

**EAST HEMPFIELD TOWNSHIP  
BOARD OF SUPERVISORS MINUTES**

**DATE AND TIME:** May 16, 2018 7:15 p.m.

**ATTENDANCE:** Board Members: Thomas A. Bennett  
Douglas W. Brubaker  
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  
Director of Finance: Joseph A. Robinson  
Police: Lt. Tammy Marsh  
Emergency Services Coordinator: Diane E. Garber

**ABSENT:** G. Edward LeFevre  
Robert S. Krimmel  
Stephen A. Skiles

The Board of Supervisors meeting was called to order at 7:15 p.m. by Chairman Brubaker, followed by a moment of silence and the Pledge of Allegiance.

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

**Consent Agenda:**

- a. Department Reports - Golf Course, Public Works, Development Services, Police, EMS.
- b. Treasurers Report for April covering all funds:

3/31/2018	\$10,692,907.72
April receipts	\$ 3,157,570.79
<u>April expense</u>	<u>\$ 2,835.119.03</u>
4/30/2018	\$11,015,359.48

- c. Invoices from all funds covering 5/5 – 5/18 2018 & totaling \$457,392.60
- d. Approval of minutes: May 2, 2018

There being no further comments or questions (Board or Public) the consent agenda was *approved* by motion of Mr. Russell, second by Mr. Bennett and passed unanimously by the Board (4-0).

**Action items:**

**a. Development Services**

- **18-006-SK Catalyst Commercial Development – 601 Stony Battery Road Sketch Plan**
  - Preliminary Plan Waiver

Andrew Miller, Rettew Associates, was present on behalf of Catalyst Commercial Development. A Partner of Catalyst Commercial Development was also present to enter into any discussion or answer any questions about their specific operations. Mr. Miller explained that the project is a concept plan that has been submitted through the Township sketch plan process. Also submitted is a preliminary plan waiver for land development. Mr. Miller then reviewed highlights of the plan for 601 Stony Battery Road as provided to the Board. Following discussion, and there being no further comments or questions (Board or Public), motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *grant* the waiver for preliminary plan, subject to the applicant providing the Township with a fee-in-lieu equal to the amount of the Preliminary Plan Application fee. The motion passed unanimously (4-0).

- **13-05-FP3 Landis Farms Phase 3 Final Plan – Nissley Rd.**

Joel Snyder, RGS Associates, was present on behalf of the applicant. Also present with him were Doug Parkins, E. G. Stoltzfus, and Attorney Mark Stanley, McKees Wallace Nurick. They are seeking conditional approval of the Landis Farms subdivision project. After review and discussion of the plan status utilizing overhead views, the following actions were taken:

- SWM O&M Agreement Approval

Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *approve* the SWM O&M Agreement for Landis Farm Phase 3, #13-05-FP3, subject to all staff and solicitor comments. The motion passed (4-0).

- Establish Financial Security

Motion was made by Mr. Bennett and seconded by Mr. Russell to *establish* financial security for the Landis Farm Phase 3 project, #13-05-FP3, in the amount of \$606,163.80 and to *establish* the SWM Fee and SWM Inspection Fee in the amount of \$4,379.25, as outlined in DMA letter, dated May 10, 2018. The motion passed (4-0).

- Financial Security MOU Approval

Motion was made by Mr. Bennett and seconded by Mr. Russell to *approve* the Financial Security Memorandum of Understanding for the Landis Farm Phase 3 plan, #13-05-FP3, subject to all staff and solicitor comments. The motion passed (4-0).

- Final Plan Approval

Motion was made by Mr. Bennett and seconded by Mr. Russell to *conditionally approve* the Landis Farm Phase 3 Plan, #13-05-FP3, 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 approval will be null and void. The motion passed (4-0).

**b. Police Expansion Project – Scott Kramer, RBC presentation of loan proposals**

Scott Kramer, RBC Capital Markets, provided a summary of the proposals received from requests that were sent to over 15 local and national banks. He discussed the results in complete detail and shared RBC's analysis as it relates to key components of interest rate, pre-payment, fees, and draw-down provisions. In particular, he discussed the cost benefit analysis between the two different fixed rates offered by TD Bank of 3.06% and 3.38%. Joe Robinson remarked that the Township is in a position to handle any loan selected. Following discussion, motion was made by Mr. Russell and seconded by Mr. Wiglesworth to **accept** the recommendations of RBC Capital Markets regarding the presented loan proposal, Bid #1, from TD Bank, a 13 year fixed rate note (3.38%) with no prepayment penalties. The motion passed unanimously (4-0).

Mr. Kramer left the Bid-Lock agreement with Mr. Robinson that essentially locks in the rate as of this date, and also the terms which require sign-off by the Board. As soon as the Board receives the bids for the project, RBC will be in a position to close on the loan on June 14 and deposit funds for use during construction. The parameters resolution as well as certain other debt issuance documents have received approval with the Department of Community and Economic Development (DCED).

**c. Hempfield Water Authority Agreement to Share Expenses on Centerville Rd Project.**

Mrs. Schweitzer reviewed the agreement which reflects a 75% Township/25% Water Authority ratio for sharing expenses on the Centerville Road North project. Following discussion, motion was made by Mr. Bennett and seconded by Mr. Wiglesworth to **approve** and to **authorize** signature of the Agreement between East Hempfield Township and the Municipal Authority of the Township of East Hempfield to share expenses on the Centerville Road project. The motion passed unanimously (4-0).

**d. Black Knight Petition for Exemption from Section 493(34) of the Liquor Code Regarding Amplified Music**

Mrs. Schweitzer reviewed the request, discussion held and actions taken at the May 2, 2018 Board of Supervisors Meeting. A draft Petition of the Township of East Hempfield, Lancaster County, Pennsylvania, for Exemption from the Pennsylvania State Liquor Code Section 493(34) regarding amplified music that can be heard beyond a liquor licensee's property line, for a specific area of the Township had been presented. The Petition is now finalized and ready for adoption consideration by the Board. Following discussion, and there being no further comments or questions (Board or Public), motion was made by Mr. Russell and seconded by Mr. Wiglesworth to authorized signature and submission of a Petition of the Township of East Hempfield, Lancaster County, Pennsylvania requesting Exemption from the Pennsylvania State Liquor Code Section 493(34) regarding amplified music that can be heard beyond a liquor licensee's property line for the Black Knight Tavern. The motion

passed unanimously (4-0). Mrs. Schweitzer stated the next step in the process will be a Hearing held by the PALCB at the Black Knight facility.

**e. State Road Bridge - Amtrak Easement Agreement**

Mrs. Schweitzer reviewed the background and conditions pertaining to the easement agreement which now needs approval by the Board of Supervisors. Following discussion and there being no further comments or questions (Board or Public), motion was made by Mr. Wiglesworth and seconded by Mr. Bennett to *approve* and *authorize* signature of the Easement Agreement with Amtrak for State Road Bridge. The motion unanimously passed (4-0). Chairman Brubaker recognized Bob Krimmel, Township Manager, for his many years spent and all his efforts made in development of this agreement. Mr. Russell suggested that a press release be sent out regarding the execution of this agreement at tonight's meeting. The Board concurred.

**f. Holland Street Bridge Removal**

Mrs. Schweitzer introduced the following documents pertaining to the Holland Street Bridge Removal. After discussion, and there being no further comments or questions (Board or Public), action was taken as follows:

- Supplement B – acknowledging increase of costs  
Motion was made by Mr. Russell and seconded by Mr. Bennett to *approve* and to *authorize* signature of the Second Supplemental Federal-Aid Bridge Project Reimbursement Agreement between PennDOT and East Hempfield Township. The motion passed (4-0).
- Resolution 2018-18 to authorize Twp. signatures on Supplement B  
Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *adopt* Resolution #2018-18 to *authorize* and to *direct* the submittal of the Second Supplemental Federal Aid Bridge Project Reimbursement Agreement to PennDOT and to *authorize* the signature of the Application on behalf of East Hempfield Township. The motion passed (4-0).
- Amtrak design/construction phase agreement with Twp.  
Motion was made by Mr. Russell and seconded by Mr. Bennett to *approve* and to *authorize* signature of the Design and Construction Phase Agreement between Amtrak and East Hempfield Township for the removal of the Holland Street Bridge. The motion passed (4-0).

**g. Vacating of current Police Eligibility List – vacate current eligibility list to allow the police department to process new applications for police officer.**

Lt. Tammy Marsh explained the process for vacating the current police eligibility list to allow the police department to process new applications for police officer. Following discussion, motion was made by Mr. Wiglesworth and seconded by Mr. Bennett to *vacate* the current eligibility list to allow the police department to process new applications for police officer. The motion passed unanimously (4-0).

#### **h. Special Event Approvals:**

Diane Garber presented the following requests for event approval:

- Penn Legacy Soccer – Hempfield Classic – 11/17-18  
Motion was made by Mr. Russell and seconded by Mr. Bennett to *approve* Penn Legacy Soccer Club’s application to use the Amos Herr Park on November 17 & 18, 2018 for the Hempfield Adidas Fall Classic Soccer Tournament as discussed. The motion passed (4-0).
- Spooky Nook Father’s Day 5K - 6/16  
Motion was made by Mr. Bennett and seconded by Mr. Russell to *approve* Spooky Nook Sports’ application to hold a Father’s Day 5k on June 16, 2018 on the Junction Trail Crossing Spooky Nook Rd., with traffic controlled by their fire police and EHTPD as discussed. The motion passed (4-0).
- Little Mac Block Party-road closure – 6/10  
Motion was made by Mr. Russell and seconded by Mr. Wiglesworth to *approve* LeAnn Witmer’s request to close Little Mac Dr. from Jonas Dr. to Lambley Rd. for a neighborhood block party on Saturday June 10, 2018 from 4:00 - 8:00 p.m., with barricades provided by EHT Public Works as discussed. The motion passed (4-0).

**Old Business - None**

**New Business – None**

#### **Board Group Reports**

- Public Safety – Diane Garber reported that the Group met Monday and a portion of the meeting was spent with Rob Brady a Consultant that may be used to assist in creating the Fire Services Strategic Plan. There was also discussion regarding the police contingent being down 2 officers and which will affect overtime costs.
- MS4 – Mr. Russell reported the MS4 Group will be meeting this Friday (May 18) at 10:00 a.m. with Representative Brett Miller, DEP, elected officials, many other municipalities and groups representing municipalities to discuss DEP’s changing of the rules related to the current permitting process that we are in right now. Mr. Russell complimented Representative Miller for organizing this meeting.

- Planning – Mr. Bennett asked if the Traditions of America Development was moving along as expected. Mr. Beck reported that there was some discussion at the Planning Commission meeting last week; however, due to several planning members not being in attendance, discussion was tabled to give those members who were not present an opportunity to comment on it. Mr. Wiglesworth noted that they are working on a very tight timeline and asked if this delay would affect that. Mr. Beck stated they are working toward getting things together to discuss by next Board meeting and expect to be within the timeline. Mr. Wiglesworth would like to see better communication going forward.

### **Traffic Commission Report**

Mr. Brubaker reported that there was a large turnout of residents. Due to there being no quorum, tonight's meeting was a working one pertaining to Barr Crest/Gentry Heights/Farmingdale Road traffic related issues.

**Manager's report** - None

### **Good of the Order**

Next meeting (**6/6/2018**) of the Board of Supervisors will be held at the Four Seasons Banquet Facility, 949 Church Street, Landisville.

### **Adjournment**

By unanimous consent of the Board, Chairman Brubaker *adjourned* the meeting at 8:34 p.m.

Respectfully submitted,

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Cindy A. Schweitzer, Assistant Secretary