

West Hanover Township: Board of Supervisors
7171 Allentown Blvd., Harrisburg, PA 17112
Monday, February 05, 2018

Executive Session 5:30 pm

To respect others, please silence all electronics.

1. CALL TO ORDER:

Mr. Miller called the meeting to order at 7:00 pm followed the Pledge of Allegiance & the invocation.

2. ROLL CALL:

Mr. Kyle Miller, Chairman; present
Mr. Jay Megonnell, Vice-Chairman; present
Mr. Donald Steinmeier, Secretary/Treasurer; present
Mrs. Gloria Zimmerman, Supervisor; present
Ms. Stacey Connors, Supervisor; present

3. APPROVAL OF MINUTES:

Regular Meeting –January 16, 2018- **MOTION: Mr. Megonnell moved, seconded by Mr. Steinmeier to table the regular meeting minutes of January 16, 2018. The motion passed unanimously.**

Workshop Meeting Minutes – January 16, 2018 - **MOTION: Mrs. Zimmerman moved, seconded by Mr. Steinmeier to table the workshop meeting minutes of January 16, 2018. The motion passed unanimously.**

4. CORRESPONDENCE: - None

5. PUBLIC COMMENT:

Mr. Mick Moritz, 215 Brookridge Court- Mr. Moritz stated that there are seven (7) homeowners that currently have Stormwater runoff issues. There is a neighbor with 8” drainage pipe that is only fifteen feet (15’) from the property line. They have already replaced the mulch with a stone swale.

Ms. Karen Davis, 214 Tiverton Lane – Ms. Davis said that they were told this was a private pipe. Mr. Miller asked if there have been any complaints filed with the Township. Mr. Moritz replied no, when the rain dries up, everyone seems to forget that it is a problem. Mr. Rosario asked each individual to fill out a complaint form for this, so that it can be investigated. Ms. Davis asked who she was to send pictures, video to – Mr. Rosario replied that they could be sent to him and he would get them to property maintenance.

6. SWEARING IN OF FIRE POLICE:

- A. John Kissinger, Mr. Miller had Mr. Kissinger stand and raise his right hand and repeat the following: I, John Kissinger, solemnly swear (or affirm) that I will support the constitution of the United States, and the constitution of the Commonwealth, and that I will faithfully discharge

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- B. Authorization to advertise for a public hearing on March 19, 2018, #2018.01, Steep Slope definition & Wetland Protection Overlay District zoning ordinance amendment. Ms. Hardman stated that this was heard and recommended by both the planning Commission and Tri-County. Mr. Megonnell asked if there were any comments. Ms. Hardman replied, yes and they are incorporated into the final draft. **MOTION: Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the motion to advertise Ordinance 2018.01, Steep Slope Definition & Wetland Protection Overlay District zoning ordinance amendment. (March 19, 2018)**
- C. Authorization to advertise for a public hearing on March 19, 2018, Ordinance 2018.02, Medical Marijuana. Ms. Hardman said that the Planning Commission and the County have already reviewed it; actually the County wrote this Ordinance. Mr. Megonnell asked if it was the same as the County Ordinance for Medical Marijuana. Ms. Hardman replied yes, and most Township will have adopted or are adopting the same Ordinance from the County. **MOTION: Mr. Megonnell moved, seconded by Mrs. Zimmerman to approve the motion to advertise Ordinance #2018.02, Medical Marijuana. (March 19, 2018)**

10. OLD BUSINESS

- A. Discussion – Townes at Hershey Road, Stormwater & Road Issues
Mark Chiles confirmed the workshop for the Townes of Hershey on Monday, February 12, 2018 @ 6 pm.

11. NEW BUSINESS

- A. Consent Items: Section 607.(4): None
- B. Resolution 2018-35; Fee Modification:
Ms. Hardman presented that there was certain language omitted in a prior revision; she is just adding it back in. Mr. Miller asked if everyone got a chance to read it, any questions. **MOTION: Mr. Steinmeier moved, seconded by Ms. Connors to approve the motion to adopt Resolution 2018-35; Fee Modification (replacing 2017-46). The motion was unanimous.**
- C. Resolution 2018-36; West Hanover Township Towing & Storage Appointment:
Mr. Rosario stated that several years ago, Ritchie towing acquired by H&J Towing. A resolution is required to continue use with them. The only employees that have the ability to place the call to tow a vehicle are the following department heads: Township Manager, Roadmaster, and Parks and Recreation Directors. **MOTION: Mr. Megonnell moved, seconded by Mr. Steinmeier to adopt Resolution 2018-36; Township Towing & Storage. The motion was unanimous.**
- D. Motion to advertise Special Study for Houck Manor & Holiday Park:
Mr. Rosario said that he would like to advertise the special study by the Water & Sewer Authority. The application to advertise will include all written comments from the citizens and all written replies to become part of the package submitted to DEP. All comments and replies will be public knowledge and each question will not be answered individually. Mrs. Zimmerman asked Mr.

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Rosario – what if they all don't see it. Mr. Rosario replied that it would be a problem. Mrs. Zimmerman stated that each resident should receive a registered mail notice. Mr. Steinmeier stated that this report is currently 107 pages. Mr. Rosario asked the Board if they wanted us to give copies to the residents or charge for the Special Study. He stated that it costs \$11 to produce the 107 page Special Study. Mr. Yost said the question becomes, do you want to charge people for something they don't agree with. Mr. Rosario asked for guidance regarding a resident who is unable to read or write; how do we proceed with that? Mr. Yost asked Mr. Rosario if they could hear. Mr. Rosario replied that the resident cannot read, there is not a presentation, and it is just the 107 page Special Study. Mr. Megonnell asked Mr. Rosario when would be the soonest we could sell them? Mr. Rosario replied that the studies will be copied on an "as needed" basis, but there are already two copies available for public review. Mrs. Zimmerman said that if it is \$11 to produce, if we sell them for \$5 – can we put that into a special fund for those two areas "slush fund". Mr. Megonnell replied that we may only sell ten (10) copies. Mrs. Zimmerman said –At least its \$50. Mr. Yost told Mr. Rosario that in the case of the resident who cannot read or write, you can read it to them. Mr. Rosario said No, it's all on us, we have to advertise, we have to mail, etc. – we cannot read the Special Study to people as well. Mrs. Zimmerman agreed, its 107 pages, it'll take all day to read that to someone. Mr. Yost said that there are ways to show them. Mr. Rosario stated that the original 537 Plan had information taken from it for the Special Study. He said that DEP wanted a public review period, not a public meeting. **MOTION: Mr. Steinmeier moved, seconded by Mrs. Zimmerman to approved the motion to advertise Special Study for Houck Manor & Holiday Park, with the 30-day window being 02/14 – 03/15. (March 19, 2018)**

- E. Motion to advertise the Hearing Date for Ordinance 2018-03, Display of Fireworks. Mr. Rosario said that the state Lawmakers have not done the average citizen any good; in fact it could do more damage. The proposed Ordinance is to curtail that type of behavior and would require a permit. **MOTION: Mrs. Zimmerman moved, seconded by Mr. Megonnell, to approve the motion to set the hearing date; Ordinance 2018-03, Display of Fireworks. (March 19, 2018)**

12. OTHER BUSINESS THAT MAY COME BEFORE THE BOARD

- A. Special Event Ordinance: Ms. Hardman wanted to talk to the Board about the Special Event Ordinance that she has been working on. She stated that the Planning Commission has worked on it for several months. She said that there are currently no regulations for this, it previously has been handled as a transient retail business permit. Ms. Hardman said she had called PSATS, Tri-County Planning Commission (who have several Special Event Ordinances), and the State website (who deals with traffic that is on the State Roads); as a result we came up with this draft. Ms. Hardman stated that a few places have it in the zoning regulations, but she would like to see it as a stand-alone Ordinance. Please review it and let me know if you have any comments.

Mr. Steinmeier wanted to add that the Special Event Ordinance is not going to hurt the small businessman, they are exempt to a certain degree. Mr. Steinmeier mentioned that when he sat on the board back in the eighties, the Township was approached by a gentleman wanting to host Woodstock 2 here. He said that it was lucky the gentleman did not have enough money/ sponsors to fund the renting of the farmland he wanted to use for Woodstock 2. Mr. Steinmeier said that our

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growing Township will definitely encounter these in the future. West Hanover Township needs to be prepared for the future. There are farmers looking to make extra money. Janet has worked really hard on this. Mr. Miller stated that there is nothing that tells about the public restrooms for a certain number of people required for that type of Ordinance. Mr. Steinmeier stated that he was glad it didn't happen, just port-a-johns on farmland; and luckily, I'm glad it didn't happen, it would have been a nightmare; we didn't have an ordinance in place for this type of thing; this must be addressed for the future.

Ms. Connors asked how this was precipitated; was there an application for some type of event we didn't have an Ordinance to cover? Ms. Hardman said no, it used to be taken care of under the Transient Retail Business License; but there aren't any retail sales at these events, so it really doesn't fall under that. Ms. Connors stated that this is then being created because we don't have one. Ms. Connors said her other question was down in the exceptions, with the high school in our district, they do lots of events, would they fall under the Government Agency. Ms. Hardman replied yes, the high school would fall under Government Agency. Mr. Chiles asked if the vendors had to be licensed. Ms. Hardman replied yes, that would be a transient permit, which requires a background check.

- B. Mr. Holmes said that at the last meeting, they had touched base about the mowing contract, it had been tabled until tonight; wanted to follow up on that. He did review what they did spend last year and we were above the threshold had a copy of the current agreement, and a copy of the proposed agreement. Only change to the documents we would like to do, ultimately the bidding docs become part of the agreement. Bid Bond -currently, there is a ten percent (10%) bid bond – so for example if the bid contract is \$20,000, without knowing if they will get the bid or not, they are required to send a \$2,000 check; which we hold onto for the process. If they do not win the bid - we return it; if they do win the bid - we hold onto it until the end of the season. He questioned that the Township does not do that for any other contracts, why is it just mowing? The other item is the notary - why does everything have to be notarized? Eliminate the need to notarize the documents pre-bid. Mr. Holmes stated that last year they had a single reply; and they had to go out and solicit more bids, and we used to charge them to bid, which we have also stopped. Mr. Holmes asked the Board to remove all notary pages and the bid bond. ***MOTION: Mr. Megonnell moved, seconded by Ms. Connors, to approve the changing of the bid document requirements for Parks & Recreation as presented (remove the notary sections and the bid bond).***

Mrs. Zimmerman had a question, all this mowing, who is doing the cemetery –aren't we responsible for that now; Mr. Rosario replied that public works does the cemetery, station #1 and this property. Mr. Holmes said that he doesn't know if he needs board authorization for this or not, but he would like to advertise this, same schedule as on the cover sheet, two weeks and accept bids until the end of the month, due by the second of March, and brought to the board on March 5th. ***MOTION: Mr. Megonnell moved, seconded by Mrs. Zimmerman, to approve the Parks & Recreation to advertise the bid for mowing, same schedule as listed. The motion was unanimous.***

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13. PUBLIC COMMENT

Mr. Richard Enck, 7112 Hillside Ave. Mr. Enck wanted some clarification on the thirty-day (30) process. He stated that the public review period is only nineteen (19) business days. The paperwork was only seen by the Water & Sewer Authority, it was not in the 537 plan, and it has never been presented. Mr. Steinmeier asked if the information was sent to DEP, Mr. Rosario replied no, it has to be advertised, have the thirty-day (30) comment period, include the written questions & responses – which become part of the report. Ms. Connors clarified that the thirty-day (30) period is calendar days, not working days. Mr. Rosario will post it to the website.

Ms. Rosemarie Messinger, 246 Tiverton Lane. Ms. Messinger asked about the fireworks law changes; can anyone just put fireworks off at any time? Mrs. Zimmerman replied that there is a Public Hearing on March 19th, you are more than welcome to come and listen/ voice your opinion. Ms. Messinger asked what the rules were, who are you supposed to contact. Mr. Megonnell stated that there are time structures in which these things can occur. Mr. Rosario said he believed it was six am to ten pm. Mr. Yost stated that the Fireworks Ordinance will make the permissions a local process. Mr. Chiles said sometimes it is hard to tell where the fireworks are coming from; it is hard to report.

14. SUPERVISORS COMMENTS:

Mrs. Zimmerman reminded everyone that all electronics, all cellphones should be shut off during a meeting; this applies to the Board of Supervisors as well.

Mr. Megonnell asked Mr. Holmes who the entertainment was at the senior lunch on the third Thursday; Mr. Holmes replied that it is the Jingo Band, you should come and see it. Mr. Holmes also stated that this week was Mr. Don Koons, historical speaker, who is speaking of Presidential Homes at the next senior lunch. Mr. Holmes said that Mr. Koons is always very interesting; this meal will be lasagna.

Mr. Megonnell wanted to tell all the Patriot's Fans, maybe another time. He congratulated the Eagles Fans.

Ms. Connors did not have any comments.

Mr. Steinmeier wanted to talk about Governor Wolfe; who is currently doing the Budget for 2018-2019. Mr. Wolfe is targeting municipalities that do not have a police force; he wants everyone to have a police force. Mr. Steinmeier stated that for our municipality, around ten thousand residents, it would be approximately a \$250,000 check to the state. Currently they are proposing a \$25/head charge. This is not for additional State Police coverage, and Mr. Wolfe really emphasizes it during his addresses. Mrs. Zimmerman agreed with Mr. Steinmeier and said that our services will not change, this will help pay for new cars. Mr. Chiles said that this money is already in the budget; we are prepared for this. Some audience members commented that \$25/head is not much for protection. Mr. Steinmeier stated that there is talk of going as high as \$234/resident.

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Mr. Steinmeier wanted to make people aware that medical marijuana / recreational marijuana is a booming business in neighboring states. Colorado brought in several billion dollars to balance their budget. Mr. Chiles asked Mr. Steinmeier if he is for or against this. Mr. Steinmeier said that he is too old for that stuff. Mr. Steinmeier said that MR. Wolfe's address will be tomorrow night. Ms. Connors corrected the statement to let the residents know that his address will be in the morning at 1130am.

Mr. Miller did not have any comments.

ADJOURNMENT: 7:59 PM