

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of January 5, 2015

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Monday, January 5, 2015. David Dumeyer along with Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Ron Youtz, Township Manager; Chief Mark Pugliese, Police Department; Dale Getz, Public Works Director; Jodi Heffner, Zoning Officer and Brenda Baumbach, Finance/Personnel Director serving as Recording Secretary.

Reorganization Meeting

I. CALL TO ORDER:

David Dumeyer called the Reorganizational meeting to order at 7:30 p.m. and led with the Pledge of Allegiance.

II. Nomination and Election of Officers

David Dumeyer entertained nominations for Temporary Chairman.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to nominate Edward Fisher as Temporary Chairman. Motion carried, 5-0.

David Dumeyer turned the meeting over to Edward Fisher who entertained nominations for the Office of Chairman and Vice Chairman of the Board.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to retain David Dumeyer to serve as Chairman and Edward Fisher to serve as Vice-Chairman for 2015. David Dumeyer was declared Chairman and Edward Fisher was declared Vice-Chairman by a unanimous vote.

III. Appointment of Secretary-Treasurer and Assistant Secretary-Treasurer

Motion: Kent Gardner moved, seconded by Edward Fisher, to appoint Ron Youtz as Secretary-Treasurer. Motion carried, 5-0.

Motion: Kent Gardner moved, seconded by Edward Fisher, to appoint Brenda Baumbach as Assistant Secretary-Treasurer. Motion carried, 5-0.

IV. Appointment of Solicitor

Motion: Edward Fisher moved, seconded by Frank Burkhart, to appoint Josele Cleary of the law firm of Morgan, Hallgren, Crosswell and Kane as Solicitor. Motion carried, 5-0.

V. Appointment of Engineer

Motion: Edward Fisher moved, seconded by Frank Burkhart, to appoint Benton Webber of Rettew Associates to serve as Township Engineer and to allow the option of various projects to be outsourced to other Engineering firms. Motion carried, 5-0.

VI. Appointment of Sewage Enforcement Officer and Alternate

Motion: Edward Fisher moved, seconded by Kent Gardner, to appoint Marvin Stoner as Sewage Enforcement Officer and to appoint David Lockard as Alternate Sewage Enforcement Officer. Motion carried, 5-0.

VII. Appointment of Auditor for 2014

Motion: Kent Gardner moved, seconded by Edward Fisher, to appoint Bertz & Hess, Certified Public Accountants, to audit the Township's 2014 financial records. Motion carried, 5-0.

VIII. Appointment to Zoning Hearing Board

Motion: Kent Gardner moved, seconded by Frank Burkhart, to appoint Gary Lintner to a three-year term on the Zoning Hearing Board. Motion carried, 5-0.

IX. Appointment of Solicitor to Zoning Hearing Board

Motion: Edward Fisher moved, seconded by Kent Gardner, to appoint Matthew Creme of Nikolaus & Hohenadel as Solicitor to the Zoning Hearing Board. Motion carried, 5-0.

X. Appointment of Alternate Solicitor to Zoning Hearing Board

Motion: Kent Gardner moved, seconded by Edward Fisher, to appoint Julie Miller of Russell, Krafft & Gruber as Alternate Solicitor to Zoning Hearing Board. Motion carried, 5-0.

XI. Appointment to the Hempfield Area Recreation Commission

Motion: Edward Fisher moved, seconded by Kent Gardner to re-appoint Chris Gibbons to serve on the Hempfield Area Recreation Commission. Motion carried, 5-0.

XII. Appointments to Planning Commission

Motion: Frank Burkhart moved, seconded by Kent Gardner, to reappoint Ron Beam and Larry Groff to four-year terms on the Planning Commission. Motion carried, 5-0.

XII. Appointment to Land Use Advisory Board/LIMC

Motion: Kent Gardner moved, seconded by Frank Burkhart, to appoint Tony Crocamo to the Land Use Advisory Board/LIMC. Motion carried, 5-0.

XIII. Appointment of Voting Delegate to PSATS State Convention

Motion: Kent Gardner moved, seconded by Frank Burkhart, to appoint Ron Youtz as voting delegate to the PSATS State Convention. Motion carried, 5-0.

XIV. Designation of Depository for Township Funds

Motion: Kent Gardner moved, seconded by Edward Fisher, to designate Union National Community Bank, Landisville Branch, PLGIT, Wells Fargo, and Susquehanna Trust as the depositories for Township Funds. Motion carried, 5-0.

XV. Setting of Bond Amount

Motion: Frank Burkhart moved, seconded by Kent Gardner, to set the bond amount for 2015 at \$1,500,000.00. Motion carried, 5-0.

XVI. Establishment of Monthly Meeting Location and Dates

Motion: Edward Fisher moved, seconded by Kent Gardner, to establish the meeting schedule for 2015 for the first Tuesday of each month and to hold the November meeting on Thursday, November 5th. All meetings to begin at 7:30 p.m. at the Township Municipal Building. Motion carried, 5-0.

XVII. Adjournment of Reorganization Meeting

Motion: Kent Gardner moved, seconded by Edward Fisher, for adjournment of the Reorganizational meeting at 7:50 p.m. Motion carried, 5-0.

Regular Monthly Meeting

I. APPROVAL OF MINUTES:

Edward Fisher asked for clarification of the December 17, 2014 Board's Special Meeting in regards to the vote on Resolution #10-14 which adopted the 2015 Budget. He stated that the minutes reflected a 5-0 vote, but was confused since Resolution #11-14 which adopted the tax rate increase was voted 4-1 with Naomi Martin against. He felt that Naomi Martin voted against the tax increase, and that she would have voted against the adoption of the 2015 budget. Naomi Martin stated that she did vote against both, but stated that the vote in the minutes can stand, since the Resolution was approved by majority. Minutes stay as written.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the minutes from the December 2, 2015 and December 17, 2015 board meetings as presented. Motion carried, 5-0.

II. COMMUNICATIONS:

A. BOARD OF SUPERVISORS

- i. Kent Gardner informed the Board that the LIMC will meet next week and that he is unable to attend. Ron Youtz, Township Manager stated that he will attend the LIMC meeting on Wednesday, January 14, 2014 in Lancaster City.
- ii. Kent Gardner asked if Ron Youtz has heard anything on the Worldview GIS mapping. Mr. Youtz stated that he heard that nothing would be happening before the end of January.

B. TOWNSHIP MANAGER

- i. Mr. Youtz informed the Board that the Elected Auditors will be meeting tomorrow evening at 7:00 p.m. at the Township Building.
- ii. He informed the Board that the December 17, 2014 Conditional Use Hearing which was held for St. Anne's Retirement Community has been continued and scheduled for Wednesday, January 21, 2015 at the Township Building, beginning at 7:00 p.m.
- iii. He informed the Board that the Pennsylvania State Association of Township Supervisors are planning its annual Convention for April 19-22, 2015 at Hershey Convention Center. He said if any Board member or staff member is interested in attending to let either he or Brenda know as soon as possible so we can take advantage of the discounted rate.

C. RESIDENTS

- i. No residents commented.
- ii. Barry Carter presented the Board with a copy of the November 2014 Fire Company activity report. He stated that there was a total of 67 calls that were responded by fire and fire police personnel.

III. SUBDIVISION, LAND DEVELOPMENTS, AND PLANNING MODULES:

A. SHEETZ – 4010 COLUMBIA AVE – REQUEST REDUCTION IN FINANCIAL SECURITY

Jodi Heffner informed the Board that she has received a letter from Rettew Associates dated December 18, 2014 which addresses the request received by Sheetz, Inc., to reduce their letter of credit.

Ms. Heffner stated that Rettew Associates is recommending a reduction in the amount of \$400,097.75 which will leave a balance of \$80,000.00. She stated that according to Rettew Associates, the \$80,000.00 will be enough for Sheetz, Inc., to address and comply with the 15 outstanding items.

Motion: Edward Fisher moved, seconded by Frank Burkhart, to accept Rettew Associates recommendation and reduce the Sheetz, Inc., financial security by \$400,097.75, which leaves a security balance for this project of \$80,000.00. Motion carried, 5-0.

IV. OLD BUSINESS:

A. BUILDING COMMITTEE UPDATE

Ron Youtz stated that there was no meeting held in December. He stated that the Committee was waiting until the 2015 Budget was adopted, this determined if the Board of Supervisors wanted to continue moving forward with the planning of the municipal complex. He stated that the next meeting is scheduled for January 8, 2015.

Frank Burkhart informed the Board that he took some elevation measurements on the property owned by the Fire Company and the water can flow towards the existing water way but that the adjoining property owner would have to be contacted since it flows in that direction.

V. NEW BUSINESS:

A. DAN MURPHY – 3510 MARIETTA AVENUE – DISCUSSION ON LOT DEVELOPMENT

Robert Murphy stated that he, his brother Dan Murphy, and their mother have interest in a 3.97 acre parcel of property located at 3510 Marietta Avenue which is currently zoned TV-Traditional Village Zoning District which allows for warehousing. He stated that the use does not permit mini-warehousing. He informed the Board that there is a great demand for mini-warehousing.

Dan Murphy informed the Board that he and his brother have a pending agreement with the property owner. He stated that they would make sure that this proposal to construct the storage units would be constructed and developed in an appealing design. He stated that the zoning ordinance allows for a 6,000 square foot building and his largest building is at 13,500 square foot which will be temperature controlled, and the two smaller buildings will be for dry storage for cars, boats, etc.

Robert Murphy explained that they also have planned to hire an on-site manager. Entrance to the property will be by a security gate. He stated that they are asking the Board for feedback and what they would need to do for their proposed use to be allowed.

Edward Fisher indicated that they are looking for a zoning text amendment to allow for storage warehousing in the village commercial district. Mr. Fisher explained further, that the Murphys appeared before the Zoning Hearing Board on December 9, 2014, at

which time they were denied their variance request to Section 403.2.A to allow for mini-warehouse in the Traditional District. He informed the Murphys that the design and layout of their facility is really nice, but to adopt a text amendment to allow storage buildings would allow metal structures to be used. We have the zoning to allow these types of uses permitted in other zoning districts.

Dan Murphy asked what the difference is between warehousing and mini-warehousing. Edward Fisher explained that a plumbing, furniture or carpet store could have warehousing in the back. He informed the Murphys there are self-storage facilities that are in one building and have elevators in them.

Mr. Fisher stated that wording for a text amendment could be used which would prohibit outside storage. He continued by saying that he is not aware of any self-storage facilities that do not permit outside storage.

Kent Gardner expressed concern with storm water and how it will be controlled. Mr. Murphy informed the Board that they would place underground storage tanks to help control storm water run-off.

David Dumeyer asked if the facility will be accessible 24/7. Mr. Murphy stated that there would be access 24/7 and lights and security cameras would be installed.

Frank Burkhart asked how much of the land would be impervious. Mr. Murphy answered 66 percent would be covered. Mr. Burkhart stated that they would have total underground storage to handle the water run-off. Mr. Murphy answered that there would be other controls installed.

Mr. Fisher and Mr. Burkhart both agreed that re-zoning the property would be considered spot zoning and the Board does not look favorably on those requests.

B. REQUEST AUTHORIZATION TO FORWARD 2014 DELINQUENT STREET LIGHT AND FIRE HYDRANT ACCOUNTS FOR COLLECTION

Ron Youtz, Township Manager, informed the Board that they have been provided with a copy of the delinquent street light and fire hydrant accounts. Mr. Youtz is asking the Board to allow the staff to forward those delinquent accounts to Creditech, Inc., for collection.

Motion: Kent Gardner moved, seconded by Edward Fisher to authorize the staff to forward the delinquent street light and fire hydrant accounts to Creditech, Inc., for collection. Motion carried, 5-0.

C. UPDATE ON DISCUSSIONS WITH THE LANCASTER AREA SEWER AUTHORITY

Ron Youtz, Township Manager, informed the Board that he had met with a LASA representative in early December 2014. He stated there were two items of discussion, the first one is the Township's obligation to provide public sewer to 40 homes the the Raintree Road area and trying to get a handle of what those costs would be. He stated that it has been determined that a low pressure system would be constructed and continued discussion with LASA about the responsibility of payment for the project. He further stated that the Board has until 2017 to provide sewers to those residents. The second item is our current system. We have expressed interest in selling and LASA has expressed interest in buying. He stated that he will be contacting LASA to schedule a meeting to further discuss the sale of our sewer system. He asked that if any Board member would be interested in attending to let him know.

Kent Gardner stated that he would be interested to attend, Edward Fisher stated that he would attend, but would have to abstain from voting on LASA issues involving the Township as he is a LASA Board member, and Frank Burkhart would serve as alternate, if one or the other could not attend these discussions.

VI. ORDINANCES AND/OR RESOLUTIONS

A. RESOLUTION 1-15: ESTABLISHING FEES FOR 2015

Motion: Edward Fisher moved, seconded by Kent Gardner, to adopt Resolution 1-15, Establishing fees for 2015. Motion carried, 5-0.

B. ORDINANCE 1-15 ESTABLISHING TRAFFIC REGULATIONS FOR BRIDLE WREATH LANE

Motion: Edward Fisher moved, seconded by Kent Gardner, to adopt Ordinance 1-15, establishing traffic regulations for Bridle Wreath Lane. Motion carried, 5-0.

VII. APPROVAL OF PAYABLES

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between December 1 through December 31, 2014 and any residuals. Motion carried, 5-0.

Payroll/Taxes.....	\$183,887.95	Electronic Payment
General Fund.....	\$136,695.96	Checks 25770 - 25873
Sewer Fund.....	\$ 14,109.06	Checks 3710
Refuse Fund.....	\$ 62,848.82	Checks 2231 - 2239
Street Light.....	\$ 4,358.31	Checks 380 - 381
Fire Hydrant.....	\$ 7.98	Checks 200
Escrow Fund.....	\$ 11,379.99	Checks 133 - 134
State Fund.....	\$ 12,119.18	Checks 2948 - 2953

VIII. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUE AND A
LEGAL MATTER

Motion: 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 personnel issue and a legal matter.
Motion carried, 5-0.

Respectfully submitted,

Ron L. Youtz, Secretary