

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING  
Minutes of July 6, 2021

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, and Robert Munro, were physically present at the meeting. Township Manager Andrew Stern, Zoning Officer Dwayne Steager, Public Works Director Dale Getz and Police Chief Lisa Layden were also physically present. Recording Secretary Judy Carrier attended remotely via Zoom. Edward Fisher and Naomi Martin were excused.

I. CALL TO ORDER: Chairman Dumeyer called the meeting to order at 7:30 p.m. and 1st Class Scout Patrick Christoffel, Boy Scout Troop 267, led with the pledge of allegiance. Following the Pledge, Mr. Dumeyer reported the Board of Supervisors held an Executive Session regarding a police personnel matter prior to this evening's meeting and called for the following motion:

- \* **Motion** was made by Kent Gardner and seconded by Robert Munro to **authorize** the Township Manager to *provide* a letter in regard to West Hempfield Township Police Association denying Level 2 Grievance. The motion passed (3-0).

II. SPECIAL RECOGNITIONS

- A. Certificates of Appreciation - Lancaster Hempfield Rotary and Boy Scout Troop 267. Chairman Dumeyer reported on MS4 permit requirements for Public Education and Outreach and Public Participation and the ways these requirements were accomplished in the 2020-2021 reporting year by combining activity that involved members of the community and the installation of placards educating the public at large of the interaction of stormwater inlets and local watersheds. The Lancaster-Hempfield Rotary Club reached out to Township Staff to see how they could be involved in helping and eventually it was decided they would seek a grant through Rotary International, and part of that grant went to the purchase of stormwater inlet markers. In May of this year, the Lancaster-Hempfield Rotary Club coordinated with Boy Scout Troop 267 to install the markers in selected areas of local watersheds. Through their generosity of both time and monies, two of the township's needs were met. Certificates of Appreciation were presented to Frank Christoffel of the Lancaster-Hempfield Rotary Club and his son, Patrick Christoffel, Boy Scout Troop 267 to acknowledge and recognize their efforts on the Township's behalf.

III. APPROVAL OF MINUTES

- A. June 1, 2021 Regular Meeting - Kent Gardner moved, seconded by Robert Munro, to approve the June 1, 2021 Regular meeting minutes as presented. The motion passed (3-0).

IV. COMMUNICATIONS

A. BOARD OF SUPERVISORS - None

B. TOWNSHIP MANAGER – Andrew Stern reviewed his written report.

**Internal Matters**

- **Revenues.** Update on EIT and LST. June distributions from LCTCB are shown below.

MAY	2019 YTD	2020 YTD	2021 YTD
EIT	\$1,246,887	\$1,237,745	\$1,300,939
LST	\$186,998	\$206,945	\$179,083
OTHER	\$4,868	\$3,160	\$977
NON-RESIDENT	<i>Not Yet Adopted</i>	\$4,349	\$13,356
<b>TOTAL</b>	<b>\$1,438,753</b>	<b>\$1,452,199.00</b>	<b>\$1,494,355.00</b>

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

- **Liquid Fuels Audit.** Attached you will find a copy of the 2018-2019 report from the Auditor General’s office. There are no significant findings for this period.
- **Copier.** Our Administration copier is on its last leg. It is several years old. We own it. The cost to maintain it increases each year as it breaks down more often and parts are harder to obtain. We are now at the point where it is slowing us down and unreliable. We use it as a copier, printer, fax, and scanner, so when it is down, we are down. I will be working to replace it ASAP. **I am seeking approval to purchase a new copier, not to exceed \$8,000.**

\* **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** purchase of a new copier from Quality for a cash payment of 5,597.00 as recommended by Andrew Stern, The motion passed (3-0).

- **Community Garden.** On June 25, I submitted a request for a \$25,000 grant from the Giant Company for a community garden next to our woody waste site. The grant funds would be used to purchase and install a rain harvest system from the public works pole building.
- **Farmdale/Ferndale.** According to Rettew, the curb cost estimate for Ferndale, Farmdale, Forrest, Hilltop, Millbrook and Daniel is \$849,750 for 15,540 LF, based on \$54/LF. Average cost per 100’ width property is \$5,400. Obviously we need to continue our discussions with Rettew to find ways to

significantly reduce this cost. Then we need to determine how we will pay for it. Curbs are not Liquid Fuels or ARPA eligible.

### External Matters

- **Nothing new to report at this time.**

### Personnel

- **Staffing.** We are fully staffed!
- **Zoning.** Maria McDonald's last day is June 30. She was with the Township over 19 years and has served us extremely well! We wish her the best. She has chosen to move to the next chapter in her life in the private sector. She is being replaced by Mandy Houck, formerly with Hempfield School District, who starts July 6, 2021. Maria has agreed to work evenings and weekends as needed to help Mandy with the transition.
- **Finance.** Leah Johnson's last day is July 2, 2021. She is relocating to Florida. While only with us for a year, she did an excellent job. We wish her the best. She has been replaced by Amy Slutter, formerly with Hempfield School District, who started June 14, 2021. Leah stayed three weeks to train Amy and has agreed to work evenings and weekends as needed to help Amy with the continued transition.
- **Public Works.** Mason Neatock started June 14, 2021 to fill our vacancy. He has a CDL Class A license and was formerly with a landscape company in Hamburg, PA.
- **Police.** As the Board is aware, we are working to fill two upcoming vacancies. We have two candidates who we intend to issue conditional offer letters to after the July 6 meeting.

### Outside Boards and Committees

- **LIMC.** LIMC

### Correspondence

- **LASA.** We have received a request from LASA to consider providing some of our Federal ARPA funds to them.
- **Columbia Water.** We have received a letter from Columbia Water advising us of their intention to continue drawing water from their Chickies Wells #2 and #3 for public water supply in Marietta Borough, East Donegal Township, and Hellam Township.
- **Forry.** We received a handwritten thank you note from the Forry family thanking everyone for saving Mr. Forry on May 4.

- **American Rescue Plan Act (ARPA).** On June 11, 2021. we received a letter from the Governor encouraging us to request our ARPA funding of \$1,752,581.28 as soon as possible. We had submitted our request June 4! We anticipate receiving the first half this coming week.

C. TREASURER'S REPORT - May 2021

General Fund	\$	6,372,620.63
Refuse Fund	\$	1,045,489.13
Street Light Fund	\$	28,841.30
TDR Fund	\$	635,989.45
State Liquid Fuels Fund	\$	1,377,115.83
Police Pension Fund	\$	8,783,752.29
Non-Uniform Pension Fund	\$	3,037,233.19
Recreation	\$	42,070.61
Highway	\$	991,166.71
Health Care	\$	35,039.43
MS4 Stormwater	\$	214,571.82
	\$	<u>22,563,890.39</u>

D. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/  
LAND USE, FIRE, EMS - Written reports were submitted and reviewed.

Police – Chief Layden addressed the increase in fraud schemes and explained a new report attached to the back of her report.

Public Works – Dale Getz reported the new lawn mower was received today.

Zoning/Land Use – Dwayne Steager remarked on the success of the rain barrel outreach.

Fire – Reports were received from Mountville and West Hempfield and the increase in the average number of responses was noted.

E. TOWNSHIP ENGINEER'S REPORT - Andrew Stern presented Melissa Kelly's written report. Rettew is continuing to prepare the township's grant projects and Mr. Stern reported the 902 Recycle Grant paperwork has been received..

F. RESIDENTS: PUBLIC COMMENT ON NON-AGENDA ITEMS –  
None

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

- WHTPC 8-2021: Drager Property, High Ridge & Marietta - Schedule a Public Hearing. Manuel Navea, Heather Lane, Mount Joy, raised questions regarding zoning density and

Mr Stern stated this will be included in the presentation during the public hearing.

- **Motion** was made by Robert Munro and seconded by Kent Gardner to *schedule* a Public Hearing for Wednesday, August 11, 2021 at 7:30 p.m. The motion passed (3-0)

B. WHTPC 5-2021: 520 Betty Lane - Stormwater Major Plan. The applicant sought and received Zoning Hearing Board approval for the non-conforming lot. James Boyer, DM/A presented the Plan, referring to the July 1, 2021 Review Letter received from Rettew Associates. There were no additional questions or comments.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to *approve* the Storm Water Major Land Disturbance Plan and that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. The motion passed (3-0).

C. WHTPC 10-2021: SBCC Land Co. (Ivy Drive). Claudia Shank Esq., McNees Wallace Nurick submitted a petition to formally withdraw a previously submitted petition to amend the West Hempfield Township Zoning Map dated July 23, 2019 to rezone the property and an additional tract of land owned by SBCC north of Marietta Avenue, and submitted a new petition to amend the West Hempfield Township Zoning Ordinance dated September 29, 2020 which proposes to rezone the property from the Rural Agricultural District to the R-3 Residential District. Attorney Shank provided clarification on the tracts of land in response to a question raised by Manuel Navea, Heather Lane, Mount Joy. There were no further questions or comments (Board or Public).

- **Motion** was made by Robert Munro and seconded by Kent Gardner to *refer* the SBCC Land Company Rezoning Request to the West Hempfield Township Planning Commission and to the Lancaster County Planning Commission. The motion passed (3-0).

## VI. UNFINISHED BUSINESS

A. Concord Public Finance: Proposal for Stormwater Project Financing - Andrew Stern presented Concord Public Finance's proposal for services and requested authorization to sign two documents: (1) Concord Public Finance's proposal for services and (2) Regulatory required engagement letter. He noted these documents pertain only to Concord Public Finance services and not the actual loan.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to *authorize* signing of the two documents as requested. The motion passed (3-0).

B. Millfield Green, LLC: Purchase of Transfer of Development Rights (TDR's)

- TDR Agreement
- TDR Settlement

Andrew Stern reviewed Solicitor Cleary's communication dated June 8, 2021 and the attached proposed Agreement and Settlement Statement between Millfield Green, LLC and the Township relating to the ten Transferable Development Rights which Millfield Green will purchase from the Township.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to *forward* the agreement and settlement statement to Claudia Shank, Counsel for Millfield Green, for her review. The motion passed (3-0).

VII. NEW BUSINESS.

- A. Donate Gun Mounted Camera System to Lancaster SERT - Andrew Stern presented Chief Layden's memo dated June 28, 2021. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to *approve* donation of the gun-mounted cameras with chargers and duty holsters from West Hempfield Township Police Department to Lancaster County SERT Team. The motion passed (3-0).
- B. WHFR & PSHLL Lease - Andrew Stern reviewed his memo dated June 28, 2021 regarding Penn State Health Life Lion (PSHLL) replacing Susquehanna Valley EMS (SVEMS) as the Township's ambulance provider. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to *authorize*, to the extent such authorization is necessary, the assignment of the Commercial Lease Agreement dated August 1, 2018, by and between West Hempfield Fire Rescue and Susquehanna Valley EMS, Inc., for a portion of the West Hempfield Township Municipal Complex to Penn State Health Life Lion, LLC, contingent upon West Hempfield Fire and Rescue to expressly require Penn State Health Life Lion, LLC, to continuously provide emergency medical response services within the Township and to comply with all provisions of the Lease Agreement dated as of May 1, 2018. The motion passed (3-0).
- C. Electric Rate Contract - Andrew Stern reviewed his memo dated June 29, 2021 pertaining to electronic contract bidding and asked that the Board approve the lowest reasonable bid based on the township consultant's determination of "reasonable" based on the strings each bidder attached to their bid. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to *approve* Dynegy Energy at a rate of .06270 for 48 months. The motion passed (3-0). Mr. Stern noted there is a gross revenue tax which the Township is not exempt from and this rate includes this tax.
- D. Articles of Incorporation Agreement - Andrew Stern reviewed correspondence received from Solicitor Cleary dated June 3, 2021 relating to an amendment to the LASA Articles of Incorporation together with a proposed resolution. Solicitor Cleary found the resolution which the LASA Solicitor prepared to be generally acceptable; however, there were a few minor changes which needed to be made and Solicitor Cleary has made those

revisions. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to **approve** Resolution 11-21: LASA: Amendment to Articles of Incorporation as revised and discussed. The motion passed (3-0).

E. Refuse Bid – Authorize bid. Andrew Stern reviewed the current status of the process. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to put the refuse contract out to bid when it is ready. The motion passed (3-0)

F. Lancaster Bicycle Club Event, Sunday, August 15, 2021 - Andrew Stern presented the information received from the Club. **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the request pertaining to the Bridge Classic, scheduled for Sunday, August 15, 2021. The motion passed (3-0).

G. Manheim Borough: Request for Fire Police October 6, 2021 - Andrew Stern presented the request received from Manheim Borough for Special Fire Police to provide security, traffic and crowd control for the Manheim Farm Show Parade from 5:45 p.m. to approximately 10:00 p.m., Wednesday, October 6, 2021. **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the request as presented and discussed. The motion passed (3-0).

H. Field of Screams: Acknowledgement for PennDot Special Event Permit - Andrew Stern presented the request for acknowledgement received from Light-Heigel & Associates. **Motion** was made by Robert Munro and seconded by Kent Application for a Special Events Permit for Field of Screams for traffic control on October 9, 16, and 23, 2021. The motion passed (3-0).

I. Lawn Mower Purchase: Parks Maintenance. Andrew Stern referred to his memo dated June 30, 2021 pertaining to replacement of the Township's oldest lawn mower that died and was not worth repairing. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to **ratify** purchase of a new lawn mower in the amount of \$13,562 as stated. The motion passed (3-0).

## VIII. ORDINANCES AND RESOLUTIONS

A. Resolution 11-21: LASA: Amendment to Articles of Incorporation - Andrew Stern reviewed correspondence received from Solicitor Cleary dated June 3, 2021 relating to an amendment to the LASA Articles of Incorporation together with a proposed resolution. Solicitor Cleary found the resolution which the LASA Solicitor prepared to be generally acceptable; however, there were a few minor changes which needed to be made and Solicitor Cleary has made those revisions. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to **adopt** proposed Resolution 11-21: LASA: Amendment to Articles of Incorporation as revised and discussed. The motion passed (3-0).

IX. APPROVAL OF PAYABLES

PAYROLL & TAXES	\$216,122.06	EFT
FULTON - GENERAL FUND	\$277,731.07	3562 - 3637
FULTON - MS4	\$ 17,176.71	1045
FULTON - REFUSE	\$ 99,458.71	1111 - 1113
FULTON - STREET LIGHT	\$ 4,405.49	1044
FULTON - ESCROW	\$ 8,056.35	2043
FULTON - STATE FUND	\$ 465.26	1201 - 1202
<b>Total</b>	<b>\$623,415.65</b>	

**Moved** by Kent Gardner and seconded by Robert Munro to *approve* payment of all bills between June 1, 2021 and June 30, 2021, and any residuals that may be forthcoming. Motion carried (3-0).

X. GOOD OF THE ORDER

Upcoming BOS Meeting: 7:30 p.m. Wednesday, August 11, 2021. (*SPECIAL DAY & DATE*)

XI. ADJOURNMENT INTO MUNICIPAL AUTHORITY MEETING (WITH EXECUTIVE SESSION TO FOLLOW).

Chairman Dumeyer called for a motion to adjourn the Board of Supervisors Regular meeting into the Authority meeting at 8:34 p.m. with Executive Session to follow. **Moved** by Robert Munro and seconded by Kent Gardner to *adjourn* the Board of Supervisors Regular meeting into Authority meeting at 8:34 p.m. with Executive Session to follow. Motion passed (3-0).

Respectfully submitted,



Andrew Stern,  
Township Manager

