

**EAST HEMPFIELD TOWNSHIP
BOARD OF SUPERVISORS MINUTES**

DATE AND TIME: March 1, 2017 7:00 p.m.

ATTENDANCE: Board Members: John D. Bingham
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
Chief of Police: Stephen A. Skiles

ABSENT: Perry T. Madonna

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

Public Comment – None

Consent Agenda:

- a. Approval to pay invoices from all funds covering 2/18 – 3/3/2017 & totaling \$254,793.81
- b. Approval of minutes: February 15, 2017
Mr. LeFevre questioned the \$17,234.07 solicitor invoice which appears high for a monthly invoice. Mr. Krimmel provided justification for the invoice; however, he will look into the matter and provide more specific information to the Board. There being no further comments or questions (Board or Public), the consent agenda was *approved* as presented and discussed by motion of Mr. Bingham, second by Mr. Wiglesworth and passed by the Board (5-0).

Action items

- a. Developmental Services:
 - **The Willows at Landisville, formerly The Elms (15-24-FP).** Mr. Beck reviewed the project and recommended action for each item being considered on tonight's meeting agenda. Mr. Tom Johnson of 35 Naomi Avenue took the floor to state his objections with previous Board decisions and the recommended actions currently under consideration. The Board made every effort to answer his questions and thanked him for his opinions. There being no further comments or questions (Board or Public) the following actions were taken:

- Memorandum of Understanding: Court Order
Motion was made by Mr. Wiglesworth and seconded by Mr. LeFevre to *approve* the Memorandum of Understanding for The Willows at Landisville Final Plan #15-24-FP, subject to all staff and engineering comments. The motion passed (5-0).
- Financial Security
Motion was made by Mr. LeFevre and seconded by Mr. Bingham to *approve* the Memorandum of Understanding and establish financial securities in the amount of \$795,598.27 and in the amount of \$136,115.38 for The Willows at Landisville Final Plan #15-24-FP, as referenced in RAV letters dated February 23, 2017. The motion passed (5-0).
- SWM O&M Agreement
Motion was made by Mr. Brubaker and seconded by Mr. Bingham to *approve* the SWM O&M Agreement for The Willows at Landisville Final Plan #15-24-FP, subject to all staff and engineering comments. The motion passed (4-0-1) with Mr. LeFevre abstaining.
- Improvement Easement Agreement
Motion was made by Mr. LeFevre and seconded by Mr. Bingham to *approve* the Improvement Easement Agreement for The Willows at Landisville Final Plan #15-24-FP, subject to all staff and engineering comments. The motion passed (5-0).
- Trail Easement Agreement
Motion was made by Mr. LeFevre and seconded by Mr. Bingham to *approve* the Trail Easement Agreement for The Willows at Landisville Final Plan #15-24-FP, subject to all staff and engineering comments. The motion passed (5-0).
- **16-08-FP3: Lime Spring Square Phase 3.** Mr. Beck reviewed the project and recommended actions for the requested modifications and final plan. A major component of this project is the flood plain restoration for Brubaker Road. Attorney Mark Stanley reported that DEP has approved the restoration and the NPES permit has been issued and sent to his office today. Chris Venarchick answered Board questions regarding the height and location of retaining walls. Mr. Beck stated township staff will now be able to move forward and provided a time table. There being no further questions or comments (Board or Public), the following actions were taken:
 - Modifications
Motion was made by Mr. LeFevre and seconded by Mr. Brubaker to *conditionally approve* modifications #1, #3, #5, #6, and #7 and *approve* modification #4, as referenced in RAV letter dated February 2, 2017, subject to all staff and engineering comments. The motion passed (5-0).

- Final Plan

Motion was made by Mr. Bingham and seconded by Mr. Wiglesworth to **conditionally approve** the Lime Spring Square Phase 3 Final Plan #16-08-FP3, conditioned on resolution of remaining staff comments and engineering comments noted in RAV letter dated February 2, 2017, within 90 days of plan approval, unless extended by the Board for cause shown, or plan approval will be null and void. The motion passed (5-0).

Attorney Stanley thanked the board and staff for their diligence to this flood plan restoration project. On behalf of the Township, Mr. Russell thanked the developer for the good will gesture and environmental touch.

- **05-59-RFP2: Haydn Manor Phase 1 Revised Final Plan.** Mr. Beck reviewed the background for this project. He spoke with the engineer today who expressed that the developer has received additional financial backing to move forward with recording the final plan, once the financial security and other conditions are met, and to move forward with Phase 2 of this project. There being no further questions or comments (Board or Public), the following action was taken:

- Revised Public Improvement Financial Security

Motion was made by Mr. Brubaker and seconded by Mr. Bingham to **establish** the revised financial security in the amount of \$445,601.42 for the Haydn Manor Phase 1 Revised Final Plan #05-59-RFP2, as referenced in RAV letter, dated February 15, 2017. The motion passed (5-0).

- b. Appointment of Colin T. Siesholtz Zoning Officer and Assistant SWM Officer. Appointment of Jon E. Beck as SWM Officer and Assistant Zoning Officer. Following discussion, motion was made by Mr. LeFevre and seconded by Mr. Bingham to **appoint** Colin T. Siesholtz as the East Hempfield Township Zoning Officer and Assistant Stormwater Management Officer, and to **appoint** Jon E Beck as the East Hempfield Township Stormwater Management Officer and Assistant Zoning Officer. The motion passed (5-0).

Old Business

- Board Goals/2017 – Mr. Russell distributed and read the complete list of 2017 board goals line-by-line. There was discussion regarding the addition of a 12th Public Safety goal regarding Emergency Management Plan/Coordinator and getting the emergency management coordinator in place and goals defined. Mr. Krimmel suggested that Diane Garber attend the next public safety meeting. The Board concurred. There being no modifications and no further discussion or comments (Board or Public), motion was made by Mr. Bingham and seconded by Mr. Brubaker to **adopt** the 2017 Board Goals as presented and **publish** same as prescribed in the East Hempfield Township Comprehensive Plan. The motion passed (5-0).

- The Crossings at Conestoga Creek – Farmingdale Road Improvement partial contribution received (\$285,000). Mr. Krimmel reported receipt of \$285,000, a partial payment from High Partnership for roadwork, with \$900,000 remaining to be paid which should be coming to the Township within the next few months. He suggested it is time to start thinking about how we are going to use this money.

Mr. Russell would like to address some immediate safety issues. He feels it would be wise to conduct an extended traffic study on Farmingdale Road before construction starts and recommended turning this over to the public works committee with the request that they report back to the Board with recommendations.

Mr. LeFevre took exception to the wording in the second paragraph of the letter dated February 17, 2017 received from High Real Estate Group as it incorrectly stipulates that funds are to be used for the construction of two cul-de-sacs on Farmingdale Road. The Board concurred. Mr. Krimmel noted that this wording pertains to the original agreement and not the most recent and that Attorney Carolyn Hoffer has advised Mr. Ken Hornbeck, High Associates Ltd. of this discrepancy. Mr. Krimmel was asked to contact the High Group and request that they provide a corrected letter.

Several residents at tonight's meeting asked questions and voiced their opinions regarding the Farmingdale area. Kathy Ashworth, Farmingdale Road, asked for clarification of the specifics being discussed in order to better understand the current situation. Chairman Russell complied. Mrs. Ashworth and Cindy Brodbeck, Farmingdale Road, expressed road safety concerns and asked for additional police monitoring due to family turnover and additional small children in the neighborhood. Chief Skiles agreed to alert patrol officers. Jeff Ressler, Wicklawn Drive and Dan Gillis, Wicklawn Drive had questions regarding traffic count information reported in a previous article in the Lancaster Newspapers. The Board had no answers regarding the information in the article or the source. Ron Rogers, Daryl Drive and Ken Ralph, Wickersham Lane, had questions regarding stormwater that related to Manheim Township and they were informed that the East Hempfield Township Board of Supervisors could not speak for Manheim Township but noted East Hempfield did express their concerns regarding the project to Manheim Township and attended many of the meetings with the Township Attorney.

Mr. Beck discussed the due diligence and proper planning involved in studying what is currently happening to prepare for what is going to happen to determine the level of service required. Mr. LeFevre assured everyone the Board has been and will continue to be proactive. A community meeting was proposed by the residents. Chairman Russell advised this matter will be turned over to the Traffic Commission and it will be a recurring standing item on upcoming Traffic Commission meeting agendas. The Commission meets at 6:15 p.m. the third Wednesday of every month and all residents are invited to attend and participate. The Board will be looking for and giving consideration to all feedback received.

New Business – None**Manager's Report:**

1. Police Building Extension: Mr. Krimmel reported the attorney's opinion on moving forward with the build was received this afternoon. He wishes to further discuss the Johnson lawsuit in executive session immediately following the meeting. The Township's borrowing and debt attorney, Frank Mincarelli from B&T, is reviewing the Financial Advisors proposals.
2. TIP Projects:
 - The Old Rohrerstown Road bridge project is continuing with the right of way procurement. PennDOT is handling this in house for the Township.
 - Holland Street bridge removal Project. Mr. Krimmel is working on a final draft for Amtrak to review and then present to the Board. The agreement contains all the items Mr. Krimmel presented earlier; such as the environmental indemnifications and insurances.
3. Centerville Road North: The new gas line will be installed in the next few weeks by UGI. The road will not be closed nor detoured. It will be reduced to one lane during construction hours.
4. Injunction determination on the Willows Development: An executive session was held after the last board meeting on February 15th to discuss the judge's ruling on the injunction request against the construction of a connecting road at the Northwest corner of the Amos Herr Park. The meeting started at 7:50 p.m. and ended at 9:30 p.m.
5. Dream Park Trail: This is the final piece to completing the DCNR Grant for the Dream Park. Our plans were to bid this work when we bid the police station. In light of the delay, Mr. Krimmel suggested we focus on bidding this separately and designing and building it to its original size and shape. He explained that before we developed the final design, staff met with Penn Legacy Soccer Club to obtain their input as we had a concern on impacting their soccer program by the potential layout of their fields. When they viewed the smaller proposed trail they did raise a concern. Mr. Krimmel provided a drawing showing the areas of concern and recommended that we enlarge the trail by going around the full perimeter of the Eastern portion of the park as discussed in the past. This would reduce the conflict with the soccer club and make the trail more fulfilling to use as a fitness amenity. The one drawback is the extra cost due to its length and additional storm water work needed to account for the extra runoff. Following discussion, the Board agreed to turn the matter over to the park and recreation group for review and recommendations.
6. 2017 APMM Meeting; Mr. Krimmel requested authorization to attend this year's APMM meeting in Bedford Pa. The dates are May 15 through 18. The cost is approximately \$600.00

and he will be driving the township vehicle. The request was *authorized* by motion of Mr. LeFevre, second by Mr. Wiglesworth and passed by the Board (5-0).

Adjournment

By unanimous consent of the Board, Mr. Russell adjourned the meeting to executive session at 8:34 p.m. to discuss the attorney's opinion on moving forward with the police building extension build.

Respectfully submitted,

Robert S. Krimmel, Manager/Secretary