

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING  
Minutes of July 5, 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; Director of Land Use Dwayne Steager; Police Chief Lisa Layden; Robert E. Sisko, Esq., Morgan, Hallgren, Crosswell & Kane (filling in for Township Solicitor Josele Cleary); and Rhonda Adams, a Court Stenographer. Recording Secretary Judy Carrier attended remotely via Zoom.

A. CALL TO ORDER - Chairman Dumeyer called the meeting to order at 7:30 p.m. and led with the Pledge of Allegiance.

B. CONDITIONAL USE #87, Provanzo, 760 High Ridge Road (corner of Marietta Avenue).

1. Public Hearing, Open Space Design Option in R2 District. Chairman Dumeyer opened Conditional Use #87 Hearing at 7:35 p.m. by introducing the Board of Supervisors, the Township Manager and the Township Solicitor and explaining 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. There were no Parties of Interest. A court reporter was present and the stenographic transcript will be the official record of the Hearing.

Claudia Shank, Esq., McNees Wallace Nurick, Counsel for the Applicant, Scott F. Provanzo & Jason P. Provanzo, distributed several handouts and introduced William Swiernik, PE, David Miller/Associates, an expert in Civil Engineering. **Motion** was made by Edward Fisher and seconded by Kent Gardner to **recognize** William Swiernik as a professional expert witness and Mr. Swiernik was sworn in to provide testimony. A Narrative in Support of the Conditional Use Application was provided, Mr. Swiernick presented additional evidence and testimony, and the Applicant's additional request for an alternate timetable for plan processing was discussed. Following Mr. Swiernik's testimony, the public was invited to express their comments and/or concerns.

- Jeff Schaum, High Ridge Road, asked about the number of units in each phase. He was advised there would be follow-up to those questions.
- Charity Locks, via Zoom, decided to hold her question until after the Traffic Engineer speaks.

Jay E. States, PE, Grove Miller Engineering, Inc., was sworn in as an Expert Witness and walked the Board through the Traffic Count Analysis. Mr. Fisher asked for clarification of the completion date for Level C and was informed the completed build-out would be in 2033. Mr. Munro asked for the number of Traffic Studies that Mr. States has done per year. The number given was 30-40, plus timing for reviewing data. The Board of Supervisors had no further questions and members of the public were invited to express their questions and/or concerns.

- Jeff Schaum, High Ridge Road, asked if there would be any changes to High Ridge Road.
- Charity Loucks, Heather Lane, has concern with the addition of 69 homes and the 55mph speed limit. She also asked if any upgrades to the sanitary sewer system were planned.
- Cathy Cheney expressed concern with speeding, turn lanes, and how water run-off would affect her property.
- Jeff Troyers, High Ridge, is concerned about maintenance issues caused by stormwater washout and that Prospect and Fairview are not included in the traffic studies. He also wished to know intentions regarding the open/woody area. Township Manager Andrew Stern was sworn in and testified to the Township's requests to the Developer relating to the open/woody area and PennDOT's agreement that traffic studies on Prospect and Fairview were not warranted and explained the reasoning.
- Donna Bushong, Meadow Lane, would like to see more detailed information on the traffic studies and the effect of school bus traffic.
- Gretchen Houser-Benner, Magnolia Drive, commented on traffic issues, crash history and high number of accidents at intersections and would like to see crash data.
- Manual Navea, Heather Lane (Via Zoom) commented on traffic from Jasmine down to Bridge Valley, the 2013-2018 history of this development and the 2018 zoning change, capacity of public water and sewer to sustain existing developments and proposed development and infrastructure in water/sewer/roads.

Attorney Shank responded that confirmation of sufficient capacity was received from both water and sewer authorities. LASA is responsible for keeping their systems functional. The applicant has provided evidence that they do have public water and sewer and this information has been included in the information packets provided.

Jason Provanzo, Applicant and equitable owner of the property, was sworn in and testified as to the proposed development insofar as type of homes and options for customization. Questions from the Supervisors included the walking path, play areas for children as well as toddlers, access to the wooded area, sidewalks, vegetative

screening of retention basins along Route 30, sidewalks and purpose of Lot #56. Attorney Shank and William Swiernik responded that the Developer prefers to retain the wooded area, houses with rear frontage will possibly have some type of fencing, and vegetation/swale or something else will be planned for the retention basins and noted that these items will be addressed during Land Development. Attorney Shank thanked the Board for their time and consideration and respectfully requested that the conditional use approval be granted based on the narrative provided and the additional evidence and testimony presented.

There being no further comments or questions (Board or Public), **motion** was made by Robert Munro and seconded by Kent Gardner to **close** CONDITIONAL USE #87, Provanzo, 760 High Ridge Road (corner of Marietta Avenue) Public Hearing, Open Space Design Option in R2 District. The motion carried (5-0) and the Hearing was closed at 9:09 p.m. Chairman Dumeyer advised that a decision will be made within the 45-day limit required and a short recess was taken to allow people time to exit.

C. APPROVAL OF MINUTES

June 7, 2022 – Regular Meeting. **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve** the June 7, 2022 Regular Meeting Minutes as presented. The motion passed (5-0).

D. COMMUNICATIONS

1. BOARD OF SUPERVISORS – Chairman Dumeyer appreciated the efforts of Township Staff with the clean-up that occurred after the storm on Saturday evening.
2. TOWNSHIP MANAGER – Mr. Stern announced that Amy Slutter has been promoted to Director of Finance and HR. He also echoed Mr. Dumeyer’s comments regarding Saturday’s storm and shared that four people came in even though it was a holiday. Twelve roads were closed and all were opened by 1:00 a.m. At 1:00 a.m. when heading back to Public Works they learned that residents had come together and opened several roads that were partially closed. That was greatly appreciated! He then briefly reviewed the following written report dated June 30, 2022:

**INTERNAL MATTERS**

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

	2020 YTD	2021 YTD	2022 YTD
EIT	1,237,745	1,300,939	1,416,087
LST	206,945	179,083	140,277
OTHER	3,160	977	1,658
NON-RESIDENT	4,349	13,356	22,082
<b>TOTAL</b>	<b>\$1,452,199</b>	<b>\$1,494,355</b>	<b>\$1,580,104</b>

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

2. **LCATS.** There will be an LCATS event on July 28, 2022 at Four Seasons. Please let me know ASAP if you plan to attend.
3. **Woody Waste.** As you are aware, a resident drive into our new gate and destroyed it. We are working with the resident's insurance and the fence company to schedule repair/replacement.
4. **Escrows.** We are continuing our efforts to return old escrow funds to their rightful owners. For June, we are returning a total of \$20,698 to 21 property owners (will show up on the July 1, 2022, payables list).
5. **Salt Shed.** Rettew has finished the bid specs and it is on PennBid at this time. Bids are due by July 19.
6. **"Due to/Due Froms".** You will note in the Payables that there were several large payments from the General Fund to other funds on June 3. These payments were part of our Finance Department's efforts to clean up our finances from the beginning of the year. Revenue brought into the General Fund which really belongs in another fund must be moved through this process. Smaller payments will continue going forward, but not the large ones you see this month.
7. **PLGIT.** PLGIT interest rates have risen to the point where it makes sense to move money around again. We will be opening a reserve account for the Authority, a reserve account for ARPA funds, and a few other minor changes. We will also be looking at longer term PLGIT investments for our reserve accounts (6 months – 1 year).
8. **Farmdale/Ferndale.** The project is well underway and should soon start wrapping up. Contractor has been very responsive to the handful of resident concerns we have received. We had one PA ONE CALL issue involving a mismarked line which was hit. Rettew is working with the contractor to determine additional costs and our possible recourse.
9. **Sycamore Drive.** At the June meeting, the Board authorized condemnation for a small easement as part of the Sycamore Drive stormwater project. Since that time all parties have come to an agreement in the matter, thus eliminating the need for condemnation. Our Solicitor will be working with the other attorneys to finalize necessary paperwork.

**EXTERNAL MATTERS**

1. None at this time.

**PERSONNEL**

1. **Staffing.** We are full staffed!

**OUTSIDE BOARDS AND COMMITTEES**

1. **LIMC:** OUR next meeting is scheduled for August 10, 2022, 7:30 am, at East Lampeter Township.

**CORRESPONDENCE**

1. **Columbia Water Company.** We have received the 2021 Annual Water Quality Report.
2. **LASA.** We have received notice of changes to LASA's rules and regulations for the discharge of industrial wastewater from existing and potential industrial users.
3. **TREASURER'S REPORT** – Current Month-to-Date and Prior Month Detail (May 2022) Reports were submitted and reviewed.
4. **DEPARTMENT REPORTS:** Police, Public Works, Zoning/Land Use, Fire, EMS. Written reports were received and reviewed. Chief Layden had nothing significant to add to her report. Dale Getz was not present and any questions regarding his written report should be passed along to Andrew Stern. Dwayne Steager reviewed his written Land Use Department Report dated June 29, 2022. Reports were received from Mountville and West Hempfield Fire Companies. The EMS Report was reviewed and several issues are being addressed with Mr. Stern. The Board would like to see a report showing trends for number of calls and units responding.
5. **TOWNSHIP ENGINEER'S REPORT:** Melissa Kelly was not present and there were no questions on her written report.
6. **RESIDENTS: PUBLIC COMMENT ON NON-AGENDA ITEMS** – None

**E. 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. Hershey WHTPC 03-2022**

**Sketch Plan**

**Location: 4493 Chinchilla Avenue**

**Zoned: R2 & RA**

**Lot Size: 14.78 Acres/ 643816.8 ft<sup>2</sup>**

The applicant is submitting a Sketch Plan for a proposed five lot Subdivision and Lot Add on Plan, requesting comment.

**Action Required**

➤ **Provide Comment**

Rob Visniski, RAV Associates, was present with Bob Hershey, owner of the tract, to present the sketch plan and requested modifications. Mr. Stern noted this property has been looked at for development for many many years. He referred to Rettew Associates Review letter dated June 10, 2022 and discussed the many concerns that exist with this property. Edward Fisher commented on sewer issues and ground water pollution. The Supervisors offered suggestions and agreed with staff as to the best use of the property.

F. UNFINISHED BUSINESS

1. Stony Battery Walking Path w/East Hempfield. Cindy Schweitzer, East Hempfield Township Manager, referred to her letter dated June 10, 2022 which explained EHT's concept and reviewed what EHT proposes. **Motion** was made by Kent Gardner and seconded by Edward Fisher to **adopt** the concept presented by Mrs. Schweitzer for the elimination of the small stretch of roadway between Stony Battery and Kauffman. The motion unanimously passed (5-0).
2. Stony Battery Paving Discussion. East Hempfield Township Manager Cindy Schweitzer was present to discuss and answer any questions. Andrew Stern referred to his memo dated June 29, 2022 pertaining to the 2020 Memorandum of Understanding between East and West Hempfield Townships for the paving of Stony Battery Road. East Hempfield is now ready to move forward and has asked West Hempfield to increase its contribution from \$200,000 to approximately \$264,590. The increased cost is mostly due to the recent rising costs of materials. During discussion, Mr. Munro objected to paying half and provided his reasons. Mr. Fisher commented on the issue of the boundary being on the center of Stony Battery Road and that the road needs maintenance. The road is used by many more vehicles than just EHT and WHT. Staff is recommending that \$265,000 be approved for the original project scope.

G. NEW BUSINESS

1. Field of Screams, PennDOT Special Event Permit. **Moved** by Kent Gardner and seconded by Robert Munro to **approve** the Field of Screams, PennDOT Special Permit as requested. The motion carried (4-0-1) with Edward Fisher abstaining.

2. Hempfield Hill Road – Rettew Proposal. **TABLED** until the next Supervisors meeting in August on **motion** made by Robert Munro seconded by Kent Gardner and carried (5-0).
3. Employee Policy: CDL Training. **Moved** by Kent Gardner and seconded by Robert Munro to **adopt** the Employee Policy: CDL Training. The motion passed (5-0).
4. 2022-2024 Signal Maintenance Agreement. **Moved** by Robert Munro and seconded by Kent Gardner to **award** the contract for July 2022 through June 2024 to Signal Service, Inc., for \$5,500 as per their proposal dated May 16, 2022. The motion carried (5-0).
5. Freightliner, 902 Grant Truck Chassis, purchase adjustment. **Moved** by Edward Fisher and seconded by Kent Gardner to **approve** the new price of \$118,878.00 for the Freightliner truck chassis as presented. The motion passed (4-1) with Robert Munro voting nay.
6. Police Vehicles: Order for 2023. **Moved** by Edward Fisher and seconded by Robert Munro to **approve** ordering two 2023 police vehicles as soon as we are able to do so. The motion passed (5-0).
7. Hempfield recCenter Annual Golf Tournament, October 7, 2022.
  - a) Par Sponsor, \$100. **Moved** by Robert Munro and seconded by Kent Gardner to **approve** \$100.00 Par Sponsor payment for the Hempfield recCenter Annual Golf Tournament, October 7, 2022. The motion carried (5-0).
8. Authorize Solicitor to advertise Ordinance to amend Noise Ordinance. **Motion** was made by Kent Gardner and seconded by Robert Munro to **authorize** the Solicitor to advertise Ordinance to amend Noise Ordinance. The motion passed (5-0).
9. Authorize Solicitor to advertise Ordinance to amend Stormwater Management Ordinance. **Motion** was made by Kent Gardner and seconded by Robert Munro to **authorize** Solicitor to advertise Ordinance to amend Stormwater Management Ordinance. The motion passed (5-0).
10. Authorize advertisement for Pollution Control Plan (PRP) revision. **Motion** was made by Robert Munro and seconded by Edward Fisher to **authorize** advertising the revised Pollution Control Plan (PRP) for public review and comment. The motion passed (5-0).

11. Farmdale/Ferndale

- a) Funding – DOLI Payment Request #1, \$464,121.90. **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** payment in the amount of \$464,121.90 as requested. The motion passed (5-0).
- b) Funding – Source of Funds. Andrew Stern referred to his memo dated June 30, 2022 that provided several options for source of funding and asked for the Board’s preference. The Board unanimously agreed to borrow the funds and pay back down.

H. ORDINANCES, RESOLUTIONS, AND AGREEMENTS - None

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

J. GOOD OF THE ORDER

- o UPCOMING BOARD OF SUPERVISORS MEETING: **Thursday, August 4, 2022**: Regular Meeting.

- K. ADJOURNMENT – Chairman Dumeyer adjourned the meeting into Municipal Authority meeting at 10:36 p.m.

Respectfully submitted,



Andrew Stern,  
Township Manager

