

**EAST HEMPFLD TOWNSHIP
BOARD OF SUPERVISORS MINUTES**

DATE AND TIME: January 20, 2021 7:24 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 Development Services: Jon E. Beck
Director of Public Works: Perry T. Madonna
Police: Stephen A. Skiles
Solicitor: Susan P. Peipher
Engineer: Scott H. Hain
EMC: 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.

Board Members Tom Bennett, Edward LeFevre, Scott Russell, Andy Weaver; Twp. Mgr. Cindy Schweitzer; Director of Development Services Jon Beck; Police Chief Steve Skiles and Solicitor Susan Peipher were physically present for the meeting. All others attended via remote connection.

Chairman Scott Russell called the meeting to order at 7:24 p.m., followed by a moment of silence and the Pledge of Allegiance. Mr. Russell apologized for the late start of the meeting and explained that the Traffic Commission meeting ran overtime.

Police Department Promotion – Officer Miller to Sergeant Miller.

Officer Matthew Miller is a 2010-graduate of the Reading Police Academy and holds an Associate Degree in Criminal Justice. He joined the East Hempfield Township Police Department in 2012 and has served as a Firearms Instructor, a Field Training Officer and an Officer-in-Charge in the absence of the Platoon Sergeant. During his 8-1/2 years with the Township, he has received numerous awards which include (11) Unit Citations, (6) First Aid commendations for using NARCAN, a Life Saving award, and was the Officer of the Year for 2018.

Chief Skiles recognized Officer Miller on his promotion to Sergeant which becomes effective on January 25, 2021. Officer Miller's wife and three daughters were present and participated in the ceremony. The entire Board of Supervisors congratulated Officer Miller on his promotion to the rank of Sergeant.

Hearingsa) **2260 Dairy Road – Billboard Conditional Use. 2260 Dairy Rd. Billboard**

Chairman Russell opened the Hearing which was continued from November 18, 2020, to provide Township Staff time to review new information received prior to the Hearing. Solicitor Susan Peipher explained the purpose, rules and procedures of the public hearing process and advised that after the Board has received all relevant evidence, the Board will close the record. A court reporter was present and the stenographic transcript will be the official record of the Hearing. Jon Beck distributed and read the proposed conditions which included suggested changes by the applicant. Devon Wagner, Oaktree Outdoor Advertising and Attorney Claudia Shank, McNees Wallace & Nurick LLC, were present remotely via Zoom. Attorney Shank stated the applicant will apply to the Zoning Hearing Board for relief from the billboard height and the message change timing requirements if the proposed billboard needed them. Attorney Shank confirmed they are in agreement with the proposed conditions and stated they had no additional testimony at this point in time. After discussion between the Board and the Applicant, the Hearing was closed at 7:55 p.m. and the following action was taken:

Motion was made by Mr. Weaver and seconded by Mr. LeFevre to **approve** 2260 Dairy Road Billboard Conditional Use Plan, subject to proposed condition # 1-#4 as presented at tonight's Hearing. The following roll call vote was taken by the Township Manager: Mr. Bennett – nay; Mr. LeFevre – nay; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (3-2). A court reporter was present and the stenographic transcript will be the official record of the Hearing.

b) **2149 State Rd., Sheetz Liquor License Transfer - Resolution #2021-04.**

Chairman Russell opened the Hearing at 8:00 p.m. Solicitor Susan Peipher explained the purpose, rules and procedures of the public hearing process and advised that after the Board has received all relevant evidence, the Board will close the record. A court reporter was present and the stenographic transcript will be the official record of the Hearing. Paul Names, Esq., Flaherty & O'Hara, was present representing Sheetz, Inc. and was sworn in to provide testimony. He reviewed the background of Sheetz, described the operation of the proposed store and requested the Township issue a formal resolution approving an inter-municipal license transfer. There was no public comment and testimony closed at 8:10 p.m.

Motion was made by Mr. Bennett and seconded by Mr. Weaver to **adopt** Resolution #2021-04 for the Sheetz Liquor License Transfer to 2149 State Road. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

c) **State Rd., 7-Eleven Liquor License Transfer – Resolution #2021-05.**

Chairman Russell opened the Hearing at 8:15 p.m. Solicitor Stacy Brubaker presided over the hearing for the 7-Eleven transfer. A court reporter was present and the stenographic transcript will be the official record of the Hearing. Edward Taraskus, Esq., Edward A. Taraskus, P.C. was present representing 7-Eleven Sales Corporation. Also present was

Realtor Pamela Paciolla. Attorney Taraskus and Ms. Paciolla were sworn in to provide testimony and all evidence was entered into the record. There was no public comment and testimony closed at 8:25 p.m.

Motion was made by Mr. Weaver and seconded by Mr. LeFevre to **adopt** Resolution #2021-05 for the 7-Eleven Liquor License Transfer to 2001 State Road. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

Consent Agenda

- a) Department Reports - Golf, Public Works, Dev. Services, Police, EMC
- b) Lime Spring Farm Phase 1 & Phase 2 (13-15-FP), Noll Dr.: Approve financial security reduction #5.
- c) Lime Spring Square, Phase 4-Lot 7 (16-08.06) 2221 Embassy Dr.: Approve financial security reduction #1.
- d) Noll Drive Office Building (16-09-FP), Noll Dr.: Deny financial security reduction #3.
- e) Springbrook Annex (15-19-FP), Good Dr.: Approve financial security reduction/ release
- f) KRM-Stony Battery LLC (18-07,02), 801 Stony Battery Rd.: Approve financial security reduction #1
- g) Haydn Manor Phase 2 (18-59-FP2), Miller Rd.: Approve financial security reduction #2.
- h) Traditions of America, Phase 1 (18-04.06), Miller Rd.: Approve financial security reduction #2.
- i) Traditions of America, Phase 2 (18-04.07), Miller Rd.: Approve Developer’s Agreement and Stormwater Operations and Maintenance Agreement and establish project’s financial security and stormwater management fees.
- j) 701 Stony Battery Rd. Final Plan (19-08.03): Approve recording time extension #1.
- k) Brookside-Sheetz Phase 2 (19-01.07), 2149 State Rd.: Approve recording time extension #1.
 Treasurers Report for January/2021 covering all funds:

11/30/20	\$9,425,464.37
Revenues	\$ 656,695.79
Expenses	<u>\$ 1,223,867.11</u>
12/31/20	\$8,858,293.05
- l) Invoices from all funds covering 1/5/21-1/15/21 & totaling \$380,357.37
- m) Approval of minutes January 4, 2021

Motion was made by Mr. LeFevre, seconded by Mr. Bennett to **approve** items (a) through (d) and (f) through (m) of the Consent Agenda. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

Motion was made by Mr. LeFevre, seconded by Mr. Bennett to **approve** item (e) of the consent Agenda. The following roll call vote was taken by the Township Manager: Mr. Weaver – abstained; Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Wiglesworth – aye. The motion passed (4-0-1) with Mr. Weaver abstaining.

Action items

a) **Farmingdale Road Long-term project.**

- ***Update of project progress.*** Chris Bauer, McMahon Associates, presented an update on the progress of the project using overhead visuals and responded to questions and comments by the Board and Public.
 - Currently revising plans are being reviewed by PennDOT.
 - Coordination has occurred with Red Rose Transit for bus stop pad location on the Northwest corner.
 - Right-of-Way acquisition is in progress along Marietta Avenue.
 - Multi-model grant and a Green Light Go grant applications have been filed, in hopes of supplementing the existing funding source.
 - The schedule (barring any outside agency delay) is bids let on or about March 26th with bid award anticipated for late April/2021.

Chairman Russell reviewed the history of the project as well as recent emails received reflecting support and non-support of the project. Chairman Russell continues to believe this is a middle-of-the road solution. Every board member affirmed their intention to continue to move forward with the project, recognizing the pros and cons.

Members of the audience were then invited to come forward and present their comments and questions. Those who did so included Delores Perezous, Robert Miller, Bob Mellinger and Merle Dissinger. The following residents on-line shared their questions, comments and concerns: Fran Shaw, Ken Ralph, Ken Giurlando and Cindy Brodbeck.

- ***Authorization to advertise for bids – Motion*** was made by Mr. Bennett and seconded by Mr. LeFevre to ***authorize*** staff to advertise the Farmingdale Road Long-term project. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

b) **Development Services**

- ***Homestead Village Sketch Plan (20-13.01), 1800 Village Circle: Approval of Preliminary Plan Waiver.*** Jon Beck stated Homestead Village is seeking approval of their waiver of preliminary plan. He provided a brief overview of the project and referenced DM/A letter dated January 8, 2021. Chris Venarchick, RGS Associates, was present on behalf of the applicant and explained the sketch plan using overhead visuals. After discussion regarding recommendations received from the East Hempfield Township Planning Commission, and there being no public comments, the following action was taken:
 - ***Motion*** was made by Mr. Bennett and seconded by Mr. Weaver to ***approve*** the Preliminary Plan waiver for the Homestead Village building expansion project at 1800 Village Circle, per the provided Sketch Plan, subject to the applicant recording an approved Final Land Development Plan and providing a fee-in-lieu-of contribution equivalent to the Preliminary Plan application fee. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

- **791 Stony Battery Road Final Plan (20-13.01) 1800 Village Circle: Approval of Preliminary Plan Waiver.** Jon Beck reviewed the modification requests and recommendations received from the East Hempfield Township Planning Commission. Andy Miller, Rettew Associates, was present remotely on behalf of the applicant and reviewed a few high points. There was discussion concerning an existing tree on the Geist property which may obstruct sight distance to the left for vehicles exiting the driveway on Nolt Road. Gabe Clark and Aaron Repucci, Catalyst Commercial Development, and Scott Hain, Township Engineer, were also present remotely and entered into discussion concerning the waivers/modifications. Catalyst Commercial Developers will reach out to the Geist's regarding removal of the tree. After discussion, the following actions were taken:
 - **Modifications: Motion** was made by Mr. LeFevre and seconded by Mr. Bennett to *approve* modification requests #1, #2, #3, and #6, *conditionally approve* modification requests #4 and #7, and *table* modification #5 for the 791 Stony Battery Road Final Land Development Plan, Township File 20-05.3, subject to staff and engineer comments. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
 - **Final Plan: Motion** was made by Mr. Bennett and seconded by Mr. Weaver to *approve* the 791 Stony Battery Rd. Final Land Development Plan, Township File #20-05.03, conditioned on resolution of all outstanding 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 following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
- **Penn State Health Lancaster Medical Center & Brookside Revised Preliminary Plan (19-01.09): Approval of Revised Preliminary Land Development Plan and modification.** Jon Beck provided an overview of the Plan. Andy Miller, Rettew Associates, was present remotely on behalf of the applicant and followed Mr. Beck's overview high-lighting the new modification. There were no Board questions and the following actions were taken:
 - **Modification: Motion** was made by Mr. Bennett and seconded by Mr. Weaver to *approve* modification request #1, for the Penn State Health Lancaster Medical Center & Brookside Revised Preliminary Land Development Plan, Township File #19-01.09, subject to staff and engineer comments. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
 - **Revised Preliminary Plan: Motion** was made by Mr. Bennett and seconded by Mr. LeFevre to *approve* the Penn State Health Lancaster Medical Center and Brookside Revised Preliminary Land Development Plan, Township File #19-01.09, conditioned

on resolution of all outstanding 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 following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

- ***Brookside – Enterprise Phase 6 Final Plan (19-01.10): Approval of Final Land Development Plan and modifications.*** Jon Beck provided a brief overview of the Plan. Andy Miller, Rettew Associates, was present remotely on behalf of the applicant. Diane Garber stated there were no emergency services issues with the Plan at this time. After discussion, the following actions were taken:
 - **Modifications: Motion** was made by Mr. Bennett and seconded by Mr. LeFevre to **approve** modification requests #1, #2, #3, #4, #5, #6, #7 and #8 for the Brookside – Enterprise Phase 6 Final Land Development Plan, Township File #19-01.10, subject to staff and engineer comments. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
 - **Final Plan: Motion** was made by Mr. Bennett and seconded by Mr. LeFevre to **approve** the Brookside – Enterprise Phase 6 Final Land Development Plan, Township File #19-01.10, conditioned on resolution of all outstanding 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 following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
- ***State Road Commerce Park Revised Preliminary Plan (20-18.02), State Rd.: Approval of Revised Preliminary Plan and modifications for Lots 1 & 3 and Revised Final Plan and modifications (20-18-03)*** - Jon Beck reviewed both plans together using overhead visuals. Michael Davis, Esq., Dennis Reichel HRG, Craig Mellot, Traffic Planning Design, and Dave Gunia were present remotely via Zoom and provided additional information. After discussion, the following actions were taken:
 - **Modifications: Motion** was made by Mr. Bennett and seconded by Mr. Russell to **approve** modification requests #1, #2, #3, for the State Road Commerce Park Revised Preliminary Subdivision and Land Development Plan for Lots 1 & 3, Township File #20-18.02, subject to staff and engineer comments. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
 - **Revised Preliminary Plan: Motion** was made by Mr. LeFevre and seconded by Mr. Bennett to **approve** the State Road Commerce Park Revised Preliminary Subdivision and Land Development Plan for Lots 1 & 3, Township File #20-18.02, conditioned on resolution of all outstanding 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 following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

- ***State Road Commerce Park Revised Final Plan for Lots 1 & 3 (20-18.03), State Rd.: Approval of Revised Final Plan and modifications.***

- **Motion** was made by Mr. Bennett and seconded by Mr. LeFevre to **approve** the State Road Commerce Park Revised Final Subdivision and Land Development Plan for Lots 1 & 3, Township File #20-18.03, conditioned on resolution of all outstanding 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 following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

- c) **Old Rohrerstown Road Bridge** - McCormick Taylor request for engineering supplement due to utility coordination and changes to PennDOT Publication. Tiffany McClure Rishel, P.E. offered a detailed additional explanation remotely via Zoom to substantiate the McCormick Taylor request for engineering supplement. After Ms. Rishel's explanation, Mr. LeFevre commented on his challenges of the requested supplement and Mr. Bennett stated he understood the frustration level of a project that has continued for so many years. Mr. Russell stated he also understood the frustration and was supportive of the request for engineering supplement. **Motion** was made by Mr. Bennett and seconded by Mr. Weaver to **approve** the McCormick Taylor Engineering Supplement. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
- d) **Land Studies (Stormwater/MS4 consultants)** – 2021 rate schedule. Mrs. Schweitzer presented the 2021 rate schedule. **Motion** was made by Mr. Bennett and seconded by Mr. Russell to **adopt** Land Studies' 2021 fee schedule as presented. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).
- e) **Lancaster Intermunicipal Committee (LIMC)** – authorization to rejoin this organization at annual dues of \$500. **Motion** was made by Mr. LeFevre and seconded by Mr. Russell to **rejoin** the LIMC and to **authorize** staff to pay the annual dues in the amount of \$500. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

Old Business

- **Township wide Bridge Plan** – long-term plan-level of funding. Chris Bauer, McMahon Associates, presented a Bridge Capital Improvement Plan using overhead visual. The capital bridge plan provided recommends schedules for replacement as well as preventive

maintenance for each of the Township bridges. Mr. Bauer noted that Dairy Road is listed as the first bridge that should be scheduled for replacement. Mrs. Schweitzer explained that the long-term budget sheets provided in October reflect these potential costs. Mr. Russell reminded all that bridge replacement takes years to accomplish so it is appropriate that these expenditures be noted for future budget consideration.

- **Marietta/Stony Battery & Community Way intersections – concept plans.**

Chris Bauer, McMahan Associates, presented concept plans for both intersections to bring the Board up to date on potential future improvements.

Marietta Avenue/Stony Battery Road – This intersection would be a shared project with West Hempfield Township and is listed on the Transportation Infrastructure Plan. Two options were presented, one dealing with current demand and the other looking at future demand. McMahan was requested to begin to study intersection geometry in anticipation of seeking future grant funds for the improvements.

Community Way – Homestead Village requested the Township look at potential improvements to the intersection of Community Way and Good Drive. This project would be a line with other improvements in the Good Drive corridor. What is being suggested is a round-about which would provide a better flow of traffic through this corridor and fit in with other improvements at the intersection of Marietta and Good.

New Business

- Employee Manual Update – review/discuss (existing /draft). Mrs. Schweitzer explained the changes which reflect current HR policies and standards and requested that the Board review for additional discussion at a future meeting.

Traffic Commission Report

Mr. LeFevre reported on tonight's actions.

- ✓ Shenck Road - Requested McMahan Associates to develop scope for recommended improvements to the intersection at the covered bridge.
- ✓ Bowman Church – Tabled further action due to existing constraints of the intersection.
- ✓ Main Street, Landisville – Speed & safety – Requested staff to contact PennDOT to consider lowering the speed limit in Landisville to 25MPH.
- ✓ Nissley Road traffic calming – Township will paint speed limits on road surface. (Requested approval to purchase stencils & supplies (\$300) and one traffic speed monitor (\$5,000).
 - **Motion:** Moved by Mr. LeFevre and seconded by Mr. Bennett to *invest* in the purchase of stencils/supplies and one traffic speed monitor in the interest of public safety on Township roadways. The following roll call vote was taken by the Township Manager: Mr. Bennett – aye; Mr. LeFevre – aye; Mr. Russell – aye; Mr. Weaver – aye; Mr. Wiglesworth – aye. The motion passed (5-0).

Development Services Project Report - Jon Beck reviewed his written report and noted the Official Map Steering Committee will hold a public meeting on February 3, 2021 at 6:30 p.m. for

public comment, prior to submitting the Official Map for Supervisors acknowledgement at the February 3, 2021 meeting.

Manager's report/Board Group report out – Mrs. Schweitzer submitted a written report for the period covered thru January 20, 2021. She reported an Executive Session was held after the meeting on January 4, 2021, from 6:25 p.m. to 6:40 p.m. to discuss a personnel matter and a second Executive Session was held on Friday, January 15, 2021, from 4:00 p.m. to 4:30 p.m. to discuss pending litigation.

Public Comment (residents or taxpayers of East Hempfield Township) - None

Adjournment

Chairman Russell *adjourned* the meeting at 12:17 a.m.

Respectfully submitted,

Cindy A. Schweitzer, Township Manager/Secretary