

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of August 11, 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, Edward Fisher, Robert Munro, and Naomi Martin were physically present at the meeting. Township Manager Andrew Stern, Zoning Officer Dwayne Steager, and Township Engineer Melissa Kelly were also physically present. Recording Secretary Judy Carrier attended remotely via Zoom.

- I. CALL TO ORDER: Chairman Dumeyer remarked that this meeting was rescheduled from August 3rd due to National Night Out. He then called the meeting to order at 7:30 p.m. and led with the pledge of allegiance.
- II. APPROVAL OF MINUTES. – July 6, 2021 Regular Meeting – Edward Fisher **moved**, seconded by Robert Munro, to **approve** the July 6, 2021 Regular Meeting minutes as presented. The motion passed (5-0).
- III. INTRODUCTION OF NEW POLICE OFFICER GEOFF HOHMAN – Sgt. Doug Ober introduced Geoff Hohman and Chairman Dumeyer conducted the swearing-in ceremony. Following the ceremony, Officer Hohman was welcomed by the Supervisors, he introduced members of his family and photographs were taken.
- IV. PUBLIC HEARING: REZONING – DRAGER TRACT, MARIETTA AT HIGH RIDGE. Chairman Dumeyer opened Public Hearing: Rezoning – Drager Tract, Marietta at High Ridge at 7:40 p.m. He explained the procedures for the Hearing and informed that, as this is a Legislative Hearing, there will be no party status and a Court Reporter would not be present. Claudia Shank, McNees Wallace Nurick, Counsel for Petitioners Scott F. Provanzo and Jason P. Provanzo, conducted the Hearing on behalf of the Petitioners and William Swiernik, Engineer, David Miller/Associates, represented members of the Drager Family. Greg Drager was present. He introduced members of his family and spoke to the difficulty of farming this property.

Attorney Shank distributed a packet of exhibits and began with a walk-through of the petition and exhibits to amend the Zoning Map to reflect a rezoning of the Property to R-2, described the background and history of the property, and referenced prior Township minutes relating to zoning of the property as R District. Mr. Swiernik described the types of proposed housing and compared the proposed development with types of lots being considered for development within the Township. In closing, Attorney Shank stated that the proposed amendment will facilitate development in an area of the Township specifically planned for growth. She further stated that by rezoning the property to R-2, the Township will align the property's zoning classification with its UGA designation and facilitate "smart growth" in the Township, and submitted a proposed ordinance amending

the Zoning Map. Supervisor Edward Fisher and Township Manager Andrew Stern asked if information was available specifically relating to the number of existing versus new housing developments and what is needed going forward. Attorney Shank responded that this would be difficult to define and the County Planning Commission has no specific information.

The Hearing was then opened to residents of the community.

- Lance Smith, whose property borders the Drager property, expressed that his main concerns were about resultant traffic issues on High Ridge and Fairview, i.e. the increased number of vehicles, speeding traffic, poor condition of High Ridge Road, drainage issues, the need for two accesses and how road widening/loss of land would affect property values.
- Kathy Cheney, Jasmine Place, Mt Joy, stated she chose her lot due to the beautiful farmland view and hates to see development in there. Her main issues are traffic missing the corner and ending up in her yard, dangerous speeding at the location of the crossroads, her preference for only one access and the type of privacy and sound screening.
- Donna Bushong, Meadow Road, Columbia, raised the possibility of increasing lot sizes.

Attorney Shank stated traffic studies will occur over a period of time and improvements will be made to address traffic increases and concerns, buffering and screening will be addressed, property needed for road widening will be taken from the Drager property and not from private residences, development of the property will greatly improve drainage issues and the density for this development is much lower than the other developments around it. Attorney Shank also spoke to the Zoning regulations and believes this plan is the most effective. Mr. Stern added that the minimum requirement is one acre per lot and that Lancaster County Planning is discouraging large estate lots. Chairman Dumeyer and Mr. Swiernick stated both the Township and PennDOT require two access points in this type of development.

At the conclusion of all testimony on behalf of the applicants, discussion, and questions and comments (Board and Public), **motion** was made by Kent Gardner and seconded by Robert Munro to *close* the Public Hearing: Rezoning – Drager Tract, Marietta at High Ridge at 8:27 p.m. The motion passed (5-0).

Chairman Dumeyer asked if the Supervisors wished to render a decision at this time or later. Edward Fisher remarked he would like more time to review the challenges associated with this matter, stating he is struggling with concerns from a planning standpoint and with the infrastructure which are development issues, not zoning issues.

- **Motion** was made by Kent Gardner and seconded by Robert Munto to take action now and *move* Agenda Item I to this particular point in the agenda. The motion passed (4-1) with Edward Fisher voting nay.

Chairman Dumeyer asked for any additional Public Comment prior to seeking a motion for action on the Ordinance.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to *adopt* Ordinance 04-21, an Ordinance of the Township of West Hempfield, Lancaster County, Pennsylvania, to amend the West Hempfield Township Zoning Ordinance of 1988, as amended, Zoning Map, to change the zoning classification for the tract of land identified as Tax Parcel No. 300-93296-0-0000 from the R Rural Agricultural District to the R-2 Residential District. The motion passed (5-0).

V. COMMUNICATIONS

A. BOARD OF SUPERVISORS – None

- TOWNSHIP MANAGER - Andrew Stern submitted and reviewed his August 5, 2021 written report and added the following:
 - Review of National Night Out and thank-you to everyone who participated.
 - Report on information received by the Township Solicitor on Act 50, the 5G Small Wireless Facilities Act .
 - Report on The Right-of-Way Ordinance and request for authorization for the Township Solicitor to prepare a recommended Right-of-Way Ordinance for the Township.
 - **Moved** by Robert Munro, second by Kent Gardner and carried (5-0) to *authorize* the Township Solicitor to prepare a recommended Right-of-Way Ordinance.

INTERNAL MATTERS

1. **Revenues.** Update on EIT and LST. Distributions from LCTCB are shown below.

MAY	2019 YTD	2020 YTD	2021 YTD
EIT	\$1,328,939	\$1,337,250	\$1,402,184
LST	\$205,843	\$210,733	\$183,554
OTHER	\$5,337	\$3,160	\$1,078
NON-RESIDENT	<i>Not Yet Adopted</i>	\$4,499	\$15,658
TOTAL	\$1,540,119.00	\$1,555,642.00	\$1,602,474.00

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

2. **Trash/Recycling.** We are finalizing the opt-out numbers and will finalize the bid documents within the next week or two.

- 3. **Murry Park.** The wildflowers finally started to grow! The park is starting to look much better than it had immediately following our stormwater project. We have been advised that by next summer the flowers should look even better. We are currently working to obtain educational signs to explain the project and what visitors see at the park.

CORRESPONDENCE

- 1. **None at this time.**

C. TREASURER’S REPORT – JUNE 2021

General Fund	\$ 7,222,432.02
Refuse Fund	\$ 1,010,755.42
Street Light Fund	\$ 35,921.66
TDR Fund	\$ 636,010.09
State Liquid Fund	\$ 1,376,675.25
Police Pension Fund	\$ 8,813,951.90
Non-Uniform Pension Fund	\$ 3,043,633.26
Recreation	\$ 42,071.99
Highway	\$ 991,199.34
Health Care (HRA)	\$ 31,971.68
MS4 Stormwater Fund	\$ 197,405.41
Fire Tax	\$ 28,976.78
Fire Hydrant	\$ 170.62
TOTAL ALL FUNDS	\$ 23,431,175.42

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

Police – Chief Layden submitted a written report. Sgt. Ober had nothing further to add.

Public Works – Andrew Stern remarked on Dale Getz’s report about the excellent paving work done by Allan Myers, Martins Paving and E. E. Gemmil during the month and costs came in below budget.

Zoning/Land Use – Dwayne Steager reported that all rain barrels (964 total) were sold during the Rain Barrel Public Outreach and Education Event and had nothing further to add to his written report.

Fire – Reports were received from Mountville and West Hempfield. Both were represented and had nothing further to add.

EMS – Adam Marden apologized for being unable to attend National Night Out. He reported on Susquehanna Valley EMS being taken over by Penn State Life Lion. They will not be doing any nursing home transports so will be focusing on better serving the community and also will be starting up the academy again. First Responders Agencies are hurting. There was discussion regarding concerns with response times and there is a goal for Ambo stationed 24/7 Andrew Stern advised that a newsletter article will be provided to explain this change.

E. TOWNSHIP ENGINEER’S REPORT – Melissa Kelly reviewed her written report dated July 27, 2021 and provided updates. There were no comments or questions.

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

VI. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

BRIEFING ITEMS:

- A. The Reichardt Tracts WHTPC 7-2021(Time Extension 9/03/2021)**
Preliminary/Final Land Development Plan
Location: 3809 and 3835 Concordia Road
Zoned: R2
Lot Size: 9.6 Acres/ 418,176.0 ft² and 12.5 Acres/ 544500.0 ft²

The applicant is proposing the development of two tracts along Concordia Road and Hempfield Hill Road into nine lots and construct seven new single-family homes. Applicant has sought and received Zoning Hearing Board variances (Case 1312) for lot width and access drive and driveway design. Dwayne Steager provided maps and drawings and Andrew Stern provided background and additional information.

AGENDA ITEMS:

- A. St Anne’s Retirement Community WHTPC 15-07**
Request for Reduction of Financial Security
Location: 3952 Columbia Ave.

Our records indicate that the financial security status for this project is as follows:

Original Amount	\$ 1,361,135.38
Previous Reductions	\$ 882,302.03
Outstanding Balance	\$ 478,833.35
(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 letter 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 and a review of the documentation, the Township Engineer recommends that the financial security for this development be reduced by \$115,263.33, which will leave a new outstanding financial security balance of \$363,570.02. 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 Robert Munro and seconded by Edward Fisher to **approve** the partial release of the Financial Security Escrow of \$478,833.35 by the amount of \$115,263.33 leaving a new balance of \$363,570.02. The motion passed (5-0).

VII. UNFINISHED BUSINESS – None

VIII. NEW BUSINESS

- A. Appointment of Assistant Zoning Officer, Mandy Hock – **Moved** by Edward Fisher, second by Kent Gardner and carried (5-0) to **appoint** Mandy Houck as Assistant Zoning Officer.
- B. Appointment of RTK Officer for Non-Police matters, Mandy Houck. **Moved** by Kent Gardner, second by Robert Munro and carried (5-0) to **appoint** Mandy Houck as Right-to-Know Officer for Non-Police matters.
- C. Ratify Prior Sale of Vest & Carrier to Southern York Regional Police Dept. **Moved** by Robert Munro, second by Kent Gardner and carried (5-0) to **ratify** the prior sale of Vest and Carrier to Southern York Regional Police Department for \$250.00.
- D. Trash Wavier Request – 172 Stone House Lane – **Moved** by Kent Gardner, second by Robert Munro and carried (5-0) to **approve** the the request for waiver of the requirement for trash removal at 172 Stone House Lane as presented and discussed.
- E. DEP 902 Grant– Andrew Stern referred to his memorandum dated August 4, 2021 regarding 902 Grant Funds awarded to the township under a 902 Grant from DEP and seeking approval to order the items listed. After discussion, the following actions were taken:

- 1) Freightliner 114SD Truck Chassis: **Moved** by Edward Fisher, second by Kent Gardner and carried (5-0) to **approve** purchase of Freightliner 114SD Truck Chassis from Freightliner of Harrisburg, through COSTARS, for \$107,774.00.
- 2) Pikrite Leaf Collector: **Moved** by Kent Gardner, seconded by Edward Fisher and carried (5-0) to **approve** purchase of Pikrite Leaf Collector from MJR Equipment of Harrisburg, through COSTARS, for \$201,317.12 (with a portion of this price actually being attributed to the truck cost for DEP purposes as listed on the spreadsheet attached).
- 3) Card Access System for Woody Waste Site: **Moved** by Kent Gardner, second by Edward Fisher and carried (5-0) to **approve** purchase of Card Access System for Woody Waste site from a vendor to be determined in accordance with the Township Purchasing Policy, through COSTARS, not to exceed \$50,000.

A. Purchase of Replacement Police Cars for 2022. Andrew Stern referred to his memorandum dated August 4, 2021 requesting approval, on behalf of the Police Department, to purchase the following two vehicles for 2022 to be ordered ASAP in 2021:

- 1) 2021 Police Interceptor AWD SUV, \$33,700, Whitmoyer/COSTARS
- 2) 2022 Chevrolet Malibu Sedan, \$19,00, Whitmoyer/COSTARS.

Moved by Robert Munro, second by Kent Gardner and carried (5-0) to **approve** purchase of 2021 Police Interceptor AWD SUV for \$33,700 from Whitmotyer, through COSTARS; and 2022 Chevy Malibu for \$19,100 from Whitmoyer, through COSTARS, as presented and discussed.

IX. ORDINANCES AND RESOLUTIONS.

A. ORDINANCE 04-21: Rezoning – Drager Tract, Marietta at High Ridge – Action was taken earlier in the meeting.

X. APPROVAL OF PAYABLES - JULY

PAYROLL & TAXES	\$ 328,241.57	EFT
FULTON - GENERAL FUND	\$ 1,356,844.29	3638 - 3778
FULTON - MS4	\$ 1,380.04	1046
FULTON - REFUSE	\$ 188,820.20	1114 - 1119
FULTON - STREET LIGHT	\$ 4,370.78	1045
FULTON - ESCROW	\$ 12,598.19	2044 - 2045
FULTON - STATE FUND	\$ 2,832.19	1203 - 1209
TOTAL	\$ 1,895,087.26	

Moved by Kent Gardner and seconded by Robert Munro to *approve* payment of all bills between July 1, 2021 and July 31, 2021, and any residuals that may be forthcoming. Motion carried (5-0)

XI. GOOD OF THE ORDER

Upcoming Board of Supervisors Meeting: September 7, 2021 - Regular Meeting.

XII. ADJOURNMENT INTO AUTHORITY MEETING

Chairman Dumeyer called for a motion to adjourn the Board of Supervisors Regular meeting into the Authority meeting (with executive session to follow) at 9:20 p.m.

- **Moved** by Robert Munro and seconded by Kent Gardner to *adjourn* the Board of Supervisors Regular meeting into Authority meeting (with executive session to follow) at 9:20 p.m. Motion passed (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

