

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING  
Minutes of October 3, 2023

The regular meeting of the Board of Supervisors was held at the West Hempfield Township Municipal Building, 3476 Marietta Avenue.

Chairman David Dumeyer and Board Members Edward Fisher, Kent Gardner, Naomi Martin and Robert Munro were present at the meeting. Also in attendance were Township Manager Andrew Stern; Director of Land Use Dwayne Steager; Director of Planning Lindsay Gerner; Finance/HR Director Amy Slutter; Public Works Director Dale Getz; and Police Chief Lisa Layden. Recording Secretary Judy Carrier was in attendance remotely via Zoom.

A. CALL TO ORDER - Chairman Dumeyer called the meeting to order at 7:00 p.m. and led with the Pledge of Allegiance.

B. CONDITIONAL USE #90, Buterbaugh & Chatsworth HOA, 702 Bridle Wreath Lane, seeking modification of conditions from 2006 approval related to open space.

1. Render decision. (Public Hearing closed 9/5/2023). Chairman Dumeyer read the Decision written by the Township Solicitor.

➤ **Action Taken:** **Motion** was made by Edward Fisher and seconded by Robert Munro to **approve the Decision to Deny** the modification request for Conditional Use #90, Buterbaugh & Chatsworth HOA, 702 Bridle Wreath Lane as written and read. Motion carried (4-0-1) with Kent Gardner abstaining.

C. APPROVAL OF MINUTES

1. September 5, 2023. **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the September 5, 2023 regular meeting minutes as presented. Motion carried (5-0).

D. COMMUNICATIONS

1. Board of Supervisors – None

2. Township Manager - Andrew Stern reviewed his written report dated Sept. 28, 2023, highlighting that draft changes for Zoning and Right-of-Way Ordinances and DROP provisions for police will be coming to the Board soon for consideration. He also provided an update on the Stony Battery Road spur. Two items were added to the report: (1) We are members of the Lancaster County Uniform Construction Code Board with several other LIMC members and non-LIMC members. Lancaster Township just joined and Mr. Stern will be asking Chairman Dumeyer to re-sign our agreement. Nothing has changed except Lancaster Township is now a signatory as well. (2). Mr. Stern provided the Township's meeting schedules for next year, along with the list of holidays which has been consistent with prior years, and the advertisement that will be sent to the newspaper for meeting dates.

**INTERNAL MATTERS**

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

	2021 YTD	2022 YTD	2023 YTD
EIT	1,949,120	2,089,419	2,183,833
LST	255,004	212,772	239,706
OTHER	1,545	3,653	15,084
NON-RESIDENT	21,190	31,994	41,866
<b>TOTAL</b>	<b>\$ 2,226,859</b>	<b>\$ 2,337,838</b>	<b>\$ 2,480,489</b>

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

2. **Traffic Engineer.** Follow-up interviews were held on September 6 and September 12, including Dave Dumeyer, Ed Fisher, and staff. Those involved are recommending to the full board that the Township appoint HRG as the Traffic/Transportation Engineer and Arro as the Alternate Traffic/Transportation Engineer.
3. **Planning Commission.** West Hempfield Township Planning Commission member Joel Wamsley has resigned as he has relocated outside of the Township. Mr. Wamsley was first appointed in January of 2019.
4. **Stony Battery Road Spur.** The property owner has moved their shed, as per an agreement with East Hempfield Township. East Hempfield is now awaiting an agreement with another property owner prior to us proceeding with the vacation of the spur.
5. **Garfield Road Bridge.** The bridge is closed, at least temporarily. We are awaiting further clarity from PennDOT on what must be done to reopen it, if at all.
6. **Garfield Road Intersection.** As a result of the bridge closure, Rapho Township has offered to work with us to realign the intersection at Prospect Road and cover 50% of the costs. As both of us have Rettew as our engineers, they have suggested we use Rettew for this design. Our staff has expressed concerns about the potential costs of the improvements that Rettew will most likely recommend. For now, we are awaiting a proposal from Rettew for a concept plan and cost estimate, with the understanding that both Townships want to keep the cost as low as possible.
7. **Ordinances.** Staff has been in conversation with our Solicitors. I anticipate the following ordinances to come to the Board soon for consideration:
  - a) We need to update our zoning ordinance to better address short-term rentals. Josele will be working on this.
  - b) We need to update our Right-of-Way ordinances to provide the Township with as much authority as the law allows with respect to what occurs within our ROW's. Josele will be working on this.

- c) **DROP provisions for police.** As I have indicated before, our DROP provisions have language about the first twelve months in DROP which needs clarification. Angela is working on this.

Unless the Board objects, our Solicitor will work on draft changes for the Board to consider.

8. **Heart & Lung.** Last year the Police filed an unfair labor practice about our new Heart & Lung policy. The policy had been written to clarify the process for the police who did not know what the policy was. The policy was based on Pennsylvania law. We withdrew the policy to give the attorneys a chance to discuss it further. We expect that it will soon return to the Board and Association for approval.

#### EXTERNAL MATTERS

1. **Brightspeed.** The Township has received a number of complaints and questions about the work Brightspeed is doing in people's front yards. John Mizerak from Brightspeed will be at the meeting to briefly explain what they are doing and how residents can contact them with concerns.

#### PERSONNEL

1. **Staffing.** We remain fully staffed for all positions.

#### OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** The next meeting will be October 11, 2023, at Manheim Township.
2. **LCATS.** The annual convention will be the morning of November 13, 2023. Please RSVP to me if you have not already done so.

#### CORRESPONDENCE

1. **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 or comments.
4. **Department Reports: Police, Public Works, Zoning/Land Use, Fire, EMS.** Written reports were submitted and discussed.
5. **Township Engineer's Report –** There were no comments or questions on Melissa Kelly's written report.

6. Guest: John Mizerak, BRIGHTSPEED Director of Governmental Affairs. Brightspeed is installing fiber optic lines throughout the Township. Mr. Mizerak, briefly explained what Brightspeed is doing and how residents can contact them with concerns about the work being done in people's front yards. This is NOT a Township project. In accordance with state law, Brightspeed is under the authority and jurisdiction of the PA Public Utility Commission. Resident Kenneth Shields, Grand Oak Road, expressed disappointment with the way the company is handling the work and is concerned with the lack of communication with the residents so they know what to expect. Mr. Mizerak apologized and assured that he will take steps to resolve. Chairman Dumeyer thanked Mr. Mizerak for coming and addressing the inquiries and rumors that have been going around. The Board appreciates the way Brightspeed is working with the Township and the residents and their quick responses.
7. Guest: Lancaster Public Library. Lisa Holland, Executive Director, presented a review of the library's services that included key facts and figures and the increased number of WHT residents utilizing the vast collection of materials and discussed the future of the relationship between the Lancaster Public Library and West Hempfield Township. She introduced two West Hempfield residents who serve as Library Trustees, Theresa Kraft, Steeple Chase Road and Alyson Bachman, Ironville Pike, who shared their positive personal experiences with the Library's services throughout the years. Also present was Sean Smith, Library Treasurer who expressed his appreciation for the Township's contributions to the library. Ms. Holland thanked the Board for the Township's contribution every year and asked for their continued support. The Supervisors thanked her for the services the library provides. Budget discussions are coming up and the Board will take a look what can be done perhaps to meet the requested 4 % increase.
8. Residents - None

#### F. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

##### 1. Resolution 11-2023

###### **Sewer Planning Module**

**Applicant: Gordon Kautz**

**Location: 2413 Sangrey Lane, Columbia PA 17512**

**Zone: Rural Agriculture – 24.1 acres**

The project is located on the west side of Sangrey Lane and consists of subdividing proposed lot 2 (2.023 acres) from the existing Lot 1 (leaving 22.1 acres) and constructing a proposed single-family dwelling (SFD) unit on Lot 2. Lot 1 has an existing SFD. The proposed SFD unit on lot 2 will be serviced by a proposed on-lot well and a proposed on-lot sewage disposal system that will generate 500 gpd. The existing SFD unit on Lot 1 is serviced by an existing on-lot well and on-lot sewage system that generates 500 gpd. This project received a zoning variance approval from the 50-foot frontage requirement at the August 8, 2023 Zoning Hearing Board Meeting.

Andrew Stern reviewed the resolution. After discussion, the following action was taken:

- **Motion** was made by Edward Fisher and seconded by Robert Munro to **adopt and submit** Resolution #11-2023, a Resolution for Plan Revision for New Land Development, to the PA Department of Environmental Protection for its approval as a revision to the Official Sewage Facilities Plan of West Hempfield Township. The motion carried (5-0).

#### G. UNFINISHED BUSINESS

1. Fairview and Silver Spring Park Discussions, HYA. Robert Munro reported a request has been received to add a baseball field. He provided a packet of information explaining the proposal and described the field (diamonds, type of fencing, etc.), and that it can also be utilized for various other uses. After discussion, the following action was taken.
  - **Motion** was made by Robert Munro and seconded by Kent Gardner to **authorize** the HYAA to put their 10U baseball field at Fairview Park and to **authorize** staff to consult our Solicitor to create agreements for our athletic associations using and maintaining our parks. The motion carried (5-0).
2. Appointment of Traffic/Transportation Engineers
  - i. HRG, Inc.
  - ii. Arro, Alternate
  - **Motion** was made by Edward Fisher and seconded by Robert Munro to **appoint** HRG, Inc., as Traffic/Transportation Engineer and Arro, as the Alternate Traffic/Transportation Engineer. The motion carried (5-0).

#### H. NEW BUSINESS

1. Ski Tunes/Lancaster Ski Club Special Event, 10/28/2023 – 10/29/2023. The Lancaster Ski Club, in conjunction with Ski Tunes, would like to hold their 16<sup>th</sup> Annual Ski & Snowboard Swap on October 28 & 29, 2023 in the parking lot in front of the Ski Tunes Ski & Board Shop, which is located next door to 2531 Ironville Pike. Parking is provided in the lot in front of the Shop. Following discussion, **motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the request for a “Special Event” to be held on October 28 & 29, 2023, **approve** the application for a “Temporary Sign Permit” for the banner and signs, and **wave** the sign permit fee as requested. Motion carried (5-0).
2. East Hempfield/West Hempfield Truck Study: Authorization to proceed with recommendations. Andrew Stern explained the process. Following discussion, **motion** was made by Edward Fisher and seconded by Kent Gardner to **authorize** Staff to proceed with the recommendations proposed in the East Hempfield and West Hempfield Townships Truck Restriction Study dated August 2023. The motion carried (5-0).
3. Accept resignation of Joel Wamsley from the WHT Planning Commission and appoint Donna Bushong to fill vacant term, to end December 31, 2026. **Motion** was made by Edward Fisher, seconded by Kent Gardner and carried (5-0) to **accept** the resignation of Joel Wamsley from the WHT Planning Commission. **Motion** was made by Kent Gardner, seconded by Edward Fisher and carried (5-0) to **appoint** Donna Bushong to fill the vacant term on the WHT Planning Commission, to end December 31, 2026.

4. Flyway Excavating, PRP Project, Payments #2 and #3, \$246,825.00. **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** Flyway Excavating, PRP Project Payments #2 and #3, \$246,825.00. Motion carried (5-0).
5. Purchase of Kubota zero turn mower for parks, Messick/Sourcewell, \$17,541.72, and authorization to trade or sell 2016 similar mower. **Motion** was made by Kent Gardner and seconded by Edward Fisher to **purchase** Kbota zero turn mower for parks, Messick/Sourcewell, \$17,541.72, payment to be made from the recreation fund which comes from our subdivision fees-in-lieu of and **authorization** to sell the used 2016 mower to the RecCenter for \$5,000. Motion carried (5-0).

I. ORDINANCES AND RESOLUTIONS

1. Ordinance 3-23: High Ridge Road, Establish Speed Limit of 25 mph. Chairman Dumeyer explained the reasoning behind the Ordinance. **Motion** was made by Edward Fisher and seconded by Robert Munro to **adopt** Ordinance 3-23: High Ridge Road, Establish Speed Limit of 25 mph. Motion carried (5-0).

- J. APPROVAL OF PAYABLES - **Moved** by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between September 1, 2023 and September 30, 2023 and any residuals that may be forthcoming. Motion carried unanimously (5-0).

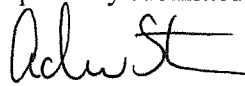
K. GOOD OF THE ORDER

- Chairman Dumeyer requested an Executive Session following the Supervisors regular meeting to discuss police personnel matters.
- There Will **Not** Be a Municipal Authority Meeting This Month.
- **UPCOMING MEETING:** Thursday, November 9, 2023 Regular Meeting 7 PM.

- L. ADJOURNMENT - Chairman Dumeyer requested a motion to adjourn the Board of Supervisors meeting into Executive Session to discuss police personnel matters at 8:21 pm.

- Robert Munro **moved**, second by Kent Gardner to **adjourn** the Board of Supervisors meeting into Executive Session to discuss police personnel matters at 8:21 p.m. Motion carried unanimously (5-0).

Respectfully submitted,

  
Andrew Stern,  
Township Manager

