

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, JULY 20, 2009

CALL TO ORDER – 7:00 p.m.

Mr. Hartman called the meeting to order at 7:00 PM followed by the Pledge of Allegiance. Mr. Hartman announced there had been an Executive session at 6:00 PM to discuss real estate 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 wanted to know if the Fireman’s Relief Agreement was something new or a special agreement. Mr. Hartman stated that the agreement states that if the truck we are buying is sold, 36.5% shall revert to the West Hanover Township Fireman’s Relief Fund. This is the amount that was contributed by the Fireman’s Relief Association. Mr. Yost stated that the agreement is also a requirement of the State Auditor General’s office. Mr. Steinmeier hopes that people who have homeowners insurance designate their municipality as West Hanover Township so we get proper compensation and funding to the Fire Company. Mr. Steinmeier had the following questions regarding Correspondence:

- What is the date of that Senator Piccola’s town meeting? Ms. England stated the date of the meeting is September 26, 2009.
- What does the PLCB, LID 62026, License No.E-986 refer to? Mr. Hartman stated that it is a transfer of a liquor license from The Spot to American Pie Pizzeria, Inc.
- Which development references the letter regarding the 4-way stop sign at Tiverton and Manor Drive? The development is The Townes at Hershey.
- Where is the site that references the On-lot septic for proposed Bank site? The location is on the corner of Rt. 39 and Red Top Road.

Marsha Costabile, 234 Tiverton Lane-Ms. Costabile is requesting a traffic study be done at the intersection of Northstar Drive, Tiverton Lane, and Manor Drive. The community is requesting a four way stop sign at this intersection. There is also increased traffic that is coming off Rt. 39 through the community. The cost of a traffic study would be around \$1,000.00. Mr. Brulo stated that he doesn’t think that the location will warrant a 4 way stop sign. Four way stop signs are very difficult to obtain and must have accident data. The Board of Supervisors decided not to do a traffic study. Ms. Costabile wanted her feelings on this matter to go on record.

Bill McCahan-7230 Jonestown Road- Mr. McCahan stated that the issue was resolved with the state ten years ago regarding comment that Mr. Steinmeier made about designating West Hanover Township as your municipality.

PRESENTATIONS, STAFF/BOARD REPORTS: NONE

APPROVAL OF MINUTES

Regular meeting – July 6, 2009 – *Mrs. Curcillo moved, seconded by Ms. Turns, to approve the regular meeting minutes of July 6, 2009. Mr. Klein abstained. Motion passed.*

Workshop meeting – July 13, 2009 – *Mrs. Curcillo moved, seconded by Ms. Turns, to approve the workshop meeting minutes of July 13, 2009. 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 July 17, 2009	\$679,611.81
Total Liquid Fuels Balance as of July 17, 2009	\$422,123.11
Total Capital Reserve Fund Balance as of July 17, 2009	\$1, 978,454.26

B. Deposit Activity since July 6, 2009 \$51,017.04

Ms. Turns reported the gross payroll of July 17, 2009, totaled \$32,538.83. *Mr. Klein moved, seconded by Mrs. Curcillo, to approve the payroll of July 17, 2009 in the amount of \$32,538.83. Motion passed unanimously.* Ms. Turns reported the vouchers prepaid to meet due dates were \$68,241.54. *Mr. Klein moved, seconded by Mr. Mullen, to approve the vouchers prepaid to meet due dates in the amount of \$68,241.54. Motion passed unanimously.* Ms. Turns reported the total for the vouchers to be approved was \$138,991.26. *Mrs. Curcillo moved, seconded by Mr. Klein, to approve the vouchers in the amount of \$138,991.26. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS

Phasing Schedule Update- – This is a response from S& A Homes, Inc. regarding the phasing schedule update for the Millstone Development.

OLD BUSINESS:

#08.007 F/LD Turkey Hill. Action by 8/5/09. Tabled 07/06/09- The drainage issue at the Stofko property is a main concern regarding the project. Mr. Brulo recommends to cleanout and televise the culverts draining the Stofko property downstream from the Turkey Hill site. The cost to cleanout and televise the culverts will be approximately \$8,400.00. Ms. Turns asked if Turkey Hill would be willing to make a contribution to the project. Council for Turkey Hill was present and stated that Turkey Hill will contribute \$5,000.00 to the Township for the project at the time of the issuance of a building permit.

Motion #1:

Mrs. Curcillo moved, seconded by Ms. Turns to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance, and the Stormwater Management Ordinance for the Final Land Development Plan for Turkey Hill, 7601 Allentown Blvd.; Township ID #08.007, Tax Parcels # 68-032-001 and -003:

- 1. Section 173-11.A – Preliminary Plan***
- 2. Section 168-18 – Streambank Protection***

Motion passed unanimously.

Motion #2:

Mrs. Curcillo moved, seconded by Ms. Turns to approve the Final Land Development Plan for Turkey Hill, 7601 Allentown Blvd.; Township ID #08.007, Tax Parcels # 68-032-001 and -003, contingent upon (based on):

- 1. 173-17 - Posting proper improvements agreement.***
- 2. 173-15.C(19) – Recording the Conservation Easement document, and the Sidewalk and Sewer Access Agreements with the Plan.***
- 3. 173-15.C(19) – Voluntary contribution of \$5,000.00 for tele-probing a stormwater pipe by Fairville Ave.***
- 4. 173-15.C(19) – Written agreement to cover condition costs of the Highway Occupancy Permit.***
- 5. 173-15.C(19) - Addressing Township Engineer and staff review comments.***
- 6. 173-15.C(19) - Other items as determined necessary by Township Ordinance.***
- 7. All agreements are subject to review by the Solicitor.***

Motion passed unanimously.

Motion – PA Percs Traffic Control signal Agreement. Tabled 07/06/09- Ms. England reviewed the two proposed contracts from PA Percs. In 2008 the Township spent \$17,500 for maintenance, emergency services, and repairs. The first contract is for a 6 month period from July 1 through December 31, 2009. It is identical to the existing contract where PA Percs provides routine maintenance and repairs and emergency services. The second contract is a three year contract for maintenance and service of our traffic signals for a fixed annual cost for the three year life of the contract. This fixed cost of \$7,615.00 is below the \$10,000 threshold for bidding requirements. The contract also states in section 2.(e) that repairs will be performed only as directed by the Township. Per the contract, PA Percs will still be the exclusive contractor for maintenance, emergency services, and repairs of the traffic signals in the Township. Mr. Hartman asked if there are other providers that we could get quotes from, Ms. England stated that there are other companies that provide such services. Mr. Yost suggested the six month contract and solicit request for quotes for identical services from other companies.

Ms. Turns moved, seconded by Mr. Klein to execute the six month contract with PA Percs for routine maintenance, repairs, and emergency services of the Township owned Traffic Signals to ensure no break in service; and to give written notice to PA Percs of the termination of their contract effective December 31, 2009. Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Klein to have Ms. England solicit request for bids on traffic light maintenance. Motion passed unanimously.

Motion – Firemen’s relief agreement. Tabled 07/06/09- There was a question at the last meeting regarding the language of the agreement. This agreement is a requirement of the state Auditor General’s office who routinely audit the accounts of the Fireman’s Relief Association. Fireman’s Relief funds may not be used for repair or maintenance of vehicles; they may be used only for safety equipment.

Mrs. Curcillo moved, seconded by Ms. Turns to approve an agreement setting a 36.5% allocation of any future sale proceeds of the 2008 Spartan/Rosenbauer fire engine pumper unit to the West Hanover Fireman’s Relief Association. Motion passed unanimously.

Motion – Supplemental Scope of Work, Municipal Park Ped Path Project. Tabled 07/06/09

Mrs. Curcillo motioned to table the Municipal Ped Path Project because the Board has not had an opportunity to speak the residents of Bradford Estates.

Ms. England stated that there is new information from the Township Engineer.

Mrs. Curcillo rescinded her motion to table the Municipal Ped Path Project to hear the new information from the Township Engineer.

Mr. Brulo reviewed the proposed supplemental scope of work. This plan would relocate the pedestrian path and the tot lot areas to minimize the wetland disturbance along the southern portion of the property while maintaining a connection to Bradford Estates pedestrian path and to accommodate connection to a potential future pedestrian path on the Oak Grove Subdivision. Ms. Turns stated she walked the Bradford Estates pedestrian path. She stated there are areas that play areas for tots could be placed.

Mr. Hartman made a motion to alter the conceptual plan to delete all active and passive recreation areas and the winding path to be replaced with a path on the southern edge of the property only and approve the Supplemental Scope of Work #2 in the amount of \$1,800. Motion failed due to lack of a second.

Mrs. Curcillo stated that she wanted to meet with the residents of Bradford Estates to see which option they would like regarding the project.

Mr. Klein motioned, seconded by Mrs. Curcillo to table the Municipal Ped Path Project. Motion failed on a 2-3 vote with Mr. Hartman, Mr. Mullen, and Ms. Turns voting no.

Ms. Turn motioned, seconded by Mr. Mullen to cancel to project completely. Motion failed on a 2-3 vote with Mrs. Curcillo, Mr. Hartman, and Mr. Klein voting no.

Mr. Mullen motioned, seconded by Mrs. Curcillo to table the Municipal Ped Path Project until Mrs. Curcillo and Mr. Klein can meet with the residents of Bradford Estates. Motion passed 3-2.

Motion – Sidewalks on Manor Dr. - Ms. England stated that the staff reviewed the original plans and there is no mention of any sidewalk along Manor Drive. Mr. Yost questioned if there is any information in the minutes regarding the ped path. Ms. England didn’t find any information regarding a ped path in the minutes. Mr. Kelly who sent the letter presented his concerns to the Board. Mr. Hartman asked if this problem is similar to the one in Bradford Estates, Mr. Brulo hasn’t walked the area in Winslett, but believes that it sounds similar to the problem in Bradford Estates. There is a question if the ped path was on the original plan. Mr. Yost and Mr. Brulo both need more information.

Mr. Hartman motioned to table the issue regarding Sidewalks on Manor Drive until more information can be presented, seconded by Ms. Turns. Motion passed unanimously.

NEW BUSINESS

Improvement Guarantee Release: Bradford Estates Phase 2 final contingent upon Maintenance Guarantee

Mrs. Curcillo moved, seconded by Ms. Turns to approve the reduction of the Improvement Guarantee for Bradford Estates-Phase II by \$87,024.95 leaving a balance of \$0.00., contingent upon a maintenance guarantee of \$110,875.43 for an 18-monh period. Motion passed unanimously.

Resolution 2009-48, Appointing Administrative Officer for Pension Plan-This resolution is on a recommendation of the Township's pension advisor. It was recommended that the Township Manager be Administrative Officer for the Pension Plan.

Ms. Turns moved, seconded by Mr. Klein to approve Resolution 2009-48, appointing the Township Manager as the Administrative Officer for the Pension Plan. Motion passed unanimously.

Resolution 2009-49, Adopting Pension Plan restatement dated February 17, 2009. - This was already passed by motion and the Township's pension advisor needs a resolution.

Ms. Turns moved, seconded by Mr. Mullen to approve Resolution 2009-49, adopting the West Hanover Township Non-Uniform Pension Plan. Motion passed unanimously.

Discussion – 7724 Jonestown Rd. Sewer Connection- The original property owner was issued a permit to construct a sand mound system. The property, however, is only 111 feet from a sewer main and should have been required to connect to the public sewer system. The permit was issued in error by Light Heigel. The current owners are requesting a waiver of the connection requirement. The representative from Light Heigel stated he didn't know what the Ordinance requirement was for hook up to the public sewer system. Mr. Yost stated that we can't have the property owner connect to the public sewer system, since the permit was issued by the Township SEO. Ms. Turns wants a letter to be sent to Light Heigel, that they must contact the West Hanover Township Sewer Authority prior to issuing a permit. Mr. Yost stated the letter should include that our SEO should obtain from the Sewer Authority where all our sewer lines are located.

Ms. Turns moved, seconded by Mr. Mullen to grant a waiver to Max Brinck and Jessica Grove, 7724 Jonestown Rd., from Township Code Chapter 158-29 requiring the owner of any principal structure within 150 fee of a public sewer line to be connected unless a malfunction occurs in which they will have to hook up to the public sewer system. Motion passed unanimously.

Ordinance 2009-15, Bridge Weight Restriction, Authorize Advertisement- The bridge on Jonestown Road over Beaver Creek straddles the boundary between Lower Paxton Township and West Hanover Township, and is the responsibility of both municipalities. The Dauphin County Engineer recommends that that the bridge be posted with a weight restriction of 20 tons. Lower Paxton Township has completed a Posting Analysis, which concurs with the County. Township Engineer Al Brulo concurs with this analysis and recommends the Township move forward with the process for posting this weight restriction on the bridge. The Board needs to enact an Ordinance amendment allowing for

weight restrictions on bridges. Once the Ordinance Amendment is approved we can coordinate with Lower Paxton to erect the signs at the same time. As per PennDOT regulations the Township will need to post signs at three locations. Ms. England also requested approval from the Board to participate in the Dauphin County Bridge Inspection Program. This program would be to our benefit.

Mr. Klein moved, seconded by Ms. Turns authorize the advertisement of Ordinance 2009-15, amending Chapter 187, Vehicles and Traffic for August 3, 2009, and authorize discussions with Lower Paxton to coordinate signing efforts. Motion passed unanimously.

Mr. Klein moved, seconded by Ms. Turns to authorize the Township to be a member of the Dauphin County Bridge Inspection program. Motion passed unanimously.

Motion – Accept Easement Agreement, Weaver/Gummo, along Fairville Ave. - This easement is for the replacement, construction and maintenance of the drainage culvert and replacement of the guiderail along Fairville Ave., which is in conjunction with the Stormwater Drainage project. This project involves replacing the culvert and guiderail and paving over the culvert area.

Ms. Turns moved, seconded by Mr. Mullen to authorize acceptance and execution of an easement agreement between the Township and Donald Weaver, Alice Weaver, and Donna Gummo, tax parcel 68-015-056, along Fairville Ave. Motion passed unanimously.

Motion – EAC Recycling Container project- Patti Estheimer, Chairman of the EAC provided information regarding the recycling container project that will be offered to the Township residents. A postcard will be mailed to all residents inviting them to order a recycling container for \$5.00; information will also be available at the Community Festival on August 22nd. The Township cost will depend on the number of containers purchased. The deadline for orders is August 22nd. This program will help residents participate in the Township recycling program. The EAC will also be applying for grant money from the DEP.

Ms. Turns moved, seconded by Mr. Mullen to authorize the ordering of recycling containers from T.M. Fitzgerald through the COSTARS program based on the number of advance orders from residents. Motion passed unanimously.

Motion- Exit 77 Supplemental Engineering Agreement Part 3 - This agreement is based on the original Agreement No. 087875 signed in February, 2003. Part III is the section detailing the additional construction consultation services and shop drawing review provided by HRG to the project. The original amount of the agreement was \$16,518.86. This supplement extends the time of completion to 36 months to coincide with the construction contract dates. It also adds an additional \$12,636.14 fee due to expanded roadway and structure work added to the project. These expenses, similar to the Part II Final Design expenses, are reimbursed by PennDOT. Ms. England stated that the project will start on July 28, 2009, with an expected completion date of December 1, 2111. Pennsy Supply is the General Contractor.

Ms. Turns moved, seconded by Mr. Mullen to approve and execute the PennDOT Supplemental Engineering Agreement, No. 087875-, for Part III Services during construction of the Exit 77 project in the amount of \$12,636.14. Motion passed unanimously.

Motion – Award Bid 2009-04, Fire Engine Pumper Unit- Bids were received from KME Fire Apparatus and Rosenbauer Firefighting Technology and were fully qualified. The bids were turned over to the Fire Company for evaluation and recommendation. The Engine Committee reviewed the bids on July 14, 2009, and forwarded their recommendation to award the bid to Rosenbauer to the full membership of the Fire Company. At the regular meeting of the Fire Company on July 16, 2009, the full membership voted to recommend to the Board of Supervisors to accept the bid from Rosenbauer. The Fire Company recommended several changes to the bid specs totaling approximately \$2,700. In consultation with the dealer it was determined that these changes could easily be completed however they prefer a formal change order after award of the bid.

Mr. Klein moved, seconded by Ms. Turns to make a motion to award Bid 2009-04, Fire Engine Pumper Unit, to Rosenbauer Firefighting Technology for the low bid price of \$409,172 less \$8,272.00 discount for payment of the chassis upon delivery and to authorize a change order not to exceed \$2,700 for three specification changes. Motion passed unanimously.

CORRESPONDENCE:

Ms. England wanted to bring to the attention of the Board of Supervisors the email from E. Charls Wunz from HRG regarding Act 537. All Act 537 reimbursements are on hold. There is also a good chance that there will be no Act 537 funding in the new 09-10 budget. Generally the Township was reimbursed at 50%.

Ms. England also wanted to let the Board know about the letter which was received on behalf of Jonestown Bank who is considering developing a bank along the southwest corner of Hershey Road and Red Top Road. They are asking for consideration for the use of an on-lot sewage system vs. public sewer for the proposed site. There were questions regarding the Ordinance requirement for commercial buildings. It will be discussed again at the August 3rd meeting.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Mike Kelly wanted to know if West Hanover Township has any jurisdiction regarding Rt. 39 East towards Manor Drive. Half of the road floods and it is very dangerous for motorists. Bill McCahan stated that this has been an issue for many years; he has had to place cones on the road to warn motorists of ice. Penn Dot has never resolved the problem. Ms. England will ask Harold Harman to take a look at the road and report back his findings to the Board.

Mr. Kelly also asked the status on the path from Winslett to Central Dauphin High School. Jon Yost stated we will have to contact Bob Leonard for an update. Mr. Brulo will double check the original plan.

SUPERVISORS COMMENTS: NONE

ADJOURNMENT: 8:40 PM