

EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
May 6, 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 7:05 P.M. Present were Supervisors Keith Espenshade, Dave Marshall, Tom Shutt, and Larry Spitler.

Scott Wyland, Solicitor; Norman Ulrich, Engineer; David Smith, Codes and Zoning; Charles Longreen, Director of Public Works; Curtis Cassel WWTP Operator; and Dawn Eppinger, Administrative Assistant 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 A CONDITIONAL USE FOR THE GRANTVILLE MINISTERIUM

A PUBLIC MEETING WILL BE HELD ON MAY 8TH BEGINNING AT 7:00 PM TO DISCUSS THE 3M COMPONENT

APPROVAL OF THE MEETING MINUTES FROM APRIL 15, 2008

Mr. Shutt made a motion to approve the April 15, 2008 Meeting minutes as written. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.

Expenditures:

General Fund	\$ 120,804.56
Operations and Maintenance	\$ 47,195.92
Street Light	\$ 201.98
Park and Rec	<u>\$ 6,069.68</u>
Total	\$ 174,272.14

The KTHL invoice on the April 15th expenditures has not yet been mailed. April's invoice was received in the amount of \$11,925.00. Eric Epstein's costs were received for the MOU, \$19,825.00 and for the month of April \$4,025.00

Mr. Marshall suggested the bills for KTHL and Mr. Epstein be postponed until the next meeting so the Board has the time to review them.

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	\$ 603,424.71
Operations & Maintenance	\$ 91,968.98
Street Light	\$ 507.95
Park and Rec	\$ 7,000.00

Available Funds

General Fund	\$ 790,838.35
Operations & Maintenance	\$ 201,736.37
Street Light	\$ 6,662.27
State Fund	\$ 466,792.14
Public Sewer Fund	\$ 3,942.40
Park and Rec Fund	<u>\$ 181,611.77</u>
TOTAL	\$1,651,178.30

SIGNIFICANT CORRESPONDENCE

The Correspondence is available for review during normal office hours.

REPORTS

ERIC EPSTEIN

- Mr. Epstein noted the billing for EFMR is for the business and not himself. This covered the period of September through April for the MOU, and contains his and Mr. Stein's expenses.
- A meeting was held with DCPC regarding funding. DCPC is not looking at East Hanover as a growth band. Mr. Epstein felt that needed to be reconsidered. Information was also provided to DCPC regarding bridges.
- At some point, the Board will need to give direction regarding the Lebanon County issue. The Gaming Control Board will now entertain comments regarding the re-definition of what is and what is not a casino. Mr. Epstein did not believe Lebanon got any money from gaming. If the new ruling goes through, the physical property which is in East Hanover Dauphin County will be defined as the casino. EH Lebanon County will have an impact as a result of the Casino, and it appears they will not get any revenue. There is not much time to make comments and the Township needs to support EH Lebanon.
- Solicitor Wyland suggested the Board authorize him to coordinate between EHT and Lebanon County. If they supply comments, he can file a letter of support for the comments. Mr. Epstein suggested the 2 Township's solicitors talk with each other to see what EHT Lebanon wants to do.
- By general consensus of the Board, Solicitor Wyland will contact EHT Lebanon's solicitor.
- Mr. Spitler asked what prompted the change. Mr. Epstein noted the Gaming Control Board thought Lebanon County was not going to get any funding. It was Dauphin County's and some other individuals' interpretation that Lebanon County would get a pro-rata share. He felt the Gaming Control Board wanted to make sure it was clear as to who would get monies.
- Mr. Epstein suggested May 15th be the day the Township discusses the MOU. It looks as if the County will be approving the MOU that day. He recommended a public meeting be held beginning at 5:00 PM so questions can be answered. The MOU is only 3 pages but will have a large impact on everyone. A Public Hearing would then be held at 7:00 PM. The County Commissioners and the IDA have agreed to come to the Township.

- Discussion was held on the times. Mr. Epstein noted he could be present at any time to discuss residents' questions and do a formal presentation.
- **Mr. Shutt made a motion to advertise for the MOU meeting on May 15th.** The times for the meetings will be Mr. Epstein is available to answer questions beginning at 5:00 PM. The Public meeting will begin at 6:00 PM and the Public Hearing at 7:30. **Mr. Marshall seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

PARK AND RECREATION BOARD – JANET ESPENSHADE

- The Park and Rec Board met on May 5th. The Pre-School Summer Rec program will begin on May 12th.
- Three proposals have been received for the fencing around the fields. Tyson Fence, Agway, and Central Penn. The Park and Rec Board would like to accept the proposal from Central Penn. The fence at the old sewer plant would be used for the ball fields.
- **Mr. Marshall made a motion to allow the Park and Rec Board to accept the Central Penn Fencing Company proposal in the amount of \$1,450.00 for labor and materials to use the used fence for the park. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

CONDITIONAL USE HEARING – GRANTVILLE MINISTERIUM – 7:32 PM

Solicitor Wyland noted it is the time and place advertised for the public hearing for a conditional use application for the Grantville Ministerium. The conditional use is for the construction of a 1,480 square feet addition to the church office to relocate the Grantville Food Pantry. The hearing has been appropriately advertised and posted. The Planning Commission has reviewed the application and has recommended approval with 2 conditions, 1 is a side yard set back and the other is to post the hours of operation. Solicitor Wyland asked for public comment.

- There was no public comment.
- Mr. Marshall asked why the hours had to be posted. Solicitor Wyland noted the Board is free to put any or no conditions on the application. It is not unusual to have the condition of posting hours.
- David Musser from Core Construction noted it was doing the design/build for the pantry. He thought the Planning Commissions concerns were to ensure that the operating hours of the Food Bank did not interfere with the operating hours of the Church.
- **Mr. Marshall made a motion to approve the Grantville Ministerium Food Pantry's conditional use. Mr. Shutt seconded the motion.** Solicitor Wyland asked if the motion included any conditions. **Mr. Marshall amended his motion to include the conditions of the side yard set backs and the requirement to post the hours of operation. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**
- The Public Hearing ended at 7:37 PM.

FENCING OF THE PARK

Mr. Espenshade noted the proposal from Central Penn voted on did not include all the costs involved.

- Janet Espenshade noted one of the proposals was for the back stop and the other for the fencing. Mr. Espenshade noted the one approved was for the backstop. The fencing was for \$8,200.00. The total for both will be \$9,650.00.
- Mr. Spitler asked for clarification. Mrs. Espenshade commented there is a hole in the backstop that is to be fixed for \$1,450.00. The \$8,200.00 is for the fencing around the fields.
- Mr. Marshall noted the proposal approved was to fix the hole in the backstop.
- **Mr. Marshall made a motion to accept the Central Penn Fence proposal to install the rest of the fencing for \$8,200.00; the total cost would \$9,650.00. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

APPROVAL OF THE SUMMER NEWSLETTER

- **Mr. Espenshade made a motion to approve the newsletter. Mr. Spitler seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

Mr. Longreen presented his report for April. It is available at the Municipal Building for review.

- Mr. Longreen asked permission to advertise for road materials and fuel.
- **Mr. Espenshade made a motion to allow Mr. Longreen to advertise for road materials and fuel. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**
- There was an offer for the old roller. The offer was for \$500.00. The roller was advertised in the past and no bids were received. The gentleman who made the offer will be restoring the roller.
- **Mr. Shutt made a motion to accept the offer of \$500.00 for the roller. Mr. Spitler seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**
- Mr. Longreen asked if anyone knew who did the electrical work on the installation of the grinder pumps on Caren Drive. It was noted that Gumpher did the work. Mr. Longreen asked if it was ok to use the company again to check out a grinder pump. It has been replaced several times in the past few years. By consensus of the Board, Mr. Longreen can contact Mr. Gumpher.
- Mr. Longreen noted there is a problem with the bridge over the Manada Creek on Jonestown Rd. He felt it needs to determine where the Township line is. West Hanover feels the Bridge belongs to East Hanover. Old minutes of meetings have been provided regarding discussions of a survey being done. Mr. Longreen commented that old documents indicated a feeder creek is the line. He is not sure what the feeder creek is unless it is the raceway from the old mill.

- Chairman Beaudet noted there are properties on the east side of the Manada Creek that pay taxes to West Hanover. She felt the line is questionable.
- Solicitor Wyland felt a title search should be done or perhaps a survey.
- Mr. Longreen commented that regardless of who owns the bridge, it should be a joint venture between the 2 Townships since it serves both. Mr. Longreen indicated that the Township needs to move quickly on the issue. To replace the bridge would cost approximately \$3.25 to \$3.5 million dollars. The bridge needs to be totally replaced. He would like to get the engineers started since there will be around a years work of paperwork to be done.
- Mr. Ulrich noted his firm will review the previous inspections to see what is going on. It needs to be determined as to who owns the bridge. LTL will do a field visit and do a bridge inspection before the next meeting.
- Solicitor Wyland will research the titles.
- Mr. Longreen commented that 4 feet out from the south parapet wall has to be barricaded. That will be done on Wednesday. Discussion was held on the barricades.
- Chairman Beaudet asked about a weight limit on the bridge. Mr. Ulrich noted that would be considered over the next few weeks. A report will be provided at the next Board meeting.
- Discussion was held on properties that cross the township line but are located in West Hanover Township.
- Solicitor Wyland noted HRG's letter recommended that the Township close the southbound shoulder to vehicular traffic immediately until the superstructure is repaired or replaced. The HRG May 2 letter reads "HRG recommends that East Hanover Township close the south (downstream) shoulder of Bridge EHT-4 to vehicular and pedestrian traffic, effective immediately. The bridge's south shoulder should be closed for a minimum distance of 4'- 0" from the inside face of the bridge barrier, for the entire length of the bridge. This should area should remain closed until either the concrete superstructure is properly repaired or is replaced."
- **Mr. Espenshade made a motion to authorize Mr. Longreen to close the portions of the road indicated in the May 2, 2008 letter from HRG, page 2, 2nd to the last paragraph. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.**

GRANTVILLE VOLUNTEER FIRE CO. – WAYNE ISETT

- The Fire Co. went through a Fireman's Relief audit by the State Auditor's Office. There were no write ups from the audit. Mr. Isett congratulated the past 3 year treasurers.
- A Chinese Raffle was held. Over \$1,100.00 in profit was made. Over 10 area businesses donated prizes.
- On May 24th there will be a Pork and Chicken BBQ at the Fire House. It is also open house day at the Fire House and there will be a blood drive.
- The 39'er is at the printers.
- In April, the Fire Co. turned 60 years old.

PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN

- The last meeting was March 24th. The Board has received the minutes.
- The Township's EMS provider has indicated that to date (March 24th) 132 calls have been responded to in East Hanover Township. There has been an increase in calls from last year. Responses to the Casino were 19. This is well below Mr. Nelligan's projected estimates. An increase is expected during the summer months. Management at the Casino is projecting 3 calls per day. Alcohol has not been a contributing factor in the calls.
- As a result of the increase in traffic on Rt. 743, the Council's State Police representative has witnessed the increased. The Cpl. is willing to join forces with the Township and the Council, and work with PennDOT relating to the intersection of Rt. 743 and Early's Mill Rd.
- The Council has been trying to work on the ISO report but progress is not being made. Three years of Fire Reports, 3 years of testing of fire pumps, 3 years history of hose testing, and 3 years history of personnel training is needed. There has been a negative response from the Fire Co. This is not from the administrative side of the Fire Co.
- One of the members of the Council has indicated that numerous people have come to him and indicated they have seen insurance reductions as a result of dry hydrants being installed in their areas. He thanked the Township for supporting the endeavor.
- Mr. Marshall noted that S. Meadow Ln. and Rt. 743 is another bad intersection and asked if it was discussed. Mr. Nelligan noted it is 2nd on the list.

EMERGENCY MANAGEMENT – JOHN NELLIGAN

- Mr. Nelligan attended an in-depth training session relating to transmission lines, specifically Buckeye Pipeline. It runs 2 lines through the Township.
- The generator has arrived, been installed and is operational.
- Chairman Beaudet asked that Mr. Nelligan share with Solicitor Wyland the information regarding special areas in the Township and the Township's plans.
- Chairman Beaudet asked who in the Fire Co. needs to get the information to Mr. Nelligan for the ISO audit. Mr. Isett noted the Fire Co. has not received a letter requesting the information. If a letter was received, the information would have been provided.

WASTEWATER TREATMENT PLANT – CURT CASSEL

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

CODES AND ZONING – DAVID SMITH

Mr. Smith noted he provided reports for Zoning, UCC Inspections, Penn National and SEO to the Board.

ENGINEERS REPORT – NORMAN ULRICH

- The Engineer's report is available for review at the Municipal Building.

- Royer Minor Subdivision Plan – LTL performed a site visit to verify plan information. The revised plan has been reviewed and a follow-up site visit performed.
- Triple Diamond – The one sewer manhole is in place. The breather valve is not yet in place. If the breather valve is not in place when PennDOT paves the area, the developer is responsible for restoring the road after it is installed.
- Plans have been prepared for the storage unit at the Park.
- The dust issue on E. Caren Dr. has been discussed with Mr. Longreen. Recommendations were made.
- Mr. Spitler asked what the status was on the Street Opening Ordinance. Mr. Ulrich felt the ordinance was close to completion and will be provided to the Board.

CHAPTER 94 REPORT – CHRIS HANNUM

Mr. Hannum noted the past Chapter 94 reports were reviewed in order to prepare the 2007 report. The previous reports were compared to the actual permit the Township has for the Dairy Lane wastewater treatment plant. The permit is tiered. It has an organic component and a hydraulic component. The organic component is listed in pounds and the hydraulic component is million gallons per day. The hydraulic component is used to come up with the organic load contained in the NPDES Permit. If that is the only thing considered, the plant can handle 250,000 gallons per day. However, if the actual permitted hydraulic flow is looked at; the plant is rated at 400,000 gallons per day based on the 3 month maximum daily average flow (worst loading). A copy of the Chapter 94 report has been provided to the Board, along with a letter and a copy of the DEP permit for the plant.

- The Chapter 94 report shows the hydraulic graph compared to what the plant is permitted for. Since 250,000 GPD were used in the past as the hydraulic limit, there were questions on the available capacity at the plant. LTL felt it was missing something using the past reports. Mr. Hannum put together a series of calculations to verify if there was any additional capacity. Conservative situations were looked at hydraulically and organically. LTL's recommendation is that there are around 400 EDU connections left within the system. A due diligence was done with DEP confirming that LTL's approach and understanding was one with DEP. Mr. Hannum also spoke with Mr. Cassel to confirm his thinking was along the lines of the operation staff. Mr. Hannum contacted the manufacturer of the plant and it confirmed the plant could handle 400,000 GPD.
- Mr. Hannum felt there are 400 additional connections available at the treatment plan. There is a small buffer of 47 EDU's that was added in. The capacity should be revisited every year.
- Chairman Beudet thanked LTL for its evaluation. She noted the Board was surprised at the results.
- Chuck Mundy asked if the 400 EDU's were more or less than past projections. Chairman Beudet commented the Township was told by one of the past engineering firms that there was no capacity.
- Mr. Hannum noted there are slight instrumentation modifications that will need to be done at the plant to regulate the flow in the tanks. It is his understanding from

the manufacturer those modifications can be done from a desk top or a control panel. In addition, 400,000 gallons running full out will be a considerable challenge. The plant can do it; however, moving forward, the Township may want to look for some additional manpower at the plant as the EDU's come on line.

- Chairman Beaudet noted it was discovered there were some irregularities in the sewer rates and the tapping fees that are currently being charged. Mr. Hannum noted the tapping fee is being reviewed and the calculations will be updated. The current operating budget of the treatment plant appears to indicate that some of the capital reserves were used to supplement the operating budget.
- Chuck Mundy asked what the total capacity of EDU's is at the plant. He noted it was indicated there were 400 additional hookups available at the plant. Mr. Hannum noted it would roughly be 275 gallons per day times 400. There is a higher organic capacity but you must go with the most limiting which is the hydraulic load. Mr. Mundy wanted to know the total EDU capacity of the plant was. It was noted there are approximately 1,300 EDU's the plant can handle.
- Chairman Beaudet commented someone had to know how much the plant could handle; possibly DEP, and the people that did the previous Chapter 94 reports. She felt the numbers did not add up in the past and there was concerns with the financial consultant doing the loan for the plant since the numbers were not adding up. The Township has been subsidizing the sewer plant since the rates were not high enough.
- There will be a meeting on May 8th and Mr. Hannum will be discussing the 3M Component.

UNFINISHED BUSINESS

STORMWATER MANAGEMENT - THOMPSON

Mr. Ulrich reported a letter was sent summarizing the issue. The Solicitor will be contacted to discuss the issue.

VILLA ROSA/ NO LEFT TURN

No report.

GRANTVILLE VOLUNTEER FIRE COMPANY LAND DEVELOPMENT PLAN

No report.

VERIZON – CONSTRUCTION ISSUES

- David Boyd noted he received an unannounced visit by the Verizon Attorney. Two Verizon engineers were also present. One was a Quantra Services engineer who is in charge of the contractor. The visit was to determine what is going on. The attorney asked Mr. Boyd if they could walk his property to evaluate the situation. Mr. Boyd asked if it was based on the meeting that was held with Verizon; the attorney indicated it was based on the PUC formal complaint. Mr. Boyd indicated he would show them the property and some of his documentation. Mr. Boyd felt the intent of the attorney was to downplay the

involvement of Verizon and to make it look like he was at fault in some way by planting his landscaping in the right-of-way and that is why Verizon burrowed under to avoid the landscaping. Mr. Boyd indicated to the attorney that he did not agree since residents are responsible for the land up to the street. He has not done anything different than other residents of the Township. It was also their intention to get the SEO report which had not yet been received. An e-mail was received by Mr. Boyd at a later date regarding the report, and he forwarded the report to the attorney with the disclaimer that he will not be responsible for the suggestion by the SEO's department that he perform a consultation by an engineering firm to evaluate the extent of the damage. He felt this is not his responsibility, and in his response to the e-mail, indicated he felt it was the attorney's intention to intimidate him. A copy of a letter the attorney sent him was what she sent to the PUC to get an extension of time to respond to the PUC. Mr. Boyd has not received anything from the PUC. He told the attorney he felt that it was unprofessional on her part and was intended to intimidate him with the unannounced visit. Mr. Boyd consulted with an engineering firm and the information was forwarded to the attorney. Mr. Williard (Light-Heigel SEO) suggested that a consultant come in and evaluate the property. Mr. Boyd and Mr. Epstein are in the process of compiling a letter to the PUC.

- Rosemarie Devers noted that as a tax payer, she would like to know who is the Township manager who visited her property with a Verizon manager and contractor without her knowledge. There was no knock on the door or a phone call. Then, on her behalf, had the audacity to provide a legal statement attesting to the fact "the work was done in a timely manner and restored beautifully, and the customer is satisfied." Verizon's own pictures attest to the fact that the work was shoddy. Handfuls of dirt were thrown on the area. Then straw was thrown down. The pictures show the rocks, the tire marks and the driveway which has still not been done. Recently some work has been done, and it is improved; but when the lawyer from Verizon came to the property, he said that even what has been done is not up to the standard by which the Devers maintain their property, and they will have the landscapers come in again to bring it up to the standard that the property is maintained. Mrs. Devers asked who is the manager that is trying to make the citizens look like fools. She is upset with the Township. Mr. Espenshade asked if there was a name available. Mrs. Devers noted that it just said Manager.
- Mr. Shutt felt that someone was playing games since the Township does not have a manager.

E. CAREN DRIVE - PAVING

Mr. Longreen noted the plan for E. Care Drive is that 3 to 4 inches of material will be removed. Then 3 to 4 inches of milling will be put down, and then rolled. Mr. Longreen's only question is as to whether or not the Board would like a drainage ditch installed along one side of the road. Mr. Espenshade and he had discussed this previously. Mr. Espenshade felt it could not hurt. Mr. Ulrich noted he had not yet had a chance to look at the road from a drainage standpoint. He would discuss it with Mr. Longreen. Discussion continued on the drainage.

- Mr. Marshall noted if a ditch is put along the road, it has to go somewhere and felt it will be too hard for it to go down into the ground.
- Mr. Espenshade commented what he was looking at was a place for the water to runoff and be stored, and hopefully dissipates before the next storm.
- Mr. Marshall was concerned the road could be softer than what is beneath it. The Township might want to consider putting some sort of sealant on the road to prevent the infiltration.
- Mr. Ulrich noted when you use millings, sometimes they can be dryer. One of the recommendations made was once the millings are applied; a sealant could be placed on the millings to secure the pavement.
- Mr. Spitler noted it appears some of the water is going to the north side and laying along the property lines. When it is graded, will the surface be lowered so the water can run off.

CLEAN STREET ORDINANCE

Mr. Ulrich spoke with Mr. Spitler to discuss dates for a meeting.

WINFINDALE PROPERTY

Mr. Ulrich noted a site visit was conducted and a letter sent to the Township discussing the issue. The Solicitor may need to be contacted regarding the liability issue.

MUNICIPAL SOLID WASTE/RECYCLE BID

The bids will be opened at Lower Paxton Township on Wednesday, May 7th at 2:00 PM and the Township will award the bid at the May 20th Board of Supervisors meeting.

BUILDING RENTAL RATES

This is tabled until the next meeting.

STORMWATER ORDINANCE – USE OF CONCRETE PIPE

There were questions regarding the ordinance. Those issues were addressed.

ACT 4

- **Mr. Spitler made a motion to have the Township participate in Act 4.** Chairman Beaudet noted if a farm is preserved, then taxes don't go up. **Chairman Beaudet seconded the motion.** Mr. Spitler asked if the Township agrees to participate, is there anything it needs to do. Solicitor Wyland noted he had not reviewed the Act at this time. If the Township so chooses, he will review the Act to see what need to be done. Mr. Spitler questioned Mr. Oellig as to the farms in the Township. Mr. Oellig noted there is only one in the Township. There are 6 in the School District. Mr. Oellig is not sure as to whether or not the County is willing to participate, nor another Township. Mr. Marshall had concerns there were no adjustments for inflation. Discussion continued. Mr. Shutt did not feel it was fair to the taxpayers to cut the taxes of one individual and not another. He is against the Act. Mr. Oellig noted if farmers were paying taxes on what they think their farms are worth, then there would be very few landowners that would be able to afford to keep their land in agriculture. Mr.

Shutt commented what is harming the farmer is prices, not taxes. **The motion was not approved 2 in favor, Chairman Beaudet and Mr. Spitler; 3 opposed, Mr. Espenshade, Mr. Marshall and Mr. Shutt.**

- Solicitor Wyland noted a letter was received from Superintendent Sheri Smith requesting a response from the Township. Mrs. Casey will reply to the letter.

TOWNSHIP GIS INITIATIVE

Mr. Ulrich noted that GIS can do so many things for the Township. He suggested a presentation be made at a meeting to discuss what can be done using GIS. The Engineer will do the presentation at the 2nd meeting in June.

NEW BUSINESS

COPIES OF 3M COMPONENT

Chairman Beaudet noted the Township does not have an electronic copy of the 3M Component. Mr. Mundy had requested an electronic copy.

- Chris Hannum commented LTL can provide an electronic copy or additional paper copies. The 3M Component is in draft form at this time and has not been adopted by the Township.
- Mr. Mundy did not see what the problem was in this computer age that a file cannot be forwarded.
- Mr. Hannum noted that in the draft form, it is not typically converted into a PDF format until it is adopted or requested. He commented if a copy is provided now, then it will need to be in writing so the Township can show DEP who requested and received the draft document.
- Mr. Mundy noted he did not have a problem with filling out a request form but the public hearing is on Thursday. Mr. Hannum noted the Township does have additional copies to be put out for public review. Mrs. Eppinger noted the public has been coming in to review the copies at the Municipal Building. They are not being given out for review.
- Mr. Spitler asked if Mr. Mundy has a problem coming into the municipal building to review the copies. Mr. Mundy noted he has been coming into the building to review the copies. All he has requested is a copy on a disk or it e-mailed to him.
- Solicitor Wyland noted if the Township had a PDF file with the information, it would not be a problem. The Engineer's have it in different types of files which many computers can't translate. The Township does not have an electronic file and if it did, it would provide it. All the Township has is a paper file. It may be by Thursday that the Engineer can get an electronic copy to the Township but there is access to a paper file.
- Mr. Mundy noted the Engineer has it in some format that could be e-mailed.
- Mr. Hannum noted the standard procedure for a 3M Component is that it is put out for public review. That review is done at the Township building especially during the draft phase. If an individual wants a copy, it is reproduced at a cost to the individual. If Mr. Mundy wants a copy of the 3M Component, he can have it but a record needs to be made of the official request. Mr. Mundy noted he could come in tomorrow to fill out a form, but he has already filled out a form for certain

pages and those were provided. He is just asking for the entire document if it is available.

- Mr. Spitler asked if there was any legal reason why Mr. Mundy could not have a copy of the document. Solicitor Wyland noted the Township does not have the electronic copy Mr. Mundy is asking for.
- Mr. Shutt commented that he felt Mrs. Eppinger would stay after the meeting so Mr. Mundy could fill out the form for his request. Mr. Mundy noted the rush was that the public meeting is on Thursday at 7:00 PM. Mr. Shutt commented that Mr. Mundy has been given the opportunity to fill out the form.

SEIDERS SEWAGE MODULE – SMALL FLOWS SYSTEM

Cammie Seiders, the owner of 693 Laudermilch Rd. was present. The home was purchased in 2001. At that time the septic system passed inspection. The house was put up for sale, was sold, but failed the septic system inspection. David Smith, SEO, was out to the house and the first soil test failed for a basic sound mound. The SEO and a soil scientist inspected the property to check in to the possibility of a peat moss system. That test also indicated that the soils were insufficient. The SEO recommended that they contact an engineer to look into a small flows system. Anita Stabile from CET Engineering was contacted to investigate the issue.

- Anita Stabile of CET Engineering noted she was hired by the Seiders to help with the failing system. When the system was inspected during the realty transfer, it was determined that it was a substandard septic tank with a discharge to a dry swale. That is no longer an acceptable system and the options available are a holding tank, which is not a long term solution, or a small flow treatment facility which provides different levels of treatment, with disinfectant prior to discharge to the dry stream. The Planning Commission has reviewed the Component 3S which is for small flows system which may be used in a repair situation. Several reviews have been done. Two conditions are attached to approval, one which is County review, has been done. The other is notification of the 14 property owners that about the stream swale. One of the landowners did provide comments and the Seiders have written back to that property owner.
- Chairman Beaudet noted the Dowhowers sent a letter and e-mail to the Township regarding the issue. The Dowhowers understand the situation; however they have small children that play in the area. Once you have the system in place, the Seiders' intend to sell the property which leaves the Dowhower's to deal with any problems that arise. They were unable to attend the meeting due to work schedules. The suggestion of a holding tank that is regulated may be a viable solution. It was noted that the e-mail was not received by Ms. Stabile.
- Discussion was held on the sewage module. It was noted a 4B has been signed by the County.
- Ms. Stabile noted Mr. Dowhower had contacted her and the issue was discussed. His home was built around 4 to 5 years ago in the development and the properties are around an acre each. The Seiders have been living there for 7 years and the septic tank effluent was being discharged and has been since

the house was built in the 40 or 50's. The repair would be a vast improvement over the current situation. It does follow DEP guidelines. The creek does cross the Dowhower's property. It is a dry swale except when it is raining. DEP would consider it a creek since there is a defined stream bank. There are regulations for dry stream discharge which would be complied with.

- Chairman Beaudet asked if the buyers are aware they will be using a small flows system and it has to be taken care of. Ms. Stabile noted the house is off the market until the issue is resolved. Part of the responsibilities of the planning module is an installation and maintenance agreement is signed between the owners and the Township which defines what needs to be done. That is also based on DEP's recommendations. Reports are to be filed and inspections made. The agreement would be passed to the new owners and would be part of their understanding of the purchase of the property. The Township would be responsible for following up.
- Chairman Beaudet asked if the system failed, would it be the Township's responsibility. Mr. Smith (SEO) noted the system would be looked at as the SEO for the Township; however, all systems are the responsibility of the Township. It needs to be ensured the agreement is worded that it is the property owner's responsibility to maintain and operate the system properly.
- Chairman Beaudet noted the Planning Commission recommended approval of the module condition upon applicant ensuring the answers to 4 and 5 are consistent between the Township and County, and also the applicant provide a written response to the Dowhower's. The written response to the Dowhower's was provided.
- Mr. Spitler asked if Mr. Smith reviewed the module. Mr. Smith noted it has been reviewed. There is a hierarchy of systems when you look at repairs. It would be great to be able to replace the system with an in ground system if the soils warranted it. Unfortunately that can't be done. DEP has a 10 step process in which you evaluate the site and go through the steps. The 10th step and worst step is a holding tank. The Seiders' plan is the step before a holding tank. The small flows system is a viable means of sewage disposal, it is an operational and acceptable system, and will operate if maintained properly. Maintenance applies to all systems. No matter what type of system, if it is not maintained, it will eventually fail.
- Ms. Stabile explained the system. There would be a standard tank and then there would be a filtering system. Mr. Smith noted this module is the planning phase of the procedure, not the permitting. The Seiders' are asking for approval from the Board to place this type of system on the property. If the Board approves the module, it then goes to DEP. DEP then has to approve it. Once DEP approval is received, Ms. Stabile has to create a NPDES Permit. This would be where she would get specific about the type and size of tank, disinfection, etc. All of the components must meet the standards DEP sets forth.
- Mr. Marshall thought that currently, the water flowing down the swale is only being treated by the septic system. He felt the small flows system would be much better than what is currently in place.

- Mr. Smith noted that the planning module is showing that it is going up slope, into the property approximately 40 feet further up slope so that when it goes into the dry swale, there is more area it can dissipate in vs. where the pipe is right now.
- Mr. Marshall noted if there is proper vegetation put in, there would probably be no water leaving the property, unless under severe rain conditions.
- **Mr. Spitler made a motion to allow the installation of a small flow treatment facility at the Seiders' residence located at 693 Laudermilch Rd.** Mr. Smith asked that the motion be for approving the planning module so that it can be forwarded to DEP. **Mr. Spitler changed is motion.**
- **Mr. Spitler made a motion to adopt the planning module and the resolution that is attached to it.** A number will be assigned to the resolution. **Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

PLANNING COMMISSION RESIGNATION

A letter was received from Ed Twaddell resigning from the Planning Commission.

- **Mr. Shutt made a motion to accept Mr. Twaddell's resignation from the Planning Commission. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

APPROVAL OF NEW PLANNING COMMISSION MEMBER

A letter of interest was received from Glenn Moyer showing interest in becoming a member of the Planning Commission. The Planning Commission has approved Mr. Moyer.

- **Mr. Shutt made a motion to appoint Glenn Moyer to the Planning Commission to replace Ed Twaddell. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.**

WAIVERS FOR DEANN MOBILE HOME PARK

Ambrose Heinz, attorney for Deann Mobile Home Park was present.

- The Zoning Officer was approached regarding the issue. At the time it was for one waiver. The letter was received with 8 waiver requests.
- Mr. Smith commented he was approached by a company called Affordable Lifetime Homes. They were interested in switching one of the mobile homes in the park. He provided them comments and informed them the lot was a substandard lot according to the current ordinance, and they would have to ask for a waiver. Mr. Smith anticipated evaluating one waiver, not 8. He is not prepared to discuss all 8 this evening.
- Mr. Heinz noted he was not involved in the original submission and neither was Deann Mobile Home Park. Affordable Lifetime Homes was the originator. When the comment letter from Mr. Smith was received, rather than proceeding on a piece meal basis for each lot, Deann wanted to address the non-conforming lots at one time. The sites are non-conforming as to the dimensional requirements in the ordinance. Mr. Heinz has a plan that shows the existing units that are non-conforming on the site.

- Chairman Beaudet asked if Mr. Smith was prepared. He indicated he was not. He only looked at one site, not the other 7. Chairman Beaudet noted each site might not have the same non-conforming problems.
- Mr. Heinz noted all the sites are non-conforming. Chairman Beaudet noted the Township does not know in what way there are non-conforming. Mr. Heinz noted the procedure is somewhat confusing since it is a separate ordinance and the issue is only a permitting issue. He felt the Board can waive these particular dimensional requirements as to the units within the park so the replacement units can be done.
- Solicitor Wyland commented the only issue is a procedural one. The original request was for 1 lot and it was expanded to 8. In basic fairness to the Township, it would like Mr. Smith to review the other sites to confirm for himself and the Township the waiver requests are the same. It would also allow the Township to review the large request and then act on it.
- Mr. Espenshade asked Mr. Heinz if every time a mobile home is replaced, he would be back to the Township requesting the same waiver. Mr. Heinz noted that was correct unless they can all be addressed at one time. Mr. Smith noted the assumption was correct, however, you may be replacing a single-wide with a double-wide and now it is one foot from the property line. To allow it to happen in perpetuity is not fair.
- Mr. Espenshade asked if single-wides are being replaced with double-wides on the 8 lots. Mr. Heinz did not know what lots are going to be replaced in the future. His client is proposing, at this point, replacement of the existing units with exactly the same or similar units on the existing pads. He did not know that there would be more than one request when Mr. Smith was approached. The determination was made after the comment letter was received from Mr. Smith.
- Mr. Heinz noted his client would be willing to come back with the additional request.
- Mr. Marshall commented he wanted to see what the existing unit was going to be replaced with for each waiver.
- Mr. Heinz commented the park is existing and they don't make the same size units that were made in the past.
- Farrah Orpen of RVG Management noted most of the homes in the park are 14 x 70, however, there are some 12 x 60 older homes. Those smaller homes are not sold very often and it was indicated that it is not known if they are even made anymore. If the older homes are replaced, they may not be able to be replaced with a home that is the same footage. There is no room for double-wide homes in the area being discussed.
- Mr. Smith commented that Mr. Heinz was about to submit a drawing showing the lots the waivers relate to. He does not have a copy of the plan and would like to review it and evaluate each lot.
- Chairman Beaudet felt Mr. Heinz needed to come back to the Board. Mr. Smith needs the information for review and the Board needs to know what each of the homes is being replaced with. Mr. Smith is the only one that can make the determination if the homes will be too close. Until he sees the plans he cannot

CHANGES TO SALDO – LTL CONSULTANTS

LTL has been reviewing the SALDO and found some issues that need to be changed.

- Mr. Ulrich noted that a letter will be prepared regarding the changes and this will be discussed at the next meeting.

OPEN RECORDS OFFICER

The Township needs to appoint an Open Records Officer. It was suggested that Dawn Eppinger, Administrative Assistant be appointed.

- **Mr. Espenshade made a motion to appoint Dawn Eppinger as the Open Records Officer. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.**

RVG MANAGEMENT AND DEVELOPMENT CO. – ZONING CHANGE REQUEST

A zoning change request has been received from RVG Management. This request needs to be forwarded to the Planning Commission and DCPC for Review.

- **Mr. Marshall made a motion to forward the zoning change request from RVG Management to the East Hanover Township Planning Commission and the Dauphin County Planning Commission. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

RIGHT OF FIRST REFUSAL LETTER – STITELER PROPERTY

Chairman Beaudet commented she has been in contact with Ms. Stiteler. She indicated she would give the Township a right of first refusal for any and/or all parts of her property that would be sold that are adjacent to the Township. The Township solicitor would write a letter and Ms. Stiteler would sign it. The letter would indicate if Ms. Stiteler puts her property up for sale and receives an offer, she has the right of first refusal. If an offer is made, the Township would have the right to look at the property first.

- **Mr. Espenshade made a motion to proceed with the letter. Mr. Spitler seconded the motion. The motion was approved 5 in favor, 0 opposed.**

OTHER BUSINESS FROM THE BOARD

There was no further business from the Board.

BUSINESS FROM THE PUBLIC

George Rish commented he had asked at a previous meeting when Mirek was hired to be the solicitor to the Planning Commission.

- Chairman Beaudet noted it was in October and the Board saw a copy of the handwritten minutes from the meeting. He was hired for the SRBC letter, any water questions from the Planning Commission, and as we needed him.
- Mr. Rish asked if it was when the contract was signed with him. He did not recall a vote to hire him as the solicitor for the Planning Commission unless it

- Chairman Beaudet noted a meeting was held in October regarding the SRBC letter. Mr. Rish had gotten the information for the Township. An Executive Session was held and Chairman Beaudet had signed the letter for the SRBC. It was voted on later because it was missed at the next meeting. An Executive Session was also held to use Mr. Kovarik for issues that came up since the Township was not using the previous solicitor anymore.
- Mr. Rish noted he did not recall it as Chairman Beaudet indicated it happened. He was asked at a meeting about sending a letter and he indicated maybe the Township should. It might have been taken as a yes from him. Chairman Beaudet noted the rest of the Board members said yes regarding the letter.
- Mr. Rish commented he got KTHL's bill from February 28th. The contract that was signed had a rate of \$150.00 per hour. The February bill has 3 legal opinions at \$1,500.00 each. Should he assume that Mr. Kovarik spent 10 hours on each legal opinion? Chairman Beaudet thought Mr. Kovarik might have given the Township the same rate for each legal opinion. Mr. Rish noted the contract only indicates \$150.00 per hour. Chairman Beaudet commented that Mr. Kovarik was used for other issues since the Township did not have a solicitor at the time. Mr. Rish commented that other items on the bill are at \$150.00 per hour, but the legal opinions appeared to be at a flat rate. Chairman Beaudet noted the Stormwater Ordinance was done at a flat rate. Mr. Rish noted the Stormwater Ordinance was not addressed in the contract that was signed. Chairman Beaudet noted Mr. Kovarik was asked to take on more responsibilities until the Township got Solicitor Wyland on board. Mr. Rish felt the contract was meaningless since the billing was not done at \$150.00 per hour. KTHL's bill does not break down the hours. Chairman Beaudet noted the Township could ask KTHL to break down the hours.
- Discussion continued on the subject.

Mr. Espenshade made a motion to adjourn the meeting. The meeting was adjourned at 10:00 PM.

Respectfully submitted,

Deborah A. Casey

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