

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of August 7, 2018

The regularly scheduled meeting of the Board of Supervisors was held at the new West Hempfield Township Municipal Building, 3476 Marietta Avenue, immediately following the Ribbon Cutting Ceremony. 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 Mark Pugliese I; Public Works Director Dale Getz; Zoning Officer Dwayne Steager; and Judy Carrier, Recording Secretary.

I. CALL TO ORDER.

Chairman David Dumeyer called the meeting to order at 7:30 p.m. The Presentation of Colors by Boy Scouts and Cub Scouts and the Pledge of Allegiance were part of the Ribbon Cutting Ceremony preceding tonight's Board of Supervisors regularly scheduled meeting.

II. PUBLIC HEARING.

A. Urban Growth Area.

West Hempfield Township is proposing an update to the West Hempfield Township Comprehensive Plan to revise the Urban Growth Area for the Township. The Urban Growth Area Map will serve as a policy document and a portion of the Comprehensive Plan for guiding future development within the Township.

Chairman Dumeyer opened the Urban Growth Area Public Hearing. 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.

Andrew Stern, West Hempfield Township Manager, explained the purpose of this legislative hearing is to hear comment on a proposed amendment to the Township's Comprehensive Plan to revise the Urban Growth Area. He submitted and explained the Proposed Amendment to the Township's Comprehensive Plan, Legal Advertisement published in accordance with the requirements of the Pennsylvania Municipalities Planning Code, Proposed Resolution and Urban Growth Area Map attached as Exhibit A thereto, along with copies of correspondence soliciting reviews and comments from the Lancaster County Planning Commission, Hempfield School District, East Hempfield Township, Manor Township, Rapho Township, Mountville Borough, Columbia Borough, Marietta Borough, East Donegal Township, and Hellam Township (York). Comments received from Lancaster County Planning Commission in memorandum dated May 30, 2018 were also included with Mr. Stern's exhibits.

Donna Bushong, Meadowlark, asked if landowners have been contacted about the Township's plan to revise the Urban Growth Area. Mr. Stern stated it is not a requirement.

On behalf of Mary Haverstick who was unable to attend tonight's meeting, a statement from Respect Farmland, a watchdog group for agricultural preservation, was read. The statement expressed the group's pleasure that the Board and Planning Commission is updating West Hempfield's comprehensive plan in concert with the County Comprehensive Plan update. It also expressed reservations about two tracts that might be considered for development – one along Marietta Pike at Bridge Valley Road and the other west of Prospect Road at Indianhead Road. Both tracts border large agricultural areas and the Respect Farmland Group states if they are developed, pressure on these farms will intensify. Respect Farmland commended the thoughtfully constructed plans of West Hempfield Township planners and supervisors and respectfully requested that the two questionable tracts be removed from UGB status at this time.

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

- ❖ **Motion:** Moved by Robert Munro and seconded by Edward Fisher to *close* the record of the Urban Growth Area Public Hearing. The motion passed (5-0) and the Urban Growth Area Public Hearing was closed.

The regular Board of Supervisors meeting was re-opened by Chairman Dumeyer.

III. APPROVAL OF MINUTES.

A. July 3, 2018 regular meeting.

- ❖ **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* the Board's July 3, 2018 regular meeting minutes as presented. Motion carried, (5-0).

IV. COMMUNICATIONS.

A. BOARD OF SUPERVISORS

1. Kent Gardner reported there was a meeting between all the members of the Clean Water Association at sizeable savings doing it as a group. One topic of discussion was the New Holland to Lancaster City Goat Path.

B. TOWNSHIP MANAGER.

MANAGER'S REPORT

INTERNAL MATTERS

1. **Move.** We have successfully moved to the new building. I am incredibly proud of all our employees! Almost every employee in every department worked over the weekend to get us moved. Several employees worked 12 straight days or more to get everything done! As per our plan, we closed our old building at noon, Friday, July 27 and opened our new building at noon, Monday, July 30. When we opened, we were ready! Phones, internet, computers, and everything else switched over per schedule and with very few flaws. There is still much to do with putting away files and boxes, but we are much further ahead than I had anticipated. Again, THANK YOU to everyone who helped!
2. **Small Games of Chance.** We have had continued interest in allowing small games of chance in the Township. St. Anne's and the Marine Corps League are two such entities very interested in a change. As per Pennsylvania law, the only time this can be changed is during a municipal primary election, which will occur next spring. It can be placed on the ballot as a referendum question either by resolution of the Board of Supervisors or by petition signed by at least 25% of the highest vote cast for any office in the last preceding election.

I am seeking the Board's consensus on this matter.

- ❖ **Motion:** Moved by Robert Munro and seconded by Naomi Martin to *authorize* staff to prepare a resolution to be on the next Board meeting agenda. The motion passed (5-0).

3. **Growing Greener Grant.** At the July Board meeting, Dwayne Steager briefed you on a grant opportunity for Stormwater/MS4 work along Stony Battery Road. We have since submitted the grant application, however, it was suggested to us that we provide a letter committing to a 20% match with local funds. I cannot provide such a letter without Board approval. The grant request is for \$260,000 with an additional \$65,000 of local funds, for a total project cost of \$325,000. Our \$65,000 would come from our MS4 fund which we established for the 2018 budget to fund MS4 projects.

I am seeking the Board's authorization to sign a letter committing to a 20% funding match.

- ❖ **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *authorize* Andrew Stern to provide a letter committing to a 20% match with local funds up to the amount of \$65,000 for the Growing Greener Grant. The motion passed (5-0).

4. **Sale of Old Township Building.** At the July meeting, the Board authorized the staff and Solicitor to prepare documents required to sell the old building. At that time I had suggested a sealed bid process. After further consultation with our Solicitor, I am recommending that we sell the property via a live auction. Recent history suggests that a live auction may bring a higher price than a sealed bid.

We would also like to auction furnishings and any other no longer used Township equipment and items. This auction would most likely occur in October. The Board will need to be present to accept or reject the highest bid for the building.

Our Solicitor has also indicated that you may attach reasonable restrictions on the sale – i.e. uses you would not allow at this property or a maximum number of dwelling units, etc. It is my opinion that we should NOT impose any restrictions, beyond what our ordinances already impose. Please let me know if you feel differently.

I am seeking the Board's approval to sell the building, furnishings, and any other no longer used Township equipment and items via a live public auction.

❖ The Board *concurred*. Kent Gardner suggested a future meeting be held to discuss value, etc. with Solicitor Joselle Cleary.

5. **Park Pavilion Rentals.** Mary has prepared a summary of park usage – see attached. She is still working on comparisons to other municipalities. The purpose of this report is to determine rate of rental between residents and non-residents. We have been told by non-residents that we are a “bargain” compared to others, thus our pavilions are often booked and unavailable to our residents. As you will see in the report, more non-residents rent our pavilions than residents.

EXTERNAL MATTERS

1. Nothing new to report.

PERSONNEL

1. Nothing new to report.

OUTSIDE BOARDS AND COMMITTEES

1. Nothing new to report.

CORRESPONDENCE

1. Nothing new to report.

C. TREASURER'S REPORT: JULY 2018 FINANCIALS.

General Fund	\$ 3,689,798.93
Sewer Fund	\$ 273,740.62
Refuse Fund	\$ 432,417.29
Street Light Fund	\$ 783.31
Fire Hydrant Fund	\$ 17,799.72
TDR Fund	\$ 591,910.49
State Liquid Fund	\$ 1,010,961.94
Police Pension Fund	\$ 6,694,722.68
Non-Uniform Pension Fund	\$ 2,280,343.88
Recreation	\$ 40,555.85
Highway	\$ 950,525.83
Post Retirement	\$ 25,273.06
Health Care (HRA)	\$ 27,896.32
Fulton Bank	\$ 1,062,950.85
Total All Funds June 2018	\$ 17,099,680.77

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

Written reports were received from the Police, Public Works and Zoning/Land Use and Fire Departments.

1. POLICE: Police Chief Mark Pugliese I expanded on a homicide that happened right before the move and thanked the County Detectives who assisted. He also commended the administration staff and officers who worked long hours to ensure full continuity of services through the move into the new building. Restrictions on setting off display fireworks were discussed and the Board strongly suggested taking a look at what other municipalities are doing and contacting Senators Ryan and Miller.
2. PUBLIC WORKS: Edward Fisher praised the Public Works Department for the road work being done over at Eby Chiques Road. Dale Getz reported on several large sink holes due to Friday's rain, storm sewer pipes that were failing and blacktop plans that were backed up.
3. ZONING/LAND USE: Dwayne Steager reported that the continued case of Kevin Rohrer, Request for a Special Exception for a Bed-and-Breakfast, Section 301.2.b., 678 S. Chiques Road, PA was withdrawn.
4. FIRE: East Hempfield Fire Company thanked everybody and reported everyone is very happy to be in their new fire station and as of November 15 they will no longer own the old fire station.

E. RESIDENTS:

Gary Lintner, Eby Chiques Road, commented on Eby Chiques Road improvements. Mr. Lintner commended Dale Getz for all his endeavors and said the Township crew has done a very good job. Dale Getz commented there is a phenomenal group of people with excellent skills working on this project. He estimated the road will be shut down for a few weeks and is hoping it will be paved by Wednesday.

Doug Coldren, Marietta Avenue, expressed concerns about Fire Company fund raising. The Board explained various avenues of support.

Chris and Carol Gibbons, Ironville Pike, were concerned about the resolution to allow dogs in parks and offered alternate suggestions, particularly in Grubb Park.

Joe Frisch, Ivy Drive, reported a stormwater issue on Ivy Drive that affects his property. The Board will include this on their next road tour and evaluate options.

Jay Duffy, Ivy Drive, agreed with the stormwater problem that Mr. Frish reported. He also expressed frustration with neighbors not taking care of their properties and cited examples. The Board agreed to include him when they evaluate Mr. Frisch's stormwater issue on their next road tour and they will take a look at the areas he discussed at that time.

Marcy Long, Marietta Avenue, asked for clarity regarding Dogs in Parks rules. The Board advised the Ordinance and Resolution being adopted tonight will provide that clarity.

Questions were asked from the floor about why convex mirrors were not installed at unsafe road turns and complaints were made about residents mowing grass out onto the road. Dale Getz reported that convex mirrors are not PennDOT approved and the Board advised mowing grass out onto the road is prohibited. Kent Gardner stated that under MS4 regulations, it is illegal to put anything into the storm sewers.

V. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

A. BRIEFING ITEMS:

- St. Francis Animal Hospital WHTPC 07-18 (90 Day: 10-03-18)
- J. Edward Buckwalter Pre/Final Subdivision Plan WHTPC 06-18, (90 Day: 09-13-18)

B. AGENDA ITEMS - None

VI. NEW MUNICIPAL COMPLEX.

The following report was submitted by Township Manager, Andrew Stern:

1. **Update:** We have moved in!

2. **Punch List Items:** There are a number of outstanding punch list items remaining which contractors are working on.
3. **Finances:** We are still finalizing invoices and requests to return retainage to contractors. However, at this point it appears we will be about \$200,000 below my budget prepared just prior to groundbreaking. Keep in mind we did NOT use a Construction Manager, which would have been an additional \$300,000 expense (per proposals), and we did not budget for contingencies, which would have been another \$450,000 (per architect) to cover unforeseen issues. So had I included construction management and contingencies in my original budget, we really would be about \$1 million below budget!

VII. UNFINISHED BUSINESS - None

VIII. NEW BUSINESS - None

IX. ORDINANCES AND RESOLUTIONS.

A. Resolution # 8-18: Urban Growth Area – A Resolution amending the designation of the Urban Growth Area in the West Hempfield Township Comprehensive Plan.

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *adopt* Resolution #8-18: Urban Growth Area, amending the designation of the Urban Growth Area in the West Hempfield Township Comprehensive Plan. The motion passed (5-0).

B. Ordinance # 7-18: Dogs in Parks – An Ordinance to amend the Code of Ordinances of West Hempfield Township, Chapter 92, Parks and Recreation, to revise regulations governing animals on Township property.

- **Motion:** Moved by Robert Munro and seconded by Kent Gardner to *adopt* Ordinance #7-18: Dogs in Parks, to amend the Code of Ordinances of West Hempfield Township, Chapter 92, Parks and Recreation, to revise regulations governing animals on Township property. The motion passed (5-0).

C. Resolution # 9-18: Dogs in Parks – A Resolution of the Board of Supervisors of the West Hempfield Township authorizing dogs to be brought onto certain Township property.

- **Motion:** Moved by Kent Gardner and seconded by Robert Munro to *adopt* Resolution #9-18: Dogs in Parks, authorizing dogs to be brought onto certain Township property. The motion passed (5-0).

X. APPROVAL OF PAYABLES.

FUND	AMOUNT	CHECK #'S
Payroll and Taxes	\$ 195,046.99	EFT
General Fund	\$ 139,468.47	30455 - 30554
Fulton Bank	\$ 420,042.63	234 - 240
Sewer Fund		
Refuse Fund	\$ 88,291.32	2620 - 2628
Street Light		
Fire Hydrant	\$ 28,834.96	228
WHT Escrow	\$ 5,319.29	214 - 217
State Fund	\$ 16,929.89	3237 - 3243
Total	\$ 893,933.55	

Motion: Kent Gardner moved, seconded by Robert Munro, to *approve* payment of all bills between July 1 – July 31, 2018 and any residuals. Motion carried (5-0).

XI. GOOD OF THE ORDER.

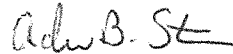
- **Upcoming Meeting:** September 4, 2018, Regular Board of Supervisors Meeting at the new Municipal Building, 3476 Marietta Avenue, 7:30 p.m.

XII. ADJOURNMENT

Chairman Dumeyer asked for a motion to adjourn the regular meeting at 10:06 p.m.

- ❖ **Motion:** Edward Fisher moved, seconded by Kent Gardner, to *adjourn* the regular Board of Supervisors meeting at 10:06 p.m. Motion carried (5-0).

Respectfully submitted,



Andrew Stern,
 Township Manager

