

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, MARCH 1, 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.

There was an Executive session at 6:00 PM.

ROLL CALL

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

Jay Megonnell, Vice-Chairman
Linda Turns, Chairman

PUBLIC COMMENT

Beth Carricato, 699 Knight Road- Ms. Carricato attended the budget workshop held on February 22nd and thanked the Board and Ms. England for their explanations of the budget, it was very informative. She stated believes that Supervisors should not make personal comments during the Supervisors Comments portion of the meeting. The Supervisors comment portion of the meeting should relate to Township business only.

PUBLIC HEARING/MEETINGS: NONE

PRESENTATIONS, STAFF/BOARD REPORTS- Ms. England provided an update of the cost of the snow storms for the year. She reported the cost of equipment, material, and overtime. The total cost was \$21,000.00 out of a budget of \$25,000.00 for labor to date and \$105,000.00 out of \$125,000.00 for salt

APPROVAL OF MINUTES

Regular meeting ó February 1, 2010- *Mr. Klein moved, seconded by Mr. Megonnell to approve the regular meeting minutes of February 1, 2010. Motion passed unanimously.*

Workshop Meetings ó February 8, 2010, February 22, 2010- *Mr. Klein moved, seconded by Mr. Megonnell to approve the regular workshop minutes of February 8th and 22nd, 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 February 26, 2010	\$615,486.87
Total Liquid Fuels Balance as of February 26, 2010	\$219,061.09
Total Capital Reserve Fund Balance as of February 26, 2010	\$1,144,886.30

B. Deposit Activity since February 16, 2010	\$36,220.80
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Mr. Scott reported the gross payroll of February 26, 2010 totaled \$37,610.88. *Mr. Klein moved, seconded by Mr. Megonnell to approve the payroll of February 26, 2010 in the amount of \$37,610.88. Motion passed unanimously.* Mr. Scott reported the vouchers prepaid to meet due dates were \$1,264.24. *Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$1,264.24. Motion passed unanimously.* Mr. Scott reported the total for the vouchers to be approved was \$99,680.76. *Mr. Klein moved, seconded by Mr. Megonnell to approve the vouchers in the amount of \$99,680.76. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS:

SALDO Amendment, Section 173-37G FILO ó Set date for public hearing & authorize sending to DCPC for comment- Mr. Leonard explained that as an outcome of the lawsuit challenging our FILO calculation, wording had to be changed in Section 173-37.G to exclude the word ~~improved~~ and insert the word ~~buildable~~ when determining the fair market value of a piece of property.

Mr. Ostermayer moved, seconded by Mr. Scott to send Section 173-37G FILO to the Dauphin County Planning Commission for comment and set a public hearing date for May 3, 2010. Motion passed unanimously.

Zoning Ordinance Amendment, Wind Energy ó Set date for public hearing & authorize sending to DCPC for comment- Mr. Leonard stated that the proposed change to the Ordinance are to include a medium size wind energy device and to modify the small wind energy device regulations to increase allowable output from 4 KW to 5 KW, and to reflect new technologies and better match markets for such devices. There was discussion regarding the size of such devices.

Mr. Ostermayer moved, seconded by Mr. Scott to send Ordinance 2010-3 to the Dauphin County Planning Commission for comment and set a public hearing date for May 3, 2010. Motion passed unanimously.

Zoning Ordinance 2010-4 Forestry Activities ó Set date for public hearing & authorize sending to DCPC for comment ó Mr. Ostermayer asked what the cost would be to advertise the Ordinance, Ms. England stated that it depends on the size of the ad. Mr. Leonard stated that is could be upwards of \$1,000.00 that is why we try to have workshops and comments from the DCPC so by the time it is advertised, we are certain about the changes. Mr. Ostermayer read the following statement, *“I am against the so-called (updates) for this Forestry Ordinance for some of the following reasons, (1) I took the West Hanover Township’s Future Land Use Map for 2015. There is very little Forestry left on the map. Therefore, there is absolutely no reason for making any more restrictions on people who own Forestry land. (2) I went to Pennsylvania Forestry School in 2003. (3) I have 277 acres in a trust to be governed by the Pennsylvania Forest Stewardship Program. (4) I am also a certified Tree Farmer under the Pennsylvania Tree Farm Program. (5) I am a member of the Forestry for the Bay. (6) I have 1,000 Native White Pine Tree seedlings coming to plant in place of the Hemlock that died off from the Woolly-Adelgid. We plant trees every year for the future generations. (7) The key word in forestry is proper management. (8) I called forestry personnel from Penn State and they tell me that nobody wants to buy any timber in Townships with forestry restrictions because when all is done there is nothing left for the land owner! (9) I allow people to come and cut firewood on the property because they can’t afford to pay their taxes and the heating bills. According to the already put in place Ordinance it states (firewood for personal use of the land owner) I am sorry but I can not vote for anymore restrictions to be put on the forest land owner.*

Mr. Ostermayer would like to discuss the Ordinance with Mr. Leonard. There was discussion regarding the commercial and residential districts and what is happening in them regarding forestry activity as well as the available forestry land in the Township. Mr. Scott said he has a lot of questions regarding the Ordinance. There was discussion regarding stormwater management and other aspects of the Ordinance regarding property owners.

Mr. Megonnell moved, seconded by Mr. Klein to table Zoning Ordinance 2010-4 Forestry Activities for a workshop. Mr. Scott voted nay. Motion passed 4-1.

Mr. Scott asked that representatives from the EAC attend the workshop session.

Zoning Ordinance, Junkyards ó No further action ó On September 8, 2009, the Board of Supervisors held a public hearing and approved revised junkyard ordinance language. At the same hearing, the Board asked that the Planning Commission address comments 5 and 6 from Dauphin County Planning Commission. On January 28, 2010, the Planning Commission reviewed the County's comments, and concluded the 1000 foot buffer is too restrictive, and would make the ordinance language exclusive, and thus not legal. The second comment dealing with burning was already addressed in the approved language by changing the word "burning" to "torch cutting". As such, the Planning Commission recommended no changes be made to the adopted language. No action is needed by the Board.

Ms. Turns, Chairman- Ms. Turns asked Mr. Leonard what action he was requesting from the Board regarding the memo regarding political signs. (Board Meeting Packet from 2/16/2010) He asked if there was any interest in requiring a deposit before any signs are posted in the Township. There was discussion regarding the difficulty of how to control since we are not sure who actually placed the signs. Supporters of a candidate may have placed the signs not necessarily the candidate. Solicitor Yost stated that changes to the Ordinance could result in legal issues which could be costly to the Township.

Mr. Ostermayer, Supervisor- Mr. Ostermayer asked Mr. Leonard to clarify the difference between a pole building and a pole barn. On the Township permit report (Board Meeting Packet from 2/16/2010) a permit for a pole barn with was less expensive than a permit for a pole building. Mr. Leonard stated that it would depend if there is a building permit associated with it or not. Also if there is electrical or plumbing there would be additional permit costs as well. He will look into each permit and report back to Mr. Ostermayer.

OLD BUSINESS:

Motion ó Exempting Zoning Ordinances for Fire Station project. Tabled 02/16/10. ó The Board agreed that each Zoning Ordinance for the Fire Station project will be addressed as the project proceeds.

Mr. Klein moved, seconded by Mr. Megonnell to remove the motion to table the Zoning Ordinance for the Fire Station project. Motion passed unanimously.

Motion ó Authorize Advertisement, Ordinance 2010-02, Open Burning. Tabled 02/16/10. ó The Ordinance was sent to the PSAB for review. There will be a report at the March 15, 2010 meeting.

NEW BUSINESS

Motion ó Consent Items: Section 607. (4)- **None**

Motion ó Request Scope of Work for Oil and Chip Road project- In order to decrease costs but still maintain the Township roads the Board determined to oil and chip Kiwanis, Rabbit, West Appalachian, Mumma, Appleby, and Pine Tree. The staff has no experience in the oil and chip process so funds were included in the budget (from Capital Reserve) for the Township Engineer to prepare the bid documents for the construction of this project this summer. He has also agreed to provide a template so Township staff can prepare a bid for similar projects in future years.

Mr. Megonnell moved, seconded by Mr. Scott to authorize the Township Engineer to prepare a Scope of Work for the Oil and Chip bid for 6 specific roads totaling approximately 60,851 square yards, to return to the Board for their approval. Motion passed unanimously.

Motion ó Approve Scope of Work, Site Design Engineering, Fire Station project - On January 27, 2010, the Dauphin County Commissioners approved a grant to the Township in the amount of \$300,000. At the February 15, 2010, workshop with representatives of the Fire Company the Board made several decisions in order to move the Fire Station project forward. The Board agreed to have the Township Engineer, HRG, complete the site design engineering for the Fire Station project and to issue an RFP (Request for Proposals) for Architectural services. Staff has met with HRG to answer preliminary questions and review the proposed RFP for Architectural Services. The Scope of Work for the site design engineering for the project in the amount of \$99,350, which is over a 20% decrease from the original estimate contained in the grant request. There was discussion regarding the various tasks of the Scope of Work, Ms. Turns asked if there are any wetlands. Mr. Brulo stated that they found none during the environmental plan. There was discussion regarding the proposed schedule. In order to meet the Gaming Grant deadline of September 1, 2010, HRG will provide to the Township the Building and Site Plans and Construction Cost Estimated by August 1, 2010.

Mr. Megonnell moved, seconded by Mr. Klein to approve the Scope of Work for site design engineering for the Fire Station project submitted by HRG in the amount of \$99,350.00. Motion passed unanimously.

Motion ó Authorize Advertisement of RFP for Architectural Services, Fire Station- There was discussion if the RFP should be advertised or not. The list of architectural firms that will be sent RFPs were recommended to the Township or called in requesting the RFP. If any other firms are interested they can contact the Township directly to receive the RFP. There was discussion regarding a time frame to review the RFPs that are submitted and conduct interviews with firms.

Mr. Megonnell moved, seconded by Mr. Ostermayer, to approve the RFP and issue it immediately and set a schedule to review responses for March 29, 2010 and set interviews for March 31, 2010. Motion passed unanimously.

Motion ó H2O Grant Application Update- The original grant was denied in 2009, however our application was automatically carried over into the second round for consideration. The application will need to be updated, which appears to be uncomplicated.

Mr. Megonnell moved, seconded by Mr. Scott to continue seeking financing through the H2O PA program for Bid 2009-07, 4 Culvert Replacement project, and authorize consultation with the Township Engineer in updating the application. Motion passed unanimously.

Ms. Turns, Chairman- Ms. Turns asked the Board to grant approval for Dixie Fesig, Park & Recreation coordinator to apply for a million dollar matching grant for a new recreation building. Park & Development and FILO funds could be used to match the grant if awarded.

Mr. Ostermayer moved, seconded by Mr. Megonnell for Dixie Fesig, Park & Recreation coordinator to apply for a million dollar grant for a new Recreation center. Motion passed unanimously.

CORRESPONDENCE:

Item #4-FROM: Dauphin County Board of Assessment Appeals RE: Township Exemption Request Hearing

Ms. England wanted to confirm that Solicitor Yost would attend the hearing on behalf of the Township. Solicitor Yost will attend, and suggested that Ms. England attend as well.

Item #2 -FROM: Governor Rendell RE: Early release of Liquid Fuel payments

Mr. Megonnell asked how much the Township is going to receive in Liquid Fuels. Ms. England stated that there was a direct deposit of \$207,838.67 and that we haven't received notification of the turn back funds but that amount should be around \$23,000.00.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD: None

PUBLIC COMMENT:

Gloria Zimmerman, 1453 Mumma Road- When she was on the Board there was an Ordinance that you could pay a fee and put your political signs up 30 days before an election and that they must be taken down within 7 days of the election. Dauphin County paid one fee for all their candidates, local candidates paid the fee themselves and it worked. The Ordinance was changed when there was a problem between two residents during a presidential race and signs were placed in a right of way. It was three months before an election and the Township asked the residents to move them to their own property. The ACLU got involved and the Board decided to change the Ordinance. Ms. Zimmerman did not vote for the Ordinance change. She suggested that Mr. Ostermayer abstain from the voting on the Forestry Ordinance because it is a conflict of interest. She stated that the cost for the Scope of Work for site design engineering for the fire station is just the beginning.

SUPERVISORS COMMENTS:

Mr. Klein reminded everyone about Breakfast with Ben Franklin on March 20th from 8:00am to 11:00am at the Fire House. This is being presented by the West Hanover Township 225th Celebration Committee and that it is a family event for all ages.

ADJOURNMENT: 8:05 pm

Mr. Ostermayer moved, seconded by Mr. Megonnell to adjourn the meeting. Motion passed unanimously.