

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of May 7, 2019

The regularly scheduled 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, Robert Munro and Naomi Martin were present. Also in attendance were: Township Manager Andrew Stern; Chief of Police Lisa A. Layden; Public Works Director Dale Getz; Zoning Officer Dwayne Steager and Judy Carrier, Recording Secretary. Brenda Baumbach was not present at the meeting.

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

II. NATIONAL POLICE WEEK

A. National Police Week Proclamation.

Chairman Dumeyer announced that Congress and the President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week and read the National Police Week Proclamation calling upon all citizens of West Hempfield Township and upon all patriotic, civic and educational organizations to observe the week of May 11th – 18th, 2019, as Police Week, with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present.

❖ Motion: Moved by Robert Munro and seconded by Edward Fisher to *ratify* the West Hempfield Township 2019 Police Week Proclamation. The motion passed unanimously (5-0).

B. Police Department: Presentation of Commendations and Recognitions.

Following the reading of the proclamation, Chairman Dumeyer stated that tonight the Board will formally recognize officers and fire-fighters for actions that saved the life of another, and officers and citizens for commendable acts that exceeded normal duties and responses. Additionally, the local veteran's organization will also be recognized for their support of our police department through generous donations. Chairman Dumeyer welcomed family and guests of all award recipients and the following individuals were recognized and presented with certificates and bars.

Life Saving Award – Awarded to individuals whose actions that, if not performed, would, beyond a reasonable doubt, have resulted in the death of a person or persons. **Officer Michael Murray, West Hempfield Township Police Department and Officer Brent Smith, Columbia Borough Police Department** for an incident involving a suicidal person; and **Captain Kevin Keyser and Captain Bryan Keyser of the Columbia Fire Department** for a water rescue. As a result of the officers' actions the suicidal person was taken into custody and provided assistance at the local hospital and the motorist stranded on the roof of his car was safely rescued by boat.

Commendation Award – Presented for outstanding acts above and beyond normal duties or expectations. This year, commendation awards were presented to officers and citizens involved in three separate incidents.

- (1) **Officer Richard Bowermaster, West Hempfield Township Police Department and Officer Daniel Bell and Officer Brent Smith of the Columbia Borough Police Department** for an incident involving an impaired person acting irrationally and brandishing a large knife. The person was quickly and safely taken into custody, with no injury to the subject or any officer.
- (2) **Sergeant Timothy Coyle and Officer Robert Small, West Hempfield Township Police Department, and Officer Chad Nagel and Officer Ethan Etter of the East Hempfield Township Police Department** for an active domestic assault occurring in a moving vehicle and involving a handgun and an infant in the car. The suspect was incapacitated by TASER, taken into custody and charged with assault on a law enforcement officer and assault of the victim. Neither the officers nor the victim and infant sustained any injuries due to the quick, appropriate actions of these officers.
- (3) **Bryce Witmer** was recognized in absentia for volunteering to assist police by using his drone to locate a violent, suicidal person who had fled into an area of heavy vegetation. Mr. Witmer's actions resulted in police officers being able to safely take the subject into custody. He was not able to attend tonight's ceremony due to scheduling conflicts and the certificate will be mailed to him.

Certificate of Appreciation – Awarded to citizens, organizations or businesses that distinguish themselves through the accomplishment of an extraordinary act or service to the Department or to the community. The **Columbia American Legion Post 372** provided generous donations to the West Hempfield Township Police Department in 2018, which enabled the Department to purchase equipment, training supplies and community outreach and educational supplies. The officers and citizens benefit from these contributions. The certificate will be mailed to the Legion.

At the conclusion of the awards ceremony, a short recess was taken beginning 7:42 p.m. and ending at 7:47 p.m. for visitors and family members to take photographs.

III. APPROVAL OF MINUTES

- a. April 2, 2019 Regular Meeting.
- b. April 29, 2019 Road Tour Meeting.

Motion: Moved by Robert Munro and seconded by Edward Fisher to *approve* the Board's April 2, 2019 regular meeting minutes and the Board's April 29, 2019 Road Tour Meeting minutes as presented. Motion carried (5-0).

IV. COMMUNICATIONS

A. BOARD OF SUPERVISORS

- Chairman Dumeyer informed that a note has been received from Retired Police Chief Pugliese thanking the Board of Supervisors for the send-off reception.
- Kent Gardner reported he had several conversations with the Conservation District and submitted photographs regarding the existing health hazard due to water across from the East Hempfield Sports Complex. The first plan regarding this had been turned down; however, they are on board with the second proposed plan.

B. TOWNSHIP MANAGER

Mr. Stern offered special thanks to Finance/Personnel Director Brenda Baumbach for leading the project to move most of the Township's banking to Fulton Bank. He also recognized the Township's part-time receptionist, Mary Gildea, who used her newly acquired CPR skills acquired as a result of CPR training and certification received on April 17, 2019, to save a person's life in the Township. The following manager's report was then reviewed, discussed and acted upon accordingly:

INTERNAL MATTERS

1. **COMCAST Franchise Agreement.** Our COMCAST franchise agreement expires in 2025. However, about a dozen other municipalities in this area will be renegotiating their agreements this year. **I am seeking approval to seek a new expiration date to synchronize with the other Lancaster municipalities. *The Board had no objections.***
2. **Admin Vehicle.** One of our administration vehicles, a 2003 Ford Taurus, has significant mechanical issues. With consultation of our mechanic, I have deemed it not worthy for repair. As such, **I am seeking the Board's approval to sell or otherwise dispose of this vehicle in accordance with the PA Second Class Township Code.**
 - ***Motion:*** *Moved by Kent Gardner and seconded by Edward Fisher to approve, sell or otherwise dispose of the 2003 Ford Taurus in accordance with the PA Second Class Township Code. The motion passed unanimously (5-0).*
3. **Police Vehicle.** One of our police vehicles, a 2014 Ford SUV, was involved in an accident. We are waiting for the insurance company to determine if it is "totaled". If it is NOT, then I am seeking approval to dispose of it rather than fix it. This vehicle was planned for replacement at the end of 2018. The replacement vehicle was already purchased and is being prepared to put into service. **I am seeking the Board's approval to sell or otherwise dispose of this vehicle in accordance with the PA Second Class Township Code. *The vehicle has been determined to be 'totaled'; Board approval is not required.***
4. **Mountville Police Agreement.** I have been in contact with Mountville Borough concerning our police services agreement. Although the general opinion has been that our agreement EXPIRES December 31, 2019, it actually does not. The cost to Mountville Borough is specified through December 31, 2019. After that, the agreement states "For each succeeding year, the cost shall

be increased by 5% from the cost for the prior calendar year unless the parties agree to a different price for such calendar year.” Both parties have the right to terminate this agreement, but otherwise it will continue into 2020.

5. **Police Awards.** As May is Police Month, the Chief’s report will include several awards which we would like to present at this meeting. I would like to thank the Chief and all officers who helped her put this together in a short period of time since her arrival.
6. **Republic Trash.** Although Republic initially declined a contract extension, we are still discussing options for 2020. I will update the Board at the meeting as new information will come forward after the time I wrote this memo. *Mr. Stern reported that Republic has offered to accept two (2) one-year extensions with a change order and he provided a pricing breakout. In 2020 the cost to consumers would be at least \$275/year per customer. After review and discussion of options, the Board was in favor of two (2) one-year extensions. Mr. Stern recommended that the Township no longer sell ‘brown kraft bags’ once our inventory is depleted due to cost and inventorying and residents be required to affix a tag to their own brown kraft bag. He will bring the official change order back before the Board for action at next month’s meeting.*
7. **Emergency Management.** Our Emergency Management Coordinator John Leas has been working to update our Emergency Operations Plan. He has provided me with a draft new plan to review with the Police Chief. This will occur as soon as time allows. I would like to thank Mr. Leas for his efforts with this and remind the Board that he has been doing this work as a volunteer.
8. **MS4 PRP:** After our last meeting with DEP, Kara from Rettew has revised portions of the map submitted with our PRP. DEP has tentatively agreed to the revised map. This is good news for us.
9. **Parks.** Hempfield Rec will have a few ‘work days’ where their management and staff will be working on our parks. I have agreed to participate as well. If any Board members would like to volunteer please let me know. May 10 is tentatively the next work day.
10. **Park Rentals.** At your last meeting, the Board agreed to an increased park pavilion rental fee for 2020 forward. Mountville Borough has since approved the new fee as well for Lake Grubb.
11. **Marietta at Farmdale.** There are a few conflicts with sanitary sewer and water which we are resolving at this point before we proceed.
12. **Health Insurance.** For 2018, we ended up at 98.05% of our anticipated costs. As a result, we will be receiving an initial refund from the IIC (Intergovernmental Insurance Cooperative) of approximately \$46,583. Our refund will be delayed slightly as there are outstanding re-insurance claims still being processed.
13. **Banking.** We have been working hard to move most of our banking to Fulton. This has taken a significant amount of time as there are dozens of documents which needed to be updated. A special thanks to Brenda Baumbach who has been leading this project.

EXTERNAL MATTERS

1. **Sedgewick (former Columbia Drive In).** On April 24 Dwayne and I met with DEP Central Office in Harrisburg to discuss the proposed floodplain restoration component of this project. Overall the meeting went well and DEP seems eager to work with the developer to move this project forward. A portion of this project will help meet our PRP requirements (for the Strickler Run Watershed).

PERSONNEL

1. **CPR/AED:** On April 17, 2019, all Administration and Public Works employees were trained and certified for CPR and AED. On April 26, our part-time receptionist Mary Gildea used her newly acquired CPR skills to save a person's life in our Township!
2. **Public Works.** We have hired a replacement for Joe Ney. Scott Keemer began April 22. He has significant public works experience from prior jobs with Lancaster City Public Works and LCSWMA. He has his CDL license.

OUTSIDE BOARDS AND COMMITTEES

1. **CLC-COG.** The next meeting is May 22, 2019 at East Petersburg.

CORRESPONDENCE

1. **Atlantic Sunrise Pipeline:** Our Solicitor has placed Transcontinental Gas Pipeline Company on notice that they have responsibilities with respect to the mechanic's liens which have been threatened for the portion of our property where a pipeline was installed.
2. **DEP Fees.** We have received correspondence from Representative Brett Miller concerning the newly proposed DEP fee schedule. While the fees should not directly impact the Township, they will indirectly affect our residents will eventually pay more to cover the increased costs that our sewer and water utilities will be paying.
3. **Drug Task Force.** I have attached a copy of the 1st Quarter 2019 Report from the District Attorney's Office.

C. TREASURER'S REPORT

West Hempfield Board of Supervisors
 May 7, 2019 Minutes

General Fund	\$ 2,803,721.48
Sewer Fund	\$ 274,263.14
Refuse Fund	\$ 532,660.40
Street Light Fund	\$ 5,888.87
Fire Hydrant Fund	\$ 74,125.20
TDR Fund	\$ 600,815.03
State Liquid Fund	\$ 1,227,410.59
Police Pension Fund	\$ 7,102,742.29
Non-Uniform Pension Fund	\$ 2,388,380.66
Recreation	\$ 41,170.03
Highway	\$ 969,938.09
Post Retirement	\$ -
Health Care (HRA)	\$ 34,062.25
MS4 Stormwater Fund	\$ 100,000.00
Total All Funds	\$ 16,155,178.03

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

Written reports were received, reviewed and discussed.

- Police Chief Lisa A. Layden reviewed monthly statistics for March, 2019 and reported that Officer Karl Hartranft has been selected to receive a 2018 Lancaster County “DUI Top Gun” Award for 11 DUI arrests in 2018 and a Certificate of Appreciation from the PA Aggressive Driving Enforcement & Education Program for actively participating in 2018.
- Zoning Officer Dwayne Steager provided an event schedule for the Municipal Stormwater Education Forum being held Monday, June 3, 2019 specifically for Municipal leaders and employees and reported ten people are planning to attend so far. He asked that anyone wishing to attend to please let him know.
- Mountville Fire Chief Dean R. Gantz, reported on the status of the Auditor General’s Report. Due Date for submissions was April 29 and they are waiting to hear back.

E. RESIDENTS

- Kenneth Smith, Sylvan Retreat Road, Columbia, expressed concern about speeding on Sylvan Retreat Road and requested the Board take immediate action to control it. Mr. Fisher assured the Board is aware that there are speeding issues throughout the Township and the issue is not being ignored. However, studies have been done and have shown a very small percentage of people are speeding. He informed Mr. Smith that speed limits are established at the 85th percentile. It is not possible to get everybody to drive the speed limit . . . fifteen percent of the

people are never going to drive the speed limit. The Township is addressing the matter as manpower and resources permit.

- Lee Martin, Stony Battery Road, remarked about the water spot right at his house and expressed concern about massive mosquito breeding. Mr. Gardner advised he has reported the problem and provided photographs to the Conservation District and they are on board with the second proposal submitted to resolve this.

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

BRIEFING ITEMS:

A. None

AGENDA ITEMS:

A. **Houck Wayne & Linda – WHTPC 01-19**

Lot Add-On Plan

Location: 3887 and 3871 Pawnee Road

Zone: R-2

Lot Size .33 acres/14,176 ft.²

The applicant is proposing to subdivide .359 acre from 3871 Pawnee Road and add to 3887 Pawnee Road.

The applicant has requested a modification of Sections 404.A.1 and 405.A – Plan Scale (New Request This Submission)

The applicant is requesting a waiver of the requirement that the plan be drawn at a scale of one-inch equals 50 feet (1" = 50'). In the alternative, the applicant is proposing a scale of one-inch equals 30 feet (1" = 30') as increasing or decreasing the plan scale will make the plan difficult to read.

The Township engineer has recommended approval of this modification request based on the justification and alternative provided.

Jane Richter, Land Grant Surveyors was present on behalf of the applicant and provided copies of the Plan for review and discussion.

Action Required:

- **Motion:** Moved by Edward Fisher and seconded by Robert Munro to *approve* the requested modification of Sections 404.A.1 and 405.A – Plan Scale for the Wayne and Linda Houck Lot Add-On Plan. The motion passed (5-0).

The applicant has requested a modification of Sections 602.K.6 – Improvement of Existing Streets and Intersections, 602.M – Curbing, and 602.N - Sidewalks

The applicant is requesting a waiver of the requirement to improve Pawnee Road, including curb and sidewalk. There is no new construction or improvements proposed as part of this plan. The original subdivision plan (J-87-18) provided for additional right-of-way width of twenty-five (25) feet on the north side of Pawnee Road (project side). The current cartway width is approximately eighteen (18) feet. The closest curbing and sidewalk is 575 feet southwest of the site on Sylvan Retreat Road and 2,100 feet east of the site on Kennel Avenue.

The Township engineer recommends the Township deny this waiver, but allow the applicant to defer the reconstruction of the street, curb, and sidewalk with the condition that the following note is added to the plan:

“When a modification is requested for curbing, sidewalk, and/or reconstruction of perimeter streets to their centerlines, the following note needs to be added: “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 (6) months of the date of notice to do so.”

Action Required:

- **Motion:** Moved by Edward Fisher, and seconded by Robert Munro to *deny* the requested modification but to *defer* reconstruction of the street, curb and sidewalk as required by Sections 602.K.6, 602.M and 602.N until such time as the Township would determine otherwise. The motion passed (5-0).

- **Motion:** Moved by Edward Fisher and seconded by Robert Munro to *approve* the proposal to subdivide .359 acre from 3871 Pawnee Road and add to 3887 Pawnee Road with all comments and conditions being completed to the satisfaction of the Township Engineer and Township Staff. The motion passed (5-0).

B. Sedgewick ACP Properties LLC

Conditional Use: Case #81

Location: 4061 Columbia Ave.

Action Required:

- **Motion:** Moved by Edward Fisher and seconded by Robert Munro to *refer* Sedgewick ACP Properties LLC Conditional Use: Case #81 to the Planning Commission and *schedule* a Public Hearing for June 4, 2019. The motion passed (5-0).

C. Zoning Ordinance Proposed Amendment – Building Height

Action Required:

- **Motion:** Moved by Edward Fisher and seconded by Robert Munro to forward the Petition to Amend the West Hempfield Township Zoning Ordinance of 1988 (the “Zoning Ordinance”) to the Lancaster County and West Hempfield Township Planning Commissions. The motion passed (5-0).

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS - None

VIII. ORDINANCES, RESOLUTIONS, AND AGREEMENTS - None

IX. APPROVAL OF PAYABLES.

FUND	AMOUNT	CHECK #'S
Payroll and Taxes	\$ 234,972.88	EFT
General Fund	\$ 267,161.21	31561 - 31669
Sewer Fund	\$ 500.00	3756.00
Refuse Fund	\$ 81,814.72	2699 - 2711
Street Light	\$ 4,405.11	441 - 443
Fire Hydrant	\$ 28,834.96	232
WHT Escrow	\$ 942.36	241
State Fund	\$ 17,617.76	3313 - 3319
Total	\$ 636,249.00	

- **Motion:** Kent Gardner moved, seconded by Robert Munro to *approve* payment of all bills between April 1 – April 30, 2019 and any residuals. Motion carried (5-0).

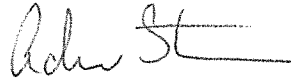
X. UPCOMING MEETINGS: June 4, 2019 Regular Meeting

XI. ADJOURNMENT TO EXECUTIVE SESSION

Chairman Dumeyer asked for a motion to adjourn the regular meeting at 8:30 p.m. and move into Executive Session to discuss a personnel matter.

- **Motion:** Robert Munro moved, seconded by Kent Gardner, to *adjourn* the regular Board of Supervisors meeting at 8:30 p.m. and move into Executive Session to discuss a personnel matter. The motion passed (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

