

WEST HEMPFIELD TOWNSHIP SUPERVISORS
REORGANIZATIONAL AND REGULAR BOARD MEETING
Minutes of January 4, 2021

The reorganizational meeting and regular monthly Board of Supervisors meeting was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue, Lancaster, Pennsylvania on Monday, January 4, 2021 at 7:30 p.m. 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. Also in attendance were Township Manager Andrew Stern, Zoning Officer Dwayne Steager; Public Works Director Dale Getz, Police Chief Lisa Layden, Solicitor Joselle Cleary, and a Court Reporter. In attendance remotely via Zoom were Township Engineer Melissa Kelly and Recording Secretary Judy Carrier.

REORGANIZATIONAL MEETING

A. CALL TO ORDER

Chairman Dumeyer announced there would be a Municipal Authority meeting immediately following the Board of Supervisors Regular meeting. He then called the Reorganizational meeting to order with a moment of silence and the pledge of allegiance.

B. Nomination and Election of Officers

Chairman Dumeyer appointed Andrew Stern, Township Manager, to serve as interim Chairman for purposes of nomination and election of officers. Andrew Stern 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, Township Manager, as Secretary/Treasurer and to *appoint* Brenda Baumbach as Assistant Secretary/Treasurer. Motion carried (5-0).

D. Appointment to Board of Auditors

Robert Munro moved, seconded by Kent Gardner to *appoint* Rick Delgiorno to fill the vacancy on the Board of Auditors until the 2021 municipal election. Motion carried (5-0).

E. Appointment of Township Solicitor

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

F. Appointment of Special Counsel for Labor Matters

Kent Gardner moved, seconded by Robert Munro, to *appoint* Brubaker, Connaughton, Goss & Lucarelli, LLC, as Special Counsel for Labor Matters. Motion carried (5-0).

- G. Appointment of Township Engineer and Assistant Township Engineer
Robert Munro moved, seconded by Kent Gardner to **appoint** Rettew Associates as Township Engineer and David Miller/Associates as Assistant Township Engineer. Motion carried (5-0).
- H. Appointment of Sewage Enforcement Officer and Alternate
Robert Munro moved, seconded by Kent Gardner, to **appoint** Marvin Stoner as SEO and David Lockhart as Alternate SEO. Motion carried (5-0).
- I. Appointment of Building Code Official
Edward Fisher moved, seconded by Kent Gardner to **appoint** Josh Nelson, BCO, Commonwealth Code Inspection Service, Inc. as Building Code Official. Motion carried (5-0).
- J. Appointment of Zoning Officer and Assistant Zoning Officer
Edward Fisher moved, seconded by Kent Gardner, to **appoint** Dwayne Steager, BCO, as Zoning Officer and Maria McDonald as Assistant Zoning Officer. Motion carried (5-0).
- K. Appointment of Auditor for 2020 Financial Statements
Kent Gardner moved, seconded by Robert Munro to **appoint** Bertz & Hess Certified Public Accountants to audit the Township's 2020 financial statements. Motion carried (5-0).
- L. Appointment to Zoning Hearing Board
Robert Munro moved, seconded by Kent Gardner, to **adopt** Resolution 1-2021 **re-appointing** Gary Lintner to the Zoning Hearing Board for a term of five years, to expire December 31, 2025. Motion carried (5-0).
- M. Appointment to the Planning Commission
Edward Fisher moved, seconded by Kent Gardner to **appoint** Barry Carter, to the Planning Commission, term to expire December 31, 2025. Motion carried (5-0).
- N. Appointment of Zoning Hearing Board Solicitor and Alternate Solicitor
Kent Gardner moved, seconded by Robert Munro, to **appoint** Nikolaus & Hohenadel, as Zoning Hearing Board Solicitor and Julie Miller, Russell Kraft & Gruber, Alternate Zoning Hearing Board Solicitor. Motion carried (5-0).
- O. Appointment of Open Records Officer
Moved by Kent Gardner, seconded by Robert Munro to **appoint** Maria McDonald Administration Open Records Officer, and Kerri Sensenig Police Department Open Records Officer. Motion carried (5-0).
- P. Appointment of Emergency Management Coordinator
Moved by Kent Gardner, seconded by Edward Fisher to **appoint** Andrew Stern as interim Emergency Management Coordinator. Motion carried (5-0).

- Q. Appointment of voting delegate for the PSATS State Convention
Moved by Kent Gardner, seconded by Robert Munro to *appoint* Andrew Stern as voting delegate for the PSATS State Convention. Motion carried (5-0).
- R. Designation of depository for Township Funds
Moved by Kent Gardner, seconded by Robert Munro to *designate* Fulton Bank, PLGIT, and Charles Schwab as depositories for Township funds. Motion carried (5-0).
- S. Setting mileage reimbursement rate to be IRS standard rate.
Moved by Robert Munro, seconded by Kent Gardner to *set* mileage reimbursement rate to IRS standard rate. Motion carried (5-0).
- T. Adopt 2021 Purchasing Policy.
Moved by Robert Munro, seconded by Kent Gardner to *adopt* the 2021 Purchasing Policy. Motion carried (5-0).
- U. Setting bond amount for Treasurer and Assistant Treasurer
Moved by Edward Fisher, seconded by Robert Munro to *set* the 2021 bond amount for Treasurer and Assistant Treasurer at \$1,500,000. Motion carried (5-0).
- V. Adjournment of Reorganizational Meeting into regular meeting
Chairman David Dumeyer closed the reorganizational meeting and moved to the regular meeting at 7:46 p.m.

REGULAR MONTHLY MEETING:

- I. CALL TO ORDER: Chairman Dumeyer called the meeting to order at 7:47 p.m.
- II. CONDITIONAL USE #85: SILVER SPRING RESTAURANT AND APARTMENTS
Public Hearing. Chairman Dumeyer opened the Hearing at 7:48 p.m. and explained the purpose, rules and procedures of the public hearing process, advising that after the Board has received all relevant evidence, the Board will close the record. The Board has 45 days after the close of the record within which to issue a written decision and will issue its decision at a public meeting. The Board may make a decision at tonight's meeting or any subsequent meeting held within 45 days after the close of the record. A court stenographer was present to record testimony and the stenographic transcript will be the official record of the Hearing.

Township Solicitor Joselle Cleary confirmed with Township Zoning Officer Dwayne Steager that the Hearing was posted and advertised and all exhibits have been entered into the record. The Applicant is Karida LLC, 3653 Marietta Avenue, Lancaster. Edward Ostrowsky, Sr. Project Manager, ELA Group, Inc.; was present on behalf of the applicant as Civil Consultant; George Agadis, Property Owner; and Randy Hess, Hess Home Builders were also present to provide testimony and all three were sworn in. Mr. Ostrowsky presented the application and the proposal. Proposed conditions regarding sewer capacity and stormwater management were discussed. Daneen Kemple, Marietta

Ave, next-door neighbor, and Tom Culton, Marietta Avenue, also a neighbor, requested party status to ask questions of the applicant. There were no objections. Party Status was granted, and they were sworn in.

At 9:22 p.m., due to the lateness of the hour and the extensive meeting agenda remaining, the Board of Supervisors and the Applicant agreed to a continuance of the Hearing. **Motion** was made by Kent Gardner, second by Robert Munro and unanimously carried (5-0) to *continue* Conditional Use #85: Silver Spring Restaurant and Apartments to the Board of Supervisors Regular meeting on Tuesday, February 2, 2021 at 7:30 p.m.

III. APPROVAL OF MINUTES

- A. December 1, 2020 – Kent Gardner moved, seconded by Robert Munro to *approve* the December 1, 2020 Regular Board of Supervisors meeting minutes as presented. Motion passed (5-0).

IV. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. **Michael S. Fitzgibbons:** The Board congratulated Mike Fitzgibbons by speaker 'phone on his upcoming and well deserved retirement as President and Chief Executive Officer of the Susquehanna Valley Emergency Medical Service. A Resolution recognizing Mr. Fitzgibbons for his forty years of service to West Hempfield Township is scheduled for adoption on tonight's agenda.

- B. TOWNSHIP MANAGER – Andrew Stern reviewed his written report, noting specifically Revenues, Credit Card Payments, and Staffing.

INTERNAL MATTERS

1. **Revenues.** Update on EIT and LST: LCTCB has provided an updated estimate which projects our EIT and LST revenues slightly ahead of 2019, although slightly below 2020 budgeted (**overall \$42,073 below budget, or 1.5% below budget**).

EIT: 12/2020 YTD: \$ 2,396,503 (12/2019 YTD: \$2,379,462)

- 2020 BUDGET: \$2,400,000 – **UNDER BUDGET \$ 3,497**

LST: 12/2020 YTD: \$ 332,860 (12/2019 YTD: \$ 332,687)

- 2020 BUDGET: \$385,000 – **UNDER BUDGET \$ 52,140**

NON-RESIDENT EIT: 12/2020 YTD: \$ 13,564 (11/2019 YTD: 0) {*NEW FOR 2020*}

- 2020 BUDGET: \$0 – **OVER BUDGET \$13,564**

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

2. **Credit Card Payments.** Credit Card Payments are working again We hope to begin accepting online payments via credit and debit cards as well as bank accounts in January.

3. **Pandemic Response Team.** The team has not met in December although we continue to get updates from LGH Health. There are no known needs at this time for our emergency responders (i.e. PPE).
4. **January Reorganizational Meeting.**
Planning Commission: Barry Carter's term is ending. He is willing to serve another term.
Zoning Hearing Board: Gary Lintner's term is ending. He is willing to serve another term.
Board of Auditors: We have a vacancy due to the resignation of Michael Laverty.

EXTERNAL MATTERS

1. None at this time.

MUNICIPAL AUTHORITY

1. **January Meeting.** There will be an Authority meeting January 4 to present the DRAFT stormwater fee proposal.

PERSONNEL

1. **Staffing.** At the time of this memo, we are fully staffed with no employees ill or in quarantine. We continue to have ZERO positive COVID cases attributed to the workplace.
2. **Part-Time Zoning Position.** We have advertised and interviewed for the part-time position discussed during the budget process. We anticipate a new employee beginning in early January.
3. **Floodplain Manager.** My certification as a Certified Floodplain Manager has been successfully renewed for two more years.
4. **New Roles.**
 - a. I have been nominated to be Secretary of the Lancaster County Tax Collection Bureau (LCTCB). This should be official in early January.
 - b. I have been elected as Secretary of the Lancaster Intermunicipal Committee (LIMC).

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** We hosted LIMC on December 9 at 7:30 am here at West Hempfield. Our LIMC will meet next on February 10, 2021, location TBD.
2. **CLC.** CLC COG will meet next on January 27, 2021 in East Petersburg (or via Zoom).

CORRESPONDENCE

1. **Columbia Borough.** Columbia has notified us of a proposed rezoning 75 South 12th Street from Rural Residential to Institutional Residential.

2. **US Census.** We received a THANK YOU certificate for our assistance with the 2020 Census.

C. **TREASURER’S REPORT – NOVEMBER 2020 FINANCIALS**

General Fund	\$ 4,854,939.93
Refuse Fund	\$ 839,101.28
Street Light Fund	\$ 21,795.45
TDR Fund	\$ 623,806.75
State Liquid Fund	\$ 1,008,118.19
Police Pension Fund	\$ 8,587,398.45
Non-Uniform Pension Fund	\$ 2,943,607.19
Recreation	\$ 42,058.31
Highway	\$ 990,876.55
Health Care (HRA)	\$ 25,316.15
MS4 Stormwater Fund	\$ 187,633.71
Total All Funds	\$ 20,124,651.96

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

Police: Chief Layden submitted a written report. She had nothing further to add.

Public Works: Dale Getz submitted a written report for the month of December. He reviewed highlights of the report and commented that he has not heard any negative reports about the snow removal and clean-up from the snow storm the week of December 11-18. Chairman Dumeyer was very complimentary about the job that was done.

Zoning/Land Use: A written report was submitted and reviewed.

Fire: Reports were submitted. There was nothing further to report.

EMS: No report.

- E. **TOWNSHIP ENGINEER’S REPORT** – Melissa Kelly submitted a written report and thanked the Board for re-appointing Rettew Associates as the Township Engineer. Andrew Stern noted that two more Grants have been received making a total of approximately \$2,000,000 so far.

F. **RESIDENTS:**

- A resident at 220 Donnerville Road reported that the majority of cars were speeding at a rate of two times the posted 25 MPH speed limit. Chief Layden will do a traffic study and hoped to have some answers by the next Board meeting.

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

**A. WHTPC12-19: 360 Indian Head Road
Financial Security Release No. 2
Location: 360 Indian Head Road**

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

Original Amount	\$ 43,045.75
Previous Reductions	\$ 0.00
Outstanding Balance	\$ 43,045.75

Based on review of the documentation, the township engineer has recommended that the financial security for this project be released in its entirety.

Action Required

Motion was made by Edward Fisher and seconded by Robert Munro to *approve* a reduction of the financial security by the amount of \$43,045.75 leaving a balance of ZERO. The motion passed (5-0).

**B. 490 Norwood Road, Rob and Colleen Murphy
Request to remove note on plan.**

Rob and Colleen Murphy own approximately 11.93 acres of land at 490 Norwood Road and would like to subdivide their property into two lots – one consisting of 1.5 acres that would include the existing farm house, leaving a 10.43 acre lot where they could construct a new single-family dwelling for their family. Mr. and Mrs. Murphy have asked J. Dwight Yoder, Esq., Gibbel Kraybill & Hess, to assist them with a zoning application they submitted to determine if the Supervisors would be willing to modify a note that was placed on a prior subdivision plan. Attorney Yoder presented the background of the note, along with a copy of his letter dated December 29, 2020 detailing this information, and a copy of the preliminary plan showing the proposed subdivision. He asked the Board to consider modifying the note which he considers to be informational and not the type of note that cannot be later modified.

Township Manager Andrew Stern reported he has been working on this with the Township's Zoning Officer, Dwayne Steager. There have been other similar situations and this was not an unusual request. He and Mr. Steager came to the same conclusion as Attorney Yoder and they support removal of the note; however, Attorney Yoder and Mr. and Mrs. Murphy must still convince the Zoning Hearing Board to grant their variance request.

Following discussion about various aspects of the property and the note on the Plan, **motion** was made by Robert Munro and seconded by Kent Gardner to *approve* removal

of the note from the plan as it is informational. The motion passed (5-0). Mr. Stern was asked to take the comments from tonight's discussion to the Zoning Hearing Board.

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS

A. Hempfield RecCenter: Tri-For-Life Event: Sunday, May 2, 2021 – Andrew Stern presented the request. **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the Hempfield RecCenter Tri-For-Life Triathlon for Sunday, May 2, 2021. The motion passed (5-0).

B. Authorize sale of Police Cameras – Andrew Stern presented the request and Chief Layden provided a list of items she would like to sell. **Motion** was made by Kent Gardner and seconded by Edward Fisher to **sell** the police cameras on Municibid or some other venue. The motion passed (5-0).

VIII. ORDINANCES AND RESOLUTIONS

A. Resolution 2-2021: Fulton Bank, Fire Fund. Andrew Stern presented Resolution 2-2021 designating Fulton Bank a designated depository of West Hempfield Township. **Motion** was made by Kent Gardner and seconded by Robert Munro to **adopt** Resolution 2-2021. The motion passed (5-0).

B. Resolution 3-2021: Mike Fitzgibbons, Susquehanna Valley EMS. Chairman Dumeyer read Resolution 3-2021 recognizing Michael S. Fitzgibbons for his sincere dedication to the West Hempfield Township community. **Motion** was made by Kent Gardner and seconded by Robert Munro to **adopt** Resolution 3-2021. The motion unanimously passed (5-0).

IX. APPROVAL OF PAYABLES

FUND	AMOUNT	CHECK #'S
PAYROLL & TAXES	\$ 359,163.75	EFT
FULTON - GENERAL FUND	\$ 655,537.57	2979 - 3084
FULTON - MS4	\$ 2,514.90	10330-01034
FULTON - REFUSE	\$ 215,056.22	1247 - 1092
FULTON - STREET LIGHT	\$ 4,301.95	1035
FULTON - ESCROW	\$ 6,228.78	2032
FULTON - STATE FUND	\$ 5,863.68	1159 - 1164
Total	\$ 1,248,666.85	

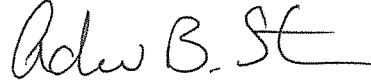
Moved by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between December 1, 2020 and December 31, 2020 and any residuals that may be forthcoming. Motion carried (5-0).

X. GOOD OF THE ORDER: Upcoming Meeting - February 2, 2021 Regular BOS Meeting

XI. ADJOURNMENT INTO MUNICIPAL AUTHORITY MEETING

Chairman Dumeyer *adjourned* the Board of Supervisors regular meeting, moving into the Municipal Authority Meeting at 10:22 p.m.

Respectfully submitted,



Andrew Stern,
Township Manager

