

**REORGANIZATION MEETING  
EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS  
8848 Jonestown Road, Grantville, PA 17028  
January 5, 2009**

The Reorganization Meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Temporary Chairman Marie Beaudet at 7:09 P.M. Present were Supervisors Keith Espenshade, Dave Marshall, and Tom Shutt. Larry Spitler was absent.

Charles Longreen, Director of Public Works, Curtis Cassel, Wastewater Treatment Plant Operator, Scott Wyland, Solicitor, Norman Ulrich, Engineer; Mary Sowers, Codes and Zoning; and Deborah Casey Secretary/Treasurer were also present.

This meeting was audio taped.

**APPOINTMENTS AND COMPENSATION**

**Temporary Chairman Beaudet asked for nominations for the position of Chairperson.**

- **Mr. Shutt made a motion to nominate Keith Espenshade as Chairperson of the East Hanover Township Board of Supervisors. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

Temporary Chairman Beaudet turned the meeting over to Chairman Espenshade.

Mr. Espenshade thanked the Board for appointing him as Chairperson.

**VICE CHAIRMAN**

- **Mr. Shutt made a motion to nominate Marie Beaudet as Vice Chairperson of the East Hanover Township Board of Supervisors. Chairman Espenshade seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**SECRETARY/TREASURER**

- **Ms. Beaudet made a motion to appoint Deb Casey as Secretary/Treasurer with compensation at \$44,982.00. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**ESTABLISHMENT OF TREASURERS BOND - \$3,000,000.00**

- **Mr. Marshall made a motion to set the treasurers bond at \$3,000,000.00. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**SOLICITOR – HAWKE, MCKEON & NISCAK LLP – PER FEE SCHEDULE**

- **Mr. Marshall made a motion to appoint Scott Wyland as the solicitor per the fee schedule. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**SOLICITOR TO ZONING HEARING BOARD – PER FEE SCHEDULE**

- Ms. Beaudet made a motion to appoint Caldwell & Kearns as the solicitor to the Zoning Hearing Board per the fee schedule. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.

**ENGINEER – PER FEE SCHEDULE**

- Ms. Beaudet made a motion to appoint LTL Consultants as the engineer per the fee schedule. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.

**CODES AND ZONING – PER FEE SCHEDULE**

- Mr. Marshall made a motion to appoint Light-Heigel as Codes and Zoning Officer per the fee schedule. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.

**UCC BUILDING INSPECTOR – PER FEE SCHEDULE**

- Mr. Marshall made a motion to appoint Light-Heigel as the UCC building inspector per the fee schedule. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.

**SEWAGE ENFORCEMENT OFFICER – PER FEE SCHEDULE**

- Mr. Marshall made a motion to appoint Light-Heigel as the Sewage Enforcement Officer per fee schedule. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.

**INDEPENDENT AUDITOR – BROWN, SCHULTZ, SHERIDAN & FRITZ**

- Ms. Beaudet made a motion to appoint Brown, Schultz, Sheridan & Fritz as the auditors not to exceed \$8,500.00. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.

**VACANCY BOARD CHAIRMAN**

- Ms. Beaudet made a motion to appoint Glenn Moyer as the Vacancy Board Chairman. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.

**VOTING DELEGATE AND ALTERNATE TO THE PSATS CONVENTION APRIL 23-26**

- Mr. Marshall made a motion to appoint Ms. Beaudet as the voting delegate for the PSATS convention and Mr. Shutt as the alternate. Chairman Espenshade seconded the motion. The motion was approved 4 in favor, 0 opposed.

**BOARDS, COMMISSIONS, AND COUNCILS**

**RESOLUTION 2009-01 – SPECIAL FIRE POLICE**

- Ms. Beaudet made a motion to adopt Resolution 2009-01, appointing the Special Fire Police and Establishing the Duties. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.



Sewer Project	Park & Recreation Improvement
Emergency Services Fund	
Funds deposited with Jonestown Bank	
General Fund	Escrow Fund
Sewer Operation & Maintenance	
Funds deposited with the Pennsylvania Municipal Retirement System	
Pension Fund.	

- **Ms. Beaudet made a motion to approve the depository of the Township funds as listed. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**MILEAGE COMPENSATION - \$0.55**

The mileage rate is the approve IRS rate for 2009.

- **Ms. Beaudet made a motion to establish the mileage compensation at .55 cents per mile. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

**HOLIDAYS FOR TOWNSHIP EMPLOYESS**

The holidays are the same as past years.

- **Mr. Marshall made a motion to approve the holidays for the employees which are the same as in the past. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.**

Chairman Espenshade noted the depositories, fee schedules, etc. is available for public view and will be placed on the website.

The Reorganization Meeting ended at 7:28 PM.

**BOARD OF SUPERVISORS MEETING**

**APPROVAL OF THE MEETING MINUTES FROM DECEMBER 16, 2008**

**Ms. Beaudet made a motion to approve the minutes as written. Mr. Shutt seconded the motion. Chairman asked for public comment, there was none. The motion was approved 4 in favor, 0 opposed.**

**TREASURER’S REPORT**

Expenditures:

General Fund	\$ 75,004.71
Operations and Maintenance	\$ 37,847.72
State Fund	\$ 12,880.15
Street Light	\$ 205.05
Park and Rec	<u>\$ 15,337.71</u>
Total	\$141,275.34

Mrs. Casey reported there is one additional bill for Crystal Springs, water for the Park and Rec Building, in the amount of \$23.25.

**Ms. Beaudet made a motion to pay the bills as submitted. Mr. Marshall seconded the motion.** Mr. Marshall commented KTHL's last bill (December) shows that Mr. Kovarik attended a SRBC meeting in Maryland and Mr. Marshall is not sure why he attended it or who approved it since on December 2<sup>nd</sup> the Township came to an agreement with the SRBC and did not think Solicitor Wyland was using Mr. Kovarik for the SRBC since October. He did not feel Mr. Kovarik had authorization from the Township to attend the meeting and the Township should not pay for it. The mileage for that trip is also lumped in with other mileage and will have to be broken out. Mr. Epstein noted he did not even know if the Township's case was on the docket. He noted he could provide a copy of the minutes. Solicitor Wyland noted he did not request anyone to attend the meeting. The Township's case was under appeal in Federal Court so there should not have been anything on the agenda relating to the Township. Discussion was held on the pending motion and the procedure. Richard Schock noted a motion can be made to amend the motion on the floor. **Ms. Beaudet amended her motion to pay the expenditures but take out KTHL's bill in the amount of \$2,502.03 until the Treasurer and Solicitor finds out what is going on. Mr. Marshall seconded the amended motion. The motion was approved 4 in favor, 0 opposed.**

#### Receipts

General Fund	\$ 27,492.16
Operations & Maintenance	\$ 645.99
Street Light	\$ 110.35
Park and Rec	\$ 31.00

#### Available Funds

General Fund	\$ 523,019.62
Operations & Maintenance	\$ 124,024.78
Street Light	\$ 5,574.73
State Fund	\$ 328,076.04
Public Sewer Fund	\$ 3,972.13
Park and Rec Fund	<u>\$ 113,591.33</u>
TOTAL	\$1,098,258.63

### 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 December. It is available for review at the municipal building.

- Mr. Longreen noted to date, 34 contractors have contacted the Township regarding the property on Early Mill/Laudermilch Rd.

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

No report.

**PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN**

- The Council will have its first meeting in 2009 on March 23<sup>rd</sup>. The Board will be receiving a summary of the activities of the Council during 2008 after that meeting.

**EMERGENCY MANAGEMENT – JOHN NELLIGAN**

Mr. Nelligan congratulated Chairman Espenshade on his appointment and presented his 2008 Activity Report Summary.

- A total of 187 hours were logged in at the Emergency Operations Center. This does not include the many hours expended for training and related off-site activity.
- Attended 2 day Safe School Safety Seminar at HACC.
- Completed Lower Dauphin School District EOP.
- Installed emergency generator at Annex Building.
- Audited all dry hydrant locations for compliance with grant requirements.
- Emergency Operations Center was activated for 2 storms during the year.
- Coordinated the Public Safety Advisory Council scheduled meetings.
- Conducted hazard mitigation plan review for Dauphin County Emergency Management.
- Building and site reviews for Planning Commission.
- Completed EMS and Fire Co. needs assessment.
- Attended 7 County Emergency Management Agency training sessions.
- During 2009, continuation of the Safe School Program with Lower Dauphin, the PennDOT Winter Storm Planning Program, which is still active, and additional NIMS training is now required for all East Hanover Emergency Management positions.

**WASTERWATER TREATMENT PLANT – CURTIS CASSEL**

Mr. Cassel presented his report for December. It is available at the municipal building for review.

**ENGINEERS REPORT – NORMAN ULRICH**

- The Land Use Assumptions Report has been completed and forwarded to McMahan for its use in completing the Act 209.
- Grading and E&S Control Ordinance – a meeting is set for January 8<sup>th</sup> to resolve outstanding issues.
- Grantville Volunteer Fire Co. – there is sporadic construction. E&S control features are being installed.
- Halbleib Subdivision – the plan as been approved.
- Hilton Garden Inn – this plan is still being reviewed and LTL will be providing comments for the January Planning Commission Meeting.

- Jonestown Rd. Bridge over the Manada Creek – the bridge is under design by LTL. Field work has been completed and the GP11 has been received from DEP.
- Mama's Pizza – the owner has expressed interest in trying to complete the outstanding items.
- Youth Sports Complex – the design plans are substantially complete and are waiting for review and approval from the Park and Rec Board. Once the Park and Rec Board approves the plan, it will be submitted to the Dauphin County Conservation District for approval. The project has been broken down into phases to allow for it to be completed as funding comes available.
- Mr. Marshall noted Triple Diamond did not do the paving on Kelly Court when scheduled and asked if there was a new schedule. Mr. Ulrich noted he contacted Triple Diamond but has not received a response. Mr. Marshall felt the issue should be pursued so when weather conditions become favorable, the paperwork is done to force the issue. The Solicitor will coordinate with the engineer regarding the issue.
- Solicitor Wyland noted Hilton Garden Inn proposed doing a sewage line capacity study and indicated they would submit an escrow of \$10,000.00. Mrs. Casey noted the escrow has not been received but she will notify all parties when it comes in.

#### **EFMR MONITORING GROUP – ERIC EPSTEIN/ANDY STEIN**

- Meetings are to be held in January to follow up on the I81 rest area and the Meadow Lane intersection. Senator Piccola and Representative Marsico have been instrumental in moving the Meadow Lane issue. A letter was sent to the State Police and we are still waiting for a response.
- The rest area issues – idling enforcement and no parking enforcement.
- There is to be a follow up meeting with Derry Township regarding the Rt. 743 corridor. It is Mr. Epstein's understanding that they applied for funding from the gaming revenues.
- Mr. Epstein spoke with Commissioner DiFrancesco and it is his understanding that the rate increase for the Harrisburg Incinerator facility has been rescinded for the first 3 months of 2009. He is not confident that the authority will not go back to the County and press the issue.
- Waste Management Recycle America – Mr. Epstein will defer to the Solicitor on this issue but noted there are deferred payment structures that can be followed. If the recycles are trashed into land fills, this adds to the environmental degradation of the land fills in the State.
- A presentation was made to the IDA on December 8<sup>th</sup> and \$3.1 million in grants was requested. It is not sure when a response will be received.
- The Gaming Control Board identified Casinos where there were 5 vendors that were hired with felony convictions. Penn National is not one of them.
- The Attorney General upheld an IRRC ruling on Lebanon County. Lebanon County has been de-funded and Mr. Epstein believed it has expressed interest in appealing the decision.
- East Hanover has been registered for its lobbyist.

- The new Turnpike fees have increased by 25% which is to raise \$2.5 billion dollars for transportation projects.
- There are 11 candidates on the Republican side running for 3 Judicial Offices. The Township may want to have an open house or candidate's night.
- There are 7 significant rate increases which may affect the Township. A list of those increases is available at the municipal building.
- Additional LIHEAP funding has been approved and is still available.

## **UNFINISHED BUSINESS**

### **STORMWATER MANAGEMENT - THOMPSON**

This is with the Solicitor

### **CLEAN STREET ORDINANCE**

This was discussed previously.

### **WINFINDALE PROPERTY**

This is with the Solicitor.

### **CHANGES TO SALDO – LTL CONSULTANTS**

- **Ms. Beaudet made a motion to advertise for a public hearing for the changes to the SALDO on February 17<sup>th</sup> at 7:30 PM. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

### **JUNK YARD ORDINANCE**

- **Ms. Beaudet made a motion to advertise Ordinance 2009-01 for a public hearing on February 17<sup>th</sup> immediately following the changes to the SALDO. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

### **PROPERTY ON EARLYS MILL ROAD AND RT. 743**

The bids will be opened on January 20<sup>th</sup>.

### **DEP COMPONENT 3M**

Chairman Espenshade noted DEP rejected the Township's Component 3M. Mr. Hannum of LTL and Solicitor Wyland met with DEP to try to get an understanding of where DEP wants the Township go with the issue. A letter has been compiled based on that meeting which outlines different options of what action the Township can take.

- Ms. Beaudet noted she would make a motion for approval if a line was added that the Board would do everything in its power with discretionary funds or grants to alleviate some of the costs.
- Mr. Marshall did not feel he wanted that in the letter since he did not know how much the Township could do.
- **Ms. Beaudet made a motion to approve the letter as written. Mr. Marshall seconded the motion.** Mr. Marshall noted the letter is to be mailed to the residents of Partridge Hills and Englewood. He would like to have copies

available at the municipal building, free of charge, for any resident that would like a copy. Mrs. Casey noted it could be placed on the website. Chairman Espenshade noted anyone who is currently on the sewer system will be impacted by the final decision. Mrs. Casey commented it could also be mailed to the current users. Discussion was held on adding the comment regarding getting extra funding to help out with the costs. It was noted this could be discussed at the public meeting. **The motion was approved 4 in favor, 0 opposed.**

- Chairman Espenshade noted once the letter is received, a plan of action needs to be in place to address questions. It was noted a public meeting would need to be held and was suggested that it be a special meeting not associated with a regular Board meeting.
- Mr. Epstein suggested that a Frequently Asked Question sheet be prepared to help with any questions directed to staff after the letter is sent.
- Discussion was held on when to hold a Special Meeting. Mr. Marshall suggested the Special Meeting date be placed on the letter which might help to eliminate some phone calls.
- **Mr. Marshall made a motion to have a Special Meeting February 4<sup>th</sup> for the 3M Component tentative to Chris Hannum's availability, if not on February 5<sup>th</sup>.** Mr. Epstein asked if there was a mechanism in place to cancel the meeting should bad weather occur. Another thing is whether or not DEP should be invited. Solicitor Wyland noted DEP is willing to come but was not sure how much would be gained if it was present at the meeting. He will consult with Mr. Hannum on DEP presence. **Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.** Mr. Epstein asked if the Township wanted to be enrolled in the major television snow cancellation program. It costs nothing to the Township. **The motion was approved 4 in favor, 0 opposed.**
- Mr. Marshall noted Mr. Hannum had sent a letter to the Board regarding grant monies available for water, sewer, etc. This needs to be completed sometime in mid February.
- Chairman Espenshade noted the grant deals with a H2O PA Grant for Infrastructure Improvement which includes sewer systems and water systems. Mr. Hannum has laid out the grant application process for the Township. There is a 50% matching grant. The maximum grant amount is \$20,000,000.00 and the minimum is \$500,000.00.
- **Ms. Beaudet made a motion to give Chris Hannum of LTL the approval to apply for the H2O PA grant. Mr. Marshall seconded the motion.** Solicitor Wyland felt the grant is administered by the Commonwealth Financing Authority and local support from your legislators is important. **The motion was approved 4 in favor, 0 opposed.**

#### **REQUEST FOR INTER-MUNICIPAL TRANSFER OF LIQUOR LICENSE – CROSSROADS**

The Public Hearing will be held on January 20<sup>th</sup> at 8:00 PM. Mrs. Casey noted the bids for the demolition of the Laudermilch property will be opened at 7:30 PM that same evening and was concerned the bid opening might take longer than was expected.

Solicitor Wyland noted it was a due process and if the bids take longer, then at 8:00 PM it would be announced the public hearing would be delayed.

### **WASTE MANAGEMENT RECYCLE AMERICA**

Chairman Espenshade noted a representative from Waste Management Recycle America would be present at the next meeting.

### **SEWER CAPACITY RESERVATION ORDINANCE**

Ms. Beaudet noted the Ordinance would now be numbered 2009-03.

- Solicitor Wyland noted he worked closely with LTL Consultants to meet all the requirements of the law. The ordinance is now in a form that is being recommended to be advertised for a public hearing. The ordinance addresses how the Township allocates EDU's in the existing sewer treatment plant in an orderly way and in the future if any additional capacity is available. It is consistent with the Municipality Planning Code in terms of charges and helps to avoid some of the problems without a control of awarding of EDU's.
- **Ms. Beaudet made a motion to have Ordinance 2009-03 advertised for a public hearing on March 3, 2009. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

### **NEW BUSINESS**

#### **RESIGNATION – LARRY SPITLER**

Chairman Espenshade announced, with regret, that Supervisor Larry Spitler has submitted a letter of resignation effective January 15, 2009. Mr. Spitler had a heart attack and his physician recommended he not continue as a Supervisor.

- **Mr. Marshall made a motion to accept Mr. Spitler's resignation. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.**
- Chairman Espenshade noted Mr. Spitler's position will need to be filled. The Board will be taking resumes, letters from anyone interested in filling the position. There will be 30 days after January 15<sup>th</sup> to fill the position. Discussion was held. Ms. Beaudet noted anyone who applies for the position and would be appointed would also have to run in the May election to complete Mr. Spitler's term. By general consensus the resumes need to be received by January 29<sup>th</sup>.
- Mr. Epstein suggested the Township do a press release for the open position.
- Solicitor Wyland noted it should be mentioned in the notice that eligible candidates are only people who are registered voters and resided in the Township continuously for at least one year prior to the date of the appointment.
- Mr. Epstein suggested that a background check be done on the candidates.
- Chairman Espenshade suggested a thank you letter be sent from the Board for Mr. Spitler's participation. He did a great job and Mr. Espenshade hated to see him resign.

### **BROOKE, L.P. ESCROW RELEASE – 453 E. CANAL RD.**

Chairman Espenshade noted an escrow release was received from Brooke, L.P. and was approved by LTL Consultants.

- **Ms. Beaudet made a motion to release the Brooke L.P. 453 E. Canal Rd. escrow, engineering fees plus interest, in the amount of \$12,858.86. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

### **SEIDERS SMALL FLOWS AGREEMENT**

Solicitor Wyland noted the draft agreement provided to Mr. Seiders noted a bond would be required. After some months, Mr. Seiders has contacted the Township indicating that he has obtained a letter of credit which would be an acceptable security for the Township. The Letter of Credit has been received and Solicitor Wyland would like to review it. If it is acceptable, he would like to change the agreement, paragraph 12 regarding the bond, previously approved by the Board, to reflect the change of the financial security.

- **Ms. Beaudet made a motion to approve the agreement realizing that paragraph 12 will be amended to reflect the change to a letter of credit as approved by the Township's solicitor. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

### **ADDITION TO TOWNSHIP BUILDING RENTAL**

- **Ms. Beaudet made a motion to add "no heeies, roller skates, roller blades, or any type of children's riding toys" to the rental agreement. Mr. Marshall seconded the motion. The motion was approved, 4 in favor, 0 opposed.**

### **PSATS CONVENTION – STAFF ATTENDANCE**

It was noted Mrs. Casey and Mr. Longreen would like to attend the convention.

- **Mr. Marshall made a motion to allow Mrs. Casey and Mr. Longreen to attend the PSATS Convention. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

Marty Sowers of Light-Heigel noted there has been an ongoing question as to the original permit for the construction at the Casino. In December, the Casino completed all its requirements for the original permit. Any new construction will be under different permits.

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

Ms. Beaudet noted there are a lot of people in the Township who do not realize they have ambulance coverage. This is the way the Township is giving back the municipal real estate tax to the residents. The average cost for a membership to EMS is \$45.00 for a family and the average municipal real estate tax is approximately \$34.00. This is a way of giving back to the residents without eliminating the real estate tax. Eliminating that tax would also eliminate commercial taxes and the Casino was just reassessed at \$192,000,000.00.

Mr. Espenshade noted for the past 3 years, Ms. Beaudet has been the Chairperson. When you sit in that position, there is a little more responsibility and work load. He thanked Ms. Beaudet for a job well done over the past 3 years.

**BUSINESS FROM THE PUBLIC**

Mr. Shock felt he was not clear earlier in the meeting on his comment on motions. If there is a motion, it requires a second. Once the second is made, there is a call for discussion. During the discussion somebody can make a motion to amend the original motion. That will also require a second and then discussion. Many amendments can be made which will all require a second. If it is done this way, then it keeps the work cleaner.

Dave Buffington, editor of The Sun spoke and volunteered its services for public announcements to get the word out for the Township in case of emergencies, etc.

**Mr. Shutt made a motion to adjourn the meeting. The meeting was adjourned at 8:52 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	