

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS  
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112  
MONDAY, JUNE 6, 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.

**ROLL CALL**

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

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

**CORRESPONDENCE**

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

**FROM:** PennDOT **RE:** ARLE Grant Application and debriefing- This letter informs the Township that we were not awarded grant money for the ARLE program. Ms. England informed the Board that there is a new round of funding which just opened last week with a deadline of July 31, 2011. She asked the Board if they would like to reapply for funding. The original cost to prepare the application was \$1500.00, the update should be less than \$500.00. Ms. Turns asked the cost involved to have HRG update the grant application. Ms. England will contact HRG to confirm a price.

*Ms. Turns moved, seconded by Mr. Ostermayer to have HRG updated the ARLE grant contingent upon cost. Motion passed unanimously.*

**FROM:** PA DEP **RE:** Act 537 Grant- This letter informs the Township that the application for Act 537 Grant has been received; however funding through the end of the FY 2010-2011 has been absorbed by applications received prior to the Township's. The Township application has been placed in line for future funding.

**FROM:** Commonwealth Financing Authority **RE:** PA H2O Grant- This letter informs the Township that funding for the PA H2O grant has been exhausted. Ms. England informed the Board that this grant was applied for several years ago, however the Township had continued to reapply with the hope of additional funding being available.

**FROM:** SGS Architects **RE:** Fire Station Job Conference 1- This correspondence is the minutes from the Fire Station Job Conference held on May 18, 2011. Ms. Turns asked when future conferences would take place. Ms. England informed the Board that conferences will be held every other Wednesday beginning on June 8, 2011.

**FROM:** Robert Stanton **RE:** Request for speed study- Mr. Stanton is requesting that the Township contact Penn Dot and request a speed study on Rt. 39 between Hanoverdale Church and Agway. There was general discussion regarding this issue. Ms. England will send a letter to Penn Dot regarding the concerns of speed in that area and what Penn Dot can recommend.

**FROM:** Greater Harrisburg Association of Realtors**RE:** Municipal Officials Breakfast- Ms. England asked the Board if anyone can attend the Municipal Officials Breakfast. Ms. Turns will contact Mr. Megonnell to see if he is available, if he is not she will attend. Ms. England will RSVP for one attendee.

**FROM:** Floyd Auchenbach **RE:** Transient Business License inquiry- Mr. Leonard presented information to the Board regarding Mr. Auchenbach's request. He reviewed the location which is the Church located at Rt. 39 & Jonestown Road. Mr. Klein suggested that this request be discussed at a workshop so facts can be gathered and presented to the Board. Ms. Turns brought up the concern regarding the ingress and egress of the proposed location. Mr. Auchenbach made his presentation to the Board regarding his proposed plan and conditions of the location. Solicitor Yost suggested that Mr. Leonard should review the zoning issues and make a presentation to the Board at a workshop. There was general discussion regarding the Transient Ordinance and the proposed location.

## **PUBLIC COMMENT**

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier brought up the possibility of the Water & Sewer Authority having the Township apply for a Casino Grant on their behalf for the plant upgrade. There was discussion if the Township can apply for a grant for the Water & Sewer Authority since they are a separate entity. Mr. Klein requested that the Water & Sewer Authority make a formal request to the Board in the June 20<sup>th</sup> Board meeting packet, so they can review and discuss the request. Mr. Steinmeier gave an EDU update to the Board. He asked if the PSAB has looked into the traffic problems at Rt. 39 & Devonshire Heights Road. He asked if the state police provide a count of the number of accidents that have occurred at that location in the past two years. He stated that the Township needs to work with Penn Dot as well as Representative Marsico and Senator Piccola to get something done at that intersection.

Terry Davis, 7201 Allentown Boulevard- Mr. Davis addressed the Board regarding his presentation at the May 2, 2011 Public Hearing. He said that the Paxton Herald reported that he was out of order. He wanted to know if anyone on the Board felt that he was out of order at the hearing. There was general discussion regarding his presentation and it was the consensus of the Board that the presentation was not out of order.

Roberta Fry, 119 North Clover Lane- Mrs. Fry read a letter she received from the Township dated January 9, 2005 regarding the drainage problems near her residence. She stated that nothing has been done in the last five years to resolve the culvert problem. She presented pictures to the Board for their review. There was general discussion regarding the problem and what needs to be done to resolve it. Mr. Klein asked for Mr. Harman for a time line as to when the work can be completed. He said the he could have the project completed in July or August. Mr. Scott asked Mr. Harman to postpone the work scheduled for Manada Heights to address the problems on North Clover Lane.

Mark Chiles, 228 Brookridge Court- Mr. Chiles informed that Board that no work has begun on the problems that he addressed in his letter to the Board two months ago regarding Phase 1 at the Townes at Hershey Road. He doesn't want the Township to release any performance bonds to Classic Communities until the work has been completed. Mr. Leonard has met with Classic Communities and they stated the work will be complete by June 30<sup>th</sup>. Mr. Klein stated that no funds would be returned to Classic Communities until all work has been completed.

Beth Carricato, 699 Knight Road- Ms. Carricato brought up all the issues addressed this evening in public comment. She stated that decisions must be made by the Board in order to resolve the problems in the Township. She stated that some intersection and stormwater problems have been going on for years and must be addressed and resolved.

Gloria Zimmerman, 1453 Mumma Road- She said that each week the articles in the Paxton Herald get worse. She stated that she believes that Mr. Ostermayer feeds information to the Paxton Herald. She brought up an article that stated residents at Keystone Correctional are placed in the facility, yet at the hearing it was explained that residents are not automatically placed in the facility yet screened and picked to be placed in the facility. She read a letter that was written to Patti Estheimer from Bill Ostermayer. She stated that the Board must work together with Township committees.

Terry Davis, 7201 Allentown Boulevard- Mr. Davis confirmed that he has a choice of what residents are placed at Keystone Correctional facility.

Mr. Scott- Mr. Scott brought up the letter that was sent to Township residents on pink paper. He has had the letter analyzed and knows the printer it was printed on. As a result of this letter he has lost a major client. He has hired a lawyer and will pursue this issue until the end.

Beth Carricato, 699 Knight Road- Ms. Carricato brought up the letter that Mr. Scott addressed. She stated that Mr. Ostermayer should resign from his position.

Gloria Zimmerman, 1453 Mumma Road- Mrs. Zimmerman brought up that the Township gave Mr. Steinmeier \$1,000.00 when he had his lawsuit, and that Mr. Scott should be entitled to the same.

Mr. Scott- Mr. Scott stated that he will fight this battle on his own.

Patti Estheimer, 309 South Clover Lane- Mrs. Estheimer reminded everyone about the tire recycling program that will be held on June 10<sup>th</sup> from 4:00p-7:00p and June 11<sup>th</sup> from 9:00a-2:00p. She stated that she was very shocked at the letter she received from Mr. Ostermayer and the accusations in the letter. She is disappointed with the dirty politics that happened in the election. She stated that the Township needs to work together and that the Township has a lot of great residents.

**PUBLIC HEARING/MEETINGS: None**

**PRESENTATIONS, STAFF/BOARD REPORTS:**

Monumentation, Sign inventory/retroreflectivity projects – Howard Hodder, HRG- Mr. Hodder gave a presentation of monumentation and retroreflectivity. He reviewed the compliance deadlines for the retroreflectivity which are as follows: By January 22, 2012, the Township must “Implement and use an assessment or management method to maintain traffic sign retroreflectivity at or above the established minimum levels”. By January 22, 2015, all warning signs must meet the new standards and by January 22, 2018, all street signs must meet the new standards. He reviewed and explained the Assessment Methods and the Management Methods. There was discussion if the Public Works department would be able to handle the project as well as the time and cost involved. Mr. Harman stated that all replacement signs that are installed meet the requirements. Mr. Hodder suggested that if the Board only wants to commit to one project that they choose retroreflectivity over monumentation.

Recreation Center analysis – Dixie Fesig, Park & Rec Coordinator- Mrs. Fesig presented her report for the recreation center renovation project which covered design, usage, and cost. There was discussion of use of the current space and the priority of different projects within the renovation. To complete all renovations the estimated cost is \$150,000-\$180,000. It was discussed that volunteers or community groups may be able to help with the cosmetic renovations and therefore keep the cost as low as possible. Mrs. Fesig is waiting for Houck roofing to inspect the roof; at this time there are no problems.

Mrs. Fesig brought up a severe roof leak at the Houck Manor concession stand. She is working with contractors to get a price for a metal roof, which is expected to be approximately \$4,000.00. The existing roof is a tar paper roof.

Mrs. Fesig informed the Board that she and Mr. Stammel are working on pricing for a box camera system for the parks instead of the originally proposed trail cameras. She will present costs to the Board once she has received them.

Ms. England reported to the Board that there will be two conference calls on Tuesday regarding the General Obligation Bond that the Township will sponsor for the Water & Sewer Authority. One call is for the preliminary official statement and the second is to obtain our credit rating.

## **APPROVAL OF MINUTES**

Regular meeting – May 16, 2011 *Ms. Turns moved, seconded by Mr. Scott to approve the regular meeting minutes of May 16, 2011. Mr. Ostermayer abstained, 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 June 3, 2011	\$1,136,794.90
Total Liquid Fuels Balance as of June 3, 2011	\$444,952.30
Total Capital Reserve Fund Balance as of June 3, 2011	\$1,878,629.35

B. Deposit Activity since May 16, 2011

	\$224,713.76
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Ms. Turns reported the gross payroll of May 20, 2011, totaled \$29,762.23. *Mr. Ostermayer moved, seconded by Mr. Scott to approve the payroll of May 20, 2011 in the amount of \$29,762.23. Motion passed unanimously.* Ms. Turns reported the gross payroll of June 3, 2011, totaled \$29,877.43. *Mr. Ostermayer moved, seconded by Mr. Scott to approve the payroll of June 3, 2011 in the amount of \$29,877.43. Motion passed unanimously.* Ms. Turns reported the vouchers prepaid to meet due dates was \$13,786.54. *Mr. Ostermayer moved, seconded by Mr. Scott to approve the vouchers prepaid to meet due dates in the amount of \$13,786.54. Motion passed unanimously.* Ms. Turns reported the total for the vouchers to be approved was \$212,587.49. *Mr. Ostermayer moved, seconded by Mr. Scott to approve the vouchers in the amount of \$212,587.49. Motion passed unanimously.*

**PLANNING COMMISSION REPORTS AND PLANS:**

#11.0023 F/LD Wastewater Treatment Plant Upgrade. Action by 6/21/11.- Del Becker from RK&K provided a brief review of the Wastewater Treatment Plant Upgrade. The expansion of the treatment plant includes a new digester, a new SBR basin, a new generator pad, new blower pavilions, and a new pumping station and wetwell.

*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 Land Development Plan for Sewer Authority Plant Upgrade Project; 7901 Jonestown Road, Tax Parcel # 68-024-223, Township ID# 11.003:*

1. *173-11.A – Submission of a Preliminary Plan.*
2. *173-11.B(3)(b) – Submission of sewage planning module.*
3. *173-11.B(3)(h) – Wetland study.*
4. *173-11.B(2)(c) – Driveway profile.*

*Motion passed unanimously.*

*Mr. Klein moved, seconded by Ms. Turns to accept the modification request for the following section of the West Hanover Township Stormwater Management Ordinance for the Final Land Development Plan for Sewer Authority Plant Upgrade Project; 7901 Jonestown Road, Tax Parcel # 68-024-223, Township ID# 11.003:*

1. *168-13.I(1) – Modification of requirements due to minimal additional impervious coverage.*

*Motion passed unanimously.*

*Mr. Klein moved, seconded by Ms. Turns to approve the Final Land Development Plan for Sewer Authority Plant Upgrade Project; 7901 Jonestown Road, Tax Parcel # 68-024-223, Township ID# 11.003, contingent upon (based on):*

1. *173-11.B(3)(a) – Approval of the Erosion and Sedimentation Control Plan by DCCD.*
2. *173-11.B(3)(m) – Approval of the NPDES Water Obstruction and Encroachment Permit from PADEP.*
3. *173-15.C(19) – Review by the Township Solicitor of a Pedestrian Easement Agreement.*
4. *173-15.C(19) - Incorporating staff and Township Engineer comments.*
5. *173-15.C(19) - Other items as determined necessary by Township Ordinances.*

*Motion passed unanimously.*

## **OLD BUSINESS:**

Resolution 2011-46, Appointment to Water & Sewer Authority Board- Ms. Turns asked why the Board didn't get the volunteer application before the Water & Sewer Authority interviewed him. Ms. England stated that the applicant attended the WSA meeting, and the WSA asked him questions regarding his application. Mr. Klein stated that ultimately it is the Board of Supervisors decision who to appoint to a Commission. Ms. Turns asked if there is a conflict of interest since the applicant works for HRG. Ms. England stated that HRG doesn't do any work for the WSA and the Mr. Cichy is a Township resident who volunteered for the seat. Mr. Scott stated that Mr. Cichy is very qualified for the position.

*Mr. Scott moved, seconded by Mr. Klein, to approve Resolution 2011-46, appointing Matthew Cichy, seat #1, for the balance of a five year term on the Water and Sewer Authority ending December 31, 2011. Motion passed unanimously. Mr. Ostermayer and Ms. Turns voted nay. Motion failed due to a tie vote.*

*Resolution 2011-46 tabled until a five member Board.*

Motion – Approve Scope of Work for Monumentation project. Tabled from 05/02/11.

*Ms. Turns moved, seconded by Mr. Scott to table until the next available workshop. Motion passed unanimously.*

## **NEW BUSINESS:**

Ordinance 2011-07, Chapter 182 Transient Retail- Mr. Leonard provided a brief review of the work that has been completed on the Ordinance text amendment. Ms. Turns commented that it is an excellent Ordinance and up to date. Mr. Scott asked for clarification on how this text amendment will affect American Pie. Mr. Leonard stated that as a delivery business he can continue to operate, and they will not need a new retail business license as long as he remains a delivery business.

*Ms. Turns moved, seconded by Mr. Scott to adopt Ordinance 2011-07, Chapter 182 Transient Retail. Motion passed unanimously.*

Ordinance 2011-08, Chapter 187, Vehicles & Traffic

*Ms. Turns moved, seconded by Mr. Scott to adopt Ordinance 2011-08, Chapter 187 Vehicles & Traffic. Motion passed unanimously.*

Mr. Scott asked for the status of the Harper Drive project. Ms. England informed the Board that they are redoing entrances at both ends to comply with Penn Dot standards. Completion is scheduled by June 21<sup>st</sup>.

Motion – Fire Station Change Order Contract 1-1- Ms. Turns asked Ms. England to track change orders and payments on the PIP for the Fire Station.

*Mr. Scott moved, seconded by Ms. Turns to accept Change Order #1 for Contract 1, General/Site, for the Fire Station Construction in the amount of \$1,871.00. Motion passed unanimously.*

Resolution 2011-50, Temporary Road Closure

*Ms. Turns moved, seconded by Mr. Scott to approve Resolution 2011-50, the temporary closing of a portion of Hillcrest Avenue on Sunday, June 26, 2011. Motion passed unanimously.*

Resolution 2011-51, Fire Company Authorization

*Ms. Turns moved, seconded by Mr. Ostermayer to adopt Resolution 2011-51, Fire Company Event Authorization. Motion passed unanimously.*

Motion – Accept Notice of Resignation

*Ms. Turns moved, seconded by Mr. Scott to accept the resignation of Daniel Restagno from the Park and Recreation staff. Motion passed unanimously.*

Motion – Authorize Advertisement of Position Vacancy

*Ms. Turns moved, seconded by Mr. Scott to authorize the advertisement of a part-time employment opening for a Facility Assistant in the Park & Recreation Department. Motion passed unanimously.*

#### **OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:**

Ms. England informed the Board that the oil n' chip reschedule and second application is scheduled to begin on June 15<sup>th</sup>.

Ms. England reported to the Board that East Hanover Township contacted the Township regarding damages to Jonestown Road between Berkstone Drive and the bridge as a result of construction vehicles that are working on the bridge replacement. East Hanover Township has offered to repair all damages to the roads at their cost.

*Ms. Turns moved, seconded by Mr. Scott to accept the proposal from East Hanover Township to repair damages to Jonestown Road between Berkstone Drive and the bridge which were caused by construction vehicles. Motion passed unanimously.*

Ms. England stated that Solicitor Yost has the Bailey/Beck Agreement which is an amendment to the 2008 agreement execution. There was general discussion regarding the changes with the agreement, which was discussed at prior workshops.

*Mr. Scott moved, seconded by Ms. Turns to authorize execution of the Bailey/Beck Agreement. Motion passed unanimously.*

**PUBLIC COMMENT:**

Mark Chiles, 228 Brookridge Court- Mr. Chiles brought up that the light pole that is located near the Harper Drive turnaround may pose problems for the trucks. He said that the location of the pole may cause some trucks to get stuck.

Patti Estheimer, 309 South Clover Lane- Mrs. Estheimer addressed the Board that she was speaking as a resident and not a representative of the EAC. She said that based on the fact that Mr. Ostermayer ran his campaign on the theme of change for the Township, he has requested that staff and volunteers be removed from their positions. She stated that based on the fact that he has ethical violations to the Township and his attitude to Township staff and volunteers, she asked that Mr. Ostermayer resign from the Board of Supervisors.

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier brought up the federal mandates regarding signage throughout the Township. He said the Water & Sewer Authority is faced with a federal mandate to clean up the Chesapeake Bay at a cost of 3 ½ to 4 million dollars. He said that state and federal government should help local government pay for the mandates that they put in place.

Terry Davis, 7201 Allentown Boulevard- Mr. Davis wanted to go on record that he did not say anything negative about the freedom of press or the Paxton Herald.

Beth Carricato, 699 Knight Road- Ms. Carricato said that there is a difference between free press and private press.

**SUPERVISORS COMMENTS:**

Mr. Ostermayer asked what time the Road Inspection Workshop is on June 13<sup>th</sup>. Ms. England said the workshop begins at 6:00pm.

Mr. Scott commented that he did say that the Paxton Herald is a piece of crap and the he can be quoted as stating that opinion.

**ADJOURNMENT: 9:05 pm**