signed.

**Action Required:**

**Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* signing of the O&M Agreement. The motion passed (5-0).

**B. Saint Anne's Retirement Community  
Financial Security Reduction No. 3**

The applicant is requesting a reduction of their financial security. Records indicate that the financial security status for this project is as follows:

Original Amount	\$ 1,361,135.38
Previous Reductions	\$ 682,747.01
Outstanding Balance	\$ 678,388.37 (prior to this requested reduction)

The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. This review does not include the financial security reduction for sewer and water improvements. Those requests need to be reviewed by Lancaster Area Sewer Authority (LASA) and Columbia Water. Based on a site visit on and a review of the submitted documentation, the Township Engineer recommends that the financial security for this development be reduced by \$199,555.02, which will leave a new outstanding financial security balance of \$478,833.35. This amount is adequate to cover the costs of the remaining work listed above. The Municipalities Planning Code (MPC), Section 509 (j) states that the Township may require the retention of 10% of the original amount (\$1,361,135.38) prior to final release of the financial security. Therefore, until completion of all outstanding work to the satisfaction of the Township, the financial security should not be reduced to an amount below \$136,113.54.

**Action Required:**

**Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* a reduction of the financial security of \$678,388.37 by the amount of \$199,555.02, which will leave a new outstanding financial security balance of \$478,833.35. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion passed (5-0).

**V. UNFINISHED BUSINESS**

- A. Lancaster County Drug Task Force Request for 2020 Funding – **Motion to *remove from table*** was made by Robert Munro, seconded by Kent Gardner, and unanimously carried (5-0). **Motion to *table*** until the April 7, 2020 Board of Supervisors meeting was made by Robert Munro, seconded by Edward Fisher, and unanimously carried (5-0).

**VI. NEW BUSINESS.**

- A. Award Contracts
- i. Street Seal/Fog Seal
  - ii. Asphalt FOB

Mr. Stern indicated that bid opening was held March 2, 2020. The Township received one bid for each contract. The prices were reasonable and in line with prior years' costs.

**Motion** was made by Edward Fisher and seconded by Kent Gardner to *award* the bid for Street Seal/Fog/Seal in the amount of \$36,300 submitted by Martin Paving and *award* the bid for Asphalt FOB in the amount of \$97,625 submitted by Pennsy Supply. The motion carried (5-0).

- B. City of Lancaster Intergovernmental Agreement – Recycling. **Motion** was made by Edward Fisher and seconded by Robert Munro to *approve* and *authorize* Andrew Stern to sign the updated Intergovernmental Cooperative Agreement with Lancaster City establishing the use of Lancaster City’s recycling drop-off facility between the City of Lancaster and West Hempfield Township as presented and discussed. The motion passed (5-0).
- C. West Hempfield Township Emergency Operations Plan. John Leas, EMA Director presented a Plan for the township and provided “how-to” information targeted for Administrative, Fire and Police personnel utilizing annex’s and including a new annex called ‘Pandemic’. The information contains check-lists and resource contact information. Mr. Munro asked about shelters and pets. Mr. Stern informed the Board that the American Red Cross usually manages emergency shelters and they will arrange for dealing with family pets. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to *approve* the EMS Emergency Operations Plan. The motion passed (5-0).
- D. Recycling Grant Application – Andrew Stern reviewed his memorandum dated February 27, 2020 regarding a grant request to DEP for recycling; specifically, funding for a leaf collection truck and security access control for the township’s woody waste facility. Due date for submittal of the grant application is March 20, 2020 and he is seeking Board approval to submit the application which is in the process of being finalized. The request is approximately:
- \$350,000 total project cost for the truck and access control system.
  - Approximately a \$200,000 grant from DEP
  - Approximately a \$150,000 match from West Hempfield.

Mr. Stern informed that State Liquid Fuels funds would be used towards the Township’s 40% match which is related to the truck (approximately \$128,000). The remaining approximate \$22,000 would be from General Fund Reserves. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to *authorize* staff to complete and submit the DEP Grant Recycling Application. The motion passed (5-0).

- E. Murry Park S4/PRP Grant, Municipal Match of \$67,000
- i. Ratify submission of application made by staff February 24, 2020: Dwayne Steager reviewed his memorandum dated February 26, 2020 pertaining to Murry Park Stormwater BMP and explained the time-line for phases one through five. He referenced the Grant Application Budget Worksheet, noting the grant is capped at \$75,000, the Township match would be \$67,000, and the awarded dollars must be spent by September 30, 2020. Following discussion, **motion** was made by Kent

Gardner and seconded by Robert Munro to *ratify approval* of submission of the application. The motion passed (5-0).

VII ORDINANCE AND RESOLUTIONS - None

VIII APPROVAL OF PAYABLES

February 2020

FUND	AMOUNT	CHECK #'S
PAYROLL & TAXES	\$ 209,273.50	EFT
FULTON - GENERAL FUND	\$ 225,620.35	1963 - 2087
FULTON - SEWER		
FULTON - REFUSE	\$ 124,081.24	1046 - 1049
FULTON - STREET LIGHT	\$ 9,716.00	1021
FULTON - ESCROW	\$ 293.25	1019
FULTON - STATE FUND	\$ 7,073.11	1084 - 1089
<b>Total</b>	<b>\$ 576,057.45</b>	

**Motion:** Moved by Kent Garner and seconded by Robert Munro to *approve* payment of all bills between February 1, 2020 and February 29, 2020 and any residuals. Motion carried (5-0).

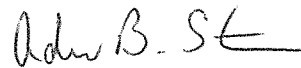
VIII. GOOD OF THE ORDER

UPCOMING MEETINGS: April 7, 2020 Regular Meeting.

IX. ADJOURNMENT

Chairman Dumeyer asked for a motion to adjourn the regular Board of Supervisors meeting at 8:50 p.m. **Motion:** Kent Gardner moved, seconded by Robert Munro, to *adjourn* the regular Board of Supervisors meeting at 8:50 p.m. The motion passed (5-0).

Respectfully submitted,



Andrew Stern,  
Township Manager

