

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of April 2, 2024

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 Barry Carter, Edward Fisher, and Robert Munro were present at the meeting. Board member Kent Gardner, along with Recording Secretary Judy Carrier, were in attendance remotely via Zoom. Also in attendance were Township Manager Andrew Stern; Planning Director Lindsay McElhenny; Chief of Police Lisa Layden.

Chairman Dumeyer announced the following:

- o An Executive Session will be held immediately following tonight’s Supervisors meeting to discuss personnel and legal matters.
- o There will be no Municipal Authority meeting this month.

A. CALL TO ORDER – Chairman Dumeyer called the meeting to order at 7:00 p.m. with a moment of silence and the pledge of allegiance.

B. APPROVAL OF MINUTES

1. March 5, 2024

Moved by Robert Munro, second by Barry Carter to **approve** the March 5, 2024 meeting minutes as presented. Motion carried (5-0).

C. COMMUNICATIONS

1. Board of Supervisors – None

2. Township Manager – Andrew Stern reviewed his written manager’s report and added the following:

- ✓ Republic is going to renew the Township’s four-year contract and he projects having the second lowest cost in 2025.
- ✓ Copies of the Township’s official audit documents were distributed and are available on-line.
- ✓ EIT and LST payments are received quarterly and the monthly dips reported are not cause for concern.
- ✓ The LCATS conference dinner is April 30th and anyone interested in attending should contact him.

INTERNAL MATTERS

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

	2022 YTD	2023 YTD	2024 YTD
EIT	721,470	707,827	726,895
LST	75,001	76,884	81,364
OTHER	569	3,994	6,665
NON-RESIDENT	12,483	6,348	8,343
TOTAL	\$809,523	\$795,053	\$823,267

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

2. **IIC Insurance.** We have finally received our remaining funds from our prior insurance broker, IIC/Benecon, in the amount of \$239,840.79, which represents our surplus from 2022 (our claims were less than expected). We had budgeted an assumed revenue of \$225,000, so we came out a little ahead of expectation!
3. **LCBC Impact Day.** LCBC Church reached out to me about an opportunity to provide a significant number of volunteers on Saturday, May 18, 2024, for a project of our choosing. I have worked with Dale to plan the placement of stone along the Grubb Lake trail. The basic concept is that we would stage piles of stone every 100 feet or so. LCBC volunteers would then come in with shovels and rakes and spread out the stone that day. We will also have a few Township employees there that day (hopefully myself too!). At present, we are planning for about 100+ volunteers that day. Mountville Borough has been advised.

EXTERNAL MATTERS

1. We have received an update from PennDOT on the 462 project. It is attached to this report.

PERSONNEL

1. **Staffing.** We remain fully staffed for all positions.
2. **Land Use.** Our new Assistant Director of Land Use will be starting April 8. She is replacing Linda who will be retiring in June.
3. **Training.** Amy Slutter and Kerri Sensenig recently attended PELRAS Training in State College. All sessions are taught by labor attorneys from Pittsburgh and Philadelphia. This is excellent training on the topic of labor relations and HR management, mostly relating to police.

OUTSIDE BOARDS AND COMMITTEES

1. **LIMC.** East Lampeter Township will be hosting LIMC at 7:30 am, Wednesday, April 10, 2024. Please feel free to join us.

CORRESPONDENCE

1. **Sunoco Pipeline.** Rettew has sent us notification of their client's GP-11 Permit application for a streambank restoration around a Sunoco Pipeline within the Chiques Creek.
2. **Lancaster County DTF.** A letter has been received from DA Heather Adams providing a recent summary on the DTF.

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

Police – Chief Layden had nothing further to add to her written monthly and annual reports. Barry Carter asked if there has been any response to resident concerns regarding the stop signs at the intersection of South 15th and Manor Street and Andrew Stern responded the concerns were minimal and that is back in Columbia’s hands.

Public Works - Andrew Stern reviewed the written report and there was discussion regarding woody waste and the battery backup system at Marietta/Stony Battery intersection.

Zoning/Land Use – There were no questions on the written report. Mr. Stern informed that the new Assistant Director of Land Use replacing Linda Ringer, who is retiring, will be starting Monday, April 8th.

Fire – There were no questions or comments on the reports received from Mountville and West Hempfield and Chief Gantz reported corrections to the number of training hours.

EMS – A copy of the monthly report was received from Penn State LifeLion. There were no questions or comments.

5. Township Engineer’s Report – Melissa Kelly reviewed her written report. There were no comments or questions.
6. Residents – None

D. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

1. WHT 11-2023 DDP Enterprises, Inc. (90 Day 4-17-24)

Applicant: DDP Enterprises, c/o Dennis Funk
Location: Klinsville and Kinderhook Roads
Zone: Rural Residential 45.6 acres

There are 3 parcels located in the Rural Residential Zone. The lot lines of two of the existing parcels will be reconfigured to make them conforming lots and the other parcel will be subdivided into 5 lots. All lots will be served by on-lot water and public sewer. The sewer lines will also be extended to neighboring properties that wish to connect. Three of the lots will be served by existing driveways, the other 4 lots will utilize a shared driveway which was granted approval by the Zoning Hearing Board on May 9, 2023 and March 12, 2024.

Requested Modifications:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

A. Section 305 – Preliminary Plan Processing

The applicant has requested a modification of the requirement to process a preliminary plan and in the alternative, proceed directly to final plan.

The Township Engineer recommends approval of this modification based upon the justification provided with the condition that the applicant satisfy all preliminary and final plan requirements to the satisfaction of the Township.

Action Required

➤ **Motion to recommend Approval, Approval with Conditions, or Denial of the requested Modification of Section 305- Preliminary Plan Processing.**

B. Section 602.K.6.b – Improvement of Existing Streets

The applicant is requesting a waiver of the requirement to reconstruct Klinesville Road and Kinderhook Road based on the minor nature of the proposed subdivision, the road has recently been repaved by the Township, driveway access exists for the three proposed lots, and no new driveways are proposed. Kinderhook Road is a state road and improvements will be dictated by PennDOT in their review.

The Township Engineer recommends that the Township deny the request to waive the reconstruction of Klinesville Road and Kinderhook Road but allow the applicant to defer the roadway improvements based on the justification provided and the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion to recommend Approval, Approval with Conditions, Denial, or Denial and Deferral of the requested Modification of Section 602.K.6.b- Improvements of Existing Streets**

C. Section 602.M – Curbing

The applicant is requesting a waiver from the requirement to install curbing along Klinesville Road and Kinderhook Road based on the minor nature of the proposed subdivision, additional stormwater would need to be addressed, and there would be a need to create additional disturbance to a road that has recently been paved by the Township. PennDOT will determine if curbing is needed along Kinderhook Road.

The Township Engineer recommends that Township deny the request to waive curbing along Klinesville Road and Kinderhook Road but allow the applicant to defer the curbing based on the justification provided and the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion to recommend Approval, Approval with Conditions, Denial, or Denial and Deferral of the requested Modification of Section 602.M – Curbing.**

D. Section 602.N – Sidewalks

The applicant is requesting a waiver from the requirement to install sidewalk along Klinesville Road and Kinderhook Road with the justification that the proposed residential subdivision is minor in nature and no sidewalks exist adjacent to the site.

The Township Engineer recommends that the Township deny the request to waive sidewalks along Klinesville Road and Kinderhook Road but allow the applicant to defer the sidewalks based on the justification provided with the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner’s request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board’s sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six months of the date of notice to do so.”

Action Required

- **Motion to recommend Approval, Approval with Conditions, Denial, or Denial and Deferral of the requested Modification of Section 602.N – Sidewalks.**

E. Section 609.E.8 – Street Trees

The applicant has requested a modification of the requirement to provide street trees along the entire length of Klinesville Road with the justification that the right-of-way frontage includes existing vegetation, woods, and overhead power lines. In the alternative, street trees are provided along the frontage of Klinesville Road at Lot 6, outside the area of power lines and existing vegetation.

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

Action Required

- **Motion to recommend Approval, Approval with Conditions, or Denial of the requested Modification of Section 609.E.8 – Street Trees.**

STORMWATER MANAGEMENT

F. Section 122-48A.2.c – Loading Ratios

The applicant is requesting a waiver from the requirement for volume control facilities in non- karst areas to have a maximum allowable total drainage area to infiltration area of 8:1. The applicant states that the request is justified due to well-drained soil conditions, dewatering times within the allowable 72 hours, and space constraints on the site. In the alternative the applicant has provided Infiltration Trenches with total drainage area to infiltration area ratios of 23:1 for Rock Bin 3, 20.5:1 for Rock Bin 2, 17.5:1 for Rock Bin 4, and 16.5:1 for Rock Bin 5.

The Township Engineer recommends approval of the modification subject to the condition that the applicant include the proposed loading ratio information in the Post Construction Stormwater Management Report.

Action Required

- **Motion to recommend Approval, Approval with Conditions, or Denial of the requested Modification of Section 122-48A.2.c- Loading Ratios.**

Following discussion and the absence of representation for the applicant, DDP Enterprises, **motion** was made by Robert Munro, and seconded by Barry Carter to **TABLE** plan until a special meeting which is to occur prior to April 17, unless the applicant provides a written extension of time prior to that time. The motion carried (5-0).

2. **WHT 10-2023 1037 Prospect Rd-Miller
Major Storm Water Management Plan
Applicant: Layne and Kathryn Miller
Location: 1037 Prospect Road
Zone: R-A – 4.36 acres**

The applicants are the owners of 1037 Prospect Road, a 4.36 acre lot located in the RA Zoning District. They are proposing a driveway expansion, garage addition, living room addition, deck, patio and associated stormwater facilities to their existing single-family dwelling. The lot is served by on-lot water and sewer. This project was tabled at the February 6, 2024 meeting due to confusion with proposed improvements and future improvements. This has been clarified with the submittal of the revised plan.

Todd Smeith, PE, DC Gohn recapped the revised plan and stated all comments in the Township Engineer's review letter dated March 15, 2024 have been addressed. Copies of the revised plan were provided.

Action Required:

- **Motion** was made by Edward Fisher, second by Kent Gardner, to **approve**, the Major Stormwater Management Plan for property located at 1037 Prospect Road and that all remaining outstanding engineering comments are resolved to the satisfaction of Township Staff and the Township Engineer. The motion carried (5-0).

E. UNFINISHED BUSINESS – None

F. NEW BUSINESS

1. Ragnar Relay 2024 – Andrew Stern reviewed relevant information pertaining to the race. Following discussion, **motion** was made by Robert Munro, seconded by Barry Carter, to **approve** a permit for the 2024 Ragnar Relay based on information received and discussed. The motion carried (5-0).
2. Dirt, Gravel, Low Volume Road Agreement – Andrew Stern reviewed the Agreement. Following discussion, **motion** was made by Edward Fisher and seconded by Kent Gardner to **approve** the agreement and that all editorial comments and inaccuracies discussed be noted. The motion carried (5-0).
3. Mountville Park Grant – authorize letter of support. Mr. Stern reviewed the information received from the Borough Manager requesting a letter of support/consistency that they may provide as part of their grant funding contract with the DCNR for their park rehabilitation project. A letter addressed to the Board was received prior to tonight's meeting. Following discussion, **motion** was made by Robert Munro and seconded by Barry Carter to **authorize** staff to send a letter of support/consistency that Mountville Borough may provide as part of their contract with the DCNR as requested. The motion carried (5-0).
4. LCCD Ag Plan Implementation Verification Proposal – Andrew Stern reviewed Dwayne Steager's memo dated March 25, 2024 regarding verification of Conservation/Manure Management plans implemented by agricultural properties. Initially the township permitted self-certification. Several options were provided for the Township to begin verification of implemented plans. Staff believes working in conjunction with the LCCD to accomplish this goal is the most prudent of these options and recommends the township be invoiced for the inspections. A sample agreement in use by Upper Leacock was provided for reference. Mr. Stern explained the process and addressed Robert Munro's concern about ensuring that individual properties follow the maintenance plan required for a period of five years. Following discussion, **motion** was made by Robert Munro and seconded by Kent Gardner to **approve** the LCCD Ag Plan Implementation Verification Proposal as presented and discussed. The motion carried (5-0).

G. ORDINANCES AND RESOLUTIONS - None

H. APPROVAL OF PAYABLES - **Moved** by Kent Gardner and seconded by Robert Munro to **approve** payment of all bills between March 1, 2024 and March 31, 2024 and any residuals that may be forthcoming. The motion carried (5-0).

I. GOOD OF THE ORDER

- ✓ **Upcoming Meeting:** Tuesday, May 7, 2024 Regular Supervisors Meeting 7:00 p.m.
- ✓ There will be **NO** Municipal Authority meeting this month.

J. ADJOURNMENT – Chairman Dumeyer requested a motion to adjourn the Board of Supervisors meeting into Executive Session at 7:50 p.m. to discuss personnel and legal matters.

- **Motion** was made by Robert Munro and seconded by Edward Fisher to **adjourn** the regular monthly Supervisors meeting into executive session at 7:50 p.m. to discuss personnel and legal matters. The motion carried (5-0).



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew B. Stern".

Andrew Stern,
Township Manager