

WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING
Minutes of March 7, 2017

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, March 7, 2017. Chairman David Dumeyer and Board members Frank Burkhart, Edward Fisher, Kent Gardner and Naomi Martin were present. Also in attendance were: Township Manager Andrew Stern; Chief of Police Mark Pugliese I; Public Works Director Dale Getz; Zoning Officer Jodi Heffner and Judith Carrier serving as Recording Secretary. Brenda Baumbach, Finance/Personnel Director was not present for the meeting.

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:

A. February 7, 2017 Regular Meeting

Motion: Edward Fisher moved, seconded by Kent Gardner, to *approve* the Board's February 7, 2017 regular meeting minutes as amended. Motion carried, 5-0.

B. February 16, 2017 Joint PC/BOS Meeting

Motion: Edward Fisher moved, seconded by Kent Gardner to *approve* the February 16, 2017 Joint Planning Commission/Board of Supervisors minutes as amended. Motion carried, 5-0.

III. COMMUNICATIONS

A. BOARD OF SUPERVISORS

1. Kent Gardner reported there will be a LIMC meeting at the Township Municipal Office tomorrow (Wednesday, March 8). The Lancaster County Conservancy has a Home Owners Guide for The Little Conestoga Watershed Grant that has been effective for use by the public. There is talk of making a Home Owners Guide for Maintenance of their BMP which is on their property. This would be another way to get this out to the public. There will be a cost for that to the Clean Water Consortium. This will be discussed at tomorrow's meeting. Chairman Dumeyer thanked Mr. Gardner for his invaluable work on the Clean Water Consortium.
2. Edward Fisher reported the traffic light at Marietta Pike and Prospect Road is not operating correctly. Dale Getz was asked to take a look at it as the sensors do not appear to be triggering properly.
3. Naomi Martin reported there are some citizens who are extremely unhappy that the Dollar General Store did not follow the building plans. Chairman Dumeyer suggested they be encouraged to share particulars with the Board.

4. Frank Burkhardt had a question for the Chief of Police. He asked about little blue lights on traffic lights in Florida which are used by law enforcement to know when the lights in other directions turn red. He wanted to know if they were coming to Pennsylvania. The Chief did not have any information on these lights and was unaware of any plans to use them locally.
 5. Chairman David Dumeyer noted he would be adjourning the meeting into executive session to discuss personnel and legal matters.
- B. TOWNSHIP MANAGER – Andrew Stern submitted and addressed items of immediate interest in the following Manager’s Report for February 2017:

INTERNAL MATTERS

1. **Hiring of Board Meeting Secretary:** Update: Judy Carrier took minutes for the Board for the first time in February. The cost was approximately \$180. This saved staff a significant amount of time which we could devote to other tasks.
2. **Financial Interest Forms:** Forms were recently sent to each of you. Please return them to me at your earliest convenience.
3. **Comprehensive Plan:** As mentioned at the joint PC/Board meeting, I have created an online Wiki to keep Comp Plan documents. If you have not yet registered for our wiki, please do so in order to have access to this information. Let me know if you need assistance.
4. **LASA:** Since our last meeting, we have asked that LASA revise their legal agreements to reflect LASA taking charge of the Raintree project. I expect new agreements for the Board to consider at an upcoming meeting.
5. **New Building:** Bids are due March 15.
 - Pre-Bid Meeting, mandatory on February 15th 2017 - COMPLETE
 - Bids Due March 15th 2017
 - Signed contracts to be approved at Township Board meeting April 4th 2017
 - NTA/NTP sent to contractors on April 5th 2017
 - Construction Complete/Owner Occupied August 5th 2018
6. **Pipeline:** Our Solicitor continues her attempts to resolve an easement through our park. I have indicated that I will not negotiate a price until the agreement is resolved to our satisfaction. This matter will most likely move forward as an eminent domain case against us, hopefully with an amicable resolution prior to judicial judgement.
7. **MS4 Chiques:** I attended a meeting with Alex Chiaruttini, Chief Counsel for PA DEP, on February 27. Two EPA officials joined us by phone. Ms. Chiaruttini became aware of the concerns of the Managers of the Chiques Creek municipalities and met with us to lessen our frustrations. She explained that many of the policy interpretations we had been informed of by DEP were not 100% correct. She will be

providing clarification in writing to us soon. In the meantime, we will be resuming our efforts to work together within the watershed.

8. **Kames Hill Culvert:** We are awaiting bid documents from DMAI. This project is on this agenda for authorization to bid upon receipt of documents from DMAI.
9. **Eby Chiques Road:** This project is on this agenda for further discussion and direction by the Board.
10. **Floodplain Management:** On February 27, 2017, we submitted our 2016 annual report and request for reimbursement of legal and advertising expenses.

EXTERNAL MATTERS

1. **Summit Living Traditional Village Zoning Text Amendment Request:** Our Solicitor and the LCPC both had significant comments and concerns regarding the Summit Living request for a zoning text amendment. Jodi and I have since met with the applicants and they have revised their request which received a positive recommendation from our Planning Commission on February 16. We are now awaiting County review. I'd like to schedule our required public hearing for April 4.

PERSONNEL

1. Nothing new to report.

OUTSIDE BOARDS AND COMMITTEES

1. Nothing new to report.

CORRESPONDENCE

1. **LCATS Spring Meeting:** March 29, 2017, 5:30 pm, Lancaster County Career and Technology Center – Brownstown. Please let me know if you would like me to register you for this event.
2. **EASCO:** We received notification from Danaher Corporation (Easco Hand Tools) that they have submitted a NPDES renewal application to PA DEP for their property at 3575 Hempland Road.
3. **Excelon:** We received a letter from Excelon notifying us of their multiple aboveground storage tanks located at Three Mile Island.
4. **Watchtower:** We received a letter from Watchtower thanking the Chief for his letter dated January 27, 2017, relating to the Jehovah's Witnesses.

C. DEPARTMENT REPORTS

Chairman Dumeyer reported that written reports were received by the Police, Public Works and Zoning/Land Use Departments and thanked them for responding to the request for written monthly department reports.

1. POLICE

Chief of Police Mark G. Pugliese provided and reviewed the February 2017 monthly report for West Hempfield Township and Mountville Borough and briefly noted items of particular interest. The End-of-Year Annual Police Report was included in the Board Packets. He stated that, in short; calls for service are down; incident reports statistically remain the same; arrests are up; and citations are up. Two individuals have applied for appointment to West Hempfield Special Fire Police. A background investigation has been conducted and the Board was asked to approve their appointments. This matter has been placed later on the agenda for board action.

2. PUBLIC WORKS

Dale Getz provided and reviewed the February 2017 Monthly West Hempfield Township Public Works Department Report which highlighted a weekly summary of events for each week of February 2017.

3. ZONING/LAND USE

Zoning/Code Enforcement Officer Jodi Heffner provided and reviewed the February 2017 Zoning Officer Report.

4. FIRE

- a. Mountville Fire Company No. 1 – The February 2017 end-of-month chief's report was received and discussed.

D. RESIDENTS – None

IV. SUBDIVISIONS/LAND DEVELOPMENTS, AND PLANNING MODULES

- A. DOLLAR GENERAL - WHTPC 15-06 Reduction of Financial Security from \$123,036.34 to \$36,918.50. The applicant is requesting a reduction of their financial security. The Township Engineer recommends that the financial security be reduced from \$123,036.34 to \$36,918.50 which is a reduction of \$86,117.84.

Motion: Moved by Edward Fisher and seconded by Kent Gardner to *approve* the reduction of financial security for Dollar General from \$123,918.50 to \$36,918.50 based on the Township Engineer's recommendation. The motion passed (5-0).

- B. GEORGE & LORRAINE LEWIS - WHTPC 18-16 (EXPIRES 5-30-17) -
Final Subdivision Plan; Location: 1725 Clear Spring Road; Zone: RA; Acreage: 5.28

Zoning Officer Jodi Heffner submitted the following background information:

The applicant is proposing to subdivide the 5.28 parcel into two lots, Lot 1 will be 1.45 acres and Lot 2 will be 3.84 acres. They are proposing to construct a single family dwelling on Lot 2 along with a driveway and storm water management facilities.

On October 6, 2015 the West Hempfield Board of Supervisors granted conditional use approval for the subdivision of the property with conditions.

On December 15, 2016 the George & Lorraine Lewis Final Subdivision Plan was presented to the Planning Commission as a briefing item.

On January 18, 2017 Penn Terra Engineering, Inc. requested a time extension to process the George & Lorraine Lewis Revised Final Subdivision Plan through May 30, 2017.

On February 16, 2017 the George & Lorraine Lewis Final Subdivision Plan was presented to the Planning Commission as an agenda item. The Planning Commission recommended approval of the plan and waivers with conditions.

ACTION REQUIRED:

- **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* the waiver of Section 404.A.1 – Plan Scale based on the justification and alternative provided. The motion passed (5-0).
- **Motion:** Moved by Edward Fisher and seconded by Frank Burkhart to *approve* the waiver of Section 405.E.13 and Section 501 – Financial Security based on the justification and alternative provided with the condition that an addition to General Note 14, the following note is provided on the plan: “the owner of Lot 2 shall be required to post necessary financial security to insure the installation of the specific improvements and/or storm water management or other facilities serving Lot 2 prior to the issuance of any permits to authorize the erection of any structure upon Lot 2. The design engineer shall provide documentation that the proposed structure meets the approved plan.” The motion passed (5-0).
- **Motion:** Moved by Edward Fisher and seconded by Frank Burkhart to *approve* the waiver of Section 602.K.6.b – Improvement of Existing Streets based on the justification provided and the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all

locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six (6) months of the date of notice to do so. The motion passed (5-0).

- **Motion:** Moved by Edward Fisher and seconded by Frank Burkhart to *approve* the waiver of Section 602.M – Curbing based on the justification provided and the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township Officials, within six (6) months of the date of notice to do so.” The motion passed (5-0).

- **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* the waiver of Section 602.N – Sidewalks based on the justification provided and the condition that the following note is added to the plan: “The West Hempfield Township Subdivision and Land Development Ordinance (SALDO) requires construction of Curbs, Sidewalks, and Road Widening at all locations where the property abuts a public street. Upon owner's request for modifications, the obligation to complete the Curbs, Sidewalks, and Road Widening at such locations has been deferred by the Township subject to the condition that the Board of Supervisors may, at any time at the Board's sole discretion, direct that such improvements be constructed and completed in accordance with the applicable standards required by the Township at the time of such direction by the Township, at the sole expense of the owner of the property at the time of such direction by the Township. The owner of the property shall be required to complete such construction, as directed by Township

Officials, within six (6) months of the date of notice to do so. The motion passed (5-0).

- **Motion:** Moved by Edward Fisher and seconded by Kent Garner to *approve* the Lewis Final Subdivision Plan with the condition that the applicant satisfies all outstanding comments and requirements to the satisfaction of the Township Engineer and Township Staff. The motion passed (5-0).

C. SUMMIT LIVING TV - WHTPC 18-16 - ZONING TEXT AMENDMENT
Schedule Public Hearing for April 4, 2017.

Upon review of Andrew Stern's update on this matter earlier in the meeting in his Township Manager's Report and discussion concerning verbiage addressing extinguishing lights at close of business, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Frank Burkhart to *authorize* staff to advertise a Public Hearing scheduled for April 4, 2017 regarding the Summit Living Traditional Village Zoning Text Amendment Request and Zoning Text Amendment to revise regulations governing the traditional village district and off street parking. The motion passed (5-0).

V. NEW MUNICIPAL COMPLEX

A. Update - Andrew Stern reviewed the following schedule:

- ✓ Construction Bids Due: March 15, 2017
- ✓ Financing Proposals Due: March 10, 2017
- ✓ Special Inspections Proposals Due: March 28, 2017

B. Columbia Water Company: Water Service Agreement – After review and discussion of the agreement, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *authorize* the West Hempfield Township Chairman or the West Hempfield Township Manager to sign the Columbia Water Service Agreement. The motion passed (5-0).

VI. OLD BUSINESS

A. KAMES HILL CULVERT PROJECT: Authorize Staff to put out to bid – Andrew Stern reported the bid documents have been received from David Miller/Associates. He requested authorization to advertise the project for bid. After discussion, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Frank Burkhart to *authorize* Staff to advertise the bid for the Kames Hill Road Culvert Project. The motion passed (5-0).

B. EBY CHIQUES IMPROVEMENT;
discussed the next steps to be taken
They are moving ahead but require
come back to the Board with a recor

C. TRANSCONTINENTAL PIPE LIN
Stern summarized the activity to da
Our Solicitor has been continuing at
not been cooperating and at this ti
believes this matter will most likely
Township; hopefully with an ami
Solicitor has requested the Board at
serve as official representative to ne
and the following action was taken:

- **Motion:** Moved by Edward Fis
of the Board of Supervisors of V
with Transcontinental Gas Pipe
easement for the Atlantic Sun
Norwood Road, Lancaster Cou
but not limited to, the amour
agreement, and/or execution of
filed in state or federal court. TI

VII. NEW BUSINESS

A. WEST HEMPFIELD SPECIAL FIRE

Chief Pugliese reported background
following two applicants be appoint

1. Angela F. Wagner
2. Gerald M. Grace

- **Motion:** Moved by Kent Ga
Angela F. Wagner and Gerald
Special Fire Police. The motion

B. CLEAN WATER CONSORTIUM,

Kent Gardner described the event
Board approve (1) sponsorship of
Chiques Creek Watershed Alliance.

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to (1) *allocate* \$100.00 as a sponsorship for the 3rd Annual Clear Waters Golf Tournament to be held during Water Week, Monday June 5, 2017 and (2) *approve* payment of Chiques Creek Watershed Alliance dues in the amount of \$200.00 upon receipt of invoice. The motion passed (5-0).

C. BICYCLE RACE: JUNE 11 & 12, 2017

Marge Do, Race Promoter and Director for the Young Medalists Junior Cycling Team provided background on the cycling team, planned race route, parking availability, insurance, signage and one on-site EMT. Ms. Do stated only one date (either June 11 or June 12) would involve the use of West Hempfield Township roads. Of concern was the possibility of Amish Church Services being held on Sunday, June 12, 2017. Ms. Do will make the necessary contacts to acquire this information and provide the necessary safety procedures should the race be conducted on Sunday, June 12. The Board thanked Ms. Do for the information regarding this year's race. There being no further discussion, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *approve* the Young Medalists Junior Bicycle Race as requested. The motion passed (5-0).

D. AMTRAK DETOUR, OLD HARRISBURG PIKE BRIDGE

Andrew Stern reviewed the letter dated March 7, 2017, and attached proposed detour plan received from Vastardis Consulting Engineers, LLC. PennDOT requires permission from the Township in order to use the proposed detour streets. After discussion, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Frank Burkhart to *grant* permission to Vastardis Consulting Engineers, LLC to use the streets as proposed for the Old Harrisburg Pike Detour during the AMTRAK Bridge repairs. The motion passed (4-1).

E. 414 INDIAN HEAD ROAD: OLDS ISOLATION DISTANCE WAIVER

Andrew Stern reviewed his memorandum dated March 7, 2017 regarding a failed septic system on property located at 414 Indian Head Road. It has been determined that it is necessary to remove and replace the entire system to resolve this matter. Highgrade Construction, Inc. has been retained by owners Devon and Elaina Williams and Mr. High was present to provide information and answer any questions by the Board. A copy of his proposal was provided, which included work specifications. The existing system is about 70 feet from their well, less than the state mandated 100 foot isolation distance. The new system would be about 60 feet from the well, also less than the mandated 100 foot isolation distance. Marvin Stoner, our SEO, has indicated that he needs the Board to approve a waiver from the 100 foot isolation distance in order to issue the permit for this replacement system. After discussion, the following action was taken:

- **Motion:** Moved by Edward Fisher and seconded by Kent Gardner to *approve* a waiver from the 100 foot isolation distance in order to issue a permit to replace the septic system on property located at 414 Indian Head Road as requested. The motion passed (5-0).

VIII. ORDINANCES AND RESOLUTIONS

A. RESOLUTION 17-7: GREAT EASTERN – AUTHORIZED SIGNATORIES

- **Motion:** Moved by Kent Gardner and seconded by Frank Burkhart to *adopt* Resolution 2017-7, Great Eastern authorized signatories, as presented. The motion passed (5-0).

IX. APPROVAL OF PAYABLES

General Fund	\$ 320,742.15	Checks 28611 – 28749
Sewer Fund	\$ 5,115.60	Checks 3743
Refuse Fund	\$ 69,789.56	Checks 2460 – 2469
Escrow Fund	\$ 1,196.85	Checks 178 - 179
State Fund	\$ 82,077.99	Checks 3123 – 3128

- **Motion:** Kent Gardner moved, seconded by Frank Burkhart to *approve* payment of all bills between February 1 – February 28, 2017 and any residuals. Motion carried (5-0).

X. ADJOURNMENT – 8:52 p.m.

- **Motion:** Chairman David Dumeyer called for a motion to adjourn into Executive Session to discuss personnel and legal matters. Kent Gardner moved, seconded by Frank Burkhart to *adjourn* the regular Board of Supervisors meeting into Executive Session at 8:52 p.m. to discuss personnel and legal matters. Motion carried (5-0).

Respectfully submitted,



Andrew Stern,
Township Manager

