

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, MARCH 7, 2011**

CALL TO ORDER – 7:00 p.m.

Mr. Klein called the meeting to order at 7:00 PM followed by the Pledge of Allegiance and the invocation. Mr. Klein informed the audience that there was an Executive Session held this evening to discuss legal and personnel issues.

ROLL CALL

Adam Klein, Chairman
Bill Ostermayer, Supervisor
Chris Scott, Supervisor

Jay Megonnell, Vice-Chairman
Linda Turns, Secretary/Treasurer

CORRESPONDENCE

Mr. Klein briefly reviewed the Correspondence items for the public. The following items were brought up for discussion.

FROM: PA Department of Environmental Protection **RE:** Act 537 Plan Update Approval- Ms. Turns asked if the Township will apply for reimbursement from DEP. Ms. England stated that work has begun on the application for reimbursement.

FROM: Elizabeth England, Township Manager **TO:** Andrew Stofko **RE:** Drainage Repairs- Mr. Scott updated the Board that Mr. Brulo visited the Stofko property and Loxas property on Sunday during the rain storms. Mr. Brulo took pictures of the drainage situations and forwarded them to the Dauphin County Conservation District for a further update. He thanked Mr. Brulo for his quick response to his request to visit the locations.

PUBLIC COMMENT

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier attested that the drainage problem at the Stofko property on Sunday. He stated that perhaps the approval of the Act 537 plan may help the WSA with their requested grant. He brought up an article that appeared in the Patriot regarding legislators who are proposing that local governments have their own police departments. He said this would eliminate the funding that is received from State Police fines. Ms. England stated that the Township averages between \$8,000 and \$10,000 in fines annually. He said it will be interesting to see how the state budget affects local governments.

PUBLIC HEARING/MEETINGS: None

PRESENTATIONS, STAFF/BOARD REPORTS:

Harold Harman, Road Master- Mr. Harman said that the Public Works department was out at 3:00am this morning to salt the roads as a result of the overnight snowfall. He stated that the oil'n chip project

completed by Hammaker East was not done properly. He said ¼” stones should have been used, not ½” stones. There is a year warranty on the work, and they may come back to do some repairs. He informed the Board that the new garage doors have been installed at the shop. Mr. Ostermayer asked when the roads will be vacuumed; he stated they will begin on Tuesday March 8th. Mr. Ostermayer asked if they can do the roads that were oil’n chipped first, Mr. Harman said that they usually start on the south side of the Township. Mr. Ostermayer asked if they can vacuum residents yards; Mr. Haman stated they can only do work on right of ways. This year they will begin at Harper Drive because there is an inspection on Wednesday on the concrete work that has been completed. HRG will be present to review the condition for road since there is a warranty on the job. Mr. Ostermayer asked Mr. Harman to get pricing for equipment that would allow the Township to oil’n chip roads. Mr. Megonnell asked for an update on the salt supply; Mr. Harman said the salt supply is good. He asked if Mr. Harman had reviewed applicants for the compost center attendant. He has forwarded his recommendation to Ms. England who will place hiring of a compost center attendant on the March 21st meeting agenda.

APPROVAL OF MINUTES

Regular meeting - February 22, 2011 *Ms. Turns moved, seconded by Mr. Megonnell to approve the regular meeting minutes of February 22, 2011. Motion passed unanimously.*

Workshop meeting – February 22, 2011 *Ms. Turns moved, seconded by Mr. Megonnell to approve the workshop meeting minutes of February 22, 2011. Motion passed unanimously.*

TREASURER’S REPORT

Ms. Turns reported the following fund balances:

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

General Fund Balance as of March 4, 2011	\$1,213,769.26
Total Liquid Fuels Balance as of March 4, 2011	\$222,873.51
Total Capital Reserve Fund Balance as of March 4, 2011	\$1,868,190.25

B. Deposit Activity since February 23, 2011 \$78,913.14

Ms. Turns reported the gross payroll of February 25, 2011, totaled \$29,838.78. *Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the payroll of February 25, 2011 in the amount of \$29,838.78. Motion passed unanimously.* Ms. Turns reported that there were no vouchers prepaid to meet due dates. Ms. Turns reported the total for the vouchers to be approved was \$85,063.84. *Mr. Ostermayer moved, seconded by Mr. Megonnell to approve the vouchers in the amount of \$85,063.84. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS:

#10.006 F/SB James & Ingrid Shandersky, 921 Fairville Avenue. Action by 6/16/11- Mr. Leonard gave a brief review of the subdivision plan to the Board. He reviewed the requested waivers and exemptions. Ms. Turns brought up the exemption request of Section 168-5.C (3)- storm water release rates. She asked how this will affect Walnut Run; there was general discussion among the Board regarding the requested exemptions. Mr. Scott asked Mr. Leonard if the EAC had reviewed this proposed subdivision and if they had any comments. Mr. Leonard reviewed the comments from the EAC which included: wetland protection overlay district; open space maintenance easement, and maintenance standards. All comments have been addressed by the applicant. Mr. Shandersky addressed the Board regarding his request to subdivide his 5 ½ acre lot into two lots. He is requesting that the conservation easement agreement and the FILO negate each other. Solicitor Yost brought up the Ordinance requirements and if the Board makes a decision to grant Mr. Shandersky's request that it will set precedents for future small land subdivisions. There was discussion among the Board regarding the request and the Ordinance requirements.

Mr. Klein moved, seconded by Ms. Turns to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Final Subdivision Plan for James T. and Ingrid G. Shandersky; 921 North Fairville Avenue, Tax Parcel # 68-015-023, Township ID# 10.006:

- 1. Section 173-11.A – Preliminary Plan requirements*
- 2. Section 173-37.B(2) – Parkland dedication in favor of FILO*
- 3. Section 173-25.C(5) – Street widening of Fairville Ave*

Motion passed 4-1 with Mr. Megonnell voting nay.

Mr. Klein moved, seconded by Ms. Turns to accept the exemption of following sections of the West Hanover Township Stormwater Management Ordinance for the Final Subdivision Plan for James T. and Ingrid G. Shandersky; 921 North Fairville Avenue, Tax Parcel # 68-015-023, Township ID# 10.006:

- 1. Section 168-5.C(3) – Release Rates*
- 2. Section 168-5.C(4) – Groundwater recharge*

Motion passed unanimously on a roll call vote.

Mr. Klein moved, seconded by Ms. Turns to approve (reject) the Final Subdivision Plan for James T. and Ingrid G. Shandersky; 921 North Fairville Avenue, Tax Parcel # 68-015-023, Township ID# 10.006, contingent upon (based on):

- 1. 173-15.C(2) - Sewage Planning Module approval by PADEP*
- 2. 173-37.G – Appraisal for calculating FILO*
- 3. 195-82.E(2) – Approval of the Conservation Easement agreement by the Solicitor*
- 4. Addressing outstanding staff and Engineer comments*

Motion passed 4-1 with Mr. Megonnell voting nay.

Mr. Klein moved, seconded by Ms. Turns to accept the offer of dedication of street right-of-way along Fairville Avenue as presented in the Final Subdivision Plan for James T. and Ingrid G. Shandersky, Township ID# 10.006, contingent on the Township Solicitor's review of documents. Motion passed unanimously.

Mr. Scott suggested that Mr. Leonard make some recommendations to the Board regarding small lot subdivisions. Mr. Klein suggested that the Planning Commission take a look at streamlining the process for small subdivisions.

Mr. Scott moved, seconded by Mr. Megonnell to have the Planning Commission review the process for small subdivisions. Motion passed unanimously.

Ms. Turns asked Mr. Leonard to clarify the zoning district of the Repo Lot on Piketown Road. He stated that the zoning is Neighborhood Commercial. Ms. Turns would like the Planning Commission to review the Ordinance in Chapter 195 regarding changing all Neighborhood Commercial paving of the first 50 feet of driveways to sixty days instead of one year.

OLD BUSINESS: None

NEW BUSINESS

Motion – Consent Items: Section 607. (4): None

Motion – Award Bid 2011-02, Mowing and Landscaping- On February 7, 2011, the Board authorized the advertisement of bids for the Mowing and Landscaping contract. Fourteen bid packets were issued to interested parties. Bids were due on Wednesday, March 2, 2011. Four bids were received and publicly opened at 12:10 PM. Way's Lawn Care was the low bidder.

Ms. Turns moved, seconded by Mr. Megonnell to award Bid 2011-02, Mowing and Landscaping, to the low bidder, Way's Lawn Care. Motion passed unanimously.

Ordinance 2011-03, Debt for Fire Station Construction -Zach Williard of Public Financial Management and Robert Moore, bond counsel from Mette, Evans and Woodside were available to answer any questions the Board proposed. Mr. Williard reviewed the final amount for financing through the Emmaus Bond Pool Loan would be in the amount of \$2,880,000.00 Mr. Scott asked for clarification in Section 7 of the Agreement regarding the "Optional Prepayment Price". Mr. Williard confirmed that there is no prepayment penalty with the Emmaus Bond Pool Loan; the only stipulation is that the outstanding balance shall not be less than \$100,000.00. Mr. Moore informed the Board that once the Board approves the Ordinance all paperwork work must be reviewed by DCED for approval.

Ms. Turns moved, seconded by Mr. Scott to authorize Ordinance 2011-03, incurring nonelectoral debt in the amount of a \$2,880,000 General Obligation Note Series of 2011 to provides funds for the construction of the new Fire Station at 7624 Jonestown Road. Motion passed unanimously on a roll call vote.

Motion – Award Bid 2011-01, Fire Station Construction

Ms. Turns made a motion to table awarding the bids for construction of the Fire Station.

Mr. Klein explained that the Board wants to make sure that the lease agreements are finalized with the Fire Company before awarding the bids.

Denny Sowers from SGS informed the Board that the contractors will hold their bids for sixty days, and that he has reviewed all bids and that they are accurate. Ms. Turns asked for confirmation that all contractors will have performance bonds. Mr. Sowers confirmed that before the contractors sign the contracts all documents (bonds, insurance, etc.) will be in order. Mr. Scott thanked Mr. Sowers for an exceptional job on the project. Mr. Sowers gave Solicitor Yost the five contracts for his review.

Matt Miller, President of the Fire Company, thanked the Board for their efforts in finalizing the financing of the Fire Station. He asked the Board for assurance that the project will continue to move forward as scheduled. Mr. Klein said that the Board approved the financing and that they want to keep the project on track once the lease agreements are finalized. Mr. Miller hopes that the property will be maintained as to the original wishes of the Houck family.

Ms. Turns moved, seconded by Mr. Ostermayer to table awarding the bids for construction of the Fire Station. Motion passed unanimously.

Ordinance 2011-04, Streets and Sidewalks

Ms. Turns moved, seconded by Mr. Megonnell to approve Ordinance 2011-04. Motion passed unanimously.

Motion- Municipal Building and Public Works Building Security Upgrades – Ms. England gave a brief review of the proposals for the Board. Stanley Security Solutions performed a routine review and assessment of our security equipment at both the Municipal Building and the Public Works shop. The current security control panels and sensors, while still functional, are completely out of date. Stanley Security Solutions proposed to upgrade the intrusion-audio systems at both locations at no cost to the Township. These upgrades are to existing equipment only and do not provide any additional services. During the review they confirmed that the Municipal Building’s current fire alarm system panel is not connected and is not being monitored. There is no fire alarm system at the Public Works shop. Proposals were submitted for both fire alarm systems. Mr. Scott asked if the fire system upgrades were allocated in the budget. Ms. England said no, however the insulation project at the shop was under budget, and she suggested the fire alarm system could be paid from Capital Reserve. Mr. Megonnell suggested that we obtain quotes from other vendors. Ms. England said we can but it wouldn’t be compatible with the current security panels, so there would be an additional monitoring cost for the fire alarm system. Mr. Scott asked Ms. England to contact our insurance company to see if installing a fire alarm system would decrease our rates.

Mr. Megonnell moved, seconded by Ms. Turns to authorize upgrade of intrusion-audio system alarms at both the Municipal Building and Public Works shop by Stanley Security Solutions at no cost to the Township. Motion passed unanimously.

Mr. Scott moved, seconded by Ms. Turns to table the upgraded of the fire detection system at the Municipal Building and the Public Works shop until the Manager obtains quotes from additional vendors and finds out how a fire detection system will affect our insurance premium. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Ms. England presented Resolution 2011-33 to the Board. Resolution 2011-33 temporarily closes a portion of Pheasant Road from Piketown Road to the intersection of Pheasant Road and Fox Hill Road from Monday, March 21, 2011 to Friday, April 8, 2011. This closure is a result of replacement of a drainage culvert running underneath Pheasant Road. Letters will be sent to all residents on Pheasant Road, Fox Hill Road, and Emergency Services.

Ms. Turns moved, seconded by Mr. Megonnell to adopt Resolution 2011-33. Motion passed unanimously.

PUBLIC COMMENT:

Sherri Benninghove , 7548 Appalachian Trail East - Ms. Benninghove brought up the fire station project and why the fire company doesn't have funding raising projects. She questioned why the Board is willing to borrow 2.8 million dollars, if Casino grant funding is not a guarantee. She is concerned if the Township is no longer awarded grants, how the loan will be paid. She doesn't want the tax payers to have to pay for the new fire station if funds are not available.

Mr. Klein explained the three part process for the fire station project which the Township applied for and was awarded grants for land acquisition, architecture, and construction. He explained that the Township has funds available in the Building Fund if grants are not received.

Matt Miller, 455 Douglas Road- Mr. Miller stated that the fire company does limited fund raising. He said in 2010 the fire company provided over 12,000 man power hours to the residents of the Township. He would rather have the volunteer fire fighters use the time they are willing to donate to the Township to be trained rather than sell sandwiches. He believes that the fire company works very hard to provide services to the residents of the Township.

Richard McNeal, 631 Walnut Avenue- Mr. McNeal stated that the relationship between the Township and the fire company is a two way street. He said the fire company should have some functions to build a good relationship between the fire company and the Township residents.

SUPERVISORS COMMENTS:

Ms. Turns asked about house on Bridle Lane and the buffer requirements regarding the perennial stream. Mr. Leonard stated that the buffer requirements are 50 feet from any water sources, and the house has a 60-65 feet buffer. Mr. Leonard will reinvestigate and re measure the distances.

Mr. Ostermayer asked Mr. Leonard for an update on the permit issue at 891 Piketown Road. Mr. Leonard stated that it is not a driveway but a temporary construction entrance for a fill project for which the resident does not have a permit. The resident contacted DEP who came out and delineated the wetlands, he engaged the contractor to put a silt fence up, and then started bringing in fill. Mr. Leonard spoke with the resident today, and has set up a meeting for Tuesday between Mr. Leonard and the contractor of the project. Mr. Leonard will get the contractor set up with the proper permits as well as a site plan as to what is at the location. Mr. Ostermayer stated that he contacted DEP this morning, according to DEP the resident didn't do anything illegal with DEP; the only thing the resident did was not follow the Township Ordinance. Mr. Ostermayer learned from DEP that you can build a house or take out dirt up to the wetland, you don't need to stay 100 feet from the wetland. It is the Township's Ordinance that states you must be 50 feet from the wetland. Mr. Leonard believes that eventually the state will adopt the rule of disturbance 100 feet from the wetland.

Mr. Ostermayer brought up the issue that years ago an Ordinance was adopted that in order to sell land the ground had to be perced. There are five acres of ground for sale on Moyer Road, five years ago fill had to be hauled in to have a perc test. He asked why would there have to be a perc test, if the potential purchaser wanted to purchase the land to raise livestock. Mr. Leonard stated that the only reason for a perc test is for the construction of a home. He stated that if land is sub divided and there are lots that are specified as non-building lots, then there are no requirements for a perc test. This would be recorded on the plan, in the future if someone wanted to build on that lot, then a perc test would be required. Mr. Leonard stated the issue of putting fill in for five years and then testing it is a state law. Mr. Leonard confirmed that if the resident on Moyer Road wants to sell the land as is, not for construction of a home, that a perc test is not necessary.

Mr. Ostermayer brought up the issue that back in the 1980's he had an acre of land that he subdivided. It was approved and recorded but he was told at that time he could not get a deed until he sold the land. Solicitor Yost stated that he could give himself a deed to the property.

Mr. Megonnell informed the audience that the Board received a resignation letter from Graham Snyder to resign from the EAC.

Mr. Megonnell moved seconded by Ms. Turns to accept the resignation of Graham Snyder from the EAC. Motion passed unanimously.

Mr. Megonnell reminded everyone that there will be a "Meet the Candidates Night" on April 25th at 7:00pm at the Recreation Center. This program is sponsored by the WES Business Association.

ADJOURNMENT: 8:40 pm