

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of April 4, 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, 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; Police Chief Lisa Layden, Township Engineer Melissa Kelly. 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 announced that an Executive Session was held March 20, 2023, at 7:00 pm for the Board to meet with the Township Solicitor concerning Conditional Use #89.

B. CONDITIONAL USE #89 DECISION

1. Motion on Decision: **Moved** by Robert Munro, second by Edward Fisher, to *deny* the application of SBCC Land Co, LP for Conditional Use Approval to develop 1190 Ivey Drive and 875 Stony Battery Road as an open space design option development, pursuant to Article 1200 of the Zoning Ordinance, for the reasons set forth in the Conditional Use Decision presented at this meeting and further *deny* requests for modifications to determine that such requests for modifications of design standards are removed as set forth in the written decision. The motion passed (4-0).

A brief recess was taken for the signing of the Decision and for copies of the Decision to be distributed to William Murry, Principal, SBCC Land Company; W. Nate McCormack, Counsel, McNees Wallace & Nurick, LLC; and Ivan Forry, Ivy Drive, Party.

C. RECOGNITION OF SERVICE

1. Resolution 7-23, Honoring Retirement of Officer Robert Small. Chairman Dumeyer read Resolution 7-23 honoring Officer Robert L. Small for his 26 years of service with the West Hempfield Police Department. **Motion** was made by Robert Munro and seconded by Kent Gardner to *adopt* Resolution 7-23 acknowledging Officer Small for his service with grateful appreciation. The motion passed (4-0). The Board congratulated and thanked Officer Small for his contributions, dedication and faithful service to the Township and its residents during the past 26 years. Officer Small was not able to attend tonight's meeting and a copy of the Resolution will be provided to him.

D. APPROVAL OF MINUTES

1. March 7, 2023. **Motion** was made by Robert Munro and seconded by Kent Gardner to *approve* the March 7, 2023 Regular Meeting Minutes as amended. The motion passed (4-0).

E. COMMUNICATIONS

1. Board of Supervisors – None
2. Township Manager – Andrew Stern reviewed his written report included below and added the following information:
 - 2022 Vehicle Insurance: A refund of \$9,117.36 has been received from the Insurance Company for having a great year.
 - 2022 Township Audit: There are two minor findings on the audit letters.
 - Sycamore: All plans have been recorded and they will be starting soon.
 - State Loan for New Fire Engine: All signatures and notarizations were completed prior to tonight’s meeting.
 - Non-resident revenues – Explanation for the 2023 decrease.

INTERNAL MATTERS

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

	2021 YTD	2022 YTD	2023 YTD
EIT	650,337	721,470	707,827
LST	108,109	75,001	76,884
OTHER	566	569	3,994
NON-RESIDENT	7,122	12,483	6,348
TOTAL	\$ 766,134	\$ 809,523	\$ 795,053

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

2. **Township Audit.** The Township’s Audit is being finalized. Reports will be available for your next meeting. No significant findings were found and in general this audit went much smoother than prior years in large part due to our change of software and personnel.
3. **Health Insurance.** Early in the year I discovered what appeared to be an error with an employee’s insurance claim from 2022 which had cost him more than it should have. The Township does not have the data needed to review claims, so I reached out to Benecon and Highmark to further investigate, which determined there were a significant number of errors from our health insurance provider in 2021 and 2022. We are working closely with Highmark to resolve these issues and return overpayments of approximately \$10,000 to our employees.
4. **Health Insurance, Change from Benecon.** As a result of leaving our prior insurance consortium, we are responsible for “run out costs”, meaning claims from last year which are still being processed this year. We have been tracking these costs and are still ahead \$241,187. This means the surplus we have accumulated in prior years still exceeds our runout costs for this year by that amount. Should we have a surplus later this year, it will be sent to us. Should our surplus run out, then we would owe Benecon the additional amount.

5. **Woody Waste.** We are issuing woody waste renewals for 2023. We are reopening for the year on April 1, 2023.
6. **Grubb Lake Signs.** At last month's meeting, the Board expressed concerns about the condition of the map signs. Our Public Work's Department has cleaned up those signs.
7. **COMCAST Franchise.** Our franchise agreement with COMCAST expires December 2025. In accordance with law, they have notified us of their desire to begin the renewal process. We have advised our Solicitor. It is my intention to negotiate an agreement which matches most LIMC municipalities and expires when theirs does in 2031, so that our expenses to renew in the future can be reduced by all working together. In the past, WHT's timing was off, so we have been left on our own.

EXTERNAL MATTERS

1. **Kinderhook Road.** The bridge at the Rapho/West Hempfield border will be closed from April until October.
2. **PSATS Resolutions.** Attached are the 2023 proposed resolutions from PSATS for the conference. As I am your designated Voting Delegate, please let me know if you feel strongly about any of these resolutions.

PERSONNEL

1. **Police.** Two offers have been extended and accepted. Background investigations are underway. We are fully staffed and will be for the foreseeable future.
2. **Staffing.** We are fully staffed for all non-uniform positions.
3. **Training.** Chief Layden, Amy Slutter, and I attended the annual PELRAS labor relations training at Penn State March 15-17. At this training, the top labor attorneys from across the state present the latest laws, court decisions, and guidance related to personnel and labor relations. In general, the Township is in good shape with our policies and procedures. We will need to make a few minor updates to what is written, although we have been in compliance with all of the new things which have come our way!

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** LIMC's next meeting will be April 12, 2023, at Millersville Borough.

CORRESPONDENCE

1. **Defense Logistics Agency.** We have received their annual downstream notification of the storage of heating oil and diesel fuel at their Fairview Township facility.

3. Treasurer's Report – Current Month-to-Date and Prior Month Detail Reports were submitted and reviewed. The Liquid Fuels Accounts were discussed.
4. Department Reports: Police, Public Works, Zoning/Land Use, Fire, EMS. Written reports were received and reviewed.

Police - Chief Layden expressed her appreciation to the Supervisors for honoring the retirement of Officer Small. She provided an advanced copy of the 2022 Annual Report and explained the various types of weapons calls. Robert Munro complimented her on the format.

Public Works – Dale reported that Stoney Battery paving is slated to be started next week. Ed Fisher noted and appreciated the shoulder work and also the work that has been done on the pickleball/hockey court and Rob Munro thanked him for the basketball court poles. Dale is hopeful that the new truck will be sitting out on the parking lot next month.

Zoning/Land Use – Dwayne reported that rain barrel sales have begun and up to 100 have been distributed over the last few years. He also informed that the Farmdale project has started and a preconstruction meeting has been held.

Fire – Nothing further to add to the written reports.

EMS – Andrew Stern noted the new helicopter.

5. Township Engineer's Report – Melissa Kelly had nothing further to add to her report.
6. Residents - None

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 two non-building lots. Proposed Lot 2 reserves the right to create a third lot at a later date. The property is bisected east/west by Marietta Pike and 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 two lots and will continue to lease the land for agricultural purposes. No building is proposed at this time. Lindsay Garner reviewed the Plan and led discussion with the Board. Mr. Stern suggested the Ordinance be verified.

Action Required

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

**2. 15-07R St. Annes' Retirement Community
Financial Security Release Request No. 6**

The applicant is requesting a release of their financial security. Records indicate that the financial security status for this project is as follows:

Original Amount	\$ 1,361,135.38
Previous Reductions	\$ 997,565.36
Outstanding Balance	\$ 363,570.02

Based on a site visit and a review of the As-Built Plan, the Township Engineer recommends that the financial security not be released for this development, but be reduced by **\$99,715.02** which will leave a new outstanding financial security balance of **\$ 263,855.00**. This amount is adequate to cover the costs of the remaining earthwork and water and sewer improvement not yet released. The Municipalities Planning Code (MPC), Section 509(j) as amended, states that the Township may require the retention of 110 percent of the estimated cost of the remaining improvements prior to final release of the financial security.

Action Required:

- **Motion** was made by Robert Munro and seconded by Kent Gardner to *deny* release of financial security and instead *approve* reduction of the financial security for this development by \$99,715.02, which will leave a new outstanding financial security balance of \$263,855.00. The above amount does not include any increase that may have automatically occurred on the anniversary date of the financial security. The motion passed (4-0).

G. UNFINISHED BUSINESS

1. Township Logo – Andrew Stern reported the logo is at the starting point and he would like feedback from the Board and possibly from residents.

H. NEW BUSINESS

1. Woody Waste, Authorize Mountville Borough residents to use facility at \$30/year. Andrew Stern reviewed his memo dated March 29, 2023. **Motion** was made by Edward Fisher and seconded by Kent Gardner to *authorize* Mountville Borough residents to obtain cards to use the Township Woody Waste facility at \$30/year. The motion carried (4-0).
2. Authorize Solicitor to intervene in ZHB appeal, Case #1336, 540 Stony Battery Road. Andrew Stern reviewed his memo dated March 28, 2023. **Motion** was made by Robert Munro and seconded by Kent Gardner to *approve* the request to authorize the Township Solicitor to intervene in ZHB Appeal, Case #1336, 540 Stony Battery Road on the Township's behalf. The motion carried (4-0).

3. Authorize staff to Issue RFP for Traffic Engineering Services. Andrew Stern reviewed his memo dated March 29, 2023. Following discussion, **motion** was made by Edward Fisher and seconded by Robert Munro to **authorize** staff to issue a Request for Proposals (RFP) for Traffic Engineering Services and to **allow** Rettew Associates to submit a proposal as part of this process. The motion carried (4-0).
4. Authorization to purchase new phone system from Morefield, via COSTARS, price not to exceed \$25,000, along with installation services from Flagstream not to exceed \$5,000. Andrew Stern summarized the issues with the Township's current system and that it is not supported and, therefore, is no longer being serviced and reviewed his memo dated March 30, 2023. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the Morefield proposal for a new onsite telephone system through COSTARS at a cost not to exceed \$25,000, along with installation services from Flagstream not to exceed \$5,000. The motion carried (4-0).
5. Mountville Borough requests for WHT Fire Police authorization:
 - i. Mountville Days Carnival, May 17-20
 - ii. Memorial Day Parade, May 27**Motion** was made by Robert Munro and seconded by Kent Gardner to **authorize** WHT Fire Police for Mountville Days Carnival May 17-20 and Memorial Day Parade, May 27 as requested. The motion carried (4-0).
6. Hempfield RecCenter "FORE-the-KIDS" event – October 6, 2023
 - i. \$100 Par Sponsor**Motion** was made by Kent Gardner and seconded by Edward Fisher to **approve** a \$100 Par Sponsorship for the Hempfield RecCenter "FORE-the-KIDS" 2023 Golf Tournament. The motion carried (4-0).

I. ORDINANCES AND RESOLUTIONS

1. Resolution 8-23: Authorize Township Manager to sign Opioid Settlement Agreements with Teva, Allergan, CVS, Walgreens, and Walmart. Andrew Stern explained the basics of the Settlement Agreements. **Motion** was made by Robert Munro and seconded by Kent Gardner to **adopt** Resolution 8-23, authorizing the Township Manager to sign Opioid Settlement Agreements with Teva, Allergan, CVS, Walgreens, and Walmart. The motion carried (4-0).

J. APPROVAL OF PAYABLES – MARCH

Moved by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between March 1, 2023 and March 31, 2023, and any residuals that may be forthcoming. Motion carried (4-0).

West Hempfield Board of Supervisors
April 4, 2023

K. GOOD OF THE ORDER

* There will not be a municipal authority meeting this month.

* **Upcoming Meeting:** BOS Tuesday May 2, 2023, Regular Meeting – 7:00 p.m.

L. ADJOURNMENT – **Moved** by Robert Munro, seconded by Edward Fisher and carried by the Board (4-0), to **adjourn** the Board of Supervisors meeting at 7:56 p.m.

Respectfully submitted,



Andrew Stern,
Township Manager

