

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of August 4, 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, Township Engineer Melissa Kelly (Rettew), Police Sgt. George Brace, and Mountville Fire Chief Dean Gantz, Jr. were also physically present. In attendance remotely via Zoom were Public Works Director Dale Getz and 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. CONDITIONAL USE HEARING
 - Conditional Use #83, Preserve at Silver Spring – 3733 Marietta Avenue. 7:00 p.m. Hearing **delayed** until September 1, 2020 at 7:00 pm.

- III. MINUTES
 - July 7, 2020 Regular Meeting. **Moved** by Edward Fisher and seconded by Robert Munro to **approve** the July 7, 2020 Regular Meeting Minutes as presented. The motion carried (4-0-1) with David Dumeyer abstaining due to not being present at the meeting.

 - July 29, 2020 Special Meeting. **Moved** by Edward Fisher and seconded by Robert Munro to **approve** the July 29, 2020 Special Meeting Minutes as presented. The motion carried (5-0).

- IV. COMMUNICATIONS
 - A. BOARD OF SUPERVISORS – Kent Gardner reminded that LIMC will meet at West Hempfield on Wednesday, August 12th at 7:30 a.m. Andrew Stern encouraged everyone to attend as it will be a very informative meeting with representatives from all of the original LIMC member municipalities, including those which had dropped out.

 - B. TOWNSHIP MANAGER

Andrew Stern reviewed his written report specifically noting:

 - Tax Revenue - The Township had anticipated that July's revenue would be significantly down but it was not. The County Tax Collector still predicts gloom and doom over the next few months but we are still doing well.
 - Farmdale Stormwater Project Funding - He, Dave Dumeyer, Dwayne Steager and Kara Kalupson, Rettew Associates, met with State Representatives and Senators regarding partial funding for the project. Once they learn what amount (if any) will be received, work can begin to revise the timelines and budgets for the project.
 - Lancaster County Drug Task Force – Status and future provided in report received from District Attorney Heather Adams.

Mr. Stern thanked Dale Getz and the Public Works crew for the awesome job done well under budget at Murry Ridge Park and Dena Maounis, a County resident who recently donated an 1864 map of the Township found at an antique shop.

Two items were added to the report:

- A two-page CARES funding memo has been received that basically suggests the Township could receive somewhere between \$65,000- \$80,000 of COVID money from the County. The details are not yet in place for what it can be used for. The original information was that it had to be used for COVID related expenses, and Mr. Stern is hoping there is some flexibility so the Township can be reimbursed for some of the other expenses that are not specifically related to COVID, but indirectly were for COVID. Most private sector and non-profits had some ability to recoup some of their costs and municipalities had no opportunity to recoup any additional costs, so that would be helpful.

- A downstream environmental notification has been received from Purdue for their facility in Conroy Township.

INTERNAL MATTERS

1. **Revenues.** Update on EIT and LST:
EIT: 7/2020 YTD: \$1,358,982 (7/2019 YTD: \$1,352,716)
LST: 7/2020 YTD: \$ 213,611 (7/2019 YTD: \$208,008)
While we are tracking ahead of 2019, we are still being warned by the LCTCB that the worst has yet to come!
2. **Murry Ridge Park.** The stormwater project is well under way. Our public works staff is doing a great job and we anticipate being completed ahead of the original Pre-COVID deadline!
3. **Farmdale Funding.** In February of 2020, we met with our State Representatives and Senators in an effort to obtain partial funding for our Farmdale stormwater project. We had requested approximately \$700,000. I have been informed that the CFA Board will meet August 17, 2020 to decide. I anticipate receiving some amount of money, although not the entire amount requested. Once we learn what the amount is, if any, we can work with Rettew and Dale to revise our timelines and budgets for this project.
4. **Map.** I would like to publicly thank Dena Maounis, a County resident, who recently found an 1864 map of the Township at an antique shop and has donated it to us. It will be framed and hung in the lobby or Board Room.

EXTERNAL MATTERS

1. **620 Sycamore.** I have been informed that the developer is still interested in moving forward with this project and will be returning soon.
2. **Murry Rezoning.** The developer has been making revisions intended to address concerns expressed by the Board. I anticipate their return to the Board this fall.

MUNICIPAL AUTHORITY

1. **There will be a meeting at the end of the August 4, 2020 Board meeting.** Melissa from Rettew will join us remotely to provide an update and make recommendations for our next steps. East Lampeter Township just began their stormwater fee billing July 1 and we will be learning the details of their new program and how it is going soon (A copy of their enabling resolution is with your Authority agenda).

PERSONNEL

1. **Staffing.** As of the time of this memo, we are at 100% staffing with no employees currently quarantined.

OUTSIDE BOARDS AND COMMITTEES

1. **CLC.** The CLC COG met at West Hempfield July 21, 2020 with representatives from East Hempfield, West Hempfield, East Lampeter, and Manheim Townships, as well as East Petersburg Borough.
2. **LIMC.** Will meet at West Hempfield Township 7:30 a.m., August 12, 2020. I would encourage Board members to join us as it will be a very informative meeting with representatives from most of the original LIMC member municipalities (including Manheim and East Hempfield Townships).

CORRESPONDENCE

1. **SCANTRON.** We received a notification of air quality State-only Operating Permit Application for SCANTRON on Continental Drive.
2. **City of Lancaster.** We received a request from CDM Smith for a letter of support for PENNVEST funding for an emergency power upgrade to one of their water facilities in our Township (900 South 15th Street). I have provided a letter to them.
3. **Lancaster County Drug Task Force.** Attached is a report from District Attorney Heather Adams on the status and future of the DTF.
- 4.

C. TREASURER’S REPORT – JUNE 2020 FINANCIALS

General Fund	\$ 4,366,276.16
Refuse Fund	\$ 857,138.71
Street Light Fund	\$ 23,645.91
TDR Fund	\$ 623,249.50
State Liquid Fund	\$ 1,086,572.76
Police Pension Fund	\$ 7,714,785.18
Non-Uniform Pension Fund	\$ 2,617,446.25
Recreation	\$ 42,020.73
Highway	\$ 989,991.33
Health Care (HRA)	\$ 30,255.63
MS4 Stormwater Fund	\$ 300,531.43
Total All Funds	\$ 18,651,913.59

Mr. Stern informed the Board that he is attempting to work with the Pension administrators to make some temporary changes to the investment strategy as the election season comes, to put an exception into the approved investment strategy that will allow the Township to make temporary emergency changes. As soon as that is done, the Township can move some of their monies to somewhere safe in the event that the election does not fare well for the market.

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

Police: A written report was submitted by Chief Layden and reviewed by Sgt. George Brace. There were no questions or comments. Sgt. Brace had nothing further to add.

Public Works: A written report was submitted and Dale stated things are moving ahead. The Farmdale storm sewer project is totally completed with the paving of Marietta Ave. and the intersections. Murry Ridge Park went very well and he hopes to have completed within the next 2 weeks, weather permitting. Ed Fisher said he looked at the trail. He was satisfied and hopes it held up under the rain.

Zoning/Land Use: A written report was submitted. Dwayne thanked Dale and Public Works for the phenomenal effort on Murry Ridge Park. He asked for clarification regarding an alternate stormwater plan for an approved implemented plan, and whether the Board needs to see and approve it or if it should go directly to staff. Mr. Stern remarked that the civil process is confusing and the ordinance does not cover this; however, it does state that it can be denied. He advised an alternate plan would only be submitted if there is an approved implemented plan and pertains to volume control only so there really is nothing for the Board to review. Based on Mr. Stern's information and recommendation, the Board concurred with submitting the alternate stormwater plan directly to staff for approval.

Fire: Written reports were received from all companies. There were no questions. Chief Gantz was present and had nothing further to add.

EMS: No report.

E. TOWNSHIP ENGINEER'S REPORT – Melissa Kelly was present remotely and reviewed her written report. Rettew Associates will be attending the Municipal Authority meeting on Tuesday, August 4, 2020.

F. RESIDENTS - None

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

BRIEFING ITEMS:

- A. **Douglas Koller WHTPC 07-2020 (90 Days 9/22/2020)**
Preliminary/Final Subdivision Plan
Location: 4318 Marietta Avenue

Zone: RA
Size: 7.9Acres/344,124 ft.²

The purpose of this plan is to subdivide an 8.327 acre (gross) lot into two lots, 7.077 acres (gross) and 1.25 acres (gross).

- B. Moran Estates WHTPC 08-2020 (90 Days 10-05-2020)**
Lot Add-On Plan
Location: 3833 Columbia Avenue
Zone: C2
Size: 1.5Acres/65,340 ft.²

The purpose of this plan is to move an existing lot line between Parcels 1 and 2 approximately 35 feet west as it currently bisects a structure on the property. As a result, Parcel 1 will increase and Parcel 2 will decrease in size.

AGENDA ITEMS:

- A. Summit Living**
Financial Security – Reduction No. 4

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

Original Amount	\$ 471,929.92
Previous Reductions	\$ 387,231.37
Outstanding Balance	\$ 84,698.55

The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security.

Based on a review of the documentation provided and a site visit, the Township Engineer has recommended the financial security for this development be released in its entirety.

Action

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to ***approve*** the release of the Financial Security for Summit Living in the amount of \$84,698.55, and any increase that may have automatically occurred, to reduce the balance to zero. The motion passed (5-0).

- B. St. Francis Animal Hospital**
Financial Security – Reduction No 2

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

Original Amount	\$ 224,661.41
-----------------	---------------

Previous Reductions \$ 194,706.58
Outstanding Balance \$ 29,954.83

The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security.

Based on a review of the documentation provided and a site visit, the Township Engineer has recommended the financial security for this development be released in its entirety.

Action

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to ***approve*** the release of the Financial Security for St. Francis Animal Hospital in the amount of \$29,954.83, and any increase that may have automatically occurred, to reduce the balance to zero. The motion passed (5-0).

C. Koller Tract Concept D Millfield Green LLC– WHTPC 6-2020

Sketch Plan

Location: 4301 Marietta Ave. Columbia.

Lot Size: 20.25 Acres/882,556.7 ft.²

Zoning District: RA

Millfield Green LLC is the beneficial owner of 20 acres of land located on the north side of Marietta Avenue and Bridge Valley Road. The tract is in the Rural Zoning District. They are proposing a planned community of +/- 79 townhomes and a conceptual residential sketch plan has been provided. To accomplish the proposed land development, they are requesting that West Hempfield Township rezone the property to R-3 and they will then seek to seek to acquire +/-19 TDRs. The proposed residential development will have road access from Marietta Avenue as well as well as from Bridge Valley Road, directly across from Heather Lane. The project will require a DEP General NPDES Permit as well as a DEP Sewage Facility Planning Module for water/sewage usage.

Robert Riahi, Managing Partner, Millfield Green, attended the meeting in-person to provide the company's background and philosophy. Bill Sweigart, David Miller/Associates also attended in-person on behalf of Millfield Green LLC to present the rezoning request and review the proposed Koller Tract development. He stated the purpose of the presentation is to introduce the Board to the idea of re-zoning and to learn if there are any issues related to the proposal. Andrew Stern endorsed the company stating he has worked with Bob Riahi for 25+ years and wishes all builders and developers would do what he does.

The Board had questions regarding whether the roads would be private or dedicated, parking, landscaping, key elements of the Urban Growth boundary such as close proximity to Marietta Avenue, a collector street, and next to public sewer and water facilities, and the possibility of other property owners working with this property owner on a more comprehensive rezoning request to the township. Attorney Mark Stanley, McKnees Wallace & Nurick was present remotely and thanked Mr. Sweigart and Mr. Riahi for the good job on the presentation, stating that he believes they have the Board's

direction to keep going.

No action was required at tonight's meeting and comments and recommendations by the Board were *deferred* until the next Board of Supervisors regular meeting.

**D. Americold Logistics, LLC - WHTPC 02-2020, 3800 Hempland Road
Stormwater Ordinance Modification
Location: 3800 Hempland Road**

Brent Detter, David Miller/Associates attended the meeting in-person on behalf of Americold Logistics to present the request for modification of the requirement to provide PVC, SLHDPE, or RCP pipes for the underground stormwater detention facility and, in the alternative, propose a Contech Aluminized Steel type 2 Pipe System. The applicant has provided submittal information for the proposed system. It will have the same capacity and lifespan as the approved system and will be privately owned and maintained. The change of manufacturer and system materials will be noted on the as-built plans that will be reviewed by the Township and recorded upon completion of the project.

The Township Engineer has recommended approval of the modification based upon the alternative and justification provided.

Action

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to ***approve*** the modification of SWM Ordinance Section 122-49.F Storage and Distributions Piping, to allow utilization of Contech Aluminized Steel Type 2 Pipe in lieu of a PVC, SLHDPE or RCP pipe system based upon the justification provided and discussed. The motion passed (5-0).

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS

A. Tri-for-Life, New Date September 20, 2020.

Action

- **Moved** by Kent Gardner and seconded by Robert Munro to ***approve*** the Hempfield recCenter request to change the originally approved date of Sunday, May 3, 2020 for the Annual Tri for Life Triathlon to Sunday, September 20, 2020 due to COVID-19 restrictions. The motion passed (5-0).

VIII. ORDINANCES AND RESOLUTIONS

A. Ordinance 04-20: Solid Waste Ordinance Amendments. Andrew Stern briefly explained the definitions that have been revised to comply with the State’s terminology and publicly thanked the DEP folks who were extremely helpful.

Action

➤ **Motion** was made by Kent Gardner and seconded by Robert Munro to *approve* Ordinance 04-20: Solid Waste Ordinance Amendments as presented and discussed. The motion passed (5-0).

IX. APPROVAL OF PAYABLES. – JULY 2020

FUND	AMOUNT	CHECK #'S
PAYROLL & TAXES	\$ 320,981.61	EFT
FULTON - GENERAL FUND	\$ 272,302.49	2497 - 2619
FULTON - MS4	\$ 13,122.77	1000 - 1003
FULTON - REFUSE	\$ 212,283.97	1066 - 1071
FULTON - STREET LIGHT	\$ 2,849.19	1027 - 1030
FULTON - ESCROW	\$ 4,256.78	2026
FULTON - STATE FUND	\$ 30,710.29	1114 - 1126
Total	\$ 856,507.10	

Action

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

X. ADJOURNMENT

Chairman Dumeyer *adjourned* the Board of Supervisors regular meeting at 8:33 p.m., moving into the West Hempfield Township Municipal Authority meeting following a 5-minute break.

Respectfully submitted,



Andrew Stern,
 Township Manager

