

WEST HEMPFIELD TOWNSHIP SUPERVISORS' MEETING
Minutes of April 2, 2013

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, April 2, 2013. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Ron Youtz, Township Manager; Mark Pugliese I, Chief of Police, Dale Getz, Public Works Director and Brenda Shuey, Recording Secretary.

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:

Motion: Kent Gardner moved, seconded by, Edward Fisher, to approve the Board's March 5, 2013 regular board meeting minutes as presented. Motion carried, 5-0.

III. COMMUNICATIONS:

A. BOARD OF SUPERVISORS – None

B. PRESENTATION OF COMMENDATIONS TO CITIZENS AND POLICE OFFICERS.

David Dumeyer announced that each year the West Hempfield Township Supervisors recognizes members of our Police Department and/or citizens for their actions that they had taken during the past year which have helped, saved or prolong a life of another individual. Tonight we have 4 awards recognizing 1 citizen and 9 officers.

COMMENDATION AWARD

Mr. Dumeyer stated that tonight there are three officers who will receive the Commendation Award. This award is granted to any officer for an outstanding act that is above their normal assignment and duties which could involve unusual, complicated or hazardous conditions.

1. Mr. Dumeyer explained that on March 5, 2012 at 4:31 pm, Officers were dispatched to an armed robbery at the Turkey Hill in Silver Spring. Officer Small was in the area and observed the subject fleeing the Turkey Hill, heading north across Marietta Avenue to the rear of the Silver Spring Shopping Center. Officer Ziegler who was off-duty, unarmed and in his personal vehicle was also in the area and observed Officer Small pursuing the fleeing subject. Without hesitation, Officer Ziegler joined in the pursuit, going around the opposite end of the complex to cut the subject's escape route off. Officer Ziegler assisted Officer Small take the armed subject into custody. Officer Ziegler acted without regard for his own personal safety to assist a fellow officer.

Mr. Dumeyer stated for Officer Ziegler's actions, he is hereby warded the West Hempfield Township Police Department's Commendation Award.

2. Mr. Dumeyer announced that the next two officers to receive the Commendation Award are Officer Robert Small and Officer Bart Hollis.

Mr. Dumeyer explained on October 11, 2012 at 11:22 pm, officers were dispatched to an armed robbery that had just occurred at the Turkey Hill on Main Street in Mountville. The subject was last seen walking east on Columbia Avenue. Officer's Small and Hollis immediately coordinated their response and requested assistance from neighboring jurisdictions. While traveling on Spring Street, Officer Small quickly located the suspect. Officer Hollis transported a witness to Officers Small's location where the suspect was immediately identified. Not only was this subject charged for the robbery of the Turkey Hill in Mountville but further investigation resulted to him being charged for an additional robbery that had occurred at the Getty Mart in West Hempfield Township.

LIFE SAVING AWARD

Mr. Dumeyer announced that tonight there are seven officers who will receive the Life Saving Award. This award is granted to any officer whose actions that, if not performed, would beyond a reasonable doubt, have resulted in the death of a person or persons.

1. Mr. Dumeyer announced that the first three officers to receive the Life Saving Award are Officer Ryan Draper, Officer Richard Bowermaster and Officer Karl Hartranft. (Officer Hartranft was unavailable.)

Mr. Dumeyer explained on February 8, 2012 Officers were dispatched to Summit Hills development in Mountville for a subject in cardiac arrest. Officers Draper, Bowermaster and Hartranft all responded. Upon arrival Officers found a 42 year old female unconscious and not breathing on the bedroom floor. Officers immediately initiated CPR and continued until relieved by emergency medical personnel. The victim was transported to Lancaster General Hospital. Unfortunately, she passed away six days later.

2. Mr. Dumeyer announced that the next two officers to receive the Life Saving Award are Officer Alfonso Villano (unavailable) and Officer Robert Bradfield.

Mr. Dumeyer explained on March 30, 2012, at 5:48 am, Officers were dispatched to the local motel for a subject who was in cardiac arrest. Upon arrival, Officers Villano and Bradfield found a 42 year old male unconscious and not breathing. Officers administered CPR and deployed the AED. Officers continued CPR until relieved by emergency medical personnel. The victim was transported to the hospital where it was determined that his condition was related to a drug overdose. The victim did survive.

3. Mr. Dumeyer announced that the last two officers to receive the Life Saving Award are Officer Thomas Ziegler and Officer Brian Stutzman.

Mr. Dumeyer explained on June 21, 2012 at 2:45 pm, Officers Ziegler and Stutzman were dispatched to Oak Hollow Apartments for a medical emergency. Upon their arrival, the officers were presented with an unresponsive 2 year old. Officers immediately began rescue attempts to include administering CPR until properly relieved by emergency medical personnel. The child was transported to Lancaster General Hospital and subsequently to Hershey Medical Center. Unfortunately, the child passed away several days later.

2012 OFFICER OF THE YEAR AWARD

Mr. Dumeyer announced that the Officer of the Year is awarded to an officer who distinguished him/herself through either an accumulation of exceptional contributions whose actions place the individual well above others of equal rank or grade. Areas of recognition can included but not limited to: extraordinary valor, positive community impact, administrative accomplishments, crime prevention, training programs, traffic safety and innovative approaches to public service. This individual shall have truly represented the department in a favorable light, having reflected the vision and mission statements in their daily actions.

1. Mr. Dumeyer announced that the 2012 Officer of the Year is Officer Thomas Ziegler.

Mr. Dumeyer explained that Officer Ziegler is in his 15th year of service as an officer with the police department. Prior to working at West Hempfield, Officer Ziegler was employed with the Columbia Borough Police Department. Officer Ziegler had served as a DARE Officer and an Evidence Technician. For actions in 2012, he was nominated for and received both the Commendation Award and the Life Saving Award that was previously awarded to him this evening. Officer Ziegler was continuously among the top three officers in the department with regards to the number of traffic citations issued as well as criminal arrests. Officer Ziegler is extremely punctual when reporting for duty and he constantly projects a professional image and routinely volunteers for open shifts and extra assignments.

Mr. Dumeyer commented that Mountville Borough Council at their March meeting presented Officer Bart Hollis with a Certificate of Appreciation for his work with the Neighborhood Crime Watch and National Night Out. He also noted that Councilman Frances Zimmer was in attendance.

Councilman Frances Zimmer stated that the members of the Borough Council are very well pleased with the services received from the West Hempfield Police Department and look forward to continuing the great working relationship between both entities.

CERTIFICATE OF APPRECIATION

Mr. Dumeyer stated that the Certification of Appreciation is awarded to citizens who distinguish themselves through the accomplishment of an extraordinary act or service to the Department or to the Community.

Mr. Dumeyer explained that on December 15, 2012 at approximately 1:45 pm, Officers were dispatched to the Sylvan Retreat Road overpass of PA rt. 30 for a subject who appeared to be in distress. While the officers were responding, several more 911 calls were received from passing motorist for the subject in distress. Additional calls indicated that a citizen was now detaining the subject.

Upon Officers' arrival, the subject, a 24 year old male who was in obvious physical and emotional distress, wanting to take his own life. They also identified another male, Damian J. Colon, who had detained the male in distress. Mr. Colon had been traveling on Sylvan Retreat Road when he observed the male. He stopped and approached the male. Mr. Colon made a quick decision to grab the subject who started to climb over the wall of the overpass and bring him back over onto the sidewalk area of the bridge. He continued to comfort the male until officers arrived. The male was taken by ambulance to the hospital for treatment. Because of Damian J. Colon extraordinary act of courage, he has been awarded the West Hempfield Township Police Department Certificate of Appreciation. Mr. Dumeyer stated that Mr. Colon was unable to attend to nights meeting.

C. PROJECT LIFESAVER – ISSUANCE OF CERTIFICATES

Catherine Cieslinski of Pilot Club of Lancaster, Inc., informed the Board that Project Lifesaver is a program which electronically locates individuals who wonder because of Autism, Alzheimer's, Developmental Disorders, Dementia and others. Ms. Cieslinski stated that the West Hempfield Police Department is the Host Agent for this program which is currently available in the Northwest Region of Lancaster County. She thanked Chief Pugliese for his involvement by getting this very important community service program up and running and presented him with a Certificate of Appreciation/Recognition. Ms. Cieslinski stated that she wants to thank the officer's that are trained.

In May 2012 Sgt. Grier, Corporal Bixler and Officer Small were trained by the 43rd Search and Rescue Company of Chesapeake, VA Sheriff's office. Sgt Grier and Officer Small are now Certified Trainers. They can now train other officers in the northwest zone. Ms. Cieslinski stated that following officers were also trained:

July 2012:	Corporal Ober and Officer Rohrbaugh.
August 2012:	Sgt Coyle, Officer Draper and Officer Hartranft
December 2012:	Officer Bradfield, Officer Ziegler, Officer Stutzman, Officer Hollis and Officer Schwab

D. TOWNSHIP MANAGER

- A. Mr. Youtz reminded the Board that the PSATS Convention starts Monday, April 22nd and continues through Wednesday, April 24, 2013. He also stated that there are staff members and a Board member registered to attend.
- B. Mr. Youtz requested to add an item to agenda – He would like to update the Board on the current issue involving LASA and Columbia Borough.
- C. Mr. Youtz stated that Chief Barry Carter was unable to attend tonight's meeting. He announced that Fire Chief Gantz of the Mountville Fire Company was in attendance. Mr. Youtz also wanted to thank Chief Gantz for his Department's participation in a recent event that happened in our Township.

E. RESIDENTS – None

IV. SUBDIVISION, LAND DEVELOPMENTS, AND PLANNING MODULES:

A. HAHN FORNEY SUBDIVISION – 4045 MARIETTA AVE – PLAN BRIEFING

Ms. Jodi Grove, Zoning Officer explained to the Board that the applicant is proposing to subdivide three lots off of the parent tract which consists of 77.3 acres and zoned RA. Each lot proposed will consist of a minimum of 1 acre and will be served by public sewer and water. Access will be off of Marietta Avenue which is a State Road. PennDot has requested that only two driveways access onto Marietta Avenue. The applicant has proposed a common driveway which will be shared between Lots 2 and 3. Once the plan is approved, the applicant will deed two of the three one acre lots to two family members. Ms. Grove also informed the Board that this farm is enrolled in the Clean and Green Program.

Frank Burkhart asked if this subdivision was allowed since the property was in a Preserve Farm Program. Mr. Youtz stated that when the Hahn's registered their farm into the Program they were granted permission to subdivide three one acre lots off of the total tract.

Edward Fisher asked for clarification why if they are being served by public sewer and water that the lots are one acre. Mr. Youtz stated that is the requirement of our Zoning Ordinance.

B. AMERIMAX HOME PRODUCTS – 450 RICHARDSON DRIVE – STORM WATER MANAGEMENT PLAN

Grant Smith of Rettew Associates stated that the applicant is proposing the creation of a new gravel storage area to facilitate a total of 29 tractor trailers. This is being done to centralize storage of the trailers and allow the current area to revert back to automobile parking.

Mr. Youtz explained to the Board that the applicant is requesting a waiver from filing a

land development plan as the proposed modifications planned would be projected under the Storm Water Management Ordinance. Mr. Youtz stated that a waiver to filing a land development plan would have to be approved by the Board.

Edward Fisher asked for clarification as to no paving would be done in the gravel area. Mr. Smith informed the Board that it would be stone and dust free.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the modifications to submit the project was a Storm Water Management Plan and not be subjected to requirements of the Subdivision and Land Development Ordinance. Motion carried, 5-0

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the waiver of Section 122-21.A. – Calculations of Runoff (SWMA) based on the justifications cited by the applicant. Motion carried, 5-0

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the Storm Water Management Plan for the parking lot expansion for Amerimax 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. ERIN COURT PARTNERS – 3775 HEMPLAND ROAD – REQUEST WAIVER FROM LAND DEVELOPMENT PROCESS

Bill Swiernik of David Miller Associates informed the board that the applicant's future plans will require a land development plan which he states will be submitted in a couple of weeks. The plan will include a 50,000 sq. ft. addition on the east side of the existing building, new loading area, eliminating and proposing a new location for access and proposing a new parking facility on the western side of the addition. The applicant will also modify the detention basin that is on the western side of the site during the whole process.

Bill Swiernik informed the Board that before filing a land development plan and to create employee parking while the revisions are being made, the applicant is proposing the construction of a temporary gravel approach to an existing paved area which now serves as tennis courts. He also stated that they are requesting a waiver of Section 303 and Section 306 of the West Hempfield Township SALDO requiring the submission of a land development plan.

Edward Fisher commented why not provide the calculations and design of the detention basin and locate it in the correct location so that disturbance for the basin would be limited. Mr. Swiernik stated that they did prepare calculations for the minor additions and suggested they could provide the calculations and design for the permanent basin and installs the basin which will limit the disturbance of it.

Motion: Edward Fisher moved, seconded by Kent Gardner, to grant a waiver from

Section 303 and 306 of the West Hempfield Township Subdivision and Land Development Ordinance requiring a submission of a land development plan for Erin Corp Partners, for the temporary parking lot expansion with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Engineer and Staff and providing the permanent design of the detention basin. Motion carried, 5-0

V. OLD BUSINESS – None

VI. NEW BUSINESS

A. TAX EXONERATION REQUEST – 4416 MILLER DRIVE

Ron Youtz stated he had received a request from the Lancaster County Tax Claim Bureau requesting the Board to grant tax exoneration for property at 4416 Miller Drive which is approximately 1700 sq. ft. parcel. Mr. Youtz stated that this small parcel was laid out to be used for a water storage tank. Mr. Youtz also stated that the Township tax for this parcel is approximately .20 cents per year.

Motion: Edward Fisher moved, seconded by Frank Burkhart, to approve the Lancaster County Tax Claim Bureau request to exonerate property at 4416 Miller Drive which consists of approximately 1700 sq. ft. Motion carried, 5-0

B. REQUEST AUTHORIZATION FOR TOWNSHIP SOLICITOR TO ENTER COMPLAINTS ON PROPERTIES THAT FAILED TO CONNECT TO THE NEW PUBLIC SEWER SYSTEM.

Ron Youtz stated that there are 4 properties on Ironville Pike who are not currently connected to the sewer line. He stated he would like to have the Boards authorization to contact the Township Solicitor and authorize the filing of the legal documents against the property owners who are non-compliant.

Motion: Kent Gardner moved, seconded by Edward Fisher, to grant the Township Manager authorization to discuss and authorize the Township Solicitor to prepare and file the legal documents necessary to correct the matter at hand. Motion carried, 5-0

C. REQUESTING AUTHORIZATION FOR TOWNSHIP SOLICITOR TO INTERVEN IN THE ZONING APPEALS OF JOSEPH G. MEYER.

Ron Youtz stated that he had copied the Board on the zoning appeal of Joseph Meyer. He stated that Mr. Meyer is appealing the February 12, 2013 decision of the Zoning Hearing Board. Mr. Youtz is requesting that the Board authorize the Township Solicitor to intervene and represent the Board of Supervisors during the appeals process.

Motion: Frank Burkhart moved, seconded by Edward Fisher, to authorize the Township

Solicitor to intervene and represent the Township during the Joseph Meyer zoning appeal. Motion carried, 5-0

D. MEMORANDUM OF UNDERSTANDING WITH THE LANCASTER COUNTY CONSERVATION DISTRICT.

Ron Youtz stated that he had provided the Board with a copy of the 2013/2014 annual Memorandum of Understanding between Lancaster County Conservation District and West Hempfield Township. He explained that this agreement indicates both parties' responsibilities and the agreement will remain valid through March 15, 2014.

Motion: Edward Fisher moved, seconded by Kent Gardner, to approve the 2013/2014 Memorandum of Understanding (MOU) between Lancaster County Conservation District and West Hempfield Township. Motion carried, 5-0

E. BID AWARD – HIGHWAY MATERIALS AND PAVING WORK

Ron Youtz stated that he and Dale Getz, Public Works Director on March 25, 2013 opened and read the bids that were received for the 2013 road material, paving projects and seal coat application.

Mr. Youtz stated that he and Mr. Getz agree that the recommendation to award the bituminous in-place and the seal coat application portion of the bid. They also recommend that the Board reject all bids for the stone/aggregates and approve the participation in the Co-Stars contract for the stone aggregates. He also recommends that the fob/delivered bituminous material be rejected because the distance for transporting the material and maintaining the required temperature to meet PennDot specifications.

Motion: Frank Burkhart moved, seconded by Edward Fisher, to award the bid for 2,650 ton at \$65.50/ton Bituminous In-place material to Pennsy Supply, Inc., for a total bid of \$209,880.00. Motion carried, 5-0

Motion: Frank Burkhart moved, seconded by Edward Fisher, to award the bid for Seal Coat Application to Asphalt Maintenance Solutions of Center Valley, PA., for a unit price of \$1.03/sq. yd. for a total bid of \$62,069.86. Motion carried, 5-0

Motion: Frank Burkhart moved, seconded by Kent Gardner, to reject all Bituminous Material FOB/Plant bids due to the location of plant for hauling the material and meeting PennDot temperature requirement and to authorize the rebidding of the material. Motion carried, 5-0

Motion: Frank Burkhart moved, seconded by Kent Gardner, to reject all Stone/Aggregate Material bids and to allow the purchase of the stones/aggregates through the Co-Stars program. Motion carried, 5-0

F. RICHARD B & MILDRED J. DRAGER – 760 HIGH RIDGE ROAD – REZONING PETITION ESTABLISH DATE AND TIME FOR PUBLIC HEARING.

Ron Youtz informed the Board that the original re-zoning request/application was received during 2012. As required, the requests were forwarded to the Lancaster County and West Township Planning Commissions. After further discussions the West Hempfield Township Planning Commission requested additional information regarding current residential zoned land available for development. The applicant agreed to an extension of time for scheduling a hearing which would allow the Township to conduct the additional research. The applicant's attorney has now requested that the necessary public hearing be scheduled.

Motion: Edward Fisher moved, seconded by Kent Gardner, to authorize the Township Manager to advertise a public hearing for Richard B. and Mildred J. Drager of 760 High Ridge Road be scheduled for the May 7, 2013 Board meeting. Motion carried, 5-0

G. DOUGLAS B & CAROLYN R KOLLER, JEFFERY KOLLER & ELAINE BELL BRETT – 4304-4324 MARIETTA AVENUE – REZONING PETITION ESTABLISH DATE AND TIME FOR PUBLIC HEARING.

Mr. Youtz stated that this property is adjoining property of the Drager's but this is a separate re-zoning application. Mr. Youtz stated that the same scenario had happened to this application and the applicant's attorney has requested that the application be forwarded to the Board and a public hearing be scheduled for their re-zoning petition.

Motion: Kent Gardner moved, seconded by Edward Fisher, to authorize the Township Manager to advertise a public hearing for Douglas B. and Carolyn R., Jeffery Koller and Elaine Bell Brett of 4302-4324 Marietta Avenue be scheduled for May 7, 2013 Board meeting. Motion carried, 5-0

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

Chief Pugliese informed the Board that he had received a letter from Mountville Borough requesting the use of West Hempfield Township Fire Police to provide traffic control at the following 2013 functions:

1. Community Concerts: Sunday evenings June 2nd through August 19th (except for June 30th) from 5:30 p.m. to 9:00 p.m.
2. Fire Works: Saturday, June 29th from 6:30 p.m. to 11:30 p.m.
3. Memorial Day Parade: Thursday, May 30th from 5:3- p.m. to 8:00 p.m.

Motion: Kent Gardner moved, seconded by Edward Fisher, to authorize the Township Fire Police to assist Mountville Borough with their 2013 community functions. Motion carried, 5-0

I. REQUEST FROM SUSQUEHANNA VALLEY CHAMBER OF COMMERCE FOR POLICE SERVICES.

Chief Pugliese informed the Board that this is the first time that we received a request from Susquehanna Valley Chamber of Commerce for our Police officers to assist in their 2013 events which are:

1. 13th annual 5k- River Run on May 25th.
2. 3rd annual Chiques Challenge on August 10th.
3. 25th annual Bridge Bust on October 5th.
4. 5th annual MAG Fall Flash on November 2nd.

Frank Burkhart questioned if these events will cost our Township overtime pay for our officers to attend these events. Chief Pugliese stated depending on availability of officers it could run into overtime pay.

Frank Burkhart questioned if there is a police department in Wrightsville. Chief Pugliese stated that Wrightsville does have a part-time police department.

Motion: Kent Gardner moved, seconded by Frank Burkhart, to approve the request from the Susquehanna Valley Chamber of Commerce for police services at the Chiefs discretion. Motion carried, 5-0

J. REQUEST FROM RIVERTOWNS PA FOR POLICE SERVICES.

Chief Pugliese informed the Board that he has received a request from Rivertownes PA USA for the services of the West Hempfield Police Department to assist with traffic control for the observance to commemorate the 150th anniversary of the Civil War burning of the Columbia-Wrightsville Bridge. "Flames Across the Susquehanna". Chief Pugliese stated that he has been in contact with Chief Brommer of Columbia whose department will also be assisting with this event.

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve the request from the Rivertownes PA USA for West Hempfield police services at the 150th anniversary of the Civil War burning of the Columbia-Wrightsville Bridge scheduled for Friday, June 28, 2013. Motion carried, 5-0

K. ESTABLISHES DATE AND TIME TO CONDUCT THE SPRING ROAD TOUR.

Ron Youtz asked the Board members to establish a date and time to conduct the Spring Road Tour. After discussion, the Board members agreed on Friday, May 3, 2013 and directed the Township Manager to advertise.

Edward Fisher announced that he has contacted Middle Paxton Township and the May 3rd date is a good date to also look at their municipal facility.

L. UPDATE ON DISCUSSIONS BETWEEN COLUMBIA BOROUGH AND LASA.

Ron Youtz stated that he copied the Board members on a newspaper article which could have an impact on our West Hempfield Township sewer customers. Columbia Borough Council has agreed to entertain a proposal from the Lancaster Area Sewer Authority for that entity to purchase the Columbia sewer system. Columbia Borough is faced with a difficult decision to upgrade their wastewater treatment facility or to explore other options such as the sale to LASA.

He inquired if a letter be sent to both entities stating we support the efforts of both entities to work together in exploring all options of future sewer needs. He continued to inform the board that we are a bulk customer of Columbia Borough and that we currently have approximately 280 properties on this system.

Edward Fisher stated he sees this communication between Columbia Borough and LASA as a positive and looking at West Hempfield Township sewer system being turned over to LASA which would benefit our residents in rates that are charged.

The Board members directed the Township Manager to send a letter to both entities supporting Columbia Borough and LASA to continue discussions on the future sewer needs including West Hempfield.

VII. ORDINANCES AND/OR RESOLUTIONS - NONE

VIII. APPROVAL OF PAYABLES

Motion: Kent Gardner moved, seconded by Edward Fisher, to approve payment of all bills between March 1 through March 31, 2013 and any residuals. Motion carried, 5-0.

Payroll/Taxes.....	\$164,782.19	Electronic Payment
General Fund.....	\$125,171.71	Checks 23472 - 23559
Street Light.....	\$ 0.00	Checks
State Fund.....	\$ 1,875.89	Checks 2804 - 2806
Sewer Fund.....	\$ 13,607.52	Checks 3666 - 3667
Refuse Fund.....	\$ 56,985.55	Checks 2060 - 2068

IX. ADJOURNMENT.

Motion: Frank Burkhart moved, seconded by Kent Gardner, to adjourn the regular meeting at 8:45 p.m., and to go into Executive Session to discuss personnel and legal issues. Motion carried, 5-0.

Respectfully submitted,

Ron L. Youtz, Secretary