

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
February 3, 2009**

The meeting of the East Hanover Township Board of Supervisors was called to order with the pledge to the Flag by Chairman Keith Espenshade at 7:00 P.M. Present were Supervisors Marie Beaudet, Dave Marshall, and Tom Shutt.

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.

Public interviews of the Candidates to fill the vacant Supervisor position will begin immediately after the Treasurer’s report.

The Public Hearing for Resolution 2009-05 for the liquor license will be held at 7:30 PM

APPROVAL OF THE MEETING MINUTES FROM JANUARY 20, 2009

Mr. Marshall made a motion to approve the minutes as written. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.

TREASURER’S REPORT

Expenditures:

General Fund	\$ 79,308.62
Operations and Maintenance	\$ 38,915.74
State Fund	\$ 15,432.87
Street Light	\$ 204.61
Park and Rec	\$ <u>558.29</u>
Total	\$134,420.13

Ms. Beaudet made a motion to pay the bills as submitted. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.

Receipts

General Fund	\$ 40,276.50
Operations & Maintenance	\$ 41,359.12
Park & Rec	\$ 245.00

Available Funds

General Fund	\$ 427,826.56
Operations & Maintenance	\$ 200,425.26
Street Light	\$ 5,401.47

State Fund	\$ 313,977.87
Public Sewer Fund	\$ 3,974.87
Park and Rec Fund	\$ 98,377.41
TOTAL	\$1,049,983.44

PUBLIC INTERVIEWS OF CANDIDATES TO FILL THE VACANT POSITION OF SUPERVISOR

Chairman Espenshade noted the interview process will begin for the individuals who submitted a letter of interest to fill the position.

GEORGE RISH

Mr. Rish felt he had experience since he sat on the Board for over 7 ½ years. He received a different perspective after being in the audience over the past year and felt he would do things differently this time by expressing his opinion more and helping the public understand what is going on.

- Mr. Marshall noted he served 2 years on the Board with Mr. Rish and they did not always see eye to eye. He asked why Mr. Rish felt he could serve with this Board again. Mr. Rish felt some of the relationships on the Board have changed and he could work better with the Board knowing of those changes.
- Ms. Beaudet asked if Mr. Rish still felt it was a good idea to repeal the real estate tax. Mr. Rish noted he was informed of the reasons why other members of the Board did not wish to repeal the tax and felt those reasons made sense. Some of those reasons were the payment to South Central to cover all residents of the Township with ambulance service, and repealing the tax would not only affect the residents but also the businesses in the Township. He no longer was in favor of repealing the tax.
- Chairman Espenshade noted the Township has a public sewer project that may have to be done by mandate. He asked if Mr. Rish was in favor of using Gaming Revenue to supplement the cost. Mr. Rish noted he may be in favor of it as a loan, but he was not sure he would be in favor of using it for actual payment of the construction costs.
- Chairman Espenshade commented the appointment would be for a term until the end of the year and if Mr. Rish was chosen, would he be willing to run in the election this year to complete the term. Mr. Rish noted it was his intention to run.

ROGER SOWERS

Mr. Sowers noted the Board needed him for his charm and personality which would enhance the image of the entire Board.

- Mr. Marshall asked what Mr. Sowers could offer the Board and the residents if he was appointed to the position. Mr. Sowers felt his well reasoned and well informed opinions would provide the leadership and guidance the Board would find to be invaluable in making difficult decisions. He felt there are a number of things the Board has done that he would have handled differently. He felt getting a ride in an ambulance was not a substitute for dropping the municipal real estate tax and he could have articulated the decision to the public better than the Board did.

- Ms. Beaudet asked if the Township was not able to get the H2O grants, or any other grants for sewer in Partridge Hills and Englewood, would he be willing to use the gaming discretionary funds at the Township's disposal to help those residents defray the costs. Mr. Sowers felt there was nothing wrong with helping those individuals since this issue has been going on for the past 10 years and the situation is less than ideal. He did not see anything wrong with finding a way to help them, but did not feel the rest of the residents should be placed at a disadvantage in order to help a small group of people. There has to be a solution to help them without hurting anyone else and also placing the Township in a vulnerable position. You can't count on gaming revenues because of the economy. If it is a high priority and it has to be done, then maybe there are alternative solutions. It needs to be examined and considered.
- Chairman Espenshade asked if Mr. Sowers was aware the position was until the end of the year and to continue to fill out the term, he would have to run in this year's election. Mr. Sowers noted he was aware of the situation and would be willing to run.
- Mr. Shutt noted the current Board has been together 3 years and from one of Mr. Sowers' statements, he indicated the Board did not do a lot of good, and if he would have been sitting in one of the Board seats, it would have been a lot different. Mr. Shutt noted one person can sometimes make a difference but one person also cannot make all the difference, it takes a Board to make a difference. Mr. Sowers noted the more opinions received, the better a decision can be made. The Board has not done everything the way he would have done it. He would provide the Board with additional insight for the Board to consider.

DAVID ROMANOSKI

Mr. Romanoski noted he applied for the position because 2 years ago, he had a fire at his home on Mill Rd. He was greatly impressed with the community outreach after the fire. He is a life long resident of Central PA, has businesses in the area and works in the area. This is his home and he wants to be a part of it and give back to the community. He is a former warrant officer in the military, has a degree in mechanical engineering, owns his own businesses, deals with technical issues with those businesses, and is a family member. He has a unique detailed oriented process that he applies to his businesses and his decisions. He felt with his experience, he could help guide the decisions made for the Township. He noted he does not have answers for questions asked previously since he has not researched the issues.

- Mr. Shutt asked if Mr. Romanoski's businesses were started from scratch. Mr. Romanoski noted his 2 businesses are property management and the design of molds for small parts. Both were created from scratch.
- Mr. Marshall noted Mr. Romanoski's resume indicated he still works for Hershey. Mr. Romanoski noted he resigned from Hershey, but was asked to come back to train employees. He is planning to resign again shortly. Mr. Marshall asked how much time he would have to devote to the position. Mr. Romanoski noted time is very valuable and he does not have time to devote to the position, but felt it was time he took the time to devote his services to the community.

- Mr. Marshall asked if Mr. Romanoski had done any research on the issues the Township is currently facing. He noted he had done very little research on the issues, however he felt that sometimes a fresh eye on issues is more beneficial.
- Ms. Beaudet noted that sometimes a Township comes upon an issue that is an unfunded mandate. She asked how Mr. Romanoski would sort out the issue. Mr. Romanoski noted you have to step back and look at the issues and be flexible. He noted as being a business owner, he is faced with those issues on a daily basis.
- Chairman Espenshade asked if Mr. Romanoski would pursue the rest of the term by seeking election this year. Mr. Romanoski noted he wanted to make sure he was being a positive influence towards the Board. If he was not meeting the goals or objectives of the Township, he would not run. If he was being a positive influence, he would run. He could not make a decision at this time.

EDWIN SHIRK

Mr. Shirk felt after growing up in the Township and spending most of his life here, he has some insight to the community and has gotten to know many of the people. He views himself as a good listener. His strongest attribute is a provoker of thought to explore all angles of an issue and come up with a suitable solution. His background is financial consulting and he deals with individuals as well as small businesses. He also serves on a board that deals with a 3.5 million dollar budget and he is familiar with profit/loss and cash basis. The sewer is an issue and there needs to be some sort of resolution. He hopes to be a part of the issue and come to a resolution. There are also other issues such as stormwater, the casino, etc. He has followed the issues by reading the minutes posted online.

- Mr. Marshall asked how much time Mr. Shirk could apply to the position since it can be consuming. Mr. Shirk noted he has time but does anyone have the time to sufficiently devote to being on the Board to make the decisions that need to be made. He is willing to devote the time needed to bring his attributes to the Board and address the issues.
- Ms. Beaudet asked if Mr. Shirk was willing to use discretionary funds to help out the issues of sewer. Mr. Shirk felt the original plan was initiated to address the 2 developments. He would look at what funds were originally designated and if they aren't available, then some sort of follow through needs to be done, wherever they come from, to take care of the issue since he has heard the pleas and outcry from those residents.

PUBLIC HEARING FOR THE TRANSFER OF A LIQUORE LICENSE – RESOLUTION 2009-05

Solicitor Wyland noted it is the time place that has been advertised for a hearing on the transfer of a liquor license. This is a request from Crossroads Café for an intermunicipal transfer of a retail restaurant liquor license from Steelton Borough to East Hanover Township. Under the Liquor Code, a hearing is to be held in the receiving municipality so that anyone can offer their views on the transfer, and then the Township must take a

vote to approve or disapprove the transfer of the license into the Township. This is just the first step the applicant has to take. If the Township approves of the transfer, then the applicant goes on to apply to the Liquor Control Board at which time the more traditional test will be made as to the fitness of the applicant. Attorney Steve Nicholas is present on behalf of the applicant. Solicitor Wyland noted Attorney Nicholas and his client will provide the background and general observations regarding the application, and then provide an opportunity for the Board and the public to ask questions and make comments.

- Steve Nicholas, attorney for the applicant Crossroads Café LLC, a Pennsylvania Limited Liability Company. The company will operate the restaurant business which is known as the Crossroads Café located at 9147 Allentown Blvd., Grantville. Anna Politsopoulos is the owner of Crossroads Café LLC. Anna is present to answer any questions. Attorney Nicholas thanked the Board for its time and Solicitor Wyland for his courtesies during the process. The application is made pursuant to Pennsylvania Act 141 which was signed into law December 2000. The Act amended the way liquor licenses are issued in the State. Before the act, licenses were issued to a municipality. After the Act, they are now issued County wide. You can move a license within a county. When the liquor code was first enacted there was a quota system. The number of licenses at that time was based on 1 license for every 1,000 inhabitants. Over time, the liquor code quota has become more restrictive and you can only have 1 license issued for every 3,000 inhabitants. The existing licenses have been grandfathered, and a lot of those have gone out of existence for one reason or another. Those that are grandfathered and considered still in existence means there are not new licenses generally available for the type of license that is being applied for. If you own a hotel with the appropriate number of rooms described in the code, you can apply for a new hotel liquor license and that is outside the quota of the code. A retail liquor license allows for the sale of all legal alcoholic beverages. The intent of the legislation was to allow a better distribution of licenses to previously less populated areas, and as the population has moved into the suburbs, with larger populations in the suburbs, licenses are now being made available to restaurants that are more convenient to the local municipalities. Hopefully, this will increase the tax base and help people to develop land in accordance with local ordinances and create more job opportunities for local residents. If the intermunicipal transfer is approved this evening, and then approved by the Liquor Control Board, the license cannot be relocated outside of the Township for a period of 5 years. The application is a 2 step process. The applicant is before the Board to request by resolution or ordinance, the transfer of Retail Restaurant Liquor License No. R17061 to East Hanover Township at the mailing address of the Crossroads Café 9147 Allentown Blvd., Grantville, PA 17028. The license is currently issued for use in the Borough of Steelton. Due to the quota system if you want to obtain a liquor license and there are no new ones to purchase from the PLCB, you have to enter into an agreement with someone who has one to do a transfer. This is what is happening with this license. The operator has no connection with the way this license has been previously operated, and the license is not in operation in Steelton at this time. The second step is to undergo

the strict requirements of the Pennsylvania Liquor Code. During that step there are certain things that are going to be reviewed. The minimum requirement for the location is 400 square feet. Crossroads far exceed those requirements as it has approximately 10,000 square feet which includes the patron serving areas, kitchen and storage areas. It also has a banquet facility. The Liquor Board will be looking to make sure Ms. Politsopoulos is a person of good moral character and this includes a very thorough police background check. The applicant must also exhibit the financial ability to properly operate this restaurant business. Ms. Politsopoulos appears here with a good and ongoing successful background in the restaurant business. Other family members own other restaurants. Ms. Politsopoulos will be the onsite owner and onsite manager. Upon the approval of the LCB the scrutiny of a licensee just begins. The Bureau of Liquor Control Enforcement is an investigative bureau that was created in 1986 and operates under the PA State Police. Its sole purpose is to inspect licensed premises to ensure those businesses are properly operated. Anna ensures the Township the business will operate, if approved, under the strict confines of the law. Ms. Politsopoulos is in the process of purchasing the Crossroads Café under an agreement of sale. The sellers are Dennis and Carol Hess and Robert and Amy Hess. This business has been operated by Anna since September 11, 2006. Anna is a family person and has been married for over 23 years. She has 3 children, one who has graduated from college and manages the Farmers Wife in Ono, and the other children are still in college. Anna is a hard working reputable tax paying member of the community. The license is identified as Retail Restaurant Liquor License R17061. This type of license allows the sale of all types of beverages. It also allows the sale of six packs to go but there is no intent at this time to allow the sale of six packs. The Crossroads has seating for 200 patrons in the restaurant and the banquet facility can hold another 200 people. The banquet facility offers a location for the community to host weddings and other similar family celebrations. The Boards approval and subsequent approval from the LCB will not make any basic change in the operations of the restaurant. It will not become a neighborhood bar or a nightclub. The hours of operation will remain the same, 7 days a week from 6:00 AM until 9:00 PM. The hours could be adjusted to accommodate a wedding reception or other event at the banquet facility. The normal hours for serving alcohol in Pennsylvania are 7:00 AM until 2:00 AM and on Sundays from 11:00 AM until 2:00 AM. The intention for securing the liquor license is to accommodate weddings and other similar events held in the banquet facility. Legal beverages will be available in the other part of the restaurant. The intent is to be able to serve patrons who would like a drink with their meal. The PLCB has a program called the Responsible Alcohol Management Program. He encourages all his clients to make sure all employees are trained in the proper and responsible service of alcohol. Violations of the Liquor Code become very expensive. The fine for serving a person who is visibly intoxicated or underage begins at \$1,250.00 and escalates rapidly. If a licensee continues to violate the Liquor Code, revocation of the license is possible. A license issued to the facility will bring control to the service of alcohol. Currently if there is a wedding reception, the host of the

wedding has to sign an agreement and provide certain insurance coverage and the owner of the business is not responsible. If the business is licensed, then it's the owner's responsibility to ensure alcohol is served in the proper way. The restaurant is intended to attract everyone and is a causal restaurant. There is no intention to change anything at the restaurant. If the application begins with the LCB, a poster will be placed at the premises and everyone in the community has the right to object to the LCB regarding the application. The restaurant provides 30 full time and 10 part time jobs. Most of the employees live within a 5 mile radius of the restaurant. The purchase of a liquor license requires a large financial investment and Anna has no intention of risking her investment by mismanaging her business. Attorney Nicholas respectfully requested the approval of the license.

- Mr. Shutt asked if there is any amount of time the license has to be kept before it could be sold. Attorney Nicholas noted the only restriction is that it cannot leave the Township for a period of 5 years. The license could be sold but the individual buying the license would have to go through the same process as Ms. Politsopoulos is going through.
- Ms. Politsopoulos noted they have been there since 2006 and plan to be there for a long time. Her family has owned businesses for 20 years and has held on to them. They are family people and have their children involved in the business.
- Mr. Marshall asked if Ms. Politsopoulos has ever owned a restaurant where she had a liquor license. Ms. Politsopoulos noted she has not, but has helped her parents operate their business and they had a liquor license. Mr. Marshall asked how she intends to control alcohol at banquets and in the restaurant. She noted there would be properly trained individuals looking out to see how much everyone is drinking and would be carding people so there are no underage drinkers since that is not the type of reputation or crowd she wants for her business. She would like to keep a strong control over the service of alcohol. She does not want any fines or problems. This is an investment for her and her business and she does not want to jeopardize that. Mr. Marshall noted it was his understanding that she does not have any desire to sell six packs to go. Ms. Politsopoulos noted he was correct. Attorney Nicholas explained why selling six packs was not feasible because the take out sales do not amount to much.
- Mr. Espenshade thanked Ms. Politsopoulos for allowing the Board to postpone the hearing until tonight.
- Dan Stefanovich of 751 Manada Bottom Rd. provided his support for the Crossroads Restaurant. He believes this would be something that is good for the community. He understands the Board may have some concerns about bringing a liquor license in, but believes the people who bear all the risk in this is the business owner. They are putting up the money for the license and the liability strictly falls on them. This is something similar to what the Skyline Restaurant is and there is no trouble there. Crossroads is a great business that is in the community and provides jobs in the community. He felt this would bring business into the community and improve it. There may be some reservations of a previous decision of a similar transfer within the Township, but he felt the Board is charged with a serious responsibility to make subtle distinctions at certain

times. In this particular case, while it may on the face appear to be a matter of fairness or equity that you do for one and not for the other, you have to closely look at the venue and the type of business you are approving the license for. In this particular case, the approval of the license would be good for the Township. He noted many of his friends and family members also feel it would be good for the Township. To be able to have a banquet there would be a service to the community and would also provide the potential for more jobs in the community.

- Ron Oellig noted he is a lifelong resident of the Township and is used to having bars in the community, but felt this is just the tip of the iceberg of requests since he anticipates growth in the future. This is just the start of people wanting to bring liquor licenses into the Township. The decision will set a precedent.
- Chairman Espenshade asked which way Mr. Oellig would like to see the precedent set. Mr. Oellig felt the Township should not go with the license since he felt there will be a lot of requests in the future with all the other restaurants in the Township and the future growth.
- George Warner noted his concern has nothing to do with alcohol but has to do with public safety. The Township has no mechanism other than the State Police, which are now being more and more occupied by the Casino, of protecting individuals once they leave the premises of Crossroads. He as a physical therapist has taken care of youngsters who have made the wrong decision and will pay the price the rest of their lives. The lack of having public safety and a mechanism to control the activities once they leave the area is his concern.
- Roger Sowers has no vested interest in the liquor license, but the facility is within a stones throw of the elementary school. While none of us wants to consider the awful consequences of someone abusing the privilege of consuming alcohol beverages, the loss of one child through someone's careless action who was a patron of this facility would be an awful burden for the Board to have to bear. He assumes the Board is under no legal obligation to accept or refuse the application. He does not know if he could provide a statistic that would say the Township, based on population, desperately needs another liquor license. There will be those that abuse alcohol and there will be tragic consequences to that. Given the close proximity to the elementary school, he personally considers it to be less than prudent to grant the application. He did not feel this was good public policy. He also did not feel the BYOB was good practice at other facilities in the Township since there is no control. He felt there were a lot of moral and ethical consequences that should be considered in making the decision.
- Becki Oller understood the requirements and regulations have changed since 2000 and that liquor licenses are now County wide. She asked how many liquor licenses are currently active in the Township. Chairman Espenshade thought there were 8 licenses and 7 that are active. Mrs. Oller noted the Township has a population of right over 5,000.
- Chuck Mundy of Tannenbaum Way asked how many servers of the restaurant are age eligible to serve alcohol. Ms. Politsopoulos believed all the servers are over 18 and if the license was received, that would be strictly enforced.
- Eric Epstein noted tomorrow is the State Budget address and commented there are 2 initiatives that may or may not affect the impact the license. One is the

likelihood the Governor would cut funding for State Police control in the Casino, and if that doesn't happen, there is a proposal that those State Police would not be in the Casino but patrolling the area.

- Dave Sincavage, Highland Circle supported George Warner's comments in opposing the request for safety reasons. He asked if the request was approved, it appeared there was some reservation about the six pack sales. If the request was approved, would the Township have the empowerment to impose additional restrictions on how the license would be used? Is there anything to prevent this from becoming the neighborhood bar or nightclub?
- Chairman Espenshade noted the only ability the Township has is to approve or disapprove the request. After that, it is in the hand of the Liquor Control Board.
- Chairman Espenshade asked the Solicitor once the license is allowed into the municipality, if it could be transferred anywhere into the municipality without the Board's input. Solicitor Wyland noted once the license is in the municipality, it would not require additional Board approval. Attorney Nicholas noted the municipality would be notified of a transfer and it, along with the citizens, could object to the transfer before the LCB. Solicitor Wyland noted that is the decision of the Township to act as an advocate against the transfer before the LCB so there is not a repeat of a public hearing.
- Mr. Shutt noted what Crossroads wants to do is different than a bar. This would be a family operation and he has no problem with that. What he is concerned about is if the owners would decide to sell the license.
- Mr. Marshall commented if Ms. Politsopoulos got tired of Crossroads and someone would come along with a lot of money and she would sell the restaurant, if the liquor license stays with the restaurant, would it have to go before the LCB. Attorney Nicholas noted the sale would have to go before the LCB for the transfer of ownership.
- Ms. Politsopoulos noted if she would have wanted to make it into a bar, she would have done so in 2006. Her objective was to run a family restaurant and see how the banquets could run without any liquor and this has been done for almost 3 years. She sees the need, especially for the banquet facility, to be able to control and offer alcohol to their patrons.
- Ms. Beaudet asked if business was lost because of not having a license. Ms. Politsopoulos noted they did loose business since individuals would have to worry about getting their own bartender and haul in the alcohol. Ms. Beaudet asked what the average time was, once she or her family owned a business, they hung onto it. Ms. Politsopoulos noted they have never sold a business. One of the restaurants has been owned for 20 years. They don't plan on selling any of their assets.
- Solicitor Wyland noted the public hearing was closed (8:07 PM). There are 2 resolutions that have been prepared, one in favor, one opposed. The Board needs to approve or deny the application for the transfer of a Retail Restaurant Liquor License R17061 from Steelton to East Hanover Township.
- Ms. Beaudet noted this is a family business and it appears they have held on to their businesses. They are loosing business and she has no reason to believe these people are going to put in a bar any time soon.

- **Ms. Beaudet made a motion to approve the request. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

CONTINUATION OF PUBLIC INTERVIEWS OF CANDIDATES TO FILL THE VACANT POSITION OF SUPERVISOR

JOHN NELLIGAN

Mr. Nelligan thanked the Board for the opportunity to speak. After being a resident in the Township for 44 years, and in the past 12 years, having a lot of experience in working with the various Board of Supervisors and the associated committees, he now feels he has something to offer to the community. His record stands on his community involvement. He is aware of the issues facing the Board. He has sat on the Board in past years and understands the difference between sitting on the Board and sitting the audience and understands the job. Being a retiree he felt he has demonstrated his ability to work and spend a great deal of time at the community level. He felt he is in the position to offer his services to East Hanover Township.

- Mr. Shutt noted he was impressed at what Mr. Nelligan has been involved with on a volunteer basis.
- Ms. Beaudet asked if no grants are received for the sewer project, would he be averse to using discretionary funds received from gaming to help out the residents. Mr. Nelligan noted he understands the stress of putting sewage since he was on the Board when the first sewage was put in. The Board at that time did everything possible to assist the residents that were involved. The Board was able to bring in some help from the outside which helped to reduce cost. He would struggle with every possible conceivable way to reduce costs for the individuals. He understands the impact and can see the need for help. As perhaps a last resort, working with discretionary funds may be an alternative way to go; however there are avenues out there and he is sure the Board has not given up on looking at other alternatives. Without a commitment to the discretionary funds, he thought would be to look at all possible means of making reductions for the homeowners.
- Chairman Espenshade asked if he would fill the remainder of the term by seeking election. Mr. Nelligan noted he understands the criteria, the appointment would be for the remaining year, and it is his intention to file for the election if appointed.

GEORGE WARNER

Mr. Warner noted he lives on Carlson Rd. When he first saw the announcement, he felt he would hate to be the person chosen. Then he sat down and asked himself why he would hate to be the person considered. The very fact is there are many challenges and many opportunities for East Hanover Township. In many ways the Township is in the driver's seat, but he feels the Township needs to take a different perspective and utilize the strengths which are the residents. There are a lot of individuals that have information, and in an aggregate, can provide a force that many of the obstacles the Township is viewing at this time become opportunities. Will the Township succeed in everything? Of course not. Can we succeed in many other areas, he believes it is possible. He described himself as an aggressive advocate for the citizens of East

Hanover Township. As a health care professional he has seen it all, both positive and taxing. As long as there is an element of hope and determination, success can occur.

- Ms. Beaudet asked if Mr. Warner would be willing to, if the Township exhausts all other possibilities, use discretionary funds the Township has. Mr. Warner noted without having the information he needed to know, he would not say yes or no.
- Chairman Espenshade asked if Mr. Warner would wish to continue as a Supervisor if he was appointed. Mr. Warner felt if he could contribute in a positive diverse fashion, he would consider it his responsibility to be a candidate.

Chairman Espenshade noted since there was more of a response than was anticipated; the appointment will be made at the end of the meeting so the Board can contemplate what the applicants have provided.

CORRESPONDENCE

The Correspondence is available for review during normal office hours.

REPORTS

PARK AND RECREATION – JANET ESPENSHADE

- The Valentine Party will be held on February 13th.
- The Indoor Yard Sale will be held on February 21st.
- The Park and Rec Board is requesting the Board of Supervisors change the Park and Rec Board Ordinance from a 5 member to a 7 member Board. There are additional people who would like to be on the Board which would make 7 members.
- Mr. Marshall felt the Board should wait a couple months to see how it goes. The number was reduced since it was difficult to get volunteers.
- Chairman Espenshade's only concern was if there are people willing to serve he would like to see them participate.
- Chairman Espenshade noted at the last meeting, the Park and Rec Board in conjunction with the engineers submitted a plan for the Youth Sports Complex, which is the ball fields, soccer fields, etc. It is a land development to increase that recreational area.
- **Mr. Marshall made a motion to move the Park and Rec layout plan on to the Planning Commission. Ms. Beaudet seconded the motion. The motion was approved 4 in favor, 0 opposed.**

APPROVAL OF THE SPRING NEWSLETTER

- **Ms. Beaudet made a motion to approve the Spring Newsletter after the changes by the proofreader are made. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

- Mr. Longreen presented his report for January. It is available at the municipal building for review.

- Mr. Longreen noted there is now an individual in the area that is cutting electric poles off with a chain saw. PPL has informed the Township that there have been 3 cut off in the past 2 to 3 weeks. This has happened in West Hanover Twp.
- Mr. Marshall asked if there are still problems with the nails on Jonestown Rd. Mr. Longreen noted there has not been a problem recently. Magnets were purchased for the front of the vehicles. With the recent snow, the Road Crew can't get out and sweep the shoulders.

GRANTVILLE VOLUNTEER FIRE CO. – WAYNE ISETT

- On February 5th along with the Hershey and Lower Swatara Fire Cos. the Fire Co. will be accepting a PR check from Congressman Tim Holden. The GVFC's check will be for \$45,500.00. Lower Swatara's is for \$49,000.00 and Hershey's is for \$22,000.00.
- The Fire Co. was awarded in January a check for \$11,192.00 for the State grant.
- A Msack Grant was received which purchased a suction unit for the QRS Unit.
- The statistics for 2008:

Fire Dispatched Calls	401
Total calls in East Hanover	247
Total calls outside of the Township	154
Total scratched fire calls	18
Calls dispatched to the Casino	64
Total QRS dispatched calls	448
Total QRS responding	275
Average turn out members per call	8
Fire/Fire Police emergency responders over the 10 calls	35
Total Fire/Fire Police responders minimum 1 call	55
- Mr. Isett noted the Grantville Volunteer Fire Co. is submitting its approved 2009 operational budget to the Board as required by Pennsylvania Act 7. All incomes and expenses for 2008 are included in the package. An audit will be conducted no later than March 12th. The Township contribution was increased to include the gas and insurance payments. Expenses relating to this will not show due to monies not going through the Fire Co. checking account, but being directly paid by the Township. A copy of the GVFC financial statements as of December 31, 2008 through 2012 was provided. The information for this document was compiled by the accounting firm of McKonly and Asbury of Camp Hill, PA. Other tax related accountant work for the Fire Co. activities are being completed by Dianna Reed Associates in Hershey. Any questions relating to the budget can be addressed to the GVFC treasurer Cheryl Bailor and Mr. Isett.
- The budget is \$350,000 which seems high but the Fire Co. needs to show the in and out of the grants.
- On February 6th is the Annual Fire Co. banquet at the Holiday Inn. Around 95 to 100 people are coming.
- The next fund raiser is March 13th which is a Spaghetti Dinner.
- Chairman Espenshade thanked the Fire Co. for its service.

PUBLIC SAFETY ADVISORY COUNCIL – JOHN NELLIGAN

Mr. Nelligan reported the next meeting will be held on March 23rd at the municipal building beginning at 7:00 PM. It is a public meeting and anyone interested in attending the meeting is welcomed.

EMERGENCY MANAGEMENT – JOHN NELLIGAN

- Mr. Nelligan noted there were 2 winter storm call outs. The purpose behind the call out is to keep abreast of the plowing and cindering efforts of the Township, and keeping the Road Department aware of emergency calls in the Township. If there is an emergency call, the Road Department can be directed into that area. During the last call out, there were 3 incidents and the Road Crew was advised of those issues.
- Deputy Dale Powell and Mr. Nelligan attended an 8 hour workshop on terrorists' methods.

WASTEWATER TREATMENT PLANT – CURTIS CASSEL

- Mr. Cassel presented his report for the month of January. The report is available at the municipal building for review.
- Mr. Marshall asked how long ago the pump at Funck's was replaced. Mr. Cassel thought it was in the fall of 2008. He noted the pump got bound up and burned out.
- Mr. Marshall commented about the blockage at the Rest Area and noted it was a terracotta pipe. He asked if it was part of the Township's system or PennDOT's. Mr. Cassel noted it is PennDOT's pipe. Everything put into PennDOT's systems is the Township's and it is PVC.
- Mr. Ulrich noted he spoke with PennDOT's engineer and explained the Township had concerns about the infrastructure being outdated from a size standpoint, capacity, as well as a material standpoint, and explained that would probably all be required to be videotaped as part of their land development process. At that point, it would be determined whether the lines would need to be replaced. Mr. Ulrich felt the size of the line would need to be replaced and the terracotta line has long outlived its use and would need to be replaced. It is his understanding that the line under I81 is PVC, but once the videotape is done, a determination will be made as to whether or not there are problems.

ENGINEERS REPORT – NORMAN ULRICH

- There is not a lot going on at The Preserve at Bow Creek.
- Triple Diamond – The Township received a letter from the applicant dated September 3, 2008 indicating various repairs it was going to do Kelly Court and Herr Drive. There has been no activity regarding the issue and LTL has prepared a letter, as directed by the Board, dated January 16, 2009 summarizing the work that was to be completed and indicating the work has not been completed. LTL has also sent a letter dated January 23, 2009 outlining various construction punch list items that have not been completed.

EFMR MONITORING GROUP – ERIC EPSTEIN/ANDREW STEIN

- Mr. Epstein noted he has approached both Senator Piccola and Representative Marsico regarding the H2O grant. He met with the Chairman of the Supervisors of Lower Paxton and Derry Townships who will also be putting in for grants in the amount of \$20,000,000.00 and \$4,700,000.00 respectively. He does not know what the odds are of getting a grant, but felt the Township should pursue it aggressively.
- Mr. Epstein commented Mr. Ulrich has been working on the scoping for the Rt. 743 and S. Meadow Lane project.
- Mr. Epstein followed up with the PA State Police regarding a number of issues relating to the Rest Area. It is the State Police belief that this is an inter-municipal issue. When a meeting is held to discuss idling and crime containment, his feeling is that the other municipalities should be brought in.
- The State Police does not have a position as to what is going to occur regarding the staffing of the Casinos.
- Mr. Epstein followed up with Representative Vereb regarding full time State Police staffing in the Casino. The Casino operators do not want the full time State Police staffing. There is a proposal that the State Police staffing stays the same but it would be outside the Casino. Mr. Epstein's concern is maintaining the coverage that currently exists. Currently the staffing seems to be effective in controlling DUI's and other issues.
- Mr. Stein commented he was sure everyone saw the articles in the papers regarding the gaming grants. The two Boards have made their recommendations to the County Commissioners. The Gambling Advisory Board made its recommendation in the amount of approximately \$1.5 million dollars. The Township is still waiting for the IDA's recommendation which could be for what the Township has submitted. The County Commissioners have until March 1st to make its decision. The grants put in were for \$3.1 million dollars. The grants will be administered through the IDA, and he has been in touch with Skip Memmi who is the Chair of the IDA as well as Mike Musser who is a consultant. As soon as the IDA figures out its process as to how it will be administered, Mr. Stein and eventually Mrs. Casey will meet with the IDA regarding the process.
- Dan Stefanovich of Manada Bottom Rd. questioned grant proposals for the Fire Company with the IDA. He felt the Fire Co. was one of the most important services that is provided to the community. He asked why there were no grants for the Fire Co. Chairman Espenshade noted the Fire Company will be included in the next round of grants.

UNFINISHED BUSINESS

STORMWATER MANAGEMENT - THOMPSON

This is with the Solicitor

CLEAN STREET ORDINANCE

Mr. Ulrich noted this is being put into ordinance form and will be sent to the Solicitor for review.

WINFINDALE PROPERTY

This is with the Solicitor.

CHANGES TO SALDO

Mr. Ulrich noted the draft has been completed and has been forwarded to the Solicitor for review. These changes are to fix the most important deficiencies of the ordinance.

JUNK YARD ORDINANCE – PUBLIC HEARING 2-17-2009

PROPERTY ON EARLYS MILL ROAD AND RT. 743 – AWARD OF BIDS

Mr. Longreen noted the bids were reviewed and he contacted the low bidder and received references. Those references were contacted and all comments were favorable.

- Chairman Espenshade noted a bid was received with an extra proposal. It was his opinion the best way to go is with the demolition. He has had conversations with different Board members and felt the demolition was best for the Township.
- **Mr. Marshall made a motion to award the bid to Mussers Excavating in the amount of \$8,000.00 to demolition the house and the removal according to the bid. Ms. Beudet seconded the motion. The motion was approved 4 in favor, 0 opposed.**
- Mr. Longreen will contact the company that was awarded the bid.

DEP COMPONENT 3M

A Special Meeting will be held on February 4th.

- Solicitor Wyland noted a short presentation will be provided by Chris Hannum of LTL Consultants and he will provide a legal presentation on the background of the issue. There will be a question and answer period after the presentations. Handouts will be provided at the special meeting.
- Chairman Espenshade noted the meeting is critical and everyone is welcome to attend and speak.

H2O PA GRANT

- Mr. Epstein noted Board approval needs to be done tonight for the timeline for the project the Township is applying for with the H2O PA grant. The timeline is not necessarily an attempt to commit to the project; its intent is to provide a theoretic framework which has to be done for the project. The Township can decline the funding if it is granted. The time line would indicate the project would commence as soon as possible. One of the criteria of the grant is that the project is ready to proceed. This will increase priority for the funding consideration. This grant has to be in by February 13th. The project needs to be ready to go to put it in the front of the queue. Mr. Epstein is looking for approval of a cover letter to the H2O project. The letter is almost in its final format with the exception of the final numbers of what the Township will be contributing, which will be 1/3 of what the grant will be. It is not clear of whether or not there will be another round of funding for these issues. This is not a guaranteed grant for the Township, but Mr. Epstein felt the Township would be foolish to not pursue the grant. Approval

has been received from the Township's Planning Commission, the Tri-County Planning Commission, and from the Dauphin County Planning Commission. As everyone knows the Township is under order from DEP.

- **Ms. Beaudet made a motion to allow Mr. Epstein to move forward with the H2O grant application. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

SEWER CAPACITY RESERVATION ORDINANCE

The Public hearing will be held March 3rd.

NEW BUSINESS

HILTON GARDEN INN – PRELIMINARY LAND DEVELOPMENT PLAN

Attorney Ron Lucas was present to represent the plan. Eric Brinser, project manager, was also present. Attorney Lucas noted the plan will be identified as to what is being proposed and Mr. Brinser will go through the 5 waivers that have been requested from the Subdivision Land Development Ordinance and the Stormwater Management Ordinance. Any questions will be answered tonight, and then hopefully they will be back in 2 weeks to answer any additional questions, or ask for a vote from the Board. The Planning Commission recommended denial of the plan unless an extension was granted.

- Eric Brinser from Rettew Associates noted he was present to discuss the Preliminary Land Development plan for the Hilton Garden Inn project. The project is located at the corner of Station Rd., Bow Creek Rd. and Ridge Rd. It is an Interchange Commercial zoning district and is a permitted use. What is being proposed is a 159 room 5 story hotel. There will be 2 separate accesses from Station Rd. and Ridge Rd. All the required parking and landscaping has been provided in accordance with the ordinances. Stormwater has also been provided which needs to be reviewed. Mr. Brinser provided an overall view of the property which is 69.4 acres. 8 ½ acres of the property will be developed.
- A print of the plan was provided for review.
- Mr. Brinser noted as a result of the traffic study done, improvements would be made to Station and Ridge Roads to meet the Township's standards as to road widths and pavement type. Bow Creek Road will have portions that will be overlaid and some widening and reconstruction of the road. There will be several turn lanes provided. There is also a proposed traffic light at Station and Bow Creek Roads. This is just a preliminary design. During the Final Plan the applicant will come back with much greater detail on the road improvements.
- Mr. Brinser discussed the grading plan. He noted the hotel is on the point of an existing ridge which will be lowered to create the plateau for the facility. At the corner of Station Rd. and Bow Creek Rd. is one proposed stormwater pond. It is an above ground stormwater pond. There is no infiltration at that location. There is also another large pond in the Ridge Rd. area that is segregated into 2 portions, one is retention pond and the other area is the infiltration portion of the pond. The area that is being developed was extensively tested for ability to infiltrate, and the only suitable location was the area he will call Basin A, which is

a lower basin off of Ridge Rd. All of the infiltration and BMP requirements are proposed for that location.

- Mr. Brinser noted one of the reasons for modifying Ridge Rd. is to provide proper sight distance from the proposed driveway. There are 2 crest curves on the road that need to be lowered to achieve the sight distance required by the ordinance.
- Mr. Brinser discussed the landscaping plan. Street trees and landscaping will be provided along both Station and Ridge Roads. There will be some along Bow Creek Rd. At the northern end there is a separation between the Interchange Commercial property and the Residential property across Ridge Road, and a landscape screen will be provided in that location. There is also another landscape screen that will be provided on the west end of the property. Discussion continued on the landscaping.
- Mr. Brinser noted a proposed well will be located at the lower left portion of the parking lot. A well study has been submitted to the Township. It has gone through the review process with the consultant. All the technical comments have been addressed. The only outstanding item is a waiver request for the recharge area.
- Mr. Brinser commented as far as sewer is concerned, all the necessary data has been submitted to the Township to request capacity. The issue is in the lines where the Hilton Garden Inn would tie into the treatment plant. It is his understanding the Township's engineer has begun the first phase of the analysis of the lines and the proposed pump station to ensure the existing and proposed infrastructure can handle the additional flow. With the plan there is a pump station being proposed and is currently located off of Ridge Rd. This pump station would only service the Hilton Garden Inn, but there has been discussion with the Township engineer about shifting the location of the pump station to a lower part of the property where it could service other areas of the Township.
- Mr. Brinser presented the waivers that are being requested.

The first waiver relates to the ground water recharge for the well Section 621.1 of the Subdivision Land Development Ordinance. The technical requirements of the Township engineer were met. The one item that can not physically be obtained to meet the requirements of the ordinance is to recharge the groundwater on the site. In this case there is roughly just under 70 acres and the recharge required for the well based on the draw is 139 acres. There is a deficiency on the property. In the report the 139 acres is adequate to recharge the well. This is one of waivers that is being asked for. There are individuals present at the meeting who prepared the well study that would be willing to answer questions.

The next 4 waivers are related to the Stormwater Management Ordinance. The first one relates to groundwater infiltration Section 304J7. The Ordinance only allows for a maximum of 50% of the required infiltration to be conducted in one location and one basin. Original testing of the site was done to see what was available and the capacity. There was an area at the corner of Station Rd. and Bow Creek Rd. that was not looked at. Through the review process, that area was looked at and none of the

areas were suitable except for the location where there is the proposed infiltration pond. Due diligence was done to find areas for the infiltration pond. The request is being made to allow for 100% of the infiltration to occur on that location.

The second waiver under the Stormwater Management Ordinance is Section 305A and those requirements call for a reduction in the overall stormwater flows from pre-development to post-development. Basin A which is along Ridge Rd. meets the criteria with the exception of a 2 year storm. The required reduction is to reduce it back to 40% of the pre-development conditions. The development would only be able to reduce it back to 41.2%. The second basin at the corner of Station Rd. and Bow Creek Rd. (Basin C) has a deficiency from the ordinance for the 2 through the 100 year storm. The 2 year storm is reduced from the pre-development by 92.3% reduction, the 5 year storm 74%, 10 year storm 66.9%, 25 year storm 59.9%, 50 year storm 56.3%, and the 100 year storm 53.7%. The 2 year storm requires a reduction back to 40%, the 5 through 100 year storm requires a reduction of 50%. The smaller storms are the ones that there is a difficult time achieving. Due to the location of the basins, the amount of earthwork required to create the berms pushes back the basin from the right-of-way line. With the slope of the property, the basins are being pushed uphill from the road. This is allowing too much bypass water that is not able to get into the basin. This is why the ordinance cannot be met in all those instances. The client has met with the Township engineer and has looked at feasible alternatives. From what the client is looking at, this is the minimum requirement and relief needed from the requirement of the ordinance.

Waiver for Section 307F – this section of the ordinance requires concrete piping for all stormwater piping. His client is asking for some relief by allowing the use of plastic (SLCPP) piping which is standard in the industry, in areas that are not heavily traveled by vehicular movement. The areas that have traffic and any pipe that is replaced under public roads, will be concrete pipe. It is being asked that plastic can be used in the areas where there is not a lot of traffic. The owner has offered the difference in cost value that he will save by using plastic in those instances; he is willing to donate those savings to the Township for improvements in other infrastructure, such as water or sewer. It is not a large amount. Ms. Beaudet noted the use of concrete pipes was put into the ordinance because of the leeching into the soil of polycarbonates.

Waiver for Section 308A1, 2 and 4 – This section requires a 75 foot setback for stormwater from roads, right-of-ways and structures. There is a lot of runoff going passed the basin because of the grade of the property. If the basins are pushed back further to accommodate the ordinance, it would only increase the bypass water. Along the Ridge Rd.

basin, it is roughly 42 feet from the right-of-way. A minimum of a 33 feet waiver for that basin would be required. Basin C at Station Rd. and Bow Creek Rd. is 36 feet from Bow Creek Rd. and 45 feet from Station Rd. His client would like to have put the basins closer to obtain as much stormwater control as possible, but based on berm size, it is as close as they can get.

- Mr. Marshall noted he had not the time to look at the plan and commented Mr. Brinser indicated a knob would be taken off Ridge Rd. He asked this would affect the cemetery. Mr. Brinser noted it would not affect the cemetery. The crests are further up the hill and the improvements would be staying within the right-of-way. During the final plan, much more detail will be provided.
- Chairman Espenshade noted some of the Board members will need some technical advisement from Mr. Ulrich regarding a few of the issues.
- Attorney Lucas noted they will be back in 2 weeks to answer any further questions and hopefully retain the Boards approval of the plan. The client received the engineer's letter prior to the Planning Commission meeting and the intention is to send a letter to go through all the comments so they can be addressed. One question is whether or not it would be a benefit to the Township and the engineer to make some of the minor revisions to the plan. If the engineer has the time, those changes could be made by the end of the week for his review. If the minor items could be taken care of, then his client's letter would indicate his position on the other items.
- Mr. Ulrich noted that if it is the wish of the Board, he could review a revised plan. Chairman Espenshade noted if it was possible to submit a revised plan showing the minor issues, then it should be done.
- Attorney Lucas noted one of the issues is the pumping station and the fact the Township engineer is talking about possibly moving it on the site to a lower elevation so that it could accommodate other properties in the Township. His client is willing to work with the Township on that issue, but is waiting for the analysis by LTL of the existing facility as to whether not they can tap in so they can proceed with the planning module. If Preliminary Plan approval is obtained, a condition would be his client would be working with the Township to locate the pumping station on the property, which eventually would be dedicated to the Township.

SECRETARY/TREASURER TRAINING – RECORDS RETENTION & DESTRUCTION

Mrs. Casey noted the Township has to follow the PA Historical Museum Commission rules and regulations for retention of records. This course will discuss record retention, how to handle these issues, and different software packages available for electronically retaining records. The course is on February 26th from 8:30 AM until 4:00 PM. The cost is \$199.00.

- **Ms. Beaudet made a motion to allow Mrs. Casey to attend the February 26th training session at a cost of \$199.00. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

PSATS NEWSBULLETIN

Mrs. Casey noted the PSATS NewsBulletin has been received in the past by the Township at no cost. They are now charging \$2.08 per issue. The cost would \$22.88 for the remainder of the year. She felt the Bulletin is valuable to the Township.

- **Ms. Beaudet made a motion to spend the \$22.88 to receive the PSATS NewsBulletin. Mr. Shutt seconded the motion. The motion was approved 4 in favor, 0 opposed.**

BUSINESS FROM THE PUBLIC

Kevin Halbleib, Devonshire Heights Rd. noted he just brought in a land development Stormwater Management plan to the Township today. He asked why the plan can't be reviewed and written comments provided at the next Planning Commission meeting so he can keep moving his project along so he has buildings on the property by May for his crops.

- Mr. Ulrich noted the standard Planning Commission procedure is the Township has 7 days to determine administrative completeness or incompleteness. If it is determined to be administratively complete, it is accepted by the Township, acknowledged at the subsequent Planning Commission meeting with the applicant introducing his plan and then a formal review letter is issued at the following Planning Commission meeting. This is the normal procedure. The 1st submission is 21 days prior to the Planning Commission meeting. The plan has been received in time but Mr. Ulrich felt Mr. Halbleib wanted a formal review at the February Planning Commission meeting.
- Mr. Halbleib asked if there is a reason the plan couldn't be reviewed and written comments provided before the Planning Commission meeting so they could keep the plan moving forward. He is working in a time frame.
- David Craig, member of the Planning Commission noted he would like to keep submission consistent so all applicants go through the same process. It's nice to help people out when they can but he felt, considering Mr. Ulrich's workload, he would like to stay with the normal protocol. He does not having any problems with the engineer going through with the review and providing draft comments knowing the final comments will be reserved once the Planning Commission has its time to review the comments.
- Mr. Halbleib noted he would like the plan approved in a timely manner since he has crops coming out of the ground in May that are to be put into buildings he currently does not have.
- Mr. Ulrich noted one concern with issuing a formal review letter at the next Planning Commission is setting a precedent. Mr. Halbleib's plan is simple but what would prevent another applicant who has a more complex plan, which takes more time to review, from requesting the same thing. The normal Planning Commission procedure is LTL comes to the first meeting for a cursory review. The Planning Commission does not even see this review before the first meeting.
- Mr. Marshall felt this could be done and not set a precedent by having LTL look at the plan, provided they have time, and then provide comments to the applicant so his engineer can start addressing the comments. He does not have a problem with this if the Planning Commission doesn't.

- Mr. Ulrich noted a cursory review could be done on the plan, but wanted Mr. Halbleib to understand that the first full review of the plan will more than likely contain more comments. A full review could be done, but he had concerns about setting a precedent.
- Mr. Marshall noted he would not feel comfortable acknowledging to Mr. Halbleib that this would be a final review but are comments the engineers feels would have to be addressed.
- Solicitor Wyland noted the Township has designated a lot of responsibility to the Planning Commission. The Planning Commission takes the responsibility seriously, carefully reviews the plans, and typically takes the entire 90 day review period to do so. It is a good service to the Township. The process is a one size fits all so even small plans get stretched. He felt there is room for some custom tailoring to the process and perhaps it is best to leave it up to the Planning Commission and its engineer. If the plan is small enough and the time is available, then it can be requested to do a more rapid review of the plan. The type of plan would determine the procedure.
- Mr. Shutt felt plans of this size and simplicity should be able to be reviewed quicker and something should be set up to cover that.
- Discussion continued.
- Keith Oellig commented he has been preaching for a long time that there needs to be guidelines and consideration regarding land area and how the plans are handled. Mr. Shutt agreed and now there is plan before the Township that would support this. Discussion continued.
- Andy Stein noted everyone has to realize there have been some changes. A small project does affect stormwater and everything else the same way a large project does; it's a matter of scale. Engineer's time is engineer's time no matter how much it takes to review a plan. The Planning Commission and Township have come a long way over the past year updating its review process and codes, and protects the Township to help keep its rural nature. He felt the Township needs the Board to make a policy decision and that there are 2 processes those for a large development and those for a homestead. The Board could make a clear definition of where that line is. If there is someone who comes in with a plan that meets certain criteria, then it can be expedited.
- Mr. Marshall noted Mr. Ulrich indicated he had time to do the review and Mr. Halbleib is recognizing that his comments will not necessarily be the final comments and it is up to the Planning Commission if it is willing to look at the plan at the next meeting.
- David Craig asked if Mr. Halbleib just wanted a copy of the engineer's comments to keep things moving along. Mr. Halbleib noted that was correct. Mr. Ulrich commented all the Planning Commission has ever asked is that an escrow is in place to cover the engineering fees and the preliminary letter is provided.
- Mr. Ulrich noted it has taken the Planning Commission some time to come up with a process they are comfortable with. If it is the direction of the Board to alter the process, the engineer will work with the Planning Commission to revise the process. If it is the direction of the Board to have Mr. Halbleib's plan reviewed by the Planning Commission meeting, he knows that can be done.

- Discussion continued. Mr. Halbleib noted he would like final approval by the March meeting to give him time to construct his buildings.
- Chairman Espenshade commented he did not have a problem with the engineer doing a detailed review of the plan as soon as possible, but it needs to get to the Planning Commission in time for it to review it before the next meeting if it so desires.
- David Craig noted the engineer can do what he can to get the letter out and it will not proceed any faster than what the Planning Commission would anyway. Mr. Craig noted a plan goes much faster when the applicant's engineer has good communication with the Township engineer. Mr. Ulrich agreed.
- By consensus of the Board, the engineer will review the plan as soon as possible and provide the comments.

APPOINTMENT OF SUPERVISOR

Chairman Espenshade thanked all the applicants who applied for the position. It is good to know there are people out there who are willing to step up for service to the Township.

- Chairman Espenshade announced he would entertain motions for the nomination of a candidate.
- **Mr. Marshall made a motion to nominate Ed Shirk.**
- **Mr. Shutt made a motion to nominate John Nelligan.**
- **There were no further nominations.**
- **Chairman Espenshade closed the nominations.**
- **Mrs. Casey noted the first nominee was Ed Shirk. She called for roll call vote.**

Chairman Espenshade	Nay
Vice Chairman Beaudet	Nay
Dave Marshall	Yay
Tom Shutt	Nay

- **Mrs. Casey noted the second nominee was John Nelligan. She called for a roll call vote.**

Chairman Espenshade	Yay
Vice Chairman Beaudet	Yay
Dave Marshall	Nay
Tom Shutt	Yay

- **John Nelligan was appointed to the position of Supervisor to replace Larry Spitler.**
- Mr. Nelligan was asked to step forward and Curt Cassel, Notary Public swore him in. Mr. Nelligan took his seat with the Board.

OTHER BUSINESS FROM THE BOARD

Mr. Longreen asked for permission to work with the Township Engineer in regards to the Standard Specifications. An amendment needs to be made regarding Traffic Light Standards to include battery backup and emergency indicators as a standard so when a red light goes into the Township those are required.

Chairman Espenshade noted he and Mr. Marshall looked at the installation of the heat system installed in the building. The system does work at this time, but the craftsmanship is not what was expected. There have been numerous problems with the system and it appears those issues have been resolved, but it not known as to how long. The vendor has not yet been paid.

- Mr. Marshall noted he was not happy with the workmanship and did not want to pay the bill or at least not pay all of it. He asked Solicitor Wyland what the Township needed to do legally. Solicitor Wyland would like to review the issue and provide a recommendation at the February 17th meeting. By consensus, the Board will wait for Solicitor Wyland's recommendation.

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

Respectfully submitted,

Deborah A. Casey

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