

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of October 4, 2022

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 Edward Fisher, Kent Gardner, Naomi Martin, and Robert Munro, were physically present at the meeting. Also in attendance were Township Manager Andrew Stern; Police Chief Lisa Layden, Public Works Director Dale Getz, Land Use Director Dwayne Steager, Finance/HR Director Amy Slutter, and Court Reporter Rhonda Adams. Township Solicitor Joselle Cleary and Recording Secretary Judy Carrier attended remotely via Zoom.

A. CALL TO ORDER

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

2. Chairman Dumeyer announced an Executive Session was held prior to tonight's Board of Supervisors meeting to discuss a personnel matter and that an Executive Session will be held immediately following the Board of Supervisors meeting to discuss a personnel matter.

B. PUBLIC HEARING: Conditional Use, Donald Murphy, 2415 Sangrey Lane, Columbia.

1. Zoning Ordinance Section 707.2, Second Driveway. Chairman Dumeyer opened the Hearing at 7:35 p.m. He explained the nature and purpose of the Hearing and the rules and regulations that will be followed. Zoning Officer Dwayne Steager was sworn in and attested to the proper posting of the property, advertising of the Hearing and the entry of all exhibits into the record. A court reporter was present and the stenographic transcript will be the official record of the Hearing.

This property contains a second driveway on a residential lot requiring conditional use approval from the Board of Supervisors. Attorney Jill Nagey, representing the applicant, presented the case. Donald Murphy, owner of the property, was present to provide testimony and was sworn in. Following testimony and Attorney Nagey's summation, Township Solicitor Joselle Cleary read the Conditions set forth by the Board of Supervisors. Mr. Murphy agreed to the conditions as read and there were no comments or questions from the audience. **Motion** was made by Robert Munro and seconded by Kent Gardner to *close* the Hearing at 8:03 p.m. The motion passed (5-0).

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to **grant** approval, Conditional Use #88, Donald Murphy, 241 Sangrey Lane, Columbia, based on testimony provided at tonight’s Hearing with the condition that no additional driveways will be installed and steps will be taken to address stormwater management subject to the conditions as stated by the Township Solicitor. The motion passed (5-0).

C. APPROVAL OF MINUTES.

1. September 6, 2022 – Regular Meeting. **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the September 6, 2022, Regular Meeting Minutes as amended. The motion passed (5-0).

C. COMMUNICATIONS.

1. Board of Supervisors – Following discussion regarding a change to the Board of Supervisors Regular meeting time from 7:30 p.m. to 7:00 p.m., the Board unanimously agreed to schedule this matter for approval on the November agenda.
2. Township Manager – Andrew Stern reviewed his written report dated September 29, 2022.

INTERNAL MATTERS

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

	2020 YTD	2021 YTD	2022 YTD
EIT	1,845,012	1,980,120	2,089,419
LST	269,993	255,004	212,772
OTHER	3,533	1,545	3,653
NON-RESIDENT	7,989	21,190	31,994
TOTAL	\$2,126,527	\$2,257,859	\$2,337,838

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

2. **Farmdale/Ferndale.** Project is wrapping up. Rettew is currently reviewing about \$45,000 in change orders which will be on your November agenda if warranted.
3. **Police Vehicles.** The two new hybrid SUV’s have arrived. They are lettered but are awaiting the required equipment to arrive and be installed prior to them being in service.
4. **Salt Shed.** A Notice to Proceed has been issued. Truss plans have been approved. We are awaiting an expected date of arrival for materials in order for the project to begin.
5. **Marietta Avenue.** PennDOT has denied our request to reduce speed on Marietta Avenue in the area of Bridge Valley Road. Their response is attached.
6. **Prospect Road.** Captain Ober and I attended the TTAC meeting on September 12, along with resident Mark Rodkey. TTAC recommended approval of safety

improvements to the road near Fairview. At the advice of Lancaster County Planning, we also submitted a request to PennDOT to consider lowering the speed limit between Ironville and Marietta – we are awaiting a response.

7. **Broad Street.** East Hempfield completed a speed study for Broad Street off Spooky Nook. The findings are attached. Please note the speed for that one block between Spooky Nook and Prospect is not officially set, therefore the study used 55mph.
8. **Oyster Point.** On September 15 East Hempfield and I had an online meeting with Will Clark at the County about the Oyster Point intersection. Will does not believe the project warrants being placed on the TIP. EHT and WHT will continue to explore other options for upgrades to this intersection.
9. **Republic.** On September 29, 2022, Dave Dumeyer, Amy Slutter, and I met with representatives from Republic. This came as a result of numerous complaints from our residents about recent service. Republic, along with most refuse companies, are suffering from staffing shortages and equipment failures. They are bringing new staff and trucks online and ask for our patience. They are also working with us to restore communications to make sure complaints are received and resolved by them ASAP. We have added a new Service Concern “button” on our website for residents to submit missed pickups, with automatic notification to Republic.
10. **Fall Newsletter.** The draft newsletter is complete. The final newsletter should be mailed out in about two weeks.
11. **Route 30.** At the September 12 TTAC meeting, TTAC recommended approval for the installation of cross-over prevention along 30 between Columbia and Mountville. This came as a result of our efforts stemming from the many cross-over accidents occurring in that area the past several years. The raw data provided to the state for the period 2017-2021 included:

Total # of Accidents = 366

Total Crossover accidents = 13 Guardrail prevented crossover = 70

Fatal accidents from crossover = 5 Non-Fatal Accidents from crossover = 8

EXTERNAL MATTERS

1. **LCATS.** Annual Convention will be Monday, November 7 at 8:00 am at Yoder’s. Please let me know if you plan to attend and need to be registered.

PERSONNEL

1. **Staffing.** Our Assistant Director of Land Use and our PT Land Use Administrator both resigned. We have hired a new Assistant Director who starts October 17. She is coming from Lancaster County Judicial. We are interviewing for the part time position and hope to have someone for that job very soon as well.

2. **Amy.** Amy will be attending the Lancaster SHRM Fall Human Resources Legal Update Friday, October 30.
3. **Planning Conference.** I will be attending the APA Pennsylvania Planning Conference Sunday October 2-Tuesday October 4. Lancaster is hosting the conference this year and I will be volunteering to assist with the event.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC:** OUR next meeting is scheduled for October 12, 2022, 7:30 am, at Manheim Township.

CORRESPONDENCE

1. **East Lampeter.** We have received a letter advising us of proposed changes to East Lampeter's SALDO ordinance.
2. **462 Bridge.** We have received correspondence from American Engineers Group (AEG) advising of a waterway permit submission to DEP for the 462 bridge improvements.
3. Treasurer's Report - Current Month-to-Date and Prior Month Detail (August 2022) Reports were submitted and reviewed. There were no questions.
4. Department Reports: Police, Public Works, Zoning/Land Use, Fire, EMS. Written reports were received and reviewed.

Police – Chief Layden advised that everything has been normal. Robert Munro questioned the high number of information calls and Chief Layden will look into that.

Public Works – Dale Getz reviewed his written report and provided additional information about the concrete panels being used at several wash out areas in the Township.

Fire - Written reports were received from West Hempfield and Mountville.

Zoning/Land Use – Dwayne Steager submitted a written report and stated there was nothing out of the ordinary.

EMS – Robert Munro commented that he likes seeing several month line of calls.

5. Township Engineer's Report –No questions or comments on Melissa Kelly's written report.

6. Visitors: Lancaster Public Library – Library Development Director Jamie Hall reported on library use by West Hempfield Township residents stating 20% of the residents are card holders and during the last year they borrowed 54,000 items with an estimated value of \$1 million. She informed the Board about the Library’s move to Ewell Plaza in downtown Lancaster stating she hopes by this time next year everyone on the Board of Supervisors will have visited the library in its new location. She also reviewed various fundraising efforts, thanking the Board for their support of the library and asking for the Township’s continued support. Chairman Dumeyer assured that the Township would continue its support of the Library.

7. Residents: Public Comment on Non-Agenda Items
 - Jess Spence, Hilltop, submitted a complaint regarding a neighbor’s camper that has been stored in the front of their house for several years which is against the Township Ordinance and stated it blocks the view of traffic coming down the road. Dwayne Steager will take a look at this. Mr. Spence also registered a complaint about a car parked across the road right on the corner that is a hazard for cars coming around the corner. This will be addressed.

 - Juan Rodriguez, Stony Battery Road, reported his house is 20’ away from the road. He can feel the trucks coming by and is worried about a road expansion. He asked if the expansion could go toward the other end of the road so it doesn’t create any further hazard and asked the Board to accommodate the safety concern of a resident the same as is done for businesses. He also questioned the possibility of widening the shoulder on the EHT/WHT road widening project

 - James Siple, Primrose Lane – Expressed concern about safety at Intersections. He stated he is grateful that the Township comes and looks at things that are reported and wished to inform the Board that the gas line work done in the Spring left large holes in the road. He was advised that this work is not finished and a final restoration will be done when they are in the area.

 - Mike Miller, Hilltop Drive – Asked when the work will be completed. Mr. Stern answered it will be next summer.

D. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

In the past, my SALDO memo identified projects as either **BRIEFING** or **ACTION**. With the recent passage of Pennsylvania Act 65, I am no longer identifying projects in this manner. They will simply be agenda items. In my recommendations below, I will suggest whether they are ready for action or not. By identifying them as BRIEFING, Act 65 may prevent you from acting on the plan even if an applicant requests it and it is ready by the meeting time.

1. **02-2020 Americold Logistics**
3800 Hempland Road
Financial Security Release Request 1

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	\$ 4,620,563.75
Previous Reductions	\$ 0.00
Outstanding Balance	\$ 4,620,563.75

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 \$4,119,257.75, which will leave a new outstanding financial security balance of \$501,306.00. This amount is adequate to cover the costs of the remaining work listed above.

Action Required:

- **Motion** was made by Edward Fisher and seconded by Kent Gardner to **deny** the requested financial security release for this development and to **approve** the financial security for this development be reduced by \$ 4,119,257.75, which will leave a new outstanding financial security balance of \$501,306.00. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion carried (5-0).

**2. 12-2021 - Ruth 4569 Fairview Rd
4569 Fairview Road
As-Built Plan Review No. 1
Financial Security Reduction No. 2**

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	\$ 30,155.34
Previous Reductions	\$ 12,760.34
Outstanding Balance	\$ 17,395.00

Based on our site visit and a review of the documentation, the Township Engineer has recommended that the remaining financial security for this development (\$ 17,395.00) be released.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the financial security for this development be reduced by \$ 17,395.00, which will leave a financial security balance of \$ 0.00. The motion carried (5-0).

**3. 10-18 St Mary's Coptic Orthodox Church
770 Summit Drive
Financial Security Reduction No. 1**

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	\$ 336,767.42
Previous Reductions	\$ 0.00
Outstanding Balance	\$ 336,767.42

Based on our site visit and a review of the documentation, the Township Engineer has recommended that the financial security for this development be reduced by \$222,321.42, which will leave a new outstanding financial security balance of \$114,446.00. This amount is adequate to cover the costs of the remaining work listed above. The Municipalities Planning Code (MPC), Section 509 (j) as amended, states that the Township may require the retention of one hundred ten percent of the estimated cost of the remaining improvements prior to final release of the financial security.

- **Motion** was made by Kent Gardner and seconded by Robert Munro to *deny* the requested financial security reduction of 320,107.72 for this development and to *approve* the financial security for this development be reduced by \$222,321.42, which will leave a new outstanding financial security balance of \$114,446.00. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion carried (4-0-1) with Edward Fisher abstaining.

**4. 09-2021 4324 Marietta Ave Turtle Race
Financial Security Reduction No. 1**

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	\$ 377,384.00
Previous Reductions	\$ 0.00
Outstanding Balance	\$ 377,384.00

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 \$222,100.00, which will leave a new outstanding financial security balance of \$155,284.00. This amount is adequate to cover the costs of the remaining work listed above. The Municipalities Planning Code (MPC), Section 509 (j) as amended, states that the Township may require the retention of one hundred ten percent of the estimated cost of the remaining improvements prior to final release of the financial security.

Action Required:

- **Motion** was made by Kent Gardner and seconded by Edward Fisher to **deny** the requested financial security reduction for this development and to **approve** the financial security for this development be reduced by \$ 222,100.00, which will leave a new outstanding financial security balance of \$155,284.00. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion carried (5-0).

5. Koser

Minor Land Disturbance Plan Waiver Request

Location: 2526 Ironville Pike

Zoned: RR

Lot Size: 3.6 Acres/ 156,816.0 ft²

The applicant requests a waiver from major disturbance requirements per SWMO section 122.36.b to allow this project to be submitted as a minor disturbance Stormwater Management plan. The project proposes removal of existing impervious area and construction of a single-family dwelling with a disturbed area of 41,132 SF. Impervious areas in the full buildout (after construction of the dwelling) is 2,696 sf less than preconstruction conditions. E&S plans have been filed & approved by the Lancaster County Conservation District.

SWMO Section 122.36.b. – The ordinance defines Major Land Disturbance as projects exceeding 5,000 sf of disturbance and additional impervious area exceeding 2,500 sf.

Mark Magrecki, Penn Terra Engineering, Inc., was present to discuss the waiver request.

No action was taken at this time.

6. 08-2022 4697 Breezy View SWM Plan_Stotler

Stormwater Management Plan

Location: 4697 Breezy View Drive

Zoned: RR

Lot Size: 0.98 Acres/ 42,688.8 ft²

The applicant is proposing a Single-Family Home and associated improvements.

Dwayne Steager explained the proposal. No action was taken at this time.

D. UNFINISHED BUSINESS – None

E. NEW BUSINESS

1. 2023-2027 West Hempfield Township Police Association Agreement – Andrew Stern reviewed the agreement and recommended approval and to authorize staff to make the final insurance decision.
 - **Motion** was made by Robert Munro and seconded by Kent Gardner to *approve* the proposed 2022 Agreement between West Hempfield Township and West Hempfield Township Police Association. The motion carried (5-0).
 - **Motion** was made by Kent Gardner and seconded by Robert Munro to *authorize* Staff to make the final decision regarding Insurance. The motion carried (5-0).
2. West Hempfield Fire & Rescue (WHFR) – New Fire Engine Purchase. Andrew Stern reviewed his memo dated September 21, 2022 providing background, a suggested scenario, and his recommendation.
 - **Motion** was made by Edward Fisher and seconded by Kent Gardner to *authorize* West Hempfield Fire & Rescue to proceed with the ordering of an E-One Fire Engine for an approximate cost of \$830,000, with a total approximate project cost of \$900,000, with the condition that the engine be titled jointly to West Hempfield Fire & Rescue and West Hempfield Township. The motion carried (5-0).
3. West Hempfield Township Pollution Reduction Plan Update – Andrew Stern reviewed his memo dated September 29, 2022.
 - **Motion** was made by Kent Gardner and seconded by Robert Munro to *approve* the revised Plan. The motion carried (5-0).
4. Schedule Budget Work Session, November 2022 – The Board unanimously agreed to schedule a Budget Work Session on Monday, November 7, 2022, at 2:30 p.m.

F. ORDINANCES, RESOLUTIONS, AND AGREEMENTS

1. Resolution 15-22: Act 57 of 2022 Real Estate Tax Waivers – Andrew Stern reviewed the Resolution.
 - **Motion** was made by Robert Munro and seconded by Kent Gardner to *adopt* Resolution 15-22: Act 57 of 2022 Real Estate Tax Waivers. The motion passed (5-0).

2. Resolution 16-22: Sewer Facilities Planning Module, Silver Spring Pump Station.
Andrew Stern reviewed the Resolution.

➤ **Motion** was made by Kent Gardner and seconded by Robert Munro to **adopt** Resolution 16-22: Sewer Facilities Planning Module, Silver Spring Pump Station. The motion passed (5-0).

H. APPROVAL OF PAYABLES – A listing of WHT September 2022 Check Registers was provided and reviewed. **Moved** by Kent Gardner and seconded by Rob Munro to **approve** payment of all bills between September 1, 2022 and September 30, 2022 and any residuals that may be forthcoming. Motion carried (5-0).

I. GOOD OF THE ORDER

- **NO MUNICIPAL AUTHORITY MEETING THIS MONTH.**
- **UPCOMING MEETING:** Tuesday, November 1, 2022: Regular Meeting

J. ADJOURNMENT

Chairman Dumeyer called for a motion to adjourn the meeting into Executive Session to discuss a Personnel issue. **Moved** by Robert Munro and seconded by Kent Gardner to **adjourn** the meeting into Executive Session at 9:28 p.m. to discuss a Personnel issue. The motion carried 5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

