

**EAST HEMPFIELD TOWNSHIP
BOARD OF SUPERVISORS MINUTES**

DATE AND TIME: January 17, 2018 7:00 p.m.

ATTENDANCE: Board Members: Thomas A. Bennett
Douglas W. Brubaker
G. Edward LeFevre
H. Scott Russell
W. Scott Wiglesworth

Manager Robert S. Krimmel
Assistant Manager: Cindy A. Schweitzer
Director of Planning & Development: Jon E. Beck
Director of Public Works: Perry T. Madonna
Attorney: Stacey Brubaker
Chief of Police: Stephen A. Skiles
Emergency Service Coordinator: Diane E. Garber

The Board of Supervisors meeting was called to order at 7:00 p.m. by Chairman Brubaker, followed by a moment of silence and the Pledge of Allegiance.

Public Hearing – Liquor License Transfer for Royal Farms 206 Rohrerstown Road

Two Farms, Inc. has requested the approval of the Board of Supervisors of East Hempfield Township for the proposed transfer of Pennsylvania restaurant liquor license No. R-18404, from Jade-Tiki, Inc., approved for use at 1509 Oregon Pike, Lancaster PA 17601-4333 to Two Farms, Inc. d/b/a Royal Farms for use at 206 Rohrerstown Road, Lancaster PA 17603 (East Hempfield Township, Lancaster County), with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board.

Chairman Brubaker turned the Hearing over to Township Solicitor Stacey Brubaker who reviewed the purpose of the Hearing and confirmed that the Hearing was being held pursuant to duly advertised Public Notice in accordance with the requirements of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer. Attorney Jonathan A. Jordan, Riley Riper Hollin & Colagreco, was present on behalf of the applicant and presented their proposal.

The Board raised questions pertaining to location proximity to a nearby elementary school, percentage of alcohol sales to total restaurant sales, and policing of amount of alcohol consumed on the premises, all of which were satisfactorily answered. Visitor James McCauly remarked that in 2016 Pennsylvania law had changed to permit the sale of liquor by convenience/carry out stores.

Following discussion and there being no further questions or comments (Board or Public) Chairman Brubaker closed the Hearing at 7:19 p.m.

Resolution #2018-06 – Transfer of Liquor License for Royal Farm, 206 Rohrerstown Road

Chairman Brubaker called for a vote on Resolution #2018-06, a Resolution of the Township of East Hempfield, County of Lancaster, Commonwealth of Pennsylvania, approving transfer of liquor license No. R-18404 into the Township of East Hempfield. Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *adopt* Resolution #2018-06 approving the transfer of restaurant liquor license No. R-18404 into the Township of East Hempfield to the Royal Farms store at 206 Rohrerstown Road, located in the Township of East Hempfield. The motion passed (5-0).

Public Comment (non-agenda items only)

- Garry Longenecker, Sherk Road, Manheim, raised concerns about the numerous times the covered bridge on Sherk Road has been hit and damaged by truck traffic. He noted the bridge is historic and should be protected. He added that he has spoken to some of his neighbors and would like to share some suggestions with Rapho, East Hempfield and the County. Mr. Russell advised this is a county bridge and that the county is very much aware of the continual damage. He asked Mr. Longenecker to remain after the meeting so he could share some of the County’s efforts regarding the bridge.

- Chuck Grubb, Rohrerstown Road, noted that Manheim Township has hired a new police officer, which brings them up to full command, and questioned the status of East Hempfield Township’s complement of officers. Mr. Wiglesworth responded that thirty-four (34) officers are budgeted and currently there are 32 officers and one in the hiring process. Mr. Wiglesworth asked Chief Skiles if we can adequately patrol East Hempfield Township with our current complement of officers. Chief Skiles stated he believes the 34th officer is needed; however, his officers have and will continue to provide protection to the residents, as necessary.

Visitors

- Mr. Russell recognized Donny McCaully, a scout who is working on his Citizenship badge.

Consent Agenda:

- a. Department Reports - Golf Course, Public Works, Development Services, Police, ESC.
- b. Lime Spring Farm Phase 1&2 (13-15-RFP) – Escrow Reduction
- c. Herley Industries (17-23-LAOP) – 90-day time extension to record plan
- d. Treasurers Report for January 1, 2018 covering all funds:

Balance 11/30/17	\$10,773,281.54
Receipts – December	\$ 521,630.37
Expenditures-December	<u>\$ 1,104,491.89</u>
Balance 12/31/2017	\$10,190,420.02
- e. Invoices from all funds covering 1/3/2018 – 1/19/2018 & totaling \$576,643.31.
- f. Approval of minutes: January 3, 2018.

Following discussion and there being no further comments or questions (Board or Public) the consent agenda was *approved* by motion of Mr. LeFevre and second by Mr. Bennett, with correction to the January 3, 2018 minutes as noted. The motion was passed by the Board (5-0).

Action items

a. Development Services:

- **Haydn Manor (03-47-CU)**
 - Conditional Use Decision. Following discussion between the Board and Attorney Brubaker, Mr. Beck stated they are up-to-date on payments and he is comfortable that they will follow through with the few minor outstanding items. Motion was then made by Mr. Russell and seconded by Mr. Wiglesworth to *approve* the Conditional Use decision for Case #03-47-CU, for the Haydn Manor development, as drafted, and to *direct* staff to deliver the decision in accordance with the East Hempfield Township Zoning Ordinance and the PA MPC. The motion passed (5-0).

- **Lime Spring Square-Phase 3 (16-08-FP3)**
 - Amendment to Declaration of Restrictive Covenants for Conservation between Cyraco LLC and EHT. Mr. Beck presented the amendment and stated that all documents are in order per the Township Solicitor. Mark Stanley, Esq., McNees Wallace & Nurick LLC, was present representing the aforementioned previous property owner. Following discussion, motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *approve* the Amendment to Declaration of Restrictive Covenants for Conservation, dated March 4, 2014 and recorded in the Lancaster County Recorder of Deed's Office at Instrument No. 6134025, as presented. The motion passed (5-0).

- **Lime Spring Square-Phase 3 (16-08-FP3)**
 - Running Pump Rd/Embassy Dr. Roadway Dedication – resolution, deed of dedication and maintenance guarantee. Mr. Beck reviewed the project. After discussion, the following actions were taken:
 - ❖ **Resolution #2018-07**. Motion was made by Mr. LeFevre and seconded by Mr. Russell to *adopt* Resolution #2018-07, accepting portions of Embassy Drive and Running Pump Road as part of the public road system of East Hempfield Township. The motion passed (5-0).
 - ❖ **Deed of Dedication**. Motion was made by Mr. LeFevre and seconded by Mr. Russell to *accept* the Deed of Dedication for the portions of Embassy Drive and Running Pump in East Hempfield Township. The motion passed (5-0).
 - ❖ **Maintenance Guarantee**. Motion was made by Mr. LeFevre and seconded by Mr. Russell to *approve and accept* the Maintenance Guarantee for the portions of Embassy Drive and Running Pump Road offered for dedication to the Township in the amount of \$108,434.70 for the improvements to Running Pump Road and the improvements to Embassy Drive. The motion passed (5-0).

- **Western Corners Pad Site (17-19-FP)**

- Modification, Final Plan, O&M Agreement & Financial Security. Mr. Beck provided and reviewed communications and attachments from David Miller/Associates pertaining to the proposed shopping complex located at 2931A Columbia Avenue, East Hempfield Township. Michael C. Huxta, Project Manager, ELA Group was present on behalf of the applicant, Progressive Property Management (PPM), Inc. After review and discussion, the following actions were taken:

- ❖ **Modifications.** Motion was made by Mr. Wiglesworth and seconded by Mr. Bennett to *approve* Modification #1 and Modification #2 and to *conditionally approve* Modification #3 and #4, subject to staff and engineer comments, as outlined in DM/A letter dated January 16, 2018. The motion passed (5-0).
- ❖ **Stormwater Management O&M Agreement.** Motion was made by Mr. LeFevre and seconded by Mr. Russell to *approve* the Stormwater Management Agreement for the Western Corners Pad Site project, subject to staff and engineer comments. The motion passed (5-0).
- ❖ **Financial Security.** Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *approve* Financial Security in the amount of \$184,714.86 and to *approve* the establishment of the Stormwater Management Permit Fee in the amount of \$5,541.45 and Stormwater Management Inspection Fee in the amount of \$5,541.45 for the Western Corners Pad Site project, as outlined in DM/A letter dated January 10, 2018. The motion passed (5-0).
- ❖ **Final Plan.** Motion was made by Mr. Bennett and seconded by Mr. LeFevre to *approve* the Western Corners Pad Site Land Development Plan, Final Plan #17-19-FP conditioned on resolution of all remaining staff and engineering comments, within 90 days of plan approval, unless extended by the Board for cause shown, or plan will be null and void. The motion passed (5-0).

- **Triangle Car Wash LD Waiver (17-29-WA) – 1615 Columbia Ave.**

Mr. Beck provided an aerial view and reviewed the background pertaining to the request for waiver of a formal land development plan for the building addition on property located at 1615 Columbia Ave., Lancaster. The applicants, Mr. and Mrs. John Freudenthal, Quality Structures, Inc., were present and participated in discussion. Several neighborhood property owners expressed positive comments regarding the planned improvement to the property. Following discussion, motion was made by Mr. Russell and seconded by Mr. Wigglesworth to *approve* the request to waive formal land development submission and approval pursuant to §265-1.5 B. and §265-1.5 C., conditioned on resolution of all remaining staff comments and conditioned on payment of a fee-in-lieu of Land Development application fee equal to the required fee listed in the 2018 township fee schedule. The motion passed (5-0).

b. McCormick Taylor - Time Extension for Final Design (Old Rohrerstown Bridge Project)

- Authorization to Grant Extension and Notification Letter. Mr. Krimmel summarized the letter received from McCormick Taylor dated December 27, 2017 requesting that the Engineering Agreement be extended until October 31, 2018 to ensure that all approvals are in order. Following discussion, motion was made by Mr. Wiglesworth and seconded by Mr. Russell to **grant** McCormick Taylor a time extension for Part II of the Old Rohrerstown Bridge project contract until October 31, 2018 as requested. The motion passed (5-0).

c. McCormick Taylor – supplement to the contract

- Authorization to sign supplement. Mr. Krimmel explained McCormick Taylor’s proposed technical proposal supplements pertaining to the Old Rohrerstown Bridge replacement project and Holland Street Bridge demolition project. After discussion, the following actions were taken:
 - **Old Rohrerstown Bridge project** – Motion was made by Mr. Russell and seconded by Mr. Bennett to **approve** McCormick Taylor Supplement #1 for the Old Rohrerstown Bridge replacement project at a cost of \$67,134.38 as discussed, subject to cost sharing on the project. The motion passed (5-0).
 - **Holland Street Bridge project** – Motion was made by Mr. LeFevre and seconded by Mr. Russell to **approve** McCormick Taylor Supplement #1 for the Holland Street Bridge demolition project at a cost of \$20,165.03 as discussed, subject to cost sharing cost on the project. The motion passed (5-0).

d. Central Lancaster County Council of Government (CLCCOG)

- Agreement to include East Lampeter Township. Mr. Krimmel provided a copy of East Lampeter Township Ordinance No. 333 approving and authorizing East Lampeter Township to enter into the CLCCOG Agreement. He briefly reviewed the rules and regulations of the CLCCOG and presented an amended agreement adding East Lampeter Township to the current membership which includes East Hempfield Township, West Hempfield Township, Manheim Township, and East Petersburg Borough. Mr. Krimmel stated he has been approached by several people asking why there are two COGS (LIMC and CLCCOG). Following a brief discussion about the varied methods and processes of each COG, motion was made by Mr. Russell and seconded by Mr. Bennett to **approve and execute** the CLCCOG Agreement to include East Lampeter Township. The motion passed (5-0).

e. Kimmel Bogrette

- Architecture+Site AIA Agreement to Update Fee for Services to be provided in Connection with the Police Department Expansion Project. Mr. Krimmel provided and explained the Kimmel Bogrette letter dated January 2, 2018 requesting additional compensation for architectural and engineering services for the police renovation and expansion at the township building. Supporting documentation was also provided. Following discussion, motion was made by Mr. LeFevre and seconded by Mr. Russell to approve the Amendment

to the Professional Services Agreement adjusting the architect's compensation and schedule for services to be provided in connection with the police department expansion project. The motion passed (5-0).

- o Construction Manager. Mrs. Schweitzer shared that the RFP for a Construction Manager for the Police Expansion Project has been provided to 8-10 firms. It is anticipated that a short list will be developed, interviews held and a recommendation by the Public Safety Group to hire at the February 7th board meeting. Motion was made by Mr. LeFevre and seconded by Mr. Russell to *reaffirm and approve* moving forward with the RFP process. The motion passed (5-0).

f. **Park and Public Property Ordinance Amendment**

Adoption Consideration (2018-01). Following review by Mrs. Schweitzer and discussion by the Board concerning the exclusion of model rockets in the park or public property, motion was made by Mr. LeFevre and seconded by Mr. Russell to *table* action and send back to committee to make modifications as discussed. The motion passed (5-0).

g. **2018 Paving bids**

Authorization to Move Forward with Bidding Process. Mr. Madonna submitted a list of streets proposed for 2018 resurfacing projects. He stated he has heard rumors of a price increase this summer and asked permission to get the bids out early. Mr. Madonna indicated that he adjusted the street list to align with budgeted funds. Motion was made by Mr. Russell and seconded by Mr. Bennett to *approve* moving forward to bid the paving projects as discussed. The motion passed (5-0).

Old Business

- 2018 Board Goals – Nothing further was added or modified to the preliminary list. The 2018 goals are considered finalized.
- 2018 Board Committee Appointments – Chairman Brubaker stated that committee appointments will be fairly similar to the prior year. Mr. Russell has agreed to serve as Board Chair of the Traffic Commission. Chairman Brubaker believes that it may be possible that, by Board Ordinance, the Board Chair is to serve as Chair of the Traffic Commission. If this is so, then he would ask the Board to give consideration to amending the Ordinance. This matter will be researched and further discussed. Mr. Russell complimented all committees and Mr. Brubaker complimented staff for jobs well done. Chairman Brubaker encouraged each committee to meet at least once every quarter.
- Current Vacancies List
 - ✓ Mr. Brubaker, as indicated at the last meeting, will be reaching out to Chairman Herr regarding the opinion of the Zoning Hearing Board concerning the appointment of alternates.

- ✓ Mr. Brubaker is the primary representative for CLCCOG and Mr. Russell volunteered to be alternate. Motion was made by Mr. Bennett and seconded by Mr. Wiglesworth to **appoint** Mr. Russell to serve as alternate representative for CLCCOG. The motion passed (5-0).
 - ✓ Mr. Bennett has agreed to fill a vacancy on the HARC Board. Motion was made by Mr. Russell and seconded by Mr. LeFevre to **name** Thomas A. Bennett to a three year term as a sitting member of the HARC Board. The motion passed (5-0).
 - ✓ A vacancy remains on the Building Code Board of Appeals. Mr. LeFevre volunteered to serve; however, he is prohibited from doing so due to being a Township Supervisor.
 - ✓ There have been no responses to the search to fill the elected Auditor position. The 45-day deadline is drawing to a close and action will need to be taken at the February 7th Board meeting. The Board agreed to reach out to Paul Buckwalter regarding this appointment.
 - ✓ A Regional Representative for the County Tax Bureau is needed.
- HARC Agreement – Various outstanding BOS questions will be gathered and formalized. Mr. Bennett stated he supports everyone’s efforts pertaining to the Rec and believes that since Jeff Book has been installed as Executive Director he has done a good job of righting the ship. However, there are changes that need to be made regarding finance and budgeting. Mr. Bennett feels the entire business side of the Rec could be more efficient and he would like to be assured that, organizationally and administratively, things are moving forward. The Park and Recreation Committee will schedule a meeting with Jeff Book and other HARC representatives as soon as possible and this matter will be placed on the agenda for the February 7, 2018 Board of Supervisors meeting.
 - Gentry Heights Letter – Mr. LeFevre questioned and Mrs. Schweitzer confirmed that the letter seeking resident opinions on sidewalks or no sidewalks, has been mailed.
 - State Road Update – Mr. Krimmel was asked to provide an update at the February 7, 2018 Board of Supervisors meeting.

New Business – None

Board Group Reports

- **Public Safety.** Diane Garber reported the Public Safety Work Group met Monday, January 8th and addressed the following items of business:
 - ✓ Chief Skiles reported on vehicle replacements and having a good candidate for potential hiring.
 - ✓ Bob Krimmel reported there were no appeals to the Orphans Court and the police department expansion is moving forward.
 - ✓ Act 172 Draft Ordinance and information has been completed and should be presented to the Board in the near future.
 - ✓ There is no signed contract for Rohrerstown/MTFR to provide a paid part-time driver. The contract has been received; however, follow-up is needed due to lack of insurance verbiage in the contract.

Traffic Commission Report – There was no meeting.

Manager's report

1. **Centerville Road South.** Mr. Krimmel provided the board a copy of the Centerville Road Widening Design Progress Meeting minutes from the December 14, 2017 meeting with PennDOT and JMT Engineers to provide information on where we stand on the project. Mr. Wiglesworth asked for an update at the February 7 Board of Supervisors meeting.
2. **The Audit Process.** Mr. Krimmel and Mrs. Schweitzer met with the elected auditors on January 3, 2018 for their reorganization meeting. A copy of the minutes is in the packet. There is still an open elected auditor position. There is an urgent need to fill this position.
3. **Police Building Expansion.** A meeting was held on January 2nd at 3:00 p.m. with the architect and Ververelli Consultants to review the process and establish the next steps in the process. Minutes of the meeting were provided for informational purposes. Two other meetings are being held. One to address the security and IT work and equipment and the other for the RFP review for a construction manager.
4. **Police Contribution.** The Allen Family Foundation has donated \$20,000 to the police department last week. This makes the ninth year they have made a contribution. Staff will coordinate a thank-you/recognition. The Board *concurred*.
5. **2017 Township Interest.** Mr. Krimmel reported the township has had success in increasing its interest earnings in 2017 and provided a chart showing interest in 2016 was \$17,674.56 and in 2017, \$60,745.98, a difference of over \$43,000. Joe Robinson did a great job of creating this amount of interest by investing the excess funds in 6 month and 1-year CD's and negotiating with our new depository, First National Bank, a better interest rate on our funds held at the bank. Also, they are increasing our current operation fund basis points by five (5) basis points. The Board asked Mr. Krimmel to convey their thanks and appreciation to Mr. Robinson for his efforts.
6. **Total Compensation Statement.** Cindy Schweitzer facilitated the creation of a new employee notification document the township staff distributed to all our non-uniform employees. Mr. Krimmel provided a sample that details the cost of each employee's compensation by the township and the employee's cost to their retirement benefits. He believes this is a good reminder to the employees of how many tax dollars go into their total compensation package. Cindy followed up after an outside presentation of a similar document which accomplished the very same document detailing the same information for thousands less. The Board thanked Cindy for doing this.
7. **Central Lancaster County COG.** The first meeting of the year was held on Wednesday January 10, 2018. The COG welcomed East Lampeter Township to the COG and Ethan Demme was the representative for the township. One of the points of discussion was to change the meeting date so it does not conflict with the LIMC meetings. The COG members voted to move the meeting date to the fourth Wednesday of the month at 8:00 a.m. East

Hempfield does need to appoint an alternate to represent the township. Mr. Brubaker has offered to stay on as the COG's representative.

8. **Landisville Railroad.** The Landisville Railroad did receive a grant from the State to do some crossing improvements in the township and they will be starting railroad crossing work over Main Street this spring. They are working with Rettew Associates to develop traffic detour plans for PennDOT and asked for permission to utilize township owned roads for any necessary detours. They anticipate the duration of the crossing work to take up to 5 days. Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *authorize* the Township Manager to write a letter of support for the project. The motion passed (5-0).
9. **Centerville Road North.** Mr. Wiglesworth questioned if there was any update insofar as right-of-ways, etc. Mr. Krimmel reported that bid specifications are pretty close to being finished. He had a conversation today with the new McCormick Taylor Project Manager. (Matthew Goudy, our Engineer since the beginning of the project, has resigned). There will be another meeting the end of January or early February to review the specifications and it is expected the bids will be put out the beginning of February. Mr. Krimmel expects to have a further update by the February 21 Board of Supervisors meeting.

Adjournment

By unanimous consent of the Board, Chairman Brubaker *adjourned* the meeting to executive session at 9:50 p.m. to discuss a personnel issue.

Respectfully submitted,

Robert S. Krimmel, Manager/Secretary