

WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING

Minutes of May 5, 2015

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, May 5, 2015. Chairman David Dumeyer and Board members Frank Burkhart, Kent Gardner and Naomi Martin were present. Edward Fisher arrived late. Also in attendance were Township Manager Ron Youtz, Chief of Police Mark Pugliese I, Zoning Officer Jodi Heffner, Public Works Director Dale Getz 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.

II. APPROVAL OF MINUTES: April 7, 2015 Meeting

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the April 7, 2015 regular Board meeting minutes as presented. Motion carried, 4-0.

III. COMMUNICATIONS

A. PRESENTATION OF COMMENDATIONS TO POLICE DEPARTMENT

Chairman David Dumeyer announced that each year the West Hempfield Township Board of Supervisors recognizes members of our Police Department and/or citizens in our community for actions they have taken during the previous year that are believed to have been above what is expected of them and in some instances, have helped save or prolong a life of another individual.

Chairman Dumeyer announced that Francis Zimmer, a member of Mountville Borough Council, was also present this evening to recognize the officers. Mr. Zimmer read a statement from Paul Chin, Chairman of Mountville Borough Council: "Mr. Chin was unable to attend this evening's meeting, but offered his congratulations to the award winners on behalf of the Mountville Borough Council. In today's current climate regarding law enforcement we hold the West Hempfield Township Police Department in the highest regard and support them 100 percent. Congratulations to the award winners and again our sincerest thanks for your service to Mountville Borough."

Chairman Dumeyer stated there are four awards recognizing four separate officers, all from the West Hempfield Township Police Department.

PERFECT ATTENDANCE AWARD – David Dumeyer, Chairman, explained that this is a new award for the Police Department. It is awarded to any officer who during the year does not take off any sick time. He announced that the first officer to be awarded the

Perfect Attendance Award is Officer John J. Schwab for his perfect attendance record for the years 2013 and 2014. Officer Schwab always reported on time for his scheduled shift and was always prepared for duty.

COMMENDATION AWARD - David Dumeyer, Chairman, explained this award is granted to any employee for an outstanding act that involved performance above and beyond the employee's basic assignment. It is awarded to police officers of any rank for outstanding performance of duties under unusual, complicated, or hazardous conditions.

Chairman Dumeyer announced that the Commendation Award is granted to Corporal Douglas L. Ober.

In January 2013 a West Hempfield Township detective was assigned to a Lancaster County task force for an extended period of time. That detective continues to serve on the task force which leaves only one detective to handle high priority or extensive criminal investigations for the Department. In order to distribute the workload, as well as effectively solve or clear cases, Chief Pugliese has been rotating a few officers into the Criminal Investigative Division for short periods of time. Corporal Ober was temporarily assigned to handle investigations from January 7, 2014 through May 27, 2014 and from September 22, 2014 through January 29, 2015. During Corporal Ober's tenure in investigation he worked diligently and with great tenacity on a multitude of investigations involving burglary, theft and theft from vehicles, to name a few. He developed various leads and worked with several other jurisdictions. Through his efforts, along with the efforts of investigators from neighboring departments, several arrests were made and they were able to clear a vast number of those cases.

LIFE SAVING AWARD - David Dumeyer, Chairman, announced that this award is granted to any officer whose actions that, if not performed, would, beyond a reasonable doubt, have resulted in the death of a person or persons.

Chairman Dumeyer announced that the Life Saving Award is granted to Officer Alfonso Villano.

On January 3, 2015 at approximately 2:51 p.m., Officer Villano was dispatched to an address on Cedar Chase Drive for a report of a person choking. Officer Villano was the first emergency responder to arrive and was advised that a 49-year-old male was choking on a piece of food and could not breathe. Officer Villano found the victim to be semi-conscious and not breathing. Officer Villano immediately administered the Heimlich maneuver to the victim. This dislodged the stuck food item, allowing the victim to breathe. After a few moments the victim became fully conscious and his breathing returned to normal. Emergency Medical Services transported the victim to the hospital where he fully recovered.

Chairman Dumeyer called upon Paramedic Ron Baier of the Lancaster Emergency Medical Service who was one of the EMS providers who responded to this call. Mr.

Baier stated that he is not a person who recognizes someone else's actions because he expects everyone to do his job, but Officer Villano's actions that evening truly made an impact on that person's life. He said that if Officer Villano had not performed the Heimlich maneuver on that individual, in addition to the individual's complicated health issues, he would not have survived. Mr. Bair presented Officer Villano with the Star of Life award for his heroic actions taken on January 3, 2015.

2014 OFFICER OF THE YEAR - David Dumeyer, Chairman, announced that this award is given to an officer who distinguished him/herself through either an accumulation of exceptional contributions or a single incident, and whose actions clearly place the individual well above others of equal rank or grade. Areas of recognition include, but are not limited to: extraordinary valor, positive community impact, administrative accomplishments, crime prevention, training programs, traffic safety and innovative approaches to public service. This individual shall have truly represented the Department in a favorable light, having reflected the vision and mission statements in his/her daily actions.

Chairman Dumeyer announced that the 2014 Officer of the Year is Officer Karl Hartranft.

Officer Hartranft first joined the West Township Police Department as a part-time officer in September 2004. His primary duties at the time were to assist in filling vacant shifts on the patrol schedule. In August 2005 Officer Hartranft became a full-time officer with the Department and was assigned to the patrol division. During his 10 years of service, Officer Hartranft has received many letters of appreciation from citizens he has assisted and letters of commendation from outside law enforcement agencies as well as our Police Department. In 2013 he was recognized with the Department's Life Saving Award for actions he had taken in performing CPR on a victim.

Officer Hartranft is a certified Crisis Intervention Officer having received specialized training on dealing with individuals with mental health disorders and with individuals in general who are going through some type of a crisis event in their lives. He is a certified Bicycle Patrol Officer and can often be found on the bike at community events, giving him the opportunity to interact with the public, especially the youth of the area.

Officer Hartranft continues to be one of the more proactive officers within the Department. In 2013 he was recognized for the highest number of DUI arrests within the Department, an award that he is scheduled to receive again this year. Additionally, Officer Hartranft is scheduled to receive an award from the Pennsylvania Department of Transportation for his efforts with both the Aggressive Driver and Buckle Up PA Campaigns.

Officer Hartranft is a dedicated officer who has proven himself as a dependable, hardworking officer. He is a law enforcement professional who constantly looks for ways to improve the department and the community he serves.

B. PROCLAMATION RECOGNIZING NATIONAL POLICE WEEK

Chairman David Dumeyer read the Proclamation into the record:

“WHEREAS, the Congress and 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

WHEREAS, the members of the law enforcement agency of West Hempfield Township play an essential role in safeguarding the rights and freedoms of West Hempfield Township; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of West Hempfield Township unceasingly provide a vital public service;

NOW, THEREFORE, as Chairman of the Board of Supervisors of West Hempfield Township, I call upon all citizens of West Hempfield and upon all patriotic, civic and educational organizations to observe the week of May 10 – 16, 2015 as Police Week with appropriate ceremonies and observances in which all our people may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of West Hempfield Township to observe Friday, May 15, 2015 as Peace Officers’ Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS THEREOF, I have hereunto set my hand and cause the Seal of the Township of West Hempfield to be affixed on this 5th day of May, 2015.”

Motion: Kent Gardner moved, seconded by Frank Burkhart, to adopt the Proclamation. Motion carried, 5-0.

C. BOARD OF SUPERVISORS

1. Kent Gardner announced that the LIMC meeting is scheduled for Wednesday,

- May 13 at the Lancaster Township Municipal Building.
2. Kent Gardner announced that he is no longer the Chairman of the Clean Water Consortium.
 3. Kent Gardner informed the Board that sometime in the month of June there will be a demonstration of the GIS mapping device which can be used with smart phones and tablets and is also cloud-based.
 4. Kent Gardner stated that the LIMC has relocated to the Millersville University Campus. The LIMC and Millersville University have received the Governor's Award for their cooperative efforts. A program will be established at Millersville University consisting of approximately 300 students who will do community service projects on September 12. He is asking the Board and staff for any ideas they may have to be included in the program, such as tasks in the various Township parks that need to be done.

D. TOWNSHIP MANAGER REPORT

1. Ron Youtz stated that he would like to add to agenda under New Business, Item F, LASA – Columbia Borough Sewer Agreement.

E. RESIDENTS

1. Assistant Fire Chief Barry Carter presented to the Board a copy of the March 2015 Fire Company activity report. He announced there were a total of 60 calls with no reportable injuries or fire loss.
2. Kent Gardner asked Assistant Fire Chief Carter about the status of the regionalization process. Barry Carter informed the Board that the fire company has established four essential committees which will help address the issues of regionalization with the various fire departments.

IV. SUBDIVISION, LAND DEVELOPMENTS, AND PLANNING MODULES

A. Larry and Julie Newcomer – 3705 Locust Grove Road – Lot Add-On Plan Briefing

Zoning Officer Jodi Heffner informed the Board that the applicant is proposing a lot add-on. This property is divided between West Hempfield and Manor Townships with the majority of the house on Lot 1 (consisting of 0.5165 acres) in West Hempfield Township. The lot add-on (Lot 1-A) contains no structures and consists of 0.5574 acres. There is no further land development being planned at this time.

Township Manager Ron Youtz informed the Board that by adding Lot 1-A to the original lot (Lot 1), the total of both plots will be 1.0739 acres and bring the parcel into compliance with Township ordinances. This is a briefing item only and no action is necessary.

- B. Carl & Patricia Wickenheiser/Joseph and Lauren Duff – 3726 and 3730 Marietta Avenue – Lot Add-On Briefing

Zoning Officer Jodi Heffner informed the Board that the Wickenheisers, owner of Lot 3 and Lot 3-B, are allowing Lot 3-B to be added to the Duff's property which is Lot 4. This is a briefing item only and no action is necessary.

- C. Rutter's Farm Store – 3948 Hempland Road – Revised Land Development Plan 

Eric Thomas of LMC Designs stated this revised land development plan will show an ingress and egress drive along Stony Battery Road. He stated that Rutter's is still in negotiations with PennDOT to obtain approval for the proposed driveway within the limited access right-of-way. He is asking the Board for a six-month extension of their proposed plan in order to resolve the PennDOT permitting issue.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the revised land development plan for Rutter's Farm Store with the condition that the applicant meets all Township Engineering and staff comments, and to grant a six-month extension for deferral of the plan recording of the Rutter's Farm Store revised land development plan. Motion carried, 5-0.

- D. George and Candy Metzler – 502 Goldfinch Drive – Stormwater Management Plan

Steve Gergely of Harbor Engineering informed the Board that the applicant is proposing to construct a new 2,480 square foot home with patio and driveway. He stated that the impervious coverage proposed is 5,031 square feet with an area of 18,555 square feet to be disturbed including the stormwater management facility.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the stormwater management plan for the property located at 502 Goldfinch Drive with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Engineer and staff. Motion carried, 5-0.

7. OLD BUSINESS

- A. Building Committee Update

Township Manager Ron Youtz informed the Board that the Building Committee met on Thursday, April 9th to review the preliminary drawings of the stormwater feasibility study. He said the discussion focused on the various departments and their needs for the building and ideas to reduce the footprint of the structure.

He informed the Board that the Committee will hold its next meeting on Wednesday, May 13. He asked the Board to review the plans and to make note of any concerns or ideas and he would place the item on the agenda for the Board's June meeting.

VI. NEW BUSINESS

A. Robert Hershey – 4493 Chinchilla Avenue – Discussion on Rezoning

Bill Swiernik and of David Miller Associates was present to begin an informal discussion on the potential rezoning of two land tracts located off Miller Drive, north of Chinchilla Avenue with access from Mary Street. The combined tracts equal 21 acres and was once known as the Miller Tract. The property is presently zoned R-2, and the area south of this property is zoned R-3. Mr. Swiernik asked the Board to consider increasing the density of these tracts from R-2 to R-3 when the Township begins work on updating the Comprehensive Plan and possibly revising the Zoning Ordinances in the upcoming year or so.

The potential for these tracts with their proximity to existing developed land and access to roadways and utilities makes the land suitable for development (other than the flood plain area to the west) and is within the Urban Growth boundary established for the Township. Mr. Swiernik pointed out that areas within the Township where this type of housing can be developed is limited and rezoning these tracts would help to alleviate that shortage. The criteria for R-2 cluster zoning is 3.5 units per acre but with R-3 zoning, cluster zoning could go as high as 6 units per acre. When he met with the Planning Commission Mr. Swiernik originally requested a zoning change. Members of the Planning Commission suggested that the zoning could remain the way it is and that changing the text of R-2 zoning would be a more appropriate approach to addressing the density issue for the whole R-2 area. There has been no significant conceptual planning yet, but Mr. Swiernik pointed out that it would be in the Township's interest to increase the density, and infrastructure improvements would have to be made. This is a suitable location and with the current limits on available R-2 housing within the Township, density housing would help.

Frank Burkhart asked about access areas to the plot. Mr. Swiernik pointed out the frontage is about a 20-foot wide patch of land with a small part (approximately 10 feet wide) extending almost all the way to Farmdale Road. The Planning Commission members had information about the previous owner and why that access road is there. Development under the Open Space Cluster Ordinance would create both passive and active open space areas. The floodplain is unsuitable for development but could be used for recreational purposes such as a walking path. By increasing the density and maintaining the number of units on a smaller footprint, the Township could improve the amount of housing available, offer recreation for residents and help meet the goals for providing suitable housing in the future.

Mr. Swiernak's primary reason for his presentation was for the Board of Supervisors to consider the feasibility of rezoning this 21-acre tract.

Edward Fisher remarked that density is one issue, but the use would be the primary

concern of the current residents. Almost all single family homes surround this tract and residents will most likely oppose any change to R-3 zoning. The density issue is not as critical because this request is similar to the Bridge Valley Development which changed to R-3 higher density and has all single family homes. To develop this tract they might end up with a very long cul-de-sac. He suggested to the developers to check to see if anyone is selling their home on Miller Drive or Chinchilla Avenue.

Kent Gardner raised the issue of stormwater. He pointed out that with the grant to help restore the Chiques Creek Watershed and floodplain restoration, the developers may end up with more buildable ground. There have been no design objectives, only concepts. The tract is on a portion of a floodplain that has a little bit of frontage but not much and moving sediment might be a viable option. Frank Burkhart inquired as to how effectively the developers will manage run-off and the offset for the increased flow?

Edward Fisher reiterated that the developers need to configure another access road and to see what can be done with the layout of the property. He pointed out that when the Bridge Valley Development began, there was much clean-up work to be done from the previous owner. It would be hard to say what all is on the property under discussion, and the Township is not opposed to the developer getting in there and cleaning up this property.

Mr. Hershey inquired about the possibility of the developers doing a presentation to the current residents south of the tract to point out the assets of adding higher density housing and recreational opportunities. Edward Fisher remarked that the owners will be worried whether their homes will decrease in value. He said it is critical that any new development blend in well with the existing houses.

B. Dollar General Store – 3510 Marietta Avenue – Conditional Use Application – Establish Date and Time for Public Hearing

Ron Youtz, Township Manager, explained to the Board that he received a Conditional Use Application for the Dollar General Store at 3510 Marietta Avenue. He informed the Board that they have 60 days to hold the hearing. He is requesting the Board to schedule a date and time to hold the Conditional Use Hearing.

Mr. Youtz expressed to the Board that he had discussed this application with Township Attorney Josele Cleary and was told by Ms. Cleary that there will be an amendment to the application forthcoming from the Dollar General Store owners.

Motion: Frank Burkhart moved, seconded by Edward Fisher, to schedule the Conditional Use Hearing for the Dollar General Store for Wednesday, June 17, 2015 to begin at 7:00 pm. Motion carried, 5-0.

C. Chiques Creek Watershed Alliance Membership

Ron Youtz, Township Manager, stated that he received a membership enrollment form

from the Chiques Creek Watershed Alliance. He is recommending that the Board of Supervisors participate. He indicated that the membership fee is \$100.00.

Kent Gardner feels that the association with the Chiques Creek Watershed Alliance will benefit the Township.

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve the Township's participation with the Chiques Creek Watershed Alliance at the cost of \$100.00. Motion carried, 5-0

D. Mountville Borough – Request for Assistance from Special Fire Police

Police Chief Mark Pugliese informed the Board that he had received a letter dated April 21, 2015 from Mountville Borough requesting the assistance of the Township's Fire Police to provide traffic control at the following 2015 functions:

1. Mountville Carnival – May 13 through May 16
2. Memorial Day Parade – May 30

Motion: Kent Gardner moved, seconded by Frank Burkhardt, to authorize the Township Fire Police to assist with traffic control during the Mountville Carnival and Memorial Day Parade as requested. Motion carried, 5-0.

E. LASA – COLUMBIA BOROUGH SEWER AGREEMENT

Township Manager Ron Youtz provided the Board with a copy of a letter from Michael Kyle, Executive Director of the Lancaster Area Sewer Authority, requesting the Board's signature on a document necessary to complete the sale of the Columbia Borough Sewer System to LASA. As previously discussed, this Board is on record as having endorsed the sale.

Mr. Youtz explained that the one-page document is straightforward and the Board's signature will assign the Township's existing contract with Columbia Borough Sewer to LASA. Mr. Youtz recommended signing the document, contingent on the review and approval by the Township Solicitor. LASA is hopeful to complete the sale by May 29, 2015.

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve the agreement that allows for the sale of the Columbia Borough Sewer System to LASA. Motion carried, 5-0.

VII. ORDINANCES AND RESOLUTIONS - NONE

VIII. APPROVAL OF PAYABLES

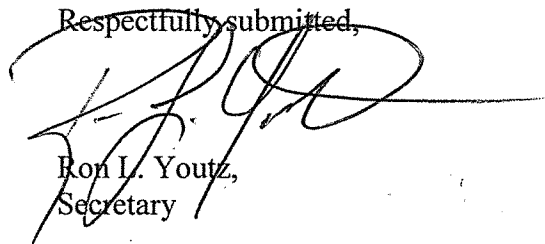
Motion: Kent Gardner moved, seconded by Edward Fisher, to approve payment of all bills between April 1 through April 30, 2015 and any residuals. Motion carried, 5-0.

Payroll/Taxes.....	\$196,438.95	Electronic Payment
General Fund.....	\$169,372.58	Checks 26191 - 26282
Sewer Fund.....	\$ 14,262.18	Checks 3715 - 3716
Refuse Fund.....	\$ 62,706.81	Checks 2263 - 2270
Street Light.....	\$ 9,588.73	Checks 3847 - 385
Fire Hydrant.....	\$ 0	Checks
Escrow Fund.....	\$ 2,355.95	Checks 139 - 140
State Fund.....	\$ 9,390.18	Checks 2973 - 2976

X. ADJOURNMENT

Motion: Chairman David Dumeyer called for a motion to adjourn into Executive Session to discuss a personnel issue. Frank Burkhart moved, seconded by Kent Gardner, to adjourn the meeting at 8:50 p.m., and to go into Executive Session to discuss a personnel issue. Motion carried, 5-0.

Respectfully submitted,



Ron L. Youtz,
Secretary