

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of March 7, 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; Public Works Director Dale Getz; Police Chief Lisa Layden; Director of Finance/HR Amy Slutter, Township Solicitor Josele Cleary; Township Engineer Melissa Kelly and Court Reporter Rhonda Adams. Recording Secretary Judy Carrier was in attendance remotely via Zoom.

A. CALL TO ORDER

1. Chairman Dumeyer called the meeting to order at 7:00 p.m. and led with the Pledge of Allegiance.
2. Chairman Dumeyer requested an additional new business item, SEO Appointment, be added to the agenda. **Motion** was made by Edward Fisher and seconded by Robert Munro to **add** New Business Item #6, SEO Appointment Discussion, to the March 7, 2023 Supervisors Meeting Agenda. The motion carried (5-0).
3. Chairman Dumeyer announced that an Executive Session will be held immediately following the supervisors meeting to discuss personnel issues.

B. CONDITIONAL USE #89: SBCC Land Co., LP, 1190 Ivy Drive, 875 Stony Battery Rd.

1. Public Hearing, Open Space Design Option. Chairman David Dumeyer opened the Hearing at 7:04 p.m. He explained the nature and purpose of the Hearing and the rules and regulations that will be followed. Dwayne Steager, Director of Land Use and Township Zoning Officer, 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.

Claudia Shank, Esq., McNees, Wallace, Nurick, conducted the Hearing on behalf of the applicant, SBCC Land Company, LP. and began with a brief introduction and chronology of proposed development of property located south of Stony Battery Road and west of Ivy Drive with a combination of single-family attached dwelling units, single-family semidetached dwelling units and multiple-family dwelling units. Alvin Forrey, Ivy Drive, was sworn in as a party on motion made by Edward Fisher, second by Kent Gardner and unanimously approved (5-0). Chris Venarchick, Architect, RGS Associates was sworn in as an expert in landscape and architecture and land planning. William Murry, Principal, SBCC Land Company, and Jason Wheeler, Traffic Management and Design were also present and sworn in to provide testimony. A series of photographs, architectural guidelines and concepts was provided to the Board.

The Board and the Township Solicitor raised questions regarding the street layout, perimeter of the field adjacent to the property, fencing and storage for accessory use. Various residents shared their comments and concerns which included responsibility for

maintenance, rentals/market rate, HOA management, parking, water issues and damage to basement walls on Ivy Drive, condition of current warehouses, and preference for single home ownership. Mr. Alvin Forrey, Party, had no questions.

The Hearing was closed at 8:58 pm. A decision will be rendered at the April 4, 2023, Board of Supervisors Meeting.

C. RECOGNITION OF SERVICE

1. Resolution 6-23, Honoring Sergeant Christopher Kunkle on his retirement. Chairman Dumeyer read the Resolution. **Motion** was made by Robert Munro and seconded by Kent Gardner to **adopt** Resolution 6-23 Honoring Sergeant Christopher Kunkle on his retirement. The motion passed (5-0). A copy of the Resolution will be presented to Sergeant Kunkle.

D. APPROVAL OF MINUTES

1. February 7, 2023 - **Motion** was made by Kent Gardner and seconded by Robert Munro to **approve** the February 7, 2023 Regular Meeting Minutes as presented. The motion passed (5-0).

E. 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.

	2021 YTD	2022 YTD	2023 YTD
EIT	541,562	583,799	588,915
LST	106,695	67,939	76,163
OTHER	364	289	1,731
NON-RESIDENT	6,748	12,132	6,348
TOTAL	\$655,369	\$664,159	\$673,157

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

2. **East Hempfield / West Hempfield Traffic Meeting:** A meeting was held February 24, 2023, with Supervisors and staff from EHT and WHT to discuss several mutual traffic concerns:
 - a. **Stony Battery/Kauffman "Triangle".** The triangle piece was to be eliminated and replaced with a trail connection from Stony Battery to Kauffman. EHT raised concerns about visibility at the intersection of Kauffman and Stony Battery and asked that we explore that before removing the triangle piece. There appears to be a sight issue due to a shed along Stony Battery. Staff will be meeting March 3 with the property owner to discuss the possible relocation which should resolve the issue.

three bullet points above it, are NOT “findings”. I believe it is poorly worded, but our auditors have stated to me that those are the potential “risks” that they are focusing on during their audit – areas where they would most likely find a problem IF ONE EXISTED - and hopefully will not have any “findings” related to those risks.

9. **Township Logo.** I am still seeking feedback on the draft ideas!
10. **LCATS.** Meeting will be March 30, 2023, at 5:30 pm at Yoders. If you have not yet done so, please let me know if you plan to attend.
11. **PSATS.** 2023 Conference will be April 23-26, in Hershey. If you have not yet done so, please let me know if you plan to attend and need me to register you.
12. **Woody Waste.** We are issuing woody waste renewals for 2023. We will reopen the facility around the beginning of April, as we have done in prior years. For next year we will look into opening sooner. During a light winter, like 2022/23, that may be possible, but during heavy winters it will be harder as we need time to grind and prep for the spring and summer months.
13. **Trash Collection – Private Streets.** Republic has expressed concerns about the collection of trash on narrow private drives. Their drivers are forced to drive in reverse in an unsafe manner. We have agreed that they are not required to collect trash from private streets when conditions would make it unsafe. They will be notifying about ten residents that they will need to move the location of their trash totes for collection. If the residents refuse, then we intend to allow them to leave our trash service for a private hauler who may be able to better access their properties with smaller trucks.

EXTERNAL MATTERS

1. **Kinderhook Road.** The bridge at the Rapho/West Hempfield border will be closed from April until October. A letter and detour map are attached. This is a PennDOT project.

PERSONNEL

1. **Police.** The Level 2 Grievance awaiting the Board’s review and action has been withdrawn by the Association. The Chief and I will be working with the Association to develop reasonable reckoning periods for discipline (period of time in which prior discipline counts towards progressive future discipline.)
2. **Staffing.** We are fully staffed for all non-uniform positions.
3. **Police.** We are fully staffed, although we have at least one more upcoming retirement, and possibly more. A final list of candidates is being created.
4. **Police Retirements.** Officer Small’s last day is March 30. Detective Zeigler is entering the DROP effective March 15.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** LIMC met Wednesday, February 8, 7:30 am, at Manor Township. The next meeting will be April 12, 2023, at Millersville Borough.

CORRESPONDENCE

1. **Commonwealth of PA.** We have received Cumulative Supplement #1 to the PA Second Class Township Code. You have one in your packet. Please take note to the letter and the supplement.
2. **Springettsbury Township.** We have received our annual Downstream Notification for their wastewater facility in York County.
3. Treasurer's Report - Current Month-to-Date and Prior Month Detail Reports were submitted and reviewed. Updated loan reports will be provided.
4. Department Reports: Police, Public Works, Zoning/Land Use, Fire, EMS

Police – Chief Layden submitted a written report and explained the responses to EMS calls.

Public Works – Dale Getz submitted a written report and additionally reported the church bell has been received and a decision needs to be made regarding where to display it.

Zoning/Land Use – Dwayne Steager submitted a written report and there was discussion regarding tabled zoning cases #1330 and #1338.

Fire – Written reports were received from Hempfield and Mountville. There were no questions.

EMS –The new helicopter was discussed.

5. Township Engineer's Report – There were no questions or comments on Melissa Kelly's written report.
6. Residents
 - o Phil Smith, Meadow Lane questioned the schedule for opening the pavilions.
 - o Carl Davis, Caraway Drive, continuing on-going problems with a neighbor.

F. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

1. WHTPC 01-2023 Kinderhook (90 days: May 3, 2023)

Final Subdivision Plan

Applicant: Kinderhook Farm, LP

Location: 4440 Marietta Pike

Zone: RA – 73.93 acres

The applicant is proposing to subdivide Kinderhook Farm into three non-building lots. The property is bisected east/west by Marietta Pike and the southern portion is bisected north/south by a right-of-way and exclusive easement to transcontinental Gas Pipe Line Company. Kinderhook Farm LP will retain ownership of the three lots and will continue to lease the land for agricultural purposes. No building is proposed at this time.

Action Required

➤ **No Action recommended at this time.**

**2. 11-2020 Turtle Race Hemp Facility
4324 Marietta Avenue
Financial Security Release Request 2**

The applicant is requesting a reduction of their financial security for the second time. See attached letter. The Board denied this request in February. 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** was made by Edward Fisher and seconded by Robert Munro to *approve* 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. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion passed unanimously (5-0).

G. UNFINISHED BUSINESS - None

H. NEW BUSINESS

1. Approval of Paralegal Studies as “police related curriculum” for Education Compensation under the police collective bargaining agreement. Andrew stern referred to his memo dated March 1, 2023. **Motion** was made by Robert Munro and seconded by Kent Gardner to **approve** Paralegal Studies as police related curriculum for Education Compensation under the police collective bargaining agreement as submitted and discussed. The motion passed unanimously (5-0).

- C. In addition to the base salary provided for herein, each full-time employee who has completed one full year of service to the Township shall, commencing with the calendar year beginning after the completion of his or her education, be entitled to compensation based upon his or her presentation of appropriate transcripts evidencing attainment of the following educational degrees from an accredited institution:

Highest Degree Attained:

Associate's Degree	\$ 500.00
Bachelor's Degree, Master's, or Doctorate	\$1,000.00

The aforesaid compensation shall be paid in a lump sum for the highest degree attained and shall be payable at the scheduled pay date nearest or coincident with the full-time employee's anniversary date of employment. If a full-time employee leaves the employ of the Township prior to his or her anniversary date, then said full-time employee shall be entitled to a pro rata share of the aforesaid educational differential based upon a credit of one-twelfth (1/12) of the total amount designated for each month worked in the year of said employee's termination of employment. No amount shall be payable pursuant to this section if an employee is terminated for just cause.

This educational incentive shall be paid for the completion of course work at any accredited institution in police science, police administration, criminal justice, corrections, public safety or police related curriculum which has received the approval of the Board of Supervisors. For education in other courses, the full-time employee shall receive one-half (½) of the above amount.

2. Award contract to lowest bidder for 2023 Paving
 - i. Highway Materials, Inc., \$357,247.86 – **Motion** made by Kent Gardner and seconded by Robert Munro to **award** the contract for 2023 paving to the lowest bidder, Highway Materials, Inc., in the amount of \$357,247.86. The motion passed (5-0).
3. Salt Shed, Dutchman, Ratify Final Payment 2-24-2023, \$11,749.65. **Motion** made by Robert Munro and seconded by Kent Gardner to **ratify** final payment 2-24-2023, \$11,749.65 to Dutchman for the salt shed. The motion passed (5-0).

4. Approve sale of 2016 Dodge Charger to highest bidder via Municibid (bids close 3-6-2023 – results will be shared at meeting). We have reached out to the highest bidder but have not yet received a response. Another attempt will be made. Andrew Stern requested approval to award the sale to the second highest bidder if the highest bidder does not respond. **Motion** was made by Kent Gardner and seconded by Robert Munro to **award** the sale of the 2016 Dodge Charger to the highest bidder via Municibid. If the highest bidder fails to come forward, the sale will be awarded to the 2nd highest bidder. The motion passed unanimously (5-0).
5. Schedule Spring Road Tour Meeting, if needed. Scheduled for 8:00 a.m., April 11th.
6. SEO Appointment – Discussion. Andrew Stern informed the current SEO has resigned and the Alternate SEO wishes to remain as Alternate. Rettew Associates has provided a fee schedule. Following discussion, **motion** was made by Edward Fisher and seconded by Robert Munro to **approve** Rettew Associates as primary SEO.

I. ORDINANCES AND RESOLUTIONS - NONE

J. APPROVAL OF PAYABLES – FEBRUARY

Moved by Robert Munro and seconded by Ed Fisher to **approve** payment of all bills between February 1, 2023 and February 28, 2023, and any residuals that may be forthcoming. Motion carried (5-0).

K. GOOD OF THE ORDER

- * There will not be a Municipal Authority meeting this month.
- * **Upcoming Meeting:** BOS Tuesday, April 4, 2023 Regular Meeting 7:00p.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 into Executive Session to discuss personnel matters at 8:24 p.m. Motion carried (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

