

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING**  
**8848 Jonestown Road, Grantville, PA 17028**  
**February 20, 2007**

The meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Chairman Marie Beudet at 7:04 P.M. Present were Supervisors Keith Espenshade, Dave Marshall, George Rish, and Tom Shutt.

Myles Kauffman, legal counsel; Roger Phillips, Engineer; David Smith, Codes and Zoning; Charles Longreen, Director of Public Works; and Deborah Casey, Secretary-Treasurer were also present.

This meeting was audio taped. The tapes are strictly for the use of the Secretary-Treasurer for clarification during preparation of the minutes.

Chairman Beudet thanked Mr. Longreen and the Road Crew for the excellent job they did on the roads during the storm last week.

**APPROVAL OF THE MINUTES FROM FEBRUARY 6, 2007**

**Mr. Shutt made a motion to approve the February 6, 2007, minutes as written. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Expenditures:

General Fund	\$ 49,983.57
Operations and Maintenance	\$ 3,737.66
Park and Rec	<u>\$ 327.93</u>
Total	\$ 55,049.16

**Mr. Rish made a motion to approve the expenditures as presented. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Receipts

General Fund	\$ 212,031.19
Operations & Maintenance	\$ 5,137.50
Park and Recreation	\$ 2,100.00

Available Funds

General Fund	\$ 683,676.76
Operations & Maintenance	\$ 377,909.98
Street Light	\$ 5,022.99
State Fund	\$ 337,688.05
Public Sewer Fund	\$ 576,352.81
Park and Rec Fund	<u>\$ 120,376.81</u>
TOTAL	\$2,101,027.40

## **SIGNIFICANT CORRESPONDENCE**

The Correspondence is available for review during normal office hours.

## **REPORTS**

### **PUBLIC WORKS – CHARLES LONGREEN**

Mr. Longreen commented that it appears that UGI is going to run its gas main to the Preserve at Bow Creek by the original plan which would come off at N. Hill, across S. Hill, across Sunset and then to the right of way.

### **CODES AND ZONING – DAVID SMITH**

The Township received the reports at the first meeting of the month.

- Mr. Shutt commented that he had heard that there was a mix up at the Penn National site with the pouring of concrete. Mr. Smith noted he was informed of the situation, a site inspection will be done and a written report will be provided to the Township.
- Mr. Rish noted that an e-mail was received about abandoned houses on Ridge Road. Mr. Smith indicated that he visited the site; there is garbage at one of the houses that can be seen from the road and one of the homes has windows broken out. A certified letter has been sent to the owners of the property, Grantville Holdings, LLC, and its attorney has also been contacted. It is Mr. Smith's understanding that the Holiday Inn has been contacted and it will see how it can secure the structures.
- Mr. Marshall asked when the lights at Kline's Bros were going to be shaded. Mr. Smith noted that the owners were waiting for the ground to freeze and he will be in contact with them indicating that the shading needs to be done.

### **ENGINEERS REPORT – ROGER PHILLIPS**

- The Board has received a draft copy of the Act 537 plan for review and comments. The plan needs to be filed with DEP by April 26<sup>th</sup>. There is a 30 day public comment period that needs to take place and DCPC and the Township's Planning Commission need to approve it.
- The S. Meadow Ln. bridge bid packages are complete.
- The Rossi letter of credit reduction has been processed. Discussion was held on the stormwater. Mr. Phillips noted that the stormwater financing has not been released. Discussion was held on the stormwater management maintenance agreement.
- **Mr. Marshall made a motion to reduce the Rossi property letter of credit by the amount of \$11,252.90. Mr. Rish seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- The stormwater ordinance is still under review.

## UNFINISHED BUSINESS

### FUNCK'S EXXON LAND DEVELOPMENT PLAN

A final land development plan to remove the existing store and construct a new store and 2 additional gas pumps. The project site currently contains a convenience store and 4 gas pumps. The proposal is to build a new larger store north of the present location to allow for the addition of 2 gas pumps in alignment with the existing pumps to remain. The new building will be 4700 square feet and will provide the same number of rest rooms as the existing facility.

Waivers recommended for approval by the Planning Commission:

Section 608.9 - Landscape Screening

Section 402.3.4 – Existing Features

Section 610.7 – Curb Height

Section 602.2 – Buffer Area

Section 617.2 – Wetland Buffer Area

- Mr. Rish asked Solicitor Kauffman about the grinder pump agreement and if he reviewed it to see who is responsible for the pumps in regards to commercial properties. Solicitor Kauffman noted that he had not reviewed the agreement.
- Mr. Rish asked when the plan expires. Mrs. Casey noted that it was March 31<sup>st</sup>. Mr. Rish would like the agreement reviewed since he would like to see the Township not be responsible for maintaining the pump. His question is does the agreement go with the existing pump or if a new pump is put in, is it the responsibility of the property owner or does it follow the existing agreement. If a new agreement is necessary that would be beneficiary for the Township.
- Ray Funck noted that the reason the pump is there is because the Township decided to go over the top of the gas line versus underneath. He noted that he had an agreement that it would be gravity flow. Discussion was held on the gravity flow vs. having a grinder pump and the reasons why Mr. Funck's property needed a grinder pump. Discussion was held on Texas Eastern's lines and why the line was not permitted under the lines.
- Mr. Espenshade felt that a pump station is needed at the location of the property. He did not know the history of why Mr. Funck's property was originally laid out for gravity flow, but for some reason that did not happen.
- Mr. Marshall commented that other properties would need the pump station.
- Mr. Espenshade noted that Schiano's property will need to be hooked up to the sewer system. His idea is to get all the property owners together to hook on to the wastewater treatment and work out the details. Not approving the land development plan will not change the fact that the details need to be worked out.
- Mr. Rish asked if Mr. Funck was open to talk about what needs to be done in the area. Mr. Funck noted that he was planning on keeping everything the way it was with the Township owning the pump.
- It was noted that if the Township chooses to change the pump, it will do so.
- **Mr. Marshall made a motion to grant the waivers previously read by Chairman Beudet Section 608.9 - Landscape Screening; Section 402.3.4 – Existing Features; Section 610.7 – Curb Height; Section 602.2 – Buffer**

**Area; Section 617.2 – Wetland Buffer Area, for the Funck’s EXXON land development plan. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

- Outstanding items were the Stormwater Agreement. Mr. Funck was provided with the agreement. Mr. Funck noted that the agreement was sufficient for him.
- All fees have been paid.
- **Mr. Marshall made a motion to approve the Funck’s land development plan contingent upon the stormwater management plan agreement and signatures and notarization. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- It is noted that Mr. Funck signed the Stormwater management agreement.

### **LDARPG – INTERMUNICIPAL AGREEMENT, ORDINANCE**

The Board of Supervisors was asked to review the Intermunicipal Agreement.

- Mr. Rish noted that he had received 2 agreements, the final one with notes from Mr. Longreen.
- Mr. Longreen noted that he has not yet received a finalized agreement.
- Mr. Marshall was not sure that the Township should be participating in the LDARPG agreement. He felt that the idea was great but the Townships involved (Hummelstown and Londonderry) are not contiguous with East Hanover. If the Township would go into an agreement with those communities regarding police protection, the distance is too far for a quick response. He did not see any good that would come out of the agreement. If there was municipality group that would include the 3 Hanovers and perhaps Derry Township, he could support that since those areas are contiguous with the Township.
- Mr. Shutt felt that East, South and West Hanover Townships should be working together. He did not feel that Derry Township would be of benefit to the Township unless their involvement is monitored. He did not feel that LDARPG would benefit East Hanover.
- Mr. Espenshade would like to see the revised agreement and had some questions about the draft. He noted that he would be interested in pursuing the intermunicipal agreement.
- Mr. Rish noted that he needed to see the final agreement before voting on the issues. He recalled that it was the School District that initiated LDARPG. He did not feel that LDARPG would be opposed to include Townships that were not in the school district if they received participation. East Hanover has not done its job being involved in the program. He is willing to continue to support LDARPG.
- Keith Oellig did not feel that LDARPG would be opposed to working with Townships outside the school district. The program has been in effect for 6 years and he would hate to see the Township try to create a separate group. One of the benefits of LDARPG is that Townships could work together with Park and Rec issues. Relating to zoning, it would be nice to have continuity with the zoning, but he is not in favor of taking total control away from the Townships. He noted that the Schools budget in 1976 was 5.5 million dollars; now the school is close to 50 million dollars for 2007. If nothing is done to look at growth and do the planning that is required, the School district and Townships will be in trouble.

- Mr. Shutt asked if LDARPG has been in existence for 6 years, why is it not any further than it is now. Mr. Oellig felt that the reason is that people don't want to give up control. He noted that one part of a Township's revenue is Earned Income Tax. South Hanover withdrew from LDARPG. It has benefited financially from the growth that has occurred in the Township; however, it has impacted the school district, which all Townships have to pay for. He made a comment that the argument with Penn National is that the Township will get nothing, but the school district will benefit from the real estate taxes. East Hanover's millage rate is so low that it will not benefit from Penn National. If there is planning within the school district that residential growth could take place in another township, commercial growth in another, etc., which would be a benefit. Discussion continued on the subject
- Chairman Beudet noted that the LDARPG Comprehensive Plan was adopted by the Township. Mr. Oellig noted that when South Hanover and Conewago Townships pulled out of LDARPG, that they adopted their own comprehensive plans.
- Mr. Marshall suggested that LDARPG be contacted to see if the comprehensive plan will remain in effect for the Township if it decides not to sign the intermunicipal agreement, and also try to get an agreement that has been revised.
- Comments continued on the subject.
- David Craig commented that the more people involved in LDARPG would be better. He suggested that the Township Supervisors could attend LDARPG meetings on a rotating basis to voice concerns and also talk to West and South Hanover Townships and try to pull them into LDARPG.
- Mr. Phillips noted that LDARPG is an advisory board and that the Township is not compelled to adopt or follow its suggestions. It does not overrule any ordinances that are existing within the townships.
- Chairman Beudet noted that the original issue of LDARPG was the comprehensive plan. Now it is unclear as to what the group wants to do. Mr. Oellig noted that it is now up to the townships involved to decide what needs to be done next, which is why participation from township representatives is important.
- **Mr. Shutt made a motion to not accept the LDARPG plan. Chairman Beudet seconded the motion.** Mr. Marshall asked if anyone knew if the Township is obligated to come up with a new comprehensive plan if it pulls out of LDARPG. Mr. Phillips commented that it was his understanding of the motion was to reject the plan. He did not know if it was the intent of the Board to reject the plan. Mr. Rish noted that the motion was to reject the plan; he did not know what the plan was. Chairman Beudet noted that it should have been to reject the intermunicipal agreement. **Mr. Shutt amended his motion to reject the intermunicipal agreement. Mr. Marshall seconded the motion.** Mr. Espenshade asked if the vote would decide that the Township was not accepting the agreement, and would it mean that the Township is withdrawing from LDARPG. Chairman Beudet noted that her vote would only be for the agreement. Mr. Marshall noted that he did not support LDARPG and felt that the Township does not belong in it. Mr. Espenshade noted that if the Board wants to

pull out of LDARPG, then it needs to vote on that issue, and voting on the agreement would mean nothing. Richard Schock noted that he does not know enough about LDARPG and no one has pointed out the benefits of the plan. He suggested tabling action on the plan to study it further to weigh the benefits against the negatives. Chairman Beaudet noted that the motion is to not approve the intermunicipal agreement. Mr. Espenshade noted that he does not even have the final agreement to make an educated decision. It was noted that the agreement that was being voted upon was a draft agreement. Discussion continued on the subject. Mr. Longreen felt that LDARPG does have a place, but there needs to be more involvement from the Townships. Someone needs to get involved and find out why Townships pulled out and try to bring them back in to get the program moving again. **The motion was approved 5 in favor, 0 opposed.**

#### **STORMWATER MANAGEMENT - THOMPSON**

No update.

#### **RT. 743/39 STUDY GROUP – BACKUP REPRESENTATIVE**

Mr. Longreen noted that Glen Kriner is willing to be the backup representative.

- **Mr. Marshall made a motion to appoint Glen Kriner as the backup representative for the Rt. 743/39 Study group. Mr. Rish seconded the motion. The motion was approved 5 in favor, 0 opposed.**

#### **NEW BUSINESS**

##### **BUILDING RENTAL AGREEMENT**

No action – Funeral rentals will be added to the agreement.

##### **THE PRESERVE AT BOW CREEK PHASING SCHEDULE**

The Board of Supervisors has been presented with a phasing schedule for the approved preliminary plan for Phase II and III of the plan.

- **Mr. Rish made a motion to approve the revised phasing schedule from H. Edward Black & Associates for the Preserve at Bow Creek for Phase II and III. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

##### **CAVE PLAN – REAPPROVAL OF PLAN**

Mrs. Casey noted that the plan was previously approved by the Board of Supervisors. The 90 day period has expired to have the plan recorded. There were no changes to the plan.

- **Mr. Marshall made a motion to reapprove the Cave plan. Mr. Rish seconded the motion. The motion was approved 5 in favor, 0 opposed.**

## **STEIGERWALT PLAN - REAPPROVAL OF PLAN**

Mrs. Casey noted that the plan was previously approved by the Board of Supervisors. The 90 day period has expired to have the plan recorded. There were no changes to the plan.

- **Mr. Marshall made a motion to reapprove the Steigerwalt plan. Mr. Rish seconded the plan. The motion was approved 5 in favor, 0 opposed.**

## **DEFINITION OF FRONT YARD IN ZONING ORDINANCE**

Chairman Beaudet noted that there was a need to change the ordinance regarding the definition of a front yard.

- Discussion was held on the subject. It was noted that several businesses in the area would benefit for the change in the ordinance since the current ordinance restricts the amount of parking in the front yard. If a building's front faces the road, then the area in the front of the building is considered the front yard.
- **Mr. Rish made a motion to put the definitions in the form of a text amendment and forwarded it to the Planning Commission and DCPC for review and comment. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- David Craig suggested that any applicants who currently have plans with the Township be notified of the proposed change.

## **APPOINTMENT OF WWTP OPERATOR**

Chairman Beaudet noted that the previous back up operator, Curt Cassel, was offered the full time position and has accepted the offer. A new backup operator will need to be hired.

- Mr. Longreen noted that the current part time operator is no longer a part time operator. His license will hang on the wall. That will be the extent of his duties due to problems that have occurred. Mr. Cassel has agreed to work 7 days a week until a part time operator is hired. Discussion was held on the situation and what involvement the part time operator will have with the plant.
- **Mr. Espenshade made a motion to hire Curt Cassel as the Wastewater Treatment Plant Operator at a salary of \$46,500.00 per year. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

## **PLGIT ACCOUNT FOR OPERATIONS AND MAINTENANCE AND PARK AND REC FUNDS**

Mrs. Casey requested permission to open PLGIT accounts for the O&M capital fund and the Park and Rec Subdivision Fee fund.

- **Mr. Rish made a motion to authorize Mrs. Casey to open 2 PLGIT accounts, one for Operations and Maintenance and one for the Park and Rec Funds. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

## **SANITARY SEWER CAPACITY AGREEMENT – TRIPLE DIAMOND CORPORATION**

Mrs. Casey noted that the agreement was approved last year, this is just the renewal for the agreement. Mr. Rish noted that the date needs to be changed to February 29, 2008 since it is a leap year.

- **Mr. Rish made a motion to sign the Sanitary Sewer Capacity Agreement with Triple Diamond with the date change of February 29, 2008. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

## **OTHER BUSINESS FROM THE BOARD**

Mr. Marshall suggested that the Township purchase a sign to put at the old Township building for the Tax Collector. Mr. Longreen noted that the Road Crew would be making one to put up.

## **BUSINESS FROM THE PUBLIC**

Richard Schock commented on the discussion from the Funck land development plan. A statement was made that the gravity flow was not possible since the line could not be put under Texas Eastern's pipe line. He felt that it was not a precedent to go underneath the lines and that the Township did not want to go under the lines. He thought that one pump should have been put in to drain the entire area which would have eliminated the individual grinder pumps. He felt that the decisions were made to save money. Mr. Longreen noted that Texas Eastern did not want the Township to go under the lines. Mr. Schock felt that the Township could have forced Texas Eastern to allow it to go under the lines.

An Executive Session will be held after the meeting to discuss personnel issues.

**Mr. Rish made a motion to adjourn the meeting. The meeting was adjourned at 9:10 P.M.**

Respectfully submitted,

Deborah A. Casey

cc: Marie Beaudet  
David Marshall  
Keith Espenshade  
George Rish  
Thomas Shutt  
Myles Kauffman  
Curt Cassel

Charles Longreen  
Planning Commission  
Light-Heigel & Associates  
Posted  
Zoning Hearing Board  
Pickering, Corts & Summerson