

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, AUGUST 2, 2010**

CALL TO ORDER – 7:00 p.m.

Ms. Turns called the meeting to order at 7:00 PM followed by the Pledge of Allegiance and the invocation.

Ms. Turns informed the public that there was an Executive Session held at 6:00pm this evening as well as on July 26th.

ROLL CALL

Adam Klein, Supervisor
Bill Ostermayer, Supervisor
Chris Scott, Secretary/Treasurer

Jay Megonnell, Vice-Chairman
Linda Turns, Chairman

CORRESPONDENCE:

Ms. Turns briefly reviewed the Correspondence items for the public.

Regarding Item #2 FROM: PennDOT TO: Representative Ron Marsico RE: Traffic Study, Oak Grove and Green Hill Intersection, Ms England stated that she met with a PennDOT representative at the site on July 30th and discussed some possible solutions to the problem.

Ms. Turns informed the public that all correspondence is available for review.

Mr. Scott brought attention the public an article in the Rural Perspective Newsletter regarding the number of oil and gas drilling permits that are issued in Pennsylvania. He stated that the numbers are staggering.

PUBLIC COMMENT

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier asked the Board if they knew of any vandalism in the Skyline View area over the weekend. No one was aware of any vandalism; he said that on North Fairville Avenue several residents including him had eggs thrown on their cars. He also brought up an incident that occurred in Lower Paxton Township involving door to door salespeople who are trying to force their way into resident's homes. He thought it would be a good idea to put an article in the fall newsletter to inform the residents that all door to door salespeople must be issued a permit from the Township.

Gloria Zimmerman, 1453 Mumma Road- Mrs. Zimmerman asked if shrubbery will be planted at the property on Rt. 39 and Piktown Road. Ms. Turns said that Mr. Leonard will make a presentation this evening regarding the location.

John Shearer, 7949 Slepian Street- Mr. Shearer updated the Board on the West Hanover Township Citizens Helping Hands Committee. They only had four requests for help with yard work. One project was turned over to Keystone Correctional Services who is handling the job and two other jobs were completed with the help of Keystone. He is continuing to work on the fourth job which is very labor intensive. He has submitted an article for the fall newsletter, regarding the need for volunteers. He will print a flyer for the Gopher vans drivers to hand out to any residents to let them know of the services available.

Larry Hoffman, 1324 Piketown Road- Mr. Hoffman said the property on Rt. 39 and Piketown Road does not have a building or zoning permit posted. He gave a handout to the Board regarding the zoning for the land fifteen years ago when he was interested in purchasing it (see attachment). He is opposed with the building being built. He said he will go to the County Commissioners if necessary and stated that the permits can be revoked. He came to get a building permit for a garage he is going to build and was given a list of people who can design the garage. He said that it is illegal and he is going to build the garage without a permit.

Peggy Heffleger, 7745 Avondale Terrace- Mrs. Heffleger thanked the Board for their decision not to cut down trees at Skyline Commons Park. She presented a letter to the Board from Mr. Brockman who also opposed the project. She forgot to present it at the July 17th meeting (see attachment).

Mr. Megonnell asked Mrs. Heffleger if the signs have been changed regarding the park hours. She said that have only been fixed temporarily with paper. Mr. Megonnell said that they will get permanent signs.

PRESENTATIONS, STAFF/BOARD REPORTS:

Mr. Leonard, Zoning Administrator- Mr. Leonard made a presentation regarding the property on Rt. 39 and Piketown Road. He stated that Mr. Neihart came to see if he could have a car storage area for his car repossession business on that property. There was extensive discussion regarding the type of business. He does not buy, fix, or sell the cars he only stores them for financial institutions that have repossessed them due to non payment. There is no building involved with his business and he was looking for a secure place to store his vehicles , which is typically two weeks to two months. The property is zoned neighborhood commercial, and since the property is less than three acres it can be all neighborhood, all commercial, or a mixed use. Mr. Neihart purchased the property twelve years ago with the intent to develop a small strip mall; however there is currently no public sewer hook up available on that side of Rt. 39. Once public sewer is available he will move forward with the land development plan. Mr. Leonard reviewed the business services definition to the Board and public. Mr. Leonard stated that the business will provide a service to other businesses (financial intuitions). He stated that he issued a permit for a temporary drive way and a fence on July 9th. Also, he has not issued a building permit, and there will not be one due to the fact that there are no buildings on the property. He also reviewed pictures of the property with the Board. There was considerable discussion among the Board regarding the following: site distance of the property, sedimentation and storm water issues, paving of the driveway, and the ground cover of the property within the fence. Mr. Brulo said he has only visited the property to review the site distance issue the driveway, he has not been inside the fence. Based on his calculations the site distance will have to be 280-285 feet to meet the Township ordinance. Mr. Leonard stated that he had not issued a use permit at this time due to the site distance issue. Mr. Klein brought up the issue that the Board is not informed of commercial zoning development issues such as this situation.

Mr. Klein moved, seconded by Mr. Megonnell that all commercial development plans must be submitted to the Board via the Board packet before zoning permits are issued for, neighborhood commercial, commercial highway, industrial enterprise, interchange, and business interchange. Motion passed unanimously.

Gloria Zimmerman, 1453 Mumma Road- Mrs. Zimmerman questioned the temporary driveway and the drainage. She wanted to make sure that the Township will not be paying for any of the work. Mrs. Zimmerman asked how the cars will be brought into the storage area. Mr. Leonard believes that a flat bed truck will be used.

Larry Hartman, 620 Piketown Road- Mr. Hartman brought up the issue that since there is no local police force in the Township, will anyone be on site to make sure that no one tries to get into the lot to get a car. Mr. Hartman brought up the issue that occurred when the site for the Harper Drive was cleared and it caused severe water problems to a resident's property. He asked Mr. Brulo if there will be more run off at the Rt. 39 and Piketown property due to the vegetation removal. Mr. Brulo stated he has only inspected the driveway for site distance.

Mr. Klein moved seconded by Ms. Turns to have the Solicitor review the permit in question and discuss with Mr. Leonard and render an opinion to the Board. Motion passed unanimously.

Larry Hoffman, 1324 Piketown Road-Mr. Hoffman asked if a building was going to be on the property. Ms. Turns stated that there was not a building permit. Ms. Turns suggested that Mr. Hoffman come into the office and speak to Mr. Leonard with any further questions.

Beth Carricato, 699 Knight Road- Ms. Carricato made the statement that when a previous Board created the village zoning district they created a monster. There are so many uses of a village zoning district.

Harold Harman, Road Master- Mr. Harman gave the following project updates to the Board.

- The microsealing on Fairville Avenue is complete and Sleepy Hollow Road will be completed by Tuesday 8/3
- The oil n' chip project will begin on 9/13 and should take 1-1 ½ days
- The widening of Appalachian Trail West should be completed by Thursday 8/5
- Knight Road will be worked on after Appalachian Trail West is completed
- When the crew is mowing they don't have enough man power to pave
- Fairville Avenue should be open by 8/20

Mr. Megonnell asked when the large pot hole by the sewer plant will be repaired. Mr. Harman stated he will patch it by Friday 8/6.

Mr. Scott asked if the Harper Drive project will take care of Manada Height's hole problem. Mr. Harman said he will install a catch basin.

Ms. England, Township Manager – Ms. England informed the Board that the health care renewal process has begun. Our current carrier has informed us of a 25% increase therefore the staff has undergone the underwriting process to obtain quotes from other companies. Information will be included in the August 16th board packet for review.

PUBLIC HEARING/MEETINGS: None

APPROVAL OF MINUTES:

Regular meeting – July 19, 2010- *Mr. Megonnell moved, seconded by Mr. Klein to approve the regular meeting minutes of July 19, 2010. Motion passed unanimously.*

Workshop meeting – July 26, 2010- *Mr. Megonnell moved, seconded by Mr. Klein to approve the workshop meeting minutes of July 26, 2010. Motion passed unanimously.*

TREASURER’S REPORT

Mr. Scott reported the following fund balances:

A. Fund Balances (Fund balances are presented for reference only.)

General Fund Balance as of July 30, 2010	\$1,055,195.15
Total Liquid Fuels Balance as of July 30, 2010	\$429,050.68
Total Capital Reserve Fund Balance as of July 30, 2010	\$1,862,449.91

B. Deposit Activity since July 20, 2010 \$30,701.29

Mr. Scott reported the gross payroll of July 30, 2010, totaled \$31,024.24. *Mr. Ostermayer moved, seconded by Mr. Klein to approve the payroll of July 30, 2010 in the amount of \$31,024.24. Motion passed unanimously.* Mr. Scott reported the vouchers prepaid to meet due dates was \$1,318.45. *Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$1,318.45. Motion passed unanimously.* Mr. Scott reported the total for the vouchers to be approved was \$46,825.42. *Mr. Ostermayer moved, seconded by Mr. Klein to approve the vouchers in the amount of \$46,825.42. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS: None

OLD BUSINESS: None

NEW BUSINESS:

Motion – Consent Items: Section 607. (4):

Training: Chris Mumma, Dieter Jordan, Tom Rothenberger, Dave Wickenheiser,
Dave Wollerton, Harold Harman
Improvement Guarantee Release-Pinnacle Health, Maintenance Guarantee

Ms. Turns had a question regarding the flagging training. Ms. England stated that it is a PennDOT requirement. Mr. Megonnell asked if Chris. Mumma is going for flagging training, why do the other employees need to attend. Ms. England stated he can only train half of the employees at one time, and it was recommended that half attend the PSAT's training. The employees haven't attended a training class in eight years.

Mr. Klein moved, seconded by Mr. Megonnell to approve the attendance to training for the Public Works employees at PSAT's. Motion passed unanimously.

Mr. Klein moved, seconded by Mr. Scott to approve the reduction of the Improvement Guarantee for Pinnacle Imaging Center by \$24,518.50, leaving a balance of \$0.00 contingent upon posting an 18 month maintenance guarantee in the amount of \$11,897.25. Motion passed unanimously.

Motion – Recommendation on RFP's to DCTCC- Mr. Hartman, TCC Representative, made a presentation to the Board regarding proposals from Berkheimer, Capital Tax, and Keystone. The three firms will make formal presentations on August 18, 2010 at the TCC meeting; Mr. Hartman suggested that the Board attend the meeting. Mr. Hartman also suggested that a Board member should serve on the TCC committee. There was general discussion among the Board regarding the three firms.

Resolution 2010-43, Opposing Forced Mergers of Local Government -Two separate bills have been introduced in the Legislature designed to eliminate local government. House Bill 2431 calls for a state constitutional amendment to have Pennsylvania's' 67 County governments absorb all the municipalities within their borders and operate under a single countywide structure. Senate Bill 1357 proposes to create a Boundary Review Commission to make recommendations to the General Assembly for the merger, consolidation, or annexation of municipalities. PSATS opposes both bills and recommends that Townships pass a resolution against them.

Mr. Klein moved, seconded by Mr. Scott to adopt Resolution 2010-43, opposing forced local government mergers and consolidations. Motion passed unanimously.

Motion - Uniform Local Share Municipal Grant Application: Fire Station Construction- Ms. England presented some new information that she received regarding the grant process. She explained that when a grant is awarded the entire grant money is moved from County Gaming fund to a dispersing fund in the DCED office. If you don't spend all of the grant money they don't know what to do with

the extra money. It was explained that all grant money awarded must be spent. The Township was awarded a \$300,000.00 grant for architecture and site design for the fire station, however only \$245,000.00 was spent so \$55,000.00 is left over. It was suggested that the Township write a letter to the Gaming Board to request that those funds be transferred to another project. In our case with the fire station, Ms. England thinks that they will look favorably on transferring the remaining funds from the architecture grant to the construction grant application. She reviewed an alternate budget plan to the Board.

Mr. Klein moved, seconded by Mr. Megonnell to approve the change in the fire station project and the grant application. Motion passed unanimously.

Ms. England presented a preliminary draft budget page on the Exit 77 grant. The original agreement signed in 2002 the estimate of the cost of right of way acquisitions and utility relocation at \$425,000.00. The actual cost is almost 1.4 million; Ms. England thought that the Board might like to make the grant application for the difference in cost, which is about \$970,000.00. She thinks that argument to the Gaming Board that the original budget of \$425,000.00 was budgeted by the Township is why we are applying for the grant application of the balance due to complete the project.

Mr. Megonnell moved, seconded by Mr. Scott that the Exit 77 grant application request be in the amount of \$970,063.47 Motion passed unanimously.

Ms. England asked the Board if they would like to reevaluate the grant application in the amount of \$60,000.00 for a new fire police vehicle. She asked if they would like to remove the grant application process and make it part of the 2011 budget. The purchase could be an automobile loan as part of the budget. Ms. Turns commented that the PSAB requested a vehicle that would cost \$60,000.00 she believes that the Township could purchase a vehicle for less and finance it as a loan. There was discussion among the Board about pros and cons of removing the fire vehicle grant application request and how it may or may not affect the other grant applications.

Mr. Klein moved, seconded by Mr. Scott to remove the Fire Police Vehicle Grant Application. Motion passed unanimously.

Resolution 2010-45, Sewage Planning Module, Rt. 39 Restaurant & Hotel- Mr. Scott asked Mr. Brulo if he had any comments. Mr. Brulo stated that the Loxas's have not addressed any questions from the Township staff. Solicitor Yost stated that the Loxas's have not signed agreement with the Township. He also said that DEP will require a full planning module, due to the capacity issues. It is a resolution to approve them to submit the full planning module, which may or not be approved by DEP.

Mr. Scott moved, seconded by Mr. Megonnell to adopt Resolution 2010-45, Sewage Planning Model. Motion passed 4-0-1, with Mr. Klein abstaining.

Motion – Conversion of Wireless Tower Lease- Ms. England reviewed the information proposed by Unison Corporation who has approached the Township with a cell site lease conversion offer. They are offering to buy out our current lease for the lump sum of \$119,025.00. They are also requiring an additional 250 sq. ft. adjacent to the current cell tower site. Unison will then attempt to rent space on

the cell tower to cell phone companies other than AT&T, the current occupant. If they are successful, Unison will pay the Township, on a monthly basis, 50% of the revenue from any new customers. There was discussion regarding the proposal. It was decided that Ms. England would contact Unison requesting and request an extension to 9/30/2010.

Mr. Klein moved, seconded by Mr. Megonnell to table the cell site lease conversion program offered by Unison for the lump sum payment of \$119,025.00. Motion passed unanimously.

Motion - Waiver of Well Isolation Distance – Matt Williard (SEO) presented his report on a sewage malfunction at 921 Pheasant Road to the Board. The malfunctioning system cannot be repaired. Mr. Williard has tested for a new system with the filter, bed, and dosing tank meeting the isolation distance from the well. The tank itself, however, is currently within the 50 ft. isolation distance to the well and must be replaced in the same location. This isolation distance does not meet the 50 foot standard as required in the PA Code, Chapter 73, however Mr. Williard has determined that it is a vast improvement over the current conditions.

Mr. Klein moved, seconded by Mr. Ostermayer to waive the 50 foot well isolation distance from the septic tank per DEP Title 25, Section 73.13(b)(3) for Joseph Smink in order to replace a malfunctioning septic system on his property at 921 Pheasant Road, authorize execution of an indemnification agreement with the discussed changes, and direct the SEO to issue the appropriate permits. Motion passed unanimously.

Motion – Request for Letter of Support- South Central Emergency Medical Services is requesting a letter of support for a Local Share Municipal Grant Application to Dauphin County for the replacement of a 15 year old ambulance. This letter of support from the Township will not affect our grant applications.

Mr. Megonnell moved, seconded by Mr. Ostermayer to approve a letter of support for the grant application for the SCEMS ambulance replacement project. Motion passed unanimously.

Resolution 2010-44, Accept Radle Rd.

Mr. Megonnell moved, seconded by Mr. Ostermayer to adopt Resolution 2010-44 accepting Radle Road in Bradford Estates. Motion passed unanimously.

Motion – Insurance Agent for the Township- The Township has contracted with Murray Risk Management and Insurance, an independent broker, for many years to provide a comprehensive insurance package including commercial, liability, error & omissions, automobile, umbrella, and workers compensation. As an independent broker they investigate several companies each year to determine the best program for our needs and that of the Water & Sewer Authority. Mr. John Barry of Brown & Brown asking to do a risk analysis and insurance quote on our Municipal policy. Mr. Brulo made the comment that the current agent is the best for municipal government.

Mr. Megonnell moved, seconded by Mr. Scott to not accept the request from Brown & Brown to do a risk analysis and insurance quote on our Municipal policy. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Ms. Turns asked Mr. Brulo what happened with the detention pond at the Comfort Inn. Mr. Brulo explained that there are two pipes coming in with only one pipe going out. He explained that this configuration was a result of an old ordinance. There was discussion regarding the flooding of Fairville Avenue, the detention pond, and solutions to the current problem. Ms. Turns suggested that Ms. England send a letter to Comfort Inn regarding the problem and see if they can have the pipes retro fitted to eliminate the current problem.

Ms. England informed the Board that Pennsylvania American Water is sponsoring a luncheon on Thursday 8/5 and asked if anyone was interested in attending. Ms. Turns will attend the luncheon.

Mr. Brulo made a presentation to the Board regarding the preconstruction meeting regarding Harper Drive. The alternative bid that was awarded by the Board of Supervisors called for full depth bituminous construction. With the unit price quoted in the bid the Township can afford to initiate a change order calling for concrete reconstruction. There was discussion regarding asphalt paving versus concrete, costs, and funding. Solicitor Yost brought up the question if estimated quantities with unit prices were part of the bid packet.

Mr. Klein moved, seconded by Mr. Scott to authorize a change order for Harper Drive, Jonestown Road, and Rt. 39 specifying all concrete reconstruction. Motion passed unanimously.

PUBLIC COMMENT:

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier stated that regarding the Piketown Road & Rt. 39 lot that the Board needs to move quickly to amend the zoning ordinance to target a district.

SUPERVISORS COMMENTS:

Mr. Ostermayer said that he would like to see better planning in the Township. He has been getting a lot of fill placed in his landfill from the Township; with better planning it could have been taken to the fire station land on Jonestown Road.

ADJOURNMENT: 9:00 pm

Mr. Scott moved, seconded by Mr. Klein to adjourn the meeting. Motion passed unanimously.