

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS  
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112  
MONDAY, MAY 7, 2012**

**CALL TO ORDER – 7:00 p.m.**

Mr. Klein called the meeting to order at 7:00 PM followed the Pledge of Allegiance and the invocation. Mr. Klein informed the audience that there was an Executive Session held this evening to discuss personnel issues.

**ROLL CALL**

Harold Harman, Supervisor  
Jay Megonnell, Vice Chairman  
Gloria Zimmerman, Supervisor

Adam Klein, Chairman  
Don Steinmeier, Secretary-Treasurer

**APPROVAL OF MINUTES**

Joint Workshop meeting- April 9, 2012 –*Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the joint workshop meeting minutes of April 9, 2012. Motion passed unanimously.*

Regular meeting – April 16, 2012- *Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the regular meeting minutes of April 16, 2012. Motion passed unanimously.*

**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: PA DEP TO: West Hanover Township Water & Sewer Authority RE: 2011 Wasteload Management Report-** Ms. England confirmed that the Water & Sewer Authority will address the issues listed and submit the revised annual report to the DEP.

**FROM: Central Dauphin Alumni RE: Veterans Memorial Dedication** – Mr. Megonnell stated that he will be participating in the dedication as the bugler.

**PUBLIC COMMENT**

Neil Shatto, 1452 Mumma Road- Mr. Shatto stated that last fall he requested that Public Works trim the tree limbs on Mumma Road, but they still have not been trimmed. He requested that the branches be trimmed as soon as possible, since they are now scratching cars. Mr. Harman said that he would send a crew out on Tuesday to trim the branches. Mr. Shatto suggested that the tar and chip project for 2012 be reconsidered by the Board. He suggested that money be used from the capital reserve fund to have the roads paved properly. He commented that tar and chip causes many problems for the township residents.

Vicki Williams, 13 Meadow Run Place- Ms. Williams asked the Board if there is an Ordinance in the township regarding high grass. She stated the development that is adjacent to Country Manor Farms has not been taking care of their landscaping. She said that there are lots of weeds and thistles that are coming up under the fence that divide the two developments. Ms. England provided Ms. Williams with the name and phone number for the Codes Officer who will address the issue.

Mark Chiles, 228 Brookridge Court- Mr. Chiles asked if the Board or staff have an update regarding the remaining work that needs to be completed as the Townes at Hershey Road. Mr. Brulo stated that the landscaping needs to be completed. Mr. Klein confirmed that the township will stay on top of the landscaping that needs to be completed. Mr. Chiles thanked the Board for all of their efforts on resolving the issues with the community.

Bob Stammel, 685 Knight Road- Mr. Stammel stated that problems are on the rise again in the township parks regarding gangs of teens. He provided a brief background of what the West Hanover Watch Dogs have done to keep the parks safe. He wants the Board to be aware of what is going on in the township. Mrs. Zimmerman asked if he was referring to the problem that occurred on Election Day at Fairville Park. Mr. Stammel confirmed there was a problem at Fairville Park as well as Lenker Park. He said that there have been fights in the roller hockey rink at Lenker Park. He said that gangs of teens from Central Dauphin High School go to the parks to fight. He said that the township constable, Bruce Hetrick, was called to Fairville Park on Election Day. Mr. Stammel has tried to speak the State Police commander but has had no luck. Mrs. Zimmerman provided a brief summary of what happened on Election Day at Fairville Park, and confirmed that Constable Hetrick was called to the park. Mr. Hetrick was able to get license plate information and forwarded that to the State Police. Mrs. Zimmerman attended the PSAB meeting last week and spoke to the State Police patrolman regarding the issue. She said she spoke to the State Police officer who is handling the case, and he stated that have a lead, and hope to charge the individual involved. She said that the fight is on Twitter. She also brought up the problem of fight clubs in the area. The State Police have said they will peruse the problem. Mr. Stammel said that not all the teens are from West Hanover Township but rather teens from the Central Dauphin High School. He suggested that the Board contact the State Police to patrol the parks after school. Mrs. Zimmerman stated that the State Police have been at the parks after school. Mr. Stammel brought up that the presence of the Watch Dogs at the movie program has kept the groups of teens from disrupting the program. Mr. Steinmeier suggested that the Board contact the Central Dauphin School Board regarding this problem. He brought up the term “loco parentis” which is part of Pennsylvania School Law. “Loco parentis” refers to the legal responsibility of the school to provide safety to the students from the time they leave school grounds until they arrive home. Mrs. Zimmerman stated the main concern is the safety and welfare of the residents of the township; she agreed with Mr. Steinmeier that a letter should be sent to the Central Dauphin School Board.

**PUBLIC HEARING/MEETINGS: None**

**PRESENTATIONS, STAFF/BOARD REPORTS**

Ms. England presented an update to the Board regarding the exit briefing with FEMA for reimbursement from Tropical Storm Lee. FEMA has approved \$382,293.42 in reimbursement for damages. The township will receive funds as project worksheets are processed.

## TREASURER'S REPORT

Mr. Steinmeier reported the following fund balances:

A. Fund Balances (Fund balances are presented for reference only.)

General Fund Balance as of May 4, 2012	\$1,171,092.38
Total Liquid Fuels Balance as of May 4, 2012	\$590,836.67
Total Capital Reserve Fund Balance as of May 4, 2012	\$1,954,505.90

B. Deposit Activity since April 17, 2012 \$61,062.78

Mr. Steinmeier reported the gross payroll of April 20, 2012 totaled \$26,961.33. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of April 20, 2012 in the amount of \$26,961.33. Mr. Harman abstained, motion passed 4-0-1.*** Mr. Steinmeier reported the gross payroll of May 4, 2012 totaled \$26,685.65. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of May 4, 2012 in the amount of \$26,685.65. Mr. Harman abstained, motion passed 4-0-1.***

Mr. Steinmeier reported the vouchers prepaid to meet due dates was \$17,836.39. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers prepaid to meet due dates in the amount of \$17,836.39. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved is \$118,427.22. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the vouchers in the amount of \$118,427.22. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved and paid from Fire Tax is \$842.86. ***Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the vouchers to be approved and paid by Fire Tax in the amount of \$842.86. Motion passed unanimously.***

Mr. Steinmeier reported the total for the Emmaus Bond Pool Loan is \$92,769.55. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the Emmaus Bond Pool Loan in the amount of \$92,769.55. Motion passed unanimously.***

Mr. Steinmeier reported that the Water & Sewer Authority General Obligation Bond is \$431,609.87. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the Water & Sewer Authority General Obligation Bond in the amount of \$431,609.87, contingent upon the Water & Sewer Authority Board approval. Motion passed unanimously.***

## PLANNING COMMISSION REPORTS AND PLANS

#02.004 F/SB FCVA 3 Lot Subdivision plan. Action by June 19, 2012- Mr. Leonard provided an overview of the plan for the Board. The applicant wishes to subdivide a 37.92 acre parcel into 3 lots; one of 2.41 acres, one of 24.70 acres, and a residual lot of 10.47 acres which has an existing house on it. No new roads are proposed. The land is in the Flexible Rural Agriculture (FRA) Zoning District, and is outside the designated growth area of the township. The applicant requests two waivers and one exemption. The Township Planning Commission recommended approval of

this plan with contingencies and waivers. The Dauphin County Planning Commission reviewed the plan with 2 minor comments. All have been addressed. Mr. Leonard explained that the 50' buffer around the floodplain area needs to be added to the plan, and he has already confirmed with the engineer that this will be added. Mr. Klein asked Mr. Leonard to read the comments from Dauphin County. Mr. Klein requested that in the future all comments from Dauphin County be added to the Board packets.

***Mrs. Zimmerman moved, seconded by Mr. Steinmeier to waive the following sections of the West Hanover Township Subdivision and Land Development Ordinance for the FCVA 3-lot Final Subdivision Plan; Township ID #12.004; Tax Parcel # 68-006-007:***

- 1. Section 173-11.A – Preliminary Plan requirements***
- 2. Section 173-37.B(2) – Parkland dedication***

***Motion passed unanimously.***

***Mrs. Zimmerman moved, seconded by Mr. Steinmeier approve the FCVA 3-lot Final Subdivision Plan; Township ID #12.004; Tax Parcel # 68-006-007, contingent upon (based on):***

- 1. 173-15.C(2) - Sewage Planning Module approval by PADEP***
- 2. 173-15.C(17) – Approval of covenants for E&S Control Plans and Stormwater Management Plans***
- 3. 173-15.C(19) - Approval of the public/private access easement agreements, conservation easement and open space maintenance agreement, and 50 foot buffer, Section 195-72.B(4)***
- 4. 173-15.C(19) – Other outstanding items as required by Township Ordinance***
- 5. 173-37.B(2) – Submitting a current appraisal and paying a fee-in-lieu of parkland dedication***

***Motion passed unanimously.***

**Sewer Planning Module – #12.004 F/SB FCVA – 3 Lot**

***Mrs. Zimmerman moved, seconded by Mr. Steinmeier moved to approve the Sewage Planning Module for #12.004 F/SB FCVA-3 Lot, Resolution 2012-39A. Motion passed unanimously.***

**FILO Question-Devonshire Heights Development-** Joel McNaughton addressed the Board regarding the appraisal. He explained that the term “as vacant” used in the appraisal is a defined term. He read certain sections of the appraisal to the Board. Mr. McNaughton stated he believes that the appraisal is appropriate for the land. Mr. Leonard quoted section 173-37.G (2)(c) which states “Fair market value (FMV) shall be based upon an appraisal of a buildable acre of land, where “buildable” is defined for this purpose as a typical acre of land within the subdivision or land development with a slope of less than 7%, and not located in an area subject to flooding, containing stormwater management facilities, easements, or other similar environmental restrictions, and as though approved utilities are present.” He also referenced various appraisals for nearby developments. There was discussion regarding the interpretation of “as vacant” and “buildable”. Mr. Steinmeier stated that he thinks that a second appraisal should be obtained.

*Mr. Steinmeier moved, seconded by Mr. Megonnell that the Board of Supervisors appeal the McNaughton 4 lot subdivision appraisal and get a second appraisal by a mutually chosen appraiser, with shared costs under subsection G(2)(e). Motion passed unanimously.*

## **OLD BUSINESS**

Discussion-Fire Company proposal of new Chief's vehicle- Mrs. Zimmerman reviewed the final price of the proposed vehicle, which is \$28,857.00. She explained the vehicle will be used to transport medical supplies, and in case of emergencies it will be shared with the EMS.

*Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the purchase of an Expedition XL at a price of \$28,857.00 from Hoffman Ford for the Fire Company to be paid from the Capital Reserve Fund. Motion passed unanimously.*

Motion - Ordinance 2012-12 SALDO Existing Tree & Vegetation Preservation. Authorize send to DCPC for review and set public hearing date for July 2, 2012.- Mr. Leonard briefly reviewed the most recent proposed changes for the Board.

*Mrs. Zimmerman moved, seconded by Mr. Steinmeier to send Ordinance 2012-12 Section 173-38 to Dauphin County Planning Commission for review and set a hearing date for July 2, 2012. Motion passed unanimously.*

## **NEW BUSINESS**

Motion – Authorize Employment of Zoning Officer -The Board received notice from Bob Leonard of his retirement as Zoning Officer effective May 31, 2012. Advertisement for the full-time Zoning Officer position appeared in the Patriot News and was listed on the PSATS website. The Board received 21 applications and resumes and chose 6 candidates to interview.

*Mr. Megonnell moved, seconded by Mrs. Zimmerman to appoint Daniel Rosario as the full time Township Zoning Officer effective May 7, 2012. Motion passed unanimously.*

Consent Items: Section 607. (4): Bob Leonard & Dan Rosario, Dauphin County Planning Commission Outreach meeting

*Mr. Megonnell moved, seconded by Mr. Steinmeier to approve attendance at the Land Use Briefing on May 17th from 7:30am-10:00am for Bob Leonard and Dan Rosario. Motion passed unanimously.*

Motion- Consensus on Rec Center Sketch plan –Mr. Brulo, Township engineer, briefly reviewed the proposed sketch plans for the Board and explained the proposed changes to the building. There was general discussion regarding the proposed changes.

*Mr. Megonnell moved, seconded by Mr. Steinmeier to proceed with the recreation center project based on the sketch plan dated 5/7/2012. Motion passed unanimously.*

Motion – Amendments to West Hanover Defined Contribution Pension Plan- Mr. Klein provided a brief overview of the proposed Defined Contribution Pension Plan amendments.

*Mr. Steinmeier moved, seconded by Mr. Megonnell to close the Money Market Separate Account and offer the Morley Stable Value Fund as one of the investment options to participants in the West Hanover Township Pension Plan and authorize amending the plan accordingly. Motion passed unanimously.*

*Mr. Steinmeier moved, seconded by Mr. Harman to change the service requirement for the West Hanover Township Pension Plan from 1 year and 1,000 hours to 1 year and 1,500 hours, list an eligible employee as full time employee, and authorize amending the plan accordingly. Motion passed unanimously.*

Motion – Authorize Employment of Summer Rec Director –Mrs. Fesig is recommending that Kerry Blask be hired as the summer recreation program director. Mrs. Blask was the director last year and did a good job.

*Mrs. Zimmerman moved, seconded by Mr. Harman to hire Kerry Blask as the 2012 Summer Recreational Program Director at a salary of \$11.49/ hour; H-1, step 4. Motion passed unanimously.*

Motion – Authorize Execution of Local Share Municipal Gaming Grant Agreements - Mr. Klein provided a brief overview of the gaming grant agreements.

*Mr. Steinmeier moved, seconded by Mrs. Zimmerman to accept and execute the Dauphin County Local Share Municipal Grant agreements for the SR 0039 Right-of-Way and Utility Relocation Debt Reduction and the Fire Station Construction Debt Reduction. Motion passed unanimously.*

Motion - Portable Communication Device policy- A Safety Management Specialist from Selective Insurance Company recently visited the Township to meet with staff and inspect several Township facilities. In his report he recommended to add a cell phone policy to the township Personnel Policy Manual.

*Mr. Megonnell moved, seconded by Mr. Harman to adopt the Portable Communication Device Policy as part of the Personnel Policy Manual, distribute it to all current employees for execution and retain in each personnel file. Motion passed unanimously.*

Resolution 2012-39, Road Closing of N. Clover Lane and Rauch St.

*Mrs. Zimmerman moved, seconded by Mr. Harman to approve Resolution 2012-39, temporary closing of a portion of N. Clover Lane and Rauch St. on Saturday, May 19, 2012, from 9 AM to 5 PM. Motion passed unanimously.*

**OTHER BUSINESS THAT MAY COME BEFORE THE BOARD: None**

## PUBLIC COMMENT

Mark Chiles, 228 Brookridge Court-Mr. Chiles asked if the purchase of the fire chief vehicle was publicized prior to this evening's meeting. Mrs. Zimmerman explained that the current vehicle is in need of repair. Mr. Chiles asked why it will be paid from the general fund instead of the fire tax funds. Mrs. Zimmerman explained that the township will own the vehicle, which is why it will be paid from the capital reserve fund. She also explained the vehicle will be used to transport medical supplies, and in case of emergencies it will be shared with the EMS. Mr. Klein stated that the fire chief vehicle was discussed at workshops and at a board meeting.

Larry Shartzter, 7821 East Skyline Drive- Mr. Shartzter thinks that Mr. Harman should have abstained on the issue of the Amendments to West Hanover Defined Contribution Pension Plan. He believes that it is a conflict of interest since Mr. Harman is a township employee. He asked if the fire chief vehicle will be used by other members of the fire company. Mrs. Zimmerman confirmed that it will be a shared vehicle, and used by whoever is on duty.

Solicitor Yost suggested that the Board make a motion to reconsider the motion for Agenda Item D-(New Business) Amendments to West Hanover Defined Contribution Pension Plan.

*Mr. Megonnell moved, seconded by Mrs. Zimmerman to reconsider the motion for to close the Money Market Separate Account and offer the Morley Stable Value Fund as one of the investment options to participants in the West Hanover Township Pension Plan and authorize amending the plan accordingly. Mr. Harman abstained. Motion passed 4-0-1.*

*Mr. Klein moved, seconded by Mr. Megonnell to close the Money Market Separate Account and offer the Morley Stable Value Fund as one of the investment options to participants in the West Hanover Township Pension Plan and authorize amending the plan accordingly. Mr. Harman abstained. Motion passed 4-0-1.*

*Mr. Klein moved, seconded by Mrs. Zimmerman to reconsider a change the service requirements for the West Hanover Township Pension Plan. Mr. Harman abstained. Motion passed 4-0-1.*

*Mr. Klein moved, seconded by Mr. Megonnell to change the service requirement for the West Hanover Township Pension Plan from 1 year and 1,000 hours to 1 year and 1,500 hours, list an eligible employee as full time employee, and authorize amending the plan accordingly. Mr. Harman abstained. Motion passed 4-0-1.*

Bob Stammel, 685 Knight Road- Mr. Stammel thanked the Board for not giving into developer's requests and for the job that they do.

Mr. Megonnell thanked Mr. Stammel for his service to the township.

## SUPERVISORS COMMENTS

Mr. Harman asked if all the problems have been resolved at the fire station. Ms. England explained that there approximately \$92,000 in retainage funds for the balance of the work on the punch list and performance bonds are still place. Mrs. Zimmerman requested a meeting with the fire company, the

contractor, the architect, and the Board to make sure that everyone is on the same page. Mr. Megonnell suggested a workshop.

Mark Chiles, 228 Brookridge Court- Mr. Chiles asked why would the township purchase an “off the shelf” SUV for the fire chief vehicle and not a specific police vehicle. Jason Barnes addressed Mr. Chiles concerns and explained that the Expedition XL has comparable specifications to a police vehicle.

Mr. Steinmeier brought up the concerns with unfunded mandates that were discussed at the PSAT’s convention this week.

**ADJOURNMENT: 8:25 pm**