

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
August 5, 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 Spittler.

Scott Wyland, Solicitor; Norman Ulrich, Engineer; Charles Longreen, Director of Public Works; Curtis 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.

There was an Executive Session held before the meeting to discuss legal issues. The Executive Session will reconvene after the regular meeting.

APPROVAL OF THE MEETING MINUTES FROM JULY 15, 2008

Mr. Espenshade made a motion to accept the minutes as written. Mr. Spittler seconded the motion. The motion was approved 5 in favor, 0 opposed.

Expenditures:

General Fund	\$182,811.67
Operations and Maintenance	\$ 42,356.72
State Fund	\$ 5,154.46
Street Light	\$ 205.05
Park and Rec	\$ 5,176.22
Total	\$235,704.12

Mrs. Casey noted there was one bill not on the original. It is for Murray Insurance in the amount of \$6,167.00 for Fire Company insurance.

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

Receipts

General Fund	\$ 337,102.47
Operations & Maintenance	\$ 79,664.60
Park and Rec	\$ 1,926.56

Available Funds

General Fund	\$ 851,183.34
Operations & Maintenance	\$ 212,215.70
Street Light	\$ 6,255.82
State Fund	\$ 464,790.15
Public Sewer Fund	\$ 3,953.56

Park and Rec Fund	<u>\$ 162,487.54</u>
TOTAL	\$1,700,886.11

SIGNIFICANT CORRESPONDENCE

The Correspondence is available for review during normal office hours.

REPORTS

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

- Mr. Longreen presented his report for the month of July. The report is available at the Municipal Building for review.
- A list of equipment the Township no longer needs has been provided to the Board. Mr. Longreen noted the equipment would have to be advertised and sealed bids could be accepted, or an online bidding process which is Municipal Bid could be used. It could also be listed on the PSATS site for used equipment.
- Mr. Marshall suggested also using the Lancaster Farmers Paper to advertise the equipment.
- Discussion was held on the advertising requirements and where it would be advertised.
- Mr. Spitler asked what equipment would be advertised. Mr. Longreen reported it would be: 1975 John Deere Model 401C tractor with a front end loader; 1959 Ford Tractor Model 841; a New Holland disc mower; a Land Pride grooming mower; an Army trailer with 2 U.S. Army gasoline generators; and a Merin 305 Horizontal bailer.
- Mr. Marshall asked how long it would take to do the proper advertising. Mr. Longreen noted he would need 2 weeks to advertise and 2 weeks before bids would be accepted. It would be approximately a month. Mr. Marshall suggested the bids be awarded the second meeting in September if this is sufficient time. Mr. Longreen felt it would be.
- Solicitor Wyland suggested a motion could be made to authorize Mr. Longreen to dispose the property in accordance with the 2nd Class Township Code. Then Mr. Longreen could follow through with the end dates and make sure the proper advertising is done.
- **Mr. Marshall made a motion to authorize Mr. Longreen to advertise the surplus equipment in the best advertisement he deems; the bidding stops at 4:00 PM prior to the Board's second meeting in September and complies with the regulations of the 2nd Class Township Code. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

Jonestown Road Bridge over the Manada Creek.

- Mr. Ulrich noted a letter was provided to the Township that offered 3 options. The first is to do nothing and a timetable was provided as to how much longer the bridge becomes no longer viable. The second option is repairing the bridge and the third is a full replacement of the bridge. The engineer's recommendation is to repair the bridge which should provide another 20 to 25 years out of the bridge.

The cost would be around \$1,000,000.00. Replacement of the bridge would cost over \$4,000,000.00.

- Chairman Beaudet felt a Capital Improvement fund should be set up for the bridge so the money is there when it needs replaced. The money for the repairs will be submitted through a grant. Mr. Ulrich felt the repairs should be done in the very near future to decrease the continued deterioration. He would like to see plans being done over the winter months so that the bid could be put out in the spring.
- Mr. Spitler was concerned about the cost. Mr. Marshall felt the Board needs to look at what needs to be done to repair the bridge and also look at what grants are available. The repair time frame should reflect the availability of the money. Mr. Shutt felt the project should be started as soon as it can.
- Mr. Ulrich noted if the Board gives LTL the instruction to move forward on the project, it would take a month or two to get the design together.
- Chairman Beaudet asked about the financing of the project and if the money could be reimbursed from the casino funds. It was indicated there is no guarantee but it would be looked into.
- Mr. Spitler asked what the bridge is currently rated at for weight limits. Mr. Longreen noted there is no weight limit. Mr. Ulrich commented you only weight a bridge when it falls below a certain level. It has not fallen below that level. The bridge was recently reviewed by HRG and for some reason, there was a structural deficiency. That is why the repairs need to be done now so the bridge does not further deteriorate. The repairs will ensure the rating of the bridge does not decrease.
- Mr. Epstein noted the price of concrete and asphalt is escalating which is another reason to do the repairs sooner than later.
- Mr. Spitler asked if it was just a surface repair or would the structure have to be repaired. Mr. Ulrich noted part of the structure would need some work.
- Mr. Ulrich noted the ownership of the bridge still needs to be determined.
- Mr. Spitler asked if there is any time restraint from the State. Mr. Ulrich indicated there was none from the State. The urgency is the fear of further degradation of the bridge.
- Solicitor Wyland noted title research was done and the bridge does belong to East Hanover Township. A survey would finalize the finding, but he felt the conclusion would be the same. He felt the Township should move forward with the assumption the bridge is in East Hanover Township.
- Mr. Ulrich noted the Township would not be looking at a large outlay of money until the summer of next year since the design would need to be done and the project put out to bid.
- **Mr. Shutt made a motion to give LTL permission to begin the work on the bridge on Jonestown Rd. at the end of East Hanover Township entering West Hanover Township. Mr. Marshall seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

Air Conditioning for the building

- Mr. Espenshade noted the system needs to be replaced. He would like to look into installing a geothermal system to help cut the energy cost.
- Andy Stein noted he and Mr. Epstein sit on the board of the Sustainable Energy Fund and loans are granted for significant energy saving projects.
- Mr. Marshall liked the idea of geothermal but asked if the existing system will heat in the winter. Mr. Espenshade noted it would heat but would be expensive to do so. Mr. Marshall asked if there is the time to research and install a geothermal system before the cold weather hits, or should the system just be replaced and the research for geothermal be done in the future. Mr. Espenshade suggested the research be done now.
- Mirek Kovarik felt a geothermal system is a good idea; however, the system works on a differential. When the temperature of the environment and the ground water is the same, it does almost nothing. When it is very cool or very hot outside is when the system works well. There should be a backup system for when there is not enough differential. Mr. Kovarik offered to help with the research.
- Mr. Epstein noted the rate caps come off for Met-Ed in another year. The rate increase will be around 54%. He suggested an energy audit to see where the building stands with insulation, windows, etc. He can direct the Township to the appropriate people to do the audit. There is funding available for it. The payback time period is not that long.
- Mr. Kovarik agreed that an energy audit should be done.
- Mr. Marshall suggested authorizing Mr. Longreen to talk to someone about the cost and the time frame it will take to do this, and also get the cost of a replacement system. He noted Mr. Espenshade is versed in HVAC systems and he would like him to work with Mr. Longreen.
- Mr. Espenshade commented if we look at the whole situation, it will take some time. It may be worth it to do an audit and possibly we may want to look at the whole building and upgrade it now to save the Township money in the long run.
- Chairman Beaudet felt the audit should be done.
- Mr. Marshall asked if there is the time to go through the process or does the Township need to replace the system now to ensure the building will be heated during the winter.
- Mr. Espenshade noted there is backup heat in the building but the heat pump in the building now is only running at around 25%. If a new system is put in, what is the point of going through the investigation.
- Mr. Longreen noted to replace the existing system it will cost around \$15,000.00 and \$20,000.00.
- Mr. Marshall would like to look at a new heating system for the entire building.
- Mr. Espenshade noted if the energy audit is not done, you will not be able to come up with the figures needed for grants.
- Mr. Shutt asked how long it would take to replace the system. Mr. Espenshade noted it would take time to do the audit, write up the specifications, put the project out to bid and then install the system.

- Mr. Epstein noted the audit could be done, then a schedule could be made up, obviously with the outside work being done first before the weather gets cold. He asked what good a new heating system would be if there are leakages all over the place. He felt the project would take a couple months.
- Mr. Longreen noted there are 3 systems in the building. The price that was given earlier is to replace the 1 system that is down. He commented the way the system is now, the large room cannot be cooled down and if there is a rental with a lot of people, the room will be too warm. The part that would be replaced with a new system would be the equipment in the mechanical room and the outside unit.
- Mr. Spitler noted it might make sense to do the replacement and then in the future look at an energy audit.
- Mr. Espenshade noted once the numbers are seen to upgrade the system, the Township may not want to consider it.
- Mr. Marshall felt an estimate could be provided on what it would cost to upgrade the entire building, it would make the decision easier.
- Mr. Espenshade indicated the Township may just want to replace the unit, then do the energy audit to see what will turn up. If you want the comfort in the large room for those people who use it, you may want to replace the unit now.
- Chairman Beaudet asked how long the audit would take. Mr. Epstein noted it shouldn't take long. There will be a period where there will be discomfort. Replacing the unit is fine, but down the road, when the energy costs are high, the Board will be blamed for the decision. He suggested doing the audit as soon as possible since the data will be needed to get grants and favorable funding.
- Mr. Kovarik agreed there might not be enough time to do the audit. He suggested starting work on the geothermal system now and in the meantime, have an audit done.
- Mr. Espenshade will be working with Mr. Longreen on the project. The first step will be to find someone to do the audit and find a cost for a geothermal system.
- Mr. Marshall suggested getting some sort of ball park figure on a geothermal system by the next meeting.
- It was noted that the audit will have to be put out for bid.
- Mr. Spitler noted if a geothermal system is looked at, the building might not come up to specifications and a lot of money might have to be put into the building just to install the system.
- It was asked what the cost of the electric bills are. Mrs. Casey thought through the winter around \$1,600.00 to \$2,000.00 per month and during the summer around \$1,000.00.

PARK AND RECREATION – JANET ESPENSHADE

- The Peach Festival will be held on August 9th from 6:00 PM until 7:30 PM.
- Park Day is September 21st.
- The Auto Show is September 6th.
- Mrs. Espenshade noted she provided the Board with LTL's report on the Park and the Park and Rec Board would like to begin phase 1. Phase 1 is the

surveying of the park and data collection. An aerial survey will be done and mapping will be provided. Then a surveyor will come in and do the boundary survey and put monuments in.

- Chairman Beaudet requested the information be put into GIS.
- **Mr. Espenshade made a motion to allow the Park and Rec Board to proceed with Phase 1 at a cost of \$5,000.00. Mr. Shutt seconded the motion. The Chairman asked for comments from the public, there was none. The motion was approved 5 in favor, 0 opposed.**
- Discussion was held on the car show and advertising.

GRANTVILLE VOLUNTEER FIRE COMPANY – WAYNE ISETT

- The Carnival was very successful. There was no price increases in parking, food, games, etc. He thanked Chairman Beaudet for getting into the Dunking Booth and all the volunteers.
- The Fire Company book went well. Many businesses advertised.
- On August 9th, the heavy equipment should move onto the new building site to begin work.

PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN

- Mr. Nelligan noted the work on the Early's Mill Rd. property is going well.
- The Safety Council will meet in September. At that time, a year end report will be provided to the Board.

EMERGENCY MANAGEMENT – JOHN NELLIGAN

- Mr. Nelligan presented the South Central Emergency Management System's report for the first 6 months of the year. South Central is tracking the emergency medical responses to the Casino. Officially they have responded to 47 911 calls from the Casino. 68% resulted in patient transport to the hospital and there were 15 refusals or cancellations. 32% of the 911 calls placed by the Casino had no outcome which means when South Central arrived, there was no one there and no issue.
- South Central had 3,907 calls, 299 of those were in East Hanover Township. Last year at this time there were 181. Even if the Casino numbers are added, it does not come close to the increase in calls from the Township. There were a lot of flu cases in the first three months of the year. East Hanover is the 3rd largest user of the services. The top medical calls are for falls. There is no way of documenting calls that are Casino related that happen off site.
- Dave Wiltraut of Englewood noted his neighborhood is thankful the intersection of Rt. 743 and Early's Mill Rd. is being addressed. He suggested part of the land be used for community gardens. He felt it would be a great way for people in the community to get together, and also a way for people who do not have the area for a garden to plant one.

WASTEWATER TREATMENT PLANT – CURTIS CASSEL

Mr. Cassel presented his report for July. It is available at the Municipal Building for review.

- Mr. Cassel asked permission to attend a continuing education seminar at the Hershey Lodge at a cost of \$85.00.
- During the replacement of number 1 SBR decanter lever and pivot pins, he and Mr. Longreen feel there may be an additional issue with the stainless steel flex joint that was replaced last year. It may be taken off line again to re-inspect. This was a new one that was put in. The other 3 were sent out to be repaired and those seem to be working fine.
- **Mr. Shutt made a motion to allow Mr. Cassel to attend the Applied Wastewater Math course at a cost of \$85.00. Mr. Marshall seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**
- Mr. Spitler asked if Mr. Cassel was unhappy with Aqua Aerobics. Mr. Cassel noted the original ones installed were missing welds on the stainless steel flex joint. A new one was received to replace one of the flex joints. It looked to be ok. He would prefer to take the joint to Kline Bros. for repair. The unit would have to be taken out of commission to do so. The other joints that were welded cost less than \$100.00 per joint. Discussion continued on the repair of the joint. There will be additional costs from Walters for removal of sludge to bring the unit down.
- By consensus of the Board, Mr. Cassel is authorized to do what is necessary to repair the joints.

ENGINEERS REPORT – NORMAN ULRICH

- The Preserve at Bow Creek – information was received from H. Edward Black & Co. for the original project. The information is being reviewed. It is felt the most recent plans have been received. There are still some issues with Phase I.
- Stormwater Management Flood Reduction Ordinance – A couple of things need to be finalized on issues that arose after adoption. There is a commentary for Appendix B to hand out when someone comes in for a permit.
- Mr. Spitler asked if Mr. Ulrich was waiting for an answer from the Board regarding Triple Diamond. Mr. Ulrich noted he was. There are still issues with items in the right-of-way. There is still dirt in the street. DCCD has not been a lot of help. Previously there were 2 fuel tanks within 3 or 4 feet of the edge of the road. There is now only one. There is also a dumpster, 4 to 6 trailers, and miscellaneous building materials still in the right-of-way.
- Mr. Espenshade felt it has been greatly improved, but did not appreciate trailers being parked on the road for weeks at a time. When the people come to work, they are parked on the other side of the road and now there is only one lane of traffic.
- Chairman Beaudet noted she had spoke with Mr. Desai and he indicated the vehicles could be towed away if they are in the street.
- Mr. Ulrich noted the issue is the sub-contractors. It is difficult for the contractor to control it. The Zoning Officer is the one to enforce the issue as far as contacting the State Police. Mr. Spitler asked if the Township has “asked nice”. Mr. Ulrich indicated they have asked many times and have also issued a letter. Mr. Spitler noted the workers have to park somewhere; however, he has a problem with

their reluctance to make a parking area for the workers. The other issue is the intersection is so congested with a trailer right beside the stop sign and a dumpster on the other side. It appears to be sloppy housekeeping. It also appears there are some building materials off the property. The contractor has been notified many times about the issue.

- Mr. Marshall noted there is building material in the right-of-way and he is concerned when the job is finished, it will still be there. He feels the Township should take action and clean it up since it is in the right-of-way.
- Mr. Ulrich noted there is escrow in the project and none of it will be released until the property is properly cleaned up. Mr. Ulrich noted the developer is on record indicating that it will do the repairs to the streets.
- Mr. Shutt felt the fuel tank is not legal where it is at. Mr. Ulrich agreed and it is up to the Board as to what it wants to do. Mr. Shutt asked where the Board failed as to this still being an issue. Mr. Ulrich noted it has been an issue since LTL took over as the Township Engineer. There were a number of hot topics that were dealt with and now this is being addressed. Mr. Shutt asked why it was not taken care of sooner. Mr. Ulrich noted the paperwork from the previous engineer did not indicate the issue was raised before. Mr. Shutt felt it should have been taken care of a long time ago. Mr. Ulrich noted the issue is now being pushed.
- Mr. Ulrich will get in touch with the Zoning Officer to proceed with the issue.
- Chairman Beaudet noted she and another Supervisor will contact the Zoning Officer to indicate what needs to be done. Mr. Marshall does not want to get to the point where the escrow is held. He would like to have it cleaned up now so as to not create any hazards. It has been too long.
- Mr. Ulrich noted it should be done now, but reiterated the escrow would not be released until every thing is cleaned up. Discussion continued.
- It was noted the Supervisors and Zoning Officer will handle the issue.
- Keith Oellig asked about the manhole on Jonestown and Bow Creek. Mr. Ulrich noted the delay was caused by a failed vacuum test. Once this issue is resolved, the manhole can be patched. If the next test fails, they have been informed to get a batch of cold patch to at least bring the level up.
- Steve Bachman asked Mr. Ulrich about the Phase 1 revision plan. Mr. Ulrich noted there was no revision to Phase 1. The project was done in 2 phases, Phase 1 and Phases 2 and 3. Mr. Bachman asked if Mr. Ulrich found the photographs yet. Mr. Ulrich indicated he did not know where they were.
- Mr. Ulrich noted the issue is Phase 1, when approved, had the quad units not in their current location. The major issue is when Phase 2 and 3 was approved, it showed the now current quad units where they are currently located. The problem is he no revised grading is shown.

EFMR – ERIC EPSTEIN

- A formal request was submitted to Senator Piccola's office to inquire into the status of the No Parking and No Idling signs at the I81 rest area. He is meeting with representatives to try to move it forward.
- The last payment for the year from the Casino has been received in the amount of \$310,388.71.

- Mr. Epstein had to file a lobbyist disclosure with the Department of State under number PO9204.
- There are 2 issues right now. The Township has until August 22nd to appeal the Department of Revenue finding. It was based on documentation and it will fund the Township based on its 2003 budget. As part of the MOU with the County, the County has the option to appeal. Based on what he has seen and the escalator, it is his recommendation not to appeal since it will cost a considerable amount of time and money. Based on the 12 sites, it appears that East Hanover is the only one where the escalator put it over a certain amount. The appeal would not only be to the Department of Revenue but the other 11 gaming communities. What needs to be known is if the Township is locked into the 2003 budget, will it be locked indefinitely. The County has guaranteed the Township the difference for the next 3 years, which is around \$80,000.00 for this year. Mr. Epstein suggested the Board make a decision as to whether or not it wants to go forward with the appeal. If the Township would win the appeal, it would probably be appealed by the Dept. of Revenue and the other gaming communities.
- Solicitor Wyland noted anytime there is the option to appeal, you have to weigh your chances of success against the costs. He looked at the legal issue as to whether there was some rationale the Dept. of Revenue used to choose the 2003 vs. the 2004 budget. He indicated he sort of agreed with the counsel for the County initial take that there is not a substantial overwhelming likelihood of success. He recommended the Township forgo the appeal. The statute, at some time, may well be revisited. Under the MOU, it is to be a joint effort between the County and Township. The Dept. of Revenue has chosen to use the 2003 figure with a fairly large escalator for the first year which should put most municipalities in a decent place.
- Mr. Epstein felt the gaming law is broken and at some point in time will need to be repaired. The Township may need to enlist the help of the other gaming communities and the Dept. of Revenue as an ally. If the MOU is extended, then the insurance policy would be continued, but the policy is only in effect for 3 years at this time. He encouraged the Board to assume it won't be there after 3 years so the Township knows what the full impact will be.
- Chairman Beaudet indicated she has no desire to appeal.
- **Mr. Spitler made a motion that the Township does not appeal the 2003 fiscal year budget used by the Department of Revenue for gaming proceeds. Mr. Shutt seconded the motion.** Mr. Spitler noted Mr. Epstein indicated the gaming laws are broken and asked what he meant by that. Mr. Epstein noted the casinos in Philadelphia were to build on the riverfront and that is not happening. Pittsburgh is in the middle of a bankruptcy. He felt there is a general recognition that the property tax reduction is not going to happen. The chief objection of gaming was for property tax relief. The State is having a hard time getting there. He felt there will be some opportunity to amend or correct the law. **The motion was approved 5 in favor, 0 opposed.**
- Mr. Epstein noted the deadline for 2008 is September 1st for grant money from the Casinos. The Township needs to double its effort on the Needs Assessment and any input and impact. Individual grants need to be in by September 1st.

Apparently the information has been out there, but the Township as well as other municipalities were unaware of it. Each grant will have to be quantified and qualified, decide what pot it goes into, and engineering and other support will be needed to do the grants. In November, the grants will have to be defended. November.

- Andy Stein noted money won't be received from the grants until March of 2009. The grant pool will be based out of a full year's operation so it will be from February to February since that is when the Hollywood Casino opened. The grant process is new for everyone so there is no guarantee as to what the outcome will be. This will also be a test of the MOU. The grants have to be in by September 1st. It is strongly encouraged to submit letters of support. Those letters can be from the public and organizations that may or may not be affected by the Casino. A publicity drive will need to be held. A form letter can be used by residents. The letters are strongly considered as they are taken as a sign of public support for the use of the monies. The MOU does not create a legal obligation, but a moral obligation from the County. The process needs to be followed as closely as possible so the County has the coverage that these are truly needy grants.
- Chairman Beaudet asked if there is a certain amount of the money the County is getting that it must give away to the communities that are around the Casinos. Mr. Stein noted that was true. Mr. Stein noted the Township can fight it or do it as quickly and efficiently as possible. It will cost money, but most of it should be grant eligible.
- Mr. Spitler asked how other municipalities with gaming facilities handled the situation; was it through an MOU. Mr. Stein commented, to the best of his knowledge, there is not another municipality in the same situation as the Township that came up with a MOU with its County. Dauphin County was willing to work with the Township. There is a process within the State as to how funds are granted. They are all subject to being audited.
- Mr. Epstein commented out of the 12 gaming communities, East Hanover has had the most constructive and productive relationship with a County. The Township's MOU with the County is one of the more novel and constructive legal documents that are out there on this issue.
- Mr. Stein commented there will be an audit process with a 3rd party auditor, especially on the bigger projects.

UNFINISHED BUSINESS

STORMWATER MANAGEMENT - THOMPSON

This is with the Solicitor.

VILLA ROSA/ NO LEFT TURN

- Mr. Longreen reported PennDOT's lawyer has been in contact with Villa Rosa's attorney.

VERIZON – CONSTRUCTION ISSUES

No report.

CLEAN STREET ORDINANCE

- Mr. Ulrich noted an e-mail has been sent to the Board and he is waiting for a response. Mr. Longreen has provided his comments on the draft.
- Chairman Beaudet indicated she would go with what the committee proposes. Mr. Spittler, Mr. Shutt and Mr. Longreen have worked on the ordinance with LTL.
- Mr. Spittler noted the next meeting is tentatively set for August 28th.

WINFINDALE PROPERTY

This is with the Solicitor.

GIS INITIATIVE

Work is continuing.

- Solicitor Wyland noted the Tri-County's GIS project is in the process. There are a lot of different components being assembled and depending on the conditions they get the information, they can sometimes convey the information to the municipalities. LTL has already been in touch with the County to access some of the information.

CHANGES TO SALDO – LTL CONSULTANTS

The Engineer is working on the changes

RVG – ZONING CHANGE REQUEST

- The public hearing is August 19th.
- Chairman Beaudet asked for approval of a court report for the hearing.
- **Mr. Espenshade made a motion to obtain a court reporter for the Re-Zoning request. Mr. Shutt seconded the motion. The Chairman asked for comments from the public, there was none. The motion was approved 5 in favor, 0 opposed.**
- Mrs. Casey reported a letter was received from West Hanover Township informing the Township of its public hearing for a re-zoning request on August 18th.

TAX RELIEF

No report

2006 PROPERTY MAINTENANCE CODE

This will be discussed at a further date.

JUNK YARD ORDINANCE

This will be discussed at a further date.

NEW BUSINESS

CIOBAN PLAN

Andrew Condran noted Cioban is the last name of his grandparents who gave him an acre of the land that was subdivided. He has been trying within the past few months to go through the procedures to build a single family home on the acre given to him. Two weeks ago he spoke with Mr. Ulrich and Mr. Smith regarding the need for Stormwater Management. He was notified he would have to go through the minor land disturbance. It appears as though when the final plan of the subdivision was recorded, there might have been a mistake as to which plan was recorded. There were 2 subdivision plans recorded under the same number. The one plan recorded by the Township does not show there was a stormwater management waiver requested. The copy he was sent by the Township does have the waiver on it. He presented supporting documentation. At the time, Pickering, Corts, and Summerson, (Roger Phillips) was the Township's engineer. Mr. Condran noted a letter presented to the Board was from the Township to show the instrument number assigned by the Recorder of Deeds. The letter was received accompanied by a copy of the plan with signatures. The other paper is a letter from PCS which shows the 4 waivers originally requested, one of which is the stormwater management waiver.

- Chairman Beaudet noted the second page of the letter from PCS was not included. Mrs. Casey noted the second page of the letter was included in the packet she provided to the Board.
- Mr. Condran noted Mr. Espenshade has a copy of the plans which shows the plot plan he had and the plot plan the Township had submitted to the Recorder of Deeds. Both are certified, the dates match and the signatures match. Mr. Zugay the Recorder of Deeds at the Courthouse did verify the plans Mr. Condran had in his possession that he wanted to record last week, showed no fraudulent mishandling or forgery involved and met all his criteria as far as recording. That is why he recorded the plan.
- Mrs. Casey noted the plan recorded by the Township was the revised plan, received by the Township on August 14, 2007, submitted by Mr. Condran's engineer, with a revision date of July 25, 2007. The plan Mr. Condran has is not the latest plan. Mr. Condran noted the plan he has was the one mailed to him by the Township. Mrs. Casey noted the plan he received was not the latest plan and the one recorded by the Township.
- Chairman Beaudet commented this issue was discussed previously and it was discovered there were two different plans. She asked why this was being addressed again. Mr. Condran noted the issue is being brought up again because the plan he had was not being viewed as being valid, even though it has original signatures on it. Chairman Beaudet noted the plan is not valid. When you subdivide properties, if there is a non-building waiver, and nothing is required from DEP with a Non-Building Part B waiver, and then someone wants to build on it, you are changing what the original plan is.
- Mr. Marshall commented he puts his faith in the minutes from the meeting the plan was approved along with the waivers. The plan that was approved was a final minor 3 lot subdivision plan, waiver requests Section 402, Preliminary Plan;

Section 403.6.9, Recorder of Deeds box; and Section 602.3, Request for additional right-of-way. Those were the only 3 waivers requested on the plan. George Rish, a Supervisor at that time, made the motion to grant the waivers. Mr. Marshall noted he seconded the motion. He did not second or grant a Stormwater waiver request for the Cioban plan.

- Mr. Condran noted when he spoke with Solicitor Wyland it was noted the additional right-of-way was not on either of the plans. Mr. Marshall commented the additional right-of-way was approved by the Board and he would honor that, but he would not honor the stormwater request since it is not on the plan or in the minutes.
- Mr. Shutt asked if the stormwater permit is what is holding up the construction. Mr. Condran commented he received his Zoning Permit in the mail and he spoke with Mr. Smith and Mr. Ulrich last week. When he brought the plan in last week, the stormwater management issue was resolved and release of the building permit was approved. When they researched the issue, they rescinded the building permit until a minor land disturbance permit is received.
- Solicitor Wyland noted there are a couple records to look at. The first, is the plan discussed by himself and Mr. Condran. Mr. Condran went to the Recorder of Deeds after the discussion. There are also the official minutes of the Township which does not show granting of a waiver for stormwater. The second issue is until last week, the official plan recorded in the Recorder of Deeds office also showed no stormwater waiver that was requested or granted. Solicitor Wyland realized the plan that Mr. Condran had was an original plan which had signatures on it. The best he can piece together as to why the document existed is it was in the pile of documents that was to be signed and sealed at the time. The correct one was signed and sealed without the stormwater waiver, and was recorded at the Recorder of Deeds and should be the official plan the Township is working with. It does not show the stormwater waiver. Solicitor Wyland felt the document Mr. Condran had was not fraudulent and was received by mistake. The problem is Mr. Condran went to the Recorder of Deeds office and talked to Mr. Zugay, the Recorder of Deeds and showed him the plan he had. It was an unrecorded plan but was signed and sealed. The problem is Mr. Zugay recorded the plan Mr. Condran presented over the existing plan that was originally recorded. The plan originally recorded by the Township shows the sheet was revised on July 25, 2007. The sheet Mr. Condran recorded last week does not show the revision and is dated July 3, 2007. The plan recorded at the Court House has a later date than the one Mr. Condran had Mr. Zugay record over. It is Solicitor Wyland's opinion the plan Mr. Condran had recorded does not supersede or replace the original plan recorded. That is reinforced by the minutes which approved the plan, there was no mention of the stormwater waiver.
- Mr. Condran commented he had an original copy that was signed and that is when he talked with Mr. Zugay and Solicitor Wyland to make sure there was wasn't an honest mistake made. Solicitor Wyland felt it might have been an honest mistake on the part of Mr. Condran's engineer, who in a pile of papers, might have slipped in one that was a prior version and that was inadvertently signed. It was good that it did not get originally recorded. Now that it is

recorded, he felt it creates a problem, but he did not feel the Township was bound to recognize the validity of the plan Mr. Condran recorded since the minutes of the meeting did not reflect what Mr. Condran is claiming.

- Chairman Beaudet asked why Mr. Condran recorded the plan. Mr. Condran commented when he spoke with Mr. Zugay and the people at the Recorder of Deeds, they said it looked as if the wrong plan was recorded. He noted the individuals in the office are not engineers and he asked if he could submit a copy of the plan. He had a plan with the original signatures on it with the seals. In order to make it easily referenced, he recorded it. Chairman Beaudet asked if Mr. Condran recorded the plan after the Township talked to him about the plan he had did not have revisions. Mr. Condran noted that was correct but he was not aware of the revisions.
- Chairman Beaudet felt the Township would have to go by the plan recorded which had the revisions on it.
- Solicitor Wyland commented Mr. Condran recorded a plan that had signatures on it. He is unconvinced the plan is valid since it is dated earlier than the one the Township recorded. He felt the plan was inadvertently signed, an administrative error either on the part of the Township or the applicant's engineer. It is an easy mistake since the plans were similar and the changes were minor. He would take issue with the Recorder of Deeds for accepting a plan that seems to be predated. He felt the plan that should be looked at is the one first recorded and consistent with the minutes. Solicitor Wyland will contact the Recorder of Deeds regarding the issue.
- Mr. Marshall noted the minutes for the plan were from September 18, 2007. Those minutes are on the website for Mr. Condran's review. Mr. Espenshade commented the Planning Commission minutes reflect no need for the stormwater waiver.
- Chairman Beaudet asked if Mr. Condran had applied for a building permit. Mr. Condran noted he had applied for the permit and it was paid for. The only thing holding up the issuance of the building permit is the stormwater management permit.
- Mr. Espenshade asked if Mr. Condran had been in contact with his engineer regarding the plan. Mr. Condran noted he had not spoken with them recently. Chairman Beaudet asked if his engineer advised him to record the plan he had in his possession. Mr. Condran noted he did speak with the engineer before recording and indicated there might be a possible issue with the plan.
- Mr. Ulrich commented Mr. Condran has been great to deal with. The phone conversations and the meeting that were held did not indicate there was anything fraudulent going on and it was more of a fact finding mission.
- Chairman Beaudet asked if there is a revision number on the plans. Mrs. Casey noted there is a revision on the plan that is provided by the plan's engineer.
- Mr. Shutt asked if there is anyway the Township can help Mr. Condran out since there appears to be an error with the copy he was provided.
- Chairman Beaudet asked if Mr. Condran has all his permits. Mr. Condran noted he does not have all the permits. The building permit has not been issued.

- Mr. Ulrich noted the building permit has not been issued since the issue of the minor land disturbance needs to be resolved. Appendix B needs to be completed and once that is done, he will receive his building permit.
- Discussion continued on the subject.

ENERGY AUDIT

This was discussed previously.

CODES AND ZONING OFFICER

Discussion has been held between individual Board members on the need for an in-house codes and zoning officer.

- Mr. Shutt felt it was time to look at hiring an in-house Codes and Zoning Officer. This is owed to the public and the taxpayers.
- **Mr. Shutt made a motion to advertise for a Codes and Zoning Officer. Mr. Spitler seconded the motion. The Chairman asked for public comment.** David Smith asked if the hiring of an individual would affect a permit he just received. It was noted that any permits issued through Light-Heigel would continue with Light-Heigel until completion. **The motion was approved 5 in favor, 0 opposed.**

GRANTVILLE FOOD PANTRY

Dick Williams of the Grantville Area Food Pantry was present to ask the Township's support for the Food Pantry's grant proposal using the local share of municipal grant pool money.

- An Advisory Committee was set up in April. Commissioner Hartwick met with a group of concerned citizens to address social service needs in the Township. Several meetings have been held. Last week, the group met with Mr. Shutt and Mr. Stein from the Township. It was decided the Food Pantry would be the lead agency in applying for a grant. Mr. Shutt recommended that Mr. Williams provide a presentation to the Board and then provide detailed dollar figures by the August 19th meeting so the Board can make a decision.
- There are 3 areas being considered for the grant. One is the addition to the Food Pantry. The second is the need for a Social Worker in the area. People that need the service have to go to Harrisburg for help and often there are transportation problems, time off work, etc. Emergency aid is being done and there is need for more professional Social Services. The third item is money for a van. The van would be used for the Food Pantry to transport food from the Central Pennsylvania Food Bank. The van would also be used to pick up food from local food drives. Another use would be for transportation of individuals to and from the track for appointments, stores, the Food Pantry, etc.
- It is necessary for the Township's support for the grant to be submitted.
- Mr. Shutt noted during his meeting with the Food Pantry that it would have been nice to have been in on the meetings from the beginning. He found out the Board was invited, but the information was not passed on to the other Board members.

- Mr. Stein commented Mr. Shutt and he asked the Food Pantry to come before the Board and introduce themselves and then that they have their grant proposal distributed to the Board prior to the August 19th meeting for review. There are 2 employees from the County's Social Services working with the Food Pantry to do the draft.
- John Nelligan felt the plans are outstanding and they are a great community support function; however, there is one issue the Board needs to be made aware of. One phase of the grant proposal is to add an addition to the Church property. This is on paper, but the idea has never formally been proposed to the Church. The Church has not agreed to allow the addition at this time. He suggested that until the Church takes action to allow the addition, the Board should consider this before backing the proposal.
- Mr. Williams noted from the beginning of the proposal to add on to the Food Pantry, it has been treated as a feasibility investigation. The grant is just one more step in that feasibility investigation. If we can't get the funds for the addition, there is no use going forward.
- Mr. Stein commented the way the grant process works is that you pay out first, and then pending inspection, are reimbursed the funds. He informed the representatives of the Food Pantry at the meeting held that the Township was not interested at this time in being the reimbursing agency.

ZONING HEARING BOARD MEMBER – APPOINTMENT OF MEMBER – SHIRLEY ALLISON

Shirley Allison has expressed interest in and agreed to become a permanent member of the Zoning Hearing Board.

- **Mr. Marshall made a motion to appoint Shirley Allison to complete Ann Stavers term which expires 12/31/2008. Mr. Shutt seconded the motion. The Chairman asked for comments from the public, there was none. The motion was approved 5 in favor, 0 opposed.**

BONAWITZ ESCROW RELEASE

Mr. Ulrich noted Mr. Bonawitz's construction is complete and the inspections have been completed. LTL has prepared a letter and his escrow, minus any inspection costs, can now be released back to him.

- **Mr. Marshall made a motion to release the escrow amount \$7,409.15. Mr. Spitler seconded the motion. The Chairman asked for comments from the public, there was none. The motion was approved 5 in favor, 0 opposed.**

LONGREEN LANE – CHANGE OF ADDRESS

Chairman Beaudet noted the individual would like to change her address from Longreen Lane, to Ridge Rd. since her house sits on Ridge Rd. If approved, a letter will be sent to Dauphin County Emergency Management to let them know of the Board's approval so they can change the address.

- **Mr. Marshall made a motion to allow the change to take place. Mr. Espenshade seconded the motion. Mr. Spitler asked if anyone else needed to be contacted. It was indicated only Dauphin County Emergency Management**

needed to be contacted. **The Chairman asked for comments from the public, there was none. The motion was approved 5 in favor, 0 opposed.**

INGRAM PROPERTY

A notice of violation letter was sent to the property owner. It was noted the issue has not yet been resolved. The letter is on file at the municipal building for review. Mr. Spitler will speak with Mr. Smith tomorrow to follow up on the issue.

OTHER BUSINESS FROM THE BOARD

Mrs. Casey noted there is a box of pictures that was removed from the Park and Rec building and has been deposited in her office. She asked what the Board wanted to do with them. Mr. Espenshade noted he would take the pictures.

There was no other business from the Board.

BUSINESS FROM THE PUBLIC

Chuck Mundy noted the appointment of Shirley Allison to a full time Zoning Hearing Board member was addressed. He asked about the appointment of the alternate.

- Chairman Beaudet noted a couple of letters have been received.
- Mr. Marshall thought the Board was going to put out more notification to give others the opportunity. It was noted the opening would be put on the website.

Mr. Espenshade made a motion to adjourn the meeting. The meeting was adjourned at 9:50 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	