

WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING
Minutes of April 1, 2014

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, April 1, 2014. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Ron Youtz, Township Manager; Mark Pugliese I, Chief of Police, Dale Getz, Public Works Director, Jodi Heffner, Zoning Officer and Brenda Shuey, Recording Secretary.

I. CALL TO ORDER:

Chairman David Dumeyer called the meeting to order at 7:30 p.m. and led with the Pledge of Allegiance.

II. APPROVAL OF MINUTES: March 4, 2014

Motion: Kent Gardner moved, seconded by, Edward Fisher, to approve the Board's March 4, 2014 meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner stated that he attended a seminar in Hershey concerning the possibility of changing existing lights to LED lights at no or very little cost with a savings in electric over the years. He stated that the lights would have to be installed by May 9th to be eligible.
2. Kent Gardner stated that the LIMC will be holding their next meeting at West Lampeter Township on Wednesday, April 9, 2014 beginning at 7:30 AM.

B. TOWNSHIP MANAGER

1. Ron Youtz stated that he would like to add to agenda under New Business, discussion on a Zoning Hearing Board application.
2. Reminded the Board that the PSATS Convention will be held on Monday, April 14th and Tuesday, April 15th.
3. A reminder that the Township office will be closed on Friday, April 18, 2014 in observance of Good Friday.
4. The web site for the Township has been launched and asked the Board to visit the site and make recommendations. Kent Gardner informed the Board that he has looked at the Web site and said it's easy to navigate. David Dumeyer asked if any resident would like to sign up for emails/alerts to automatically be sent to them, can that be done. Ron Youtz stated that capability has been set up.

C. RESIDENTS

1. Rodger Howard of Horizon Drive addressed the Board concerning cars parking along Main Street in Salunga. He stated that going from Stoney Battery Road to

stop sign in Salunga there are cars parked in the “No Parking” area and makes pulling out going west at that intersection dangerous, he is asking that the police department maybe patrol that area. Police Chief Pugliese stated that he will mention this area to his unit to patrol.

2. Mr. Howard also mentioned that coming from Sheetz’s Station towards Salunga Diner there is a 55 mph sign in place but, coming from Salunga Diner going towards Sheetz Station there is not a 55 mph sign. He asked why one way is marked and the other way is not. Police Chief Pugliese stated that any place that is not posted is automatically 55 mph. Ron Youtz mentioned that portion of road is PennDot’s responsibility and he would mention this concern to PennDot.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. RUTTER’S FARM STORE – 3849 HEMPLAND ROAD – REVISED LAND DEVELOPMENT PLAN - BRIEFING.

Jodi Heffner, Zoning Officer, informed the Board that Rutter’s Farm Store #23 is proposing to construct a right in/right out access drive along College Avenue (SR3017) to provide additional access to their store at intersection.

Ron Youtz, Township Manager informed the Board that this access was proposed at the time of their plan submission, but decided to table because they were in discussion with PennDot since this access was in PennDots limited access area.

B. LAYNE & KATHRYN MILLER – 1037 PROSPECT ROAD – STORM WATER MANAGEMENT PLAN – BRIEFING.

Jodi Heffner, Zoning Officer, informed the Board that a building permit application has been received from Keystone Custom Homes to construct a new two-story single family dwelling with attached 2 car garage. She also stated that Conditional Use approval was granted by the Board of Supervisors at their January 6, 2014 meeting with a condition that the applicant will be required to meet Storm Water Management regulations at time when a building permit is applied for and to satisfy any other Township requirements.

Ron Youtz, Township Manager, stated between storm water and on lot septic facilities, there were concerns of the large area that will be disturbed.

Ed Fisher stated that the area proposed for the septic system will require a lot of trees to be cut down. Kent Gardner felt that an alternate plan could be considered in order to save the trees.

Ron Youtz, Township Manager informed the Board that they will be addressing this plan at their May 6, 2014 meeting.

C. CLARK FILTER – 3649 HEMPLAND ROAD – STORM WATER
MANAGEMENT PLAN

Matthew Mack of Ludgate Engineering, wanted to commend Ron, Jodi and Ben Webber, stating while working together it has been top notch compared to other municipalities they have dealt with.

Mr. Mack informed the Board that the parcel is 11.4 acres, zoned I-2, is located at 3649 Hempland Road and currently consists of a large warehouse/manufacturing building with driveways and parking areas. The applicant is proposing improvements which increased impervious areas by adding additional truck parking, loading docks, maneuvering areas, and an additional storage building.

Mr. Mack informed the Board that Clark-Filter has appeared before the Zoning Hearing Board on March 11, 2014 and received variances from Section 701.18.C for site screening and for Section 701.1D for maximum site area for the Company's trash compactor and recycling container.

Ian Derstler, Senior Manager of Clark-Filter explained that his company manufactures filters of all types and sizes for locomotives which is a large part of their business. He also stated they provide dust collector/air filters for woodshops, workshops and are continuing to grow both in manufacturing and employment with the possibly of adding a third shift.

Ron Youtz, Township Manager stated that there are a few waivers being requested as per Rettew Associates review letter dated March 17, 2014.

Waivers:

1. Section 305 "Preliminary Plan Application" and Section 306 "Final Plan Application". Applicant is requesting a waiver of the requirements to submit a Land Development Plan.

Motion: Edward Fisher moved, seconded by, Kent Gardner, to approve the Waiver to Section 305 "Preliminary Plan Application" and Section 306 "Final Plan Application" based upon the alternative and justifications provided and the following conditions:

- i. The applicant obtain all required zoning relief for their proposed improvements.
- ii. The applicant will offer for future dedication to the Township additional right-of-way in order to establish a sixty foot (60') wide street right-of-way for North Donnerville Road and an intersection radius substantially concentric with the edge of the cartway based on the greater of the existing or minimum cartway widths of the streets. Motion carried, 5-0.

2. Section 122-23.A – Minimum Storm Pipe Diameter. Applicant is requesting waiver of the requirement to provide storm pipe with a minimum diameter of fifteen (15) inches.

Motion: Edward Fisher moved, seconded by, Kent Gardner, to approve the Waiver to Section 122-23.A Minimum Storm Pipe Diameter as based on the alternative and justifications provided. Motion carried, 5-0.

Plan Approval:

Motion: Edward Fisher moved, seconded by, Kent Gardner to approve the Clark-Filter Storm Water Management Plan with the conditions applied and that all outstanding comments be satisfied to the satisfaction of our Township Engineer and Staff. Motion carried, 5-0.

Frank Burkhart suggested to Mr. Ian Derstler in the area that the rip-rap is located at the intersection of Hempland Road and Donnerville if he could have the person that does their lawn mowing to stop spraying chemicals to control the weeds and use the weed whacker instead because, once the weeds/grass is killed there is nothing to hold the rip-rap in place once water finds it way through that area.

D. HAHN FARMING ENTERPRISES – PROSPECT RD. AND MARIETTA AVENUE – SUBDIVISION PLAN AGREEMENT.

Ron Youtz, Township Manager, stated that prior to recording of the plan, financial security needs to be posted. He stated that the family felt that it could be a few years before a single family home is constructed and is requesting the posting of the financial security for the storm water management facilities that will serve the three residential lots be deferred.

Mr. Youtz stated that the three residential lots are provided with storm water management through a basin located principally on Lot #1 which extends onto Lot #2. He also stated the Township Solicitor has prepared an agreement to be executed that would allow the plan to be recorded without posting of financial security. No permits will be issued and no work can be undertaken until the required financial security is posted. He also stated piping from the drain spouts cannot be installed until the dwellings are constructed.

Motion: Frank Burkhart moved, seconded by, Kent Gardner to approve the agreement with Hahn Farming Enterprises and to authorize the Chairman of the Board of Supervisors to sign the proposed Subdivision Plan Agreement. Motion carried, 5-0.

V. OLD BUSINESS - NONE

VI. NEW BUSINESS

A. STORM WATER MANAGEMENT ORDINANCE – PUBLIC COMMENT & CONSIDERATION FOR ADOPTION.

Chairman David Dumeyer announced that a public hearing is not required, but a time for public comment is required. There was no one from the audience to speak about the proposed ordinance.

Ron Youtz, Township Manager explained to the Board that the proposed ordinance was advertised.

Frank Burkhart stated that each item would basically be handled on a one on one basis.

Chairman David Dumeyer closed the public comment period.

B. APPOINTMENTS TO BUILDING COMMITTEE.

Ron Youtz, Township Manager stated by consensus of the Board at their last meeting, it was proposed that a committee be formed and should consist of 2 Fire Company members, 2 Planning Commission members and 2 members from the Board of Supervisors. He also stated that it was suggested to appoint 2 residents but thought that could be an item on the agenda at the first meeting of the building committee.

Motion: Edward Fisher moved, seconded by, Frank Burkhart to approve the following appointments:

| | |
|---------------------------------|--|
| West Hempfield Fire and Rescue: | Kirk Ament and Ellwood “Woody” Graves |
| Planning Commission: | John Rodman and Daniel Nonnemacher |
| Board members: | David Dumeyer and Kent Gardner |

to form the Building Committee. Motion carried, 5-0.

Chairman David Dumeyer suggested that Ron contact each member to establish a date and time for the first meeting.

C. MEMORANDUM OF UNDERSTANDING WITH LANCASTER COUNTY CONSERVATION DISTRICT.

Ron Youtz, Township Manager stated that it is time to review and renew the 2014/2015 MOU between the Lancaster County Conservation District (LCCD) and our Township. The MOU will remain valid through March 15, 2015. He stated that they continue to expand their resources and he and Jodi use this resource on a regular basis.

Motion: Kent Gardner moved, seconded by, Edward Fisher to approve the 2014/2015 MOU for Lancaster County Conservation District. Motion carried, 5-0.

D. 2013 ANNUAL POLICE REPORT

Police Chief Mark Pugliese reviewed the 2013 Annual Police Report with the Board of Supervisors.

Chairman David Dumeyer asked Chief Pugliese to commend the officers for a good job and for the services they provide to our residents.

E. REQUEST EXPANSION OF INTER-GOVERNMENTAL AGREEMENT FOR POLICE DEPT.

Police Chief Mark Pugliese informed the Board that he had received a letter from Chief John Bowman, East Lampeter Township Police Department requesting we consider allowing his agency and personnel to become part of our Regional Crash Scene Investigative Unit that currently consists of East and West Townships, Manor Township and Columbia Borough police departments.

Chief Pugliese also asked the Board to consider expanding the agreement and ordinance to include formal language that would permit the participating police departments to additionally allow to share personnel, resources and assets for major incidents.

Motion: Frank Burkhart moved, seconded by, Kent Gardner to approve East Lampeter Township Police Department to become part of the Regional Crash Scene Investigation Unit and to expand the language to permit the participating police departments to share personnel, resources and any other assets for major accidents and to amend the Agreement and Ordinance to reflect these changes. Motion carried, 5-0.

F. BID AWARD – PUBLIC WORKS MATERIALS AND PROJECTS

Ron Youtz, Township Manager informed the Board that the 2014 material and road

project bids were opened and read on Monday March 26, 2014. He stated that the following are the recommendations to be awarded:

- i. Application of 2,810 tons of Superpave Asphalt Mix including surface milling and petro mat fabric to: Pennsy Supply, Harrisburg, PA., at a unit price of \$66.37 per ton for a total bid of \$227,989.70.

Motion: Frank Burkhart moved, seconded by Edward Fisher to award the 2,810 tons of Superpave Asphalt Mix including surface milling and petro mat fabric to Pennsy Supply at the unit price of \$66.37 per ton for a total bid \$227,989.70. Motion carried, 5-0.

- ii. Seal Coat Application to Stewart and Tate, York, PA., at a unit price of \$1.07 per square yard for a total bid of \$48,471.00.

Motion: Frank Burkhart moved, seconded by Edward Fisher to award the Seal Coat Application to Stewart and Tate, York, PA at a unit price of \$1.07 per square yard for a total bid of \$48,471.00. Motion carried, 5-0.

- iii. Bituminous Materials FOB plant to Highway Materials, Lititz, PA., for a total bid price of \$55,600.00

Motion: Frank Burkhart moved, seconded by Edward Fisher to award the Bituminous Materials FOB plant to Highway Materials, Lititz, PA., for a total bid price of \$55,600.00. Motion carried, 5-0.

G. ESTABLISH DATE AND TIME TO CONDUCT SPRING ROAD TOUR.

Ron Youtz, Township Manager informed the Board that he would like to schedule a date and time to conduct the Spring Road tour. After discussion, it was agreed that the Spring Road Tour will be advertised for Thursday, April 10, 2014 beginning at 8:00 a.m.

H. PENNDOT – REQUEST USE OF STONY BATTERY ROAD FOR PROJECT DETOUR.

Ron Youtz, Township Manager explained to the Board that he had received a letter from Michael Keiser, PennDot District Executive dated March 17, 2014 informing the Township of an upcoming project to resurface Main Street and Harrisburg Pike and to replace a stone culvert (near Snavelly and Sons) crossing Main Street in Landisville.

He stated that PennDot is proposing to use a weekend detour using Stony Battery Road and working hours for the detour would be from Friday midnight to Monday at 5:00 a.m. The actual date for the detour will be coordinated with both West and East Hempfield Townships.

Motion: Frank Burkhart moved, seconded by Edward Fisher to authorize the Township Manager to sign the Memorandum of Understanding presented by PennDOT District 8-0 to utilize Stony Battery Road as a detour during the road project. Motion carried, 5-0.

I. PENNDOT – AUTHORIZE LETTER TO CONDUCT TRAFFIC SAFETY STUDY – PROSPECT AND CONCORDIA ROADS.

Ron Youtz, Township Manager stated that he has been contacted by Representative David Hickernell regarding a safety concern at the intersection at Prospect Road and Concordia Road. After communication with Penn Dot, Lancaster we were advised to forward a letter to Penn Dot District 8-0 requesting a traffic safety study be performed in the area. Ron Youtz requested authorization to provide a letter to District 8-0 and that he would attach a four year accident history for the area.

Motion: Frank Burkhart moved, seconded by Kent Gardner to authorize the Township Manager to submit a letter to PennDot requesting that they conduct a traffic safety study at the intersection of Prospect and Concordia Road. Motion carried, 5-0.

J. ZONING HEARING BOARD – PROPERTY

Ron Youtz, Township Manager, informed the Board that the Township has received a Zoning Hearing application from George and Lorraine Lewis at 1725 Clear Spring Road, Mount Joy. The property owner owns 5.28 acres and is requesting to subdivide his property.

The lot owned by the Lewis family was created from the adjoining Buckwalter farm by way of a conditional use approval in 1982. Since that time the Buckwalter farm has been preserved. Township funds through our Transferrable Development Rights program were contributed towards the preservation of the Buckwalter Farm.

A legal review was performed by the Township Solicitor when she determined that there are no subdivision rights available to the Lewis family. The Lewis family thereby filed application to seek a variance for another subdivision right.

Mr. Youtz stated to the Board that this variance request threatens the purpose of our Ordinance including our commitment in farmland preservation. Mr. Youtz is requesting the Board to authorize Josele Cleary, Township Solicitor to attend the Zoning Hearing scheduled for April 8, 2014 to represent the Board of Supervisors interest and recommend that this request be denied.

Motion: Edward Fisher moved, seconded by Frank Burkhart to authorize the Township Manager to preserve the integrity of the ordinance and to stand by our prior votes/actions, that this application should be denied and to allow Josele Cleary,

Township Solicitor to represent the Board of Supervisors at the hearing. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS.

A. ORDINANCE 1-14 – STORMWATER MANAGEMENT ORDINANCE

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve Ordinance 1-14 to amend the Code of Ordinances of the Township, Chapter 122, Storm Water Management, to implement the Lancaster County Act 167 Storm Water Management Plan. Motion carried, 5-0.

B. RESOLUTION 4-14 – AMENDING FEES.

Ron Youtz, Township Manager informed the Board that with the implementation of the Storm Water Management Ordinance there are fees that need to be established to cover some of the costs involved with the implementation of the Ordinance. The following are the fees that are included in Section 1, Page 3, items (h – k) and on Page 4, item (g):

Page 3:

| | |
|---|----------|
| (h) Storm water Exemption Application for Projects under 200 sq. ft. | \$20.00 |
| (i) Storm water Exemption Application for projects over 200 sq. ft. but less than 1,000 sq. ft. | \$50.00 |
| (j) Minor Land Disturbance Project | \$200.00 |
| (k) Storm Water Alternate Plan Processing | \$200.00 |

Page 4:

| | |
|---|----------|
| (g) Storm water Alternate Plan Processing | \$500.00 |
|---|----------|

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve Resolution 4-14 establishing fees for the enforcement of the Storm Water Management Ordinance. Motion carried, 5-0.

VIII. APPROVAL OF PAYABLES

| | | |
|--------------------|--------------|----------------------|
| Payroll/Taxes..... | \$174,866.22 | Electronic Payment |
| General Fund..... | \$186,045.34 | Checks 24775 - 24870 |
| Fire Hydrant..... | \$ 0 | Checks |
| Street Light..... | \$ 0 | Checks |
| State Fund..... | \$ 15,789.99 | Checks 2877 – 2881 |
| Escrow Fund..... | \$ 5,194.67 | Checks 117 |
| Sewer Fund..... | \$ 13,965.09 | Checks 3694 |
| Refuse Fund..... | \$ 62,758.48 | Checks 2156 – 2164 |

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between March 1 through March 31, 2014 and any residuals. Motion carried, 5-0

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE.

Motion: Chairman David Dumeyer called for motion to adjourn into Executive Session to discuss a personnel issue. Kent Gardner moved, seconded by Edward Fisher, to adjourn the regular meeting at 9:15 p.m., and to go into Executive Session to discuss a personnel issue. Motion carried, 5-0.

Respectfully submitted,

Ron L. Youtz,
Secretary