

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS  
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112  
MONDAY, NOVEMBER 3, 2014**

**CALL TO ORDER**

Chairman Klein called the meeting to order at 7:00 PM followed the Pledge of Allegiance, a moment of silence for our veterans, 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 –October 20, 2014- *Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the regular meeting minutes of October 20, 2014. Motion passed unanimously.* Mrs. Zimmerman commented that she confirmed the motions made regarding the Yingst rezoning with Ms. Riley.

Workshop meeting –October 20, 2014- *Mrs. Zimmerman moved, seconded by Mr. Steinmeier to approve the workshop meeting minutes of October 20, 2014. Motion passed unanimously.*

Workshop meeting –October 27, 2014- Mrs. Zimmerman asked for clarification regarding funds being budgeted for the addition of a riparian buffer at the recreation center. Mr. Rosario clarified that the buffer must be installed to meet MS4 requirements. Mr. Megonnell asked for clarification of what department Mrs. Marks' salary is budgeted. Mr. Rosario confirmed that Mrs. Marks' salary is coded to administration. *Chairman Klein moved, seconded by Mr. Steinmeier to approve the workshop meeting minutes of October 27, 2014. Motion passed 4-0, with Mr. Megonnell abstaining.*

**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:** October News Bulletin- There was discussion regarding HB 2408, which would require local governments to place legal advertisements at least 24 hours before every public meeting that must include a detailed agenda. If an item is not listed in the advertisement then it cannot be discussed. This requirement would prevent a board from addressing citizen's complaints raised in the same meeting. Mrs. Zimmerman commented that she is against HB 2408. Mrs. Zimmerman brought up HB 1671, which would require executive sessions to disclose an employee's name before the session, and all sessions be audio and video recorded. Mr. Megonnell said that the way he understood it from the PSAT's meeting, there had to be someone that would take notes of what was discussed at the executive session. Mr. Rosario commented that the two bills

did not make it for this session, and will be resubmitted in 2015. Mr. Megonnell suggested that the Board forward their comments regarding the two bills to Representative Marsico. Mrs. Zimmerman brought up that PennDOT is accepting applications for the GreenLight-Go program which helps upgrade existing traffic signals. Mr. Rosario stated that the township is already compliant. Mrs. Zimmerman commented on Acts 177 and 154, Neighborhood Electric Vehicles (NEVs) which defines NEVs as four-wheeled vehicles that operate at 20-25 mph. She asked if this would include ATV's; Mr. Megonnell commented that this does not include ATV's. Mr. Megonnell brought up the proposed changes to the Clean Water Act that would create an unfunded mandate and impact township budgets. He said this could affect small streams on residential property; he commented that the EPA is getting out of hand. There was discussion if Act 135 was passed. Act 135 amends section 503 of the MPC and would allow FILO to be used for the acquisition, operation, and maintenance of parks in accordance with the recreational plan. Solicitor Yost commented that the parks and recreation comp plan will need to be amended. Mr. Rosario will confirm that Act 135 has been passed.

**FROM: Patricia Belfiglio RE: Clover Lee Condominium Association-** Chairman Klein commented that the township has no control over private roads. He asked that Mr. Rosario send a letter informing Mrs. Belfiglio that she needs to contact the homeowners association, that the township has no control of roads in her development. Mr. Steinmeier commented that some residents think that the township sets the homeowners association guidelines.

## **PUBLIC COMMENT**

Linda Turns, 8000 Rabbit Lane- Ms. Turns commented that a few months ago the board hired the zoning officer who was not certified; she asked the board for an update. Chairman Klein commented that he is working on getting his certifications. Mrs. Zimmerman said the zoning officer signed a contract that he will work for the township for a certain number of years, and if he does not then he will reimburse the township for any training costs.

Richard Burton, 7216 Catherine Drive- Mr. Burton addressed the board regarding the abandon house at 7220 Catherine Drive. It was abandoned by the current owner on March 30, 2014; the owner has since moved to Florida. The electricity was turned off in June and the basement door is open and accessible to animals and vandals. The basement was broken into in August, and Mr. Burton got the license plate of the vehicle, but didn't contact the state police. There was a burglary on October 25<sup>th</sup>, and he did call the state police. Mr. Burton said he has been mowing the yard for the past seven months for the safety of his grandchild and to keep up the facade that the house is not vacant. He has sent a letter to Mr. Rosario and the owner but has not received a reply from either party. He requested assistance from the township and asked if there is an abandoned property ordinance, if there is not one he suggested that one be developed and enforced. Mr. Burton addressed the board regarding the condition of the flag pole and plaque honoring Lawrence Houck who served and lost his life in Vietnam. He asked that the landscaping be maintained so the plaque can be viewed. There here is not an American or POW flag on the flag pole; as a Vietnam Veteran, Mr. Burton offered to procure the flags.

Chairman Klein said the township will make sure that the flags are flown at Houck Memorial Park.

Chairman Klein commented that there are three abandoned homes in his neighborhood, he asked if the home on 7220 Catherine Drive was seized by the bank. He said that the township will do some research to try to find out who owns the home, so the issues can be resolved. There was discussion

that once the owner is verified, the township codes officer can follow up on the issues. Mr. Rosario stated that the codes officer is currently researching the issue. Mr. Steinmeier stated that per Act 90, the Blight law in Pennsylvania, the paperwork must be served to the legal owner of the property. He brought up the property on Devonshire Heights road and the trouble the township is having trying to locate the current owner.

Tom Stewart, Township Alternate Delegate to CapCOG- Mr. Stewart addressed the board regarding the proposed increase in salary for the administrator of CapCOG. The delegates want to double the salary from \$40,000 to \$80,000. Mr. Stewart presented the delegates with salary structures of similar COG's; he is recommending an increase to \$60,000. Chairman Klein told Mr. Stewart to do what he thinks is right.

## **PRESENTATIONS, STAFF/BOARD REPORTS**

Mr. Megonnell commented that it is a shame that residents drove on the wet paint when the line painting was done on the roads. Mr. Harman said any problems are handled by the contractor. Mr. Megonnell spoke to the line painters regarding the cracks on the roads and sides; the contractor said the roads are in need of repair.

Mr. Megonnell commented that the tiger mower has been rented and being used throughout the township.

Mrs. Zimmerman asked Mr. Steinmeier the number of members on the Water & Sewer Authority; Mr. Steinmeier said there are five board members.

**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 October 31, 2014	\$1,130,217.22
Liquid Fuels Balance as of October 31, 2014	\$407,850.70
Capital Reserve Fund Balance as of October 31, 2014	\$988,239.64

B. Deposit Activity since October 20, 2014

\$25,503.21

Mr. Steinmeier reported the gross payroll of October 31, 2014 totaled \$27,265.25. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of October 31, 2014 in the amount of \$27,265.25. Motion passed 4-0, with Mr. Harman abstaining.***

Mr. Steinmeier reported the vouchers prepaid to meet due dates was \$26,325.01. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers prepaid to meet due dates in the amount of \$26,325.01. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved is \$134,777.13. Mr. Megonnell asked for clarification of the invoice in the amount of \$4,311.66 to Winter Equipment was for; Mr. Harman said it was for cutting edges for the snow plows. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the vouchers in the amount of \$134,777.13. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved and paid from Fire Tax is \$680.66. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers to be paid by Fire Tax in the amount of \$680.66. Motion passed unanimously.***

## **PLANNING COMMISSION REPORTS AND PLANS**

Creekvale- Conditional Use Appeal- Mr. Rosario stated that the board must approve the Conditional Use for this project.

***Chairman Klein moved, seconded by Mr. Steinmeier that the Conditional Use for Docket No. 3964 CV 2012, be approved pursuant to the directives of the Court. Motion passed 4-1, with Mr. Megonnell voting nay.***

#07.008, PLD, Olde Towne Hanover; #07.015, FLDP, Olde Towne Hanover, Phase 1- Mr. Rosario explained that the board needs to rescind approval on the previous plans.

***Chairman Klein moved, seconded by Mr. Megonnell to rescind #07.008 Preliminary Land Development Plan for Olde Towne Hanover and #07.015 Final Land Development Plans for Olde Towne Hanover, Phase 1. Motion passed unanimously.***

## **OLD BUSINESS**

Motion- Manor Drive/Rabbit Lane Culvert Project-Execution of Maintenance Agreement-Tabled

Solicitor Yost commented that he is still working on the bond language and maintenance agreement.

## **NEW BUSINESS**

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

Motion-Pay Application #1, Township Building Roof Replacement

***Mr. Steinmeier moved, seconded by Mr. Harman to approve Pay Application #1, in the amount of \$28,452.26 to TGW Corporation for the township building roof repair. Motion passed unanimously.***

Motion-RFQ Financial Investments- Mr. Rosario briefly reviewed the current funds invested at Mid Penn bank in 12 month CD's. He presented the current balance for the accounts at Fulton bank and the payments and expenses that will affect the accounts in 2014 and 2015. He explained that in 2013 RFQ's were sent to eight financial institutions of which five returned bid sheets. Mr. Megonnell suggested RFQ's be sent to same financial institutions as in 2013. Mr. Steinmeier asked when the principal payment is due for the Emmaus Bond loan; Mr. Rosario confirmed it is February 1<sup>st</sup>. Mrs. Zimmerman suggested the board table this issue until the workshop on November 10<sup>th</sup>.

***Chairman Klein moved, seconded by Mrs. Zimmerman to table the RFQ for financial investments until the workshop on November 10, 2014. Motion passed unanimously.***

Motion-2015 Electricity Pricing- Mr. Rosario briefly reviewed the quotes from Energy Professionals and On Demand Energy for electricity pricing for all township account locations. He explained that the current provider's rate is an all-inclusive rate with no additional upcharges. If the township doesn't enroll in a plan that is all-inclusive there could be additional hidden charges.

There have been no issues with the current provider and no hidden charges. Solicitor Yost suggested in the future that the township start shopping providers a few months in advance. There was general discussion regarding the price quotes and what charges are included.

***Mr. Megonnell moved, seconded by Mr. Harman to approve a 36 month contract at .08503/kWh with Liberty Power. Motion passed unanimously.***

Discussion- Proposed 2015 Budget (Parks & Recreation Staffing, Heavy Rescue Purchase) - Mr. Rosario reviewed the current account balances at Fulton Bank. He informed the board that the 2% PEMA loan application that the fire company applied for to purchase the Pierce Heavy Rescue will not be reviewed until 2015. The funds for the Heavy Rescue that were to come from the PEMA loan will need to be covered by the township until the loan application has been reviewed. Due to this unforeseen issue and to have a balanced budget he had to remove the majority of capital projects for 2015. He reviewed all the projects that will be moved to a later date and the line item expenses that have been decreased. Chairman Klein stated that the budget can be reopened in 2015 when the PEMA loan has been approved and capital projects can be scheduled. There was discussion that in the future for large projects there needs to be more diligent planning so that this type of situation does not occur. Mrs. Zimmerman asked Mr. Rosario what the grant received by EAC can be used for; Mr. Rosario said the grant funds can be used for recycling efforts.

## **OTHER BUSINESS THAT MAY COME BEFORE THE BOARD**

Mrs. Zimmerman stated that she spoke with the fire company regarding having to manually reset the parking lot lights. Mr. Miller said that there is not always someone at the fire station to manually reset the lights, and that is not what we paid for. Mr. Rosario commented that because of the high tech design of the system they must be manually reset.

Mr. Steinmeier asked the Solicitor Yost and Mr. Rosario to work together to give the board legal direction on the property on Devonshire Heights road.

Mr. Steinmeier would like to have an Executive Session immediately following the workshop on November 10<sup>th</sup> to discuss personnel issues.

**PUBLIC COMMENT: None**

## **SUPERVISORS COMMENTS**

Mrs. Zimmerman commented that the pumpkin carving event was a success. There were approximately eighty attendees at the hunter safety course that was held on Saturday at the recreation center.

Mr. Megonnell reminded everyone to get out and vote.

Mr. Megonnell stated the "No Hunting" signs have been posted at Fairville Park. Mr. Harman found a tree stand in the park which he removed; the stand is at the public works shop.

Mr. Steinmeier commented that the hunter safety course was well organized and the game commission was pleased with the facility. Their only comment was a suggestion to add dimmer switches to the lighting; they had some lighting issues when using a projector.

**ADJOURNMENT: 8:20 PM**