

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
TUESDAY, SEPTEMBER 2, 2014**

CALL TO ORDER

Chairman Klein called the meeting to order at 7:00 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

Regular meeting –August 18, 2014- *Mrs. Zimmerman moved, seconded by Mr. Steinmeier to approve the regular meeting minutes of August 18, 2014. 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 comment/discussion:

FROM: PSATS RE: August News Bulletin- Mrs. Zimmerman asked that Mr. Rosario forward the webinar information titled “Expanding Volunteer Recruitment and Retention for Fire/EMS Services” to the Fire Company. She suggested that Mr. Harman may want to contact the Pennsylvania Local Technical Assistance Program which provides free information regarding questions about a range of road-related issues.

FROM: Debbie Hetrick TO: Board of Supervisors RE: Resignation Letter- Mrs. Hetrick has submitted her resignation from the Parks and Recreation Board effective December 31, 2014.

Mr. Megonnell moved, seconded by Mr. Harman to accept the resignation of Debbie Hetrick from the Parks and Recreation Board effective December 31, 2014. Motion passed unanimously.

FROM: Pennsylvania American Water TO: Township RE: Fire Hydrant Audit- Mrs. Zimmerman asked Mr. Rosario if PA American Water informed him of the number of hydrants that were not billed and where they are located. Mr. Rosario was not notified; he will contact PA American Water to follow up.

PUBLIC COMMENT: 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 August 29, 2014	\$1,279,187.74
Liquid Fuels Balance as of August 29, 2014	\$407,748.48
Capital Reserve Fund Balance as of August 29, 2014	\$1,354,590.11

B. Deposit Activity since August 19, 2014 \$73,132.33

Mr. Steinmeier reported the gross payroll of August 22, 2014 totaled \$29,687.72. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of August 22, 2014 in the amount of \$29,687.72. Motion passed 4-0 with Mr. Harman abstaining.***

Mr. Steinmeier reported the vouchers prepaid to meet due dates was \$36,970.97. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers prepaid to meet due dates in the amount of \$36,970.97. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved is \$45,153.08. Mr. Megonnell asked for clarification of the \$2,550.23 payment to Wright. Ms. Riley informed him that invoice is for fuel for Township vehicles. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers in the amount of \$45,153.08. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved and paid from Fire Tax is \$1,770.56. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the vouchers to be paid by Fire Tax in the amount of \$1,770.56. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS

Appointment of Planning Commission Member- The Planning Commission voted unanimously to elect Kyle Miller to finish the term of the vacant seat on the Planning Commission.

Mr. Megonnell moved, seconded by Mrs. Zimmerman to appoint Kyle Miller to the finish the term of the vacant seat of Joe Snyder on the Planning Commission. Motion passed unanimously.

OLD BUSINESS: None

NEW BUSINESS

Motion – Consent Items: Section 607.(4): Charles Kolanda- Chairman Klein explained that Mr. Kolanda will earn continuing education credits which are required for his licenses to be current. The cost of the conference is \$365.00. Mrs. Zimmerman asked if this conference would be beneficial for Brian Von Neida to attend. Mr. Rosario commented that he believes the conference is for continuing educational purposes, but he will confirm with Mr. Kolanda and email the Board.

Mr. Megonnell moved, seconded by Mr. Steinmeier to approve Charles Kolanda to attend the PENNBOC Conference on October 29-31, 2014. If the conference will be beneficial for Mr. Von Neida, he will attend. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Mr. Rosario informed the Board that Dauphin County will not be spraying for gypsy moth in the Township. It is not necessary due to a low population this season.

Mr. Rosario asked if the Board wants to place a ½ page ad in Linglestown Commemorative Book which celebrates their 250th anniversary. The cost of the ad is \$250.00.

Mrs. Zimmerman moved, seconded by Mr. Megonnell to authorize placing a ½ page ad in the Linglestown Commemorative Book to congratulate Linglestown on their 250th anniversary. Motion passed unanimously.

Mr. Rosario briefly reviewed the bids that were received for the Township building roof replacement project. Mr. Steinmeier asked if all bidders inspected the roof; Mr. Rosario stated they were all on the roof. There has always been a problem with water not running off the roof. Mr. Rosario commented that HRG designed the roof and the project was bid to those specifications. Mr. Kolanda will conduct all inspections on the project. Solicitor Yost suggested that HRG reassure the Township that the water will run off properly based on the design specifications. Mrs. Zimmerman commented that she would not recommend Spotts Brothers for the project based on the poor quality of work they provided at the recreation center.

Mr. Rosario informed the Board that he forwarded the rezoning request from Yingst Homes to Tri County Region Planning Commission per Chairman Klein's request.

PUBLIC HEARING/MEETINGS

#2014.01 Conditional Use Hearing, Tax Parcel #68-003-023- Refer to transcript

Sam Harris, 7816 Fishing Creek Valley Road- Mr. Harris stated that he owns the road in front of the parcel which was presented in the public hearing. Mrs. Zimmerman asked him if he is maintaining the road; Mr. Harris stated that he is maintaining the road. Mr. Harris stated that someone from the Township cut timber from his property last year. Chairman Klein said the Board can't address his comment until the timber harvesting permit is reviewed. Mr. Harris commented that he will come to another meeting to address his concerns.

Chairman Klein read the motion to the Board for their comments. Mrs. Zimmerman requested that the 2½ year extension requested by the applicant be included in the motion as a maintenance agreement. Chairman Klein commented that the hearing was for Conditional Use and he doesn't believe that a maintenance agreement can be added. Solicitor Yost commented that the request is a zoning issue.

Mrs. Zimmerman moved, seconded Mr. Steinmeier to approve the Conditional Use Application 140022, also known as 1639 Mumma Road, Harrisburg, PA 17112; to construct a single family home and detached barn in the Conservation District. There is a 2 ½ year extension from September 2, 2014 to apply for zoning and building permits. Motion passed unanimously.

PLANNING COMMISSION AND ZONING REPORTS

Brookview Phase III, Drainage Easement Options- Per the Board's request the Planning Commission reviewed the proposed Release and Extinguishment of Drainage Easement at their last

meeting. Tim Mellott addressed the Board regarding the proposed drainage easement for Lot #115 in Brookview Phase III. Solicitor Yost commented that either the title search company or the real estate company should have disclosed the easement on the property; he thinks that the Board is going to set a precedent if the agreement is approved. In the proposed Release and Extinguishment of Drainage Easement the resident will acknowledge the release the Township from any claims, damages, or liability that may arise due to the Township's release. The proposed agreement to construct a fence agreement states the resident will be responsible for all repairs or replacement costs for the structure that is built within the drainage easement if the Township has to remove it or if damage occurs. The agreements are Hold Harmless Agreements. There was discussion regarding the requested agreements. Mr. Mellott stated that the developer hired the Township Engineer to investigate this issue to obtain an unbiased professional opinion; the Engineer agrees that the easement can be eliminated. Solicitor Yost suggested that this Release and Extinguishment of Drainage Easement should be limited to the property owner of Lot #115. Mrs. Zimmerman commented that she attended the Planning Commission meeting and they are comfortable with the Hold Harmless Agreements.

Mrs. Zimmerman moved, seconded by Mr. Steinmeier to accept the Release and Extinguishment of Drainage Easement for Lot #115 in Brookview Phase III. This is a Hold Harmless Agreement; with the Township having no responsibility whatsoever except the right to be on the easement if needed. The Board will review the easement prior to final approval. Motion passed 4-1, with Chairman Klein voting nay.

Grumbine's/Camping World Site Plan Modifications and Final Land Development- Mr. Rosario explained the proposed modification to the original final land development plan. They plan to change the current customer parking (Mr. Coon's property) to a show room for their campers and have customer parking on property rented from Mr. Wolfe. Mr. Rosario evaluated all three properties regarding the zoning and lot coverage. He explained that Camping World will be brought into compliance on all three lots and will be decreasing impervious lot cover. Camping World connected to public water and sewer through a forced main entrance. Solicitor Yost asked what will happen if they do not have access to the Wolfe property. Mr. Rosario explained that there is an access easement agreement in place between Camping World and Mr. Coons that was approved with the recorded plat. That same agreement will be used again except it will be between Camping World and Mr. Wolfe to access his property. Mr. Rosario stated the agreement was executed by Camping World's attorney. He believes there is a rental agreement for fifteen years between Camping World and Mr. Coons. Solicitor Yost raised the question, what if Camping World cannot renew the lease. Solicitor Yost commented there is a difference between access to something and the right to use it. Chairman Klein suggested that language be added that parking must be maintained indefinitely either on the current site or at a different location.

Mrs. Zimmerman moved, seconded by Mr. Steinmeier to approve the Site Plan Modifications and Final Development for Camping World contingent upon language being added that parking must be maintained indefinitely either on the current site or at a different location. Motion passed unanimously.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Mrs. Zimmerman asked Mr. Rosario if anyone contacted Animal Control on behalf of the residents from Rider Lane who addressed the Board at the August 18th meeting. Mr. Rosario stated that he spoke with Mr. Kolanda who contacted Animal Control.

PUBLIC COMMENT: None

SUPERVISORS COMMENTS

Mrs. Zimmerman invited everyone to attend the dedication of Julie Hoepfer's butterfly garden on September 13th at 10:00 am.

Mr. Megonnell brought up the following items:

- The Senior Lunch Program will be held on September 11th at the recreation center.
- Senator Rob Teplitz is hosting a free webinar, "Saving for College with the PA 529 College Savings Program," on September 4th from 6:00 pm to 6:30 pm.
- The voting precinct changes letters have been sent to residents. Open houses will be held on September 26th at the recreation center and October 1st at the Township building. The open houses will be from 6:00 pm to 9:00 pm and will allow residents to ask questions regarding the precinct changes.

Mrs. Zimmerman said that she and Mr. Megonnell will represent the Board on Saturday, September 6th at Fort Indiantown Gap for the National Guard Open House.

Mr. Steinmeier asked Solicitor Yost for the status of the documents for the Township to vacate a certain portion of Spruce Lane and adjoining land totaling .088 acres. This land was abandoned by PennDOT in 1991 and obtained by the Township. Drew Williams, representative for Williams Holding Group, addressed the Board on March 18, 2013 regarding the request. It was the consensus of the Board to begin work on an agreement for the Township to vacate the land on that date. Solicitor Yost will research the documents.

Drew Williams addressed the Board regarding the use of FILO funds donated to the Township by his company. He commented that it is his understanding that an agreement should be in place between the Township and the developer regarding how the funds will be spent. He wants to give the Township flexibility to use the money. Solicitor Yost commented that by state law the funds either need to be used to benefit the residents of the development or for a community wide facility. The funds are not to be used for maintenance or repairs to current facilities. Solicitor Yost will prepare a written agreement. FILO funds must be used within three years of acceptance. Mrs. Zimmerman suggested that the Parks & Recreation Board forward recommendations for use of FILO funds to the Board of Supervisors. Mr. Rosario commented that he is going to meet with the Parks & Recreation Board to review the FILO requirements with them.

ADJOURNMENT: 8:02 PM