

**WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS
7171 ALLENTOWN BOULEVARD, HARRISBURG, PA 17112
MONDAY, JULY 6, 2015**

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 –June 15, 2015- Mr. Megonnell pointed out a typographical error on page 1 regarding the comments from Anne Warden. On page 5 he commented that he stated that Mr. Rosario is to confirm the quarterly presentation at the board meeting by the state police.

Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the regular meeting minutes of June 15, 2015 as amended with the corrections. Motion passed unanimously.

Workshop meeting –June 29, 2015- *Mr. Megonnell moved, seconded by Mr. Steinmeier to approve the workshop meeting minutes of June 29, 2015. Motion passed unanimously.*

CORRESPONDENCE

Chairman Klein briefly reviewed the correspondence items and informed the public that all correspondence is available for review. The following item was brought up for comment/discussion:

FROM: Sherry Davis **RE:** Request for Road Closure- Chairman Klein stated the board will approve a Resolution closer to the date of the event. Mrs. Zimmerman suggested that a copy of the letter be forwarded to the fire police.

PUBLIC COMMENT

Harry Tourtellott, 201 Mapleton Drive- Mr. Tourtellott is the president of the homeowners association for Maple Glen. The homeowners association took control of the board on August 9, 2012. He addressed the board regarding the issue of when the roads will be paved in the development and storm drain problems. He provided a brief overview of the development for the board. Yingst Builders submitted the original plans in 2003, in August 2005 Classic Communities published legal documents to make it a condominium community. On April 16, 2015 Mr. Tourtellott received an email from Dave Ebright of Classic Communities which stated that they discovered that Yingst Builders was the developer and that they would be the ones who will finish the project. On July 1, 2015 he met with Richard Yingst and John Zervanos to discuss what needs to be done to get the project completed. He said that within the first thirty seconds of the meeting he was aware that neither Mr. Yingst nor Mr. Zervanos was interested in what he had to say. Mr. Tourtellott was informed that the homeowners association will need to pay between \$18,000.00 and \$20,000.00 to complete the project. This cost will cover paving, storm drains, and two additional

parking spaces. Mr. Tourtellott stated that the project needs to be completed before winter. The roads are private and have not been dedicated to the township. He asked if the board can help the homeowners association. There was discussion regarding who is responsible to pay for the completion of the project. Mr. Rosario stated that the township has an improvement guarantee bond in the amount of \$98,149.95. Mrs. Zimmerman suggested that the funds needed to complete the project be taken from the bond. There was discussion of what the improvement guarantee bond was to cover. Mr. Rosario commented that Classic Communities was the builder not the developer. He said the township found that there is an agreement between Classic Communities and Yingst Builders. Solicitor Yost will research the bond issue. Mr. Harman asked who inspected the catch basins. Mr. Rosario explained that the pond is an MS4 issue and has not been turned over the homeowners association. Mr. Rosario will work with Solicitor Yost to resolve the issues.

Anne Warden, 202 Tiverton Lane- Mrs. Warden addressed the board regarding the problems in the development regarding Tiverton Lane being paved and the pond issues. Mr. Rosario stated that a notice of violation has been sent to Classic Communities regarding the stormwater issues. He included in the violation letter the request for an update as to when Tiverton Lane will be paved. No one from Classic Communities has contacted Mr. Rosario regarding the notice of violation letter. Mrs. Warden said that she has left several messages for Stu Nickerbocker who is Vice President of Land Development for Classis Communities, but has not received a return call. She said the residents are concerned about getting Tiverton Lane paved, and that the condition of the road is terrible. The Dauphin County Conservation District is now involved with the pond issue, and she thanked Mr. Rosario for all his work. Mr. Rosario stated that Phase 1 has a \$55,000.00 bond for the maintenance guarantee and Phase 2 has a \$274,365.00 bond for the improvement guarantee.

John Goryl, 213 Tiverton Lane- Mr. Goryl commented that the township needs to make Classic Communities pay for what they are responsible for in the development. He said that if the township does not do their job the homeowners association will file a lawsuit against the township.

Patrick Mowery, 218 South Fairville Avenue-Mr. Mowery commented that on Manor Drive, Fairville Avenue, and Avondale Terrace people drive at a high rate of speed. He asked if speed bumps can be installed to have motorists slow down. The speed limit is 25 mph and 35 mph. Mrs. Zimmerman suggested that the speed limit be changed to 25 mph for all roads. Chairman Klein suggested that this request be forwarded to the PSAB for their review.

Mr. Rosario brought up the problem with speeding on Baumgardner Road. He said the problem with speed bumps is that they would have to be removed in the winter for the snow plows to remove the snow.

Mrs. Zimmerman suggested that “slow down” signs be installed.

Betty Getting, 2016 Brookridge Court- Mrs. Getting asked for clarification that if Tiverton Land is not dedicated to the township then the township can’t get involved with the issue of having the road paved. Chairman Klein said that can’t do anything to the road until it is dedicated to the township. She said that the community had problems with the snow removal that was provided by Classic Communities. She said the homeowners association needs the township’s help to get Classic Communities to complete the outstanding issues in the development. Chairman Klein commented that the township has been working for many years to have Classic Communities complete the work in the development. Mrs. Getting commented that the trees that were planted were practically dead

and should be replaced. She has spoken with Classic Communities and they said that they will not replace the trees because the township approved the trees when they were planted. She commented that before the road can be paved there is a lot of curb work that need to be completed. The storm drains on Brookridge Court need to be repaired.

Diana Faust, 215 Tiverton Lane- Mrs. Faust commented that Classic Communities continue to build more developments but do not complete their current projects. She said that since Classic Communities will not return any phone calls or complete work that needs to be done the homeowners have discussed turning to social media.

John Goryl, 213 Tiverton Lane- Mr. Goryl asked if Classic Communities is still getting building permits in the township. Mr. Rosario stated that they have no new projects in the township.

PRESENTATIONS, STAFF/BOARD REPORTS

Mr. Megonnell pointed out that the township calendar is incorrect. The board of supervisors meeting will be held on July 20th not July 13th. Mrs. Zimmerman said that the fire company would like to have a workshop with the board and suggested that it be held on July 13th.

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 July 2, 2015	\$1,733,604.39
Liquid Fuels Balance as of July 2, 2015	\$730,507.68
Capital Reserve Fund Balance as of July 2, 2015	\$676,570.65

B. Deposit Activity since June 16, 2015 \$58,436.91

Mr. Steinmeier reported the gross payroll of June 26, 2015 totaled \$30,299.78. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the payroll of June 26, 2015 in the amount of \$30,299.78. Motion passed 4-0, with Mr. Harman abstaining.***

Mr. Steinmeier reported the vouchers prepaid to meet due dates were \$37,522.97. ***Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the vouchers prepaid to meet due dates in the amount of \$37,522.97. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved is \$77,935.41. ***Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the vouchers in the amount of \$77,935.41. Motion passed unanimously.***

Mr. Steinmeier reported the total for the vouchers to be approved and paid from Fire Tax is \$16,994.29. ***Mr. Megonnell moved, seconded by Mr. Harman to approve the vouchers to be paid by Fire Tax in the amount of \$16,994.29. Motion passed unanimously.***

PLANNING COMMISSION REPORTS AND PLANS: None

OLD BUSINESS

Motion- Scope of Work, Pedestrian Path Master Plan, Tabled 3/16/2015

Motion- Authorization to Advertise Ordinance 2015-01, ECHO Housing, Tabled 4/20/2015

Discussion-Townes at Hershey Road, Paving of Tiverton Lane and Pond Issues- Mr. Rosario stated that he will contact the president of Classic Communities to set up a meeting.

NEW BUSINESS

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

Motion- Septic System Pumping Extension Request

Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the pumping extension request for 1375 Northview Lane to April 30, 2017. Motion passed unanimously.

Motion-Proposal for Engineering Services, Rt. 22 & Clover Lane, Rt. 22 & Manor Drive, Traffic Signal Retiming Study- Erin Letavic from HRG provided a brief overview of the scope of work for the board. Mr. Steinmeier asked if a lot of paperwork needs to be completed for PennDOT to have the timing reset on the traffic signals. Ms. Letavic explained that the township could submit a letter along with photos of the observation to PennDOT to request the timing to be reset. There was discussion that PennDOT must authorize the change and that it can't be done without their approval.

Chairman Klein moved, seconded by Mr. Steinmeier accept the scope of work for the traffic signal retiming study from HRG in the amount of \$4,800.00. Motion passed 4-1 with Mrs. Zimmerman voting nay.

Motion-Authorization to Offer Full Time Position to Part Time Public Works Employee

Mrs. Zimmerman moved, seconded by Mr. Megonnell to approve the employment of John Stitley as a full-time Public Works employee effective July 6, 2015. Motion passed unanimously.

Motion-Authorization to Hire Part-Time Parks & Recreation Employees- Mrs. Fesig reviewed the candidates that she is recommending for employment. Mr. Rosario stated that background check results must come back with no record prior to employment.

Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the employment of six part - time employees for the parks and recreation department pursuant to the mandated background checks. Motion passed unanimously.

Motion-Request for Board Letter of Support for House Bill #1272- Chairman Klein briefly reviewed House Bill #1272 and the Mr. McCahan's comments.

Mr. Megonnell moved, seconded by Mr. Harman to send a Letter of Support for House Bill #1272. Motion passed unanimously.

Discussion-Speeding Complaint on Baumgardner Drive- There was discussion that there are no speed limit signs on Baumgardner Drive. Mr. Rosario reviewed the suggestions from HRG. Chairman Klein suggested that Baumgardner Drive be posted with 25 mph speed limit signs.

Chairman Klein moved, seconded by Mr. Megonnell to post 25 mph speed limit signs on Baumgardner Drive. Motion passed unanimously.

Chairman Klein asked that this issue be forwarded to PSAB for their review.

Mr. Steinmeier requested that the request for a four way stop sign at Manor Drive and Jonestown Road be sent to the PSAB for their review. Mr. Rosario commented that HRG did a study and it did not warrant a four way stop. Mr. Steinmeier said the study was done ten years ago, and it is time that the township takes control of our roads.

Mr. Rosario asked Chairman Klein to briefly review a few issues prior to going over the 2015 financial update. He reviewed the following:

- The 2015 Dauphin County Hazard Mitigation Plan update for the board. He explained that a flood and fire evacuation plan for must be created for the township.
- The 2014 Audit has been completed by Hamilton & Musser. Mr. Rosario will post a copy in the conference room.

Discussion- 2015 Financial Update-Mr. Rosario presented the board a six month summary for the year. He will review the summary with the township accountant next week. He informed the board that there are 3,582 hours remaining in the parks and recreation budget for staff hours. Mr. Rosario reviewed what has been completed as to date for the funds that were reallocated per Resolution 2015-31. The two projects that have not been completed are the new gutters and down spouts at the public works building and the security cameras for the township building. Mr. Rosario reviewed the revenue and expenses for year to date. A memo will be sent to each department reminding them to control spending so we do not go over budget. Mr. Megonnell commented the handout is a good start to the budget process.

Discussion-2015 Gaming Grant Applications- The board agreed that a grant application would be submitted for debt reduction for the fire station. Last year the grant application was for \$500,000.00 and the township was awarded \$350,000.00. Mr. Megonnell said that he wants the township to apply for debt reduction for Exit 77 even though the gaming advisory board denied the 2014 grant request. Mr. Steinmeier said what was overlooked in 2014 was the interest rate of the Fulton Bank loan. The gaming advisory board suggested that the township contact the DCIB to see if loan could be refinanced. The DCIB does not offer funds to refinance loans. Mr. Steinmeier suggested that the township apply for a grant of \$300,000.00 and explain that the Fulton Bank loan is at 1.78% interest for the remaining 15 years of the loan. It was the consensus of the board to apply for a grant for fire station debt reduction in the amount of \$500,000.00 and \$350,000.00 for Exit 77 debt reduction.

OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

Mr. Rosario informed the board that the agreement with SCEMS expires at the end of 2016. He asked if the board wants to enter into an agreement beginning in 2017. Chairman Klein said the board will discuss that issue at a later date.

Mrs. Zimmerman asked Mr. Rosario if he contacted Mrs. Oliveri regarding her concerns with paving of Needlewood Drive. Mr. Rosario said he has not contacted her. Mrs. Zimmerman said that needs to be addressed as soon as possible.

Mrs. Zimmerman said that she did not see any correspondence to Lower Paxton regarding the short notice in informing the township of the detour on Jonestown Road. Mr. Rosario said that he sent correspondence via email.

Mr. Megonnell said he was contacted by a group who wants to perform a community service and would like to clean up streams. Mr. Megonnell contacted Patti Estheimer from the EAC regarding the project. Mr. Megonnell suggested that the group clean Beaver Creek. He is not sure what the group does with the debris that is removed from the creek. Mr. Megonnell asked if Public Works would pick up the debris that is removed. The group is affiliated with Fort Indiantown Gap and will make a presentation to the EAC at their next meeting.

Mr. Steinmeier brought up the tax delinquent report that the township received. He asked Mr. Rosario to post a copy on the bulletin board for public review.

PUBLIC COMMENT

Anne Warden, 202 Tiverton Lane-Mrs. Warden asked that Townes at Hershey Road, Paving of Tiverton Lane and Pond Issues remain under “Old Business” on the meeting agenda for July 20th. Chairman Klein said it would remain on the agenda.

Dixie Fesig, Parks and Recreation Director-Mrs. Fesig asked if there are any updates on the Fowler project as a result of the Zoning Hearing Board decision. Mr. Rosario said a revised plan will be submitted to the Planning Commission. She asked for an update of the storage addition to the recreation center; Mrs. Zimmerman commented that she is pursuing it. Mrs. Fesig said that we need to keep in mind when the current FILO funds expire.

SUPERVISORS COMMENTS

Mrs. Zimmerman reminded everyone that Movies in the Park program is on Tuesday nights. She said she would like to reply to some of the comments that were expressed this evening. She said that the board is here to try to serve the community in the best way that they can. She said it really hard when the township has to go to court to fight a corporate lawyer and spend tax payer’s money. She said the board is doing what they can to help the residents in developments get what is due to them. She asked for the residents to be patient since the board has tried numerous times to contact Classic Communities but they are not responding.

Mr. Megonnell thanked the Public Works department for the great job they did on Jonestown Road. They increased signage and sealed cracks.

Mr. Megonnell commented that he sees letters coming into correspondence but he doesn’t see any letters going out from Mr. Rosario as requested by the board. Mr. Rosario said that he does almost all his correspondence via email. Mr. Megonnell asked that copies of the emails be included in the correspondence section.

Mr. Steinmeier brought up the developments that are having problems with Classic Communities. He asked Solicitor Yost is there is legal action that can be taken against the developers. Solicitor Yost commented that the current issues will have to be worked out with the current agreements that are in place. He suggested that the township modify agreements in the future to have a specific time limit as to when the project needs to be completed.

A resident from the Townes at Hershey Road asked if there is a time limit from when the last home was built until the paving needs to be completed. Solicitor Yost said there is no time limit, however he said the township can try to draw on the bond to have the road paved.

ADJOURNMENT: 8:25 PM