

EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
June 5, 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 7:02 P.M. Present were Supervisors Keith Espenshade, Dave Marshall, George Rish, and Tom Shutt.

Myles Kauffman, legal counsel; Roger Phillips, Engineer; Charles Longreen, Director of Public Works; Curt Cassel, Wastewater Treatment Plant Operator; 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.

A Public Hearing will be held at 7:30 PM for Ordinance 2007-03 which amends the submission date for subdivision/land development plans.

There will be an Executive Session after the meeting to discuss personnel issues.

APPROVAL OF THE MINUTES FROM MAY 16, 2007

Mr. Marshall made a motion to approve the May 16, 2007 minutes as written. Mr. Shutt seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 4 in favor, 0 opposed, 1 abstention. Mr. Rish abstained from voting since he was not at the last meeting.

Expenditures:

General Fund	\$ 27,703.98
Operations and Maintenance	\$ 5,673.73
State Fund	\$ 17,925.96
Street Light	\$ 220.51
Park and Rec	<u>\$ 341.17</u>
Total	\$ 51,865.35

Mr. Shutt made a motion to pay the bills. Mr. Marshall seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.

Receipts

General Fund	\$ 20,654.46
Operations & Maintenance	\$ 314.10
Sewer Project	\$ 985,715.42
Park & Recreation Fund	\$ 1,536.00

Available Funds

General Fund	\$ 614,262.35
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Operations & Maintenance	\$ 403,490.51
Street Light	\$ 6,558.53
State Fund	\$ 493,013.62
Public Sewer Fund	\$1,525,160.95
Park and Rec Fund	<u>\$ 114,335.88</u>
TOTAL	\$3,156,822.94

SIGNIFICANT CORRESPONDENCE

The Correspondence is available for review during normal office hours.

REPORTS

PARKS & RECREATION – JANET ESPENSHADE

No report.

PLANNING COMMISSION

No report.

PUBLIC WORKS – CHARLES LONGREEN

Mr. Longreen presented his report for the month of May.

- A meeting was held with Tom Donmoyer and Brian Yost of East Hanover Township, Lebanon County. They accepted the Township’s proposal to operate the Ono pump station. An Intermunicipal Agreement will be developed. Pump station training will be held on June 21st. Mr. Phillips will be providing samples of agreements.
- The contractor has begun work on the S. Meadow Lane Bridge.
- A request was received from Corporal Gaspich of the PA State Police for a speed limit study and posting on Dairy Lane.
- The Bow Creek Interceptor line was walked to go over the punch list.
- Mr. Longreen and Bob Fisher will be talking their test for pesticide certification on June 20th. A check will be needed for \$130.00 to cover the cost of the exam.
- **Mr. Rish made a motion to approve the expenditure for \$130.00 for the training. Mr. Shutt seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**
- Mr. Longreen asked for approval for the Road Crew to attend the PA Safety Day at HACC on June 14th from 8:00 AM until 2:30 PM. By consensus of the Board, permission was granted for the Road Crew to attend the seminar.

APPROVAL OF PAYMENT FOR BEAMS – S. MEADOW LANE BRIDGE

Mr. Phillips noted that paperwork for a certificate of title for the beams needs to be signed by the Township. The beams have been manufactured and are sitting at the manufacturer’s plant waiting to be moved to the construction site. The contractor has requested that the beams be paid for in the amount of \$34,881.00 and a certificate of title will be issued which transfers the ownership of the beams to the Township while still

at the manufacturer's property. A representative of PCS was present for the pouring of the beams.

- **Mr. Marshall made a motion to pay for the beams. Mr. Rish seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

EH LEBANON COUNTY – WWTP OPERATOR

- Mr. Longreen previously discussed the meeting held with EHT, Lebanon. He noted that Lebanon County has requested that the services be provided for longer than one year. Initially the request was only for one year and the proposal for one year. After one year, the proposal will need to be reviewed. Discussion was held on the subject. Mr. Marshall suggested that the agreement be reviewed after six months and then decide if the Township wishes to continue the agreement. Mr. Rish suggested that a time period be put into the agreement for withdrawal if the Township wishes to do so.

CURT CASSEL WASTEWATER TREATMENT PLANT OPERATOR – FULL TIME APPOINTMENT WITH BENEFITS

Mr. Longreen noted that Mr. Cassel's 90 day probation has expired and requested the he be appointed to the position full time with full benefits.

- **Mr. Shutt made a motion to appoint Mr. Cassel full time to the position with full benefits. Mr. Marshall seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

WORKNET – WORKERS' COMPENSATION

Mr. Longreen noted that the information and a fee schedule were provided to the Board. He is asking for a decision as to whether or not to use the services. Discussion was held on the subject. The service would provide an outpatient facility for someone who was injured on the job to go to vs. the emergency room. Treatment would be provided and a detailed analysis would be provided as to when the individual would be able to return to work. It would also be used for the Township's drug testing for CDLs.

- **Mr. Shutt made a motion to use Worknet for workers compensation injuries. Mr. Marshall seconded the motion. Mr. Rish noted that he would abstain from the vote since he did not know enough about the company. The Chairman asked for public comment; there was none. The motion was approved 4 in favor, Chairman Beaudet, Mr. Espenshade, Mr. Marshall, and Mr. Shutt; 0 opposed; 1 abstention, Mr. Rish.**

GRANTVILLE VOLUNTEER FIRE COMPANY – WAYNE ISETT

- On May 26th a Chicken and Pork Rib BBQ and blood drive was held. Both were successful.
- The Fire Co. put a bid in to purchase Colonial Park's utility fire police truck. The Fire Co. won the bid and will receive the truck for \$27,100.00. The truck will be purchased through Fireman Relief Funds.
- Ongoing training for the Fire Fighters is taking place.

- On June 9th, St. Johns United Methodist Church is using the Carnival Grounds for a concert.

USE OF SPECIAL FIRE POLICE

St. John's United Methodist Church is requesting use of the Fire Police for traffic control at a concert on Saturday June 9th from 6:00 PM until 8:30 PM at the Fire Co. Carnival grounds.

- **Mr. Marshall made a motion to allow the Fire Police to direct traffic at the Carnival providing that it has the manpower to do so. Mr. Shutt seconded the motion.** It was questioned as to whether or not the fire police were notified. It was indicated that they were. **The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN

- The Council will meet on June 25th at the municipal building.

EMERGENCY MANAGEMENT – JOHN NELLIGAN

- Twelve hours of training were done during May and 19 hours of administrative time were logged.

WWTP OPERATIONS AND MAINTENANCE – CURT CASSEL

Mr. Cassel presented his report. It is on file at the Municipal Building for review.

- Both SBR's units are back in service.

CODES AND ZONING

- Zoning, UCC Inspection and SEO reports for the month of May were provided to the Board of Supervisors.

ENGINEERS REPORT – ROGER PHILLIPS

The Engineer's report has been provided to the Board. It is on file at the Municipal Building for review.

HESS – REDUCTION OF LETTER OF CREDIT – CROSSROADS CAFÉ

Mr. Phillips noted that the property was reviewed was in 2004. A final inspection has been done. All of the items that were outstanding were taken care of with the exception of the no left hand turn sign onto Rt. 22, which was not listed on the plan. Mr. Longreen noted that it was required by PennDOT, however, it was only required because Rt. 22 should have a median which it does not have. Discussion was held on the sign.

- **Mr. Marshall made a motion to release the letter of credit for the Hess property, Crossroads Café. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

7:30 PM – PUBLIC HEARING FOR ORDINANCE 2007-03

Solicitor Kauffman noted that before the Board was Ordinance 2007-03 which changes the submission dates of Subdivision/Land Development Plans and Sketch Plans from

14 to 21 days. The public hearing has been scheduled for this time and location and has been properly advertised in The Sun and The Patriot.

- There was no public comment.
- There were no comments from the Board.
- **Mr. Marshall made a motion to approve Ordinance 2007-03. Mr. Shutt seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**
- The public hearing ended at 7:35 PM

RETURN TO ENGINEER'S REPORT

HOLIDAY INN – REDUCTION OF LETTER OF CREDIT

Mr. Phillips noted that the letter of credit was for maintenance of the stormwater facilities. The letter of credit was issued in 2002 and was for 18 months. The letter of credit was never released. Once the letter of credit is released, if the stormwater facilities are not maintained, the Township has the right to go in and lien the property. The Letter of Credit is for \$9,589.70. The recommendation is for a full reduction.

- **Mr. Rish made a motion to reduce the Holiday Inn's Letter of Credit by the amount of \$9,589.70 bringing the balance to 0. Mr. Marshall seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

PRESERVE AT BOW CREEK – REDUCTION OF LETTER OF CREDIT

Mr. Phillips noted that the reduction is for what has been completed to date for Phases II and III. The reduction is for \$190,205.00 which leaves a balance of \$1,506,101.26. The work has been inspected and the quantities approved.

- **Mr. Marshall made a motion to approve the reduction of the Letter of Credit for the Preserve at Bow Creek, Phases II and III in the amount of \$190,205.00. Mr. Rish seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

S. MEADOW LANE BRIDGE

Mr. Phillips reported that the contractor has been on site doing preparation on the bridge piers and the wing walls for construction. The rebar schedules have been approved. Once the prep work is done, then the beams will be brought in and set. The bridge should be complete within the next couple months.

SCOTT SHEARER – PFM PRESENTATION FOR REPAYMENT OF FULTON LOAN

Scott Shearer of Public Financial Management is a financial consultant for the Township. Mr. Shearer has been working with Mrs. Casey over the past few months regarding the repayment of the Fulton Loan.

- Mr. Shearer noted that the Fulton Loan for \$2,000,000.00 was entered into as a short term loan to begin construction of the treatment plant on Dairy Lane. The loan now needs to be paid off. A plan was formulated but was discovered it would not work due to some legal issues that related to borrowing funds.

- Mr. Shearer presented a plan for repayment of the loan. Currently there is around \$1.5 million dollars in the Township's construction fund for repayment of the loan. This money is from reimbursements from the PENNVEST loan of \$5.3 million dollars that was taken out for the construction of the new plant. There is still another \$265,000.00 that will be reimbursed to the Township from PENNVEST. This will bring the available funds to repay the loan to around \$1.8 million. Only around \$1.9 million has been drawn down from the loan.
- The Township is also in some early stages of a potential project for wastewater a couple years down the road. Based on the facts, one proposal is to use existing funds to retire most of the Fulton Bank line of credit. With the funds that will be available, it will leave a balance of around \$100,000.00. To take care of the outstanding payment, it is suggested that the Township take out a line of credit with Fulton for around \$500,000.00 which would pay off the \$100,000.00 owed and leave \$400,000.00 to start the design work if the potential project is needed. If the project does not materialize, then the additional money won't be needed and no interest will be paid on it. This will be a temporary loan structured for 2 years and after that time, it will be determined if the project will take place or not.
- Mr. Shearer noted that the current interest rate with Fulton Bank would be a variable rate of 55% of the prime interest rate. It is equivalent to a 4.55% interest rate at this time.
- A preliminary payback schedule was provided. Discussion was held on the payback. A new borrowing ordinance can be provided by the next meeting for the Boards review.
- Mrs. Casey asked what would happen if the entire line of credit was not needed. Mr. Shearer noted that only the money used would have to be paid off with either existing Township funds or financing it. This would give the Township some flexibility. There would be interest payments every 6 months only on the amount that was drawn down on the line of credit.
- Mr. Rish asked if other institutions were investigated for the financing. Mr. Shearer noted that they looked at Fulton since the existing loan is through them. They have also gone through quite a few bidding processes for other people and Fulton has provided the most reasonable rates. The rate will stay the same regardless as to how much the Township decides to borrow. Since it is a variable rate, it will change every time the prime rate changes but will still be at 55% of the prime rate.
- Mrs. Casey noted that the only option not to refinance the deficit of the repayment is to use the funds in the Sewer Project fund and tapping fees and reserve capacity fees in the Operations and Maintenance account to make up the remainder of the funds. The tapping fees and reserve capacity fees are not budgeted for operations of the treatment plant and are reserved as capital improvement funds for future use.
- Discussion was held on the loan. Mr. Marshall suggested that what money is available in the Sewer Project be used to pay down the existing Fulton loan and then take out a line of credit for around \$500,000.00, use what funds the Township has available to pay off the loan and have the line of credit available for any problems that may arise with the plant.

- Mr. Shearer noted that with the cash sitting in an investment account, it is earning a good interest rate and using those available funds would lessen the amount received in interest. He commented that he has been having discussions with Fulton Bank and it indicated that the Township should use its existing PENNVEST monies to pay off what it can and then find out what is outstanding and work on how to pay that off.
- Mr. Espenshade felt that from the discussion held, the line of credit is what the Township should enter into. He saw no reason not to proceed with the line of credit and then decide at the next meeting how we are going to pay off the existing loan.
- **Mr. Marshall made a motion to establish a line of credit for \$500,000.00 with the Fulton Bank using the finance team to set it up. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**
- Mr. Shearer noted that on June 19th he will be at the meeting with the borrowing ordinance and then set a public hearing.

UNFINISHED BUSINESS

STORMWATER MANAGEMENT - THOMPSON

No report.

DEFINITION OF FRONT YARD IN ZONING ORDINANCE 2007-04

- The ordinance has been provided to the Board. The Planning Commission has approved the change and DCPC has provided comments.
- Mr. Rish noted that DCPC indicates that the ordinance is confusing. Mr. Phillips noted that he has seen the comments and did not agree with them. Mr. Marshall noted that since the diagram was added, it is not as confusing.
- **Mr. Marshall made a motion to advertise Ordinance 2007-04 for a public hearing on July 3rd at 7:30 PM. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

NOISE ORDINANCE

Mr. Phillips noted that a draft is being prepared.

CURATIVE AMENDMENT – ORDINANCE 2007-02

Public hearing is scheduled for June 19th at 7:30 PM.

VILLA ROSA

No report.

ACT 209

No report.

NEW BUSINESS

REAPPROVAL OF THE FUNCK LAND DEVELOPMENT PLAN

Mrs. Casey noted that no changes have been made to the plan but the 90 days has expired.

- **Mr. Rish made a motion to reapprove the Funck land development plan due to the expiration of the date. Mr. Marshall seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

GRANTVILLE VOLUNTEER FIRE COMPANY – EXTENSION OF TIME

The Fire Company is granting the Board a 90 day extension of time for its plan.

- **Mr. Rish made a motion to accept the grant of an extension for 90 days. Mr. Espenshade seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

PENN NATIONAL LAND DEVELOPMENT PLAN – ACCEPT FOR REVIEW

A Preliminary/Final Land Development plan to relocate the existing maintenance facilities and construct a manure storage building. Ten waivers were requested.

- Jim McCarthy of McCarthy Engineering and Charlie Courtney of McNees, Wallace and Nurick were present to represent the plan.
- Mr. McCarthy noted that the existing maintenance facilities will be demolished and relocated. The other area having work done is near the wastewater treatment plant where a manure storage building will be constructed. The building will be partially enclosed to prevent runoff of the manure from rains.
- Mr. Espenshade asked about the minimum right-of-way dedication. He did not feel that it needed to be noted on the plan. Mr. Phillips noted that he would have no objection to not having the note on the plan.
- Mr. Marshall noted that there have been questions about rats coming from Penn National. Mr. McCarthy commented that he had not heard about it but it would be checked into.
- Mr. Shutt asked if the manure would be enclosed. Mr. McCarthy noted that it would be in a 3 sided roofed building. A nutrient management plan has been filed with the Township.
- **Mr. Marshall made a motion to accept Penn National's land development plan for review. Mr. Shutt seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

ERWIN SUBDIVISION PLAN – ACCEPT FOR REVIEW

The purpose of the plan is to subdivide Lot #2 around the existing dwelling from the parent 11.980 acre tract to obtain a mortgage. No building or construction is being proposed with the plan. A variance has been approved by the Zoning Hearing Board regarding the residual 10 acres on the plan. There are 4 waivers requested.

- Mrs. Casey noted that no one was present to represent the plan.

- **Mr. Marshall made a motion to accept the Erwin subdivision plan for review. Mr. Rish seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

SUMMER NEWSLETTER – APPROVAL

- **Mr. Marshall made a motion to approve the East Hanover Township Summer Newsletter as presented. Mr. Shutt seconded the motion. The Chairman asked for public comment; there was none. The motion was approved 5 in favor, 0 opposed.**

DRAINAGE ON WEST CAREN DRIVE

Chairman Beudet commented that she was contacted about the problem. Someone put a mound of dirt around 3 to 4 feet high in-between the drainage to the lake. The water from rains now goes back onto people's properties. At the point the Township was rezoned, it was indicated that there was a 60 foot easement around the lake for the Township to manage stormwater.

- Discussion was held on the easement, the mound, the location and property flooding.
- Mr. Longreen will check out the properties to locate the mound and the problem.

OTHER BUSINESS FROM THE BOARD

Chairman Beudet noted that Mrs. Casey was presented with an above and beyond award in March. The award has now been received and was presented to Mrs. Casey.

Mr. Espenshade asked if the Shaffer situation was investigated.

- Mr. Longreen noted that it was. The problem is that below the driveway, the swale is not being maintained. Mr. Shaffer wants it cleaned out. One of the Township's drains for storm water runs through the swale. Trees have been planted along the swale and have not been maintained which is causing the problem. The water is still getting away from the property unless there is a major downpour. The Road Crew will clean out part of the area so the flow is improved, but he felt that it is the property owner's responsibility to maintain it since it is on his property. There is probably a Township stormwater easement if it can be located on the subdivision plan.

Mr. Marshall noted that he was at a timber show at Penn State and picked up some information that related to timbering ordinances. He provided that information to the Board.

BUSINESS FROM THE PUBLIC

Richard Schock noted that since Jonestown Rd. has been repaved, there are a lot of tractor trailers using the road. The trucks that are going east usually turn back since there is a weight limit on the bridge over the Bow Creek. He also felt that truck traffic is increased at times because of weight limit checks on I81.

- Discussion was held on the subject.

- Mr. Schock felt that there should be a sign. Mr. Longreen noted that signs are only required at the nearest location for a turn around and signs are posted at Spring Rd. Mr. Schock noted that signs could be posted for local delivery only. He felt that the road will deteriorate with heavy truck traffic.
- Mr. Espenshade felt that the truck traffic should be kept off the road because of the many driveways that come onto the road.
- Mr. Schock noted that there is also the bad intersection at Sand Beach/Shells Church Rd.
- Mr. Phillips and Mr. Longreen will look into whether or not truck traffic can be kept off the road.
- Discussion was held on posting a weight limit on the road. Mr. Longreen did not feel that a weight limit would be approved because of the thickness of the road. Discussion was held on where the trucks turn around.

A resident asked for clarification on the May 16th minutes regarding the repayment of the \$2,000,000.00 Fulton loan. The minutes indicated that the Fulton loan would be paid off and the Township would retain its cash if Englewood and Partridge Hills needed to be sewerred. He asked if the loan payment is predicated on the hookup of those developments.

- Mrs. Casey noted that repayment of the loan has nothing to do with whether or not Partridge Hills and Englewood hook up to the treatment plant. The loan payback would be from existing funds and not projected funds.
- Chairman Beaudet noted that the line of credit is to cover any costs that might occur if the developments needed to be hooked up. If the area does not need sewage, then the line of credit would not be drawn on and the Township does not owe any money.
- The resident asked about the water testing that is being done in Englewood and Partridge Hills and questioned if it would be 25% of the homes or 100%. Chairman Beaudet noted that it is every home that agrees to be tested.

Jeff Neely asked if the Harounzadeh & Christianson was approved. It was noted that it was. Mr. Neely commented that he addressed the Planning Commission about the junk that is sitting on the property. A track hoe was brought in to remove tanks and during the process destroyed the stormwater pipe that was coming off the property. The area is a mess. There is someone living in the area using a portable toilet vs. an indoor plumbing system. He would like to have the area cleaned up.

- Mr. Espenshade noted that the plan was just a correction of lot lines and no land development.
- Mr. Neely noted that when he approached the Planning Commission, he commented that it would nice to get the area cleaned up before the plan is approved.
- Discussion was held on the subject and where the property was.
- Mr. Neely noted that he contacted the zoning officer and it was requested that a letter be sent to address the issue.
- It was noted that the Zoning Officer will be directed to investigate the property.

Mr. Rish made a motion to adjourn the meeting. The meeting was adjourned at 8:45 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