

WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING
Minutes of October 6, 2015

The regularly scheduled meeting of the West Hempfield Township Board of Supervisors was held on Tuesday, October 6, 2015 at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania. Chairman David Dumeyer, Vice Chairman Edward Fisher and Board members Frank Burkhart and Kent Gardner were present. Naomi Martin was absent. 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 the meeting, the Board will convene into Executive Session to discuss a personnel issue.

II. APPROVAL OF MINUTES: September 1, 2015

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the September 1, 2015 regular Board meeting minutes as presented. Motion carried, 4-0.

Frank Burkhart stated that the minutes were well done for the amount of information that was obtained during the two hearings.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

Kent Gardner informed the Board that he will have more information about the LIMC hosting a November breakfast meeting in order to get the Supervisor's attendance rate up.

Frank Burkhart stated that it has been a long time since the Township has received such great reviews on all the audits. He thanked Brenda for all her work and dedication. He also thanked all staff members for their contribution by helping to make the Township's work ethic what it is today.

B. MANAGER

1. Ron asked that one item be added to the agenda under New Business, Item F. Derry Township request for volunteers.
2. A reminder that the November Board meeting will be held on Thursday, November 5, 2015 at 7:30 p.m., since the election is scheduled for Tuesday, November 3, 2015.
3. LASA annual municipality dinner is scheduled for October 29th and is to be held at the Four Seasons. He asked if any Board member is interested in attending to let either Brenda or himself know.
4. LCATS fall convention is scheduled for Monday, November 2, 2015 at 8:00 a.m. at Yoder's Restaurant. He asked if any Board member wants to register to let staff know.

5. Assistant Fire Chief Barry Carter was unable to attend this evening's meeting, but he did provide copies of the Fire Company monthly activities report. He announced copies were provided to the Board.

C. RESIDENTS

1. No residents commented.

IV. SUBDIVISION, LAND DEVELOPMENTS, AND PLANNING MODULES

A. GEORGE and CANDY METZLER – 502 GOLDFINCH DRIVE – REQUEST REDUCTION OF FINANCIAL SECURITY

Jodi Heffner, Zoning Officer, explained to the Board that staff has received a request from Lancaster Home Builders on behalf of George and Candy Metzler for a reduction of their escrow account. The property is located at 502 Goldfinch Drive. She stated staff has made an on-site inspection of the site and it was confirmed the storm water system has been installed, the driveway has been paved and the property has been graded and seeded. She explained the only item pending is the stabilization of the seeding for the grass.

Ms. Heffner is recommending the Board to release \$6,940.00 from the original escrow deposit of \$16,966.40. The remaining \$10,026.40 will be held until the grass is established on the property.

Motion: Edward Fisher moved, seconded by Kent Gardner, to release \$6,940.00 from George and Candy Metzler escrow account. This will leave a balance of \$10,026.40. Motion approved, 4-0.

V. OLD BUSINESS

A. CONDITIONAL USE DECISION – GEORGE AND V. LORRAINE LEWIS – 1725 CLEAR SPRING ROAD

Chairman David Dumeyer announced and read into the minutes the Decision, pending approval:

Based upon the foregoing findings of fact and conclusions of law, the Board of Supervisors of the Township of West Hempfield hereby grants the application of George M. Lewis and V. Lorraine Lewis for a modification of the conditions imposed in the December 7, 1982, conditional use decision and a conditional use under Section 301.2.C.1 of the Zoning Ordinance to enable subdivision of the property identified as 1725 Clear Springs Road into two lots, one containing 1.45 acres and the second containing 3.84 acres. These approvals shall be subject to the following conditions which the Board of Supervisors determines necessary to protect the public health, safety and welfare and to implement the purposes of the MPC and the Zoning Ordinance.

1. No further subdivision of the Property shall be permitted. Applicants shall include a note on the subdivision plan in a form acceptable to the Township Solicitor to place this restriction of record.

2. Any newly constructed dwelling shall be located so that the rear line of the dwelling does not extend further than 400 feet from the centerline of Clear Springs Road. Applicants shall include a note on the subdivision plan in a form acceptable to the Township Solicitor to place this restriction of record.
3. Applicants shall within 60 days after the date of this decision, if no appeal is taken from this decision, withdraw the appeal from the decision of the Zoning Hearing Board in the action captioned *Lewis v. West Hempfield Township Zoning Hearing Board* docketed to No. CI-15-01939. If any person files an appeal from this decision, Applicants shall withdraw the appeal of the Zoning Hearing Board decision within 60 days after such appeal of this decision is finally determined, if it is determined in favor of Applicants.
4. Applicants shall make a payment to the Township's Transferable Development Rights Fund in the amount of \$10,000 prior to the granting of unconditional approval of any plan to subdivide the Property into two lots.
5. Applicants shall file and obtain approval of a plan to subdivide the Property in accordance with applicable requirements of the Subdivision and Land Development Ordinance.
6. Applicants shall comply with all requirements of the West Hempfield Township Storm Water Management Ordinance in any development of the Property.
7. Applicants shall comply with and adhere to the testimony presented at the hearing on September 1, 2015, and representations in their application, except as specifically modified by these conditions.
8. Any violation of the conditions contained in the Decision shall be considered a violation of the Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.
9. These conditions shall be binding on the Applicants, their personal representatives, heirs, successor and assigns.

Frank Burkhart indicated that he was part of the Board at the time the plan was originally submitted for subdivision. He stated that the lot was to have two subdivision rights from the main Buckwalter property. He said the property owners at that time did not subdivide the lots into two separate lots and that is why we are discussing this item today.

Motion: Edward Fisher moved, seconded by Frank Burkhart, to adopt the Conditional Use Decision as read for George and V. Lorraine Lewis. Motion carried, 4-0.

Township Manager Ron Youtz stated that all parties involved will receive a signed copy of the decision.

B. CONDITIONAL USE DECISION – ST. MARY’S COPTIC CHURCH - 3602 MARIETTA AVE

Chairman David Dumeyer announced and read into the minutes the Decision, pending approval:

Based upon the foregoing findings of fact and conclusions of law, the Board of Supervisors of the Township of West Hempfield hereby grants the application of St. Mary’s Coptic Orthodox Church of Lancaster, Pennsylvania, for a conditional use pursuant to Section 403.2.C.2 of the Zoning Ordinance to enable the erection of a trailer as a temporary facility for holding Sunday school classes on the property identified as 3600 Marietta Avenue, Silver Spring, Pennsylvania. This conditional use approval shall be subject to the following conditions which the Board of Supervisors determines necessary to protect the public health, safety and welfare and to implement the purposes of the MPC and the Zoning Ordinance.

1. The temporary trailer is to be used strictly for purposes of Sunday school classes. Under no circumstances can the temporary trailer be used for any type of living arrangements or overnight sleeping accommodations.
2. The Trailer shall not exceed the dimensions shown on the drawing submitted with the application of 24 feet by 36 feet.
3. Applicant shall not install more than 1,000 square feet of additional impervious surface on the Property.
4. The temporary trailer shall meet all applicable codes and requirements including, but not limited to, the Uniform Construction Code and the Americans with Disabilities Act.
5. Applicant shall install a six feet high privacy fence to separate and screen the temporary trailer from the adjoining property to the south. The privacy fence shall extend the entire width of the Property.
6. Applicant shall obtain all necessary approvals or waivers of any necessary approvals under the West Hempfield Township Subdivision and Land Development Ordinance and the West Hempfield Township Storm Water Management Ordinance. Applicant shall apply for and obtain all permits required under the Zoning Ordinance and the Uniform Construction Code and shall demonstrate compliance with all applicable requirements.
7. Applicant shall completely remove the trailer and all impervious surface coverage associated with the trailer within 36 months from the date of this decision.
8. Applicant shall comply with and adhere to the testimony and representations, including, but not limited to, conducting all operations in accordance with the Findings of Fact in this Decision, except as specifically modified by these conditions.
9. Any violation of the conditions contained in the Decision shall be considered a violation of the

Zoning Ordinance and shall be subject to the penalties and remedies contained in the Pennsylvania Municipalities Planning Code.

10. These conditions shall be binding on the Applicant and its successors and assigns.

Supervisor Edward Fisher announced that he will abstain from voting on the St. Mary's Coptic Church conditional use decision since they are clients of Light-Heigel Engineering with whom he is currently employed.

Frank Burkhart reiterated that it clearly states in the Decision that the Applicant shall completely remove the trailer and all impervious surface coverage associated with the trailer within 36 months from the date of this decision and there will be no extension of time.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to adopt the Conditional Use Decision as read for the St. Mary's Coptic Church located at 3600 Marietta Avenue. Motion carried, 3 yes, 0 no and 1 abstention.

C. BUILDING COMMITTEE UPDATE

Township Manager Ron Youtz informed the Board that the last time the Committee met was on August 28. He stated the Committee released the RFPs for seeking the service of an architectural firm. He stated the Committee held a special meeting on Tuesday, September 15, 2015 at which time they addressed four architectural firms who were in attendance at the mandatory meeting. He said that the Board received copies of minutes that were transcribed.

He stated the Committee is looking for direction from the Board as to preparing an RFP for site engineering firm's to design the storm water plan and the land development plan. He felt that in order to keep the project moving forward this would be the next step. He asked that if any Board member has a firm in mind to provide the name to a Committee member for consideration.

David Dumeyer explained to the Board that there were seven firms that RFPs were mailed to and in the packet it stated there was a mandatory meeting scheduled for September 15th. He said that four out of the seven firms attended the meeting. He said a request was received by a firm that was unable to attend asking if they could be considered.

Kent Gardner stated that one of the representatives present at the meeting asked for clarification that it was a mandatory meeting. All members of the Board agreed that if a firm was not at the mandatory meeting, it could not be considered.

VI. NEW BUSINESS

A. MEMORANDUM OF UNDERSTANDING WITH LANCASTER COUNTY CONSERVATION DISTRICT

Township Manager Ron Youtz explained to the Board that he has received from Lancaster County

Conservation District a Memorandum of Understanding (MOU) which indicates both parties' responsibilities between the agencies and will serve as a document to validate the linkage between West Hempfield Township and LCCD as required by the Municipal Separate Storm Water System (MS4). Mr. Youtz is asking the Board to approve the MOU so the staff can continue working with the County's Conservation District.

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve and sign the MOU as presented and to continue the working relationship with the County's Conservation District. Motion carried, 4-0.

B. EAGLES VIEW PHASE IV – CONSIDERATION FOR SPEED TABLE

Township Manager Ron Youtz explained to the Board that he has received several calls from residents in that area expressing their concerns that when the final phase of Eagle View is completed and the road is paved it will create a through street from Marietta Avenue to Horizon Drive. The residents are asking that something be done to control speeding.

Mr. Youtz stated that he has talked with developer Roy Zimmerman about installing a speed table. He stated that Mr. Zimmerman is in the process of paving the street and suggested that he could help with some of the cost of installing a speed table.

Kent Gardner asked for Police Chief Pugliese's response. Chief Pugliese said speed tables are becoming a deterrent for speeding. His only concern is to the residents living near the speed bump who will hear the noise that will be generated when the vehicle proceeds over the table.

Kent Gardner asked about the clearance needed for fire trucks. Fire Chief Dean Gantz of Mountville Fire Department explained that the minimum clearance for any apparatus would be 7 inches. Kent Gardner explained that he is trying to avoid any issue prior to the installation of the speed tables.

Edward Fisher said that it would be more of an issue for the plow trucks than it would be for the fire company vehicles. He also expressed that he would rather see the speed table installed than a 3-way stop sign installed. He said that to place a stop sign on the hill would be an issue during snow and/or freezing rain.

Frank Burkhart asked if the table would be installed before, during or after the paving of the street. Mr. Youtz informed the Board that Mr. Zimmerman would like to have the speed table installed while the paving of the street is happening.

Motion: Edward Fisher moved, seconded by Kent Gardner, to agree to the installation of the speed table as requested by the residents and to share the cost of the construction with the Developer. Motion carried, 4-0.

C. 2016 MINIMUM MUNICIPAL OBLIGATION PENSION ESTIMATES

Township Manager Ron Youtz explained to the Board that copies of two 2016 Minimum Municipal Obligation reports have been provided to each Board member for the acknowledgement of receipt. He stated the Police Pension 2016 MMO is \$328,055.60 and the 2016 MMO Non-Uniform Pension Plan is \$138,834.75. These amounts will be incorporated in the 2016 budget.

He also mentioned the Pension Audit Report from the Attorney General’s office has been received and for the first time, there were no findings.

Motion: Edward Fisher moved, seconded by Kent Gardner, to acknowledge receipt of the 2016 MMO for Police Pension in the amount of \$328,055.60 and the 2016 MMO for the Non-Uniform Pension in the amount of \$138,834.75. Motion carried, 4-0.

D. ESTABLISH DATE AND TIME FOR FALL ROAD TOUR

Township Manager Ron Youtz asked the Board to establish a date and time that is convenient for all members to attend the annual fall road tour. After discussion, the Board members agreed to schedule the annual fall road tour for Thursday, October 29, 2015 to begin at 8:00 a.m.

E. ESTABLISH DATE AND TIME FOR BUDGET WORKSHOP MEETING

Township Manager Ron Youtz asked the Board to establish a date and time that is convenient for all members to attend a budget workshop. After discussion, the Board members agreed to schedule the budget workshop for Monday, November 2, 2015 to begin at 2:00 p.m.

F. DERRY TOWNSHIP POLICE DEPARTMENT – CHILDREN’S MIRACLE NETWORK

Chief Pugliese stated that two officers have volunteered to assist with Hershey Entertainment & Resort Company partnering with the Children’s Miracle Network to host the Fifth Anniversary Hershey Half Marathon scheduled for Sunday, October 18, 2015.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the use of Township police personnel to assist with the Children’s Miracle Network Fifth Anniversary Half Marathon scheduled for Sunday, October 18, 2015. Motion carried, 4-0.

VII. ORDINANCES AND RESOLUTIONS - NONE

VIII. APPROVAL OF PAYABLES

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between September 1 through September 30, 2015 and any residuals. Motion carried, 4-0.

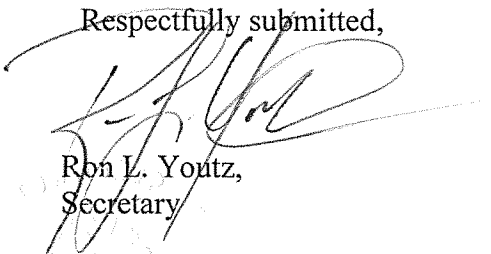
Payroll/Taxes.....	\$181,849.43	Electronic Payment
General Fund.....	\$103,827.24	Checks 26721 - 26818

Sewer Fund.....	\$0	Checks
Refuse Fund.....	\$ 64,291.34	Checks 2312 - 2314
Street Light.....	\$ 8,823.45	Checks 390 - 391
Fire Hydrant.....	\$ 1,041.00	Checks 205
Escrow Fund.....	\$ 5,053.60	Checks 148
State Fund.....	\$313,076.24	Checks 3010 – 3020

IX. ADJOURNMENT

Motion: Chairman David Dumeyer called for a motion to adjourn into Executive Session to discuss a personnel issue. Kent Gardner moved, seconded by Frank Burkhart, to adjourn the meeting at 8:20 p.m. and to go into Executive Session to discuss a personnel issue. Motion carried, 4-0.

Respectfully submitted,



Ron L. Youtz,
Secretary

