

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of July 1, 2014

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, July 1, 2014. Chairman David Dumeyer and 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, Public Works Director Dale Getz, Zoning Officer Jodi Heffner, and Recording Secretary Brenda Baumbach.

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 personnel and real estate issue.

II. APPROVAL OF MINUTES: June 3, 2014

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the Board's June 3, 2014 meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner stated that the Clean Water Consortium has received 5 grant applications and awarding is scheduled for Wednesday, July 2, 2014.

B. TOWNSHIP MANAGER

1. Ron Youtz stated that he would like to add to agenda under New Business, item F, Request from Mountville Borough.
2. A reminder that the dedication of the Chiques Creek pedestrian bridge is scheduled for Wednesday, July 16, 2014 at 9:00 a.m., not July 19 as originally given.
3. The dinner meeting of the Lancaster County Association of Township Supervisors will be held at Four Seasons on Wednesday, August 13, 2014.
4. Assistant Fire Chief Barry Carter was unable to attend due to a conflict with his schedule but copies of the Fire Company April and May reports have been distributed to the Board members.

C. RESIDENTS

1. Ken Shaud of 4540 Fairview Road explained to the Board that he has 7 chickens he is raising on his property. Mr. Shaud is asking the Board to consider amending the Zoning Ordinance to allow chickens on his property.

Supervisor Edward Fisher asked Mr. Shaud how large is his property. Mr. Shaud stated his property is $\frac{3}{4}$ of an acre. Township Manager Ron Youtz stated that the Zoning Ordinance allows for raising chickens on 5 acre tracts or larger and he mentioned there have been complaints received about the chickens.

Chairman David Dumeyer informed Mr. Shaud that the Township staff will review this request.

2. James Wertz of 1002 Prospect Road explained to the Board that his property is on the corner of Prospect Road and Concordia Road, and he has a severe run-off problem along his property. He said the water coming down Concordia and the water coming down Prospect meet at his property, and when vehicles travel through the water it comes into his yard and house. He further stated that he has talked with Mr. Youtz, Township Manager, and is asking to have the problem expedited.

Township Manager Ron Youtz informed the Board that at a previous meeting the Board authorized a letter to be sent to PennDOT regarding the site distance at that area and the storm water concerns. Mr. Youtz informed Mr. Wertz that he would again contact PennDOT, research his complaint, and get back to him with the outcome.

3. DISCUSSION ON PROPOSED PIPELINE PROJECT.

Brenda Sieglitz of 4432 Miller Drive stated that she has been working with Mr. Youtz regarding the proposed pipeline. She said that she had spoken with Mr. Chris Stockton of Williams Energy prior to this evening's meeting regarding the re-route. Mr. Stockton stated that the re-route was suggested by Mount Joy Borough to avoid a water well protection area that is located within the original route.

Mrs. Sieglitz stated that with the proposed re-route there will be an additional 200 residents impacted, but the parcels in West Hempfield Township to be impacted has dropped from 38 to 24. Letters regarding the re-route and properties impacted will be sent out next week. She stated that the initial route will remain as an alternate but will not be a primary route. She further stated Mr. Stockton asked that the public remain patient and to email him directly at: altanticsunrise@williams.com with concerns.

She also stated that she has concerns with the proposed pipeline and asked if the Township is prepared to deal with protecting the at-risk residents when this pipeline is installed.

Township Manager Ron Youtz informed Mrs. Sieglitz that he only found out today around 12:15 p.m. that an alternate route was proposed. He has spent most

of his time today researching and talking with Glen Jackson, Consultant for Williams Energy in the Washington, D.C. area. Mr. Jackson assured Mr. Youtz that someone will be in touch with the Township early next week to provide more up-to-date information on the re-location. Mr. Youtz stated that the re-route is new to him and to the Board members.

Brenda Sieglitz asked if the Township has given permission for the pipeline to run through the Township.

Supervisors Edward Fisher stated that the Township does not have the ability to give permission to install a pipeline.

Township Manager Ron Youtz stated that a parcel owned by the Township which makes up Fairview Park near the woody waste area may be impacted by the proposed pipeline. He noted that the Township has given permission to Williams to survey that area.

Brenda Sieglitz stated this is all speculative, but wonders what the thoughts are of the Board members. She asked how the Township will help to keep the water potable for properties that are involved in case there would be a leak. She asked if there is a policy in place to handle this issue. She stated that Williams' track record has not been good.

Supervisor Frank Burkhart informed Mrs. Sieglitz that he has a Texas Eastern high pressure gas line that runs through his entire tract of land. He stated that a 36" line was upgraded in the 1990s and there has never been any concern about that pipeline contaminating wells in that area.

Supervisor Kent Gardner stated that he serves as Chairman of the Clean Water Consortium and before the pipeline news came out there was an announcement that Lancaster County has high pollutants in its air quality. He suggested that everyone should be more concerned about when it rains and all those pollutants go into the ground and the groundwater.

Brenda Sieglitz stated that Conestoga Township is taking a hard stance opposing the pipeline, and would the Board also consider taking a hard stance and oppose the pipeline?

Chairman David Dumeyer stated that it depends on the proposal and where the impact will be. We have concerns for our residents and their welfare.

Brenda Sieglitz stated that she and Ron Youtz are working well together and the information between them has been shared. She asked if there is a way the Township could keep residents updated on the status of the pipeline project, whether it be on the Township website, newsletter or a mailing.

Chairman David Dumeyer stated the Township would be willing to place some pipeline information on the Township's website. He suggested contact be made with Williams Energy requesting a representative to attend a public meeting to discuss the new route and what precautions they are taking during the construction of the pipeline. How is Williams planning to protect our residents' well water and property in case of an accident?

Tom Droege of 4348 Fairview Road stated that he has concerns with the high pressure pipeline. He said they have pressure stations and he heard that there is none planned for Lancaster County as far as he knows. He also said Williams Energy has a bad track record (one explosion entailed 8 acres) and the pipeline would add to the already bad air quality in Lancaster County. He asked if West Hempfield Fire and Rescue is ready for the type of disaster that can be caused by a leak or explosion. Have any of the Board members done any research on the pipeline and the company installing it? Mr. Droege stated he is also concerned about the water wells if a leak would happen.

Chairman David Dumeyer stated there was no Fire Company representative available to answer that question. He stated that the Board members are reading the same information that everyone else is reading.

Jodi Swartz-Rankin of 1035 Prospect Road said she was aware of the first route that was proposed because it was 1/8 of a mile from her 10 acres. She asked where the new location is. Is it now affecting her property? She felt that she has nowhere to go and asked if Township residents will have the support of the Township such as Conestoga Township residents have. Should she be concerned with the stream that runs near her property? How can she protect her clean and green property and not allow this to happen?

Chairman David Dumeyer stated that the Township wants to stay in contact with the residents and also asked that residents stay in contact with the Township. He added as soon as we know more about the re-route location and the properties involved, we will be able to re-evaluate the project.

Shirley O'Leary of Lancaster asked if the pipeline is on your property does it decrease the value of the property. Is there a need to purchase additional liability insurance by the property owners?

Supervisor Edward Fisher stated it would be up to the individual property owners if they want to purchase additional insurance coverage.

Mindy Roye of 4021 Columbia Avenue said she owns a mobile home park which has 8 homes. She said she attended the pipeline meeting at Millersville University where Williams Energy Representatives were present. She feels that this project

will lose revenue for the Township. As for properties that are affected, is it an insurance liability for the owners and owners that rent when this project is constructed?

Walter Price of 1199 Malleable Road stated that he had a news article that pertained to Williams Energy's background from 2003 to 2014, which lists the above-mentioned explosion and fines/violations. He stated that in 2011 there was an explosion that caused a piece of pipe to land approximately 200 feet away and the leak that burned for several hours. There was approximately 8 acres of nearby property that was damaged due to the explosion.

He asked the Board to take a stern position to get this project out of Lancaster County.

Grant Johnson of 2796 Ironville Road asked the Board to have representatives from Williams Energy attend a public meeting with Township residents to discuss the new route.

Chairman David Dumeyer asked Township Manager Ron Youtz to contact our government Representatives to aid in getting Williams Energy to attend a Township meeting to discuss the portion of the pipeline project that is proposed in West Hempfield Township.

Steve Spiese of 4656 Kinderhook Road asked the Board if they would be willing to place various pipeline items on the Township web page. Chairman David Dumeyer stated that the Board would consider using the web page to get viable information out to the public, and it would depend on what is being requested to post.

Mr. Spiese stated he has environmental concerns. He has lived here all his life and says that Lancaster County is referred to as the Garden Spot of the State. He feels that Lancaster County is a beautiful place to live and doesn't want to see it spoiled by installing a pipeline.

Mike Lausch 4294 Heather Lane asked the Board if they knew what distance the pipeline will be from Farmdale Elementary School. Chairman David Dumeyer stated that the re-route information is just hours old and he cannot make a comment until updated information is received.

Supervisor Edward Fisher stated that he knows that a Texas Eastern high pressure gas line is extremely close to Farmdale School.

James Wertz of 1002 Prospect Road stated that he has a serious concern about the impact on traffic on Prospect Road if or when Williams starts installing the pipeline.

Daniel Conley of 572 Prospect Road stated that he farms for a living and was concerned with the Agriculture Preservation program. If they run the pipeline through property in the Ag-Preservation area, what will happen if Williams says that they are not damaging the land when in fact they are permanently affecting the land?

Melinda Clarabuck of Holtwood said she spoke to Cindy Ivy of Williams who explained that they would not be violating the legal wording of the Ag-Preservation agreements. The Agreements say that no one is allowed to build above ground, and since the pipeline is being installed underground, this is how Williams would be getting around the Ag-Preservation Agreement.

Mary Schoenberger of 761 Kames Hill Road, Columbia stated that she owns 7 acres and has 5 horses. She asked that if Williams takes her land, what will happen to the horses?

Supervisor Edward Fisher informed Mrs. Schoenberger that Williams will not be taking any land, and they would prepare the necessary paperwork to acquire an easement across the property.

Steve Bitz of 2145 Oswego Drive, Columbia asked the Board if they would deny Williams access for installing the pipeline. Supervisor Edward Fisher said that it is not up to the Township to permit Williams access. He stated that the Federal Energy Regulatory Commission has that authority.

Steve Murray of Lancaster City said he is not a resident of the Township but has attended all meetings that have been held in relation to the pipeline because it concerns not only Township residents but also all county residents. He said that Williams has never had so much resistance for installing a pipeline as they have with this proposed project. He noted that by attending these meetings it shows that there are concerns and that residents and citizens are supporting municipalities to assist in whatever it takes to get this proposed project moved or shut down.

Ben McMillen of 440 Indian Head Road said that his property has no access to public water or sewer and if anything were to happen with the pipeline, the current infrastructure would not be able to handle it. He also asked if there would be a possibility of Lancaster County tapping into the pipeline. Chairman David Dumeyer stated that Williams could be asked if that possibility exists.

Dan Forry of 1015 Prospect Road said that his property is the largest parcel in Ag-Preservation in the Township. He stated that he farms his property and the proposed pipeline is going through his property. He said he received a letter from his insurance company that stated "If there is any compensation this would be

considered a business other than farming and insurance coverage excludes this exposure. Your attorney should determine if the pipeline is providing a policy for this exposure and if not, I recommend that you acquire a policy which would be a separate policy and an added expense for you.”

He said part of the farm is 150 years old and has never been subdivided. Mr. Forry does not appreciate that they can ram the pipeline project down his throat.

Supervisor Edward Fisher asked Mr. Forry if he would be willing to share the letter from the insurance company which explains how it considers his property a business and not farming.

Mr. Forry stated that his great-grandfather, grandfather, father and he have all lived in the same house and he does not want to sell any of his property.

Brenda Sieglitz announced that the Federal Energy Regulatory Commission is the entity that makes the final decision and suggested that everyone send comments and concerns directly to them.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. NONE

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE.

Ron Youtz, Township Manager, informed the Board that the Building Committee met on Thursday, June 12, 2014 at which time the feasibility study was reviewed, and Police Chief Mark Pugliese made a presentation on the police needs and goals of the proposed facility. On Thursday June 26, 2014 the Committee toured the Township and Fire Company facilities. He stated that the Committee will be traveling to Lower Allen Township for a tour on Thursday, July 10, 2014. Lower Allen Township has a complex that includes the Township Administration, Police Department and Fire Company.

Mr. Youtz also mentioned that he had provided each Board member with costs, financing and estimated millage rate impact if the Board should decide to go forward with the building complex.

Mr. Youtz stated that the Committee is waiting to hear from the Board on the direction they want to take and whether to move forward and continue to address the needs and wants, or to table the project.

Chairman David Dumeyer stated that the Committee wants to know if they have the full support of the Board, or to pull the plug on it right away.

Supervisor Frank Burkhart felt that the public should be made aware of the intentions of the Board for considering the complex and recommended to include information in the Township newsletter.

Township Manager Ron Youtz stated that it was mentioned in a newsletter in 2011. He wants to be transparent with residents regarding the discussions and the possibility of a new township facility including the Police Department and/or the Fire Company.

Kent Gardner stated that if we don't do anything we are doing a disservice to our residents by not having sufficient infrastructure. He stated that in case of an emergency we do not have a facility to handle it.

Mr. Youtz stated that the budget for the past few years has been approved with a shortfall of funds, which as a result has the Township relying on reserves. Kent Gardner stated that West Hempfield Township has one of the lowest tax rates of a municipality with a fulltime police force.

VI. NEW BUSINESS

A. PENNDOT – DISCUSSION ON AGILITY PROGRAM.

Ron Youtz, Township Manager, informed the Board that the Representative from PennDOT was unable to attend this evening's meeting.

B. REQUEST AUTHORIZATION TO PURCHASE RIGHT-OF-WAY TRACTOR/MOWER.

Dwight Forry at 195 Indian Head Road asked if the new tractor/mower will have a better reach than the current mower. Public Works Director Dale Getz stated that the new piece of equipment will be able to reach 6 to 8 feet.

Frank Burkhart said if we cannot get a mower that cuts the banks and grass better than what we have now, he would ask that we see these new mowers in operation to decide which mower is the best fit for West Hempfield Township's needs.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the purchase of a right-of-way tractor/mower after Township Manager Ron Youtz, Public Works Director Dale Getz, Supervisor Frank Burkhart and Supervisor Kent Gardner review the tractors that are recommended and observe them working in that environment, with the condition that the purchase price not exceed \$75,513.27. Motion carried, 5-0.

C. DISCUSSION ON “GROWING TOGETHER” – REGIONAL COMPREHENSIVE PLAN UPDATE.

Township Manager Ron Youtz stated that he had provided each Board member with a copy of the Lancaster Inter-Municipal Committee Growing Together Comprehensive plan update. Also provided was a proposal from the ELA Group, Inc. that outlines its scope of services. ELA would help guide the participating municipalities in compiling a list of considerations for a new plan. There has been a recent withdrawal from the LIMC by a few of the municipalities that were part of the current Regional Comprehensive Plan. The first goal is to determine which municipalities plan to participate in the Comprehensive Plan update.

Supervisor Kent Gardner stated that Columbia Borough will be participating in the update. East Hempfield is not a member of the LIMC but they can still be a member of the Comprehensive Plan. Discussion will continue on how to finance this project.

Supervisor Frank Burkhart stated that it would be a wise decision for the Township to participate in the program.

Supervisor Edward Fisher asked for additional information reflecting costs before a decision can be made to continue in the program or to go about it on our own.

The Board concurred to continue to participate in the program.

D. INTER-GOVERNMENTAL AGREEMENT FOR POLICE DEPARTMENT.

Motion: Edward Fisher moved, seconded by Kent Gardner, to enter into the Inter-Governmental Agreement, adding East Lampeter Township and expanding service. Motion carried, 5-0.

E. REQUEST FROM MOUNTVILLE BOROUGH FOR USE OF SPECIAL FIRE POLICE.

Ron Youtz, Township Manager, informed the Board that he received a letter from Mountville Borough requesting the assistance of the West Hempfield Fire Rescue Fire Police to provide traffic control at the Mountville 200th Anniversary Parade scheduled for Saturday, August 2, 2014 from 9:00-11:00 a.m. in the Borough.

Police Chief Mark Pugliese stated that the Borough is also planning to use Flagger Force if needed.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the use of West Hempfield Township Special Fire Police to assist Mountville Borough during its 200th Anniversary parade scheduled for Saturday, August 2, 2014. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS

A. ORDINANCE 2-14 EXPANSION OF INTER-GOVERNMENTAL AGREEMENT.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve Ordinance 2-14 Expansion of the Inter-Governmental Agreement. Motion carried, 5-0.

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$263,640.27	Electronic Payment
General Fund.....	\$185,389.99	Checks 25144 – 25238
Fire Hydrant.....	\$ 0	Checks
Street Light.....	\$ 4,437.74	Checks 372
State Fund.....	\$ 1,636.65	Checks 900 - 2903
Escrow Fund.....	\$ 8,361.44	Checks 121 - 123
Sewer Fund.....	\$ 21,545.09	Checks 3698 - 3700
Refuse Fund.....	\$ 33,398.88	Checks 2183 – 2189

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between June 1 through June 30, 2014 and any residuals. Motion carried, 5-0

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AND A REAL ESTATE MATTER.

Motion: Chairman David Dumeyer called for a motion to adjourn into Executive Session to discuss a personnel matter and a real estate issue. Kent Gardner moved, seconded by Frank Burkhart, to adjourn the regular meeting at 9:10 p.m., and to go into Executive Session to discuss a personnel matter and a real estate issue. Motion carried, 5-0.

Respectfully submitted,

Ron L. Youtz,
Secretary