

WEST HANOVER TOWNSHIP BOARD OF SUPERVISORS

7171 Allentown Blvd
Harrisburg, PA 17112

MEETING MINUTES THURSDAY, OCTOBER 20, 2022 Board of Supervisors Meeting 6:00 PM

1. Call to Order, Pledge of Allegiance & Invocation

2. Public Hearing 6 p.m.

- A. Ordinance 2022-02, Subdivision and Land Development Ordinance Amendment for Certain Sections of Chapter 173-11 of the Code of Ordinances

The Board was asked if they had any questions and there were none. The public was then invited to make any comments and there were none.

Motion: Vice Chair Miller moved, seconded by Secretary/Treasurer Steinmeier to approve the ordinance. The motion was unanimous.

3. Approval of Previous Meeting Minutes

- A. Consideration for approval of the September 15 meeting minutes

Motion: Supervisor Zimmerman moved, seconded by Secretary/Treasurer Steinmeier to approve the meeting minutes. The motion was unanimous.

4. Correspondence: None

5. PA State Police In-Person Report - Cpl. Ryan Burns

Cpl. Burns reported that there were 180 incidents in the month of September. He said the State Police are always willing to help the Township with community events.

6. Solar Presentation and Cash Flow Presentation by Seth Berry, Manager of Solar Renewable Energy, LLC

Seth Berry gave a presentation on a Solar Proposal for West Hanover Township's new complex. There was discussion by the Board and several

questions from the public. Mr. Berry answered all questions and said he has provided his contact information if there are further questions.

7. WHT Fire Company In-Person Report

Matt Senft, Assistant Chief, reported that there were 36 calls in September. Eighteen were in the Township and 18 were mutual aid. They completed the hose and ladder testing that occurs annually and prior years there was significant hoses that failed and needed replaced. This year we reaped the benefit of that and had minimal failures. The new phone system and computers are up and running. They currently have 2 line-ins. Their open house went well but attendance was low. They will be out on Halloween handing out glow necklaces.

8. First Public Comment

Linda Turns, Rabbit Lane – Linda said she was surprised to see 2 members of the Board of Supervisors running the Planning Commission. Chair Connors said that they do not run the Planning Commission, but they are members because there are no residents that want to be on the various boards. There are multiple commissions/boards/committees that no one wants to serve on so some of the Board of Supervisors join so that they are full. Also, Linda said she would like legal ads to be advertised in a local paper and not the Hummelstown Sun. She submitted a Right-to-Know for the positions and salaries of all Township employees. She would like to see the employee names. Would also like to see more pertinent Township information in the quarterly newsletters.

Richard Enck, Hillside Road – Richard said he called in to the Township and left several messages regarding line painting on Houck Manor. And never heard back from anyone. Township Manager said that he and Richard has discussed the line painting as well as the paving.

9. Presentations, Staff & Board Reports

- A. September Zoning Report
- B. September Engineer's Report
- C. September Environmental Advisory Committee Meeting Minutes
- D. September Parks & Recreation Meeting Minutes
- E. September WHT Fire Chief's Report
- F. August South Central EMS Chief's Report
- G. Property Maintenance Log for September 15 through October 13

H. Public Works Daily Reports for September 16 through October 19

10. Treasurer's Report

- A. Monthly Deposits for September were \$42,462.26
- B. Expenditures:
 - (1) Payroll for September 23, Net: \$35,140.88 - Gross: \$46,104.68
Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve the payroll. The motion was unanimous.
 - (2) Payroll for October 7: Net: \$33,801.24 - Gross: \$44,392.56
Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve the payroll. The motion was unanimous.
 - (3) Vouchers pre-paid via paper check, ACH transfer & Vendor Sites: \$319,822.94
Motion: Vice Chair Miller moved, seconded by Supervisor Megonnell to approve the checks and transfers. The motion was unanimous.

Chair Connors only said to approve paper checks. There was an amendment to the original motion to approve the paper checks, ACH transfer & vendor sites.

Motion: Vice Chair Miller moved, seconded by Supervisor Megonnell to amend the motion. The amended motion was unanimous.

11. Old Business: None

12. Zoning & Planning

- A. Consideration to approve 22.005 The Townes of Briar Creek Phase II Final Land Development Plan as reviewed by Tim Mellott

Zoning & Planning Administrator, Janet Hardman, said this if the second phase of four phases and there are no waivers and no comments. She introduced Tim Mellott who said that this is for 22 units, and he can answer any questions by the Board. There were no questions.

Motion: Supervisor Zimmerman moved, seconded by Secretary/Treasurer Steinmeier to approve the Plan. The motion was unanimous.

- B. Consideration to approve 22.006 Thomas/Morin, Minor Final Lot Consolidation Plan, waivers Section 173-11B(2)(t), Location of

Existing Features on Adjacent Lots; Section 173-11B(2)(bb), Driveway Profiles; Section 173-11B(2)(bb), Existing Contours at Vertical Intervals of 2 Feet; 173-11A, Preliminary Plan Requirements; 173-25L(10), Existing Driveway Clear Sight Triangle; 173-11B(cc), Existing Driveway Sight Distance; and 173-15B(17), Dedication of Right-of-Way as reviewed by HRG

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-11B(2)(t). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-11B(2)(bb). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-11B(2)(t). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-11A. Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-125L(10). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-11B(cc). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve Waiver Section 173-15B(17). Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve 22.006, Final Lot Consolidation Plan. Supervisor Zimmerman abstained from the vote as it is part of her daughter's property. The motion was approved by the four remaining Board members.

- C. Consideration of Financial Security Adjustment #2 for Hillcrest Business Center Phase 1 in the amount of \$29,250.50, bringing the remaining balance to \$77,461.45, as reviewed by HRG

Motion: Vice Chair moved, seconded by Supervisor Megonnell to approve the adjustment. The motion was unanimous.

At this time the Board will be taking a brief break for an Executive Session to discuss a legal issue and a personnel issue.

Chair Connors called the meeting back in session after the Board's Executive Session to discuss the Prologis legal issue and turned the meeting over to Township Solicitor Lee Stinnett. Solicitor Stinnett said that Judge McNally issued his order in the Prologis case, and it was undecideably against the Township and as a result, it's unlikely that an appeal to Commonwealth Court would prove to be successful. At this time the Board of Supervisors has decided against filing an appeal and the costs associated with it.

13. New Business

- A. Consideration to approve the Application for Payment #1 to Mid-State Paving & Excavation for Fairville Park Site Improvements in the amount of \$231,126.09, as reviewed by HRG

Motion: Secretary/Treasurer Steinmeier moved, seconded by Supervisor Megonnell to approve the payment. The motion was unanimous.

- B. Consideration to approve the Application for Payment #1 for the 2022 Township Paving Project to Pennsy Supply, Inc. in the amount of \$358,717.05, as reviewed by HRG

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve the payment. The motion was unanimous.

- C. Consideration to enact Ordinance No. 2022-03, as presented, authorizing, among other things, the issuance of general obligation indebtedness to fund certain capital projects of the Township, as described in the Ordinance

Jennifer Karen, a Bond Attorney with Eckert, Seamans, Cherin & Mellott, said that she and Audrey Bear, Managing Director of Piper/Sandler, attended the August Board of Supervisors Meeting to discuss the beginning stages of the sale and issuance of bonds in the future. Now they are here with an Ordinance.

Motion: Secretary/Treasurer Steinmeier moved, seconded by Supervisor Megonnell to enact the Ordinance. The motion was unanimous.

- D. Consideration to approve Resolution 2022-44, waiving of penalties on real estate taxes when a property owner can demonstrate they never received the notice

Motion: Supervisor Megonnell moved, seconded by Vice Chair Miller to approve the Resolution. The motion was unanimous.

- E. Authorization to provide the final payment for the I-83 Tolling Litigation Cost Share in the amount of \$3,560.62

Motion: Supervisor Megonnell moved, seconded by Secretary/Treasurer Steinmeier to approve the payment. The motion was unanimous.

- F. Consideration to have HRG perform traffic studies at the below listed locations for the estimated fee of \$8,000:
- S. Oak Grove Road & Green Hill Road
 - Dewey Drive
 - Daycare near Hillcrest Avenue and Clover Lane

Motion: Supervisor Megonnell moved, seconded by Supervisor Zimmerman to have the traffic studies performed by HRG. The motion was unanimous.

- G. Conversation on upcoming trash/recycling bid

Township Manager Gossert explained that our contract with Waste Management is up in July 2023, and we are seeing large increases in other Townships when they are securing contracts with waste companies. Unfortunately, our waste is mandated to go to the Dauphin County Incinerator and that cost continues to rise. He then spoke about several options that may lower the cost, one being removing the billing from the waste company and doing it in-house, the other doing away with bag tags and those customers receiving a smaller waste container so that the trucks can pick it up and empty it versus having a worker must manually load it on the truck.

H. Amendment to the Township Manager's Employment Agreement

Solicitor Lee Stinnett explained that the change would be to the health insurance provision.

Motion: Vice Chair Miller moved, seconded by Secretary/Treasurer Steinmeier to approve the amendment. The motion was unanimous.

I. Consideration to approve tree planting at Fairville Park

Parks & Recreation Director Don Holmes said that now that the paving project is complete, they would like to plant a variety of trees at the park. Supervisor Megonnell asked if this request has gone before the Environmental Advisory Council (EAC). Director Holmes said it has not but was approved by the Parks & Recreation Board. Supervisor Megonnell would like to see the plan run by the EAC before it goes forward.

Motion: Supervisor Zimmerman moved, seconded by Vice Chair Miller to approve the planting subject to Director Holmes running it by the EAC. The motion was unanimous.

J. Consideration to send a letter of support to South Hanover Township Board of Supervisors Chairperson, Stephen Cordaro, to extend and re-establish Hayshed Road to Red Top Road.

Motion: Vice Chair Miller moved, seconded by Supervisor Megonnell to send the letter. The motion was unanimous.

14. Second Public Comment

Erich Bair, Moyer Road – Erich asked several questions regarding the waste removal conversation held earlier in the meeting. Also asked if Public Works could plant the trees at Fairville Park instead of a contractor. He was told these are established trees and they will be guaranteed for one year.

Jeff Shade, N. Fairville Avenue – Jeff said that everyone knows the Judge's ruling in the Prologis case. He had questions about when Prologis first approached the Township and what would the benefit have been to the Township. Township Manager Gossert said that Prologis appealed the Board's decision in court and the ruling was in their favor. Prologis was going to provide \$600,00 for new radios for the Township Fire Department, provide outdoor lighting at the little league field and provide \$100,000 to \$200,00 to the Township for indiscriminate landscaping opportunities. All these benefits are now off the table.

Linda Turns, Rabbit Lane – Linda asked about the LST fund, doesn't that have to be used for certain items. Township Manager responded that yes, it must be used on emergencies or highway. He said they will demonstrate in the budget how those funds will be used by line item.

Sheila Heckman, Dewey Drive – Sheila thanked the Board for the approval of the traffic studies.

15. Parks & Recreation Upcoming Events

- 10/23 Fall Harvest Festival - 5:00 pm to 8:00 pm
- 11/08 Election Soup Drive Thru - Noon to 6:00 pm
- 11/12 Fall Indoor Yard Sale - 8:00 am to 1:00 pm
- 11/17 Senior Luncheon – Noon to 2:00 pm
- 11/19 All Day Scrapbooking - 8:00 am to 10:00 pm
- 12/07 Golden Oldies Dance - 7:00 pm to 10:00 pm
- 12/10 Breakfast w/ Santa - 8:00 am to 11:00 am
- 12/11 Yule Log/Santa Run/Tree Lighting - 6:00 pm to 8:00 pm
- 12/15 Senior Luncheon – Noon to 2:00 pm

16. 2023 Budget Presentation by Township Manager Mike Gossert and Finance Director Tim Houck

Township Manager Gossert and Finance Director Houck presented the proposed 2023 Budget to the Board. There were a few questions asked and answered.

17. Supervisor Comments

Supervisor Zimmerman – Gloria said that at the last Sewer Authority Meeting, Manager Jamie Aston said he was going to schedule a meeting with Township Manager Gossert to discuss codes.

Supervisor Megonnell – Jay attended the Senior Lunch today and Elvis was there. He attended Meet the Candidates in Lower Paxton. He would like to send a card from the Board to Jean Sites, a long-time volunteer with Parks & Recreation, she recently went into a home in Carlisle. Jay also asked if a letter was sent to PennDOT to reduce the speed on Allentown Boulevard. Township Manager Gossert replied that HRG is working on it. Lastly, on November 6 at 2 p.m. at Ft. Indiantown Gap there will be a 40th Anniversary Veterans Day Program.

Secretary/Treasurer Steinmeier – Don attended the Senior Lunch and there were 160 people attending. He attended the Parks & Recreation Board and addressed issues of seniors with disabilities accessing the Community Center.

Vice Chair Miller – Kyle jokingly said since the Senior Lunches are so successful, maybe they should double the price next year. Would the Board give permission for the Fire Company to participate in the Hummelstown Parade?

Chair Connors – Stacey said that 4 residents attended via Zoom. Thank you to everyone that came out to the meeting. She said that during Public Comment she and Vice Chair Miller were criticized for serving on the Planning Commission. Frankly, the reason is that residents don't volunteer to be on any of the boards. She said, by law, the only board they cannot also serve on is the Zoning Hearing Board. Lastly, there will be a brief Executive Session at the conclusion of the meeting to discuss personnel issues.

18. Adjournment at 9:50 p.m.

Motion: Supervisor Megonnell moved, seconded by Supervisor Zimmerman to adjourn the meeting. The motion was unanimous.

