

**WEST HEMPFIELD TOWNSHIP SUPERVISORS MEETING**  
**Minutes of May 2, 2017**

The regularly scheduled meeting of the Board of Supervisors was held at the Township Municipal Office, 3401 Marietta Avenue, Lancaster, Pennsylvania on Tuesday, May 2, 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. April 4, 2017 regular meeting.

- **Motion:** Moved by Frank Burkhart and seconded by Kent Gardner to *approve* the Board's April 4, 2017 regular meeting minutes as presented. Motion unanimously carried, (5-0).

B. April 20, 2017 joint meeting.

- **Motion:** Moved by Frank Burkhart and seconded by Edward Fisher to *approve* the Board's April 20, 2017 joint board meeting minutes as presented. Motion unanimously carried, (5-0).

III. COMMUNICATIONS.

A. BOARD OF SUPERVISORS.

1. Chairman Dumeyer remarked how very proud everyone is of West Hempfield Township and that many favorable comments are received by the Board. He stated that how well things run is attributed to the staff members who represent the Township; most notably, members of the police department who are very active in the community. Tonight, the Board is pleased to have the opportunity to recognize that service.
2. Edward Fisher reported a damaged large cherry tree at Lake Grubb has been taken care of.
3. Kent Gardner reported he attended the Executive Council meeting at the PACOG. It was a very interesting meeting. They are going to be combining with the

Boroughs Association for a convention in October. He will have more information later.

B. NATIONAL POLICE WEEK PROCLAMATION.

Chairman Dumeyer read the 2017 Township of West Hempfield Police Week Proclamation recognizing National Police Week calling upon all citizens of West Hempfield Township and upon all patriotic, civic and educational organizations to observe the week of May 14-20, 2017 as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. The Proclamation further calls upon all citizens of West Hempfield Township to observe May 15, 2017, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty and to recognize and pay respect to the survivors of our fallen heroes.

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *adopt* West Hempfield Township 2017 Police Week Proclamation. The motion passed unanimously (5-0).

C. POLICE DEPARTMENT: PRESENTATION OF COMMENDATIONS AND RECOGNITIONS.

Chairman Dumeyer opened the 2016 West Hempfield Township Board of Supervisors Awards and Commendations Ceremony by announcing that each year the West Hempfield Township Board of Supervisors recognizes members of our police department and/or citizens in our community for actions that they had taken during the previous year that are believed to have been above what is expected of them and in some instances, have helped save or prolong a life of another individual. He welcomed the family and guests of all the award recipients as well as the Police Chiefs and elected officials from our neighboring municipalities.

Although not being presented with certificates tonight, on behalf of the entire Board of Supervisors, Chairman Dumeyer acknowledged twelve officers who were involved in saving the lives of six individuals who overdosed on drugs and had to be administered "Naloxone." All individuals survived because of the officers' quick action as well as the fact that they were in possession of Naloxone. The officers being congratulated were as follows: Officer Richard Bowermaster, Corporal Ryan Draper, Officer James Gardill, Officer Karl Hartranft, Officer Bart Hollis, Officer Ryan McKernan, Officer Michael Murray, Corporal Douglas Ober, Officer Bradley Rohrbaugh, Officer John Schwab, Officer Robert Small, and Officer Thomas Zeigler.

The following 2016 West Hempfield Township Awards and Commendations were then presented:

1. **Life Saving Award**: This award is awarded to individuals whose actions that, if not performed, would, beyond a reasonable doubt, have resulted in the death of a person or persons.

On April, 2016 at approximately 9:40 p.m., officers were dispatched to a residence on Hemlock Drive to assist Emergency Medical Services with a reported cardiac arrest. Sergeant Coyle and Officer Rohrbaugh were first to arrive on the scene and found the victim unconscious and unresponsive. Officers immediately began lifesaving measures, which included CPR and the activation of an AED. Officer Bowermaster and a civilian, Steven Henry, a neighbor, assisted the first arriving officers and continued all measures until EMS personnel arrived on the scene. The victim's heart rhythm and breathing were restored and he was transported to a medical facility where he was admitted for treatment and eventually released.

The 2016 Life Saving Award recognizes three officers and a resident of the Township . . . Sergeant Timothy Coyle, Officer Richard C. Bowermaster, Jr., Officer Bradley J. Rohrbaugh, and Mr. Steven Henry, Jr. Chairman Dumeyer acknowledged the three recipients and their actions; however, due to scheduling conflicts, none of the award recipients were able to attend tonight's ceremony.

2. **Perfect Attendance Award**: This award is awarded to an officer or Employee who, during the specified calendar year, does not utilize any time off for reasons of illness and who reports for his/her scheduled shifts on time and is prepared for duty and/or work without unnecessary delay.

The 2016 Perfect Attendance Award recognizes Sergeant Christopher W. Kunkle and Officer John J. Schwab for their perfect attendance record in 2016. Each recipient was presented a certificate and a commendation bar.

3. **Certificate of Appreciation**: The Certificate of Appreciation is awarded to citizens, organizations or businesses that distinguish themselves through the accomplishment of an extraordinary act or service to the Department or to the community.

The 2016 Certificate of Appreciation recognizes the significant contributions of the Paul Revere Leber Post #372 of the American Legion, Columbia; Buckeye Corrugated, Inc. All -Size Division, West Hempfield Township and the National Honor Society of the Dayspring Christian Academy, Mountville. Mr. Douglas Sigman - American Legion, Ms. Pam Snader - BCI All-Size and Mrs. Donna Hurley - Dayspring NHS -accepted the certificates on behalf of their organizations.

Each of these organizations made significant contributions to the West Hempfield Township Police Department, which enabled the Department to purchase equipment, training supplies, community outreach and educational supplies, and first aid equipment/supplies to augment the department's current first aid supplies. All of this equipment or supplies is above and beyond what the department was able to budget for its 2017 expenditures. There is no doubt that the officers and the community will benefit from these contributions.

4. **Officer of the Year:** Officer of the Year is awarded to an officer who distinguished him/herself through either an accumulation of exceptional contributions or a single incident, and whose actions clearly place the individual well above others of equal rank or grade. Areas of recognition include, but are 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 his/her daily actions.

Chairman Dumeyer awarded Sergeant Christopher W. Kunkle the West Hempfield Township Police Department 2016 Officer of the Year and presented a plaque and a commendation bar.

Sergeant Christopher Kunkle has been a member of the West Hempfield Township Police Department since October of 1996. Sergeant Kunkle is a 1996 graduate of Millersville University with a BA in Sociology/Criminal Justice and where he played on the University's Division II baseball team for 4 years. Immediately following his graduation from college, he attended the Reading Police Academy and graduated in October of 1996. Sergeant Kunkle was assigned to Patrol Division until 2002 when he was promoted to the rank of Detective and assigned to the Criminal Investigations Division. From January 2012 until August 2016, he was temporarily assigned as a county detective with the Lancaster County District Attorney's Office. In August of 2016, he was promoted to the rank of Sergeant and became the Criminal Investigation Division supervisor.

Sergeant Kunkle has a strong work ethic and goes out of his way, not only to assist officers from our department, but he will do the same for any officer from any agency.

Chairman Dumeyer noted that Sergeant Kunkle and first responders from across the county were recognized by the Lancaster Barnstormers at their May 1, 2017 game.

5. **Fraternal Order of Police, Red Rose Lodge #16**: The Red Rose Lodge #16 – Fraternal Order of Police (Lancaster County Lodge) developed a scholarship fund in 2013 which is offered to immediate family members of Active/Retired Members of the lodge. It is the William Bitt's Scholarship Fund (named after a Past President of the lodge). The fund disburses (2) two, \$2,000 scholarships each year to two different applicants.

Members from the Fraternal Order of Police, Red Rose Lodge #16 then came forward to present the 2017 William J. Bitts Scholarship award of \$2,000 to Alexis L. Ober, certifying her outstanding academic performance, leadership, compassion, good fellowship and good character while pursuing her forensic pathology education.

Alexis is the daughter of Corporal Douglas Ober and Irene Ober. She is an 18 year old senior at Hempfield High School and will graduate June 7, 2017. She has been accepted to Chestnut Hill College in Philadelphia where she will be specializing in Forensic Pathology.

Chairman Dumeyer recognized Francis Zimmer, Mountville Borough Council. Mr. Zimmer thanked the officers of the Township's Police Department for the services they provide for Mountville Borough. The opportunity was then offered for any Board members or Mountville Elected Officials present to make any additional comments. There were none. At the conclusion of the awards ceremony, a short recess was taken to allow family members to take photographs.

#### D. TOWNSHIP MANAGER.

##### INTERNAL MATTERS

1. **Comprehensive Plan**: We will be having a Joint PC/Board meeting on June 15, 2017, to continue land use discussions.
2. **LASA**: Since our last meeting, we have asked that LASA revise their legal agreements to reflect LASA taking charge of the Raintree project. I have the agreement on this agenda (MAY), but the final document is not in your packet.
3. **New Building**:
  - a. Notice to Proceed was issued April 13, 2017. As such, the building is to be completed by July 6, 2018.
  - b. We are working on credit change orders from each of the Primes. The first round is anticipated to save us about \$45,000. The Primes will continue to identify cost saving ideas as the project moves forward.

- c. I am seeking guidance from the Board for how the Board wishes to address change order requests and other requests of a time sensitive manner which may occur between Board meetings.
- 4. **Pipeline:** We have received our \$75,000 for the easement. We are still awaiting financial security and final documents for the road use agreement.
- 5. **MS4:** On Friday, April 21, 2017, the Township and Borough Managers within the Chiques Creek Watershed met with Kelly Haffner, Executive Deputy Secretary for DEP; Alexandra Chiaruttini, Chief Counsel for DEP; Mindy Fee, State Representative; Christopher Thompson, LCCD District Manager; and others. The purpose was to discuss how the municipalities in the watershed could work together and what ‘incentives’ DEP could provide to us to make a joint effort feasible.

Unfortunately, this meeting did not go well. Despite these municipalities spending a significant amount of time in numerous meetings with DEP, SRBC, and PSU for a period of more than a year, DEP is reluctant to help us make up for lost time as promises made to us by these entities did not come to fruition in a timely manner. As a result, each of the managers intends to recommend to their Board that we proceed independently, with hopes to work together on specific projects and to work towards a joint watershed plan later in this permit cycle or next permit cycle. This is my recommendation to you as well.

**EXTERNAL MATTERS**

- 1. Nothing new to report.

**PERSONNEL**

- 1. Nothing new to report.

**OUTSIDE BOARDS AND COMMITTEES**

- 1. Nothing new to report.

**CORRESPONDENCE**

- 1. **J&J Material Handling, 1820 Franklin Street, Columbia.** We have been notified of a site-specific standard remedial investigation report and cleanup plan submission.

E. TREASURER’S REPORT: MARCH 2017 FINANCIALS.

General Fund	\$ 1,760,568.69
Sewer Fund	\$ 228,951.54
Refuse Fund	\$ 372,381.01
Street Light Fund	\$ 3,587.52
Fire Hydrant Fund	\$ 15,988.02
TDR Fund	\$ 426,572.59
State Liquid Fund	\$ 856,039.35
Police Pension Fund	\$ 6,239,353.41
Non-Uniform Pension Fund	\$ 2,057,943.66
Recreation	\$ 15,339.97
Highway	\$ 830,000.54
Post Retirement	\$ 24,963.94
Health Care (HRA)	\$ 31,243.15
Total All Funds March 2017	\$ 12,862,933.39

F. DEPARTMENT REPORTS: POLICE, PUBLIC WORKS, ZONING/LAND USE, FIRE.

Written reports were received by the Police, Public Works and Zoning/Land Use and Fire Departments.

1. POLICE

Chief of Police Mark G. Pugliese provided and reviewed the March 2017 monthly report for West Hempfield Township and briefly noted items of particular interest.

2. PUBLIC WORKS

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

3. ZONING/LAND USE

Zoning/Code Enforcement Officer Jodi Heffner provided and reviewed the April 2017 Zoning Officer Report, along with photographs relating to property complaints and violations.

4. FIRE

- a. West Hempfield Fire & Rescue - The Fire Chief's 2017 April Report was provided and reviewed. Also reported was a car carrier fire at Stony Battery Road. An estimated \$148,000-\$150,000 of cargo was saved.
- b. Mountville Fire Company No. 1 – The April 2017 end-of-month chief's report was received and discussed.
- c. Columbia Borough Fire Department – Annual report has been submitted.

G. RESIDENTS.

Mike Mastriana, Marine Corps League, was present regarding Small Games of Chance. The County Treasurer issues permits and they cannot do so unless the Commissioners pass an ordinance allowing it. More information will be available at the next Board meeting and this item will be placed on the agenda for further discussion and consideration. Andrew Stern will prepare a draft of the ordinance to be considered at that time.

IV. SUBDIVISIONS, LAND DEVELOPMENTS, AND PLANNING MODULES.

**AGENDA ITEMS:**

**A. Turkey Hill, L.P.**

**Prospect Road & Columbia Ave.**

**Financial Security – Reduction Request**

The developer is requesting a full release of the financial security. Mr. Stern presented the reduction request dated March 23, 2017 and recommendation dated April 13, 2017 received from Melissa Kelly, Rettew Associates. Tim Richards was present on behalf of Turkey Hill and stated they were unaware there were outstanding items. Following discussion and based on Rettew's site visit, review of the documentation and staff recommendation, the following action was taken:

- **Motion:** Moved by Kent Gardner and seconded by Frank Burkhart to *deny* reduction of Financial Security and that the financial security for this development remain at \$25,832.48. The motion passed (5-0).

**B. Lot 99 & 100 of Eagles View – WHTPC 3-17 (90 Day 6/19/17)**

**Final Subdivision Plan**

**Location: 643 & 645 Golden Eagle Way**

**Zone: R-2**

**Acreage: 1.16 Acres Combined 2 Lots**



The applicant is proposing to combine two previously approved residential lots into one lot. The property will be served with public water and sewer. There is an existing drainage easement for Storm Water Management. Bill Swiernick, David Miller/Associates was present on behalf of the applicant.

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *approve* the Lot 99 & 100 of Eagles View Final Subdivision Plan based upon the comments being completed to the satisfaction of the Township Engineer (letter dated 4/4/17) and Township Staff. The motion passed (5-0).

**C. Turkey Hill Store No. 231**  
**Waiver of Land Development Request**  
**Location: 1199 Prospect Road**  
**Zone: C-2**  
**Acreage: 1.1 Acres**

The applicant is proposing to renovate the store in order to accommodate the sale of beer. The renovation will also include the addition of a 11' X 8' freezer to the west side of the building. Curt Smith, RGS Associates, was present on behalf of the applicant.

- **Motion:** Motion was made by Edward Fisher, seconded by Kent Burkhart, and carried by the Board (5-0) to *approve* waiver of Sections 305 and 306 – Land Development Processing subject to the following conditions as recommended by the Township Engineer:

1. Building Permit needs to be submitted to the Township.
2. A Storm Water Management Site Plan Exemption Application needs to be submitted to the Township. Please note that a variance to reduce the minimum landscape area from 35% to 33% was granted by the West Hempfield Township Zoning Hearing Board on June 11, 2013 for the 2013 Land Development Modification Request. The total impervious surface for the site shall not exceed 32,335 square feet (or approximately 67% of the total property). If the impervious area exceeds 32,335 square feet, then a variance from the West Hempfield Township Zoning Hearing Board will be needed to reduce the minimum landscape area beyond 33%.
3. A new Storm Water Management Agreement and Declaration of Easement was prepared during the 2013 Land Development Modification Request process and reviewed by the Township's Solicitor. Please note that the Township's Solicitor specifically referenced the legal description and plan of the storm water management easement. The legal description and plan approved by the Township need to be attached as exhibits to the storm water management agreement. A copy of the executed and recorded

Storm Water Management Agreement and Declaration of Easement needs to be provided.

4. A Pedestrian Easement Agreement was prepared during the 2013 Land Development Modification Request process. A copy of the executed and recorded document needs to be provided.

**D. Greg Whitney and Natalie Burk – WHTPC 5-17**

**Major Land Disturbance Plan**

**Location: 733 High Ridge Road**

**Zone: RA**

**Acreage: 6.7**

The applicants are proposing to install a new pool behind their existing house along with concrete decking and walls. An underground recharge bed will be constructed to control storm water runoff.

Applicant indicates that storm water management was not designed for the driveway widening and carport addition to garage which total 2,131 square feet of impervious. **The Township does not have a record of permits being obtained for the carport or driveway widening.**

Jodi Heffner distributed an email received May 2, 2017 from Inland Design requesting a continuation of this project until the next Supervisor's meeting.

- **Action:** Due to Township Engineer concerns, recommendation of Staff, and the continuation request, further consideration of this project was *tabled* until the June Board of Supervisors Meeting to allow the applicant time to resubmit plans addressing the concerns raised in the April 20, 2017 Rettew Associates review letter and submit to the Lancaster county Conservation District for an erosion control review.

**V. NEW MUNICIPAL COMPLEX.**

- A. Andrew Stern provided an update on the new building in his Manager's Report earlier on tonight's agenda. He stated everything is moving along on schedule and he is very optimistic that the building will be completed by July 6, 2018.

As stated earlier, Mr. Stern is seeking guidance for how the Board wishes to address change order requests and other requests of a time sensitive manner which may occur between Board meetings.

- **Action:** Each member of the Board stated their preference is to be individually contacted by telephone or e-mail for changes over \$10,000.

VI. UNFINISHED BUSINESS.

A. EBY CHIQUES IMPROVEMENTS: UPDATE.

Dale Getz reported Keystone Drilling came to do core samples. Results were very good. They found most rock to be 3 feet below the road surface. Frank Burkhart questioned shoulder, guardrail, drop-off and property owner intentions. As the Board already is in agreement with moving forward on this project, Dale was asked to confer with David Miller/Associates to find out what they recommend for stability for a curb at the right-hand lane. He will also contact property owners regarding their intentions and inform Scott Hain, DM/A, of his belief that the work can be done by the Township with minimal outside help.

B. LASA: PURCHASE OF SEWER SYSTEM.

Andrew Stern reported the agreement is not quite ready. Mike Kyle, Executive Director of LASA was present. He stated he is working closely with Andrew and Attorney Joselle Cleary and outlined payment transaction procedures and time table. LASA has agreed to take all the risks and there will be no assessments to customers. He further explained there will be two agreements involved . . . (1) an inter-municipal agreement and (2) an asset purchase agreement. Edward Fisher noted the Township wants to be out of the sewer business and now that LASA owns the Columbia system, he feels confident that this makes good sense. Andrew Stern clarified the \$10,000 escrow provision that LASA will hold up to 5 years. He assured the board money will not be an issue . . . the funds are there. The Board concurred.

C. SILVER SPRING VILLAGE PEDESTRIAN/BICYCLE PATH, NOI TO SUBMIT FUNDING APPLICATION.

Andrew Stern reviewed the background to date and questioned what the Board desires. Melissa Kelly, Rettew Associates, had attended a workshop and she asked for board input regarding focus regarding type of study and possibility of a grant. Andrew led discussion to determine the level of Board interest regarding walkability around the village. Following this discussion, the Board unanimously agreed not to pursue this matter at this point in time.

VII. NEW BUSINESS.

A. HEMPFIELD SCHOOL DISTRICT / WHT POLICE MOU.

Police Chief Mark Pugliese reviewed the Memorandum, the purpose of which is to foster a relationship of cooperation and mutual support between the West Hempfield Township Police Department and the Hempfield School District (Farmdale and Mountville Elementary Schools) and to maintain a safe school environment, by establishing procedures to be followed when certain incidents occur on school

property, at any school sponsored activity, or on a conveyance providing transportation to or from a school or school sponsored activity, and recommended approval by the Board.

- **Motion:** Moved by Kent Gardner and seconded by Edward Fisher to *approve* the Memorandum of Understanding by and between West Hempfield Township and Hempfield School District dated June 15, 2017. The motion passed (5-0).

**B. CRASH TEAM AGREEMENT – ADD WEST LAMPETER TOWNSHIP.**

Police Chief Mark Pugliese presented a letter received from West Lampeter Township Department of Police requesting that consideration be given for the West Lampeter Township Police Department to join the Hempfield/Manor/Columbia/East Lampeter crash team, and recommended approval by the Board.

- **Motion:** Pending approval by all other current participants in the agreement, motion was made by Edward Fisher and seconded by Frank Burkhart to *approve* the addition of the West Lampeter Township Police Department to the Hempfield/Manor/Columbia/East Lampeter crash team. The motion passed (5-0).

**C. BUILDING INDUSTRY ASSOCIATION – SIGNAGE REQUEST**

A letter was received from the Building Industry Association of Lancaster County requesting permission to place two Parade of Homes signs at 3924 Archer Lane, Columbia, and 775 Prospect Road, Columbia, for the Annual Parade of Homes. The signs are (1) Directional and (2) Parade of Homes Identification. They will be installed June 8, 2017 and removed June 29, 2017.

- **Motion:** Motion was made by Edward Fisher and seconded by Frank Burkhart to *approve* placement of Parade of Homes signs for the Building Industry Association of Lancaster County’s Annual Parade of Homes as requested. The motion passed (5-0).

**VIII. ORDINANCES AND RESOLUTIONS – None**

**IX. APPROVAL OF PAYABLES.**

FUND	AMOUNT	CHECK #'S
General Fund	\$ 242,567.63	28890-29006
Sewer Fund	\$ 6,115.60	3745-3746
Refuse Fund	\$ 80,143.35	2483-2494
Street Light Fund	\$ 8,931.13	414-415
Fire Hydrant Fund	\$ 26,150.18	219
Escrow Fund	\$ 4,889.46	183-184
State Fund	\$ 2,984.24	3139-3145
<b>Total Checks</b>	<b>\$ 371,781.59</b>	

- **Motion:** Kent Gardner moved, seconded by Frank Burkhart to *approve* payment of all bills between April 1 – April 30, 2017 and any residuals. Motion carried (5-0).

X. ADJOURNMENT TO EXECUTIVE SESSION FOR REAL ESTATE MATTER, AND OTHERS AS NEEDED.

Chairman Dumeyer asked for a motion to adjourn the regular meeting at 9: 25 p.m. to go into executive session for a Real Estate Matter and others as needed.

- **Motion:** Kent Gardner moved, seconded by Frank Burkhart to *adjourn* the regular Board of Supervisors meeting to Executive Session for a Real Estate Matter and others as needed at 9:25 p.m. Motion carried unanimously (5-0).

Respectfully submitted,



Andrew Stern,  
Township Manager

