

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING  
8848 Jonestown Road, Grantville, PA 17028  
March 4, 2008**

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 7:01 P.M. Present were Supervisors Keith Espenshade, Dave Marshall, Tom Shutt, and Larry Spitler.

Scott Wyland, Solicitor; Norman Ulrich, Engineer; Charles Longreen, Director of Public Works; Curtis Cassel, WWTP Operator; and Deborah Casey, Secretary-Treasurer were also present.

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

**There was an Executive Session held on February 28<sup>th</sup> to discuss personnel issues.**

**APPROVAL OF THE MEETING MINUTES FROM FEBRUARY 19, 2008**

**Mr. Shutt made a motion to approve the February 19, 2008, minutes as written. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Expenditures:

General Fund	\$ 38,368.34
Operations and Maintenance	\$ 9,154.35
State Fund	\$ 9,645.06
Street Light	\$ 201.96
Park and Rec	\$ <u>160.52</u>
Total	\$ 57,530.23

Mr. Marshall questioned the inspection fees from Light-Heigel. Mrs. Casey noted the Board was given a spreadsheet from Light-Heigel that listed permit fees and Light-Heigel's costs.

**Mr. Marshall made a motion to pay the bills. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Receipts

General Fund	\$ 63,295.00
Operations & Maintenance	\$ 13,202.00
Street Light	\$ 193.61
Park and Rec	\$ 137.00

Available Funds

General Fund	\$ 554,220.71
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Operations & Maintenance	\$ 195,018.27
Street Light	\$ 5,319.57
State Fund	\$ 259,345.12
Public Sewer Fund	\$ 3,932.24
Park and Rec Fund	<u>\$ 185,057.04</u>
TOTAL	\$1,202,892.95

### **SIGNIFICANT CORRESPONDENCE**

The Correspondence is available for review during normal office hours.

### **REPORTS**

#### **PLANNING COMMISSION – DAVID CRAIG**

No report.

#### **GINGRICH/JONES SUBDIVISION PLAN**

Brent McFeaters of Matthew & Hockley Associates and Robert Jones were present to represent the Plan. The Planning Commission recommended rejection of the plan to the Board of Supervisors.

- Brent McFeaters asked that the Board consider a time extension for the plan. The plan was submitted in April of 2007 and was reviewed by the Township's engineer and zoning officer. The June Planning Commission was attended by Mr. McFeaters and discussion was held on the lot being proposed. It was suggested that a variance be requested to address the zoning and engineer comments. The variance request was put on hold due to the fact that the property owners are going through a legal situation which has not allowed Mr. Jones to proceed with his plan. Mr. Jones does not want to incur any additional costs until the legal issues are resolved. Once the issue is resolved, Mr. Jones will proceed with the variance.
- Chairman Beudet noted that the Planning Commission recommended rejection of the plan and asked if Mr. Jones had considered waiting until the issue is resolved and then resubmit the plan. Mr. McFeaters noted if the plan had to be resubmitted, it would cost his client additional fees. Mr. Espenshade noted he did not have a problem with granting an extension and sending the plan back to the Planning Commission.
- It was indicated that this issue will be on the agenda for the next meeting. Mr. McFeaters will provide a letter for a grant of a 90 day extension.

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

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

- Mr. Spitler asked why an individual asked about a school bus being parked permanently on private property. Mr. Longreen noted a lady who lives on Brooksmill Rd. drives school bus and parks her bus at her home. An individual wants to buy a lot near the property but does not want to buy it if the school bus is going to be parked there.

- Richard Schock asked about the quotes for the generator. Mr. Longreen noted he had sent out for quotes but had not yet received any. Mr. Schock asked if the Board considered whether the Township needs a generator to run the pump station near the Emergency Management Building. Mr. Longreen noted it was considered. To run the pump station, it takes 3 phase. To get a generator big enough to run both the building and the pump station, the cost will increase and 2 transfer switches will be needed.

#### **PARK AND REC BOARD – JANET ESPENSHADE**

- The Bunny Breakfast will be held on March 15<sup>th</sup>.
- Mrs. Espenshade requested permission to purchase 4 benches for the baseball field. The cost is in the budget. Equipment magazines were reviewed for the cost.
- **Mr. Spitler made a motion to allow the Park and Rec Board to purchase benches. Mr. Marshall seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 4 in favor, 0 opposed.**
- Mrs. Espenshade noted she had 2 contracts that needed to be signed, one for the use of the baseball fields and one for the soccer fields.

#### **PART-TIME PARK AND REC DIRECTOR**

An Executive Session will be held on March 18<sup>th</sup> to interview the candidate.

#### **GRANTVILLE VOLUNTEER FIRE CO. – WAYNE ISETT**

- \$36,000.00 was received from Penn National as a result of one of its test nights.
- \$21,500.00 was received from the State to apply to the construction of the new Fire House.
- A Spaghetti Supper will be held on March 14<sup>th</sup>.
- The Fire Police Truck is out of service since the generator system burnt out. A rebuilt system will be put in.

#### **PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN**

- The next meeting will be held on March 24<sup>th</sup> at 7:00 PM and is open to the public.
- A new item will be put on the agenda. The Council is going to start working on the needs assessment for emergency services for the Township.

#### **EMERGENCY MANAGEMENT – JOHN NELLIGAN**

- A joint venture was entered into with the Lower Dauphin School District. The Township's Emergency Management Staff has reviewed, and documented all its comments on the LD Emergency Management Plan for the School District. The Plan for the East Hanover Township Elementary School has also been reviewed and commented on. A joint meeting will be held to review all comments. Volunteer staff has put in 60 hours of time on this plan.
- Mr. Spitler asked if the plan is reviewed on a regular basis. Mr. Nelligan noted the plan, once approved, will be reviewed on an annual basis.

### **WASTEWATER TREATMENT PLANT – CURT CASSEL**

Mr. Cassel presented his report for the month of February. It is available for review at the Municipal building.

- Mr. Cassel noted he would like to attend 2 continuing education programs which are required for his certification. One is Confined Space Training and the other is for Troubleshooting SBR's.
- **Mr. Marshall made a motion to allow Mr. Cassel to attend both the training programs. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

### **ENGINEERS REPORT – NORMAN ULRICH**

The Engineers report has been provided to the Board. A copy is available at the Municipal Building for review.

- The first review letter for the Royer minor subdivision has been issued.
- The Preserve at Bow Creek construction activities for the month of February were sidewalk construction, home construction, and maintenance of E&S controls.
- George Rish asked what the status was of the 3M Component of the Act 537 Plan. Mr. Ulrich noted a letter for a time extension was submitted to DEP. No response has been received to the letter; however, a verbal response indicated there would not be a problem with the extension.

### **ERIC EPSTEIN - EFMR**

Chairman Beaudet read Mr. Epstein's report. It is available at the Municipal Building for review. The report related to the monies the Township would receive from the gaming at Penn National. The projected initial revenue is expected to be \$937,551.00, adjusted upward for inflation.

- Mr. Epstein's report suggested that the Township set up a meeting with representatives from Dauphin and Lebanon counties to work toward an inter-governmental cooperation agreement.
- Mr. Wyland noted Mr. Epstein's report explained the breakdown of the distribution of funds from the Casino. The Department of Revenue has yet to make a final determination of the distribution of funds.
- Mr. Spitler asked about the distribution of funds between the East Hanover's. Solicitor Wyland explained that if a site is located in 2 different counties, then a ratio is used as to how much property is located in each county.
- Chuck Mundy asked if the Memorandum of Understanding was signed. It was noted the agreement has not been signed by Township officials at this time.
- George Rish asked if the agreement had been signed, it was noted that the agreement has not yet been sent to the Township and none of the Supervisors has signed the agreement. Mr. Rish asked if the agreement would be available to the public for review before a final vote. It was noted it would.

## UNFINISHED BUSINESS

### STORMWATER MANAGEMENT - THOMPSON

A site visit was done and a letter will be sent regarding the results.

### VILLA ROSA/ NO LEFT TURN

No report.

### GRANTVILLE VOLUNTEER FIRE COMPANY LAND DEVELOPMENT PLAN

The Fire Company is still waiting for one more document before the plan is considered for approval.

### UPDATE OF PENDING STORMWATER ORDINANCE 2008-01

Chairman Beaudet noted the ordinance has been completed and has been posted on the website as each revision was made. The Planning Commission has recommended approval to the Board of Supervisors. Bob Christoff from DCCD provided comments to the ordinance, which were supportive. Notification of the ordinance has been sent to DEP, DCNR, DCPC, SRBC and neighboring Townships as a courtesy. The Township has received no comments. The Township has received no comments from residents. The ordinance has been reviewed by the Township's legal and engineering consultants and has received approval from those entities.

- Mr. Marshall asked if comments were received from DCPC. It was noted comments had not been received. Mr. Ulrich commented that DCPC has been provided the ordinance for review. Mr. Marshall noted he is not comfortable setting a date for the public hearing since he has not had time to read the ordinance and the additional comments.
- Mr. Spitler noted he has not had the time to review the entire ordinance. Chairman Beaudet noted the public hearing for the ordinance would not be until March 18<sup>th</sup>. The ordinance needs to be adopted by the end of the month to be eligible for reimbursement of the costs this year. Mr. Marshall noted he would not be prepared for the public hearing since he would not have time to review it.
- Chairman Beaudet noted the ordinance has been on the website since its inception and many open meetings have been held on it. Professionals have been involved in the process.
- **Mr. Shutt made a motion to have a public hearing on March 18<sup>th</sup> and to advertise. Mr. Shutt amended his motion to include the possible adoption of the ordinance. Chairman Beaudet seconded the motion. The Chairman asked for public comment.** Richard Schock did not understand the comment about losing the monies for a grant and asked if it was an official document. Mr. Ulrich noted that if it is in the form of an application, then it is an official document. Discussion continued. **The motion was approved 4 in favor, Chairman Beaudet, Mr. Espenshade, Mr. Shutt, and Mr. Spitler; 1 opposed, Mr. Marshall.**
- Mrs. Casey asked if the Board would like to have a court reporter do the transcript for the public hearing for the ordinance.

- **Mr. Espenshade made a motion to obtain a court reporter for the public hearing, obtain a transcript and that transcript be included in the minutes of the meeting. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

## **VERIZON – CONSTRUCTION ISSUES**

No report.

## **E. CAREN DRIVE - PAVING**

The road will be reviewed by the Board in the spring.

## **APPOINTMENT TO COUNTY COMMITTEE FOR FLOOD MITIGATION**

Chairman Beudet noted this is an appointment to the Dauphin County Stormwater Watershed Plan Advisory Committee. This consists of 2 meetings. Discussion was held on the subject.

- **Mr. Espenshade made a motion to allow Jaromir Kovarik to continue with the project and allow him to represent the Township. Mr. Shutt seconded the motion. The motion was approved 4 in favor, Chairman Beudet, Mr. Espenshade, Mr. Shutt and Mr. Spitler; 1 opposed, Mr. Marshall.**

## **NEW BUSINESS**

### **RESOLUTION 2008-05 – PAYMENT OF INTERIM BILLS**

The resolution is to authorize the Township Treasurer to approve certain operating disbursements that may come due between meetings. This would include wages of employees and all other usual and ordinary expenses in amounts up to and including \$20,000.00 each.

- Mr. Espenshade felt that the \$20,000.00 each was too much and could be a lot of money that would go out of the Township before Board approval.
- Mr. Marshall commented that payroll was already approved at the beginning of the year and should not be included in the \$20,000.00.
- Solicitor Wyland noted the Board could eliminate the word “each” and make it an aggregate for the month. This resolution is only to cover the normal monthly bills.
- Mr. Marshall noted that if a large bill was received between meetings a special meeting could be called to approve the bill. He does not have a problem with paying the normal expenses but felt the total amount should be \$20,000.00, not each.
- Solicitor Wyland indicated action could be tabled and the Resolution tightened up if the Board chooses.
- Mr. Espenshade asked if \$20,000.00 total would be sufficient to cover any bills that would need to be paid. Mrs. Casey felt it would.
- Solicitor Wyland suggested the word “each” be crossed out and be replaced with “total” and the Board could vote on it.

- **Mr. Marshall made a motion to adopt Resolution 2008-05 with the correction of removing “each” and replacing it with “total”. Mr. Spittler seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

#### **RESOLUTION 2008-06 – IINTERIM IMPACT FEE**

This resolution will allow the Township to charge an interim traffic impact fee for anticipated peak hours at \$1,000.00 per vehicle trip. This is for new development and will remain in effect for 18 months while the Act 209 Committee has completed its study and provides a fixed fee. This fee will cover expenses created by increased traffic from development.

- Keith Oellig asked if the peak hour had been determined for the assessment. It was noted it had not yet been determined. Mr. Oellig felt it should be in the resolution in case a developer would come into the Township in the near future. Mike Webb noted the peak hour is determined by each individual situation.
- Richard Schock felt that the resolution was for a tax and not a fee.
- **Mr. Espenshade made a motion to approve Resolution 2008-06. Mr. Marshall seconded the motion. The Chairman asked for public comment, there were no additional comments. The motion was approved 5 in favor, 0 opposed.**

#### **CHRIS SCOTT – MAMADA CREEK**

Chris Scott from West Hanover Township thanked the Board for allowing him to speak. He noted that a few months ago, a developer decided to build a hotel in West Hanover Township in the back of a residential neighborhood. The West Hanover Planning Commission voted to recommended approval by a vote of 4 to 3, and the Board of Supervisors approved the plan by a 3 to 2 vote. The project will have a dramatic stormwater affect on East Hanover Township since it will be emptying stormwater directly into the Manada Creek. The location of the discharge will be very close to East Hanover Township. Mr. Scott commented the project had close scrutiny by West Hanover, and East Hanover was kind enough to send its engineer to review the plan the Monday before the Board of Supervisors meeting and provided a report to West Hanover’s Board which was critical of some portions of the project. The report was given to West Hanover’s Manager to give to the Board. In part, the project moved forward because West Hanover has an ordinance called the “no harm option”. Dauphin County Conservation District has made an observation that the cumulative affect of the no harm option could be a disaster for East Hanover Township. Another project that will affect the runoff is Old Towne Hanover which borders East Hanover. Mr. Scott asked that the Board take a hard look at these issues. Mr. Scott noted he has read East Hanover’s proposed Stormwater Ordinance and on page 91 there are sections 1 through 8. No. 8 says approved by the Township’s engineer, provide additional information as needed. He asked that the language be tightened up since developers will use other types of systems. He also encouraged that East Hanover enter into some sort of dialog to protect Manada Creek. He is currently attempting to have Manada Creek upgraded south of I81 to exceptional value. The water is good at this time.

- Norm Ulrich commented the reason for the wording in Section 8 is so that it is vague enough to give the Township the opportunity, but not necessarily require additional information if something new comes onto the market.
- Mr. Scott asked why hotel/motels were left out of the items indicated as hot spots. Mr. Ulrich noted hotels will have features common to them that are covered in hot spots, such as parking, etc.
- Mr. Scott felt that people don't pay attention to Manada Creek and help is needed to preserve it. He also commended the Township for its website and the response given to him by Mrs. Casey.
- Mr. Ulrich asked if Mr. Scott would be kind enough to provide the Township with the baseline that is being created for Manada Creek. Mr. Scott noted he would.
- Mr. Spittler asked if he was going to continue to monitor the water quality of the creek. Mr. Scott noted he would.
- Mr. Scott asked that East Hanover support the efforts being made to preserve the Manada Creek.
- Discussion was held on the Old Towne Hanover plan and the runoff that will be caused by development in West Hanover Township.
- Mr. Ostermeyer noted that Manada Creek starts on his property and when the water leaves his property, it is clean. Manada Creek also has native trout, which is one of the few in Pennsylvania that does. He felt there should be communication between the 2 Townships.
- Mr. Shutt thanked Mr. Scott and Mr. Ostermeyer for acknowledging the efforts of East Hanover.

#### **HAMPTON INN – DAUPHIN ENGINEERING**

Jeff Staub of Dauphin Engineering was present to represent K-88, owners of the Hampton Inn. The property is at the south west corner of the I81 Interchange. In 1993 the Board approved the land development plan for the project. It was a phased project and phase 1 was for developing the property as it is now. There are 79 rooms and it is a 4 story structure. The second part of the plan was for an addition on the site for 45 additional rooms.

- Chairman Beaudet asked if there were washers at the facility. Mr. Staub noted there were. Chairman Beaudet noted that currently, they do not have enough EDU's for the existing structure.
- Chairman Beaudet asked if phase 2 had been approved. Mr. Staub noted that it was shown on the plan and has been approved.
- Mr. Staub commented a meeting was held with the zoning officer in December as to what would have to be done to construct the addition. They were informed that because of age of the plan and the revised ordinances, they would have to submit a revised land development plan. Questions were also asked about connecting the 45 rooms to the public sewer and it was indicated there was currently no available capacity. Mr. Staub noted that there was another hotel that was allowed to be constructed since it had an approved sewer module. K88 has an approved module and Mr. Staub questioned as to whether or not there was an issue with filing the land development plan based on the approved

module, going through the process of approvals by the Township and then beginning construction.

- Mr. Ulrich asked if information could be provided to the Township regarding the sewer module, history of the project, etc. so that it can be reviewed before providing an answer to K88.
- Mr. Staub noted one of the issues his client is struggling with is that K88 was approached when the original treatment plant was being built and asked to be part of public sewer. When that happened, it took its package treatment plant system, which was permitted for the entire 120 unit hotel, off line. Now there is a dilemma since there is no package treatment plant and there are no EDU's available to connect to.
- Chairman Beaudet asked if it was on the permit that the hotel would have to connect to the Township's treatment plant. Mr. Staub thought it was.
- Mr. Marshall noted the plan became obsolete after 5 years. The current Board members do not know what the sewer module is. In order to reserve capacity, a fee has to be paid. He suggested the Engineer and Solicitor check into this issue and asked Mr. Staub to provide the Township with any information he has.
- Mr. Staub noted his client has paid a \$48,000.00 tap fee to the Township.
- Chairman Beaudet noted the 24 EDU's K88 has is not enough for the existing use. Mr. Espenshade commented the \$48,000.00 paid for the tapping fee was for the existing EDU's.
- Mr. Marshall commented it was his understanding that only the existing capacity was paid for. Research would need to be done to see if the additional capacity was reserved and paid for.
- Mr. Staub asked what the Township's plans were for expanding the plant. Chairman Beaudet noted the Township is currently under a consent order and is awaiting a decision on a 3M Component to the Act 537 Plan from DEP.

#### **VERIZON – RETRACTION LETTER**

Mr. Longreen commented the number that was put into the newsletter regarding problems with the digging of Verizon for the installation of cable is not the number that should be called. A representative of Verizon contacted Mr. Longreen and asked that a retraction be sent to residents regarding the contact number. The company to contact is Quantum Services and the number is 1-877-451-3312. It was made clear in the newsletter that the contact number was only for problems with digging, but residents are contacting the number for other issues. Mrs. Casey has a retraction letter ready to be sent once approval is given. This will go out, if approved, to residents in conjunction with a notice from the Lancaster County Tax Collection Bureau.

#### **LCTCB/MATCB – ANNOUNCEMENT**

Mrs. Casey reported an e-mail was received from the Lancaster County Tax Collection Bureau/Middletown Area Tax Collection Bureau regarding amnesty for interest, penalties, etc. It appears that individuals did not file tax returns and Mrs. Casey felt it was because the form had changed when the collection agency changed. Mrs. Casey suggested a notice be sent to residents, in conjunction with the Verizon Retraction Letter. The notice has been put on the website.

- **Mr. Marshall made a motion to send a letter to residents regarding the amnesty from LCTCB/MATCB and the Verizon retraction. Mr. Shutt seconded the motion. The Chairman asked for public comment.** Keith Oellig commented a resident from the Preserve at Bow Creek contacted him and his tax bill came from Lebanon County instead of Dauphin County. There is confusion since the residents have Palmyra addresses. Mr. Oellig asked how tax information is transferred. Mrs. Casey noted LCTCB collects Earned Income Tax and the Local Services Tax. It is up to the employer to submit the taxes to the local tax collection agency. **The motion was approved 5 in favor, 0 opposed.**

### **CLEAN STREET ORDINANCE**

Mr. Ulrich noted when development is taking place within a Township, any dirt leaving the site can be enforceable by the County or the Township. The County Conservation District is responsible for the enforcement since an Erosion and Sediment control plan has to be submitted to it. A Clean Street Ordinance would not take any powers away from the County Conservation District, but would give more power to the Township to enforce the issue.

- Mr. Espenshade commented he would like to see an ordinance pursued. Mr. Ulrich will forward sample ordinances to the Township for review.

### **OTHER BUSINESS FROM THE BOARD**

Chairman Beaudet asked that Mrs. Casey or Mrs. Eppinger send a letter to Bob Christoff of DCCD regarding a point of contact.

### **BUSINESS FROM THE PUBLIC**

John Geesaman questioned prepaid hookups to the sewer system.

- Mr. Marshall commented that prepaid hookups which have been allowed for are still valid.
- Mr. Geesaman noted he traded the right of ways for the sewer line to go through his property for hook ups. He would like to subdivide his property for 2 of his sons and would like to have the hookups since it is along the sewer line.
- Chairman Beaudet asked if the EDU's have been paid for yearly. Mr. Espenshade felt that Mr. Geesaman had an agreement with the Township. The agreement will be located to find out the details of the agreement.

David Boyd presented the notice that was put on residents doors before Verizon dug. He noted it was not just Verizon but also Comcast. Mr. Longreen noted Comcast and Verizon are working together in the development Mr. Boyd lives in. Mr. Boyd thought there would be more information in the newsletter regarding the situation. The gentleman's number that was in the newsletter was the one he contacted and he got results for the stopping of work. He commented that he did not receive a letter in the mail but a letter was attached to his door knob. His problem with his drain field has not yet been resolved. Mr. Longreen indicated that Mr. Boyd needs to contact the SEO, David Smith if there are still problems.

Richard Schock asked about the generator for the old building. He noted there had been talk about a generator for the pump station on Crawford Rd. He felt the time to discuss a generator for the pump station would be now since the Township was going to purchase a generator for the old building. He has looked at generators on the internet. Used generators are a lot cheaper than a new one. Mr. Schock continued discussing generators and the costs. Discussion continued on the generator that was previously approved by the Board. It was noted the generator approved was for the Emergency Management building, not the pump station. Discussion continued. Mr. Marshall asked if there would be a licensed professional when the generator is hooked up. Mr. Nelligan noted that a licensed professional would be present to do the hook up.

**Mr. Espenshade made a motion to adjourn the meeting. The meeting was adjourned at 9:31 PM.**

Respectfully submitted,

Deborah A. Casey

cc:	Marie Beaudet	Charles Longreen
	David Marshall	Planning Commission
	Keith Espenshade	Light-Heigel & Associates
	Larry Spittler	Posted
	Thomas Shutt	Zoning Hearing Board
	Hawke, McKeon & Sniscak	LTL Consultants
	Curt Cassel	