

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
TUESDAY, SEPTEMBER 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. Mr. Klein informed the audience that there was an Executive Session held this evening to discuss legal issues.

ROLL CALL

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

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

SPECIAL PRESENTATION

Mr. Klein read the dedication of the 2011 Fire/Police vehicle in memory of Melvin Gochenaur. Mr. Gochenaur served the residents and community of West Hanover Township for many years as Fire Police Captain as well as many other community programs within the Township. Mr. Gochenaur's wife accepted the dedication plaque on behalf of the family.

CORRESPONDENCE

Mr. Klein briefly reviewed the correspondence items and informed the public that all correspondence is available for review. The following items were brought up for discussion.

FROM: Dauphin County Association of Township Official **RE:** Annual Township Convention- Mr. Klein, Mr. Megonnell, and Ms. Turns will attend the convention held on September 29, 2011.

FROM: Pennsylvania Committee for Employer Support of the Guard and Reserve **RE:** Statement of Support

Mr. Megonnell moved seconded by Ms. Turns to adopt a Statement of Support for American soldiers serving in the National Guard and Reserve. Motion passed unanimously.

FROM: William Koppenhaver **RE:** Water run-off-Mr. Koppenhaver is experiencing water run off from Skyline Park into his yard. He is requesting action be taken by the Board. Mr. Leonard looked into the situation and believes that the situation can be resolved by repairing the down spouts and gutters to the Township facility building for around \$100.00. Staff will contact Mr. Koppenhaver to inform him of the plans.

Ms. Turns moved, seconded by Mr. Scott to authorize Mr. Leonard to resolve water runoff from the storage facility building at Skyline Park . Motion passed unanimously.

PUBLIC COMMENT

Mark Chiles, 228 Brookridge Court- Mr. Chiles updated the Board on the issue at the Townes at Hershey Road. On August 23rd he walked the development with Mr. Leonard, Mr. Brulo, Mr. Letterman, and Ms. Bothell to review outstanding work that needs to be completed. Mr. Brulo will compile a list of items that need to be completed. In the last few weeks, some progress has been made on outstanding issues. Mr. Chiles thanked the Board for all their help in resolving outstanding issues in the development.

Mr. Scott brought up that several residents have complained that the roads that were tar and chipped have not been swept yet. Mr. Scott informed the residents that the roads will be swept once weather conditions permit.

PUBLIC HEARING/MEETINGS: None

PRESENTATIONS, STAFF/BOARD REPORTS:

Dauphin County Library System Presentation- Richard Bowra, Executive Director provided a brief summary of the Dauphin County Library system to the Board. The Library system is a private, non profit corporation which receives 60% of funding from Dauphin County. West Hanover Township is ranked number five in the top ten Townships that utilized the Dauphin County Library System. John Miller the manager of the Alexander Family library located in Hummelstown briefly reviewed the programs that are offered at that location.

Mr. Megonnell asked that Mr. Bowra put an article in the next Township newsletter to inform residents of all the services the local libraries offer to the Township.

Harold Harman, Roadmaster- Mr. Harman informed the Board and residents that they began sweeping roads today. He explained that roads haven't been swept due to weather conditions and that the road crew has been working on clean up from the recent storms.

Mr. Klein said that on Manor Drive north of Route 22 there is a pole that is leaning. Ms. England asked Mr. Harman to forward the pole number and she will contact PP&L.

Patti Estheimer, EAC Chairman- Mrs. Estheimer informed the Board and residents that the EAC will present an alternative energy expo at the Township festival. There will be solar, wind, and geo thermal representatives available to provide information to the residents. Residents will have a chance to win a free solar light prize.

APPROVAL OF MINUTES

Regular meeting – August 15, 2011- *Ms. Turns moved, seconded by Mr. Megonnell to approve the regular meeting minutes of August 15, 2011. 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 September 2, 2011	\$1,198,225.75
Total Liquid Fuels Balance as of September 2, 2011	\$445,261.14
Total Capital Reserve Fund Balance as of September 2, 2011	\$1,894,517.70

B. Deposit Activity since August 15, 2011 \$153,645.51

Ms. Turns reported the gross payroll of August 26, 2011, totaled \$27,103.18. ***Mr. Scott moved, seconded by Mr. Megonnell to approve the payroll of August 26, 2011 in the amount of \$27,103.18. Motion passed unanimously.*** Ms. Turns reported the vouchers prepaid to meet due dates was \$32,270.45. ***Mr. Scott moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$32,270.45. Motion passed unanimously.*** Ms. Turns reported the total for the vouchers to be approved is \$39,014.09. ***Mr. Scott moved, seconded by Ms. Turns to approve the vouchers in the amount of \$39,014.09. Mr. Megonnell abstained, Motion passed unanimously.*** Ms. Turns reported the total for the Emmaus Bond Pool Loan is \$482,832.73. ***Mr. Megonnell moved, seconded by Mr. Scott to approve the Emmaus Bond Pool Loan in the amount of \$482,832.73. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS:

11.004 F/SB Brookview Phase III. Action by 09/20/11- Mr. Leonard explained that Phase III of the BrookView Development is 15.75 acres of the whole 94.34 acres in the R-1 Low Density Zoning District. There are proposed 25 dwelling units and 5.23 acres of open space. A revised Preliminary Plan was approved in September 2003, with 6 waiver requests. The current final plan asks for an additional 3 waivers which include: Sight triangles and distance for each driveway, Traffic Impact Study, and an updated wetland study. Mr. Scott asked for clarification regarding FILO, which the Board discussed at length. Ms. Turns requested that an agreement be drawn up between the Township and the developer, which is to be reviewed by the Solicitor. Mr. Megonnell asked that the agreement come back to the Board for review.

Ms. Turns moved, seconded by Mr. Megonnell to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Final Subdivision Plan of BrookView Phase III; Fort Stewart Drive, Township ID #11.004; Tax Parcel # 68-022-260:

- 1. Section 173-15.B(29) – Sight triangles and distance for each driveway***
- 2. Section 173-15.C(11) – Traffic Impact Study***
- 3. Section 173-15.C(8) – Updated wetland study***

Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell approve the Final Subdivision Plan of BrookView Phase III; Fort Stewart Drive, Township ID #11.004; Tax Parcel # 68-022-260, contingent upon (based on):

- 1. 173-15.B(34) – Approval of legal descriptions for Barnett Circle and Fort Stewart Drive for Township Engineer.**
- 2. 173-16 – Approval of Improvements and Maintenance guaranties by Township Engineer.**
- 3. 173-37.1.F – Submit private open space ownership and maintenance plans to the Township.**
- 4. 173-37.G – Paying the fee-in-lieu of parkland dedication, with additional proposed agreement for use of funds. The agreement will be reviewed by the Solicitor and presented to the Board of Supervisors for their comment and review.**
- 5. 173-15.C(19) - Addressing outstanding staff and Engineer comments.**
- 6. 173-15.C(19) – Other outstanding requirements of Ordinance.**

Motion passed unanimously.

Brookview Phase II Update- Forrest Troutman, legal counsel for Yingst Homes reviewed for the Board their solution for the problems with water in residents basements. Footer drains from the homes will be hooked up to a private trunk line that would exit the lots under the public road. The plan has been reviewed by Mr. Leonard and the Township Engineer. There will have to be an agreement in place between the Township and the homeowners. The Homeowners Association will take over the maintenance of the line that will be under the public road. Mr. Troutman has consulted with the Solicitor regarding the requirements of the agreement. There was general discussion regarding where the storm water will end up.

#11.005 F/SB Deborah J. Hoffman. Action by 10/25/11- Mr. Leonard provided a brief summary of the applicants wishes to subdivide a 89.095 acre parcel into 7 new building lots, 2 lot addition boundary adjustments, and private open space tied to the residual farm lot. He reviewed the requested waivers and the modification requests. Mr. Leonard will work with the developer and engineer to draw up an agreement regarding FILO. Mr. Mellott, engineer for Ms. Hoffman, briefly addressed the Board regarding zoning of the land which is FRA, Flexible Rural Agriculture. He stated that is compatible with the neighboring lots.

Ms. Turns moved, seconded by Mr. Scott the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Deborah J. Hoffman Final Subdivision Plan; 7423 Green Hill Road, Township ID #11.005; Tax Parcel # 68-038-010:

- 1. Section 173-11.A – Preliminary Plan requirements**
- 2. Section 173-14.I(2)(d) – Survey Datum requirements**
- 3. Section 173-38.B(1) – Detailed tree inventory**
- 4. Section 173-11.B(2)(c) – Driveway profile scale**
- 5. Section 173-32.C – Water feasibility study**

Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell to accept the exemption of following section of the West Hanover Township Subdivision and Land Development Ordinance for the Deborah J. Hoffman Final Subdivision Plan; 7423 Green Hill Road, Township ID #11.005; Tax Parcel # 68-038-010:

- 1. Section 173-37.B(2) – Dedication of Parkland in favor of paying a fee-in-lieu, with additional proposed agreement for use of funds. The agreement will be reviewed by the Solicitor and presented to the Board of Supervisors for their comment and review.**

Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell to approve the Deborah J. Hoffman Final Subdivision Plan; 7423 Green Hill Road, Township ID #11.005; Tax Parcel # 68-038-010, contingent upon (based on):

- 1. 173-15.C(2) - Sewage Planning Module approval by PADEP.**
- 2. 173-15.C(8) – Revised Wetlands Report approval by the Township Engineer.**
- 3. 173-15.B(25) – Submission of conservation and open space ownership and maintenance agreements.**
- 4. 173-15.C(19) - Addressing outstanding staff and Engineer comments.**
- 5. 173-15.C(19) – Other items as determined necessary by Township Ordinance.**

Motion passed unanimously.

#11.006 F/SB Mellott/Hoffman. Action by 10/25/11- The applicant wishes to obtain land from Earl and Stephanie Hoffman and attach it to the applicant's existing parcel. No new building lots would be created, and no new roads are proposed. No development is planned for this boundary adjustment. Mr. Leonard reviewed the waiver and modification requests.

Ms. Turns moved, seconded by Mr. Megonnell to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Mellott / Hoffman Final Subdivision Plan; 7500 Devonshire Heights Road, Township ID #11.006; Tax Parcels # 68-038-003, and 68-038-024:

- 1. Section 173-11.A – Preliminary Plan requirements**
- 2. Section 173-11.B(2)(bb) – 2 foot contours**
- 3. Section 173-14.I(2)(d) – Survey Datum requirements**
- 4. Section 173-38.B(1) – Detailed tree inventory**

Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell to approve the Mellott / Hoffman Final Subdivision Plan; 7500 Devonshire Heights Road, Township ID #11.006; Tax Parcel # 68-038-003, and 68-038-024, contingent upon (based on):

- 1. 173-15.B(25) – Submission of conservation and open space ownership and maintenance agreements.***
- 2. 173-15.C(8) – Approval of the revised Wetlands Report by the Township Engineer.***
- 3. 173-15.C(19) - Addressing outstanding staff and Engineer comments.***
- 4. 173-15.C(19) – Other items as determined necessary by Township Ordinance.***

Motion passed unanimously.

#11.002 F/SB Whitetail Run. Action by 9/20/11- Mr. Leonard briefly reviewed the proposed subdivision as well as the requested waivers and modification requests. The property is zoned Rural Residential, or RR, and has Stream Protection Overlay District areas, Slope and Hillside Protection Overlay District areas, and Wetland Protection Overlay District areas on it. Finding any area which has suitable infiltration has been challenging, necessitating three stormwater ponds. Forrest Troutman, legal counsel for Yingst Homes explained to the Board the resolution of the well issues. There was general discussion of stormwater, engineering, road widening, regulations, and waiver requests. There was lengthy discussion regarding the proposed improvements of Moyer Road. The developer offered to widen Moyer Road to eleven feet with no further financial contribution to the Township for widening of the road to meet Township Ordinance which is minimum fourteen feet.

Ms. Turns moved, seconded by Mr. Megonnell to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the Whitetail Run Preliminary Subdivision Plan; Township ID #11.002; Tax Parcel # 68-015-026:

- 1. Section 173-25.C(5) – Street and Right-of-way widths, Fairville Ave., with agreements of a fee in lieu thereof.***
- 2. Section 173-25.C(5) – Street and Right-of-way widths, Moyer Road, with agreements of a fee in lieu thereof for a portion of the improvements.***
- 3. Section 173-37.B(2) – Parkland dedication, favoring fee-in-lieu of land dedication, with additional proposed agreement for use of funds. The agreement will be reviewed by the Solicitor and presented to the Board of Supervisors for their comment and review.***

Motion passed 3-1, with Mr. Klein voting nay.

Ms. Turns moved, seconded by Mr. Megonnell to accept the exemption of following section of the West Hanover Township Stormwater Management Ordinance for the Whitetail Run Preliminary Subdivision Plan; Township ID #11.002; Tax Parcel # 68-015-026:

- 1. Section 168-18.B(8) – Stormwater discharge exemption for pond B.***

Motion passed unanimously.

Ms. Turns moved, seconded by Mr. Megonnell to approve the Whitetail Run Preliminary Subdivision Plan; Township ID #11.002; Tax Parcel # 68-015-026, contingent upon (based on):

- 1. 173-13.C(2) - Sewage Planning Module submission to PADEP***
- 2. 173-25.C – Agreement of street improvements and/or payment in lieu thereof***
- 3. 173-13.B(35) - Addressing outstanding staff and Engineer comments***
- 4. 173-13.B(35) – Other items as determined necessary by Township Ordinance***

Motion passed unanimously.

There was further discussion regarding the widening of Moyer Road. It was clarified that the developer would widen Moyer Road to eleven feet with no further contribution. The motion was not rescinded however the Board did state that this is a preliminary plan and that adjustments can be made on the final.

#06.009 F/LD Revised Lexington Woods plan withdrawal- On October 2, 2006, the Board of Supervisors approved a revised version of Lexington Woods which proposed to expand the development from a cul-de-sac to a loop road and some 20+ additional units. The additional land was never purchased, and the plan was never recorded. Lexington Partners has now officially withdrawn the Revised Plan, Township ID #06.009.

Ms. Turns moved, seconded by Mr. Megonnell to accept the withdrawal of the Revised Lexington Woods Final Land Development Plan, Township ID #06.009. Motion passed unanimously.

00.021 F/SB Winslett Phasing Schedule Revision

Ms. Turns moved, seconded by Mr. Megonnell to accept the revised phasing schedule for the Winslett Development. Motion passed unanimously.

Motion – Section 195-138, Driveways, Authorization to send to Dauphin County Planning Commission and set public hearing date for November 7, 2011

Mr. Megonnell moved, seconded by Mr. Scott to send Section 195-138, Driveways, to Dauphin County Planning Commission and set public hearing date for November 7, 2011. Motion passed unanimously.

OLD BUSINESS:

#2011.02 Curative Amendment, Keystone Correctional Services, Inc. - A decision will be made by the Board of Supervisors on September 12, 2011.

NEW BUSINESS:

Motion – Consent Items: Section 607. (4)- Weiser Improvement Guarantee, Maintenance Guarantee

Ms. Turns moved, seconded by Mr. Megonnell to approve the reduction of the Improvement Guarantee for the Weiser Subdivision by \$5,740.00, leaving a balance of \$0.00 contingent upon posting an 18 month maintenance guarantee in the amount of \$810.00. Motion passed unanimously.

Resolution 2011-54 – Temporary Road Closure

Ms. Turns moved, seconded by Mr. Megonnell to approve Resolution 2011-54, the temporary closing of a portion of Forney Way on September 18, 2011. Motion passed unanimously.

Resolution 2011-55, Uniform Local Share Municipal Grant Application, Local Match of LPT-10 Bridge Replacement

Ms. Turns moved, seconded by Mr. Megonnell to approve Resolution 2011-55, Uniform Local Share Municipal Grant Application, Local Match of LPT-10 Bridge Replacement. Motion passed unanimously.

Motion – Minimum Municipal Obligation for 2012

Mr. Megonnell moved, seconded by Ms. Turns to table the MMO, Minimum Municipal Obligation, for the 2012 budget. Motion passed unanimously.

Resolution 2011-56, Fire/Police Pre-Authorization

Mr. Megonnell moved, seconded by Ms. Turns to adopt Resolution 2011-56, Fire Police Event Authorization. Motion passed unanimously.

Motion – Accept Resignation of Planning Commission Member

Ms. Turns moved, seconded by Mr. Megonnell to accept the resignation of R.D. (Bob) Evans, from the Planning Commission. Motion passed unanimously.

Resolution 2011-57, Appointment of Planning Commission Member

Mr. Megonnell moved, seconded by Mr. Scott to table Resolution 2011-57, Appointment of Planning Commission Member. Motion passed unanimously.

Resolution 2011-58, Road Restriction on Walnut Avenue

Ms. Turns moved, seconded by Mr. Megonnell to approve Resolution 2011-58, the temporary closing of a portion of Walnut Avenue on September 17, 2011. Motion passed unanimously.

Motion - Authorization to send invoice to DCED for grant payment

Ms. Turns moved, seconded by Mr. Scott to send SGS Architects Invoice # 10212 to Dauphin County Department of Community & Economic Development for payment as part of the 2010 Gaming grant. Motion passed unanimously.

Ms. Turns asked when the grant money for Exit 77 would be received. She requested that the Board discuss how to apply the grant money to the Exit 77 loan.

Motion - Fire Station Contract 1, Change Order #6

Ms. Turns moved, seconded by Mr. Scott to accept Contract 1 Change Order #6, General/Site, for the Fire Station Construction in the amount of \$1,808.00. Motion passed unanimously.

Ms. Turns asked that all fire station change orders be listed on the project status report.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Ms. England requested that the Board approve Lisa Riley to attend a free seminar regarding local earned income tax collection sponsored by Keystone Collections Group on September 9, 2011.

Ms. Turns moved, seconded by Mr. Scott to approve attendance to the Keystone Collections Group Seminar for Lisa Riley on September 9, 2011. Motion passed unanimously.

PUBLIC COMMENT:

Don Steinmeier, 11 North Fairville Avenue- Mr. Steinmeier asked for clarification of when a decision will be made on the Curative Amendment for Keystone Correctional Services, Inc. Mr. Klein said that the Board will act of the curative amendment at the workshop on September 12, 2011. Mr. Steinmeier commented that he believes that the proposed FILO agreements should be flexible and that funds should not be returned to developers.

SUPERVISORS COMMENTS:

Ms. Turns stated that she is not happy with the Fairville/Walnut Run culvert. She asked Mr. Brulo why the culvert is directly against the hard top. She asked Mr. Brulo to look at the plans and report back to the Board why the job was completed the way it was. Mr. Megonnell stated that he agrees with Ms. Turns comments.

Mr. Scott asked how long a Supervisor can not show up to meetings and continue to be paid? Ms. England stated that there is no law regarding meeting attendance for Supervisors.

Mr. Scott asked Mrs. Estheimer for the two words of the year and her reply was recycling and communication.

Mr. Megonnell reminded everyone the Community Festival will be held on September 17th.

ADJOURNMENT: 9:05 pm