

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of September 2, 2014

The regularly scheduled meeting of the Board of Supervisors was held at the West Hempfield Fire Company, 3419 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, September 2, 2014. Vice Chairman Edward Fisher and Board members Frank Burkhart, 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. Chairman David Dumeyer was excused 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.

II. APPROVAL OF MINUTES: August 5, 2014

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve the Board's August 5, 2014 meeting minutes as presented. Motion carried, 4-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner stated that the Clean Water Consortium has awarded 5 grants to Warwick and Manor and West Lampeter Townships, Lititz Borough and Conestoga Country Club to help with the cleanup of the Chesapeake Bay.

B. TOWNSHIP MANAGER

1. Ron Youtz stated that he would like to add to the agenda under New Business, item E, Request authorization for Township Solicitor to intervene in the Zoning Hearing Board appeal of St. Anne's Retirement Community.

C. RESIDENTS – NONE

1. DISCUSSION ON PIPELINE PROJECT

Vice Chairman Edward Fisher announced to the audience that the Township Supervisors are aware of the continued public interest regarding the proposed Atlantic Sunrise pipeline project. At the request from residents the Township has made arrangements and properly advertised tonight's meeting to be held at the Fire Hall.

He also stated that he would like to remind everyone that this meeting also serves as the Board's regular monthly meeting. With that said, the Board of Supervisors will allocate one hour of tonight's meeting for comments and questions on the pipeline. After one hour the comment period will be closed and the Supervisors will continue with the remaining items on the agenda.

He also stated that the Board desires to allow for as many residents to speak as time permits. Each person will need to state their name and address for the record.

Tony Crocamo of 4090 Hilltop Drive referred to his letter dated August 18, 2014 which was sent to the Board. Mr. Crocamo informed the Board that the pipeline proposal is in the Federal Energy Regulatory Commission (FERC) pre-approval stage. The next phase FERC must issue is a Certificate of Public Convenience and Necessity for the project. To issue such a permit FERC must find that there is a public need for the pipeline.

Mr. Crocamo feels that the expansion and upgrade of the existing TRANSCO pipeline would eliminate the currently proposed Greenfield pipeline through Columbia, Lancaster, Lebanon, Northumberland and Schuylkill counties.

Mr. Crocamo expressed concerns with the additional storm water runoff that will be created and also noted the pipeline is not consistent with the values of the Growing Together Master Plan adopted by the Township. He stated that there is no significant economic benefit to Pennsylvania or our region, and that the pipeline will have a negative impact on the residents of West Hempfield Township.

Mr. Crocamo stated that the health and safety of our residents will be compromised because our Volunteer Fire and Rescue Department will not have the personnel, equipment or training necessary to handle a pipeline emergency.

Mr. Crocamo urged the Board to consider collaborating with other area municipalities in a coordinated response in opposition to the proposed pipeline since there will be no benefit for our region as the natural gas will be going outside of the United States.

Mindy Roye of 4021 Columbia Avenue stated she has a small mobile home park that consists of 8 units. She stated that the re-routes are being shifted from the original route information contained in the packets received by residents who are located in the survey corridor. Ms. Roye stated that she is very upset with the impact on the environment and our future generations. She stated that she could be losing her homeowners insurance because of the pipeline.

Margaret Spiese of 465 Kinderhook Road, Columbia thanked the Board members for holding their meeting at a larger facility and allowing the residents to express their concerns. She believes that the Board members can help the residents of the Township if they have the authority to make a statement that we are opposed to the pipeline. She is concerned that if a 42" pipeline would leak or explode, it would devastate the area.

Henry Weaver of 4315 Fairview Road stated that he has never attended a meeting like this and asked if the Board members ever get back to the residents saying either we are for or against an issue. He asked the Board if they are for the pipeline.

Kent Gardner stated that he is Chairman of the Clean Water Consortium which is trying to clean up the water in Lancaster County. Reports indicating that Lancaster County's water quality is poor had been sent out prior to the pipeline project. He stated there is no one present at this meeting that has attending a Consortium meeting. He is asking that the energy level directed towards this pipeline will carry over into the Consortium.

Edward Fisher stated that the Board did not take a position in reference to the pipeline. He further stated that this Board does not make the decision to allow Williams to install the

pipeline; the Federal Energy Regulatory Commission will make the decision. He stated that the Board's job is to be as effective as possible for the residents. We have been talking with Williams, FERC and Representative Joe Pitts' office and are taking your concerns to the appropriate officials that make the decision. He stated that we felt that if we would take a position that it would limit our ability to be effective in communicating with them.

Edward Fisher stated that he feels that if this project is approved, we will have to work with Williams.

Amos Dombach of 2637 Ironville Pike expressed his concern that the installation of the pipeline should be placed on the ballot and decided by the community. He also felt that local government should take more of a stance against this project and help to get it stopped.

Steve Spiese of 465 Kinderhook Road stated that he is opposed to the pipeline project. He also stated that this Board and our local government have no say in the pipeline; the project will be approved by the Federal Energy Regulatory Commission. He stated that in State College they wanted to connect to natural gas and they did not want to install the pipe through their property. They wanted to put the pipeline on Township right-of-ways and were turned down. His final comment is to start the dialogue and adopt an ordinance to prohibit Williams from installing the pipeline. If the Board of Supervisors adopt an ordinance to prohibit the installation of the pipeline and it would go to court, he said please feel free to increase his taxes to help offset the cost to defend the Ordinance. He said to the audience that it is OK to be angry but don't be angry with this Board.

James Wenger of 3118 Briarwood Boulevard thanked the Board for continuing the dialogue with Williams and the Federal Energy Regulatory Commission on behalf of the residents. He has asked that the following questions be posed to Williams and the Federal Energy Regulatory Commission: Will the pipeline reduce property taxes in the Township and County? Will the pipeline reduce unemployment in the Township and Lancaster County? Will the pipeline improve the roads in the Township and Lancaster County? Will the pipeline increase recreational use in the Township and Lancaster County and at no cost to the residents? Where will this gas be exported to? Does this pipeline project qualify for eminent domain?

Michele Hippey of 2540 Ironville Pike stated she is not sure if her idea is feasible or not, but she would asked that Williams be made to take the escrow money that they are willing to offer people and use it to update their existing lines rather than put in a new pipeline.

Edward Fisher stated that this is what he believes Williams and all involved will be evaluating - the current lines versus what is proposed.

Kent Gardner informed the residents that the Board members and Township Manager Ron Youtz are putting in a lot of man hours to stay abreast of the project by attending various meetings and making residents aware of the status of the project.

Larry Shearer of 2532 Ironville Pike, Columbia stated there are some safety concerns such as using a single lined pipe versus a double lined pipe. Williams does not have to notify you about contaminated wells. He feels that the Township should be enforcing the most stringent laws by

requiring a double lined pipe when crossing streams to meet strict guidelines. He feels that the Board should take a public stance either for or against the project.

Edward Fisher reiterated that the Board wants to be effective with their communication with Williams and the Federal Energy Regulatory Commission along with government representatives. He also stated that there will be state and local laws that will need to be complied with when crossing through streams and opening shoulders along State and local roads.

Corinne Hosfeld-Smith of 1767 Quarry Drive, Columbia stated that she grew up in West Hempfield Township and then moved away for 33 years and in 2012 moved back to the Township. She stated that she is firmly against the Williams proposed pipeline project. She said that the existing road system of Route 30, which is the only east/west route in Lancaster County, would not be able to handle the traffic that could be caused by an explosion or gas leak. She explained that this project is a property issue, an economic issue, an environmental issue, a safety issue as well as a personal issue.

Kandi Bowers of 372 Indian Head Road asked would it not be more powerful if all municipalities joined together to oppose the project?

Edward Fisher explained that the municipalities do not have the final say if the project is permitted or not. The Federal Government will tell us that it is permitted.

Tracey Schmitt of 3624 Spring Run, Mountville stated that she grew up in the Township and she has chosen West Hempfield Township as her permanent residence for starting her family. She stated that she is disappointed with the response the Board has given in that that they can't do anything to stop this project. She explained to the Board that she is concerned with Williams's safety record and the proposed 42" high pressure gas line. She says that the properties affected by this pipeline are assuming all the risks. She wants her family to be safe.

Frank Burkhardt explained that when he was growing up in the Township, Texas Eastern came through and installed a pipeline under his family's farming property and through the years they have increased the pipe size from 20" to 22" to 36" in the 1990s. He stated that they are still farming the area and fortunately they have not experienced any problems with the pipeline that runs under the property. He said that back when the Texas Eastern pipeline was installed, the regulations were not as strict or numerous as they are now.

Kathryn Hemlick of 3190 Greentree Drive stated that she has lived in West Hempfield Township for 25 years. She said natural gas has been underground for millions of years and now there is an urgency to get the gas out of the ground so the owners/company can make their money and let everyone in the proposed pathway live in fear of a potential safety threat. She stated that the gas companies have pushed through any government entity that does not have an Ordinance to regulate the installation and recommends the Board look into the future to help protect the safety and welfare of the residents.

Edward Fisher thanked the residents for presenting their questions, comments and concerns in relation to the proposed pipeline. He stated that the Board is listening and the Board is trying to be as effective as we can be in this process. He stated that the Township's decision is limited

and if this proposed pipeline becomes a reality, we want to make sure that our Township and residents are protected to the fullest extent.

2. Assistant Fire Chief Barry Carter presented the Board members with a copy of the July 2014 Fire Company report. He stated that there were 44 total fire responses, 10 vehicle accidents, 4 dwellings and 2 investigations.

Barry Carter informed the Board that the Fire Company has received the new tanker and it is out for equipment mountings. He informed the Board that the apparatus will be back later in the week and if any Board members would like to see the tanker to stop in at their convenience.

Barry Carter informed the Board that the old vehicle has been sold to another Fire Company in Chester County.

3. John Peters of 724 Harper Avenue asked the Board to look into the possibility of installing a “Watch Children” sign along his road. He stated that the children cross along that portion of road and it is hard to see them.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. SYLVAN PARTNERS – SYLVAN VIEW DEVELOPMENT – REQUEST REDUCTION IN FINANCIAL SECURITY

Zoning Officer Jodi Heffner informed the Board that she has received a request from Sylvan Partners to reduce their Financial Security for their development. Ms. Heffner also stated that the Township Engineer in his review letter dated August 29, 2014 recommends the Financial Security be reduced by \$126,696.62 which will leave a balance of \$134,339.88 remaining for Sylvan Partners Financial Security.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve to reduce the current Financial Security balance of \$261,036.50 by \$126,696.62 which will leave a Financial Security balance of \$134,339.88 as recommended by Rettew Associates. Motion carried, 4-0.

B. MICHAEL AND ELONDA SAHD – 2430 BURMA ROAD – REQUEST FOR RELEASE OF FINANCIAL SECURITY

Zoning Officer Jodi Heffner stated that a review letter from Rettew Associates dated August 7, 2014 recommends that the Township release the remaining balance of \$36,036.00 financial security for Michael and Elonda Sahd development.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the release of the financial security for Michael E. & Elonda K. Sahd for the entire amount of \$36,036.00. Motion carried, 4-0.

V. OLD BUSINESS

A. BUILDING COMMITTEE UPDATE

Ron Youtz, Township Manager, informed the Board that the Building Committee met on

Thursday, August 21, 2014. Mr. Youtz stated that the Committee members agree that the proposal (for all three entities to be housed under one facility) would be the most cost effective idea. The Committee will not meet again until October and 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.

Karen Bell of 4215 Heather Lane asked how residents can keep abreast and obtain any information that is relevant to the Township. Township Manager Ron Youtz informed Ms. Bell that the Township has a website and also a quarterly newsletter which is mailed to each property owner.

Kent Gardner stated that the option of housing the three entities under one facility would mean that the land not used would be eligible to be placed back on the real estate tax roll.

Mindy Rowe of 4020 Columbia Avenue asked if the new facility will have its own dispatch unit. Chief Mark Pugliese stated that the dispatching of calls will still run through Lancaster County.

VI. NEW BUSINESS

A. REQUEST FOR APPROVAL OF FIRE POLICE SERVICES AGREEMENT

Police Chief Mark Pugliese informed the Board that the Fire Police Captains for West Hempfield and Columbia Borough are asking the Board to allow them to assist each other in responding to non-emergency events with the permission being granted by either their Police or Fire Chief. He stated that the same request was approved in a similar request between West Hempfield Fire Police and (East) Hempfield Fire Police.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve the request for our Special Fire Police be permitted to attend non-emergency participation such as parades, parking at events, etc., with the Police or Fire Chief authorization. Motion carried, 4-0.

B. FIELD OF SCREAMS – REQUEST SERVICES FROM POLICE DEPARTMENT

Police Chief Pugliese stated that he and event owners Jim and Jeff Schopf of Field of Screams had met and discussed a few incidents that happened at last year's event. Chief Pugliese stated that the owners have again utilized the services of Flagger Force to help with the flow of traffic on their busy nights. Each Flagger Force employee will be illuminated with a light station.

Chief Pugliese stated that the owners have listed West Hempfield Township as additionally insured on their \$1 million liability insurance policy with a \$2 million aggregate.

Chief Pugliese also stated that the event owners have again requested the presence of officers to be there on various dates. The owners have agreed to reimburse the Township for the use of our police officers who help with the event.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve the request by the Field of Screams owners for our police officers to assist with the event and the Township will be reimbursed for those hours. Motion carried, 4-0.

C. G. GRANT SHULTZ – 2531 IRONVILLE PIKE – REQUEST FOR SPECIAL EVENT

Township Manager Ron Youtz informed the Board that he had received a request from G. Grant Shultz asking permission to place signs along various roads indicating that the Lancaster Ski Club will be holding its 7th Annual Ski and Snowboard Swap on Saturday, October 18th and Sunday, October 19th at 2531 Ironville Pike.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the request by G. Grant Shultz to hold the 7th Annual Ski and Snowboard Swap and permit the placement of signs along various roads, and that the signs be removed immediately following the closure of the event. Motion carried, 4-0.

D. PENNDOT ROUTE 441 – DISCUSSION ON SAFETY ISSUES

Township Manger Ron Youtz explained to the Board that he was invited to attend a meeting with Marietta Borough, East Donegal Township and Lancaster County Parks officials to discuss the Northwest River Trail in conjunction with the opening of the new pedestrian bridge/walking trail. He stated that several vehicle accidents have occurred since the opening of the bridge/walking trail because of the increase in activity in that area.

Discussions with the other entities need to happen in order to work together to address the issues and concerns in that vicinity. Mr. Youtz is requesting the Board to authorize West Hempfield Township to work with East Donegal Township and Marietta Borough to prepare a joint letter to PennDOT requesting a study in that area and possibly placing signs for No Parking areas, reduced speed limit, and additional road markings that seem viable.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to authorize West Hempfield staff to work with East Donegal Township and Marietta Borough to address the safety issues and make those recommendations to PennDOT for their evaluation. Motion carried, 4-0.

E. REQUEST AUTHORIZATION FOR TOWNSHIP SOLICITOR TO INTERVENE IN THE ZONING HEARING BOARD APPEAL OF ST. ANNE’S

Township Manager Ron Youtz informed the Board that he had received from Jill Nagy, Attorney for St. Anne’s Retirement Community, a copy of a Land Use Appeal filed at the Lancaster County Courthouse. Mr. Youtz is asking the Board to authorize Josele Cleary to file and intervene in the appeal that has been filed against the Township.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to authorize the Township Solicitor to intervene in the Zoning Hearing Board appeal filed by St. Anne’s. Motion carried, 4-0.

F. FALL TOWNSHIP NEWSLETTER ARTICLE

Township Manager Ron Youtz presented the Board with an article from Lighten Up Lancaster County in partnership with Lancaster General Hospital explaining what a Walk Audit is and how it can benefit the public. After discussion, the Board members agreed to allow the article to be placed in the Township’s Fall Newsletter.

VII. ORDINANCE AND RESOLUTIONS – NONE

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$173,081.30	Electronic Payment
General Fund.....	\$169,550.80	Checks 25329 – 25414
Fire Hydrant.....	\$ 0	Checks
Street Light.....	\$ 4,413.60	Checks 375
State Fund.....	\$ 22,952.65	Checks 2911- 2916
Escrow Fund.....	\$ 22,091.68	Checks 125-126
Sewer Fund.....	\$ 14,140.09	Checks 3704 - 3705
Refuse Fund.....	\$ 32,005.24	Checks 2200 – 2204

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

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

Motion: Vice Chairman Edward Fisher called for a motion to adjourn into Executive Session to discuss a personnel matter. 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 issue. Motion carried, 4-0.

Respectfully submitted,

Ron L. Youtz, Secretary