

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, JULY 18, 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-Absent
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 101 Recycling Grant Approval-Mr. Scott stated that the Township received an \$18,201 grant from the DEP. The grant reflects the 851.8 tons of residential and commercial materials recycled in 2009. This grant is in addition to the recycling reimbursement which is received from Waste Management. He asked that all residents make an effort do their part in the Township recycling program.

PUBLIC COMMENT

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier commented on the health insurance presentation at the workshop held this evening. He brought up the cost of nursing care as well as the cost of health insurance premiums. He presented a handout to the Board regarding his general comments on the topic of Township FILO funds. He stated that the Township is doing a good job handling the funds. He reviewed Section 503-11-3 of the MPC as well as the subject of written agreements between the Board of Supervisors and Developers.

Mr. Scott wanted to make it clear that the motion he made at the workshop on July 11th regarding the agreement between the Board of Supervisors and Developers is predicated by Township staff and Manager reviewing the agreement and then providing it the Solicitor and Board in a public forum for review. He stated that the minutes didn't clearly state his objective.

Mr. Steinmeier brought up that state and Township auditors have not found any illegal activity regarding FILO funds. In 2005 McNaughton Homes took the Board of Supervisors to court over the FILO Ordinance and lost their case in the Dauphin County Court of Common Pleas.

Beth Carricato, 699 Knight Road- Ms. Carricato stated that it is not appropriate to take action at a workshop meeting when the Township Manager is not present, only three Board members are present, and when the item is not listed on the agenda. She was informed that the Solicitor noted that

the item was not on the agenda and that he was not prepared to speak on the subject. She is not questioning the motion, but the means that it occurred; she feels that it is inappropriate. Ms. Carricato brought up that email sent to the Board of Supervisors regarding animal control in the Township. She said that there is a dog law officer in Dauphin County and that the Humane Society will not accept feral cats. They will neuter the feral cats, but the resident must then return the cat to the wild, the Humane Society will not keep the cat. She is opposed to the program that the Humane Society offers to the Townships.

Dale Regal, 176 Florence Drive- Mr. Regal asked why there are not porta johns at Skyline Commons and Houck Memorial. Both parks have restroom facilities, however if there is not a sponsored community event then the restroom facilities are locked. Ms. England will look into the situation.

Mark Chiles, 228 Brookridge Court- He informed the Board that work has begun on the drainage issues at the Townes at Hershey Road, Phase 1. He thanked Mr. Yost, Mr. Leonard, and HRG for working together to help begin completion of the issues in the development.

Elizabeth England- Ms. England thanked everyone for the cards, flowers, and well wishes during her recent illness. She also thanked the staff for working together to keep all projects moving forward.

James Helm, 7462 West Appalachian Trail- Mr. Helm brought up the issues regarding the email that he sent to the Board regarding animal control within the Township. There was discussion regarding dog and cat laws in the state of Pennsylvania as well as the services that the Humane Society provides to Townships who sign a contract. He stated that the Board has to make a decision regarding the Township's responsibility concerning animal control.

Beth Carricato, 699 Knight Road- Ms. Carricato said she understands Mr. Helm's frustration, but doesn't believe that the Township is washing their hands of problem. She has personally reached out to other agencies such as PAWS and Castaway Critters and they don't have any suggestions regarding feral cats and often do not return phone calls.

Mr. Klein suggested that animal control be placed on a workshop agenda to try to work toward a solution.

PUBLIC HEARING/MEETINGS: None

PRESENTATIONS, STAFF/BOARD REPORTS:

Harold Harman, Roadmaster- Mr. Harman informed the Board that the Public Works department is on summer hours working from 6:00a-2:30p until Labor Day. Once the weather is cooler they will start vacuuming the stones from the roads that were oil n chipped. The Manor Drive drainage project is $\frac{3}{4}$ completed.

Barb Helm, 7462 West Appalachian Trail- Mrs. Helm stated that there were a lot of stones from the previous oil n chip project that surfaced during the snow storms. She brought up problems with the previous oil n chip project; she asked why the roads can't be macadam. The Board explained that macadam is too expensive and that since this oil n chip project was done properly there should be no problems.

APPROVAL OF MINUTES

Regular meeting – July 5, 2011 *Mr. Megonnell moved, seconded by Ms. Turns to approve the regular meeting minutes of July 5, 2011. Motion passed unanimously.*

Workshop meeting – July 11, 2011 *Mr. Klein moved, seconded by Mr. Scott to table the workshop meeting minutes of July 11, 2011 until August 1, 2011 so corrections can be made to the minutes regarding the FILO fund issues. 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 15, 2011	\$ 1,202,084.34
Total Liquid Fuels Balance as of July 15, 2011	\$445,052.97
Total Capital Reserve Fund Balance as of July 15, 2011	\$1,892,076.47

B. Deposit Activity since July 6, 2011 \$27,643.79

Ms. Turns reported the gross payroll of July 15, 2011, totaled \$29,060.11. *Mr. Megonnell moved, seconded by Mr. Scott to approve the payroll of July 15, 2011 in the amount of \$29,060.11. Motion passed unanimously.* Ms. Turns reported the vouchers prepaid to meet due dates was \$2,301.01. *Mr. Megonnell moved, seconded by Mr. Scott to approve the vouchers prepaid to meet due dates in the amount of \$2,301.01. Motion passed unanimously.* Ms. Turns reported the total for the vouchers to be approved was \$101,944.20. *Mr. Scott moved, seconded by Mr. Megonnell to approve the vouchers in the amount of \$101,944.20. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS:

Accept 12 month time extension for Ciocca Dodge #05.014. This will bring expiration date to August 1, 2012.

Ms. Turns moved, seconded by Mr. Megonnell to accept the Accept 12 month time extension for Ciocca Dodge #05.014; this will bring expiration date to August 1, 2012. Motion passed unanimously.

Accept Time extension for Whitetail Run #11.002 until September 20, 2011

Ms. Turns moved, seconded by Mr. Megonnell to accept the time extension for Whitetail Run #11.002 until September 20, 2011. Motion passed unanimously.

OLD BUSINESS:

Motion – Set hearing date of September 6, 2011 for Ordinance Amendment, Chapter 195-138, Driveways or set workshop date to discuss DCPC comments. Tabled from 05/16/11 meeting.

Ms. Turns would like DCPC's comments be incorporated into the draft. It was discussed that any suggested changes should be reviewed by the Township Planning Commission before sending the DCPC's final review.

Ms. Turns moved, seconded by Mr. Megonnell to send the Amendment to 195-138 D & N, Driveway paving requirements DCPC with DCPC comments incorporated for their review and comment. Motion passed unanimously.

NEW BUSINESS:

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

Motion – Fire Hydrant Installation, Umberger Street

Ms. Turns moved, seconded by Mr. Megonnell to execute the application for public fire hydrant on the northern side of Umberger Street with the western side of State Route 39 (N. Hershey Road). Motion passed unanimously.

Motion-Authorization to send invoices to DCED

Mr. Megonnell moved, seconded by Mr. Scott to approve sending HRG Engineering Invoice #78305 and SGS Architects Invoice # 10170 to Dauphin County Department of Community & Economic Development for payment. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Mr. Megonnell moved, seconded by Mr. Scott to accept Change Order #4 for Contract 1, General/Site, for the Fire Station Construction in the amount of \$4,532.00. Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell to accept Change Order #5 for Contract 1, General/Site, for the Fire Station Construction in the amount of \$5,683.00. Motion passed unanimously.

Mr. Klein received a call from an elderly resident regarding the job description of the compost center attendant. The resident wanted to know if the attendant is to help residents remove yard waste from their vehicles. Ms. England stated that the compost center attendant's primary job responsibilities are to make sure all cars entering the center have a permit and to direct traffic. If it is a slow day he will assist residents but that is not a primary job responsibility or requirement.

Solicitor Yost presented the Board with a letter from Nikolaus & Hohenadel regarding serving as special counsel to the Township Board of Supervisors in connection with the curative amendment proceeding pending before the Board. Solicitor Yost provided background to the Board regarding the qualifications of the attorney.

Mr. Megonnell moved, seconded by Mr. Scott to appoint Nikolaus & Hohenadel as special counsel to the Township Board of Supervisors in connection with the curative amendment hearing on August 1, 2011. Motion passed unanimously.

PUBLIC COMMENT:

Jim Zeiters, 204 Glenview Avenue- Mr. Zeiters, Chairman of the Planning Commission stated that the Amendment to 195-138 D & N, Driveway should come back to Planning Commission before being sent to DCPC. The Board agreed and amended the motion.

Beth Carricato, 699 Knight Road- Ms. Carricato asked for some clarification regarding the upcoming curative amendment. Mr. Yost provided background regarding the amendment.

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier stated the PA system needs to be improved.

SUPERVISORS COMMENTS: None

ADJOURNMENT: 8:00 pm