

WEST HEMPFIELD TOWNSHIP SUPERVISORS
Minutes of Special Meeting on December 13, 2017

The West Hempfield Township Board of Supervisors met on Wednesday, December 13, 2017 at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania for a special meeting. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance was Township Manager Andrew Stern.

CALL TO ORDER.

Chairman David Dumeyer called the meeting to order at 7:00 p.m. and led with the Pledge of Allegiance.

I. Communications for the Board of Supervisors.

Frank Burkhart again expressed his sincere appreciation to his fellow Board members and staff for their support over his 44 year tenure on the Board.

II. 2018 Budget

Township Manager Stern indicated that the budget is ready for adoption. There are three resolutions necessary.

The first resolution, 20-27, establishes the real estate tax rate for 2018 at 1.45 mills. This is reduced from our current 1.85 mills due to the recent Lancaster County real estate tax reassessment.

Motion: Moved by Edward Fisher and seconded by Kent Gardner to *approve* Resolution 20-17. Motion carried, (5-0).

The second resolution, 21-17, sets the fire hydrant rate at 0.20 mills. This rate is not being reduced at this time. As such we anticipate extra revenue into the fire hydrant fund for 2018. Staff will reevaluate the required rate for the 2019 budget.

Frank Burkhart asked about a fire hydrant on the east side of Hempfield Hill Road at Vista. Mr. Burkhart wanted to know if it is still operational. Mr. Stern will look into this.

Motion: Moved by Kent Gardner and seconded by Frank Burkhart to *approve* Resolution 21-17. Motion carried, (5-0).

The third resolution, 22-2017, is for the adoption of the 2018 West Hempfield Township budget. Chairman Dumeyer asked a procedural question – can the budget be amended prior to adoption. Mr. Stern indicated that the Second Class Township Code allows the proposed

budget to be modified prior to adoption without the need to readvertise as long as the changes made are less than 10% of the total proposed budget and less than 25% of any major category within the proposed budget.

Motion: Moved by Edward Fisher and seconded by Kent Gardner to **approve** Resolution 22-17, adopting the 2018 budget with a change to expense line item 401-100 'Compensation' to increase the amount \$5,000 from \$160,000 to \$165,000 for the purpose of increasing the salary of the Township Manager by an additional \$5,000 from the amount previously approved. Motion carried, (5-0).

Mr. Stern thanked the Board for this increase. The Board expressed their appreciation to Mr. Stern for his work and cost-savings over the past year with the new building project and other tasks.

Mr. Stern informed the Board that he intends to increase the salary of the mechanic due to his cost savings over the past year. The additional amount is already budgeted due to other changes in staffing and salaries.

III. Other Township Business

A. New Municipal Building Sanitary Sewer.

Mr. Stern explained that several months ago the Board approved a change order, not to exceed \$50,000, for required changes to the sanitary sewer for the new building. The actual cost came in at \$53,094.

Motion: Moved by Kent Gardner and seconded by Frank Burkhardt to change the prior approval of the sanitary sewer change order to an amount not to exceed \$55,000. Motion carried, (5-0).

Mr. Stern indicated that the sewer manhole structures sitting along the road now belong to the Township. Mr. Stern will work with our Public Works Department to sell them or find a new use for them. Mr. Burkhardt suggested Mr. Stern contact Monarch or B.R. Kreider.

B. Conditional Use Case #76, Summit Living.

Mr. Stern explained that our Solicitor Josele Cleary provided a draft decision to the Board based on the December 5, 2017 hearing. The Board can adjourn to executive session to deliberate if needed.

The Board decided they were ready to vote on the decision as written, without need for further deliberation.

Chairman Dumeyer read the 'Adjudication' section of the prepared decision into the record:

Based on the foregoing findings of fact and conclusions of law, the Board of Supervisors of the Township of West Hempfield hereby grants the application of Summit Living, LLC, for modifications of conditions which the Board imposed in its Decision at Case No. 75 granting approval to develop the property on the east side of Summit Avenue identified as Lancaster County Tax Account No. 300-73210-0-0000 as a planned village development consisting of 48 apartment dwelling units in four buildings. Conditions 1, 2, 3, 7, and 8 of the Decision at Case No. 75 shall be amended to provide as follows:

1. Applicant shall pay a fee to the Township in lieu of constructing the improvements required by Section 602 of the SALDO to the entire frontage of Summit Drive in the amount of \$100,000. Applicant shall either pay such sum prior to the release of the final plan for recording or shall post an irrevocable letter of credit in the amount of \$100,000 in a form acceptable to the Township Solicitor. Applicant shall pay the full \$100,000 to the Township prior to the issuance of a certificate of occupancy for the second building constructed on the Property.

2. Applicant shall provide restricted open space as shown on Exhibit A-3 presented at the hearing on December 5, 2017, and shall pay a fee in lieu of dedication of park and recreation land in an amount to be negotiated by Applicant and the Township staff as part of the subdivision and land development approval process. The Applicant and/or Landowner shall enter into a recorded agreement which shall provide for the maintenance of the private open space, shall prohibit further development of the private open space, and shall give the Township rights to maintain the land as set forth in Article VII of the MPC dealing with maintenance of common open space and planned residential developments. Such agreement shall either be executed by Landowner and recorded prior to the release of the final plan for recording or Applicant shall enter into and record such agreement with joinders by all mortgage holders prior to the issuance of any permits to enable construction. If Applicant desires to execute such agreement, Applicant will provide a title search identifying all mortgage holders after Applicant takes title to the Property.

3. Applicant and/or Landowner shall enter into an agreement to establish a conservation easement over the wetlands area delineated on the plan presented as Exhibit A-3 at the hearing on December 5, 2017. Such agreement shall either be executed by Landowner and recorded prior to the release of the final plan for recording or Applicant shall enter into and record such agreement with joinders by all mortgage holders prior to the issuance of any permits to enable construction. If Applicant desires to execute such agreement, Applicant will provide a title search identifying all mortgage holders after Applicant takes title to the Property.

7. Deleted.

8. Applicant shall provide all recreational amenities described in Exhibits A-2 and A-6 presented at the hearing on August 1, 2017, as modified in Exhibit A-3 presented at the

hearing on December 5, 2017. The recreational amenities, including the trail, bike rack, tot lot and patio, shall be installed prior to the issuance of a certificate of occupancy for the second building.

All conditions of this Board's Decision at Case No. 75 which are not specifically revised by this decision shall remain in full force and effect.

Motion: Moved by Edward Fisher and seconded by Kent Gardner to approve Conditional Use Case #76, as per the decision prepared by the Township's Solicitor. Motion carried, (5-0).

Chairman Dumeyer asked for a motion to adjourn the Board of Supervisors meeting at 7:35 p.m.

Motion: Kent Gardner moved, seconded by Frank Burkhart to *adjourn* the Board of Supervisors meeting at 8:30 p.m. Motion carried unanimously (5-0).

Respectfully submitted,



Andrew Stern
Township Manager

