

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
TUESDAY, FEBRUARY 19, 2013**

CALL TO ORDER – 7:05 p.m.

Chairman Klein called the meeting to order at 7:05 PM followed the Pledge of Allegiance and the invocation.

ROLL CALL

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

Adam Klein, Chairman
Don Steinmeier, Secretary-Treasurer

APPROVAL OF MINUTES

Workshop meeting- February 4, 2013- *Mrs. Zimmerman moved, seconded by Mr. Steinmeier to approve the workshop meeting minutes of February 4, 2013. Motion passed unanimously.*

Regular meeting- February 4, 2013- Mr. Megonnell pointed out a correction to the minutes regarding the Wounded Warrior Program event being sponsored by the Fire Company. The program is open to the public beginning at 9:00pm. The Fire Company banquet will be held from 5:00pm-9:00pm for members and guests.

Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the meeting minutes of February 4, 2013, as amended with the correction. Motion passed unanimously.

CORRESPONDENCE

Chairman 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: PLCB RE: License Fees- Mr. Steinmeier asked if Skyline Diner still has a liquor license. Ms. England stated that the Township receives license fees twice a year depending on when licenses are renewed.

FROM: PSATS RE: Coca Cola Recycling bin grant- Mr. Megonnell commented that the EAC has applied for the grant. Ms. England commented that Mrs. Fesig, Parks & Recreation Coordinator worked with Patti Estheimer, EAC Chairman to apply online for grants for all Township parks and buildings. Mrs. Zimmerman commented that recycling containers are needed at Central Dauphin High School events. She suggested that the grant information be sent to Ford Thompson, Central Dauphin School Board President.

PUBLIC COMMENT: None

PUBLIC HEARING/MEETINGS: None

PRESENTATIONS, STAFF/BOARD REPORTS: None

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 February 15, 2013	\$1,687,228.77
Total Liquid Fuels Balance as of February 15, 2013	\$127,127.53
Total Capital Reserve Fund Balance as of February 15, 2013	\$1,717,062.10

B. Deposit Activity since February 4, 2013 \$113,940.23

Mr. Steinmeier reported the gross payroll of February 8, 2013 totaled \$33,065.69. *Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of February 8, 2013 in the amount of \$33,065.69. Motion passed 4-0 with Mr. Harman abstaining.*

Mr. Steinmeier reported the vouchers prepaid to meet due dates was \$4,033.84. *Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$4,033.84. Motion passed unanimously.*

Mr. Steinmeier reported the total for the vouchers to be approved is \$104,128.37.

Mr. Megonnell commented that the bulk of the new total included in the additional checks were for scopes of work being done for Township projects.

Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers in the amount of \$104,128.37. Motion passed unanimously.

Mr. Steinmeier reported the total for the vouchers to be approved and paid from Fire Tax is \$4,622.13. *Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the vouchers to be paid by Fire Tax in the amount of \$4,622.13. Motion passed unanimously.*

Mr. Steinmeier reported that the Water & Sewer Authority General Obligation Bond is \$114,162.55. *Mrs. Zimmerman moved, seconded by Mr. Harman to approve the Water & Sewer Authority General Obligation Bond in the amount of \$114,162.55, contingent upon the Water & Sewer Authority Board approval. Motion passed unanimously.*

PLANNING COMMISSION REPORTS AND PLANS: None

OLD BUSINESS

Ordinance 2013-02, Chapter 85, Outdoor Burning Table. Chairman Klein asked for the status of the Ordinance update. Ms. England said that Fire Marshall Hetrick is working on it.

#12.003 Manada Hill Apartments. Parkland and recreation requirements- Mrs. Zimmerman stated she is in favor of approving the FILO fee in the amount of \$358,000 as recommended by the Township Planning Commission, with the lump sum payment required prior to the start of Phase 1 construction. She asked if Mr. Rosario if the developer has provided any cost information for the proposed recreational facilities. Mr. Rosario stated he has not received any information from the developer. Mr. Rosario said he contacted four local municipalities to see if they have ever negotiated a reduction if FILO fees. All four municipalities have never negotiated any reductions. Mrs. Zimmerman suggested that the item be tabled until invoices are received for the proposed recreational facilities. Mr. Steinmeier commented that he is opposed the proposed FILO fee in the amount of \$221,500, to be paid in ten equal payments; he said he agrees with Mrs. Zimmerman's suggestion of the FILO fee in the amount of \$358,000. Chairman Klein commented that he is concerned that the developer stated that they had worked with local municipalities to negotiate a reduction in FILO fees; however the four municipalities Mr. Rosario contacted have never reduced FILO fees. He also commented that the Township has a FILO policy, which all developers are aware of and must follow. If a developer asks for a reduction in FILO fees, and the request is granted, other developers will likely follow suit. Chairman Klein stated that he is in favor of the developer paying the full amount in one lump sum prior to the start of Phase 1 construction, as all other developers have done.

Mrs. Zimmerman moved, seconded by Mr. Steinmeier to approve a FILO fee in the amount of \$384,000 for the Manada Hill Apartments, with the lump sum payment required prior to the start of Phase 1 construction. Motion passed unanimously.

NEW BUSINESS

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

Motion – Request to move Liquor License- Mr. Rosario provided a brief overview regarding the request of Kirk and Barbara Collins to move their liquor license from 7839 Allentown Blvd. to 8017 Jonestown Road. He explained the conditions that must be met in order to meet the Township requirements. The requirements include: (1) Schedule a pre-application meeting with the Zoning Office for February 28, 2013 (include full site plan, floor plan layout of all floor levels). (2) Follow up with Planning Commission submission date of March 7th before noon, including application & fees. (3) Follow-up with Planning Commission meeting date of March 28th (4) Submit building permit application to the Township Building Code Official (5) Compliance with all LCB criteria. Mr. Collins addressed the Board regarding the request to move the liquor license and the requirements of the LCB that they must meet. He said the current liquor license is in safekeeping which is valid for one more year. Mrs. Zimmerman asked if Mr. Collins is aware of the Township requirements outlined by Mr. Rosario and if they can be met. Mr. Collins stated that they will be able to meet all requirements of the Township. He stated that the liquor license will remain in safekeeping until all the Township requirements have been met.

Mr. Megonnell moved, seconded by Mr. Harman to approve the request to move the liquor license from 7839 Allentown Blvd. to 8017 Jonestown Road as requested by Kirk and Barbara Collins contingent upon meeting all Township and LCB regulations. Motion passed unanimously.

Motions – Tax Claim Breakdown- Each year as of December 31 any unpaid tax bills are turned over to the Dauphin County Tax Claim Bureau. All collections received by the Tax Claim Bureau are turned over to the Township on a monthly basis in a lump sum, identified only by the taxpayer. At the January 22nd workshop Mrs. Zimmerman asked if there was a special record of delinquent fire tax money. Since the Tax Claim Bureau does not have the capability to split payments into different types of tax; they can only report lump sum payments. The Township is unable to equitably split each claim payment unless it is done by an average formula. Ms. England explained the Township Accountant has researched the amounts reported by the Tax Collector as uncollected at the end of the year. She reports the following average percentages of uncollected taxes: General Fund 75%, Fire Tax 18.5%, Street Lights 3.5% and Fire Hydrant 3%. Mrs. Zimmerman commented on previous years when delinquent Fire Tax was paid to the Fire Company, she wants to make sure that all funds receive the correct delinquent tax money. There was discussion if there was a way to determine the amount of delinquent tax by fund for each taxpayer. Since the delinquent tax is received in a lump sum and only identified by the taxpayer, staff would need to access the County system to research specific delinquent tax paid. There was discussion that it would require a great amount of time to research each individual delinquent tax payment. Mr. Steinmeier commented that the 10% penalty will increase the total tax bill thus increasing what is due to each tax. There was discussion regarding the number of years retroactively the delinquent tax collected should be distributed to the four tax funds. Mr. Steinmeier brought up that in prior years the Township did not have a street light or fire hydrant tax and therefore the fire tax fund would have received a higher tax amount.

Mr. Harman moved, seconded by Mr. Megonnell to approve the percentage method of all Real Estate Claim revenue with the General Fund at 75%, Fire Tax at 18.5%, Street Lights at 3.5% and Fire Hydrant at 3.0% and apply this retroactively for twelve years. Motion passed unanimously.

Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve as part of the 4th Quarter transfers that all Tax Claim Revenue for the current year will be divided as follows: General Fund- 75%, Fire Tax- 18.5%, Street Lights- 3.5%, Fire Hydrant- 3.0%. The appropriate transfers will be charged back to Tax Claim revenue of the current year. Motion passed unanimously.

Motion - Pension due diligence- The Board of Supervisors has a fiduciary responsibility for the proper investment management of the Township Defined Contribution Pension Plan. Last year due to low interest rates and the possibility of a negative return the Board chose to close the Money Market Separate Account and offer the Morley Stable Value Fund as one of the investment options. Our relationship manager with Principal Financial Group, recommends we utilize the optional 3(21) fiduciary service provided separately by Wilshire Associates Inc. which is an independent third-party firm. They would act as fiduciary for the Morley Stable Value Fund.

Mrs. Zimmerman moved, seconded by Mr. Steinmeier to authorize the execution of the Fiduciary Service Agreement with Wilshire Funds Management for the Township Defined Contribution Pension Plan. Motion passed unanimously.

Motion – Fire Station Maintenance Issues- Chairman Klein informed the audience this item of business was handled at the workshop prior to the meeting. The Board rejected to fix the cracks in the conference room corridor. The issue will be inspected in the spring.

Motion – Douglas Road Stop Sign- There is a stop sign on Douglas Road at Maple Street which Roadmaster Harold Harman believes was erected in the early 1980's. Ordinance 187-19, stop intersections, does not show a stop sign on Douglas at Maple. Township Engineer Al Brulo believes the sign was originally erected because of a sight distance issue. As per PennDOT regulations a traffic study must be completed before the Township can erect a sign. Mr. Brulo estimates the cost of the traffic study for a stop sign on Douglas Road at Maple Street would cost approximately \$800.00 to \$1,000.00.

Mr. Steinmeier moved, seconded by Mr. Harman to keep a stop sign on Douglas at Maple and authorize the Township Engineer to conduct a traffic study of the intersection of Douglas Road and Maple Street for the purpose of a stop sign on Douglas Road. The traffic study is not to exceed \$1,000.00. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Ms. England informed the Board that she received the paperwork from Penn DOT for the ARLE grant. She has forwarded the documents to Solicitor Yost and Mr. Brulo to review. It will be on the March 4th agenda for the Board to review.

Solicitor Yost informed the Board that AT&T is requesting a refund for overpayment regarding the cell phone tower on Township property. They are claiming an overpayment dating back to 2005. He provided a brief overview of the agreement and the correspondence sent by AT&T. He will work with Ms. England to find out if the Township is receiving the correct annual fee. He will provide a complete report at the March 4th meeting.

Solicitor Yost informed the Board that he is working on an agreement with Verizon for a cell phone tower. He is working on resolving some insurance issues on the lease agreement with the Township insurance agent. If all issues are resolved he will present the agreement to the Board at the March 4th meeting. Ms. England asked if Solicitor Yost reviewed the site access agreement. He has not reviewed the site access portion; the Board commented that they would like to have additional information on the agreement prior to approving the site access agreement.

PUBLIC COMMENT

Neil Shatto, 1452 Mumma Road- Mr. Shatto brought up the issue with the delinquent fire tax in past years. He said worked with the Township Manager and Tax Collector to resolve the issue at that time. The Board at that time said they would make sure that the delinquent fire tax was distributed to the Fire Company annually. He said years passed and the delinquent fire tax was not distributed, so he had to complete the same process again. He is requesting of the current Board to please ensure that the delinquent fire tax is distributed annually to the Fire Company. Mrs. Zimmerman said the policy voted on this evening will ensure the annual distribution of delinquent fire tax as part of the 4th quarter transfers.

Kirk Collins, 8017 Jonestown Road- Mr. Collins addressed the Board regarding his application to lease property from PennDOT located on Jonestown Road. He is pursuing a lease with PennDOT for three parking spaces. He has a survey of the proposed area for the Township for review. The Township needs to reply to PennDOT with approval or objection to the application. He will give the information to Ms. England for staff and Board review.

Mrs. Zimmerman asked the Boys Scouts in attendance this evening to introduce themselves. Danny Hair is working on his Communications Merit Badge and Mike Hair is working on his Citizenship of Community Badge. The Board thanked them for attending the meeting and wished them luck with their badges.

SUPERVISORS COMMENTS

Mrs. Zimmerman reminded everyone about the Fire Company sponsored event on February 23rd to benefit the Wounded Warrior Project. The program is open to the public beginning at 9:00pm. The Black Jack Mountain Band will perform.

Mr. Harman said “Do not put your snow shovels away.”

Mr. Megonnell asked that residents do not plow snow onto their neighbor’s property.

Mr. Steinmeier thanked the Public Works department for the great job that they are doing with keeping the roads in good condition during the recent snow events.

ADJOURNMENT: 8:10 pm