

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of December 2, 2014

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, December 2, 2014. Chairman David Dumeyer, Vice Chairman Edward Fisher and Board members Frank Burkhart, Kent Gardner and Naomi Martin were present. Also in attendance were: Township Manager Ron Youtz, 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 the Board will adjourn the meeting and will go into Executive Session to discuss a real estate and personnel issue.

II. APPROVAL OF MINUTES: November 3, 2014 and November 6, 2014

Motion: Frank Burkhart moved, seconded by Kent Gardner, to approve the Board's November 3, 2014 and November 6, 2014 meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner stated that the LIMC had cancelled its regular meeting. He informed the Board that the LIMC dedicated the Conestoga Greenway Trail in honor of Bill Ebel. Mr. Ebel is a former Manheim Township Commissioner and played a significant role in the development of the trail.
2. Chairman Dumeyer announced that Darlene Diffenderfer, who has worked for the Township for 15 years and has done a terrific job as the recycling coordinator, is retiring at the end of the year. He acknowledged that Ms. Diffenderfer has been training her replacement and the Board is very appreciative for that service. Chairman Dumeyer presented Darlene with a plaque which recognizes her 15 years of service working for West Hempfield Township.

B. TOWNSHIP MANAGER

1. Ron Youtz, Township Manager, reminded the Board of a Special Meeting that was advertised for December 17, 2014 to begin at 7:00 p.m. to adopt the 2015 Budget and to conduct a Conditional Use Hearing for Saint Anne's.
2. Mr. Youtz also reminded the Board that the Re-Organizational meeting will be held on Monday, January 5, 2015 beginning at 7:30 p.m.

C. RESIDENTS

1. No residents
2. Assistant Fire Chief Barry Carter presented Board members with a copy of the October 2014 Fire Company report. There were 48 total responses, 7 vehicle accidents, 2 dwellings and 1 investigation.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES

A. DAVID AND SHARON KLINE – 2525 IRONVILLE PIKE – FINAL LOT ADD-ON PLAN

Denise Dohner of Harbor Engineering stated that she is representing the David Kline 3 lot subdivision that was an abandoned railroad. She stated that the three lots will be added onto three adjacent properties. There were two zoning variances that were needed and granted by the Zoning Hearing Board on August 12, 2014 in preparation for the three lot add-ons. Ms. Dohner stated that the West Hempfield Planning Commission reviewed the plan at its October 1, 2014 meeting and are recommending approval of the waivers and plan.

Denise Dohner stated that the Township Engineer review letter dated November 18, 2014 refers to the three waivers being requested for the Board's consideration:

1. **Waiver of Section 401.A.1 – Plan Scale:** Applicant provides an alternative plan scale of one inch (1") equals one hundred feet (100') with the condition that all text and dimensions be revised to be legible.

Motion: Edward Fisher moved, seconded by Kent Gardner, to grant the waiver of Section 401.A.1 – Plan Scale of one inch (1") equals one hundred feet (100') with the condition that all text and dimensions be revised to be legible. Motion carried, 5-0.

2. **Waiver of Section 602.K.6.a – Improvements of Existing Conditions:** Applicant is requesting a modification of the requirement to widen Indian Head Road and Prospect Road adjacent to Lot 3. The requested modification is based on the justification that this is a simple Lot Add-on plan with no new building lots being proposed.

Motion: Edward Fisher moved, seconded by Kent Gardner, to grant the waiver of Section 602.K.6.a – Improvements of Existing Conditions as stipulated and recommended by the Township Engineer. Motion carried, 5-0.

3. **Waiver of Section 607 – Survey Monuments and Markers:** Applicant is requesting a modification of the requirement to provide concrete monuments along all existing streets and markers at the beginning and end of all curves based on the justification that it would result in an excessive amount of monumentation, would provide no benefit to the Township or the property owners, and that the property line markers are shown on the Lot Add-on plan. In the alternative, the applicant is proposing that the project surveyor, the Township Staff and the Township Engineer will discuss the marker placement prior to plan recording.

Motion: Edward Fisher moved, seconded by Kent Gardner, to grant the waiver of Section 607 – Survey Monuments and Markers with the stipulation that the Township staff and Township Engineer will discuss the marker placement prior to plan recording. Motion carried, 5-0.

PLAN APPROVAL:

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the David and Sharon Kline Subdivision, pending the applicant revises the plan to provide legible cartway width

dimensions for Prospect Road and Ironville Pike; the date, final action and conditions of approval by the Board of Supervisors needs to be included on the plan, all certificates need to be completed prior to recording the plan and that all waivers and conditions are met to the satisfaction of Township Staff and Township Engineer. Motion carried, 5-0.

B. SYLVAN PARTNERS – SYLVAN VIEW DEVELOPMENT – PHASE II FINAL PLAN

James Boyer of David Miller/Associates, Inc., introduced Scott and Jay Provanzo of Sylvan Partners, LP. Mr. Boyer explained to the Board that this plan consists of 24 single family lots, which is Phase II of the Sylvan View development. He stated that this phase includes the completion of Archer Lane and the first portion of Graystone Drive. Mr. Boyer also commented that they have received the Township Engineer's review letter dated November 19, 2014.

Edward Fisher questioned the agreement with Columbia Water Company and if they required a main extension. Jay Provanzo stated that the water main extension is just within the boundaries of the development and that public water existed on Sylvan Retreat Road.

Frank Burkhart commented that the waivers and the Storm Water for this entire development has been addressed in Phase I of the project.

PLAN APPROVAL:

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve Phase II for Sylvan View Development with the condition that any outstanding waivers and/or conditions are met to the satisfaction of Township Staff and Township Engineer. Motion carried, 5-0.

C. DAVID AND HEIDI DOLLHOFER – 522 NORWOOD ROAD – STORMWATER MANAGEMENT PLAN

Denise Dohner of Harbor Engineering stated that this plan is for property located at 522 Norwood Road and it is strictly a Storm Water Management Plan. Ms. Dohner stated the location of their new home will require several seepage pits and gravel infiltration along the proposed driveway.

Frank Burkhart asked what the total square footage of the home is. Denise Dohner stated that the home with patio and including the driveway is approximately 7,000 square feet combined.

Denise Dohner informed the Board that there is an existing structure on the property that will be removed prior to the construction of the new home. The access to the property is pre-existing with a shared drive of this lot and an adjoining property. She also stated that a NPDES permit has been applied for and they are waiting for final approval from the Lancaster Company Conservation District for the Erosion and Sedimentation Control Plan.

Frank Burkhart asked for clarification of the existing access road. Ms. Dohner informed the Board that the existing access road is on Dollhofer property and it leads to the stables. She also stated that the owners of the stables are required to maintain the access road.

PLAN APPROVAL:

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the David and Heidi Dollhofer Storm Water Plan for property located at 522 Norwood Road with the condition that any outstanding waivers and/or conditions are met to the satisfaction of Township Staff and Township Engineer. Motion carried, 5-0.

D. ALL SIZE – 3950 CONTINENTAL DRIVE – REQUEST RELEASE OF FINANCIAL SECURITY

Jodi Heffner, Zoning Officer, informed the Board that a request to release the financial security posted by All Size Corrugated has been received. Ms. Heffner stated that the review letter dated November 14, 2014 from Rettew Associates, Township Engineer, recommends the full release of All Size Corrugated Financial Security in the amount of \$81,735.28.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the release of All Size Corrugated financial security in the amount of \$81,735.28 as recommended by the Township Engineer. Motion carried, 5-0.

E. ERIN COURT PARTNERS – 3775 HEMPLAND ROAD – REQUEST FOR REDUCTION IN FINANCIAL SECURITY

Jodi Heffner, Zoning Officer, informed the Board that a request to release the financial security posted by Erin Court Partners has been received. Ms. Heffner stated that the review letter dated November 21, 2014 from the Township Engineer, Rettew Associates has been received and they are recommending the financial security be reduced by \$156,691.23 which will leave a new balance of \$68,550.00.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the financial security reduction for Erin Court Partners by \$156,691.23 with a balance of \$68,550.00. This balance will be enough to cover any outstanding conditions that are still pending. Motion carried, 5-0.

F. LAYNE AND KATHERYN MILLER – 1037 PROSPECT ROAD – REQUEST FOR REDUCTION IN FINANCIAL SECURITY

Jodi Heffner, Zoning Officer informed the Board that a request was received from Layne and Kathryn Miller, who are requesting the reduction of their escrow in the amount by \$3,102.00. This would leave an escrow balance of \$3,055.00.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve release of \$3,102.00 which will leave a escrow balance of \$3,055.00. The residual will be enough to address any conditions which are still outstanding. 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, November 13, 2014. Mr. Youtz stated that the Committee has begun work on establishing a RFP,

but understands that the committee is limited in their duties until the Board makes a determination of where the building will be constructed, how much the building will cost, and where is the funding for the building coming from. He stated that until those items are addressed, the Committee is limited to what it can do.

VI. NEW BUSINESS

A. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT

Chairman David Dumeyer, read the outline for conducting a Public Hearing.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to accept the outline for conducting the Public Hearing. Motion carried, 5-0.

Chairman David Dumeyer called Jodi Heffner, Zoning Officer to present the Township Exhibits. Ms. Heffner read into record the following:

1. Exhibit I – Public Notice – Posted at Township office and subject party
2. Exhibit II – Lancaster Newspaper Proof of Publication
3. Exhibit III – October 14, 2014 Minutes of the West Hempfield Planning Commission
4. Exhibit IV – Letter from Lancaster County Planning Commission
5. Exhibit V – Land Use Advisory Board – Was scheduled to meet, but due to lack of quorum they did not meet.

Chairman Dumeyer acknowledged receipt of the 5 Exhibits. He also called on Township Manager Ron Youtz. Mr. Youtz also acknowledged receipt of the 5 exhibits and that the Land Use Advisory Board comments are not needed for action being taken on this subject.

Ron Youtz, Township Manager identified that there are two components to the proposed Zoning Ordinance Text Amendment. Section 703.7.D.1 in summary would amend the Zoning Ordinance to permit a tower and antenna less than 85 feet in total height that is owned and operated by an amateur radio operator licensed by the Federal Communication Commission.

Section 703.7.D.2 as amended would permit by right any communication facilities located on property owned, leased or otherwise controlled by the Township, provided a license or lease authorizing the telecommunications facility has been approved by the Township.

Motion: As there was no public comment, Kent Gardner moved, seconded by Frank Burkhart to close the Public Hearing at 8:18 p.m.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve Ordinance 3-14 An Ordinance to amend the West Hempfield Township Zoning Ordinance of 1988, as amended, to revise regulations governing communications facilities. Motion carried, 5-0.

B. MOUNTVILLE BOROUGH – AMENDMENT TO POLICE SERVICES CONTRACT

Township Manager Ron Youtz stated that a copy of the proposed amendment has been received. He stated that the proposed agreement is to continue providing police services to Mountville Borough

for 2015 through 2019. He stated that the agreement is automatically renewed for one year periods beginning January 1, 2015. This Agreement establishes the amount Mountville Borough would pay the Township for police services for calendar year 2015 through 2019.

Mr. Youtz stated that for year 2015 the sum of \$250,481.12 in twelve equal monthly installments of \$20,873.41 will be invoiced to Mountville Borough.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the Amendment to continue providing police services to Mountville Borough and charging the fees as outlined in the Agreement. Motion carried, 5-0.

C. PENNDOT – CONSIDERATION FOR APPROVAL OF AGILITY AGREEMENT

Township Manager Ron Youtz informed the Board that this item has been heard by the Board during recent meetings. He stated that the Board could adopt the Agility Agreement which will allow himself along with Dale Getz, Public Works Director, and Charlie Webb of PennDOT to hold a meeting to discuss the details that both PennDOT and the Township are willing to work on together and to share resources.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to adopt Resolution 8-14, entering into an Agility Agreement with PennDOT. Motion carried, 5-0.

D. FARMDALE PARENTS ASSOCIATION – REQUEST FOR USE OF FAIRVIEW PARK FOR ANNUAL FESTIVAL

Township Manager Ron Youtz informed the Board that a written request was received from Johanna Kreibick requesting to reserve Fairview Park for the Farmdale Elementary Festival for May 8, 2015.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to allow Farmdale Elementary School to hold its annual Festival at Fairview Park on May 8, 2015. Motion carried, 5-0.

E. APPOINTMENTS OF REPRESENTATIVES TO THE LANCASTER COUNTY TAX COLLECTION BUREAU FOR 2015

Chairman David Dumeyer informed the Board that currently serving these appointments are Francis Zimmer of Mountville, who has one more year to serve and that Mr. Dumeyer serves as the alternate.

Ron Youtz, Township Manager, stated that these appointments are to reaffirm those appointments.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to reaffirm the positions of Francis Zimmer and David Dumeyer, alternate, as 2015 representatives to the Lancaster County Tax Collection Bureau. Motion carried, 5-0.

VII. ORDINANCE AND RESOLUTIONS

A. RESOLUTION 7-14 ADOPTION OF BRIDLE WREATH LANE AND ADDITIONAL RIGHT-OF-WAY ALONG KAYO AVENUE

Ron Youtz, Township Manager explained to the Board that Resolution 7-14 is to adopt Bridle Wreath Lane as a Township Road and to acquire additional right-of-way for Kayo Avenue. He also stated that these roads are located in the Chatsworth Development.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to adopt Resolution 7-14 which reflects the adoption of Bridle Wreath Lane and to acquire additional right-of-way for Kayo Avenue. Motion carried, 5-0.

B. ADVERTISEMENT OF ORDINANCE

Ron Youtz, Township Manager asked the Board to authorize him to advertise the Ordinance which will regulate the posting of signs, etc., along Bridle Wreath Lane.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to the advertisement of the proposed Ordinance which regulates signage along Bridle Wreath Lane and acquiring the additional right-of-way for Kayo Avenue. Motion carried, 5-0.

VIII. APPROVAL OF PAYABLES

Payroll/Taxes.....	\$179,186.98	Electronic Payment
General Fund.....	\$377,911.84	Checks 25660 - 25769
Fire Hydrant.....	\$ 0	Checks
Street Light.....	\$ 4,350.33	Checks 379
State Fund.....	\$ 11,495.85	Checks 2942 - 2947
Escrow Fund.....	\$ 96,325.32	Checks 130 - 132
Sewer Fund.....	\$ 14,109.06	Checks 3709
Refuse Fund.....	\$ 65,884.29	Checks 2224 - 2230

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

IV. ADJOURNMENT TO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

Motion: Frank Burkhart moved, seconded by Kent Gardner, to adjourn the regular meeting at 8:30 p.m., and to go into Executive Session to discuss a personnel issue. Motion carried, 5-0.

Respectfully submitted,

Ron L. Youtz, Secretary