

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, MAY 3, 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, following the Pledge of Allegiance Pastor Brian Harrison gave the invocation.

ROLL CALL

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

Jay Megonnell, Vice-Chairman
Linda Turns, Chairman

PRESENTATIONS, STAFF/BOARD REPORTS

PUBLIC COMMENT

Sam Harris, 7816 Fishing Creek Valley Road- Mr. Harris bought his property in 1966, and a few years ago private property road signs were posted. A street sign was posted but not with his name. He stated he has documents that prove that the road belongs to him. About one month ago, the sign was removed, and he would like the Township to replace it and have it named Harris road. Mr. Harris presented all documents to Solicitor Yost for review.

Don Steinmeier, 11 North Fairville Road- Mr. Steinmeier asked the Board if the public will be able to comment during the public hearings. Ms. Turns confirmed that the public is able to make comments and ask questions during the public hearings. He asked the Board to review the changes for the public when Ordinance 2010-10, Chapter 105, Fire Hydrants and Ordinance 2010-11, Chapter 103, Fire Prevention are brought up under new business. He asked for clarification under correspondence Item #2 from the Dauphin County Tax Collection Committee. Ms. Turns informed him that this was the schedule and issues for meetings for the next few months. Mr. Klein stated that representatives from all the municipalities and school districts make up the committee.

John Shearer, 7949 Slepian Road- Updated the Board on the West Hanover Township Citizens Helping Hands Committee. They have helped a number of residents in the Township with yard work. Repetitive jobs (mowing, weeding, etc) are being handled by Keystone Correctional Services. He said that the residents from Keystone Correctional Services have been a big help. He asked if he could drop compost at the compost center on days it is closed if he calls in advance. Mr. Ostermayer told Mr. Shearer to contact him and he would take care of it. He thanked the Board for all of their support.

PUBLIC HEARING/MEETINGS:

Ordinance 2010-03, Chapter 195, Wind Energy Amendment -See attached transcript.

Ordinance 2010-05, Chapter 173-37, FILO Amendment- See attached transcript.

PRESENTATIONS, STAFF/BOARD REPORTS:

Ms. England told the Board that Harold Harman has visited each culvert that is under construction. There were no problems with the culverts due to the storms on Sunday evening; however there was high water on Pheasant road. Mr. Stofko stopped by the Township office and said that he had more severe flooding than in the past; Ms. England informed him that we are still working with HRG and the water company on a solution to that problem. Public works will begin mowing on Tuesday.

APPROVAL OF MINUTES

Regular meeting – April 19, 2010- Mr. Ostermayer requested that minutes be revised to reflect that under the Motion to Award Roof Repair Quotes that he spent four days on the roof with contractors and as a result the Township saved \$55,000.00 on the project. ***Mr. Megonnell moved, seconded by Mr. Ostermayer to approve the regular meeting minutes of April 19, 2010, with the change request by Mr. Ostermayer. 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 April 30, 2010	\$712,011.98
Total Liquid Fuels Balance as of April 30, 2010	\$434,648.31
Total Capital Reserve Fund Balance as of April 30, 2010	\$1,073,075.57

B. Deposit Activity since March 20, 2010

	\$48,152.26
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Mr. Scott reported the gross payroll of April 23, 2010 totaled \$31,125.95. ***Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the payroll of March 23, 2010 in the amount of \$31,125.95. Motion passed unanimously.*** Mr. Scott reported the vouchers prepaid to meet due dates were \$1,580.95 ***Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$1,580.95. Motion passed unanimously.*** Mr. Scott reported the total for the vouchers to be approved was \$80,560.54. ***Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the vouchers in the amount of \$80,560.54. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS:

#10.002 F/SB Weaver/Hetrick Subdivision Plan. 7530 & 7538 Fishing Creek Vly Rd. Action by 6/22/10.

Mr. Leonard gave a report on the subdivision plan. This plan is a subdivision of a 61.37 acre parcel into two pieces, one 30.69 acre piece being added on to an adjacent lot, and a 30.69 acre residual lot in the Conservation Zoning District, north of Fishing Creek Valley Road. Solicitor Yost suggested that the deed clearly reflect that this land can't be re-subdivided without future Township approval.

Mr. Klein moved, seconded by Mr. Megonnell to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Final Subdivision Plan for Weaver/Hetrick, Township ID #10.002, Tax Parcel #s 68-003-150, and -061:

- 1. Section 173-11.A – Preliminary Plan requirements***
- 2. Section 173-14.I(2)(d) – Survey Datum requirements***
- 3. Section 173-11.B(2)(bb) – Existing 2' contours***
- 4. Section 173-38.B(1) – Tree and vegetation inventory***
- 5. Section 173-15.B(2)(d) – Plan scale requirements***
- 6. Section 173-11.B(2)(t) – Location of existing features***
- 7. Section 173-11.B(3)(n) – Legal description of street right-of-way***
- 8. Section 173-11.B(2)(c) – Driveway profiles***

Motion passed unanimously.

Mr. Klein moved, seconded by Mr. Megonnell approve the Final Subdivision Plan for Weaver/Hetrick, Township ID #10.002, Tax Parcel #s 68-003-150, and -061, contingent upon:

- 1. 173-15.C(19) – Recording a new deed incorporating Lot 2 into parcel 68-003-061.*
- 2. 173-15.C(19) – Provide a Maintenance Agreement for driveway access and maintenance of the residual lot for recording.*
- 3. 173-15.C(19) - Incorporating staff and Township Engineer’s comments.*
- 4. 173-15.C(19) - Other items as determined necessary by Township Ordinances.*

In addition to including the comments of the Solicitor that the deed clearly reflect that this land can’t be re-subdivided without future Township approval. Motion passed unanimously.

#2010.01 Rezoning Request, Deborah Hoffman, 7423 Green Hill Road. Set public hearing date for 6/7/10 at 7:15 PM. - Mr. Leonard presented background information on this rezoning request. Ms. Hoffman is requesting that 7423 Green Hill Road, tax parcel #68-038-010 be rezoned from FRA (Flexible Rural Agriculture) to R1 (Low Density Residential).

Tim Mellott, 7500 Devonshire Heights Road- Mr. Mellott said that this request is a violation of comprehensive plan that was adopted in 2005. He gave his comments regarding this rezoning request to the Board.

Mr. Klein moved, seconded by Mr. Scott to authorize advertisement and set the public hearing of June 7, 2010 at 7:15pm for a proposed amendment to the Zoning Map for 7423 Green Hill Road, Tax Parcel #68-038-010; from FRA (Flexible Rural Agriculture) to R1 (Low Density Residential), Deborah Hoffman, applicant/owner. Motion passed unanimously.

Proposed Amendment – Section 173-27 Sidewalks & Ped Paths. Review and authorization to send to DCPC for review and set public hearing date of 7/6/10. – Mr. Leonard provided a background on the proposed changes the ordinance. The proposed changes are for clarification of when and where the Township should require pedestrian pathways. The changes are recommended for the Subdivision Ordinance only, and as such are subject to waiver requests. Also, construction of the pathways would be limited to three options, all paved, which will eliminate some of the complaints of previously constructed paths.

Mr. Klein moved, seconded by Mr. Scott to send Section 173-27 Sidewalks & Ped Paths to the Dauphin County Planning Commission for comment and set a public hearing date for July 6, 2010. Motion passed unanimously.

173-26 Curbs & gutters. Review and authorization to send to DCPC for review and set public hearing date of 7/6/10.- Mr. Leonard provided a background on the proposed changes to the Ordinance. The change involves adding a provision to allow depressed curbing to allow stormwater to get into rain gardens, while still maintaining the structural integrity of a parking lot or roadway pavement. Ms. Turns made a comment that no one is doing anything with the rain garden at Fairville Park.

Mr. Klein moved, seconded by Mr. Scott to send Section 173-26 Curbs & Gutters to the Dauphin County Planning Commission for comment and set a public hearing date for July 6, 2010. Motion passed unanimously.

173-29 Erosion & sedimentation. Review and authorization to send to DCPC for review and set public hearing date of 7/6/10. - Mr. Leonard provided a background on the proposed changes to the Ordinance. The change involves clarification of when E&S controls are required, and includes provisions for disturbed areas to be seeded within 20 days if no land development occurs. This would prevent large scale clearing and grubbing without reseeding to prevent erosion.

Mr. Klein moved, seconded by Mr. Scott to send Section 173-29 Erosion & Sedimentation to the Dauphin County Planning Commission for comment and set a public hearing date for July 6, 2010. Motion passed unanimously.

173-32 Water. Review and authorization to send to DCPC for review and set public hearing date of 7/6/10.

Mr. Leonard provided a background on the proposed change to the Ordinance. The change involves adding the Public Safety Advisory Board as an alternative to the Township Fire Company to review adequacy of water systems for fire protection in new developments.

Mr. Klein moved, seconded by Mr. Scott to send Section 173-32 Water Supply to the Dauphin County Planning Commission for comment and set a public hearing date for July 6, 2010. Motion passed unanimously.

173-35 Utilities. Review and authorization to send to DCPC for review and set public hearing date of 7/6/10.

Mr. Leonard provided a background on the proposed change to the Ordinance. The change involves adding a provision to prevent lines on telephone poles from sagging lower and lower, making it impossible for delivery trucks, moving vans, or emergency vehicles to access a residence. While all new developments require underground utility placement, older areas of the Township are subject to more and more lines being hung on poles that are too short.

Mr. Klein moved, seconded by Mr. Scott to send Section 173-35 Utilities to the Dauphin County Planning Commission for comment and set a public hearing date for July 6, 2010. Motion passed unanimously.

OLD BUSINESS:

Motion – Water & Sewer Authority Arbitration Reimbursement- Mr. Klein provided the background regarding the reimbursement to the public.

Mr. Klein moved, seconded by Mr. Scott authorize the reimbursement to the Water & Sewer Authority the amount of \$14,405.56 for costs incurred in the arbitration case with the Swatara Authority, utilizing funds from the Capital Reserve Fund. Motion passed unanimously.

NEW BUSINESS:

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

Mr. Klein moved, seconded by Mr. Megonnell to approve attendance to the Simpson Strong-Tie Wall Bracing IRC workshop for Harold Arndt on May 26, 2010. Motion passed unanimously.

Improvement Guarantee Reduction #1, Devonshire Heights Tract Subdivision

Mr. Klein moved, seconded by Mr. Megonnell to approve the reduction of the Improvement Guarantee for Devonshire Heights Tract Subdivision by \$18,000.00 leaving a balance of \$17,585.00. Motion passed unanimously.

Ordinance 2010-03, Chapter 195, Wind Energy Amendment

Mr. Klein moved, seconded by Mr. Megonnell to approve Ordinance 2010-03, Chapter 195, Wind Energy Amendment. Motion passed unanimously.

Ordinance 2010-05, Chapter 173-37, FILO Amendment

Mr. Klein moved, seconded by Mr. Scott to approve Ordinance 2010-05, Chapter 173-37, FILO Amendment. Motion passed unanimously.

Ordinance 2010-10, Chapter 105, Fire Hydrants- Ms. England stated that this Ordinance came from the PSAB, they consulted with the PA American Water Company regarding the standards that they use to test for the public hydrants.

Mr. Megonnell moved, seconded by Mr. Klein to approve Ordinance 2010-10, Chapter 105, Fire Hydrants. Motion passed unanimously.

Ordinance 2010-11, Chapter 103, Fire Prevention

Mr. Klein moved, seconded by Mr. Megonnell to approve Ordinance 2010-11, Chapter 103, Fire Prevention. Motion passed unanimously.

Motion – Award bids for used equipment- Four pieces of used Public Works equipment were advertised in both the Patriot News and the Lancaster Farming paper. Eight sealed bids were received and opened on April 28, 2010.

Mr. Megonnell moved, seconded by Mr. Scott to accept the high bid for the following pieces of used equipment for sale:

<i>1976 Ford Tractor</i>	<i>Dale Brosius</i>	<i>\$2,205.00</i>
<i>1994 Ford F250 Pickup Truck</i>	<i>Chad Heisey</i>	<i>\$1,852.40</i>
<i>600 gallon metal tank</i>	<i>Chad Heisey</i>	<i>\$100.20</i>
<i>500 gallon metal tank</i>	<i>Chad Heisey</i>	<i>\$100.20</i>

Motion passed unanimously.

Motion – Highway Occupancy Permit, HOP, Supplement (Turkey Hill)- This HOP provided turning lanes on both Allentown Blvd. and Clover Lane to provide access to the new Turkey Hill business. PennDOT has requested a change to the pavement configuration from the original HOP and is requiring a supplement to the HOP, specifying bituminous surface rather than concrete.

Mr. Klein moved, seconded by Mr. Megonnell to authorize the execution of PennDOT HOP Supplement #1 for the Turkey Hill Land Development Plan. Motion passed unanimously.

Motion – Scope of Work, Oil and Chip Bid- Mr. Brulo provided information regarding the Scope of Work for the bidding documents for the oil and chip of roads in the Township. The work will be bid out, but Public Works will widen Appalachian Trail before the oil `n chip process.

Mr. Ostermayer moved, seconded by Mr. Klein to authorize the Township Engineer to move forward with the Scope of Work in the amount of \$2,900.00 for the Oil `n Chip bid for 6 specific roads totaling approximately 60,851 square yards, for construction late this summer. Motion passed unanimously.

CORRESPONDENCE:

Item # 3 FROM: Justin Mendinsky, HRG RE: DEP- Ms. England pointed out that Justin from HRG, sent the supplemental Scope of Work for revising the Act 537 Plan to the DEP. A letter was received today from the DEP that the supplement was accepted.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD: None

PUBLIC COMMENT:

Don Steinmeier, 11 North Fairville Road- Mr. Steinmeier thanked the Board for reaching a settlement with the WSA on the arbitration reimbursement. He discussed the capacity of the sewer plant; he stated that it is important that the Township and the WSA keep in contact regarding any possible large subdivisions or developments.

Bob Leonard, Zoning Administrator- Mr. Leonard informed the Board that he has met with Jeff Ernico, legal counsel for the Fowler development per their request. Jeff and Bob discussed the ordinance language changes that the Fowler's would like to see for their tract of land. Mr. Ernico has sent his recommendations to Bob who will review and report back to the Board.

Carol Buskirk, 6908 Fox Hill Road- Mrs. Buskirk stated that the EAC is responsible for the maintenance of the rain garden and it will be reviewed at the next EAC meeting. She said the philosophy is that it is being maintained as a natural area with native plants that were chosen for their wildlife benefit. She invited Ms. Turns to the next EAC meeting.

SUPERVISORS COMMENTS:

Mr. Megonnell said that the EAC came to his property to see his trees. A few trees may be eligible to be part of the Big Tree Registry.

Mr. Klein stated that he felt uncomfortable about the meeting with the Fowler applicant. He said the application process should be followed by all developers, and that the Board should follow that procedure as to be fair to all developers.

Mr. Klein's son is a member of the cub scouts who have a summer picnic at Fairville park. Scout master McNaughton is requesting the Township to consider waiving the rental fee.

Mr. Megonnell moved, seconded by Mr. Scott to waive the rental fee for the pavilion at Fairville Park for the Cub Scouts. Motion passed unanimously.

Mr. Ostermayer made a comment about issue that Sam Harris brought up regarding the name of a road. There are other residents in the Township who have roads that go through their property. Not everyone can have a road named after them.

ADJOURNMENT: 8:45 pm