

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, NOVEMBER 16, 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 6:30 PM.

ROLL CALL

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

Adam Klein, Vice-Chairman
Rick Mullen, Supervisor

PUBLIC COMMENT

Don Steinmeier, 11 N Fairville Avenue – Mr. Steinmeier wanted the Board to be aware that originally the Township had purchased 62 acres of ground at the Sewer Plant for \$225,000.00 and eventually sold 21 acres for 1.2 million. He hopes that township will retain the 41 acres. The sewer plant requires a stream based plot of ground, a stream that feeds into a creek, and land of this type is hard to come by in the Township. If the Township would decide to sell a portion of this land it would present a problem to the Water & Sewer Authority. Within the next 3-5 years the Water & Sewer Authority will have to come and ask the Township to deed some of the property. Mr. Hartman stated that the Board received the approval of the Water & Sewer Authority at the time of the sale of the land.

Mr. Steinmeier asked when the 2010 budget would be available for public review. Ms. England stated that the budget would be available Tuesday November 17th for 20 days as per the requirements of the PA Second Class Township, Section 3202(b).

Under correspondence Mr. Steinmeier asked what Item #8 (FROM: HRG, Township Engineer RE: Phase 1 Environmental Due Diligence Scope of Work) referenced. Mr. Hartman confirmed that this is the environmental due diligence report on the land for the proposed fire station. The Township is in the process of purchasing the land.

PUBLIC HEARING/MEETINGS: NONE

PRESENTATIONS, STAFF/BOARD REPORTS: NONE

APPROVAL OF MINUTES

Regular meeting – November 2, 2009 *Mr. Mullen moved, seconded by Ms. Turns to approve the regular meeting minutes of November 2, 2009. Mr. Klein abstained, motion passed unanimously.*

Workshop meeting – November 9, 2009 *Mr. Mullen moved, seconded by Ms. Turns to approve the workshop meeting minutes of November 9, 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 November 13, 2009	\$599,111.46
Total Liquid Fuels Balance as of November 13, 2009	\$215,091.46
Total Capital Reserve Fund Balance as of November 13, 2009	\$1,924,626.82

B. Deposit Activity since November 3, 2009

\$8,796.55

Ms. Turns reported the gross payroll of November 6, 2009 totaled \$28,790.93. ***Mr. Mullen moved, seconded by Mr. Klein to approve the payroll of November 6, 2009 in the amount of \$28,790.93. Motion passed unanimously.*** Ms. Turns reported the vouchers prepaid to meet due dates were \$57,316.62. ***Mr. Mullen moved, seconded by Mr. Klein to approve the vouchers prepaid to meet dues in the amount of \$57,316.62. Motion passed unanimously.*** Ms. Turns reported the total for the vouchers to be approved was \$66,409.20. ***Mr. Mullen moved, seconded by Mr. Klein to approve the vouchers in the amount of \$66,409.20. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS: NONE

OLD BUSINESS

Motion – Supplemental Scope of Work, Municipal Park Ped Path Project. Tabled at meetings on 07/06/09, 07/20/09, 08/3/09, 08/17/09, 09/08/09, 9/21/09, 10/5/09, 10/19/09, 11/2/09, 11/16/2009.

NEW BUSINESS

Conference Attendance Authorization, Section 607.4: Harold Arndt,

Mr. Klein moved, seconded by Mr. Mullen to approve attendance to a Fire Protection Seminar for Harold Arndt on December 3, 2009. Ms. Turns voted nay, motion passed 3-1.

Improvement Guarantee Reduction: Millstone Phase 2-Reduction #1

Ms. Turns moved, seconded by Mr. Mullen to approve the reduction of the Improvement Guarantee for Millstone Phase 2 by \$515,527.37 leaving a balance of \$222,792.63. Motion passed unanimously.

Improvement Guarantee Release: Maintenance Guarantee-Bradford 3, 4, 5, 6 – Mr. Brulo explained that originally the maintenance guarantee was set to expire on September 18, 2009 at which point Yingst homes requested a 60 days extension in order to correct issues that were found on the site. The issues have been corrected. Grass has been planted on the embankment on Buckley Drive that previously failed due to no vegetation (due to spraying of the vegetation). This grass looks healthy; however it has not gone through a full growing season. Mr. Brulo recommends that the Township contact the Homeowners Association and Yingst Homes, Inc. to inform them that in the future this area should not be sprayed. Mr. Brulo suggests the Township request \$1,500.00 to be held in escrow to ensure that the grass on the embankment area is healthy after a full growing season. Mr. Yost agreed that \$1,500.00 should be held in escrow until July 15, 2010 to ensure that everything is correct.

Ms. Turns moved, seconded by Mr. Mullen to approve the maintenance guarantee release for Bradford 3, 4, 5, 6 in the amount of \$50,630.00 leaving a balance of 0.00 and require \$1,500.00 to be held in escrow until July 15, 2010, for inspection of the vegetation on the embankment on Buckley Drive. Motion passed unanimously.

Resolution 2009-61, Compensation Schedule for 2010

Mr. Mullen moved, seconded by Ms. Turns to approve Resolution 2009-61, Compensation Schedule for 2010. Motion passed unanimously.

Resolution 2009-62, Tax Levy for 2010 – Ms. England stated that the Board changed the method of assessment for streetlights from foot frontage to millage. There has been no tax increase for general purposes, fire apparatus or houses and fire hydrants.

Ms. Turns moved, seconded by Mr. Mullen to approve Resolution 2009-62, Tax Levy for 2010. Motion passed unanimously.

Motion-Advertise Ordinance 2009-19, Amending Chapter 182, Transient Retail Business- Ms. England explained that this ordinance was adopted in 1986, and the charge of \$25/month for a transient retail business license was established at that time. The staff is recommending that the fee will be set by the Board in the annual fee resolution, which will allow the fee to increase or decrease.

Ms. Turns moved, seconded by Mr. Mullen to advertise for action on December 7, 2009, Ordinance 2009-19, amendments to Chapter 182, Transient Retail Businesses, to change the Codes Enforcement Officer to Zoning Officer and remove the set fee for licenses from the Ordinance to appear in the annual fee resolution. Motion passed unanimously.

Resolution 2009-63, Fee Schedule – Ms. England reviewed the additions and changes to the schedule of fees. Additions and changes for Administration fees include: addition of a \$20.00 annual fee for compost center; increase in transient retail business permit to \$40.00 per month or part thereof; increase in Right-to-Know fees to \$30.00/ hour after the first free hour. The changes for the Parks and Recreation fees include: addition of a non-resident fee of \$100 for funeral receptions and additional chair charge of \$0.50 per chair. The address of the recreation center has been changed to 628 Walnut Avenue.

Ms. Turns moved, seconded by Mr. Mullen and Mr. Klein to accept Resolution 2009-63, Fee Schedule. Motion passed unanimously.

Motion – Authorize Advertisement of 2010 Budget –There was discussion regarding the budget. Mr. Hartman stated that he would not vote for the advertisement of the budget. He stated the Township has not raised taxes in 20 years and that nothing has been cut in the 2010 budget. Ms. Turns stated that the Board will have to monitor any money spent. Mr. Klein acknowledged that a lot of time was spend regarding the review of this budget, spending has been cut by 10% this year, and 50% of the budget is for road repair. The budget will be available for public review for 20 days.

Ms. Turns moved, seconded by Mr. Mullen to tentatively approve the 2010 budget, for West Hanover Township and authorize public advertisement of its availability for public review for a period of no less than twenty (20) days prior to final approval on December 21, 2010. Mr. Hartman voted nay. Motion passed 3-1.

Motion – Authorize Advertisement of CPA Firm to conduct 2009 Audit- Ms. Turns asked if by law the Township has to advertise on an annual basis, Ms. England confirmed that yes we are required to advertise annually. Mr. Yost explained that Townships use to have to petition the court each year.

Ms. Turns moved, seconded by Mr. Klein to authorize the advertisement announcing the intent to appoint a Certified Public Accounting firm to conduct the annual audit for fiscal year 2009 at the reorganization meeting on January 4, 2010. Motion passed unanimously.

Ordinance 2009-18, Chapter 187, Stop Sign on Sarhelm Rd- Mr. Brulo reviewed the location of the current stop sign. Today, Ms. England received a complaint from a residence regarding site distance from their drive way and Mr. Brulo would like to have the opportunity to double check the driveway of the resident for site distance. He suggests that the Board table the ordinance so he can review further the complaint.

Ms. Turns moved, seconded by Mr. Mullen to table Ordinance 2009-18, Chapter 187, Stop Sign on Sarhelm Road. Motion passed unanimously.

Resolution 2009-64, Accept Courtland Drive and Brookridge Court

Ms. Turns moved, seconded by Mr. Mullen to accept Resolution 2009-64, to accept Courtland Drive and Brookwood Court as public roads. Motion passed unanimously.

Discussion - Handout on New Year Appointments- Ms. England pointed out one correction to the Zoning Hearing Board information, the alternate seat two is not vacant. Bob Rogers was appointed to fill alternate seat two, with the term to expire in December 31, 2010.

Motion-Scope of Work-Manor Drive – Mr. Brulo presented the results of the Alternatives study in October to the Board, who the authorized the preparation of the Scope of Work for the pavement overlay option. There was discussion regarding if the Road Crew could do the project. Mr. Hartman and Ms. England thought the Road Crew was no longer going to be paving Township roads and that all projects would be placed out for bid. Mr. Harman, Road Master, stated that the Road Crew could handle the paving job. Mr. Brulo thinks that the Road Crew would need help in the design of the project and that there would be a lot of product needed to do this job. Ms. Turns suggested that this item should be tabled until Mr. Brulo can meet with Mr. Harman to discuss the project and see what part of the job that the Road Crew can complete.

Ms. Turns moved, seconded by Mr. Klein to table the Scope of Work for Manor Drive until Mr. Brulo and Mr. Harman can meet to discuss the project in detail. Motion passed unanimously.

Discussion-Commercial Inspection-Fire Station #1- Ms. England provided the Board with an email from the president of the fire company in response to items that need to be addressed as a result of the commercial inspection report of the fire station. The email outlined items that have already been addressed and corrected. The Board will review the information and items that have not been addressed with be for discussion by the Board.

CORRESPONDENCE

There was discussion regarding the letter from the Humane Society. A letter will be sent to the Humane Society letting them know that the Township will not be renewing the contract for 2010.

There was discussion regarding the letter from the Sagewicke Homeowners Association regarding the parking and signage concerns in the development. Public Works is working on the project of the sign removal and replacement.

Ms. England informed the Board that three requests were received from local SEO firms, who have been invited to make proposals at the December 7, 2009 meeting.

There was discussion regarding the letter from Mr. Davidson regarding Village Way and Forney Way. Ms. England will forward the letter to Mr. Brulo. Neither Village Way nor Forney Way are Township roads at this time.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Solicitor Yost updated the Board of the issue with the Swatara Township Authority

Mr. Yost provided an agreement for the sale to the Swatara Township Authority for the reserve capacity at the Swatara Treatment Authority Plant for a total sum of \$450,000.00 to be paid at a rate of \$150,000.00/year for the next three years. The agreement also states that Swatara Township Authority would assume responsibility of the 1.6 million dollars for the assessment for the Chesapeake Bay Initiative upgrades.

Mr. Steinmeier of the Water Sewer Authority stated that the Swatara Township Authority is stealing the capacity, but the 1.6 million is the clincher of this deal. He thinks that the DEP has let the Township down.

Mr. Mullen moved, seconded by Mr. Klein to approve the agreement for the sale of the reserve capacity, the 1.6 million dollar assessment for the Chesapeake Bay Initiative Upgrades, and the settlement of the arbitration case with Swatara Township Authority. Subject to minor modifications. Ms. Turns voted nay. Motion passed 3-1.

SUPERVISORS COMMENTS: NONE

ADJOURNMENT: 7:50 PM