

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of February 7, 2023

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; Director of Planning Lindsay Gerner; Public Works Director Dale Getz; and Township Engineer Kara Kalupson. Police Chief Lisa Layden and Recording Secretary Judy Carrier were 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. RECOGNITION OF SERVICE

1. Resolution 4-23, Honoring Sergeant Russell Geier on his retirement. The Township announced the retirement of Sergeant Russ Geier who has been with the Police Department since October of 1988 and has served with honor as a patrol officer, administrative sergeant and patrol sergeant. His vast experience and knowledge will be missed; he has not only answered the call for over 34 years, he has been an integral part of training and molding our next generation of officers. Chairman Dumeyer read Resolution 4-23, Honoring Sergeant Russell Geier on his Retirement and the Board formally recognized and thanked Sergeant Grier for his dedicated service. Sergeant Geier was presented Resolution 4-23 and a plaque and Kelly Geier was presented with flowers for her support and the commitment of the family. **Motion** was made by Robert Munro and seconded by Kent Gardner to **adopt** Resolution 4-23, Honoring Sergeant Russell Geier on his retirement. The motion passed (5-0).

C. INTRODUCTION OF NEW POLICE OFFICERS – Police Chief Lisa Layden introduced West Hempfield Township Police Department's two newest officers:

1. Jonathan Hicks, who has a bachelor's and master's degree from the University of Connecticut, and over 2 years of police experience. Jonathan played collegiate football for 4 years and has extensive education in exercise science and sports management.
2. Cameron Powers, who has a bachelor's degree in Legal Studies with a Minor in Business Administration. Cameron has 3 years of experience working as an armed security officer, and about a year and a half as paralegal for a local law firm. She put herself through the police academy and graduated this past December.

Chairman Dumeyer issued the Oath of Office, swearing in both officers. Captain Ober presented them with their badge and family members assisted with the pinning. A short recess was taken to allow time for photographs.

D. APPROVAL OF MINUTES

1. December 6, 2022 - **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the December 6, 2022 Regular Meeting Minutes. The motion passed (5-0) as presented and discussed.
2. January 3, 2023 - **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the January 3, 2023 Regular Meeting Minutes. The motion passed (5-0) as presented and amended.

E. COMMUNICATIONS

1. BOARD OF SUPERVISORS – Kent Gardner noted that LIMC will meet Wednesday, February 8, 7:30 a.m. at Manor Township.
2. TOWNSHIP MANAGER – Andrew Stern reviewed his written report dated January 31, 2023. In addition, he reviewed his memo dated January 31, 2023 regarding a street light relocation request received from Millfield Construction for the Peregrine Development. The Board has no objections and it was deemed that no action was necessary.

INTERNAL MATTERS

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

	2021 YTD	2022 YTD	2023 YTD
EIT	111,390	114,582	116,185
LST	13,494	3,783	6,184
OTHER	365	112	859
NON-RESIDENT	908	871	20
TOTAL	\$126,157	\$119,348	\$123,248

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

2. **ZOOM.** We have been using Zoom for public meetings since March 2020. In recent months, the number of online participants has dropped off to near zero. For Planning Commission and Zoning Hearing Board we no longer provide Zoom unless a participant seeks a medical accommodation in advance of the meeting – this has worked well. **For Board of Supervisors, we would like to move to that model as well – only providing a remote option for medical accommodations when such request is made in advance of the meeting. The Board had no objections.**

I would like to note that we were one of the first municipalities to begin offering an online option for COVID, starting with our PC meeting March 19, 2020. Since that time, we have not canceled any in-person meetings and have, without exception, allowed people to attend all public meetings in-person in addition to the remote option.

3. **Billing Software.** January's trash billing was the first bills we created using our new billing software El Dorado. With the exception of a few glitches, everything has gone well. Our customers now have new options for paperless billing, automatic payments, e-checks, etc. A special THANK YOU to Amy and Ellen for taking the lead with this project. We will be using the software for trash, streetlights, and stormwater, a total of over 30,000 bills per year!
4. **Phone System.** Our phone system is now about 6 years old. We had purchased it for the old building, when the prior system failed, and then moved it to this building. We have been advised by our phone consultants that the system is no longer supported and we should begin to plan for a replacement. We are currently accepting proposals from several companies recommended to us by our IT consultants. We are also speaking to other municipalities and police departments with newer systems to determine what they like and don't like with their systems.
5. **Marietta Avenue Speed Limit.** As you know, I have been working with PennDOT for some time now to have the speed on Marietta Avenue, between Kinderhook and High Ridge, reduced from 55 mph to 45 mph. While we were not completely successful, they have agreed to 50 mph. The developer for the Drager residential development in that area continues to work with PennDOT to try to reduce speed from High Ridge to Jasmine or Bridge Valley.
6. **Hempfield Hill Road.** As the Board is aware, we intend to work along Hempfield Hill Road near Grubb Lake to stabilize the roadway. We have approval from the state to use gabion baskets. As the work will be done on-house, our Public Works Director is seeking to use concrete blocks instead. Rettew is working to obtain approval from DEP. **The Board had no objections.**
7. **PA Human Relations Commission.** We have received notice that the PAHRC has reviewed and closed a complaint filed by a resident in July of 2021. (Copy of decision is attached.)
8. **Park Work.** Hempfield RecCenter will be working to upgrade our park lighting to LED. They will also be working with our Public Works Department to replace the wood side boards in the Fairview roller rink.
9. **Salt Shed.** Project is complete. There are numerous pits in the finished concrete. We have asked that the contractor fill the larger pits.

10. **Police Vehicles.** All new police vehicles have arrived, and all are in service, except the newest which is awaiting upfit. In summary, we have three 2022 Ford Hybrid SUV's (replacement of Chief vehicle, replacement of 2016 Charger, and replacement of totaled 2017 Charger) and one 2023 Ford Hybrid SUV (replacement for totaled 2017 Ford SUV).
11. **Township Logo.** The Township has never had an official logo. We have had a variety of fonts, pictures, designs, etc. with no consistency. This is becoming more important, both for our image and to for the public to have a consistent logo to know something from the Township or belongs to the Township. In 2019 we had attempted to work with the high school to have students design a logo. Due to several issues, including teacher retirement and COVID, this did not work. We have since brought in a graphic designer to hopeful help finalize a logo. The first round of ideas are attached. **Please review and provide feedback ASAP.** We would like to use the logo for bills, vehicles, paperwork, etc.

EXTERNAL MATTERS

None at this time.

PERSONNEL

1. **Police.** We have a Level 2 Grievance for the Board to review in executive session prior to the meeting and then action during the meeting.
2. **Staffing.** We are fully staffed for all non-uniformed positions. Our part-time Assistant Director of Finance will need to reduce hours due to Social Security rules, so we will be seeking a full-time replacement at some point soon.
3. **Police.** Two officers have started. We have not heard from the third since offering him a position (and he accepted). The Police Chief will be interviewing additional candidates soon.
4. **Police Retirements.** Sgt. Geier's last day is January 31. Sgt. Kunkle's last day is February 10. Officer Small's last day is March 30. These officers are using leave time and are no longer on the schedule. In addition, Detective Zeigler is entering the DROP effective March 15.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** LIMC will meet Wednesday, February 8, 7:30 am, at Manor Township.

CORRESPONDENCE

1. **Lancaster EDC.** We have received a "thank you" for our 2023 membership dues payment.

2. **PA Liquor Control Board.** We were notified of BCI's application for a "Bailee for Hire" (storage of alcohol owned by someone else) license application for 3950 Continental Drive.
3. **RHI Magnesita.** We have received a downstream notification letter for RHI.
3. **TREASURER'S REPORT.** Current Month-to-Date and Prior Month Detail (November 2022) 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 and had nothing further to report. Chairman Dumeyer thanked her for the very comprehensive report.

Public Works – Dale Getz submitted a written report and had nothing further to report.

Zoning/Land Use – Dwayne Steager submitted a written report and had nothing further to report.

Fire – Year-End 2022 Fire & Rescue Reports were received from West Hempfield and Mountville.

EMS – Andrew Stern briefly reviewed the information and reported that ambulances are again being delayed at hospitals due to hospital staffing shortages and the hospitals are at capacity.

5. **TOWNSHIP ENGINEER'S REPORT** – Kara Kalupson reviewed the written report. There were no questions.
6. **RESIDENTS** – There was discussion regarding availability of reports to the public.

F. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

1. **12-2022 525 Prospect Rd- Conley (90 days: March 15, 2023)**
Lot Add-on Plan
Applicant: John Conley
Location: 535 Prospect Rd, Mount Joy
Zone: R – 1.26 acres/ 54,885.6 ft².

The site is a non-conforming lot with regard to lot size and rear setbacks. The project proposes to add 0.797 acres from the lands of Samuel and Della Conley to the exiting site. This will increase the lot size to 1.26 acres, making it a conforming lot with regard to lot size and rear yard setback. An alternate septic drain field on the Samuel Conley farm was tested and an easement has been proposed.

Requested Modifications

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Section 404.A.1 – Plan Scale

The applicant has requested a modification of the requirement to provide a plan at a scale of one inch equals 20 feet (1"=20') or one inch equals 50 feet (1"=50'). In the alternative, the applicant has provided the overall existing features sheet at a plan scale of one-inch equals 200 feet (1"=200').

The Township Engineer recommends approval of this modification request based on the justification and alternative provided.

SEWERS AND SEWAGE DISPOSAL ORDINANCE

Section 111-56 – Replacement Location for On-Lot Sewage Disposal Systems

The applicant has requested a modification of the requirement to provide an on-lot sewer absorption area replacement location for Lot 1. The justification provided is that Lot 1 was created in the 1930s, prior to the enactment of this article. In addition, the septic system on Lot 1 was replaced in 2007.

The Township Engineer recommends approval of this modification request based on the justification provided.

Actions

- **Motion made by Edward Fisher and seconded by Robert Munro to approve the requested Modification of Section 404.A.1- Plan Scale based on justification provided. Motion passed (5-0).**
- **Motion made by Edward Fisher and seconded by Robert Munro to approve the requested Modification of Section 111-56 Replacement Location for On-Lot Sewage Disposal Systems based on justification provided. Motion passed (5-0).**
- **Motion made by Edward Fisher and seconded by Kent Gardner to approve the Lot Add-on Plan with the condition that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. Motion passed (5-0).**

2. 13-2022 315 Sylvan Retreat Road (90 days: April 19th, 2023)

Final S&LD Plan

Applicant: Raul and Hetal Patel

Location: 315 Sylvan Retreat Road, Columbia

Zone: R2 – 2.4 acres/ 104544.0 ft².

The site consists of a single family and driveway on a single lot. The project proposes the subdivision of the existing lot into 3 separate lots. Proposed Lot 1 will contain the existing house. Proposed Lot 2 is proposed as a flag lot and will contain a proposed single family detached house with a driveway. Proposed Lot 3 will contain a single family detached house and a driveway. Stormwater will be managed with underground stone beds. The 3 lots will connect to public sewer through LASA and public water through Columbia Water.

Action Required

- **No Action recommended at this time. This matter will be on the agenda for the next Board of Supervisors meeting.**

**3. 14-2022 Dayspring Christian Academy
Preliminary/Final Land Development Plan and Lot Add-On Plan
Applicant: Dayspring Christian Academy
Location: Mountville Borough, stormwater only in WHT
Zone: R2 – ~33 acres**

Applicant is proposing to build a new school in Mountville Borough. Along with the land development, there are also two small lot line relocations. The land development and the lot line relocations are located within Mountville Borough. The only part of the project located within WHT is the stormwater discharge. The project proposes to pipe the stormwater from the site, under Edgemont Road where it will traverse south along Edgemont Road. The stormwater will then flow through a pipe westerly via an easement between properties owned by Ray Kreider and Ray and Bessie Kreider. The stormwater will discharge at a proposed end wall with rip rap along Sylvan Retreat road where it will once again enter a pipe and traverse under Sylvan Retreat road. The applicant has requested a waiver of Land Development from West Hempfield Township and a deferral of plan review to Mountville Borough. Amanda Groff, Harbour Engineering was present on behalf of the applicant to present the request.

Action Required

- **Motion made by Mr. LeFevre and seconded by Kent Gardner to approve the requested waiver of Land Development with conditions that the Township retains the right to review the stormwater on the site. Motion carried (5-0).**

**4. Conditional Use #89
SBCC Land Co., LP (Murry)
1190 Ivy Drive and 875 Stony Battery Road**

The applicant proposes to develop the Property with 99 single-family attached dwelling units, 50 single family semidetached dwelling units, and 128 multi-family dwelling units using the open space design option as outlined in Article 1200 of the West Hempfield Township Zoning Ordinance.

Action Required

- **Motion made by Edward Fisher and seconded by Kent Gardner to forward Conditional Use #89 SBCC Land Co, LP (Murry), 1190 Ivy Drive and 875 Stony Battery Road to the West Hempfield Township Planning Commission for review. Motion passed (5-0).**
- **Motion made by Edward Fisher and seconded by Kent Gardner to schedule a Public Hearing for March 7, 2022 at 7:00 pm. Motion carried (5-0).**

**5. 11-2020 Turtle Race Hemp Facility
4324 Marietta Avenue
Financial Security Release Request 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	\$ 377,384.00
Previous Reductions	\$ 22,100.00
Outstanding Balance	\$ 155,284.00

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 \$104,731.00 which will leave a new outstanding financial security balance of \$ 50,553.00. This amount is adequate to cover the costs of the remaining work listed above.

Action Required:

- **Motion made by Edward Fisher and seconded by Kent Gardner to deny the request that financial security for this development be reduced until such time as the Board of Supervisors has a better timeline on when the remaining work will be completed. Motion passed (5-0).**

**6. 05-2021 Hess Home Builders
520 Betty Lane
Financial Security Reduction Request #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	\$ 57,987.05
Previous Reductions	\$ 0.00
Outstanding Balance	\$ 57,987.05

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 \$4,463.05, which will leave a new outstanding financial security balance of \$53,524.00. This amount is adequate to cover the costs of the remaining work listed above.

Action Required:

- **Motion made by Edward Fisher and seconded by Robert Munro to approve the financial security for this development be reduced by \$ 4,463.05, which will leave a new outstanding financial security balance of \$53,524.00. Motion carried (5-0).**

G. UNFINISHED BUSINESS - None

H. NEW BUSINESS

1. New Fire Engine

- i. Authorize Chair and/or Secretary to Co-Sign Township on WHFR Loan Application to State Fire Commissioner. Andrew Stern reviewed his memo dated February 1, 2023.

Motion was made by Edward Fisher and seconded by Kent Gardner to authorize the Chair and/or Secretary to co-sign Township on the West Hempfield Fire & Rescue loan application to the State Fire Commissioner. The motion passed (5-0).

2. Salt Shed – Andrew Stern reviewed Rettew Associates letter dated January 19, 2023.

- i. Payment #1, \$157, 947.95, Ratify Payment made January 13 (State Fund: \$125,000 General Fund/ARPA: \$32,947.95)

Motion made by Robert Munro and seconded by Kent Gardner to ratify Payment #1 made January 13, 2023 (State Fund: \$125,000; General Fund/ARPA: \$32,947.95). Motion carried (5-0).

- ii. Payment #2, \$65,295.50 (General Fund/ARPA). Andrew Stern reviewed Rettew Associates letter dated January 30, 2023.

Motion made by Robert Munro and seconded by Kent Gardner to approve Payment #2, \$65,295.50 (General Fund/ARPA). Motion carried (5-0).

3. Chiques Creek Pollution Reduction Plan (PRP) Stormwater Project – Andrew Stern reviewed the bids.

- i. Award contract to lowest bidder: Flyway Excavation, \$448,500.00.

Motion made by Kent Gardner and seconded by Edward Fisher to award the contract to the lowest responsible bidder, Flyway Excavation, \$448,500.00. Motion carried (5-0).

4. Authorize advertisement of Paving Bids for 2023. Andrew Stern provided a list of the street resurfacing/paving scheduled for 2023.

Motion was made by Edward Fisher and seconded by Robert Munro to authorize advertisement of Paving Bids for 2023 as provided to the Board. Motion carried (5-0).

5. Authorize sale of 2016 Dodge Charge Police Car via Municibid. Andrew Stern referred to his memo dated January 31, 2023.

Motion was made by Kent Gardner and seconded by Robert Munro to authorize sale of the 2016 Dodge Charge Police Car via Municibid. Motion carried (5-0).

6. Approve Tri-For Life, Hempfield RecCenter, Sunday May 7, 2023.

Motion was made by Kent Gardner and seconded by Edward Fisher to approve the Hempfield RecCenter Tri-For Life, Sunday May 7, 2023. Motion carried (5-0).

7. LCSWMA, Authorize Police Chief to sign a MOU regarding traffic safety on PA-44. Andrew Stern reviewed the letter of intent received from LCSWMA.

Motion was made by Kent Gardner and seconded by Edward Fisher to authorize the Police Chief to sign a MOU regarding traffic safety on PA-441. Motion carried (5-0).

I. ORDINANCES AND RESOLUTIONS

1. Ordinance 1-23: Supervisor Compensation Adjustment to Follow Pennsylvania Second Class Township Code.

Chairman Dumeyer called for a motion to adopt Ordinance 1-23: Supervisor Compensation Adjustment to Follow Pennsylvania Second Class Township Code. The motion died for lack of a second.

2. Resolution 5-23: Paving Escalator

Motion was made by Edward Fisher and seconded by Kent Gardner to adopt Resolution 5-23: Paving Escalator. Motion carried (5-0).

J. APPROVAL OF PAYABLES – JANUARY

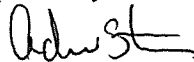
Moved by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between January 1, 2023 and January 31, 2023, and any residuals that may be forthcoming. Motion carried (5-0).

K. GOOD OF THE ORDER

1. There will not be a municipal authority meeting this month.
2. **Upcoming Meeting: BOS Tuesday, March 7, 2023 Regular Meeting 7:00 p.m.**

L. ADJOURNMENT – **Moved** by Robert Munro, seconded by Kent Gardner and carried by the Board (5-0), to **adjourn** the Board of Supervisors meeting at 8:24 p.m.

Respectfully submitted,



Andrew Stern,
Township Manager

