

West Hanover Township
7171 Allentown Blvd. Harrisburg, PA 17112
www.westhanover.com

MONDAY, JUNE 11, 2018
Board of Supervisors Workshop 6:00 PM

1. Mr. Megonnell called the meeting to order at 6:02 pm. This was followed by the Pledge of Allegiance and Invocation

2. Company Present:
Connors, Stacey, Supervisor
Megonnell, Jay, Vice-Chairman
Steinmeier, Don, Secretary/Treasurer
Zimmerman, Gloria, Supervisor

Multiple residents; Mt. Laurel Woodland Estates
Multiple residents; Lexington Woods HOA
Parks & Recreation
Bill McCahan, PSAB

3. **Old Business**

A. Parks & Recreation Comprehensive Plan Update REVISED. Mr. Rosario asked if we could set the date for the public review and the hearing date. The public review will be 30 days (June 14 – July 13) and the hearing date will be July 16th @ 715 pm. Mrs. Jeannette Zimmerman said that she had spoken with Ms. Hardman regarding her requested changes and she gave her approval. ***Motion: Mrs. Zimmerman moved, seconded by Mr. Steinmeier to set the 30 day review period for June 14th – July 13th. The motion was unanimous.***

Motion: Mrs. Zimmerman moved, seconded by Mr. Steinmeier to set the hearing date for July 16th @ 715 pm. The motion was unanimous.

4. **New Business**

A. Mount Laurel Woodland Estates: Present from their community were the following residents:
a. White Pine Road; Mike Cirillo
b. East Appalachian Trail: Keith Gutshall, Jean Royer Peake, Andrew Hamann
c. Fern Road: Scott Stahlnecker, Claudia Lukert
d. Virginia: Elaine Hamann

Mr. Cirillo handed out packets with color photos. Mr. Megonnell said that their roads were not as bad as he expected them to be. He also noted that they had seen the retention pond and piping on their drive.

Mr. Rosario conveyed his findings on private entities and grants. Dauphin County Conservation District (DCCD) has a grant program, awards less than \$100,000.00. They require the formation of an HOA and a one-day training course on dirt and gravel roads. You are allowed to apply every year if these requirements are met.

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Mr. Rosario also said there is the DCCED Gaming Grant. The roads must be liquid fuels ready, would have to be up to current standards for takeover. After the Township takes them over, we could apply for those grants.

Mr. Stahlnecker said they don't want us to take them over, they are looking for assistance. Mr. Cirillo said that they are looking for materials such as stone. The above residents said that the problem with forming an association is that not everyone will agree. They need help with the manual labor and equipment. They said that they have tried to get manual labor and financial relief before from the Supervisors, but got nowhere. They appreciate anything the Board can do for us.

Ms. Lukert said that it is not just a convenience to maintain the roads, emergency crews and re-routed traffic use them as well. Mr. Megonnell stated that the Fire Company already has a route specified for how to get to certain areas on the mountain. Mr. Hamann asked if they could partner with the Township for a maintenance agreement. Mr. Steinmeier asked – you don't want the roads paved? Ms. Lukert said no, just a maintenance agreement. Mr. Megonnell said that there is no way the Township could take the roads over; it needs a proper base, and specific amounts of gravel, etc. – this would cost the Township millions.

Mr. Gutshall said they would like help buying stone. Mr. Stahlnecker asked if they could rent equipment from the Township. He asked if they were allowed to get the Township discount on supplies or free piping. Mr. Steinmeier stated that liquid fuels money cannot be used on private roads. He also said that communities like Houck Manor and Holiday Park are asking for money from the Township for the sewer. Mr. Cirillo said that this situation is more unique. Mr. Megonnell asked when the last time a storm took out something that traffic was rerouted, Mr. Cirillo said it was 2015. Mr. Megonnell asked how much stone they buy a year? The residents guessed that they spent \$10,000 - \$12,000 on stone alone.

Ms. Lukert said that their roads are used for a lot, public safety issues, fire department, PP&L, police – this isn't just a couple of houses on a dead end street. Mr. Megonnell said that he didn't want to sound mean, but the residents bought the house on a private road. Mr. Stahlnecker said that they don't have the ability to close their roads, they must remain open. Mr. Hamann asked Mr. Steinmeier – our roads are not new construction, we wouldn't have to follow PennDOT standards, we would just have to justify the existing development. He said it would be an alteration condition per PennDOT standards, T533. Mr. Steinmeier said that in the past, the road crew has plowed private roads for an ambulance. Mr. Hamann said he would like to partner with the Township. Mr. Megonnell asked – If stone is dropped off for you, where do we cut off the handouts?

Mr. Steinmeier said that we have many new and old communities on private roads. There are the 200 apartments, Pineview, Arondale, etc. They would all want the township to maintain/ plow/ etc. Mr. McCahan and a resident had a brief conversation regarding if they thought traffic was rerouted or not.

Mrs. Zimmerman stated that purchase under Government rules. We cannot sell anything to the public. We cannot rent out equipment. Mr. Megonnell stated that Mr. Rosario had told them where to look for funding. Mr. Steinmeier said for them to contact their PSATS leaders in the legal department, ask if they can give assistance. Mrs. Zimmerman said that we (the BOS) are responsible to all of the residents, not just a few. She stated that the roads were there when the houses were purchased.

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Mr. Stahlnecker asked if the Homeowner's Association had to have 100% participation. Mr. Rosario said yes, and it would have to be the entire community, not just the specified streets. Mr. Hamann said that in 1957, his deed was signed by the West Hanover Township Board of Supervisors. Mr. Rosario said that the Township does not dictate if a road is public or private; the developer does. He gave the example of Winslett, who has been building for 18 years – they are still one development, still one HOA.

The residents thanked the Board of Supervisors for their time and consideration, letting them present this. Mr. Megonnell thanked Mr. Hamann.

- B. Private Fire Hydrants w/HOA's & Businesses affected. Mr. McCahan brought this up two years ago. The legality issues are not simple. Mr. Rosario has had several residents ask what can be done about this. Mr. Rosario said that there are two options at this time.
 - a. The HOA through a regular meeting would have to turn over the fire hydrant(s) to the Township. It will go through the process to be converted to a public hydrant.
 - b. The Township receives the HOA resolution and accepts & adopts it at a regularly scheduled meeting. The classification will be changed and sent to PAWC.

Mr. Rosario read the list of communities/ HOA's that were invited to attend tonight. Quality circle stated that they do not care if they are paying double taxes, take them off the list. The others were: Arondale, Capital Bible Church, Reserve @ Manada, Clover Lee, Lexington Woods, Manada Court Villas and Pineview. Mr. Rosario stated that the only private community with public fire hydrants is Maple Glen.

Mrs. Zimmerman asked if the private hydrants have maintenance records. Mr. Rosario replied that it is a yearly requirement, just as the fire system testing. Mr. Megonnell asked if each HOA had information about their hydrants. Mr. Steinmeier asked if we are paying for the private hydrants.

Lexington Woods residents stated that it costs them \$400/year to flush their two hydrants. Mr. McCahan said that PA American always puts a flushing hydrant at the end of the line. He said that every new Land Development plan will have a note that says ALL HYDRANTS WILL BE PUBLIC. Mr. Rosario said that PAWC sent paperwork as if these existing developments were new, they wanted the roads to be public. Mr. Rosario stated that the residents in these listed developments are looking for a tax rebates for the double payment since they have been made aware of the issue (two years). Ms. Connors said that if PAWC is requiring this process, then that is what has to be done.

Mr. Rosario said that Country Manor Farms has private roads and hydrants, but PAWC will not accept those hydrants. Mr. McCahan said that our emergency crews treat that development as if there are not hydrants, and always bring the tankers.

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Mr. Rosario said that from each development/HOA we will need an agreement/ resolution that will be signed, notarized and recorded. This document will specifically give PAWC permission to maintain the hydrant(s). PAWC requires that all existing hydrants must be serviced prior to turn over. Mrs. Zimmerman said that each Homeowners association should include the number of units in the community and the number of certified, approved hydrants. Mr. Kullman asked if the developments have to wait for all of them to submit this information. Mr. Rosario said that we will work on each development as we receive it. Mr. Steinmeier asked what the HOA bylaws said regarding fire hydrants. Mr. McCahan said that the Township ordinance governs that. Each development must write its own letter, and follow the steps to have their hydrant(s) turned over. It was asked how the public/private hydrant and road happen? Ms. Connors said that it is all how the developer sets it up. She stated that LST tax has not been around forever. Mr. Megonnell said that the PSAB goes over all hydrants, layouts, everything for new Land Development. Rob asked if a resident has a fire, will the fire company respond? Mr. Megonnell said that the Fire Company is for everyone. Mr. Kullman asked about reimbursement for the last two years; it was decided that this will be discussed at a later date because it's not on the agenda.

- C. Transient Food Truck. Ms. Hardman said one item to decide tonight is if the Parks & Recreation department and schools are required to get permits for food truck activities. There are two ways to look at this:
- a. A food truck is a food truck, no matter the circumstance and requires a permit.
 - b. A food truck permit is not required for non-profit activities.

Ms. Hardman said that Section 182.3, item 7 requires that all must register, regardless of permit requirement. She said the permit is for the background check. Mrs. Zimmerman said that Parks and the School should be exempt, as the food truck employees are making food, not wandering the event.

Fees. Mr. Rosario said that it should be \$60/year and \$22/person for the background check. Mr. Megonnell asked if we could have two sets of fees. Ms. Connors said that the Four Diamonds has a food license, which is regulated by the Department of Agriculture. It could be a requirement that if you don't have a food license, you cannot come to an event. Mrs. Zimmerman said we should ask for a copy of each food trucks state license. Mr. Holmes said that the Parks & Recreation is not yet established, we are trying to grow the events, and he wants to bring people here.

Mr. Steinmeier was adamant that we must charge all food trucks. We cannot do business without charging a fee. Why let them do business for \$0. Mrs. Zimmerman said that these events are four or five times a year for three to five hours. She said that our community events are not comparable to the Kipona downtown. Mr. Holmes said that if we start charging now, no one will come, because they are not guaranteed to make money. Mr. Steinmeier said that food trucks have been around for 25 years, they are established. He said we charge the Baseball Association \$2,500/year to play on our fields.

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Mr. Holmes said maybe we just make the rules the same for everyone. The first year they apply and work an event, there is no permit fee, but they require a background check. Mr. Megonnell suggested we require them to register and have a background check.

Ms. Hardman said that section 182.5 states that it needs renewed every 30 days. Mrs. Zimmerman said it should be changed to yearly. It was asked what we are checking for in these background checks; do we care if someone got a DUI five years ago. We want the liability insurance, a valid photo ID, and a list of all employees present. The Township could always do a Megan's Law check for free.

Ms. Hardman said the definition of Mobile Merchant Business states two hour maximum. Mrs. Zimmerman said it should be changed to five hours so that they can set up/clean up.

Final decision for Ms. Hardman to draft for the Ordinance: no background check, just a statement, valid photo ID, add the background check to the application to get their permission. She will incorporate the feedback and return to present the Ordinance.

5. Supervisor's Comments:

Mr. Megonnell said that the Strawberry Festival was fantastic. He said everything went smooth and it was presented very well.

Mrs. Zimmerman said the Township is thankful to have Hoffman Ford on board. She said that they are very generous to Township activities and events.

6. Adjournment:

Motion: Mrs. Zimmerman moved, seconded by Ms. Connors to adjourn the meeting at 8:14 pm. The motion was unanimous.