

**WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING**  
**Minutes of December 1, 2015**

The regularly scheduled meeting of the West Hempfield Township Board of Supervisors was held on Tuesday, December 1, 2015 at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania. Chairman David Dumeyer and Board members Edward Fisher, Frank Burkhart, 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 he invited the audience to rise and join the Board of Supervisors with the Pledge of Allegiance to the flag. He also announced that following the meeting, the Board will convene into Executive Session to discuss a personnel issue.

**II. APPROVAL OF MINUTES: November 2, November 5, and November 16, 2015**

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the November 2, 2015 Budget meeting minutes, November 5, 2015 regular Board meeting minutes and November 16, 2015 Joint Meeting with Building Committee as presented. Motion carried, 5-0.

**III. COMMUNICATIONS**

**A. BOARD OF SUPERVISORS**

1. Chairman David Dumeyer announced the Board would like to recognize Corporal Miles Bixler who will be retiring from the Police Department effective January 4, 2016.

Mr. Dumeyer reported that Corporal Bixler has been a member of the West Hempfield Township Police Department for just over 27 years. He was hired as a police officer in October 1988 and was assigned to patrol. In March 1999 he was promoted to the rank of corporal and assigned as officer in charge of a patrol platoon (shift). In addition to his assignments as Shift Supervisor, Corporal Bixler served in many other capacities during his tenure including Firearms, Taser & OC (mace) Instructor, and Use of Force Instructor. In March 2002, Corporal Bixler was one of the initial county officers that formed the newly created Lancaster County (SERT) Special Emergency Response Team.

Following his retirement, Corporal Bixler will be starting a new chapter in his life as the recently elected Magisterial District Judge for District 02-1-03 which encompasses West Hempfield and both Mountville and Columbia Boroughs.

The Board would like to thank Corporal Bixler for his years of dedicated service to the citizens of West Hempfield Township and Mountville Borough and would certainly wish him the best of luck on his new career and all his future endeavors.

Chairman Dumeyer presented Corporal Bixler with a plaque in appreciation of his years of service. Corporal Bixler's family members were also present during the presentation.

2. Frank Burkhart informed Public Works Director Dale Getz of a great job the Road Department has been doing with leaf pick-up. Mr. Getz thanked Mr. Burkhart and informed the Board there will be one week remaining until the conclusion of leaf collection.
3. Kent Gardner stated that he has received compliments in regards to the Road Department leaf pick-up. He said the residents felt this year was one of the best years for leaf pick-up, and it was clean and timely.

B. MANAGER – Ron Youtz reported:

1. Informed the Board he has a legal item to be added to the Executive Session portion of the agenda.
2. Reminded the Board members of the annual Reorganization meeting which will be advertised and is scheduled to be held on Monday, January 4, 2016 beginning at 7:30 pm.

C. RESIDENTS - None

IV. SUBDIVISION, LAND DEVELOPMENTS, AND PLANNING MODULES

A. NAUMANN HOLDINGS, LLC – 3909 ABEL DRIVE – FINAL LAND DEVELOPMENT PLAN

Michael Saxinger of ML Saxinger and Associates explained to the Board that the grading plan for the location of the property and proposed buildings are located at the end of the cul-de-sac of Abel Drive. Mr. Saxinger stated that his client is proposing to construct an office building with an attached larger storage unit to be used with his business, along with 50 mini storage units.

Edward Fisher asked what the amount of area is for the buildings. Mr. Saxinger answered approximately 2,255 sq. ft.

Edward Fisher asked what type of business the owner is planning to operate. Mr. Saxinger said his client installs tiles and will be using the attached storage unit to store his materials. He will not be operating a retail store and there will be three fulltime employees.

Kent Gardner stated there is a waiver request on storm water and questioned why. Mr. Saxinger stated there is bedrock at one end of the property and high water table at the other end due to a stream that runs through that area. Because of this, the property does not have the capability to infiltrate. There is a storm water basin and a constructive filter underneath which addresses water quality. He continued saying that one of the conditions was they had to prove they met the conditions of the NPDES permit even though there is no NPDES permit being issued.

### WAIVERS

1. **Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the waiver of Section 305 - Preliminary Plan Processing based upon the justification provided, with the condition that the applicant satisfies preliminary and final plan requirements to the satisfaction of the Township staff. Motion carried, 5-0.
2. **Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver of Section 403.A – Traffic Impact Study based on the justification provided and subject to the applicant providing a fee in lieu of any required improvements in an amount satisfactory to the Township staff. Motion carried, 5-0.
3. **Motion:** Edward Fisher moved, seconded by Frank Burkhart, to deny the waiver of Section 602.N – Sidewalks. This will allow the applicant to defer the installations of sidewalks until such time as the Township, at its sole discretion, determines that the improvements are necessary in the area. Motion carried, 5-0.

Township Manager Ron Youtz informed the Board that the street has not been dedicated to the Township and is not a Township road. It is currently a private street.

4. **Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the waiver of Section 602.R – Clear Sight Triangle based on the justification and alternative provided showing as much clear sight triangle as practical. Motion carried, 5-0.
5. **Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the waiver of Section 609.A – Landscaping and Buffer Planting based on the justification and alternative provided and subject to the applicant providing a fee in lieu of the additional required buffer plantings in an amount satisfactory to the Township. Motion carried, 5-0.
6. **Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver of Storm Water Management Ordinance Section 122-48.1.A – Volume Control based on the justification and alternative provided with the condition that PADEP water quality worksheets (WS-12 and WS-13) are submitted, verifying that adequate water quality measures are being proposed. Motion carried, 5-0.

Mr. Saxinger stated there has been a snout added on the property that will drain the water into the proposed detention basin. Mr. Gardner is recommending that any type of approved storm water planting be used in the detention basin areas to assist with depleting the water.

### PLAN APPROVAL

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the Final Land Development Plan for 3909 Abel Drive with the condition that the applicant satisfies all comments to the satisfaction of Township Staff and Engineer. Motion approved, 5-0.

B. EAGLES VIEW PHASE IV – SOUTH SIDE OF MARIETTA AVE. – REQUEST RELEASE OF FINANCIAL SECURITY

Township Zoning Officer Jodi Heffner informed the Board that she received a letter from Roy Zimmerman requesting full release of his letter of credit. She mentioned that the Board accepted dedication of the street in Eagles View Phase IV and Mr. Zimmerman has posted the required 18 month street warranty. She indicated staff is recommending release of his letter of credit in the amount of \$24,736.00.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to approve the release of Mr. Zimmerman's letter of credit in the amount of \$24,736.00. Motion carried, 5-0.

C. NEAL & DONNA BUSHONG – 50 MEADOW ROAD – REQUEST RELEASE OF FINANCIAL SECURITY

Township Zoning Officer Jodi Heffner informed the Board that she received a letter from Rettew Associates regarding the financial security for the Bushong Tract. She mentioned staff conducted a follow up inspection on November 24, 2015 and confirmed the outstanding items have been satisfactorily completed. Staff is recommending full release of their financial security in the amount of \$68,959.00.

**Motion:** Frank Burkhart moved, seconded by Kent Gardner, to approve the release of Neal and Donna Bushong's letter of credit in the amount of \$68,959.00. Motion carried, 5-0.

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE

Township Manager Ron Youtz reminded the Board members that a joint meeting with the Building Committee members was held on Monday, November 16 at which time interviews were held for two architectural firms.

He mentioned the Building Committee met on Tuesday, November 24 to discuss options and what direction to go at this point. He mentioned the Committee felt they would like to meet with each firm on a one-on-one basis in order to get a better understanding of what their costs entail and what is expected of them. He said after the Committee meets with the two firms, the building committee would make a recommendation to the Board on which architectural firm they would like to hire and design the Municipal Building Complex project.

VI. NEW BUSINESS

A. APPOINTMENT OF REPRESENTATIVES TO THE LANCASTER COUNTY TAX COLLECTION BUREAU FOR 2016

Ron Youtz, Township Manager, explained that from 2014-2015 Francis Zimmer of Mountville

Borough served as Representative and David Dumeyer served as the Alternate to the Lancaster County Tax Collection Bureau. Mr. Youtz is asking the Board to appoint David Dumeyer as Representative and Ed LeFevre as Alternate for 2016. He mentioned that East Hempfield and East Petersburg already appointed David Dumeyer as the Hempfield Area Representative and Ed LeFevre as Alternate Representative to the Lancaster County Tax Collection Bureau.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to appoint David Dumeyer as the 2016 Representative and Ed Leferre to serve as Alternate Representative to the Lancaster County Tax Collection Bureau. Motion carried, 5-0.

#### B. DISCUSSION ON REQUIRED AMENDMENTS TO THE TOWNSHIP FLOODPLAIN ORDINANCE

Township Manager Ron Youtz informed the Board that the floodplain ordinance will have to be re-written per FEMA because the model ordinance DCED used was not in full compliance with FEMA's regulations. He mentioned he had a conversation with Township Solicitor Josele Cleary who will be working with other municipalities amending their Floodplain Ordinances. It was recommended to keep the ordinance as part of the zoning ordinance and he is seeking consensus of the Board to have Ms. Cleary start preparation on the new ordinance. The Board agreed.

#### C. COMCAST AGREEMENT FOR INTERNET SERVICE AT MAINTENANCE FACILITY

Township Manager Ron Youtz explained to the Board there has been an agreement prepared between Comcast Cable and the Township to provide one connection of residential level internet service to the Township's Maintenance Facility located at 4380 Fairview Road, Columbia. Mr. Youtz is recommending the Board approve the agreement which will provide internet service to the Maintenance Building.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the proposed agreement for Comcast Cable to provide one residential level internet service to the Township's Maintenance Facility at 4380 Fairview Road. Motion carried, 5-0.

### VII. ORDINANCES AND RESOLUTIONS

#### A. ORDINANCE 4-15 COMCAST FRANCHISE AGREEMENT

Township Manager Ron Youtz informed the Board that Ordinance 4-15 - Comcast Franchise Agreement is a ten year agreement and Comcast will continue to provide cable service within the Township and the Township will continue to receive 5% quarterly franchise fee.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to adopt Ordinance 4-15 - Comcast Franchise Agreement as presented. Motion carried, 5-0.

#### B. ORDINANCE 5-15 ESTABLISHING TRAFFIC REGULATIONS IN EAGLES VIEW DEVELOPMENT

Township Manager Ron Youtz informed the Board that Ordinance 5-15 establishes traffic regulations in Eagles View Development. He said the entire length of Eagles View, Eaglet Circle and Golden Eagle Way will each be posted with a speed limit of 25 miles per hour. He also mentioned stop signs will be posted on these streets at various locations.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, to adopt Ordinance 5-15, which establishes traffic regulations within Eagles View Development. Motion carried, 5-0.

C. RESOLUTION 5-15 ADOPTION OF 2016 BUDGET

Township Manager Ron Youtz reminded the Board that a budget workshop meeting was held on Monday, November 2 and the budget has been advertised for public inspection and is now ready for adoption.

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to adopt Resolution 5-15, adoption of the 2016 budget as presented. Motion carried, 4-0. Yes vote: Dumeyer, Fisher, Gardner and Burkhart. No vote: Martin.

D. RESOLUTION 6-15 ADOPTION OF THE 2016 TAX RATE

Township Manager Ron Youtz informed the Board the 2016 tax millage rate will remain the same at 1.34 mills. Mr. Youtz is recommending the Board adopt Resolution 6-15 which fixes the tax millage rate at 1.34 mills for 2016.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to adopt Resolution 6-15, fixing the tax rate for the year 2016 at 1.34 mills. Motion carried, 4-0. Yes vote: Dumeyer, Fisher, Gardner and Burkhart. No vote: Martin.

VIII. APPROVAL OF PAYABLES

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

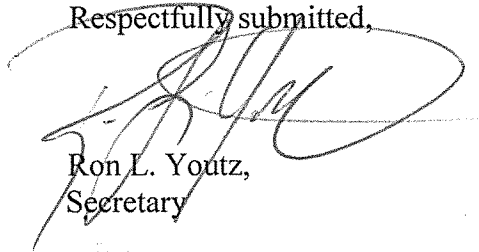
Payroll/Taxes.....	\$184,042.87	Electronic Payment
General Fund.....	\$134,994.85	Checks 26964 - 27059
Sewer Fund.....	\$ 4,845.90	Checks 3722
Refuse Fund.....	\$ 65,643.62	Checks 2331 - 2336
Street Light.....	\$ 4,571.12	Checks 393 - 394
Fire Hydrant.....	\$ 128.76	Checks 207
Escrow Fund.....	\$ 14,138.76	Checks 151 -154
State Fund.....	\$ 3,318.18	Checks 3033 - 3039

IX. 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 8:20 p.m. and to go into Executive Session to discuss a personnel issue. Motion carried, 5-0.

Respectfully submitted,



Ron L. Youtz,  
Secretary

