

**EAST HEMPFIELD TOWNSHIP BOARD OF SUPERVISORS
ANNUAL ORGANIZATIONAL AND MEETING MINUTES**

DATE AND TIME: January 4, 2021

4:30 p.m.

ATTENDANCE: Board Members:

Thomas A. Bennett
G. Edward LeFevre
H. Scott Russell
Andrew C. Weaver
W. Scott Wiglesworth

Manager:

Cindy A. Schweitzer

Director of Public Works:

Perry T. Madonna

Director of Development Services:

Jon E. Beck

Chief of Police:

Stephen A. Skiles

EMS Coordinator:

Diane E. Garber

The Board of Supervisors held an in-person and virtual public meeting using Zoom. The in-person meeting was held at the East Hempfield Township Municipal Building, 1700 Nissley Road Landisville. The meeting was advertised and the public was permitted to attend in-person or remotely via Zoom (video and audio) along with instructions on how to do so.

The meeting was called to order at 4:30 p.m., followed by a moment of silence and the Pledge of Allegiance.

Reorganization of Board:

A. Chairman – Mr. Russell was nominated to serve as Chairman of the East Hempfield Township Board of Supervisors on **motion** by Mr. Wiglesworth and second by Mr. Weaver. The motion passed (4-0-1) with Mr. Russell abstaining.

B. Vice-Chairman – Mr. Wiglesworth was nominated to serve as Vice-Chairman of the East Hempfield Township Board of Supervisors on **motion** by Mr. Russell and second by Mr. Weaver. The motion passed (5-0).

Appointments by Motion (Staff, Boards, Commissions, Committees) - The following appointments (A through G) were **approved** by **motion** of Mr. LeFevre, second by Mr. Bennett and passed by the Board (5-0):

A. Staff (Annual Appointments)

- Manager /Secretary/Treasurer– Cindy A. Schweitzer
- Chief of Police – Stephen Skiles
- Director of Finance – Joseph Robinson
- Director of Development Services/Stormwater Management Officer/Alternate Zoning Officer – Jon Beck
- Zoning Officer/Alternate Stormwater Management Officer – Colin Siesholtz
- Alternate Stormwater Management Officer – Nate Sturgis
- Director of Public Works – Perry Madonna

- B. Emergency Management Coordinator (Reappointment) – Diane Garber
- C. Vacancy Board – Diane Moore (1 year term until 12/31/2021)
- D. Water Authority – Robert Kreider (5 year term until 12/31/2025)
- E. Building Code & Property Maintenance Board of Appeals - Michael Memmo, (5 year term until 12/31/2025) with the assumption he accepts the appointment.
- F. Planning Commission
 - Matthew Pawlikowski (reappointment – 4 year term until 12/31/2024)
 - Daniel Kaldas (appointment to full board for full term 12/31/2024, replacing B. Biggs)
 - Julie Will (appointment to full board filling unexpired term of J. Hackett, until 12/31/2023)
 - Dennis Gehringer (4 year reappointment as alternate until 12/31/2024)
- G. Industrial Development Authority Ellis Payne (reappointment - 5 year term until 12/31/2025)

Appointment by Motion (Professional Service Positions)

- A. Township Engineer (annual appointment)

The following appointments were **approved** by **motion** of Mr. Wiglesworth, second by Mr. Weaver and passed by the Board (5-0).

- David Miller/Associates (Township Engineer)
- Rettew Associates, Lancaster (Township Alternate Engineer)

The following appointment was **approved** by **motion** of Mr. Wiglesworth, second by Mr. Bennett and passed by the Board (4-0-1) with Mr. Russell abstaining.

- McMahan Associates, Inc., Camp Hill (Township Traffic Engineer)

The following appointments (B through E) were **approved** by **motion** of Mr. Wiglesworth, second by Mr. Weaver and passed by the Board (5-0):

- B. Township Solicitor and Special Legal Counsel (annual appointment)
 - Blakinger Thomas PC (General Counsel)
 - Campbell Durrant & Beatty PC (special labor counsel for police)
 - Brubaker Connaughton Goss & Lucarelli LLC (labor counsel & special projects)
 - Gibble Kraybill and Hess (special projects)
- C. Pension Fund Actuary (annual appointment)
 - Girard Pension Services, LLC (formerly Uninvest), Allentown
- D. 2020 Township Audit
 - Smith, Elliot and Kerns
- E. Professional Rate Schedules
 - Blakinger Thomas

- Rettew Associates
- Brubaker Connaughton Goss & Lucarelli
- David Miller/Associates
- Campbell Durrant & Beatty
- McMahon Associates, Ltd

Resolutions

- A. Resolution #2021-01 - Employee Contributions - Non-Uniform Pension Fund. **Motion** was made by Mr. Bennett and seconded by Mr. Wiglesworth to **adopt** Resolution #2021-01 Setting the non-uniform employee pension contribution rate. The motion passed (5-0).
- B. Resolution #2021-02 - Zoning Hearing Board – Greg Kile (5 year appointment until 12/31/2025). **Motion** was made by Mr. Wiglesworth and seconded by Mr. Weaver to **adopt** Resolution #2021-02. The motion passed (5-0).
- C. Resolution #2021-03 – Zoning Hearing Board – Gary Longenecker (3 year term). **Motion** was made by Mr. Bennett and seconded by Mr. Wiglesworth to **adopt** Resolution #2021-03. The motion passed (5-0).

Authorizations/Approvals/Motions – The following authorizations/approvals/motions (A through F) were **approved** by **motion** made by Mr. Bennett, seconded by Mr. LeFevre and passed by the Board (5-0):

- A. **Appoint** Mr. Thomas Bennett as Voting Delegate and Mr. Andrew Weaver as Alternate Voting Delegate to the 2021 PSATS Convention (to be held April 18-21, 2021 @ Hershey).
- B. **Approve** First National Bank and any bank located within Lancaster County for deposit of Township funds.
- C. **Establish** Treasurer’s Bond in the amount of \$1,000,000.00.
- D. **Approve** Fund Raising Activities for Volunteer Fire Companies provided those activities fall within the by-laws of the Fire Companies and they do not violate any local, state or federal laws.
- E. **Approve** Bi-weekly Pay Period for Employees.
- F. **Establish** invoice payments for 1st and 3rd weeks of each month and all invoices shall be **approved** at regular meetings with the exception of operating invoices, which shall be paid when due in order to avoid penalties.

Acknowledgement of existence of Resolution 2013-07 - Motion by Mr. LeFevre, seconded by Mr. Weaver and passed by the Board (5-0) to **acknowledge** Preservation of Farmland Resolution #2013-07, designating the Board’s historical and current intention to protect farmland and to protect and promote agriculture and agricultural businesses in East Hempfield Township; to preserve prime agricultural farmland, and to preserve both the rural and agricultural character of the areas of the Township generally referred to as North of 283.

Supervisor Committee Appointments/Goals – 2021

Hearing no request for change the Chairman advised his desire to retain the existing Supervisor Committee Appointments for 2021. 2021 goals will be reviewed at a future meeting.

Administration/Personnel – Russell/Bennett
 Finance – Bennett/Russell
 Parks & Recreation – Bennett/Weaver
 Stormwater (MS4 Concerns) – Wiglesworth/Weaver

Planning & Development – Wiglesworth/Russell
 Public Safety – LeFevre/Wiglesworth
 Public Works – Russell/LeFevre
 Traffic Commission – LeFevre/Bennett/Weaver

Consent Agenda

- a) Department Reports - Golf Course, Public Works, Development Services, Police, EMC.
- b) D.L. Holdings Final Plan (13-26.03), 2213 Leabrook Rd.: Approve release of all project’s financial security.
- c) Haydn Manor Phase 1 Final Plan (05-59-FP) Miller Rd.: Approve financial security reduction #6.
- d) Lititz Pike Associates Final Plan (18-09.02), 606 Community Way: Approve full release of project’s financial security.
- e) Treasurers Report for November covering all funds:

10/31/20	\$8,823,445.96
Receipts	\$2,303,519.32
Expenses	<u>\$1,701,500.91</u>
11/30/20	\$9,425,464.37
- f) Invoices from all funds covering 12/5/20 – 12/18/20 & totaling \$318,045.38.
- g) Invoices from all funds covering 12/19/20 – 1/4/21 & totaling \$924,725.12
- h) Approval of minutes: December 2, 2020 and joint ZHB meeting December 10, 2020

Motion was made by Mr. Bennett and seconded by Mr. Wiglesworth to *approve* items (a) through (h) of the Consent Agenda. The motion passed (5-0).

Action Items

- a) Kellogg’s Plant Expansion Sketch Plan (20-11.01): Approval of Land Development Waiver. Jon Beck introduced the Request for Land Development Waiver which includes both Preliminary and Final Plan. Joseph Mina, Rettew Associates, was present remotely via Zoom and provided details about the project. Following discussion, **motion** was made by Mr. Bennett and seconded by Mr. Wiglesworth to *approve* a Land Development Waiver for the Kellogg Company building addition project at 2050 Yellow Goose Rd., per the provided Sketch Plan, subject to the applicant completing a Stormwater Management Plan, providing a fee-in-lieu-of contribution for road improvements to Yellow Goose Rd., and providing a fee-in-lieu-of contribution equivalent to the Preliminary Plan application fee. The motion passed (5-0).
- b) 3101 Yellow Goose Rd. Sketch Plan (20-12.01): Approval of Preliminary Plan Waiver – Jon Beck gave a brief overview of the project. Andy Miller, Rettew Associates; Craig Mellott, Traffic Planning Design; Mike O’Brien and Eric Scott, Oak Tree Developers; and attorneys Mark Stanley and Claudia Shank, McNees Wallace & Nurick were present remotely via Zoom on behalf of the applicant. Mr. Mellott reported that questions raised by the Planning Commission concerning traffic and the neighboring driveway, will be addressed. Mr. Bennett commented that the Yoder’s driveway is quite a challenge and Mr. Mellott said he is working on a driveway configuration to give the Yoder’s more room to turn around.

Following discussion, **motion** was made by Mr. Wiglesworth and seconded by Mr. Bennett to **approve** the Preliminary Plan Waiver for the Yellow Goose Properties, LLC project at 3101 Yellow Goose Rd., per the provided Sketch Plan, subject to the applicant completing a Final Land Development Plan and providing a fee-in-lieu-of contribution equivalent to the Preliminary Plan application fee. The motion passed (5-0).

- c) CM High – traffic signal contract for maintenance services-2021. Mrs. Schweitzer presented the Traffic Signal Preventative Maintenance Proposal for the year 2021. Mr. Madonna reported they do very good work and Mr. Russell added they are a professional service that everyone uses and their prices are reasonable. **Motion** was made by Mr. Weaver and seconded by Mr. LeFevre to **accept** the 2021 maintenance contract from CM High, as presented. The motion passed (5-0).
- d) Proposals to acquire right-of-way for Farmingdale long-term improvements - Century or Stantec. Mrs. Schweitzer provided copies of both proposals and recommended using Century Engineering due to the lower pricing proposal. Mr. Russell stated he has had good experience working with Century. Following discussion, **motion** was made by Mr. Wiglesworth and seconded by Mr. Russell to **accept** the Century Engineering proposal to perform the necessary right-of-way acquisitions. The motion passed (5-0).
- Ken Ralph, Farmingdale resident, stated via Zoom Chat that the anticipated increase in traffic on Farmingdale has not occurred and he is requesting the Farmingdale long term plan concepts be re-opened and reconsidered. Mr. Ralph also added that there should be another traffic study done now to verify traffic levels. *It was previously noted that PennDOT will not validate new traffic counts due to the impacts of COVID on travel.*
 - Cindy Brodbeck, Farmingdale resident, commented via Zoom Chat that she and other residents living on Farmingdale feel there is quite a bit of traffic going back and forth on Farmingdale. *There will be discussion about this at the January 20th Board of Supervisors meeting.*
- e) Accreditation Manager Contract Proposals: LEAS or Rogers. Chief Skiles provided copies and reviewed the two accreditation consulting proposals. Following discussion, **motion** was made by Mr. LeFevre and seconded by Mr. Wiglesworth to **accept** The Rodgers Group contract to perform accreditation services for the police department, as presented in their proposal and discussed. The motion passed (5-0).
- f) Old Rohrerstown Road Bridge – supplemental funding to engineering contract. Mrs. Schweitzer presented McCormick Taylor’s request for supplemental funding that is primarily due to unanticipated utility coordination. Mr. LeFevre questioned this third such request and Mrs. Schweitzer explained this project has been in the planning/design stages for several years and McCormick Taylor recently requested and was granted additional time on their contract. The added work was unforeseeable but now necessary to assure all utility concerns are addressed. She added that PPL changed how they were handling their relocations which then affected other carriers. Following discussion, **motion** was made by Mr. Bennett and second by Mr. LeFevre to **table** action and request that McCormick Taylor explain the request in greater detail by attending the next Board of Supervisors meeting to justify the need. The motion passed (5-0).

- g) Board or Commission Vacancy Advertising Authorization – currently 2 alternate positions on the Planning Commission and one Zoning Hearing Board alternate. **Motion** was made by Mr. Weaver and seconded by Mr. Bennett to *authorize* staff to advertise for 2 alternate vacancies on the Planning Commission and one alternate vacancy on the Zoning Hearing Board. The motion passed (5-0).
- h) Employment Severance Agreement for Terri Morton, Four Seasons Banquet Manager - Mrs. Schweitzer noted that Terri Morton has been a loyal, 31-year employee of the Township. Her position is being eliminated due to the food and banquet lease at Four Seasons. Chairman Russell added that she did a remarkable job for the Township. **Motion** was made by Mr. LeFevre and seconded by Mr. Russell to *authorize* signature on the employee severance agreement for Terri Morton retroactive to December 31, 2020, with the added codicil by Mr. LeFevre that he was very impressed and pleased to read Terri's letter of acknowledgement and appreciation and thanking her for her years of service and execution of this agreement. The motion unanimously passed (5-0).

Old Business

- Zoning Ordinance-discussion on scope of sign amendments. The board discussion centered around the following criteria and viewpoints to give guidance to David Miller/Associates so they have some idea of how to put their Scope of Work together for the Zoning Ordinance Amendments related to signs.
 - **Mr. LeFevre** – Simplify sign section
Views as a task, not a monumental task.
Configuration of different zones related to size to address details such as timing of digital signs vs message signs that don't change.
Clear and precise dimensions and guidelines tailored to different zoning.
Supports a working group
 - **Mr. Wiglesworth** – Simplify sign section
Flexibility
Incorporate a somewhat business friendly attitude.
Reach out to a sign business in the area regarding market trends
Supports a working group
 - **Mr. Russell** - Simplify sign section
Responsibilities assigned back to Township Staff for basic permit issues rather than ZHB.
Simplify so business owners and property owners can understand.
Tailor to Lancaster County
Supports a working group
- **Mr. Bennett** – Comprehensive change to sign section
Better signs, less clutter, fewer signs, smaller signs, environmentally friendly
Follow regulating aspects for digital signs which should not be interactive
Regulate attributes of illumination, display, public service announcements, brightness
Distinction between signs and sizes of signs and where they are to be allowed,
particularly billboard

Banning certain billboards over a certain size
 Clearer permit process within sign regulations
 Banning anything interactive
 Submitted a comprehensive model sign ordinance addressing all shapes and sizes, to use as a guideline as a starting point
 Supports a working group

- **Mr. Weaver** - Middle of the road approach to the sign section
 Opposed to anything complex
 Not a big fan of quick message change
 Not against digital
 Trusts the business to know what is best for them.
 You can't regulate good taste
 How do we get past the variety of Board opinions?
 How do we get to a workable product?
 Consider getting away from zoning and be more about use
 Supports a working group

Mr. Wiglesworth noted the varying viewpoints within the Board and Nick Ebersole, DM/A, stated that, for now, he has some notes from the discussion; however, it would be difficult to determine a path forward given the split in Board opinions on this matter. Since Mr. Weaver views the signage issue from the middle and is an engineer, Chairman Russell asked if he would take on a special project for the Township by working with David Miller/Associates to come back to the Board with a Scope of Work. Mr. Weaver agreed to 'volunteer' his expertise. Mr. Ebersole felt this approach would provide a path forward.

New Business – None

Development Services/Projects Update – Jon Beck reviewed his written report, highlighting and/or updating several projects.

- Brookside Phase 2 Sheetz Plan – Moving forward and should be recorded very shortly.
- State Road Commerce Park – Preliminary Plan and Revised for Lots 1 and 3 are scheduled for BOS action at the 1/20/2021 meeting.
- Heating & Control – Plan has been recorded and the project site work has been done.
- 791 Stony Battery Road – Plan is scheduled for BOS action at the 1/20/2021 meeting.
- 2260 Dairy Road Warehouse – The Permit has been issued for the project and they are starting construction.
- 2260 Dairy Road Billboard Conditional Use – scheduled for BOS action at the 1/20/2021 meeting.
- Traditions of America – Moving forward to record Phase 2 Final Plan and Phase 2 construction continues.

Manager's Report/Group Report out – Mrs. Schweitzer submitted a written report for the period covered through January 4, 2021 and had nothing further to add. Mr. LeFevre asked for more clarity and understanding regarding the Conestoga Greenway. Mrs. Schweitzer shared that the four involved municipalities have varied opinions of supporting the design and engineering phase of the project. Discussions continue and there is no action needed by the Board this evening. Mr. LeFevre stated he would like to see this proceed but has concerns regarding funding commitment.

Group Reports - Planning Group meeting of 12/10 and Financials from Joe Robinson are included at the end of Mrs. Schweitzer's report.

Public Comments (non-agenda items only/residents or EHT tax-payers only)

- Mel Luckt, Farmingdale Road – reported on speeding on Farmingdale Road as vehicles make the turn, coming off Marietta Avenue. He would like to see the speed limit lower than 25 mph – or – lower the MPH sign post for better visibility. He would also like to see another speed bump in front of his property. Mr. Luckt was encouraged to come to the next Board of Supervisors meeting on January 20th when the Farmingdale Road project will be discussed.
- Merle Dissinger, Barr Boulevard – asked if the township is still on track for getting permits for the work to be done on Farmingdale. Chairman Russell advised that engineering work has continued on the project and the Board will need to take two more actions --advertise and then accept a bid.

Adjournment

By unanimous consent of the Board, Chairman Russell adjourned the meeting into Executive Session for a personnel matter at 6:21 p.m. and they will not be returning.

Respectfully submitted,

Cindy A. Schweitzer, Manager/Secretary