

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of August 1, 2017

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, August 1, 2017. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Township Manager Andrew Stern; Zoning Officer Jodi Heffner, Sgt. Christopher Kunkle; Public Works Director Dale Getz; and Judy Carrier, Recording Secretary. Chief of Police Mark Pugliese I and Brenda Baumbach, Finance/Personnel Director were not present for the meeting.

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. CONDITIONAL USE HEARING: CASE #75; SUMMIT LIVING, 755 SUMMIT DRIVE, PLANNED VILLAGE DEVELOPMENT CONSISTING OF FOUR BUILDINGS WITH A TOTAL OF 48 MULTIFAMILY DWELLING UNITS ON APPROXIMATELY 5.6 ACRES.

The applicant, Summit Living, LLC, 755 Summit Drive, Lancaster, is proposing to develop the site into a Planned Village Development to include 48 multiple family dwelling units. The development is consistent and conforming in many areas but will need relief in areas such as Section 403.3.B.d(2) and 403.3.B.d(4) – Setback Regulations, Section 403.4.D.2 – Pedestrian and Vehicular Access from the Zoning Ordinance, and Section 602.K – Street Right-of-Way and Cartway Widths and Section 603 – Improvements and Vehicular Parking Facilities from the Subdivision and Land Development Ordinance.

Chairman Dumeyer opened the Conditional Use Public Hearing to the applicant, parties testifying, and the public. He explained the purpose, rules and regulations of the public hearing process and advised that after the Board has received all relevant evidence, the Board will close the record. The Board has 45 days after the close of the record within which to issue a written decision. The Board will issue its decision at a public meeting. The Board may make a decision on the application at tonight's meeting or any subsequent meeting held within 45 days after the close of the record.

All parties with standing and wishing to present testimony were sworn in. The applicant and the township staff are automatically parties to the hearing. All persons in the audience wishing to ask questions of the witnesses were given the opportunity to do so. State Law requires a court stenographer be present to record the testimony and the stenographic transcript will be the official record of the hearing. Chairman Dumeyer recognized Township Solicitor Josele Cleary, Morgan, Hallgren, Crosswell & Kane, P.C. who conducted the hearing. Representing the applicant, Summit Living, LLC, were Stephen J. Artz, Owner, Yorktown Builders and Sandy Kime, ELA Group.

Following receipt of all evidence, testimony and public comments, Chairman David Dumeyer entertained a motion to close the record.

Action:

- **Motion:** Motion was made by Edward Fisher and seconded by Frank Burkhart to *close* the record of the Conditional Use Hearing for Summit Living, LLC at 9:45 p.m. with the reminder that a decision will be based on testimony received. The motion passed (5-0).

Action:

- **Motion:** Motion was made by Edward Fisher and seconded by Kent Gardner to *table* a decision on the Conditional Use Hearing for Summit Living, LLC until the September 5, 2017 regular Board of Supervisors meeting to allow time for further discussion with counsel. The motion passed (5-0).

The regular Board of Supervisors meeting was re-opened by Chairman Dumeyer at 9:50 p.m.

III. APPROVAL OF MINUTES.

A. July 11, 2017 regular meeting.

- **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* the Board's July 11, 2017 regular meeting minutes as presented. Motion unanimously carried, (5-0).

IV. COMMUNICATIONS.

A. BOARD OF SUPERVISORS.

1. Chairman David Dumeyer noted that tonight's regular Board of Supervisors meeting will be adjourned into Executive Session for judicial discussion and deliberations.
2. Kent Gardner reported that at a meeting held last month, LIMC voted to lower the dues to the municipalities.
3. Frank Burkhart commented on the nice smooth roads.

B. TOWNSHIP MANAGER.

INTERNAL MATTERS

1. **Budget.** We will be starting our 2018 budget process in the next couple of weeks! Please let staff know if you have any requests for the budget. As you are aware, the new assessments will be in place, thus we will have a change to our millage rate for 2018, although we do not yet know the new adjusted rate.

2. **Pension.** As per our discussion at the July 11 Board meeting, I have sought proposals from BB&T and Wells Fargo to take over our pension funds rather than having them split between the two companies. Proposals are due to me August 4. Both companies have commended us on moving in this direction, even if it means losing our business.
3. **Green Light-Go:** We have been awarded a \$13,268.75 grant for signal light pre-emption at US30 and Stony Battery Rd. There are several items on this agenda for Board action related to this project.
4. **Health Insurance:** As of May 31, 2017, our claim fund performance is at 96.39%. This means we are doing slightly better than anticipated with employee insurance claims and quite a bit better than last year.
5. **HARC:** On July 12, 2017, the managers of East Hempfield, West Hempfield, and East Petersburg, along with a representative from Hempfield Schools and Mountville Borough met with HARC's Board Chair, Executive Director, and Solicitor. The purpose of the meeting was to discuss HARC's requests to change our current intergovernmental agreement. HARC will be revising their draft based on our discussion. I will then bring it to you at a future meeting for consideration.
6. **Paving Projects:** On July 24, 2017, Dave Dumeyer and I met with Jeff Sweigart from Pennsy/McMinns to discuss concerns we had with their recent paving projects on Ironville Pike and Silver Spring Road. For Ironville Pike, traffic control was our biggest concern. Residents in the Ironville area were frustrated at a lack of helpful traffic control and the poor conditions they were forced to endure for a few days. Jeff was aware of the problem. Pennsy used a subcontractor for traffic control and apologized to us for the issues our residents dealt with. As for Silver Spring Road, there were quality issues in one area adjacent to several driveways. Jeff was aware of this concern and plans to return to correct the issue.
7. **Towing:** On July 21, 2017, three of the eight towing companies we work with met with the Chief and I to express concern about how we are assigning tow work to the various companies. One company in particular believes we are deliberately violating our own policies and "always" giving work to one company. The Chief and I had met with this company before and assured them that we are following our policy as reasonably as possible, although we are not obligated by any law to do so. The Chief and I also put them on notice that we will be looking at changes to our policy to address concerns with their charges.

EXTERNAL MATTERS

1. **St. Mary's Coptic Church:** The church presented their appeals to the Zoning Hearing Board June 13, 2017. The Zoning Hearing Board issued a decision July 18 denying their appeal and variance request for their proposed roof height.

2. **UGI – Stony Battery Road:** UGI will be returning to Stony Battery Road to continue their project. They intend to close Stony Battery from August 8 – September 8 and use Corporate Blvd. as a detour. A temporary traffic light is being installed at Corporate and Marietta.

PERSONNEL

1. **Police Contract.** We have begun our negotiations with the Police. The Association has presented us with their requests. We are now working to prepare our response.

OUTSIDE BOARDS AND COMMITTEES

CORRESPONDENCE

1. **Drug Task Force:** We have received the 2nd quarter Drug Task Force report from the District Attorney.
2. **Lancaster County Hazard Mitigation Plan Update.** The County is updating their plan. We must participate in order to remain eligible for state and federal mitigation funding. I will be attending the meetings.

C. TREASURER’S REPORT: JUNE 2017 FINANCIALS.

General Fund	\$ 2,867,702.82
Sewer Fund	\$ 267,971.22
Refuse Fund	\$ 386,664.81
Street Light Fund	\$ 3,009.90
Fire Hydrant Fund	\$ 43,597.02
TDR Fund	\$ 426,956.26
State Liquid Fund	\$ 851,590.79
Police Pension Fund	\$ 7,160,630.77
Non-Uniform Pension Fund	\$ 2,106,006.51
Recreation	\$ 15,363.21
Highway	\$ 831,221.76
Post Retirement	\$ 24,999.64
Health Care (HRA)	\$ 26,080.43
Fulton Bank	\$ 888,951.34
Total All Funds June 2017	\$ 15,900,746.48

D. DEPARTMENT REPORTS: PUBLIC WORKS, ZONING/LAND USE, FIRE

Written reports were received from the Public Works, Zoning/Land Use and Fire Departments. Chief Pugliese was not in attendance at the meeting and will submit the

police report at the next Board of Supervisors meeting. There were no comments or questions (Board or Public).

E. GUESTS.

1. Lancaster Public Library. Lissa Holland, Library Manager, and Daneen Kemple, long time library volunteer were present. Ms. Holland distributed and discussed 2016 West Hempfield Township Library Statistics pertaining to various services and funding. She thanked the Board for their contribution and expressed hope that it will increase if possible.

F. RESIDENTS – None

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

BRIEFING ITEMS:

- A. Bardon Development LP-WHTPC 06-17 (90 Days 9-13-17)**
Proposed Warehouse Expansion
Final Land Development Plan
Location: 200 Lincoln Avenue
Zone: I-2
Acreage: 18.8

The applicant submitted a Final Land Development Plan for a warehouse expansion for Cooper Booth. The existing warehouse is approximately 99,000 square feet and the expansion proposed will be 82,441 square feet. There will be an addition of 11 truck docks and an increase in the number of outbound trucks. A net increase of 16 parking spaces providing a total of 208 parking spaces is proposed. There is no change to the existing access onto Lincoln West Drive and the added traffic will be at off-peak hours so it will not have an adverse impact on the Township's road network. The warehouse expansion is expected to be completed in 2018.

On July 20, 2017 the Bardon Development LP Final Land Development (Proposed Warehouse Expansion) was presented to the Planning Commission as a briefing.

AGENDA ITEMS:

- A. Conditional Use Case No. 75 (60 Days 9/26/17)**
Summit Living LLC
Location: 755 Summit Drive
Zone: TV
Acreage: 6.192

The applicant is proposing to develop the site into a Planned Village Development to include 48 multiple family dwelling units. The development is consistent and conforming in many areas but will need relief in areas such as Section 403.3.B.d (2)

and 403.3.B.d (4) Setback Regulations, Section 403.4.D.2 Pedestrian and Vehicular Access from the Zoning Ordinance and Section 602.K Street Right-of-Way and Cartway Widths and Section 603 Improvements and Vehicular Parking Facilities in the Subdivision and Land Development Ordinance.

On July 20, 2017 the Conditional Use for Summit Living LLC was presented to the Planning Commission. The Planning Commission recommended approval including the modifications of the rear yard setback and street tree location based upon all comments being completed to the satisfaction of the Township Engineer and Township Staff.

A Public Hearing was held at 7:30 p.m. at the regularly scheduled Board of Supervisors Meeting August 1, 2017. The purpose of the Hearing was to present the Conditional Use for Summit Living LLC for public participation, the applicant, and parties testifying. A court stenographer was present to record the Hearing and the stenographic transcript will be the official record of the Hearing.

Action Required

- **Motion:** At the close of the Public Hearing held August 1, 2017, motion was made by Edward Fisher and seconded by Kent Gardner to ***table*** a decision until the September 5, 2017 regular Board of Supervisors meeting to allow time for further discussion with counsel. The motion passed (5-0).

**B. Dollar General – WHTPC 15-06
Request for Release of Financial Security
Location: 3510 Marietta Avenue**

The applicant is requesting a full release of their financial security. The Township Engineer recommends that the financial security be released for \$12,303.63.

Action Required:

- **Motion:** Motion was made by Kent Gardner and seconded by Frank Burkhart to ***approve*** the request to release Financial Security for \$12,303.63 with the condition that all outstanding conditions are met, and the Township receives evidence of acceptance of the NPDES Notice of Termination. The motion passed (5-0).

**C. 4620 Oriole Avenue – WHTPC 06-18
Storm Water Management Plan
Location: 4620 Oriole Avenue
Zone: R-2
Acreage: .14**

The applicant is proposing to build a single family dwelling on this parcel. The amount of impervious cover proposed is 4,467 square feet on the .14 acre lot.

The applicant went before the Zoning Hearing Board on Tuesday, July 18, 2017 for a variance for lot size which had expired. The lot is 18,157 square feet which is 6,843 square feet less than the allowed 25,000 square foot minimum required for building a dwelling.

On July 20, 2017 the 4620 Oriole Avenue Storm Water Management Plan was presented to the Planning Commission as an agenda item. The Planning Commission recommended approval.

Action Required:

- **Motion:** Motion was made by Edward Fisher and seconded by Kent Gardner to ***approve*** the 4620 Oriole Avenue Storm Water Management Plan with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Engineer and Township Staff and pays all outstanding invoices. The motion passed (5-0).

VI. NEW MUNICIPAL COMPLEX.

A. UPDATE.

Andrew Stern discussed highlights of his new building update dated July 25, 2017 and reported we remain slightly ahead of schedule and under budget. Three change orders were submitted for Board information, discussion and approval.

B. CHANGE ORDER CREDIT \$155,409.00 – ELIMINATE RAIN COLLECTION SYSTEM.

- **Action:** Motion was made by Frank Burkhart and seconded by Edward Fisher to ***approve*** Change Order CREDIT \$155,409.00 - Eliminate the Rain Collection System. The motion passed (5-0).

C. CHANGE ORDER PARTIAL CREDIT \$14,531.00 – RADIANT FLOOR HEAT REDESIGN FOR FIRE DEPARTMENT.

- **Action:** The Board unanimously agreed to ***defer*** action until the full amount of credit is received.

D. CHANGE ORDER \$49,554.00 – ADDITIONAL SANITARY SEWER WORK ON MARIETTA AVENUE.

- **Action:** Motion was made by Kent Gardner and seconded by Edward Fisher to ***approve*** Change Order \$49,554.00 – Additional Sanitary Sewer Work on Marietta Avenue not to exceed \$50,000.00. The motion passed (5-0).

VII. UNFINISHED BUSINESS - None

VIII. NEW BUSINESS.

A. PURCHASE OF POLICE VEHICLES FOR 2018

Andrew Stern presented revised vehicle quotes received from Scot Reppert, Hondru Fleet Sales. He and Chief Pugliesi recommend purchasing the following two vehicles at this time:

- 1) 2016 Dodge Charger AWD Police Sedan - \$23,000.00
- 2) 2016 Ram 1500 4x4 SSV Pickup - \$28,150.00

- **Action:** Motion was made by Edward Fisher and seconded by Kent Gardner to *approve* the purchase of two vehicles through Co-Stars as presented and discussed. The motion passed (5-0).

B. AUTHORIZE USE OF FIRE POLICE: AUGUST 26-27, 2017, LANCASTER AIRPORT COMMUNITY DAYS (IN MANHEIM TOWNSHIP)

- **Action:** Motion was made by Edward Fisher and seconded by Frank Burkhart to *authorize* assistance of West Hempfield Special Fire Police with Lancaster Airport Community Days scheduled to be held August 26 and 27, 2017 at the Lancaster Airport (Manheim Township). The motion passed (5-0).

C. AUTHORIZE USE OF FIRE POLICE: SEPTEMBER 16, 2017, EAST PETERSBURG DAY (IN EAST PETERSBURG BOROUGH) AND CAR SHOW (IN MANHEIM TOWNSHIP)

- **Action:** Motion was made by Edward Fisher and seconded by Frank Burkhart to *authorize* assistance of West Hempfield Special Fire Police with two events on September 16, 2017: East Petersburg Day (in East Petersburg Borough) and Car Show and Competition in Manheim Township. The motion passed (5-0).

D. IRONVILLE PARK COMMUNICATIONS TOWER: GRANT RIGHT-OF-WAY TO PPL

- **Action:** Motion was made by Edward Fisher and seconded by Kent Gardner to *grant* right-of-way to PPL Electric Utilities Corporation for the Ironville Park Communications Tower as submitted. The motion passed (5-0).

E. GRANT/REIMBURSEMENT AGREEMENT, PENNDOT GREEN LIGHT-GO PROGRAM

- **Action:** Motion was made by Frank Burkhart and seconded by Kent Gardner to *approve* the Grant/Reimbursement Agreement made between the Commonwealth of Pennsylvania, Department of Transportation and West Hempfield Township as presented. The motion passed (5-0).

IX. ORDINANCES AND RESOLUTIONS.

A. RESOLUTION #13-17, SIGNATURE AUTHORIZATION (GREEN LIGHT-GO PROGRAM)

- **Action:** Motion was made by Frank Burkhart and seconded by Edward Fisher to **adopt** Resolution #13-17, Signature Authorization (Green Light-Go Program). The motion passed (5-0).

B. RESOLUTION #14-17, PENNDOT TRAFFIC SIGNAL APPLICATION WB30 @ STONY BATTERY

- **Action:** Motion was made by Frank Burkhart and seconded by Edward Fisher to **adopt** Resolution #14-17, PennDOT Traffic Signal Application WB30 @ Stony Battery. The motion passed (5-0).

C. RESOLUTION #15-17, PENNDOT TRAFFIC SIGNAL APPLICATION EB30 @ STONY BATTERY

- **Action:** Motion was made by Frank Burkhart and seconded by Edward Fisher to **adopt** Resolution #15-17, PennDOT Traffic Signal Application EB30 @ Stony Battery. The motion passed (5-0).

X. APPROVAL OF PAYABLES.

FUND	AMOUNT	CHECK #'S
General Fund 1	\$ 93,904.10	29195-29281
General Fund 2 Fulton Ckg	\$ 338,080.62	109-118
Sewer Fund	\$ 275.87	3750-3753
Refuse Fund	\$ 78,864.07	2509-2516
Fire Hydrant Account	\$ 26,420.63	220-221
Escrow Fund	\$ 4,922.14	188-189
State Fund	\$ 3,326.56	3154-3158
Payroll and Taxes	\$ 183,583.27	EFT
Total Checks	\$ 729,377.26	

- **Motion:** Kent Gardner moved, seconded by Frank Burkhart to **approve** payment of all bills between July 1 – July 31, 2017 and any residuals. Motion carried (5-0).

XI. ADJOURNMENT.

Chairman Dumeyer asked for a motion to adjourn the regular meeting at 10:30 p.m. into Executive Session for judicial discussion and deliberations.

- **Motion:** Kent Gardner moved, seconded by Frank Burkhart to *adjourn* the regular Board of Supervisors meeting at 10:30 p.m. and convene into Executive Session for judicial discussion and deliberations. Motion carried unanimously (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

