

**WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING**  
**Minutes of February 3, 2015**

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, February 3, 2015. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Township Manager Ron Youtz, Chief of Police Mark Pugliese I, Public Works Director Dale Getz, Zoning Officer Jodi Heffner, and Brenda Baumbach Finance/Personnel Director serving as 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. He also announced that following this meeting, the Board will convene into Executive Session to discuss a personnel issue and a real estate matter.

II. APPROVAL OF MINUTES: January 5, 2015 and January 21, 2015

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the Board's January 5, 2015 Reorganizational Meeting minutes and January 21, 2015 Special Meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner stated that he and Edward Fisher will be attending a County GIS seminar Wednesday, February 3, 2015. He also stated that he would obtain a copy of the newly adopted Little Conestoga Watershed comprehensive plan.
2. Edward Fisher thanked Dale Getz, Public Works Director, along with his department for a great job of treating the roads and dealing with the recent weather conditions.
3. David Dumeyer acknowledged the attendance of former Supervisor Wilmer Shertzer.
4. David Dumeyer suggested that the Board might want to consider holding some Board meetings at various locations within the Township. Mr. Youtz, Township Manager, stated that he would look into his recommendation.

B. TOWNSHIP MANAGER

1. Ron Youtz stated that he would like to add to agenda under Subdivision, Land Development, item E. Sylvan Partners – Sylvan View Phase II – Amend Conditional Plan Approval and also add two items to agenda under New Business, item G. Hempfield Business Coalition – Consideration for Membership and item H. PPL-ROW Agreement for Norwood Road Property.
2. He also announced that the Township Office will be closed on Monday, February 16, 2015 in observance of President's Day.

C. RESIDENTS – No resident participation.

1. Fire Company Report – Assistant Fire Chief Barry Carter informed the Board of the 2014 year-end activities which included 469 fire alarms, 253 fire police calls, and 33 medical calls for a total of 755 calls. He stated that there were 104 vehicle accidents. He noted that there were 225 calls that were strictly in the Township. He also noted that during 2014, there were zero accidents involving fire personnel.
2. Kent Gardner asked how the discussions are going with the local fire companies in regards to regionalization. Barry Carter stated that there are five (5) departments in discussions, and they have appointed a steering committee which includes representatives from each fire company and residents from each fire department. He noted that the steering committee held its first meeting and talks were promising.

#### IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

##### A. WHISTLING GLEN FARM – 3755 LOCUST GROVE ROAD – REQUEST WAIVER OF LAND DEVELOPMENT PROCESSING

Mark Shertzer of Whistling Glen Farm stated that he is requesting a waiver of land development processing. Ron Youtz, Township Manager, explained to the Board that the Shertzers are proposing a 7,534 square foot heifer barn with an under barn manure storage facility and a 3,400 square foot calf barn on this existing farm. Mr. Youtz stated that instead of filing a land development plan, they have submitted a storm water management alternate plan.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver of land development of the Whistling Glen Farms, pending the conditions that the applicant comply with the Agricultural Performance Standards as outlined in Section 804 of the Zoning Ordinance. The applicant will also comply with the requirements of the storm water management ordinance and Township will perform, at the applicant's expense, an inspection of the completed project. Motion carried, 5-0.

##### B. CONCORDIA ESTATES – CONCORDIA ROAD AND MARYANN COURT – REQUEST RELEASE OF FINANCIAL SECURITY

Jodi Heffner, Zoning Officer, informed the Board that a request was received from Craig Natale, developer for Concordia Estates requesting the release of the final \$3,000.00 held as financial security for the project. She stated that staff has made an on-site inspection of the outstanding items and confirms the release of the \$3,000.00 balance as financial security.

**Motion:** Frank Burkhart moved, seconded by Kent Gardner, to approve the release of Concordia Estates remaining financial security in the amount of \$3,000.00 as recommended by Township staff. Motion carried, 5-0.

C. KEITH AND ANGELA LUTZ – 485 KINDERHOOK ROAD – REQUEST  
RELEASE FOR TIME EXTENSION

Jodi Heffner, Zoning Officer, informed the Board that a request was received from Keith and Angela Lutz requesting the release of the \$43,211.00 financial security. Ms. Heffner stated that staff visited the property and confirmed that all the improvements have been made except the permanent seeding and mulching. Therefore, Staff is recommending the Board release all but \$3,500.00.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the release of Keith and Angela Lutz financial security in the amount of \$39,711.00 which will leave a financial security balance of \$3,500.00, as recommended by Township staff. Motion carried, 5-0.

D. SYLVAN PARTNERS – SYLVAN VIEW PHASE II – REQUEST FOR TIME  
EXTENSION

Jay Provanzo of Sylvan Partners informed the Board that they are requesting a 90 day time extension for the recording of the final plan. He stated that they are in the process of completing all the items outlined by the Township Engineer, but want to make sure that there is adequate time to complete those items.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, to approve the 90 day extension for the recording of the final plan for Sylvan View Phase II. Motion carried, 5-0.

E. SYLVAN PARTNERS – SYLVAN VIEW PHASE II – AMEND CONDITIONAL  
PLAN APPROVAL

Jay Provanzo of Sylvan Partners informed the Board that during Phase I there had been an issue with their bank and issuing letters of credit. In order for the plan to be recorded by the Township and to release the final plan, the Township needs a copy of the Columbia Water main extension agreement and LASA's builder's agreement. In order for LASA and Columbia Water to release their agreements, they need a letter of credit, and in order for them to get the letter of credit, their bank needs a copy of the recorded plan so they can release the letters of credit.

Mr. Provanzo is asking for a modification of the conditional approval of Phase II, and will provide a letter from both LASA and Columbia Water confirming that the only item outstanding is the financial security or letter of credit. He will also obtain a letter from his bank stating it will issue those financial security/letters of credit.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to amend the conditions which the Board of Supervisors imposed on the approval of the Final Subdivision Plan for Sylvan View Phase II, which conditions incorporated in the letter from the

Township Engineer dated November 19, 2014, to revise Paragraphs 1 and 2 under the heading Subdivision and Land Development, to provide:

1. Applicant shall provide (1) a letter from Lancaster Area Sewer Authority affirming that LASA has reviewed and approved plans and specifications for sanitary sewer facilities to serve the Final Subdivision Plan for Sylvan View Phase II and that the only item outstanding before LASA will execute a Builder's Agreement with Applicant authorizing installation of such facilities is the posting of financial security and (2) a letter from Fulton Bank, N.A. stating that it will issue a letter of credit naming LASA as beneficiary in the amount of the financial security required by LASA for Sylvan View Phase II upon presentation of proof that Applicant has recorded the Final Subdivision Plan for Sylvan View Phase II to the Township prior to the release of such Plan for recording and shall provide the fully executed Builder's Agreement to the Township within 30 days after the Township releases the Plan for recording.

2. Applicant shall provide (1) a letter from Columbia Water Company affirming that the Company has reviewed and approved plans and specifications for public water facilities to serve the Final Subdivision Plan for Sylvan View Phase II and that the only item outstanding before the Company will execute a Main Extension Agreement with Applicant authorizing installation of such facilities is the posting of financial security and (2) a letter from Fulton Bank, N.A. stating that it will issue a letter of credit naming the Company as beneficiary in the amount of the financial security required by the Company for Sylvan View Phase II upon presentation of proof that Applicant has recorded the Final Subdivision Plan for Sylvan View Phase II to the Township prior to the release of such Plan for recording and shall provide the fully executed Main Extension Agreement to the Township within 30 days after the Township releases the Plan for recording. Motion carried, 5-0.

## V. OLD BUSINESS

### A. BUILDING COMMITTEE UPDATE

Ron Youtz, Township Manager informed the Board that at its January 21<sup>st</sup> Special meeting, he was instructed to contact the property owner adjacent to the property owned by the Fire Company. He stated that he and Frank Burkhart have scheduled a meeting with the property owner for Saturday, February 10, 2015 at 2:00 p.m. to discuss the concerns and remedies for storm water management. He also spoke to two engineering firms, ELA and Rettew, both of whom are interested to submitting proposals for a storm water feasibility study. He also announced the Building Committee will meet on Thursday, February 12<sup>th</sup>.

## VI. NEW BUSINESS

### A. HEMPFIELD AREA RECREATION COMMISSION – REQUEST USE OF TOWNSHIP FOR ANNUAL TRI FOR LIFE TRIATHLON

Police Chief Mark Pugliese informed the Board that a letter was received from Hempfield Area Recreation Commission requesting to use of Township roads for its Annual Tri for Life Triathlon/Duathlon for Sunday, April 19, 2015.

**Motion:** Edward Fisher moved, seconded by Kent Gardner to approve the Hempfield Area Recreation Commission's request to use Township roads for the annual Tri for Life event on Sunday, April 19, 2015. Motion carried, 5-0.

B. PPL – ROW AGREEMENT FOR PROPOSED TOWER AT IRONVILLE PARK

Ron Youtz, Township Manager informed the Board that he received a right-of-way agreement from PPL to install new electrical service to a communication tower that is proposed for Ironville Park.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to enter into the right-of-way Agreement which allows PPL to install new electrical service to the communication tower in Ironville Park. Motion carried, 5-0.

C. SAINT MARY'S COPTIC CHURCH – REQUEST FOR SIGNS ALONG MARIETTA AVENUE

Ron Youtz, Township Manager informed the Board that in November 2014, he and Chief Pugliese met with the members of St. Mary's Coptic Church and representatives of PennDOT to discuss safety concerns for pedestrians walking to and from the Silver Spring cemetery parking lot. He stated that there were several safety items discussed and it was recommended that signs be placed along Marietta Avenue alerting vehicles that there are church pedestrians crossing the road.

Mr. Youtz stated that he would need authorization by the Board to send a letter to PennDOT requesting permission to place these signs in their right-of-way.

**Motion:** Frank Burkhart moved, seconded by Kent Gardner, to authorize the Township Manager to compose a letter to PennDOT requesting permission to install safety signs along Marietta Avenue. Motion carried, 5-0.

D. DISCUSSION ON PROPOSED PARKING RESTRICTIONS ALONG RT. 441

Ron Youtz, Township Manager, informed the Board that there has been discussion of safety concerns with the increased interest for the Lancaster County Northwest River Trail which is located near Rt. 441.

He stated that a letter signed by Marietta Borough, East Donegal and West Hempfield Townships was sent to PennDOT requesting PennDOT to conduct a traffic study in the vicinity. PennDOT did perform a traffic study and found that lowering the current 55 speed limit was not justified. PennDOT suggested that West Hempfield

Township install No Parking signs in the area of Chickies Creek, and suggested the local police department patrol and enforce the issues at hand.

Frank Burkhart asked if there was designated parking available. Mr. Youtz stated there is some parking available near Furnace Road.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to authorize the Township Manager to prepare the Ordinance to allow for the installation of No Parking signs. Motion carried, 5-0.

#### E. DISCUSSION ON ENGINE BRAKE PROHIBITION POLICY

Ron Youtz, Township Manager updated the Board on a letter he sent to PennDOT prohibiting the use of Engine Brake Retarders. He received from PennDOT a copy of the Traffic Engineering Manual Publication 46 which list the criteria needed to prohibit engine brake retarders. He stated that the area in question does not meet the criteria. No formal action was taken.

#### F. REQUEST AUTHORIZATION TO BID HIGHWAY MATERIALS AND PAVING PROJECTS

Ron Youtz, Township Manager is requesting the Board to authorize him to prepare the bids for the 2015 highway materials and paving projects.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to authorize the Township Manager to let bids for road material and paving projects for 2015. Motion carried, 5-0.

#### G. HEMPFIELD BUSINESS COALITION – CONSIDERATION FOR MEMBERSHIP

Ron Youtz, Township Manager received correspondence from the Hempfield Business Coalition which both David Dumeyer and Kent Gardner are currently active with the group.

David Dumeyer stated that he is supportive of having businesses located within the Township. Kent Gardner stated that he is also supportive.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, for West Hempfield Township to become a members of the Hempfield Business Coalition. Motion carried, 5-0.

#### H. PPL-ROW AGREEMENT FOR NORWOOD ROAD PROPERTY

Ron Youtz, Township Manager, informed the Board that he has received from PPL an agreement to acquire additional right of way for property the Township owns off Norwood Road, known as the woody waste area, in order for PPL to install one

additional pole for updated electrical service.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to authorize the Chairman to sign the agreement to allow for additional access and installation of a pole to upgrade electrical service. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS

A. RESOLUTION 2-15 TO INCLUDE ESCALATOR CLAUSE IN ROAD MATERIAL BIDS.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to approve Resolution 2-15 to include an escalator clause in the road material and projects bids for 2015.

VIII. APPROVAL OF PAYABLES

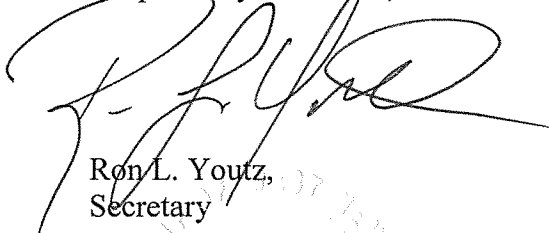
Payroll/Taxes.....	\$185,183.13	Electronic Payment
General Fund.....	\$120,947.76	Checks 25874 – 25958
Fire Hydrant.....	\$ 16,000.00	Checks 201
Street Light.....	\$ 8,397.24	Checks 382 - 383
State Fund.....	\$ 1,428.50	Checks 2954 - 2957
Escrow Fund.....	\$ 4,061.88	Checks 135
Sewer Fund.....	\$ 14,237.40	Checks 3711 – 3712
Refuse Fund.....	\$ 47,221.61	Checks 2240 - 2248

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between January 1 through January 31, 2015 and any residuals. Motion carried, 5-0

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE AND REAL ESTATE MATTER

**Motion:** Chairman David Dumeyer called for motion to adjourn into Executive Session to discuss a personnel and real estate issue. Kent Gardner moved, seconded by Ed Fisher, to adjourn the regular meeting at 8:20 p.m., and to go into Executive Session to discuss a personnel issue and a real estate matter. Motion carried, 5-0.

Respectfully submitted,



Ron L. Youtz,  
Secretary

