

**WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING**  
**Minutes of December 6, 2016**

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, December 6, 2016. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner 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 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 real estate issue.

II. APPROVAL OF MINUTES:

A. **November 1, 2016 Meeting:**

**Motion:** Frank Burkhart moved, seconded by Edward Fisher, to approve the Board's November 1, 2016 minutes with the correction the initials for "DPDES Permit" be corrected to read "NPDES Permit" as noted on page #2 and #5. Motion carried, 5-0.

B. **October 31, 2016 Budget Workshop Meeting:**

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the Board's October 31, 2016 Budget Workshop minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Edward Fisher commended the road crew for a great job collecting leaves. Dale Getz said some residents have turned this service into a requirement as they are calling in and requiring the leaves be picked up on certain dates and they are also being rude to the girls answering the phone calls. Mr. Stern concurred and said he is aware the Road Department is a little behind because of the rain and the oak trees have not started dropping until recently. Residents are told the department is working to catch up because of the rain, but the department also has to turn the equipment over to snow plowing capability as that season is fast approaching.

B. TOWNSHIP MANAGER – Andrew Stern reported:

1. Budget: Informed the Board that the 2017 proposed budget and tax increase has been advertised for action on December 15, 2017. He says he remains confident with the budget and the 0.51 mills tax increase.
2. Holidays: Provided the Board with a copy of the 2017 Holidays and asked if they

have any questions or concerns to contact him.

3. Planning Commission: Informed the Board there will be two vacancies, one due to the resignation of Alice Yoder with term expiring December 31, 2017 and one due to the expiring term of Dan Nonnemacher with term ending December 31, 2016. Both have agreed to remain as alternate members as state law now permits. There are three interested persons, Barry Carter, Lee Martin and Jim Stuckey. He has asked the three candidates to attend the December 15 Joint Planning Commission and Board meeting and allowing each to make a brief introduction of themselves.

These appointments will be acted upon at the re-organizational meeting scheduled for January 3, 2017. One of the appointments will be for the remaining term expiring December 31, 2017 and the other appointment will be for a full four year term expiring December 31, 2020.

4. HARC: Chis Gibbons who currently holds the seat on the HARC Commission indicated that he does not wish to be reappointed for another term. We will have to appoint a local representative from the Township to sit on the Commission. He suggested that one of the Board members might want to be named to serve on the Commission. His recommendation is a result of recent and future changes with HARC. He said the Executive Director, Vickie Hubbard, is leaving HARC and a new Director will be appointed. The HARC Board currently meets the fourth Wednesday of the month.
5. LASA: LASA has notified the Township that Ed Fisher's term as the Township representative on the LASA Board expires January 1, 2017. This item will be placed on the reorganizational meeting agenda.
6. Website: Informed the Board on the status of the Township website upgrade. He feels the changes will be an improvement and estimates the site will be up and running towards the beginning of the New Year.
7. Twitter: As part of the website, a Twitter feed will be included and will allow the employees to feed important announcements such as trash delays, upcoming meetings, etc.
8. Solar: It was a recommendation made by our architects to have a free analysis performed by Rob Gamble of Third Sun Solar to determine if solar power is an option for the new building.
9. Zoning: The current and new municipal buildings are both located in the Rural Ag District. This zone will limit the use allowed by our zoning ordinance. He suggested the Board consider rezoning both properties, including the adjacent property, to Traditional Village.
10. Municipal Complex: The municipal building project is on track. On November 13 the Township's Zoning Hearing Board granted a variance for the driveway width. The Planning Commission will review the land development plan at their December 15 meeting and the Board will address the plan at their January 3, 2017 meeting. The project should be placed for bid in late January with bid opening and award in March.

Chief Pugliese, the architect, and the engineer met on November 17 to review final

costs for the project. On November 22 he and Mrs. Baumbach met with Concord Finance and believe the proposed tax increase of .51 mills remains a good number. They discussed bank loan versus bond and feel a bank loan will be more appropriate cost wise. They anticipate sending out RFPs to lending institutions about the same time as the project is let for bid.

11. MS4 Little Conestoga: The Little Conestoga MS4 group will be meeting on Monday, December 12 at 9:00 a.m. at the Lancaster Farm & Home Center. At the October 31 meeting, it was suggested that neighboring entities work together on MS4 projects when practical and feasible. Mr. Stern asked for a consensus from the Board if they would be willing to work with neighboring entities on projects that impact them. All Board members concurred that working with other municipalities to undertake MS4 projects within the watershed would be feasible and practical.
12. Printer/Plotter: With the new building and the large number of maps collected over the years for subdivision land development plans, a printer/plotter machine would help save storage space as we can scan those documents and store them on a computer file. It could also assist with producing comprehensive plan maps and MS4 plans. The cost is \$6,500.00 and Mr. Stern said the earlier we purchase the unit, the faster we can start compressing files for storage. Edward Fisher stated that this unit will be for Township use only and should not be used to make multiple copies of plans for developers. The Board agreed to authorize the purchase of the unit with the condition as note by Mr. Fisher.

### **EXTERNAL MATTERS**

1. Wenger Feeds: Wenger Feeds, LLC has made application to the PA Department of Environmental Protection for a GP-15 permit for the “installation and operation of two new pellet lines to replace two existing pellet lines” at their Hempfield Mill facility, 3579 Hempland Road, Lancaster. A copy of their application is available for Board review.
2. UGI: UGI had plans to close Stony Battery Road for part of November and December with a detour via Marietta and Corporate. This has been cancelled. Information is still being gathered for a new contractor to finish the work. Mr. Stern will work with officials from East Hempfield Township by monitoring the schedule and work planned and coordinating detours for these proposed projects as East Hempfield is planning to close Centerville Road next April-September and PennDOT is planning to pave Marietta Avenue next spring.
3. Corporate Blvd at Marietta Ave: As part of the UGI detour plan, Rettew conducted a traffic impact study for this intersection and found that it warrants a traffic light. After researching various documents, it was discovered that Bill Murray had agreed to pay for some or all of the traffic lights once warrants were met. Before Mr. Murray is contacted, Mr. Stern felt that while warrants were met, it might not be the best location for a signal. He felt the intersection of Marietta Avenue and Summit Drive might deserve consideration as this area appears to be more congested.

4. Vazquez Property Lien: It was mentioned at the November Board meeting that the Township Solicitor is seeking action from the Board on an expiring lien. This lien in the amount of \$12,141.00 was a court order ruling for a prior zoning violation at 100 Stone House Lane.

**Motion**: Edward Fisher moved, seconded by Kent Gardner, to retain the five year judgment lien and the ability to recover the amount of \$12,141.00 when the property located at 100 Stone House Lane is sold. Motion carried, 5-0.

5. Marietta Avenue/Chiques Creek Bridge: The Township just received notification from PennDOT informing us that Marietta Avenue will be closed just west of Kames Hill Road for approximately 10 weeks starting in June 2017 for a bridge replacement project. The official detour is 11.6 miles and uses Routes 441, 30 and Prospect Road. We will be exploring the possibility of limiting vehicle weight on Kames Hill Road to five ton, which will require an ordinance. This will be addressed at upcoming Board meetings.

### **PERSONNEL**

1. Chad Heisey – Started work on Monday, November 28, 2016 as our Mechanic in the Public Works Department.

### **CORRESPONDENCE**

1. Received correspondence from the Lancaster County Drug Task Force updating the Board on their 3<sup>rd</sup> quarter progress.
2. A letter was received from Lancaster County Clean Water Consortium indicating their September 25, 2016 golf outing fundraiser was a success.
3. The Lancaster Public Library thanked the Board for their annual allocation.
4. Received a zoning text amendment from Summit Living, LLC. This item will be included on the December 15, 2016 Planning Commission's meeting agenda.
5. Fairview Park Easement – He said Josele Cleary, Township Attorney, sent a letter to Transcontinental Gas Pipe Line Company explaining that the Purchase Agreement and Right-of-Way Agreement that were submitted for her review were not acceptable. She is asking the Township to appoint an official of the Township to continue working with her on negotiating the final language on those agreements. The Board concurred and authorized the Township Manager Andrew Stern to work with Ms. Cleary to resolve the agreements.

### **C. RESIDENTS**

1. Mark Rodkey of 795 Prospect Road stated the current policy for the use of woody waste site are on Saturdays, he said he cannot make any Saturdays and asked the Board to consider a policy change to allow other options. He suggested maybe having \$50 cash deposit to pick up a key from the Township office and then return deposit when key is returned.

As a short term suggestion, Kent Gardner said residents could take woody products and grass clippings to Donald Stoner on 3207 Bowman Road for a fee.

Andrew Stern, Township Manager, informed the Board that he had met with Mr. Rodkey and he informed him that he and Public Works Director Dale Getz are considering other options.

2. Tim and Connie Kreider of 1335 Prospect Road stated they have lived at this address for 10 years and explained to the Board that if they are not familiar with the area, there is a tunnel and during this week alone there were four motor vehicle accidents. There is speeding and at night the area is not adequately lit. They asked if there has ever been a study done about the tunnel and the amount of accidents. They asked for yield signs and/or blinking caution signs, installing speed bumps on both sides of the tunnel be installed to slow down the vehicles. This is a very dangerous section of the road. Edward Fisher informed Mr. and Mrs. Kreider that the tunnel is owned by Conrail and the roadway is the Township's. He suggested they file a complaint with the PUC stating the tunnel is an unsafe structure and the PUC could order Conrail to take action. Mr. Fisher said if the signs are mounted on the bridge they would be Conrail's, if the signs are mounted on stakes, he believes they could be the Township's. David Dumeyer asked Public Works Director Dale Getz and Police Chief Mark Pugliese to address this concern by verifying that there is proper signage posted in both directions as this might benefit the motorists and hopefully eliminate accidents.

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

##### A. BARDON DEVELOPMENT LP – SW MANAGEMENT PLAN & WAIVER OF LAND DEVELOPMENT – 100 LINCOLN WEST DRIVE

Brian Cooley of DC Gohn Associates introduced Greg Reichardt of Bardon Development. Mr. Cooley said the applicant is proposing to construct a 12,728 square foot freezer expansion which will accommodate additional freezer storage within the existing building. The zoning for this site is I-2 district. There is an existing storm water basin located toward the east of the cul-de-sac and he estimates the basin was installed in the 90s. It was designed for 70 percent impervious cover for the entire site. The site currently is at 40 percent and the basin design will handle the additional flow of the freezer. There is a proposed storm sewer which will convey stormwater from the freezer to the existing pipe system and into the existing basin. Bardon is modifying the existing outlet structure slightly to accommodate the freezer expansion.

Mr. Cooley said there are three waivers being requested:

1. Section 309 – Subdivision/Land Development Plan Processing – In lieu of submitting a land development plan, a stormwater management plan has been

presented. To support the land development waiver, there are no new employees, no additional truck traffic and no change in use.

2. Section 122-47.10 – Storm Water Management Ordinance/Basin Dewatering Time – The waiver request is for the requirement to drain the rate control volume of the basin within 24 hours. They are proposing to dewater the existing basin in 65 hours. A waiver was granted by the Board on April 4, 2016 for the previous phase which extended the dewatering time to 28 hours. The applicant determined that the current basin storage volume exceeds the basin storage volume as designed in 2006. The currently basin dewatering time is estimated to be 58 hours and therefore the request would extend the dewatering time seven more hours to 65. The reason there is a small increase in dewatering time is due to the modification of the existing outlet structure to accommodate the increase of flow from the freezer warehouse.
3. Section 122-48 – Volume Control – A waiver is requested from the requirement to provide volume control measures so the post-development runoff volume shall not exceed the pre-development runoff volume for all storms equal to or less than the 2-year, 24-hour storm event. There is no infiltration proposed on the site due to the underlying geology, evidence of past sinkholes, and poor infiltration test results. There was a geotechnical report prepared and it showed there were 5 infiltration test pits – two in the basin, two near the parking lot and one adjacent to the freezer. The infiltration rates are less than what is required.

Edward Fisher stated that the volume is a big issue that the Township deals with almost on a daily basis. He said dewatering time is not too much of an issue, but asked why the volume control can't be met. Mr. Cooley said the geology report has numerous factors in it, such as the infiltration rates were .1 to .2 which is below any recommendation of any stormwater manual related to infiltration. This area is cut, and tests were done past the cut depth to determine if there was a limiting zone. Mr. Fisher asked if they have consider a wet pond for holding the water and evaporation would be included. Mr. Cooley said everything is meant to be contained in the basin. Mr. Fisher asked about a forebay in the existing basin. Mr. Cooley said he would look into the forebay suggestion, but mentioned ponding storm water is a concern with a forebay would allow, because there was already a sink hole that has opened in the area.

#### **MODIFICATION & WAIVER REQUESTS:**

1. **Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver to Section 309 –Land Development Plan processing in the alternate the applicant submit a stormwater management plan and it meets the satisfaction of Township engineer and staff. Motion carried, 5-0.
2. **Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver to Storm Water Management Ordinance Section 122-47.10 – Basin Dewatering

time based on the justification provided and to the satisfaction of Township engineer and staff. Motion carried. 5-0.

3. **Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver to Storm Water Management Ordinance Section 122-48 – Volume Control, with the condition the applicant provide an analysis of a forebay in the existing basin and the subject review is performed by Township engineer and staff. Motion carried, 5-0.

### **PLAN APPROVAL**

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the Bardon Development LP Storm Water Management Plan with these conditions:

1. Receive approval from the Lancaster County Conservation District for the Erosion & Sedimentation Control Plan and
2. All certificates required by Section 122-38 need to be completed. Motion carried, 5-0.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the Storm Water Management Agreement and Declaration of Easement for Bardon Development, LP. Motion carried, 5-0.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the financial security agreement in the amount of \$80,859.03. Motion carried, 5-0.

#### B. GREG GECHTOLD (*January 13, 2017-90 day*) LOT ADD-ON PLAN – 1058 PROSPECT ROAD

Brian Cooley of D.C. Gohn said this plan was originally addressed by the Board at their May 2016 meeting. He explained the reason for this amended plan is to subdivide four portions of Lot 4, the parent tract, and add to Lot 1, Lot 2, Lot 3 and Lot 5 to correct the access drives and easements for all properties.

Lot 1 has existing access to Prospect Road and Lot 1 will receive 0.448 acres (Lot1A) and 0.052 acres (Lot1B).

Lot 2 will lose 0.052 acres (Lot1B) and add 0.552 acres (Lot2A) and remove the existing access drive.

Lot 3 will receive 0.500 acres (Lot3A).

Lot 4 the parent tract will share access with Lot 3 and will have an easement agreement for access for those two lots.

Lot 5 will receive 0.029 acres (Lot5A). The additional land will allow the owner to have a turnaround and eliminate backing out onto Prospect Road.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to modify the original motion made at the May 3, 2016 meeting and to approve the Greg Bechtold Lot Add-

on Plan with the following conditions:

1. All certificates need to be completed prior to recording the Plan (§405.E).
  2. The draft Cross Easement Agreement and Cross Easement Declaration have been forwarded to the Township Solicitor for review and once all comments have been satisfactorily addressed, these documents need to be executed and recorded.
- Motion carried, 5-0.

V. OLD BUSINESS

- A. BUILDING COMMITTEE UPDATE – Report given under Manager Report.

VI. NEW BUSINESS

- A. ESTABLISHMENT/APPROVAL OF MONTHLY MEETING DATES AND LOCATIONS

After review of the 2017 meeting dates of the various Boards, the Board directed the dates be advertised.

- B. CENTRAL LANCASTER COUNCIL OF GOVERNMENT (CLCCOG) LETTER EXPRESSING INTEREST

Township Manager Andrew Stern explained to the Board that East Hempfield Township, Manheim Township and East Petersburg Borough created the CLCCOG since leaving the LIMC group. The pros of entering into the CLCCOG are that we can purchase furniture since both municipalities are currently working on their new building programs we could also work together on MS4 and other programs that can be shared. Kent Gardner said this would be a good move and at this time there are no fees to belong.

Frank Burkhart said with any lease of our large equipment items for use by other municipalities, he feels an operator should be provided.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, to authorize the Township Manager to sign the letter of interest in the CLCCOG. Motion carried, 5-0.

- C. ATLANTIC SUNRISE PIPELINE/ROAD USE AGREEMENT

Andrew Stern, Township Manager, explained to the Board that the Township Solicitor has been working on a road use agreement for Williams which will explain how to maintain and/or restore Township roads in case of any damages as a result of their excess use of the roads during the preparation and installation of the pipeline. Mr. Stern is asking the Board to take action to authorize Andrew Stern, Township Manager, to work with Township Attorney Josele Cleary to resolve any issues during the negotiations of this agreement.



**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to authorize the Township Manager and the Township Solicitor to negotiate on behalf of the Board the terms and conditions of the road use agreement. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$ 182,443.01	Electronic Payment
General Fund.....	\$ 120,550.68	Checks 28332 - 28414
Fire Hydrant.....	\$ 0	Checks
Street Light.....	\$ 4,424.61	Checks 410
State Fund.....	\$ 4,390.77	Checks 3107 - 3115
Escrow Fund.....	\$ 8,824.97	Checks 170 - 172
Sewer Fund.....	\$ 4,979.30	Checks 3740
Refuse Fund.....	\$ 63,818.59	Checks 2439 - 2444

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between November 1 through November 30, 2016 and any residuals. Motion carried, 5-0.

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A REAL ESTATE ISSUE

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

Respectfully submitted,



Andrew Stern,  
Township Manager

