

**WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING**  
**Minutes of August 5, 2014**

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, August 5, 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.

II. APPROVAL OF MINUTES: July 1, 2014

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the Board's July 1, 2014 meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner reminded the Board members that the LIMC meeting is scheduled for Wednesday, August 13, 2014 at Manor Township beginning at 7:30 a.m.
2. Edward Fisher stated that the new playground structure installed at Silver Spring Park is being used by the public.
3. Edward Fisher and Kent Gardner said they both attended the dedication of the Chiques Creek pedestrian bridge that was held on Wednesday, July 16, 2014 at 9:00 a.m.

B. TOWNSHIP MANAGER

1. Ron Youtz reminded the Board members of the annual dinner meeting of the Lancaster County Association of Township Supervisors for Wednesday, August 13, 2014 beginning at 4:30 p.m. at the Four Seasons.

C. RESIDENTS

1. Robert Atkins of 3893 Sterling Way stated that the paving work on Sterling Way was appreciated and also a great job. He also stated that he has a major concern with the safety at the intersections of Concordia and Prospect Roads. He asked if the mirror that once was there could be replaced in order to help avoid any accidents at that intersection.

Police Chief Mark Pugliese stated that the mirrors are not an approved traffic device by PennDOT. He felt that PennDOT will need to approve the installation of the mirror.

Township Manger Ron Youtz informed the Board that he had submitted a letter to PennDOT of the concerns and issues the Township has at that intersection. He stated that he has had contact with Ron Greier of PennDOT District 8. He also said that he has received a letter from PennDOT stating they will be updating the signage along that area of roadway. He also suggested that this item be placed on the agenda for the Fall Road Tour.

2. Athene Gross of 4138 Magnolia Drive stated that she dropped off pamphlets at the Township office regarding the chickens that she currently has on her property. She indicated that they provide eggs and fertilizer for their gardens.

Township Manager Ron Youtz informed Mrs. Gross that the Board was provided with the information but did not have time to discuss this request. He said that he discussed it with a few Board members and felt there could possibly be an area that could allow chickens.

Supervisors Edward Fisher stated that medium to low density area may allow a certain number of chickens based on the lot size. He felt that the high density district would not be a favorable district for allowing any number of chickens.

3. 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.

Chairman David Dumeyer explained to Mr. Shaud and Mrs. Gross that they are both currently in violation of the Township Zoning Ordinance and that at this time no penalty will be charged until the Township staff has ample time to review these requests.

4. Assistant Fire Chief Barry Carter presented the Board members with a copy of the June 2014 Fire Company report. He stated that there were 50 total fire responses, 15 vehicle accidents, 2 dwellings, and 1 investigation.

Barry Carter informed the Board that the Fire Company has received the new tanker. It will be a few weeks until the unit will be active. He said that they will bring the unit down after a Township meeting so the Board and staff can see the new tanker.

Supervisor Kent Gardner says that it appears there are more volunteers attending calls during the summer months then there had been in the winter months.

Assistant Fire Chief Carter stated that it depends on the time of day the calls are received, and that they are holding to a minimum of 5 persons responding to each call received.

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

##### A. RUTTER'S FARM STORE – 3849 HEMPLAND ROAD – REVISED LAND DEVELOPMENT PLAN.

Township Manager Ron Youtz stated that Rutter's felt they would have had the information they need from PennDOT, but unfortunately they are still working with PennDOT to resolve the issues concerning the installation of a second driveway that Rutter's is requesting. No action is needed by the Board at this meeting.

##### B. CJPS – 314-3616 ORKNEY ROAD – STORM WATER MANAGEMENT PLAN

Brian Cooley, Engineer with D.C. Gohn, informed the Board that there are two existing apartment buildings with four units in each structure. The owner plans to construct eight garages which will be rented to the existing tenants. Mr. Cooley stated that currently there are no storm water controls on site but there will be a storm water basin provided which will handle the additional runoff. He indicated he has received Erosion & Sedimentation approval and the Storm Water Agreement has been signed by the applicant and will be forwarded to the Township Office.

Mr. Cooley informed the Board that there are two waivers being requested. The first one is a waiver of Section 305 and 306 – Preliminary and Final Plan Processing and the second waiver is for Section 122.10D – Items within 200 feet of the subject tract.

Supervisor Kent Gardner questioned the path for the water to flow if there would be a hard rain and the proposed basin could not handle it. Mr. Cooley stated that the water would follow the existing channel and flow into Strickler Run.

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the waiver of Sections 305 and 306 – Preliminary and Final Plan Processing with the following conditions:

1. The applicant will satisfy all storm water management ordinance requirements to the satisfaction of the Township.
2. Any improvements required by the Township will be guaranteed as a Financial Security, in accordance with the procedures outlined in the Subdivision and Land Development Ordinance. Motion carried, 5-0.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the waiver of

Section 122-10.D – Items within 200’ of the subject tract based upon the alternative and justification provided. Motion carried, 5-0.

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the Storm Water Management Plan for 3616 Orkney Road with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Engineer and Staff. Motion carried, 5-0.

C. STONY BATTERY COMMERCE CENTER CONDOMINIUM – 310  
PRIMROSE LANE – REQUEST WAIVER OF LAND DEVELOPMENT  
PROCESSING.

Mr. Aaron Marines, Attorney with Blakinger Byler & Thomas Law Firm, stated he is representing Treztark II, LTD and that they are requesting a waiver from all Land Development and Subdivision processing requirements. He informed the Board that the property has one owner currently and they plan to change the ownership. The Plan and the Declaration Condominium has been review by both the Township Engineer and Solicitor and are in agreement with what has been proposed.

Mr. Marines stated there will be no moving of dirt. In regard to Unit #2 which is currently vacant, if or when there would be any construction it is understood that the applicant will need to file a land development plan along with a storm water management plan prior to construction. He stated that this is noted in both the Plan and the Declaration of Condominium.

He also stated that the owners of the existing basin facilities will do all required maintenance as stipulated in Section 6.2. It is also noted that if these repairs and/or maintenance are not performed, the Township will have the right to make the repairs and place a lien on the property. He also noted in the Declaration of Condominium Section 6.1 sets forth specific requirements for maintenance of the basins and inlets and piping system and shall comply with all storm water agreements and pertinent laws which includes the Storm Water Management Ordinance.

Township Manager Ron Youtz stated that he had consulted with the Township Solicitor regarding the proposed condominium. The Solicitor suggested that the applicant request waiver from land development processing. This would allow the Township some authority over the project and the opportunity to impose conditions, particularly in regard to Storm Water Management facilities. Mr. Youtz confirmed that the Township Solicitor did review the Declaration of Condominium and after some amendments, has approved the document as presented.

**Motion:** Supervisor Edward Fisher abstained stating that he is employed by Light-Heigel, Engineering Firm. Kent Gardner moved, seconded by Frank Burkhart, to approve the waiver of Sections 305 and 306 – Preliminary and Final Plan Processing for the Stony Battery Commerce Center with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Solicitor, Engineer and Staff. Motion carried, 4-yeas, 0-nayes, 1 abstained.

D. JEAN VAN HORN – 2495 ROSEMARY LANE – REQUEST FOR RELEASE OF FINANCIAL SECURITY.

Township Manager Ron Youtz informed the Board that the storm water infiltration pits have been inspected and vegetation and grading are established. He stated that the staff is recommending the release of the financial security in the amount of \$17,461.50.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, to approve the release of the financial security for Jean Van Horn in the amount of \$17,461.50. Motion carried, 5-0.

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE.

Ron Youtz, Township Manager, informed the Board that the Building Committee met on Thursday, July 10, 2014 and toured Lower Allen Township's facility. They toured this facility because it is a complex that includes the Township Administration, Police Department and Fire Company/EMS.

On Thursday July 24, 2014 the Committee discussed the tour of Lower Allen Township facilities and what the needs would be for our Police Department, Fire Company and Administrative staff.

Mr. Youtz stated that the Committee is waiting to hear from the Supervisors on the direction they want to take and whether to move forward and continue to address the Township's needs.

VI. NEW BUSINESS

A. PENNDOT – DISCUSSION ON AGILITY PROGRAM.

Township Manager Ron Youtz informed the Board that a representative from PennDOT is present this evening to explain what the agility program is and what it can do for both the Township and State.

Charlie Webb, Lancaster PennDOT Representative, informed the Board that the

program started in 1997. He stated that persons driving on the roadways do not know if it is a State or Township owned road. They need to know that the roadways are safe and in good condition. He informed the Board that he has prepared a notebook with all the information about the Agility Program for Board members to review.

Mr. Webb also stated that because of the number of local entities, there is a duplication and surplus of capacity at all levels, so instead of purchasing various items, the idea is to share those items.

Mr. Webb stated that the first step is to adopt the Agility Agreement which is valid for five years. He also stated that after the five years the Agreement could be extended for an additional three years. Mr. Webb informed the Board that there would be a meeting with both PennDOT and Township staff to decide on a plan for sharing personnel, supplies and equipment.

The Board concurred that they would look at the notebook provided and to table any action on this matter.

**B. PRO-AM CYCLING EVENT – REQUEST USE OF TOWNSHIP ROADS FOR BIKE RACE.**

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the use of Township roadways for the Pro-Am Cycling event scheduled for Saturday, September 20, 2014. Motion carried, 5-0.

**C. GAIN GLOBAL AID NETWORK – REQUEST USE OF TOWNSHIP ROADS FOR 5K RACE.**

**Motion:** Edward Fisher moved, seconded by Frank Burkhart, to approve the use of the roadways for the Gain Global Aid Network 5K event on Saturday, September 20, 2014 and to close Quarry Road/Nolt Road to Silver Spring Road for the Youth Fun Run from 8:45-9:00 a.m. Motion carried, 5-0.

**D. REQUEST FROM MANHEIM TOWNSHIP FOR USE OF SPECIAL FIRE POLICE.**

Police Chief Mark Pugliese informed the Board that he has received a letter from the Manheim Township Police Department asking for the use of our Special Fire Police for the annual East Petersburg Parade which is scheduled for Saturday, September 13, 2014 from 10:00 a.m. to 11:00 a.m.

**Motion:** Edward Fisher moved, seconded by Kent Gardner, to approve the request from the Manheim Township Police Department for the use of our Special Fire Police for the East Petersburg Day Parade scheduled for Saturday, September 13, 2014. Motion carried, 5-0.

E. REQUEST AUTHORIZATION TO PURCHASE LEAF LOADER.

Township Manager Ron Youtz explained to the Board that East Hempfield Township wants to sell its 1996 Leaf Loader to us. He stated that we currently have a 1995 and 2008 Leaf Loader and felt that the purchase of an additional Leaf Loader would save time and repairs.

**Motion:** Kent Gardner moved, seconded by Edward Fisher, to approve the purchase of a 1995 Leaf Loader from East Hempfield Township at the purchase price of \$4,000.00. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS - NONE

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$173,081.30	Electronic Payment
General Fund.....	\$169,550.80	Checks 25239 – 25328
Fire Hydrant.....	\$ 25,753.17	Checks 197 - 198
Street Light.....	\$ 4,513.60	Checks 373 - 374
State Fund.....	\$ 9,305.61	Checks 2904- 2910
Escrow Fund.....	\$ 5,004.74	Checks 124
Sewer Fund.....	\$ 16,360.31	Checks 3701 - 3703
Refuse Fund.....	\$109,374.22	Checks 2190 – 2199

**Motion:** Kent Gardner moved, seconded by Frank Burkhart, to approve payment of all bills between July 1 through July 31, 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 Edward Fisher, to adjourn the regular meeting at 8:30 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