

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of April 5, 2016

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, April 5, 2016. 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, Township Engineer Ben Webber, Public Works Director Dale Getz, Zoning Officer Jodi Heffner, and Brenda Baumbach, Finance/Personnel Director serving as Recording Secretary. Chairman David Dumeyer was absent.

I. CALL TO ORDER:

Vice Chairman Edward Fisher 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: March 1, 2016

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve the Board's March 1, 2016 meeting minutes as presented. Motion carried 4-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Frank Burkhart mentioned that he and Township Manager Ron Youtz had several conversations regarding a stormwater issue on Jonas Sauder's property on Stony Battery Road.
2. Edward Fisher thanked the Public Works Department for a nice job constructing trash enclosures around the dumpsters located in the various parks. Dale Getz, Public Works Director, stated the design and build was done by Township employee Rusty Mahosky.

B. TOWNSHIP MANAGER

Ron Youtz, Township Manager, reminded the Board members who are registered for the PSATS Convention that it will be held on April 17 through April 21, 2016.

C. RESIDENTS – No resident participation

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. GREG BECHTOLD – 1058 PROSPECT ROAD – LOT ADD ON PLAN - BRIEFING

Jodi Heffner, Zoning Officer, explained to the Board that the applicant is proposing to subdivide the parent tract Lot #4 into three (3) half acre parcels that will be added onto existing Lots #1, 2 and 3. This subdivision will increase the size of those existing three lots which front Prospect Road and are zoned Residential. She mentioned that the remaining land of Lot #4 is comprised mostly of forested area with buildings and a driveway, and the applicant might at some point sell the remaining land of Lot #4. Ms. Heffner also noted there are no proposed improvements as part of this plan.

B. McCARTHY TIRE EXPANSION – 1004 STONY BATTERY ROAD – LAND DEVELOPMENT PLAN

Township Engineer Ben Webber informed the Board that he has not received a formal request to withdraw the McCarthy Tire plan, but he was notified that the owners of McCarthy Tires will not continue with their Land Development Plan application. They have found a parcel of land in Wilkes-Barre, PA. Ron Youtz, Township Manager, said the owners had made reference to the option of expanding their business here in the Township or at another location.

C. SAINT ANNE’S RETIREMENT COMMUNITY – 3952 COLUMBIA AVENUE – REQUEST FOR TIME EXTENSION AND APPROVAL OF AGREEMENTS

Mike Grab of Nikolaus & Hohenadel, LLP stated the Board had previously approved the plan pending agreements that had to be finalized. These agreements consisted of the developer’s letter of agreement with approved cost estimate, the stormwater agreement and the escrow agreement have all been submitted to the Township and has been reviewed by the Township Solicitor. Mr. Grab is asking the Board for additional time extension until May 5, 2016 which will allow ample time to have the agreements and the plans recorded.

Ron Youtz, Township Manager, concurred with Mr. Grab that the agreements have been submitted to the Township and Mr. Grab has been working with Township Solicitor Josele Cleary to finalize the agreements. Mr. Youtz asked the Board to take individual action on three items: to approve a time extension request until May 5, 2016, to approve the stormwater management agreement, and to approve the required escrow agreement.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the Escrow Agreement for St. Anne’s Retirement Community. Motion carried 4-0.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve St. Anne’s Stormwater Management Agreement and Declaration of Easement. Motion carried 4-0.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to grant the time

extension request for St. Anne's Retirement Community Land Development Plan until May 5, 2016. Motion carried 4-0.

D. RUTTER'S FARM STORE – 3849 HEMPLAND ROAD – APPROVAL OF AGREEMENTS

Neil Metzger of LLC Design reported that Rutter's has attained all the required PennDOT permits for the driveway onto College Avenue as well as the improvements along College Avenue south of Route 30. The Board had previously signed the Stormwater Management Agreement and an amendment to that agreement. Two additional agreements have been requested by the Township Solicitor and Engineer. The first is a Road Improvement Maintenance Agreement which specifies the developer (Rutter's) is responsible for the long term maintenance of certain aspects of the proposed improvements to College Avenue. The second is a Drainage Easement Agreement for the discharge of stormwater onto the property owned by John Hess to the west side of College Avenue. The Hesses granted a drainage easement to the Township for the discharge of water.

Additionally, Rutter's is putting an inlet in the center of College Avenue as part of the raised median designed to prohibit illegal left turns. The placement of the inlet and discharge pipe created the need for the drainage easement. Currently there is a roadside ditch already there but it is outside the existing PennDOT right-of-way. Edward Fisher asked if the median will be a raised one or will it be a rail. Mr. Metzger said it will be a raised mountable curb median in the center with plastic delineators. The delineators are part of the Road Maintenance Agreement and it will be Rutter's responsibility to replace them if/when they are knocked over. Frank Burkhart asked if these agreements will remain in place should the property be transferred to a new owner. Mr. Metzger said yes.

Edward Fisher asked about the new traffic flow pattern into the Rutter's store – is it a right-in, right-out only? Mr. Metzger said it will be a right-in turn so traffic traveling from Mountville will not have to turn right on Hempland Road and then turn left into the store's parking lot. It will be a right-out turn out as well. This should help with the traffic flow and will also help with traffic entering and exiting from Mountville Elementary School.

Motion: Kent Gardner motioned, seconded by Frank Burkhart, to approve the Road Maintenance Agreement with Rutter's Farm Store. Motion carried 4-0.

Motion: Kent Gardner motioned, seconded by Frank Burkhart, to approve the Drainage Easement Agreement between the Hesses and the Township. Motion carried 4-0.

E. ENGLE PRINTING – 1100 CORPORATE BLVD. – REQUEST RELEASE FOR FINANCIAL SECURITY

Township Manager Ron Youtz reported that Engle Printing recorded the plan for their facility in 1998 and construction began in 1999. In November 1999 the Board took action to reduce the financial security to \$14,000, which represented 10% of the total financial security. In the fall of 2015 Mr. Youtz met with Keith Heigel of Light-Heigel to review the list that was prepared in 1999 and determined there were no real issues except for some small erosion problems that had to be addressed. The Township has received a letter from Engle Printing formally requesting the release of financial security which the Township is recommending be done. As of today the amount is \$25,011.10 due to increases to the letter of credit over the years.

Motion: Kent Gardner motioned, seconded by Frank Burkhart, to accept the recommendation of staff to release the financial security for Engle Printing in the amount of \$25,011.10. Motion carried 4-0.

F. KEYSTONE CUSTOM HOMES – 3733 MARIETTA AVENUE – DISCUSSION ON POTENTIAL PROJECT

Edward Ostrowski of Harbor Engineering represents Keystone Custom Homes, the potential developer of this project. This piece of land came before the Board in 2008 as the Preserve at Silver Spring. This new proposed project consists of three lots totaling 8.2 acres located in the Traditional Village District, which allows for residential and mixed uses. The current landowner, 3733 Marietta Avenue Associates, has marketed the project to several developers, and Keystone Custom Homes is interested in the residential aspect of the project. Mr. Ostrowski is presenting an informal sketch plan in order to open up dialogue about the potential for the project.

Keystone is proposing to build townhomes, which would be a conditional use for this zoning district. Units would be split into groups of four, the maximum allowed in the TV District. Total units would be around 40, and the units would be owned by Keystone as an entire unit, so no subdivision plan would be required. Instead of lot lines for each individual town home, this project would be under one plan owned by Keystone. Because there is no subdivision, there would be one access drive to all the townhomes instead of a public street. Keystone has had success with using access drives in its townhome-type developments. They have several apartment building complexes with private access drives with parking off the access drive. There is no thru traffic. There are several strong reasons to propose this not as a public street but as a private access drive. This is something to be discussed in the future with Township staff if the project proceeds.

Frank Burkhart asked to what specifications the private access road would be built. Mr. Ostrowski said Keystone would consult with Township and the Township Engineer to come up with a hybrid using certain components of public street standards and private access standards. Mr. Burkhart also inquired about snow removal and if school buses would have to pick up students at a stop along Marietta Avenue/Route 23 instead of entering the development since it is a private road. He is

also concerned about this situation if the property would change owners. Mr. Ostrowski said in that situation, most likely a condo association would have to take over.

Edward Fisher asked about the utilities for this project. Mr. Ostrowski said there is public water and sewer in this area and would most likely the lines would be placed underneath the access drive. Mr. Fisher also asked if each unit would have its own lateral and Mr. Ostrowski said this is something that would have to be discussed with Keystone.

Kent Gardner expressed concern about the ability of fire equipment using the access drive because it looks like a tight turnaround and radius. Edward Fisher asked if any thought has been given to this project using mixed-type housing instead of all townhome design. Mr. Ostrowski said right now there is a good market for townhomes, but it would be Keystone's decision. If they decided to go with mixed-type housing, then the property must be broken into lots, and he feels Keystone would rather keep the property under one control. Commercial or mixed-type housing would be addressed at the Conditional Use stage, if the project gets that far. At this point Keystone is only interested in the residential portion of development.

Mr. Fisher asked what is the distance from this proposed intersection to the Hempfield Hill Road intersection. Mr. Ostrowski did not know but said it was the same measurement as what was in the Preserve at Silver Spring plan.

Mr. Ostrowski said the next step is to talk to the developer and submit a formal sketch plan and then reassess and possibly submit conditions with the sketch plan and proceed from there. Discussion ensued regarding private versus public street(s) in the proposed project and the legality, grade transition, radii, ordinance requirements and other street-related topics. On-street parking would be prohibited if it is deemed a private road.

Frank Burkhart suggested that the developer talk to the landowner to the northwest regarding water runoff. Edward Fisher said the project may require several infiltration areas. Kent Gardner said he is concerned with any residential area water runoff mixing with farm runoff and vice versa. There was also a discussion about incorporating senior-type housing into this project plan.

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE

Township Manager Ron Youtz thanked the Board for keeping this project moving. He met with Scott Loercher of Buchar-Horn last week to finalize paperwork and is meeting with representatives from David Miller/Associates office tomorrow morning. The Building Committee is set to meet on Thursday, April 14 and representatives from

Buchart-Horn and David Miller will be in attendance to establish some schedules, timelines and priorities. He is hopeful that by the May Board meeting he will have some timelines, goals and objectives to report on.

B. PRESENTATION AND UPDATE ON MS-4 PERMIT

Township Engineer Ben Webber of Rettew Associates indicated that tonight's meeting is the mandated annual public meeting that is required as part of the Township's MS-4 Permit Program. The Township has taken several of the minimal control measures and developed a plan which was submitted to the Department of Environmental Protection. He continues to work with Township staff in the office and in Public Works to bring the Township closer to compliance. He specifically commended Dale Getz and Public Works employee Dwayne Steager for their efforts in the field – taking measurements, doing screenings and developing the mapping. Mr. Webber also identified some items at the Public Works facility that need to be improved and will involve some training. Several parts of the MS-4 program require public education and involvement. He will be looking to identify different tasks we can do in the future as well as increasing the involvement of homeowners in the development and implementation of Best Management Practices.

At present we are building “infrastructure” into the program – Stormwater Management Ordinance adopted in 2014 which took care of the legislative side of things. The Township will be moving forward on the rest of the components of the plan. He asked for any input or questions from the Supervisors regarding the draft plan of MCM3 that we are required to update on an annual basis. Mr. Webber is seeking approval from the Supervisors to be able to submit the draft of the Illicit Discharge Detection and Elimination (IDD & E) Plan to DEP.

Kent Gardner asked if his participation with various watershed groups is helpful. Mr. Webber said this is greatly encouraged by DEP and will be included in the Township's annual report to DEP. The report is due in June; Ron has this information and will include it in the report.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the Illicit Discharge Detection and Elimination (IDD & E) Plan as presented. Motion carried 4-0.

C. COMPREHENSIVE PLAN UPDATE

Mr. Youtz updated the Board on the March 24 meeting where a little bit of everything was discussed. The next meeting on April 27 will have a more structured agenda and will address specific topics.

VI. NEW BUSINESS

A. COMMUNITY AID ORGANIZATION PRESENTATION

Lynn Whitten of Community Aid presented information about the organization – its history, mission and its four stores located in central Pennsylvania. Community Aid benefits local non-profit organizations such as Red Cross, Water Street Mission and New Hope Ministries. She informed the Board since the start of the organization in 2009, they have given \$6.4 million back to area organizations of non-profits.

Ms. Whitten is asking the Township to allow for the placement of one clothing collection bin on its property. She explained that the Township would have the option to choose the nonprofit that will receive the quarterly donations from that particular bin. Edward Fisher asked in lieu of the Township building, have contacts been made to local churches within the area. Ms. Whitten answered yes. Mr. Fisher felt local churches would benefit from the program rather than the Township.

Kent Gardner felt that to allow for the placement of a bin from Community Aid would open the doors to all organizations that collect various items to place a bin on Township property. Frank Burkhardt personally felt that the Township property would not be an ideal location for the placement of collection bins, and he agreed with Mr. Fisher that the local churches and other non-profit organizations would benefit from the program.

B. BID AWARD – HIGHWAY MATERIALS AND PAVING PROJECT

Mr. Youtz reported that Public Works Director Dale Getz announced on Tuesday, March 15, 2016 at 10:00 a.m. the bids that were received and opened for in-place application of Superpave Asphalt and for the purchase of asphalt materials to be used to make repairs to Township roads.

Mr. Getz made the following recommendations:

1. Award the bid for the Application of Bituminous Material (delivered in place 4,100 ton) to Pennsy Supply, Harrisburg, PA for a unit price of \$67.37 a ton, \$.44 square yard milling, and \$2.76 square yard asphalt paving material, for a total bid price of \$294,422.44.
2. Award the bid for the Purchase of Bituminous Materials FOB plant (Wrightsville) to Highway Materials of Lititz, PA, for a unit price of \$47.80 for 9.5 MM and \$41.90 for 25 MM for a total bid price of \$51,460.00.

Motion: Kent Gardner moved, seconded by Frank Burkhardt, to award the bid as recommended by Public Works Director Dale Getz for the Application of Bituminous Material to Pennsy Supply of Harrisburg, PA for a total bid price of \$294,422.44 and to award the bid for the Purchase of Bituminous Materials to Highway Materials of Lititz, PA for a total bid price of \$51,460.00. Motion carried, 4-0.

C. ESTABLISH DATE AND TIME FOR SPRING ROAD TOUR MEETING

After discussion among the Board members, it was decided to hold the Spring Road Tour meeting on Friday, April 29, 2016 at 8:00 a.m. Mr. Youtz said he would advertise the date in the Lancaster Newspaper.

VII. ORDINANCE AND RESOLUTIONS - None

VIII. APPROVAL OF PAYABLES

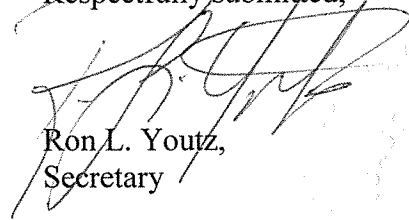
Payroll/Taxes.....	\$181,081.02	Electronic Payment
General Fund.....	\$155,611.87	Checks 27392 - 27494
Sewer Fund.....	\$ 9,958.60	Checks 3725 - 3726
Refuse Fund.....	\$ 66,828.59	Checks 2362 - 2372
Street Light.....	\$ 0	Checks
Fire Hydrant.....	\$ 0	Checks
Escrow Fund.....	\$ 0	Checks 0
State Fund.....	\$ 9,145.55	Checks 3054 - 3059

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between March 1 through March 31, 2016 and any residuals. Motion carried, 4-0.

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE

Motion: Vice Chairman Edward Fisher called for a motion to adjourn into Executive Session to discuss a personnel issue. Frank Burkhart moved, seconded by Kent Gardner, to adjourn the regular meeting at 9:00 p.m., and to go into Executive Session to discuss a personnel issue. Motion carried, 4-0.

Respectfully submitted,



Ron L. Youtz,
Secretary

