

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, APRIL 5, 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

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier stated that he is in favor of the lease renewal for the Park & Recreation Department to utilize space at Fire Station #1. He asked the following questions regarding correspondence: Item #1-Notice of Turnback funds, he asked if the amount received was more or less than in 2009. The Township received \$23,120.00; Ms. England stated the funds received in 2010 are the same as 2009. Item #5- Eggs and Issues Breakfast session, he asked the date and location. Item #11 regarding the tax exonerations, these are the three tax payers that the Board approved the exonerations of the tax penalties. Item #13 a letter to Mr. Memmi regarding the grant progress report. Ms. England stated that she sends the County a quarterly report regarding the fire engine grant. He asked when the next grant deadline is, Ms. England said the deadline is September 1st. At this time the Board has not discussed what projects to apply for grants.

Seth Lewis, Grantville- Mr. Lewis represents Team Lewis Landscaping who submitted a bid for the mowing and landscaping services for 2010. He spoke about the bid packet that was submitted and presented an overview of the company.

Shirley McCahan, 7230 Jonestown Road- Mrs. McCahan congratulated Dixie Fesig, the Park & Recreation Board, and the volunteers for doing a fantastic job at the Easter Egg Hunt held this past Saturday. There were 190 participants.

Beth Carricato, 699 Knight Road- Ms. Carricato brought up a number of issues that occurred at previous meetings. She stated that at the March 1st meeting the discussion of the Scope of Work for the site design engineering for the fire station project didn't mention any other projects on the property. At the March 15th meeting there was discussion under supervisor's comments that other buildings may be added on the property. By consensus HRG was directed to do a number of drawings for the project. The Board can not rule by consensus but must rule by motion or resolution according to the Township Code. She read from the 2003 copy of the Township's comprehensive plan regarding population and population projection of the Township. Her concern is that the motion made at the March 1st meeting for the Scope of Work for the site design was for a fire station only on the land. She brought up a referendum that was done on July 5, 2005 for the debt in the sum of \$3,800,000.00 for the renovation of the Township building and the addition of a recreation and senior center. That referendum was voted down. She said the only scope of work that should be presented this evening should for a the site design with only the fire station on the property. She said that there was a paper handed out and the end of the March 15th meeting regarding staff elimination. She asked Mr. Scott, Mr. Megonnell, and Mr. Klein if they are in favor of staff elimination, all replied no.

Bill McCahan, 7230 Jonestown Road- Mr. McCahan read a statement (see attached) from Matt Miller who was unable to attend the meeting regarding the situation with the Fire Company lease agreement with the Park & Recreation Department as well as the land purchase and proposed fire station on Jonestown Road. Mr. McCahan stated that many years ago he and Stan Kitner signed paperwork to have the ball fields turned over to the fire company. At that time they promised John Houck that they would be ball fields forever. He said if the property is used for more than the fire station that the Township's reputation will be ruined with Dauphin County. We have received two grants for \$800,000.00 that has allowed the purchase of two new fire trucks, without the grants the Township would have to have paid for them.

Gloria Zimmerman, 1453 Mumma Road- Mrs. Zimmerman thanked the Board for their support at the Breakfast with Ben Franklin. She thanked Mr. Scott for his help in the kitchen. She also thanked Pat Cassel, Jean Sites, and Mary Ann Kelemen for their help; the breakfast raised approximately \$1,000.00. She reminded the Township the next event will be History Day at Mt. Laurel Park which will be held on July 17th. She asked the Board if there are any tanks on the fire company property. Ms. Turns stated that the Board is not aware of any at this time.

Mary Ann Yahn, 325 Piketown Road- Mrs. Yahn thanked Ms. Carricato and Mr. McCahan for the accurate and factual information that they presented. She stated that the grant received from Dauphin County was for land development for a fire station.

Matt Senft, 7741 Valleyview Avenue- Mr. Senft agreed with Mr. McCahan's comments. Mr. Senft has concerns regarding outdoor training space at the new location. He stated that when he helped make the grant presentation the County asked specific questions regarding the future land and use of the Station #1 property. He believes that the County's trust in West Hanover Township will deteriorate if we try to add another building to the land. He asked the Board to take a hard look at the architectural proposals and review their qualifications based on their experience. He personally would recommend SGS.

Beth Carricato, 699 Knight Road- Ms. Carricato asked Mr. Brulo how many site designs he brought this evening to present to the Board. She stated that there should only be one site design based on the motion made by the Board. She said the motion that was made at the March 1st meeting was for a site design with only the fire station on the property. Mr. Brulo stated that the scope of work called for up to three sketch plans. Ms. England said that based on the Board's discussion and the direction they wanted to go she asked Mr. Brulo what it would look like on paper if we put an 8,000 square foot and a 4,000 square foot building on the property. This resulted in two additional sketch plans. She said the three sketch plans were presented at the workshop on March 29th. The Board reviewed the three sketch plan and Mr. Brulo to come up with a hybrid of sketch plan #2 with a complete one story building and 4 bays. Mr. Klein stated that the Board wanted to look at all options that are available, and they were considering reserving land for future use in the next 10-20 years.

PUBLIC HEARING/MEETINGS: NONE

APPROVAL OF MINUTES

Regular meeting ó March 15, 2010- *Mr. Megonnell moved, seconded by Mr. Ostermayer to approve the regular meeting minutes of March 15, 2010. Motion passed unanimously.*

Workshop Meetings ó March 29, 2010, March 31, 2010- *Mr. Megonnell moved, seconded by Mr. Ostermayer to approve the workshop minutes of March 29, 2010. Mr. Klein abstained, motion passed unanimously. Mr. Megonnell moved, seconded by Mr. Ostermayer to approve the workshop minutes of March 31, 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 March 12, 2010	\$680,873.93
Total Liquid Fuels Balance as of March 12, 2010	\$434,648.31
Total Capital Reserve Fund Balance as of March 12, 2010	\$1,073,075.57

B. Deposit Activity since March 1, 2010

\$72,407.19

Mr. Scott reported the gross payroll of March 26, 2010 totaled \$32,141.26. ***Mr. Ostermayer moved, seconded by Mr. Klein to approve the payroll of March 26, 2010 in the amount of \$32,141.26. Motion passed unanimously.*** Mr. Scott reported the vouchers prepaid to meet due dates were \$22,837.11 ***Mr. Ostermayer moved, seconded by Mr. Klein to approve the vouchers prepaid to meet due dates in the amount of \$22,837.11 . Motion passed unanimously.*** Mr. Scott reported the total for the vouchers to be approved was \$18,866.01. ***Mr. Ostermayer moved, seconded by Mr. Klein to approve the vouchers in the amount of \$18,866.01. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS:

#10.001 F/SB Re-Subdivision Plan NSM Enterprises, 8000 Jonestown Road. Action by 5/25/10

This plan is a four lot re-subdivision of a 15.848 acre tract comprising of four lots, in the Interchange (I) and Conservation (C) Zoning Districts at the corner of Jonestown Road and Linglestown Road. The Planning Commission recommended approval of this plan with waivers and contingencies. On February 19, 2010, the Dauphin County Planning Commission reviewed the plan with comments about open space, stormwater, signatures, sidewalks and curbs, and monuments. All of these comments have been addressed.

The applicant has requested the following waiver requests:

1. Section 173-11.A ó Preliminary Plan requirements
2. Section 173-14.I(2)(d) ó PA State Plane Coordinate System and vertical datum
3. Section 173-25.C(5) ó Street widening, curbs and sidewalks

Mr. Megonnell moved, seconded by Mr. Ostermayer to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Final Re-Subdivision Plan for NSM Enterprises, Inc., Township ID #10.001, Tax Parcel #s 68-020-013, -015, -016, -029:

1. ***Section 173-11.A – Preliminary Plan requirements***
2. ***Section 173-14.I(2)(d) – Digital submission requirements***
3. ***Section 173-25.C(5) – Road front improvements***

Mr. Klein and Mr. Scott abstained. Motion passed unanimously.

Mr. Megonnell moved, seconded by Mr. Ostermayer approve the Final Re-Subdivision Plan for NSM Enterprises, Inc., Township ID #10.001, Tax Parcel #s 68-020-013, -015, -016, -029, contingent upon (based on):

1. ***173-15.C(19) - Incorporating staff and Township Engineer's comments.***

2. 173-15.C(19) - Other items as determined necessary by Township Ordinances.

Mr. Klein and Mr. Scott abstained. Motion passed unanimously.

Motion ó Time Extension, Townes @ Briar Creek

For the fourteenth time, a time extension letter has been submitted to the Township for the Townes at Briar Creek Land Development Plan. The new plan action deadline is October 17, 2010.

Mr. Ostermayer moved, seconded by Mr. Megonnell to accept the time extension letter for the Townes at Briar Creek Land Development Plan. The new plan action deadline is October 17, 2010. Motion passed unanimously.

OLD BUSINESS: None

NEW BUSINESS

Motion ó Consent Items: Section 607. (4):Southeast PA EAC Conference

Mr. Klein moved, seconded by Mr. Ostermayer to approve one member of the EAC attendance to the Southeast PA EAC Conference, Jenkintown, PA, April 10, 2010, 8:30AM-2:00PM. Motion passed unanimously.

Fire Hydrant Application- PA American Water Company has submitted an application (attached) for the installation of a public fire hydrant on the west side of Clover Lane between Allentown Blvd. (Route 22) and Hillcrest Ave. near the new Turkey Hill. The installation of hydrants creates fire protection service and expenditures from the Fire Hydrant Fund and the collection of Hydrant Tax assessments on real estate within 780ø of the hydrant. The Board must approve all new hydrants.

Mr. Klein moved, seconded by Mr. Ostermayer to approve the application for a new fire hydrant on Clover Lane adjacent to the new Turkey Hill. Motion passed unanimously.

Motion ó Award Bid 2010-01, CapCOG Joint Bid -The Township participates in a shared bid process through the CapCOG and submitted its items and quantities on January 26, 2010.

Mr. Ostermayer moved, seconded by Mr. Klein to accept the low bids for Bid 2010-01, CapCog Joint bids, for: Roadway Materials: Hempt, Handwerks, Pennsy; Line Painting Services: Alpha Space Control; Micro Sealing: APs (Asphalt Paving Service); Playground cover, Diamond Tex: Zeager Bros, Martin Bros; Chemicals: Univar. Motion passed unanimously.

Motion ó Award Bid 2010-02, Mowing and Landscaping Services

Mr. Klein moved, seconded by Mr. Ostermayer to award Bid 2010-03 Mowing and Landscaping to the low bidder, Way's Lawn Care. Motion passed unanimously.

Ordinance 2010-02, Open Burning Amendment - Ms. England stated that PSAB did all the work for amendment to the Ordinance for the past year. Mr. McCahan thanked Julie Hoepfer and Ms. England for all their hard work.

Mr. Ostermayer moved, seconded by Mr. Megonnell to approve Ordinance 2010-02, Open Burning Amendment. Motion passed unanimously.

Motion ó Advertised used equipment for sale - The Public Works facility has compiled the following list of equipment to be offered for sale. 1976 Ford Tractor, 1994 Ford F250 Pickup Truck ,600 gallon metal tank, and 500 gallon metal tank. As with the sale of any equipment the Township must advertise the items for sale and accept sealed bids. The bids will be advertised in the Patriot News and the Lancaster Farming paper.

Mr. Ostermayer moved, seconded by Mr. Megonnell to authorize the advertisement of 4 pieces of used Public Works equipment for sale via sealed bid. Motion passed unanimously.

Resolution 2010-35, Multiple Road Closings for Culvert Replacement project ó Ms. England stated that letters were send to all homeowners who the road closings would affect.

Mr. Klein moved, seconded by Mr. Megonnell to authorize Resolution 2010-35, Multiple Road Closings for Culvert Replacement project. Motion passed unanimously.

Motion ó Water & Sewer Authority Arbitration Reimbursement - The Water and Sewer Authority is requesting reimbursement of the costs of the arbitration case against the Swatara Township Authority regarding capacity in the joint use interceptor. On March 15, 2004, the Board adopted Resolution 2004-32, assigning to the West Hanover Township Water & Sewer Authority the project ó to undertakeí utilizing sewage treatment capacity currently held by West Hanover Township at the Swatara Township Waste Water Treatment Plantí ö The Authority entered into arbitration to resolve issues under the intermunicipal agreement with the Swatara Authority. The Authority is seeking reimbursement in the amount of \$28,811.11 for outside attorneyø fees, Authority Solicitor fees, and the Board of Arbitrator escrow account.

Mr. Klein moved, seconded by Mr. Megonnell table the Water & Sewer Authority Arbitration Reimbursement to an Executive Session. Motion passed unanimously.

Motion ó Manor Dr. construction alternatives - The Board has been discussing the improvements to the first section of Manor Dr. (Route 39 north to Route 22) since last August. The Board approved a Scope of Work from HRG for the final design. In order to complete the final design the Board must make a decision on the method of repair to this section of Manor Dr. There are two options: Option 1 is the greatest cost but could be phased over several years. The phasing may expose the Township to even greater costs based on the price of asphalt in future years. Option 2 is less expensive however it must be completed in one year and would involve bidding the installation of the geotextile material. There was discussion regarding the two options. Harold Harman, Roadmaster prefers Option 1. Mr. Brulo said there would be less cracking with Option 2.

Mr. Ostermayer moved, seconded by Mr. Klein to move forward with the final design of the improvements to Manor Dr. Section 1 based on Option 1. Motion passed unanimously.

Motion ó TCC Bylaws- All local taxes will be collected by one tax officer beginning in 2012. In Draft #4 the major change in this draft is that all actions taken by the TCC, except for one, will be voted on the basis of one delegate-one vote. The appointment of a tax officer shall be made by weighted vote of each delegate. However Section 3 (page 2) calls for a ö2/3 super-majorityö vote if making a change in the appointment of a tax officer. Previous drafts deleted all references to a ösuper-majorityö. A concern is that the bylaws do not define what a ö2/3 super-majorityö is. Larger municipalities and school districts will get a larger vote on the tax collection agency.

Mr. Klein moved, seconded by Mr. Scott to have the West Hanover Township delegate to the Dauphin County TCC to cast his vote on behalf of the Township against Draft #4 of the TCC bylaws and state the concerns, if any. Motion passed unanimously.

Motion ó Lease agreement with Fire Company- The Park & Recreation Department has been renting Fire Station #1 since December 1, 2009 for the recreation center. There is a proposed new lease starting on June 1, 2010, for a one year period with a one year renewal option through May 31, 2012. The Park and Rec Board is overwhelmingly in favor of remaining at this space and conducting programs and activities at the Fire Hall and adjacent fields. If the Board approves it must go to the entire Fire Company membership for deliberation and approval. Ms. Turns is concerned that the Township has not paid a portion of the utilities since renting the building. Mr. Senft stated that there hasn't been an invoice since the fire department is working on a fair billing procedure. There will be no charge for the Township for the past months. Ms. Turns suggested that the utilities should be billed on a quarterly basis and that the lease should be revised to reflect this.

Mr. Megonnell moved, seconded by Mr. Scott to authorize execution of a one-year lease with a one year renewal option through May 31, 2012 with the West Hanover Fire Company for space at the Fire Hall for Township Recreation activities with the addition of quarterly billing for utilities. Motion passed unanimously.

Motion ó Fire Station Site Design Preliminary Sketch Plan ó Mr. Brulo reviewed the four sketch plans for the Board. Sketch Plan 1. A 15,000 sq. ft. single story fire station with drive through entrance and exit for 3 apparatus bays and 1 story multi-use portion, appropriate parking spaces, above-ground stormwater management area, areas for expansion. Sketch Plan 2. A 15,000 sq. ft fire station (3 single story bays and 2 story multi-use portion) with drive through entrance and exit for apparatus bays, 8,000 sq. ft. building, appropriate parking spaces, above-ground stormwater management area, and no areas for expansion. Sketch Plan 3. A 15,000 sq. ft 2 story fire station (multi-use portion above 3 bays) an 8,000 sq. ft. building, a 4,000 sq. ft. building, appropriate parking spaces, probable underground stormwater management area, and no areas for expansion. Sketch Plan 4. - a hybrid of #2 with a complete one story fire station building with 4 apparatus bays as close to the corner of Jonestown and N. Clover as the truck turning radius would allow. The addition of the 4th apparatus bay brings the building size to approximately 16,160 sq. ft. There was discussion with the fire company regarding training area requirements and annual hose testing. The fire department did not receive sketch plan #4 prior to the meeting for review. It was discussed that the Executive Board of the fire department should have the opportunity to review sketch plan #4 before the Board makes a decision.

Mr. Klein moved, seconded by Mr. Scott to table the site design for the Fire Station Site Design Preliminary Sketch Plan until the workshop on April 12, 2010 at 7:30pm. Motion passed 4-1, Mr. Ostermayer voted nay.

Motion ó Award contract for Architectural Services, Fire Station- At a workshop session on March 29, 2010, the Board and 3 representatives of the Fire Company reviewed all 19 proposals and narrowed these down to 3 for further discussions. On March 31, 2010, the Board and the Fire Company representatives met with each of the three firms for further discussions and question and answer period. The three firms are: KD3 Design, SGS, and TKS. Mr. Scott stated that he and Mr. Megonnell reviewed the three plans on Friday April 2nd. He said that all three firms did excellent job in their presentations. Mr. Scott said he made a call to one of the three firms and was able to get their fee reduced by \$17,000.00. He had asked the one firm that is here tonight if his fee was negotiable and he gave the reply that he was firm on the price. He passed out an email that SGS sent to Ms. England confirming the fee reduction of \$17,000.00 per their phone conversation with Mr. Scott on April 2, 2010. Mr. Scott informed the public that he handed out the email that confirmed that price that was negotiated. He said they are by far the highest of the three bids, but they offer the most experience. Mr. Scott called two fire companies who worked with the firm and they gave them rave reviews. He has changed his mind as to where he is going with his decision based on the firms' experience. Mr. Megonnell stated that he feels the same way and he knows that the fire company likes them. Mr. Senft asked Mr. Scott to announce the firm he was referring to, and Mr. Scott informed the public the firm was SGS. Ms. Turns stated that the Board was not privy to what Mr. Scott and Mr. Megonnell took care of. Mr. Senft said that he spoken with fire companies that have worked with SGS and that they were all pleased with their work.

Mr. Scott made a motion to hire the firm of SGS at the stated price of \$145,000.00 in addition to the charges that were on their extra email which everyone has addressed.

Mr. Megonnell made a comment to Matt Senft that it was brought up by Mr. Klein that it would be nice to give some money from the grant to the County. That when the Township applies for future grants the County will realize that the Township is thrifty and will spend grant money wisely. Mr. Megonnell said he likes SGS but they were up there in price, so when they dropped it he felt that they would be the best. Ms. England explained to the residents the procedure of HRG doing the site design and the architects will design the building. HRG and the architect will work together. Mr. Ostermayer asked if SGS reduced their price why they didn't give us that price to begin with. He spoke with Grantville and they were happy with TKS, his vote is for TKS. Mr. Scott stated that TKS had the lowest bid, but they haven't built the fire house yet. Mr. Scott said that he went to SGS for a better price because that is his job. Mr. Scott and Ms. Turns exchanged comments. Ms. England stated that there was a motion on the floor; ***Mr. Megonnell seconded Mr. Scott's motion. There was a roll call vote:***

Mr. Klein-SGS

Mr. Megonnell-SGS

Mr. Ostermayer-TKS

Mr. Scott-SGS

Ms. Turns-TKS

Motion passed on a roll call vote 3-2 for the architectural firm of SGS for the architectural design of the fire station.

CORRESPONDENCE:

Item #5 FROM: Dauphin County Commissioners RE: Eggs and Issues Breakfast Session

Ms. England asked the Board if anyone was interested in attending the breakfast meeting on April 8, 2010. Mr. Megonnell, Mr. Scott, and Mr. Klein will attend.

Item #6 FROM: Dauphin County Industrial Development Authority RE: TCC Invoicing

Ms. England stated that we haven't received an invoice yet from the TCC but our weighted share is 3.9%.

Item #6 FROM: Elizabeth England RE: Closing of Kiwanis Road

Ms. England stated that letters were sent to all the residents on Kiwanis road regarding the road closure.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Solicitor Yost informed the Board that the Harrisburg Motorcycle Club had built a new building and when the County found out they sent the Club a letter that they had lost their clean and green exemption. The County billed the Club and the Club filed an appeal with the Dauphin County Assessment Appeals Board. The Appeals Board denied the request, the Club then filed an appeal with the Dauphin County Court of Common Pleas. There have been some negotiations going on and there is a proposal to stipulate a settlement of this matter. Approximately two acres of the land would be pulled out of the clean and green and would be taxable and the rest would remain in forest reserve. The Club would pay half of the back taxes and the compounded interest in settlement of this. The County solicitor for the Tax Assessment Appeals Board is recommending settlement of it. Solicitor Yost suggest that the Township go along with County since we have such a small piece of the action and if we chose to fight it would cost the Township a substantial amount of money. He recommends the Board approve it if there is like action by the Central Dauphin School District and the County.

Mr. Klein made a motion, seconded by Mr. Scott to approve the settlement based upon like action by the Central Dauphin School District and the County. Motion passed unanimously.

PUBLIC COMMENT:

Beth Carricato, 699 Knight Road- Ms. Carricato brought up that the public is not allowed to review meeting minutes until the Board has approved them. She brought up the minutes from the March 15th meeting where under the discussion of the recreation building status that Ms. Turns provided the Board a hand out that included: A drawing that shows the original plans for the land that did not include the fire station and a second drawing that includes a fire station on the plan. She said at the workshop meeting on March 29th there were three drawings.

Ms. England said that the residents are not able to review the minutes until the Board approves them. The minutes are in draft format and not an official record until the Board approves them. Once minutes are approved they are available on the Township website for review.

SUPERVISORS COMMENTS:

Mr. Scott apologized to Ms. Turns and the public for his outbreak during the discussion of awarding the contract for Architectural Services for the Fire Station. Ms. Turns accepted his apology.

ADJOURNMENT: 8:50 pm

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