

**EAST HEMPFIELD TOWNSHIP  
BOARD OF SUPERVISORS MINUTES**

**DATE AND TIME:** April 18, 2018 7:30 p.m.

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

Assistant Manager: Cindy A. Schweitzer  
Director of Planning & Development: Jon E. Beck  
Director of Public Works: Perry T. Madonna  
Police Chief: Stephen A. Skiles  
Director of Finance: Joseph A. Robinson  
Emergency Services Coordinator: Diane E. Garber  
Attorney: Stephen M. Kraybill  
Township Engineer: Scott Hain

**ABSENT:** Robert S. Krimmel

The Board of Supervisors meeting was called to order at 7:30 p.m. by Chairman Brubaker, followed by a moment of silence and the Pledge of Allegiance.

**Visitor** – Rebecca Sollenberger was present to greet the Board on behalf of State Senator Ryan P. Aument. The Board encouraged Senator Aument to support the police radar bill as it moves through the state process.

**Conditional Use Hearing – 15-18-CU-3 State Road Commerce Park 2001 State Road**

Chairman Brubaker opened the Public Hearing to parties testifying, the applicant and the public. Stephen M. Kraybill, Esq., East Hempfield Township Solicitor, explained the Public Hearing process, rules and regulations and the purpose of the Hearing. A court stenographer was present to record testimony. Charles M. Suhr, Esq., Stevens & Lee, Attorney for the Applicant; Matthew Clymer, MRP Industrial, Brian Reisinger, HRG, Inc. and Craig Mellott, Traffic Design Inc., were sworn in. There were no other parties testifying.

The applicant, Linda A. Barto, Michael B. Frey, Nicholas B. Frey, and Phillip C. Frey (collectively), is proposing to revise previous Conditional Use approvals for the State Road Commerce Park project at 2001 State Road, Lancaster. The original Conditional Use application (15-18-RCU) was approved on November 11, 2015 and featured three warehouse buildings. A second application, featuring two warehouse buildings, was submitted in 2017 to amend the approved Conditional Use approval and was ultimately approved on September 6, 2017 (15-18-RCU). This new application seeks to revise the approval of application 15-18-RCU and

proposes one warehouse building. The solely proposed building is approximately 95,520 square feet, which is 73,600 square feet larger than the two previously approved buildings combined. The current Conditional Use plan proposes a connection from State Road (T-615) to Sylvan Road (T-601), which is labeled Blackburn Drive, and this road is proposed to be built to public road specifications and is to be offered for dedication. The project proposes to utilize both public water service and public sewer service. The project is located within the Enterprise Zone (E) and within a Greenway Overlay Zone (GO).

Attorney Suhr addressed in detail each item as set forth in the Conditional Use Application and Messrs. Clymer, Reisinger and Mellott each gave testimony. The Hearing was then opened for questions and comments from the Board, all of which were discussed and duly recorded. The court stenographer confirmed the entry of all exhibits into the record.

The Hearing was opened for questions and comments from the public. There were no members in the audience that wished to become a testifying party and there were no questions or comments from the audience.

The Board acknowledged receipt of the Conditional Use Application and the contents and exhibits attached thereto. Solicitor Kraybill advised that the Board may vote tonight or at a subsequent public meeting held within the next 45 days, and may impose whatever conditions it feels are appropriate. Motion was made by Mr. Russell and seconded by Mr. LeFevre to *close* the Public Hearing and *defer* a decision to the May 2, 2018 Board of Supervisors Regular Meeting. The motion passed (5-0) and this matter will be placed on the May 2<sup>nd</sup> Board of Supervisors meeting agenda. The Public Hearing was then closed and the Board of Supervisors regularly scheduled meeting was re-opened.

### **Police Building Expansion Project – Presentation by Kimmel Bogrette – Authorization to Bid Project.**

Martin Kimmel and Jon Trump from Kimmel Bogrette presented an update of the police expansion project which covered visuals of site plan/building plan and an updated budget and cost estimate. The projected bid range is a low of \$2.9 million and a high at \$3.4 million plus soft costs. The following project schedule was proposed:

April 30	First day of bidding
May 8	Non mandatory pre-bid meeting, 10:00 a.m., Township building
May 29	Bids due to Township at 2:00 p.m.
June 1	Architect and owners rep make recommendations to the Board
June 6	Board votes to proceed with the project at business meeting
June 20	Anticipated project start.
	300 calendar days are allotted for renovation and construction

The Board briefly discussed; the exterior Township Seal/Logo to be placed on the building; the interior furnishings and the schedule.

There being no further comments or questions (Board or Public), motion was made by Mr. LeFevre and seconded by Mr. Wiglesworth to *authorize* staff to bid the Police Building Expansion Project as presented. The motion passed (5-0).

**Public Comment (non-agenda items only) – None**

**Consent Agenda:**

- a. 16-08-FP3 Lime Spring Square Financial Security Reduction Approval
- b. Department Reports - Golf Course, Public Works, Development Services, Police, ESC.
- c. Treasurers Report for April/2018 covering all funds
 

Feb 28, 2018	\$10,378,662.10
March receipts	\$ 1,477,042.11
<u>March expense</u>	<u>\$ 1,162,795.99</u>
Mar 31, 2018	\$10,692,908.22
- d. Invoices from all funds covering 4/7/2018 – 4/20/2018 & totaling \$831,480.39
- e. Approval of minutes: April 4, 2018

There being no further comments or questions (Board or Public) the consent agenda was *approved* by motion of Mr. LeFevre, second by Mr. Wigglesworth and passed by the Board (5-0).

**Action items:**

- a. **Development Services**
  - **Traditions of America, L.P.** - On Behalf of Traditions of America, L.P., equitable owner of property located along State Road and Miller Road, Greg I. Adelman, Kaplin Stewart Meloff Reiter & Stein, PC submitted a Zoning Map Amendment to rezone the property from Agricultural Holding Zone to Low Density Residential Zone, and a Zoning Amendment to permit cluster development use in the Low Density Residential Zone. The applicant is seeking authorization to forward submittals for review and recommendation to Lancaster County Planning Commission and East Hempfield Township Planning Commission. After discussion, the following actions were taken:
 

Motioned by Mr. Russell, seconded by Mr. Wigglesworth and passed (5-0) to *authorize* staff to submit the above submittals to Lancaster County Planning Commission and East Hempfield Township Planning Commission for review and recommendations.

Motioned by Mr. Bennett, seconded by Mr. Russell and passed (5-0) to *authorize* staff to advertise the public hearing, at the appropriate time, to hear both the Rezoning request and the Zoning Text Amendment at a future meeting of the Board.
- b. **Centerville Road-North – Award of bid** – Three bids were received for the Centerville Road-North Project (Gloucester Street to Bunny Drive). Following discussion, motion was made by Mr. Bennett and seconded by Mr. Russell to *award* the Centerville Road – North project bid to Construction Masters Services Inc. for a total bid amount of

\$1,289,911.00. This pricing also includes the water line work which will be reimbursed by the Hempfield Water Authority. The motion passed (5-0).

- c. **Elizabeth Street stormwater project – authorization to bid project** – Mr. Madonna and Mr. Beck reviewed the extent of the project which will cover rehabbing existing stormwater piping, creating a crown in the roadway, paving and updates to existing curb ramps. At close of discussion, motion was made by Mr. LeFevre and seconded by Mr. Wiglesworth to *authorize* staff to bid the Elizabeth Street Stormwater Project. The motion passed (5-0).
- d. **Act 172 Resolution containing criteria – Resolution #2018-13** – Diane Garber explained the standards for the annual program criteria that must be met to qualify for credits under the program. Following discussion, motion was made by Mr. LeFevre and seconded by Mr. Wiglesworth to *adopt* Resolution #2018-13 establishing the program criteria for the Volunteer Service Credit Program in East Hempfield Township. The motion passed (5-0).
- e. **Police Expansion-Loan Parameter Ordinance – 2018-02** – Cindy Schweitzer presented the Ordinance. Following discussion, motion was made by Mr. Russell and seconded by Mr. LeFevre to *adopt* Ordinance #2018-02 which establishes the maximum loan parameters for the East Hempfield Township Police Building Expansion project. The motion passed (5-0).
- f. **Police Expansion – Authorization to sign and submit the Borrowing Base Certificate & Debt Statement to DCED** – Cindy Schweitzer and Joe Robinson reviewed the Certificate and Statement. Following discussion, motion was made by Mr. Bennett and seconded by Mr. Russell to *authorize* signing and subsequent submittal of the Borrowing Base Certificate and Debt Statement to DCED. The motion passed (5-0).
- g. **Lanc. Co. Clean Water Consortium – 2018 membership dues of \$750** – Motion was made by Mr. Russell and seconded by Mr. LeFevre to authorize payment of the Lancaster County Clean Water Consortium 2018 membership dues in the amount of \$750.00. The motion passed (5-0).

**Old Business** - None

**New Business**

- **Selling Used Police Vehicles** - Mr. Madonna reported a Deputy Constable is requesting to place a bid for one of our used police vehicles. A question was raised if a Deputy Constable or an elected Constable is considered an agency of the Commonwealth. It was noted that prior procedure has been to sell the vehicles “as is” with no warranty. Following discussion, the Board concurred with asking Solicitor Kraybill to research and advise the Board if the position of Constable or Deputy Constable is considered an agency of the Commonwealth.

## Board Group Reports

- Finance Group
  - Creation of an Authority - Mr. Russell reported there will be a general update at the first meeting in May.
  - Pension Review Board – Mr. Brubaker reported the group met with the plan administrator, Univest to review investments for Non-Uniform and Police.
- Public Safety
  - Volunteer Chief Position - Mr. LeFevre reported there have been challenges in getting the support of the Fire Chiefs regarding the creation of a Volunteer Chief position for the Township. The group will begin focus on moving forward with the Strategic Plan for Fire Service in East Hempfield Township using the consulting services of Rob Brady who retired from DCED and is very familiar with working with Fire Departments and Municipalities to create long range plans for fire services.
  - Strategic Planning - Diane Garber gave a detailed report on the Strategic Planning Process and more fully described the issues being encountered. Following discussion, the Board concurred with bringing Rob Brady into the Public Safety Work Group on May 7 to serve as Consultant to assist in developing the strategic plan.
- Planning – The Group met on April 9 and Mr. Bennett stated he was impressed with the presentation made by Traditions of America.

**Traffic Commission Report** – Chairman Brubaker reported the Traffic Commission met prior to tonight’s Board of Supervisors meeting. The meeting was dominated by concerns with Farmingdale Road Traffic calming.

## Manager’s Report

Due to Mr. Krimmel’s absence, Mrs. Schweitzer presented the following Manager’s Report:

1. **Centerville Road South**: No new information.
2. **Police Building Expansion**: presentation at tonight’s meeting.
3. **State Road and 283 Project**: The Township has received the draft agreement with Amtrak. At first look it’s pretty much as anticipated. The Risk Transfer Fee, \$112,178.00, provides the Township with indemnification by Amtrak. More stringent insurance requirements will be required for any contractor who works on the bridge on behalf of the Township. It would be the Township’s cost for Amtrak to review plans related to the work. The staff is gathering questions to send to Amtrak for clarification. Please read the agreement attached and send questions to Cindy or me for clarification. Please remember negotiations are doubtful and probably not productive.

4. **Holland Street Bridge Removal:** No new information.
5. **Centerville Road North Project:** The bids will be awarded tonight. Bids were submitted and opened on Wednesday April 11<sup>th</sup> and there were 3 bidders. The low bidder's price was in range of the engineer estimates.
6. **Elizabeth Street Storm Water Project:** Perry will be presenting, along with Scott Hain, the final plans for some storm water replacement work for Elizabeth Street in Landisville. This work coincides with paving work scheduled for the length of Elizabeth between Main Street and the railroad tracks west of the post office. Please authorize to bid.

### **Good of the Order**

- Joint meeting of the Planning Commission and the Board of Supervisors is scheduled for Wednesday, April 25<sup>th</sup> beginning at 7:00 p.m.

### **Adjournment**

By unanimous consent of the Board, Chairman Brubaker *adjourned* the meeting at 10:31 p.m.

Respectfully submitted,

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Cindy A. Schweitzer, Asst. Manager