

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, APRIL 6, 2009

CALL TO ORDER

Mr. Hartman called the meeting to order at 7:00 PM with the Pledge of Allegiance. Mr. Hartman announced there had been an Executive Session at 6:00 PM, prior to the meeting, to discuss personnel and legal issues.

ROLL CALL

Larry Hartman, Chairman,
Linda Turns, Secretary/Treasurer
Deb Curcillo, Supervisor

Adam Klein, Vice Chairman
Rick Mullen, Supervisor

PUBLIC COMMENT

Don Steinmeier, 11 N. Fairville Avenue – Mr. Steinmeier informed the Board that he feels it is a good idea to have the meetings taped in order to provide residents with more accurate information. Mr. Steinmeier also asked if there have been any projections from Capital Tax regarding earned income. Mr. Hartman stated he will see if any information is available and provide it for the next meeting. Mr. Steinmeier congratulated Mr. Hartman on his article which appeared in the Township News.

Carrilee Zimmerman – Ladies Auxiliary – Ms. Zimmerman stated she represented the Ladies Auxiliary and they have worked with the Fire Company as a team since 1949. Recently some members of the Fire Company have complained that no funds have been turned over to them from fund raising events hosted by the Auxiliary. Ms. Zimmerman stated some funds were donated to 9/11, some to the American Cancer Society and some used to upgrade the kitchen at the fire house. The Fire Company now wants to control all the monies used and raised by the Auxiliary, which is not acceptable to the Auxiliary. Ms. Zimmerman indicated she feels they are a very important part of the Fire Company and wanted the Board to hear their side of the story.

Richard McNeal, Walnut Avenue - Mr. McNeal expressed his support for the Ladies Auxiliary. He stated that the Auxiliary and the Fire Company always worked together with fundraising which included bake sales, dinners and other events. The Auxiliary always worked hard for the benefit of the Fire Department. Mr. McNeal asked the Board to look into the matter.

PUBLIC HEARING/MEETINGS – Solicitor Yost opened the public hearings at 7:15 PM

- A. Liquor License Transfer – American Pie – (See attached transcript). *Ms. Turns moved, seconded by Ms. Curcillo to table the Liquor License Transfer until the April 20, 2009 meeting pending additional information regarding footage restrictions from schools, churches, etc. Motion passed unanimously.*
- B. Ordinance 2009-02 Big Box Stores – (See attached transcript). *Ms. Turns moved, seconded by Mr. Mullen to approve Zoning Ordinance 2009-02 providing regulations for Big Box Stores. Motion passed unanimously.*
- C. Ordinance 2009-03 Electronic Signs – (See attached transcript). *Ms. Turns moved, seconded by Mr. Mullen to approve Zoning Ordinance 2009-03 Electronic Signs. Motion passed 4-1 with Mr. Hartman voting nay.*
- D. Ordinance 2009-04 Wind Energy Devices – (See attached transcript). *Mr. Klein moved, seconded by Mr. Mullen to approve Zoning Ordinance 2009-04 Wind Energy Devices. Motion passed 4-1 with Ms. Curcillo voting nay. Ms. Turns moved, seconded by Mr. Mullen to send the ordinance back to the Planning Commission to investigate regulations for acreage requirements and intermediate sized facilities. Motion passed unanimously.*
- E. Ordinance 2008-07 Farm Animals – (See attached transcript). *Ms. Turns moved, seconded by*

Ms. Curcillo to approve Ordinance 2008-07 Farm Animals. Motion passed unanimously.

Mr. Hartman announced that a memo was provided from Mr. Leonard regarding transient retail business activity in the Township. For 2009, three such licenses have been issued; one to Claudia Whiston of Primamerica for financial services, one to Randall Wallett of TRG Customer Solutions for Verizon FIOS connections and one to Richard Joyner from Teen Challenge.

PRESENTATIONS, STAFF/BOARD REPORTS

225th Township Anniversary, Ed Wisehaupt & Tom Felsburg. Mr. Felsburg announced the anniversary proclamation of 225 years of growth for West Hanover Township which will occur in 2010. Mr. Felsburg asked the Board to sign the proclamation and asked that the Historical Society be authorized to set up a committee to work on a celebration. By consensus the Board agreed.

APPROVAL OF MINUTES

Regular Meeting – March 16, 2009 *Ms. Curcillo moved, seconded by Ms. Turns , to approve the March 16, 2009 regular meeting minutes as presented. Motion passed unanimously.*

Workshop Meeting – March 31, 2009. *Ms. Curcillo moved, seconded by Ms. Turns to approve the March 31, 2009 workshop meeting minutes as presented. Motion passed unanimously.*

TREASURER’S REPORT

Ms. Turns reported the following fund balances:

General Fund Balance as of April 3, 2009	\$543,369.12
Total Liquid Fuels Balance as of April 3, 2009	\$449,783.54
Total Capital Reserve Fund Balance as of April 3, 2009	\$1,727,199.66

Ms. Turns reported the following deposit activity:

Deposit activity since March 16, 2009	\$148,034.52
Monthly Earned Income Tax Deposit, April 1, 2009	\$54,881.95

Ms. Turns reported the gross payroll of March 27, 2009, totaled \$34,095.52. *Ms. Curcillo moved, seconded by Mr. Klein , to approve the payroll of March 27, 2009 in the amount of \$34,095.52. Motion passed unanimously.* Ms. Turns reported the vouchers prepaid to meet due dates were \$151,871.32. *Ms. Curcillo moved, seconded by Mr. Klein to approve the vouchers prepaid to meet due dates in the amount of \$151,871.32.* Ms. Turns reported the total for the vouchers to be approved was \$65,246.69. *Ms. Curcillo moved, seconded by Mr. Klein, to approve the vouchers in the amount of \$65,246.69. Motion passed unanimously.*

Financial Statement, February 2009 – No comment.

PLANNING COMMISSION REPORTS AND PLANS

#09.001 Winslett Phase V (Action by 4/21/09) – Mr. Frank Lentz of Alpha Consulting Engineers was in attendance to represent the plan which proposes 21 single family lots and 2 open space lots. Mr. Lentz noted there were a few minor technical engineering comments to be addressed. Mr. Leonard agreed the plan was in good shape.

Motion #1 *Ms. Turns moved, seconded by Mr. Mullen to approve the following waivers to plan #09.001 Final Subdivision of Winslett Phase V, tax parcel #68-019-011:*

- 1. Section 173-15B(1) Original property description map scale*
- 2. Section 173-15B(4) Subdivision plan scale*
- 3. Section 173-15B(3) Driveway profiles*

Motion passed unanimously.

Motion #2 Ms. Turns moved, seconded by Mr. Mullen to approve the final subdivision plan #09.001 for Winslett Phase V, tax parcel 68-019-011 contingent upon:

1. Section 173-15C(12) Submission of letter of acceptance by Water & Sewer Authority.
 2. Section 173-371F Submission of Open Space Maintenance Plan with developers' agreements.
 3. Section 173-37 Paying fee-in-lieu of parkland dedication.
 4. Section 173-17 Posting of proper improvements agreements.
 5. Section 173-15C(19) Addressing Engineer and staff review comments.
 6. Section 173-15C(19) Other items as determined necessary by Township Ordinances.
- Motion passed unanimously.

#09.002 Ganis Subdivision (Action by 5/26/09) – Mr. Leonard presented the Ganis subdivision plan, reporting that it is a 19.4 acre tract proposed to be subdivided into 4 lots. No development is proposed at this time. Mr. Tim Mellott, Mellott Engineering was present to answer questions relating to the plan.

Motion #1: Mr. Klein moved, seconded by Ms. Curcillo to approve the following waivers to plan #09.002 Ganis Subdivision, tax parcel #68-037-093:

1. Section 173-11A Preliminary plan requirements
 2. Section 173-11B(2)(c) Driveway profile scale
 3. Section 173-14I(2)(d) North American Datum and Vertical Datum requirements
 4. Section 173-37B(2) Parkland dedication
- Motion passed unanimously.

Motion #2: Mr. Klein moved, seconded by Ms. Curcillo to approve #09.002 final subdivision plan for Ganis, tax parcel #68-037-093 contingent upon:

1. Section 173-11B(3)(m) Approval of legal agreements by Township Solicitor
2. Section 173-37 Paying fee-in-lieu of parkland dedication
3. Section 173-17 Posting proper improvement agreement
4. Section 173-15C(19) Addressing engineering and staff review comments
5. Section 173-15C(19) Other items as determined necessary by Township Ordinance

OLD BUSINESS

Discussion – Zoning Amendment, Manure Storage. (Tabled 3/2/09, waiting for DCPC Comments)

Ordinance 2009-01, No Parking Areas. Mr. McCahan reported that he and the Fire Marshal revisited the parking issues in the Brynfield and Sagewicke developments and also met with residents during the last PSAB meeting. The ordinance has been revised and the “no parking areas” have been narrowed down as far as possible, restricting the cul-de-sac, island and traffic circle areas. The biggest issue is size of the cul-de-sacs. This problem has been rectified in an update to the SALDO ordinance which increases the size requirement of the cul-de-sacs and prohibits parking. Mr. McCahan noted that there was an incident in the Sagewicke development this past week and the Fire Chief was unable to safely and easily maneuver the smallest fire truck in the cul-de-sac due to a parked car.

Justin Warren, Village Way (past president Sagewicke HO) – Mr. Warren indicated that when he was HO Association president he had received complaints from residents in the development regarding parking. Mr. Warren was under the impression that problem areas were clearly defined at the planning stage and the developer did erect no parking signs. Since this issue was address at that time he was not sure why it was now an issue. Mr. McCahan explained at the planning stage of this development the Public Safety Advisory Board did not yet exist – so they had no input on parking and the issue now is these are township streets. The no parking areas must be put into an ordinance on the books to make them legal and enforceable.

Donald Hare, 7620 Aynlee Way – Mr. Hare stated he is aware and sensitive to the concerns of the

emergency personnel but is more sensitive to his property value. Mr. Hare shared pictures with the Board showing other developments with far more parking issues than Sagewicke and noted that the development does meet the regulations of the Pennsylvania Traffic Calming Handbook. Mr. Hare asked the Board not to compare the Brynfield and Sagewicke developments as the demographics are very different. Sagewicke residents feel they are being single out. Mr. Hartman assured Mr. Hare that all developments in the Township are being investigated in the same fashion as Sagewicke and Brynfield. These areas just became the starting place due to ongoing complaints. Mr. Hare asked if the Board would consider 1 side “no parking” and suggested driver training for emergency personnel.

Discussion ensued regarding the possibility of restricting parking on one side only, permitting for special events and/or alternate parking on the island areas. Board members expressed their understanding of the issues residents brought up regarding the restricted parking but agreed safety issues and concerns had to come first.

Matt Senft, Fire Chief – Mr. Senft noted that he, Mr. McCahan, Mr. Hetrick, members of the West Hanover Fire Company and members from Paxtonia and Lower Paxton reviewed the area with great care. Even paid firefighters from the City of Harrisburg had a tough time with maneuverability around the islands, cul-de-sacs and traffic circles. Mr. Senft stated without these parking regulations the ability for emergency personnel to respond will be seriously impacted.

Greg Koussis, 6721 Aynlee Way - Mr. Koussis stated since the original request for no parking areas came from Brynfield why doesn't the Township just restrict parking in that development. No one from Sagewicke asked for regulations. Most problems occur in the Brynfield development because of the density and type of homes. Sagewicke does have mountable curbs which the fire company could take advantage of. Mr. Koussis also asked that signs not be posted in resident's front yards.

Tina Hare, 7620 Aynlee Way – Ms. Hare asked that parking regulations be addressed for the Brynfield and Sagewicke developments separately. She confirmed they have no parking problems on their street and no one parks in front of their house on a regular basis. Ms. Hare further stated they picked the lot for their home because of the traffic island which slows traffic going passed. They only utilize street parking during holidays and special events.

Ms. Turns moved, seconded by Mr. Klein to approve Ordinance 2009-01, Section 187-28 Parking prohibited at all times. Motion passed 4-1 with Ms. Curcillo voting nay.

Motion – Award Bid 2009-02, Skyline Concession Stand (tabled from 3/16/09) There was brief discussion regarding the cost of the project which most Board members agreed seem excessive. It was verified that the money to be used for this structure was from the FILO account. Mr. Yost noted that the money must be used within three years or returned to the developer. Ms. England will verify the amount of time remaining for the use of the FILO funds. ***Mr. Hartman moved, seconded by Ms. Turns not to award the bid for construction of the concession stand. Motion passed 3-1 with Mr. Mullen voting nay and Ms. Curcillo abstaining.***

NEW BUSINESS

Consent Items. Elizabeth England to attend the Economic Stimulus Funding: Show Me the Money seminar on Thursday, April 9, 2009 at a cost of \$45.00 and for the American Recovery and Reinvestment Act of 2009 Energy Efficiency & Conservation Funding for Local Governments Webinar on April 28, 2009 – Free. ***Mr. Mullen moved, seconded by Ms. Curcillo to approve the Economic Stimulus seminar attendance of Elizabeth England at a cost of \$45.00 and for the American Recovery and Reinvestment Webinar at no cost. Motion passed unanimously.***

Motion – Bid 2009-03 Mowing & Landscaping ***Ms. Turns moved, seconded by Mr. Mullen to award Bid 2009-03 Mowing and Landscaping to the low bidder, Way's Lawn Care. Motion passed unanimously.***

Motion – Award quote for LED Replacements Mr. Brulo reported the installation of the LED's will significantly reduce maintenance and energy costs. ***Ms. Curcillo moved, seconded by Ms. Turns to award the project for installation of LED's at the intersection of Jonestown Road and Allentown Boulevard to the low bidder, Hildum Electric in the amount of \$6,650.00. Motion passed unanimously.***

Motion – Approve County Casino Grant Agreements Mr. Hartman announced grants have been received for a new fire engine and land acquisition for a new fire station. ***Mr. Klein moved, seconded by Mr. Mullen to accept and execute the Dauphin County Local Share Municipal Grant agreements for the Fire Station project and the Pumper Unit Project. The motion passed unanimously.***

Motion – Accept Easement Agreements along Fairville Avenue Ms. England reported easements are needed to access the culvert for the culvert replacement project. The grant and funding have been applied for. ***Ms. Turns moved, seconded by Mr. Mullen to authorize acceptance and execution of easement agreements between the Township and Alan Goldstein on tax parcel #68-015-005 and Donald and Ruth Bishop on tax parcel #68-015-004, both on the North side of Fairville Avenue. Motion passed unanimously.***

Resolution 2009-42 Accept Right-of-Way along Piketown Road. Ms. England noted the Resolution pertains to the sidewalk project. ***Ms. Turns moved, seconded by Mr. Mullen to approve Resolution 2009-42 accepting the Right-of-way along Piketown Road. Motion passed unanimously.***

Motion – Accept Easement Agreements along Piketown Road. ***Ms. Turns moved, seconded by Mr. Mullen to authorize acceptance and execution of easement agreements between the Township and Dale L Bechtel on tax parcel #68-022-012 on the west side and tax parcel #68-022-014 on the east side of Piketown Road. Motion passed unanimously.***

Authorize Advertisement of Bids for Piketown Road Ped Path ***Mr. Mullen moved, seconded by Ms. Curcillo to authorize the advertisement of Bid 2009-06, Piketown Road Ped Path. Motion passed unanimously.***

Resolution 2009-41, Act 3, Right to Know. Ms. England reported the Board updated the Right to Know resolution in December of 2008 to comply with new guidelines. This resolution adopts the policy that taped recordings of meetings and secretary notes are used solely to assist administrative staff in the preparation of meeting minutes for approval and are destroyed when said minutes are approved. Meeting recordings, tapes, and secretary notes are not public records and are not retained for public use. Mr. Hartman asked if this was allowable under the law. Solicitor Yost stated it is legal as long as the township has an approved policy in place stating such. ***Ms. Turns moved, seconded by Mr. Mullen to approve Resolution 2009-41, Act 3 Right to Know. Motion passed unanimously.***

Motion – Award Bid 2009-01, CapCog Joint Bids. ***Ms. Turns moved, seconded by Ms. Curcillo, to accept the low Bid for 2009-01, CapCog Joint bids, for Pennsy Supply for roadway supplies, Envio playground cover, and Alpha Space Control for line painting. Motion passed unanimously.***

Motion – Exit 77 Right-of-Way Engineering Supplement. Ms. England reported that the right-of-way acquisition process was much more involved than originally planned and included a great deal of Construction Plan revisions in order to appropriately accommodate landowners. These revisions were not included in the original scope of work for engineering services. ***Ms. Curcillo moved, seconded by Mr. Mullen to accept the scope of work for Exit 77 Right-of-Way Supplement 2 in the amount of \$17,500. Motion passed unanimously.***

Motion – Non-Residential Plan Review Agreement. Ms. England reported that when the Board adopted the Uniform Construction Code in April of 2004, Mr. Arndt, Codes Administrator, was

grandfathered in for non-residential plan reviews until April 9, 2009. Mr. Arndt is not yet certified. The agreement refers to the Township fee schedule which currently shows a rate of \$250 for non-residential plan reviews. This enables the township to contract with a third party and the fee is passed on to the commercial developer. Solicitor Yost noted that this is the way many smaller Township usually handle non-residential reviews. ***Ms. Turns moved, seconded by Mr. Mullen to accept and authorize the Codes Administrator to engage Non-Residential Plan Reviewers to provide service to the Township. Motion passed unanimously.***

CORRESPONDENCE

- 1. From:** PennDot
RE: Liquid Fuels Payment
Mr. Hartman announced the Township received a liquid fuels payment from PennDot in the amount of \$213,361.12

- 2. From:** Pennsylvania Dept of Transportation
RE: Turnback Maintenance
Mr. Hartman announced the Township has received the annual Turnback Maintenance Payment in the amount of \$23,120.00

- 10. From:** Swatara Township Authority
RE: 2008 Chapter 94 Annual Report
Mr. Hartman announced that West Hanover Township's share for the plant upgrade is \$1,600,356.70

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Ms. England reported that representatives from Central Dauphin School District were in this past week for a preliminary plan review with the Codes Administrator for a \$3.5 million renovation to West Hanover Elementary school. They will be taking their recommendations to the School Board for approval later this month.

Ms. England also reported that the work release representative will be in this week to apply for permits for the office portion of the center.

Ms. England stated Mr. Harman has located a used street sweeper for \$4,800.00 and asked for permission to purchase. ***Ms. Turns moved, seconded by Mr. Mullen to authorize the purchase of a street sweeper in the amount of \$4,800.00. Motion passed unanimously,***

SUPERVISORS COMMENTS:

Linda Turns – Ms. Turns suggested that before any project is started, that involves right-of-way or easements from a landowner, that the landowner be contacted first to obtain their permission prior to the authorization of any engineering work. Ms. England stated that seems like a good idea, however it is not usually possible to know if easement or right-of-way is required until the engineering is done. Ms. Turns also asked that a workshop be set up with the Roadmaster to review streets.

ADJOURNMENT: 9:20 PM