

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of January 3, 2023

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 3, 2023 at 7:00 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; Director of Land Use Dwayne Steager; Director of Planning Lindsay Gerner, Director of Finance/HR Amy Slutter; Public Works Director Dale Getz; Police Chief Lisa Layden; and Township Engineer Melissa Kelly. Recording Secretary Judy Carrier was in attendance remotely via Zoom.

REORGANIZATIONAL MEETING

- A. CALL TO ORDER – David Dumeyer called the Reorganizational meeting to order with the pledge of allegiance.
- B. Nomination and election of officers.
Kent Gardner moved, seconded Robert Munro by 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 Amy Slutter as Assistant Secretary/Treasurer. Motion carried (5-0).
- D. 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).
- E. Appointment to the West Hempfield Township Municipal Authority.
Kent Gardner moved, seconded by Edward Fisher to **appoint** Naomi Martin to the West Hempfield Township Municipal Authority, term to expire December 31, 2027; and to **appoint** Robert Munro to the West Hempfield Township Municipal Authority, term to expire December 31, 2028. Motion carried (5-0).
- F. Appointment of Special Counsel for Labor Matters.
Robert Munro moved, seconded by Kent Gardner to **appoint** Post & Schell, P.C. as Special Counsel for Labor Matters. Motion carried (5-0).

G. Appointment of Township Engineer.

Kent Gardner moved, seconded by Robert Munro to **appoint** Rettew Associates Township Engineer and C. S. Davidson as Alternate Township Engineer. Motion carried (5-0).

H. Appointment of Sewage Enforcement Officer and Alternate.

Kent Gardner moved, seconded by Robert Munro to **appoint** Marvin Stoner SEO and David Lockhart as Alternate SEO. Motion carried (5-0).

I. Appointment of Building Code Official.

Robert Munro 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.

Robert Munro moved, seconded by Kent Gardner to **appoint** Dwayne Steager, BCO, as Zoning Officer and Lindsay Gerner and Linda Ringer as Assistant Zoning Officers. Motion carried (5-0).

K. Appointment of Auditor for our 2022 financial statements.

Kent Gardner moved, seconded by Robert Munro to **appoint** Bertz & Hess, Certified Public Accountants, to audit the Township's 2022 financial statements, not to exceed \$13,975. Motion carried (5-0).

L. Appointment to the Planning Commission

Robert Munro moved, seconded by Kent Gardner to **reappoint** Joel Wamsley and Carl Manelius to the Planning Commission, term to expire December 31, 2026. Motion carried (5-0).

M. Appointment to Zoning Hearing Board.

Kent Gardner moved, seconded by Robert Munro to adopt Resolution 1-23 **reappointing** Daryl Peck to the Zoning Hearing Board, term to expire December 31, 2027. Motion carried (5-0).

N. Appointment of Solicitor to Zoning Hearing Board.

Robert Munro moved, seconded by Kent Gardner to **appoint** Nikolaus & Hohenadel as Zoning Hearing Board Solicitor and to **appoint** Julie Miller, Russell Kraft & Gruber as Alternate Zoning Hearing Board Solicitor. Motion carried (5-0).

O. Appointment of Open Records Officer.

Robert Munro moved, seconded by Kent Gardner to **appoint** Linda Ringer as Administration Open Records Officer and to **appoint** Kerri Sensenig as Police Department Open Records Officer. Motion carried (5-0).

- P. Appointment of voting delegate for the PSATS state convention.
Robert Munro moved, seconded by Kent Gardner to **appoint** Andrew Stern as voting delegate for the PSATS state convention and to **appoint** David Dumeyer as the Alternate Voting Delegate for the PSATS state convention. Motion carried (5-0).
- Q. Designation of depository for Township funds.
Robert Munro moved, seconded by Kent Gardner to **designate** Fulton Bank, ACNB Bank, PLGIT, and Charles Schwab as depository for Township funds. Motion carried (5-0).
- R. Set 2023 mileage reimbursement rate to be IRS standard rate.
Robert Munro moved, seconded by Kent Gardner to **set** 2023 mileage reimbursement rate to be IRS standard rate. Motion carried (5-0).
- S. Adopt 2023 Purchasing Policy.
Robert Munro moved, seconded by Kent Gardner to **adopt** the 2023 Purchasing Policy. Motion carried (5-0).
- T. TDR Fair Market Value.
Robert Munro moved, seconded by Kent Gardner to **adopt** Resolution 2-23 (per Ordinance 03-2021) establishing Estimated Fair Market Value of a Transferable Development Right for 2023. Motion carried (5-0).
- U. Setting bond amount for Treasurer and Assistant Treasurer.
Robert Munro moved, seconded by Kent Gardner to **set** the 2023 bond amount for the Treasurer and Assistant Treasurer at \$1,500,000. Motion carried (5-0).
- V. Adjournment of organizational meeting into regular meeting.
Kent Gardner moved, seconded by Robert Munro to **adjourn** the Organizational Meeting into Regular Meeting at 7:13 p.m. Motion carried (5-0).

REGULAR MONTHLY MEETING

- A. CALL TO ORDER – Chairman Dumeyer called the meeting to order at 7:14 p.m.
- B. POLICE PROMOTION: CAPTAIN GEORGE BRACE. Chief Lisa Layden reviewed Capatin Brace’s background with the department, which began in January 2002. In 2007, he was promoted to Detective. Until his current promotion to Capatin for CID, he served as Detective Sergeant. Captain Brace has had many accomplishments in his career here at West Hempfield. Chief Layden and the Board congratulated him on his promotion.
- C. APPROVAL OF MINUTES – TABLED

Do to circumstances beyond the Board’s control, minutes from December 2022 have been delayed.

D. COMMUNICATIONS

1. BOARD OF SUPERVISORS – None
2. TOWNSHIP MANAGER – Andrew Stern reviewed his written report.

INTERNAL MATTERS

1. **Revenues.** Update on EIT and LST. Distributions from LCTCB are shown below. We have an increase of \$195,031, or 6.7% from 2021.

	2020 YTD	2021 YTD	2022 YTD
EIT	2,396,502	2,546,275	2,772,296
LST	332,860	328,501	287,686
OTHER	11,249	7,740	11,657
NON-RESIDENT	13,563	32,912	38,820
TOTAL	\$2,754,174	\$2,915,428	\$3,110,459

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

2. **Salt Shed.** Project is almost complete.
3. **Insurance.** Staff is working closely with our new insurance providers to make sure we are ready for January 1, 2023. A special thank you to Amy who has been putting together packets for employees with all the new information.
4. **Police Vehicles.** Both vehicles involved in December accidents have been deemed total losses. I have been working closely with our insurance carrier to finalize settlements. A special thank you to Captain Ober for helping with logistical issues (estimates, moving vehicles, removing Township equipment, etc.). One of our new SUV's is now in service. The second one should soon be in service. The third will arrive in January and then need to be upfitted; we have placed orders for the needed equipment.
5. **OLDS.** Our new Planning Director is working to update and refine our On-lot Sewer Disposal System program.
6. **Farm Day.** Staff, led by our Planning Director, are working towards holding a Farm Day event for Township farmers, hopefully this spring or early summer.
7. **Board Pay.** At the LCATS meeting, mention was made of a law being considered at the state level to increase allowable Board pay. As a result, I have had our solicitor provide information on your options as a Board (see attached). Increases would only pertain to persons elected or reelected after such change by our Board would be made.

The Board asked that we revisit this discussion in January.

Rob Munro motioned, and Kent Gardner seconded, to authorize staff to advertise the Board Pay Ordinance for consideration at the February 7, 2023 Board meeting.

The purpose of this ordinance is to bring our current policy in compliance with current and potential future state law as it pertains to the stipends Board members in the future will receive when elected or re-elected.

EXTERNAL MATTERS

None at this time.

PERSONNEL

1. **Police.** We have a Level 2 Grievance for the Board to review in executive session.
2. **Staffing.** We are fully staffed for all non-uniformed positions.
3. **Police.** Three of the four officers offered positions have accepted. We are awaiting a response from the fourth.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** LIMC met at West Hempfield Township on December 14, 2022. Kent, Dwayne, Lindsay, Amy, and I attended.

CORRESPONDENCE

None at this time.

3. TREASURER'S REPORT

Current Month-to-Date and Prior Month Detail Reports were submitted and reviewed. There were no questions.

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

Police – Chief Layden submitted a written report. She noted that for December it only accounts for 20 days due to the need to complete it prior to the holidays.

Public Works – Dale Getz submitted a written report. Ed Fisher thanked him and his staff for the great job they did during the recent ice storm.

Zoning/Land Use – Dwayne Steager submitted a written report and remarked that the staff is still very busy despite it being winter.

Fire – There were no questions or comments on the reports received from West Hempfield and Mountville.

EMS – Penn State Life Lion filed a report which was provided to the Board.

5. TOWNSHIP ENGINEER’S REPORT – Melissa Kelly thanked the Board for appointing Rettew Associates as Township Engineer for 2023. She submitted a written report.

- Rob Munro would like to see hemp plants in the rain gardens here at the Township as hemp is part of our Township’s history.

6. RESIDENTS: PUBLIC COMMENT ON NON-AGENDA ITEMS

- Phillip Smith, 3325 Pin Oak Lane, expressed concern about the Board considering increases to their pay.
- Three Boy Scouts attended for their Citizenship in Society badges:
 - Autumn Winand, Troop 349
 - Nancy Winand, Troop 349
 - Christopher Winand, Troop 267

E. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

1. **WHTPC12-2022 525 Prospect Road – Conley (90 Day 4-15-23)**
Lot Add-on Plan
Applicant: Samuel and Della Conley
Location: 525 Prospect Road,
Zone: RA – .45 acres/ 19602.0 ft².

The John Conley is proposing a building addition to his home at 535 Prospect Road Mount Joy PA 17552. This site is currently only 0.463 acres and does not meet the rear setback requirements. The applicant is proposing to add 0.797 acres from the lands of Applicant Samuel and Della Conley to make the lot 1.26 acres which is conforming as well as the rear yard setback. An alternate septic drain field on the Samuel Conley farm was tested and an easement has been proposed.

REQUESTED MODIFICATIONS AND WAIVERS

Section 404.A.1 Plan Scale

They are requesting a modification of Section 404.A.1 Plan Scale of the West Hempfield Township Subdivision and Land Development Ordinance. The ordinance requires plans to be at 1"=20' or 1"=50'. Sheet 2 is at 1"=200'. This is the overall sheet which only shows the description of the entire 98 acre farm. It would take multiple sheets to show this at 1"=50' and would add no additional information than what is shown now.

Section 111-56 of Article IV On-Lot and Community Sewage. This section requires that:

“After the effective date of this article, a replacement location for an OLDS shall be required for all lots or lots to be created which are not serviced or to be serviced by a public sewer system or for which a valid permit for an OLDS has not been issued. The replacement location shall comply with the Act and with all regulations issued by the Department as incorporated into this article concerning OLDS, including isolation distances, and with the terms of this article and any other applicable Township ordinances.”

Lot 1 was created sometime during the 1930's when permits were probably not required. The septic system was replaced in 2007 when permits were required. The Conley's have lost the permit, the SEO does not have a copy and told us that the Township should have it but we were told by the Township that they do not keep records that long. We have submitted and have attached the design of the system, by your current SEO and the receipt for the construction of the system to the Township and believe that this is a legal, valid system. It would not have been permitted by your SEO unless a permit was obtained. We do not believe that a replacement location is required for Lot 1.

Action Required:

No action recommended at this time.

F. UNFINISHED BUSINESS

1. Chiques Creek PRP Project. As the Phase 2 permit was approved sooner than anticipated, Rettew and staff are recommending we add Phase 2 to Phase 1 which is currently out to bid.

Motion by Edward Fisher, seconded by Rob Munro to add Phase 2 to Phase 1 for bidding. Motion carried 5-0.

G. NEW BUSINESS

1. MOU to Terminate NWLCRT Agreement

Rob Munro provided information on this request and recommended that we table it and communicate to the trail committee a desire for a new agreement to replace this agreement so consistency amongst the municipalities can be maintained.

Motion by Rob Munro, seconded by Kent Gardner to table action on this. Motion carried 5-0.

2. Farmdale / Ferndale Stormwater Project
 - i. Change Order #1: \$27,098.03
 - ii. Payment #4: \$158,748.80

Motion by Rob Munro, seconded by Kent Gardner, to approve Change Order #1 and to authorize payment #4. Motion carried 5-0.

H. ORDINANCES AND RESOLUTIONS

1. Resolution 3-23. Mr. Stern explained this resolution adopted the HRA which is part of the employee's new health insurance plan which took effect January 1.

Motion by Rob Munro, seconded by Kent Garder to approve Resolution 3-23. Motion carried 5-0.

I. APPROVAL OF PAYABLES – DECEMBER

Moved by Kent Gardner and seconded by Robert Munro to *approve* payment of all bills between December 1, 2022 and December 31, 2022, and any residuals that may be forthcoming. Motion carried (5-0).

J. ADJOURNMENT

- **Motion** was made by Robert Munro and seconded by Kent Gardner to *adjourn* the regular monthly meeting and move into the Municipal Authority meeting at 7:51 p.m. The motion passed (5-0).

UPCOMING MEETING: TUESDAY, FEBRUARY 7, 2023: Regular Meeting beginning at 7:00 P.M.

Respectfully submitted,



Andrew Stern,
Township Manager

