

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
April 21, 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 7:04 P.M. Present were Supervisors Marie Beaudet, Dave Marshall, John Nelligan and Tom Shutt.

Scott Wyland, Solicitor; Norman Ulrich, Engineer; Marty Sowers, Codes and Zoning; Charles Longreen, Director of Public Works; and Deborah Casey Secretary/Treasurer were also present.

The 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 at 6:00 PM to discuss legal issues. The Executive Session will continue after the regular meeting.

APPROVAL OF THE MEETING MINUTES FROM APRIL 7, 2009

Ms. Beaudet made a motion to approve the meeting minutes as written. Mr. Shutt seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.

TREASURER’S REPORT

Expenditures:

General Fund	\$ 58,014.93
Operations and Maintenance	\$ 7,282.42
State Fund	\$ 3,272.44
Park and Rec	\$ 139.00
Total	\$ 68,708.79

Ms. Beaudet made a motion to pay the bills as submitted. Mr. Nelligan seconded the motion. Mr. Marshall asked why the cell phone bill went up. Mrs. Casey commented the representative noted the Township could get a better plan and save us money. Nextel ended up retroactively billing us and we should see a credit on the next bill. **The motion was approved 5 in favor, 0 opposed.**

Receipts

General Fund	\$131,417.41
Operations & Maintenance	\$ 29,475.00
Street Light	\$ 371.86
Park and Rec	\$ 9,924.00

Mrs. Casey noted the final PENNVEST payment was received on April 21st. She asked for approval to transfer \$99,640.27 to the General Fund and \$165,359.73 to the Operations and Maintenance fund from the Sewer Project Fund.

- **Ms. Beaudet made a motion to transfer the funds as presented by Mrs. Casey. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

Available Funds

General Fund	\$ 370,591.54
Operations & Maintenance	\$ 138,232.57
Street Light	\$ 6,866.06
State Fund	\$ 492,974.07
Public Sewer Fund	\$ 3,979.89
Park and Rec Fund	\$ 89,334.87
TOTAL	\$1,101,979.00

CORRESPONDENCE

The correspondence is available for review during normal office hours.

REPORTS

PLANNING COMMISSION – DAVID CRAIG

- Reichelderfer – the plan is due to expire. No one was present for the applicant. There was discussion on the stormwater ordinance and whether or not it will apply. LTL is reviewing the issue. The Zoning Officers comments had not been sufficiently addressed. There was a motion to recommended denial of the plan unless there was a grant of an extension of time.
- Costabile – discussion was held between the applicant, the engineer and the Zoning Officer. There was discussion regarding the shed and whether or not it could be moved. Movement of the shed was not required.
- Halbleib – there was a lengthy discussion of the plan. The Planning Commission granted some waiver requests and others were not required.
- The proposed SALDO changes were discussed.
- The Comprehensive Plan was discussed regarding the goals and objections that were forwarded to LTL.
- A resignation was received from a member and the Planning Commission is looking for another member.

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

No report.

CODES AND ZONING – MARTY SOWERS

No report.

ENGINEERS REPORT – NORMAN ULRICH

- Mr. Ulrich provided an update on the Grantville Fire Co. The plans have been revised. There is one revision left. When that is completed, LTL will instruct the Fire Co. of a minor change modification letter and the plan will be ready for signatures, reapproval and recording.

UNFINISHED BUSINESS

CLEAN STREET ORDINANCE

This is with the Solicitor.

CHANGES TO SALDO

- Mr. Ulrich noted the comments received from the Planning Commission, Solicitor Wyland, and the Dauphin County Planning Commission are being incorporated into the ordinance and will be discussed at the next Planning Commission meeting.

JUNK YARD ORDINANCE

- Solicitor Wyland noted the concerns from the public hearing were reviewed and reconciled and some changes in language were made. David Smith has reviewed the changes. Solicitor Wyland commented that since the original ordinance was written back in the 70's DEP's law has changed with respect to the boundaries of its jurisdiction over solid waste disposal, land fills, etc. Those laws are being checked and there may be some minor changes to the ordinance.
- **Ms. Beudet made a motion to hold a public hearing on May 20th at 7:30 PM and advertise. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

PARK AND REC BOARD - ORDINANCE TO INCREASE MEMBERS

Chairman Espenshade commented due to increased participants, the Park and Rec Board would like to increase its members from 5 to 7. The Ordinance would be 2009-04

- Mrs. Casey asked when the ordinance would become effective if it is approved. Solicitor Wyland noted it would become effective in 5 days.
- **Mr. Marshall made a motion to advertise for a public hearing for Ordinance 2009-04 to increase the Park and Rec Board members, to follow the 7:30 PM public hearing for the junkyard ordinance. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

GAMING GRANTS

Ms. Beudet noted the Township was awarded 3.1 million in grants and is waiting to the sign the agreement so the projects can begin. It is also time to start accepting applications for next year's grants. The Township will be putting out the guidelines for the grants in the near future. There was also a judgment from the Department of Revenue saying that the description of a Casino is its building and contents. The grounds being in another County or Township does not make any difference.

- Solicitor Wyland noted a draft agreement was received and reviewed. Comments were submitted to the IDA, but the Township has not yet heard anything about the revisions. The agreements will be in place for a few years and it is important to get the language right. Solicitor Wyland has made it known that the Township is looking for quick resolution to the comments.
- David Craig asked how the agreement affects moving forward with the Comprehensive Plan and LTL's involvement. The Planning Commission is in a

holding pattern until it receives comments back from LTL on its goals and objectives. Solicitor Wyland commented the draft agreements notes the Township is at risk if it spends money before it has a signed agreement, but the grant agreement, assuming it is signed, allows for the recapture for expenditures made before the date of signing. There is a little bit of risk, but he felt the Township is one meeting away from having the final agreement. Mr. Craig was wondering if he needed to cancel next month's workshop.

- Chairman Espenshade felt the Comprehensive Plan is a project the Board wishes to pursue regardless of grant money. LTL is free to move forward. The other Board members agreed.
- Mr. Craig wanted to clarify Ms. Beaudet's comment about getting grants together for next year. He asked if the Township would be sponsoring agreements and would provide a timeline for the information to be received by the Township. Chairman Espenshade noted the information could be for a grant that it wants the Township to support or sponsor.

ORDINANCE 2009-02 – ALLOCATED SEWER CAPACITY ORDINANCE

- **Mr. Nelligan made a motion to advertise for a public hearing for Ordinance 2009-02 to be held as time permits on May 20th. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

NEW BUSINESS

DEANN WAIVER REQUESTS

Farrah Orpin, the Property Manager for DeAnn Mobile Home Park was present. Ms. Orpin commented she was at a meeting in July of 2008 requesting waivers to the Mobile Home Park Ordinance of 2003. Most of the lots in the park do not dimensionally conform to the setback requirements in the ordinance. In 2008, she requested putting some double wide homes on single wide lots and also combining some single wide lots into double lots and the waivers were denied as a whole mainly because of the safety issues. The park at this time is not improving since she can't put any newer homes in. She asked for feedback from the board as to what her next step should be, or what the Board would like to see happen at the park. On April 9th, she sent a letter and plans to the Board as to some of her ideas for the park.

- Ms. Beaudet noted Mr. Ulrich had visited the park. Mr. Ulrich noted that existing homes are very close and could be a fire concern. Not only were the homes close, many of the homes had a small shed which creates a bigger fire risk.
- Chairman Espenshade noted he spoke with Mr. Smith and part of his concern was the request for all of those did not come into any kind of conformance. He felt it would be better to look at 2 or 3 lots and try to see what could be done with those since there are some empty lots. He felt it might be possible that the standards might apply if they are worked on as an individual basis.
- Discussion continued.
- Mr. Marshall felt some of the discussion in 2008 was if some of the lots were close to conformance, as some of the other homes are replaced later on, you

might actually come into conformance. Some of the comments last year were lots definitely needed to be combined.

- Mr. Shutt asked how long the park had been there. Ms. Orpin noted Mr. Gothier has owned the park since 1972. Mr. Shutt noted with the ordinances being change, it put the owner into a situation where it binds them to do anything with the amount of land that is there. He is against taking homes away from people and this is what is going to happen. He felt the Board should help them as much as they can to get something set up that would work and try not to put anyone out of their home. He felt the owner and Township needs to get together and work out the issue. It may be possible to grandfather this since the Township is the one who changed the rules and regulations.
- Chairman Espenshade noted the problem is the homes that would replace the original ones are larger and they are coming together on the backside which creates a fire issue.
- Ms. Beaudet noted she had visited the site and questioned some of the homes. Ms. Orpin noted it is mostly the inner loop of the park where there are problems. There are 6 vacant lots on the inner circle. Discussion continued. There are still people living in some of the homes and she is faced with the decision does she want to kick someone out to combine lots or try to fill some of the middle spaces of what was there before. She has been working with a mobile home manufacturer who would be willing to manufacture some single wide homes that are closer to the old homes that were on the lots.
- Discussion was held on moving the homes and the vacant lots. Ms. Orpin noted some of the homes are very old and to move them would be very costly. She has not been able to find anyone who would move a mobile home unless they are new from the manufacturer.
- Mr. Ulrich suggested the Board might want entertain an overall re-look at the entire park since there are older homes in the park. The lots may need to be reallocated since the owner is having a problem finding homes that would fit the existing lots since there is not a demand for them. The layout approved back in the 70's was fine at that time, but now the owner is stuck with a layout that is no longer in demand. If lots could be combined so a bigger home could be placed, then the owner might find someone who would want to buy a home.
- Ms. Orpin noted the tenants only rent the land and purchase the homes. Her concern about redoing the layout is with the people who own homes there now.
- Chairman Espenshade commented when he spoke with Mr. Smith, he indicated there are some empty lots that are side by side that could be combined to put a double wide on and if there is a smaller homes to go beside it, see what it looks like. If it is closer to the ordinance, then there would need to be some kind of waiver.
- Ms. Orpin noted the new plan that was submitted to the Board should provide a visual as to what the park would look like. Discussion continued on the issue and the ordinances.
- Mr. Sowers discussed the UCC regulations on moving a mobile home.
- Discussion was held on the length of the homes and what is available. Ms. Orpin commented she did not want to pack the homes in there since it is a fire

hazard. She noted she found a manufacturer who would provide new homes that are 13 by 60 foot home, which is closer to the older homes.

- Mr. Shutt suggested the owner, the Township engineer and the Zoning Officer sit down and discuss the issue to see what can be done.
- Discussion was held on what is selling at this time with mobile homes and Ms. Orpin thought with the new smaller homes, she might be able to rent them or rent them to own. Mr. Ulrich felt there might be a solution to the issue.
- Chairman Espenshade asked if 2 Board members and Dave Smith would meet with the applicant, visit the site and see what the issues are. All parties would be there to make a recommendation. Mr. Shutt and Mr. Nelligan will visit the site with Mr. Smith and the applicant.

RESOLUTION 2009-10 – REDFLAG

Solicitor Wyland commented the Federal Government created the requirement for all financial institutions and creditors to put in place an anti-identity theft program. The definition for creditors is so broad that it includes the Township because of having sewer billing customers. We are required to have a program in place by May 1st. The Resolution says the Township adopts an anti-theft prevention program. The program gives the Township some specific things to look out for potential identity evidence and things to follow up on if we detect some red flags. The Township is authorized to keep the program secret from the public. An individual would need to be appointed as a point person, which would be Mrs. Casey since she does the billing. Solicitor Wyland recommended adoption of the resolution and any adjustments could be made to the policy if needed.

- Mr. Marshall asked if we adopted the resolution and found something we don't like would the Board have the ability to change it. Solicitor Wyland noted since it is a resolution, it is simple to change it.
- **Ms. Beaudet made a motion to adopt Resolution 2009-10. Mr. Marshall seconded the motion. The Chairman asked for public comment, there was none. The motion was approved 5 in favor, 0 opposed.**

HALBLEIB LAND DEVELOPMENT PLAN

- **Mr. Nelligan made a motion to approve the grant of an extension of time until August 2nd. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

COSTABILE SUBDIVISION PLAN

- **Ms. Beaudet made a motion to accept the 90 day extension of time for the Costabile property. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

SEWER CHARGES FOR CATASTROPHIC EVENTS

Chairman Espenshade commented there was a request from a property owner to be relieved of sewer bills since they had a fire and could not use the property. They felt they should be exempt from the sewer bills.

- Mr. Marshall felt the last time this was discussed; he suggested a policy be put into effect for catastrophic events where people would not be able to use their facilities if their homes were not able to be inhabited, and for the time period they could not live in their home, they would not be required to pay the sewer bill.
- Discussion was held.
- Chairman Espenshade noted his only concern was they should not be totally exempted from the entire bill and pay the reserve capacity fee for that EDU. The EDU is still being reserved for the property and a fee should be paid.
- Mr. Marshall felt that holding the EDU could not go on for years, and a time limit should be set. Chairman Espenshade noted once the occupancy permit is issued, then full billing would begin again. It was noted the building has been rebuilt but it was not known if a certificate of occupancy has been issued.
- Mr. Marshall felt the Township should have a policy in place in the event this would happen again. He suggested the Solicitor write the policy.
- It was suggested the property owner could be given a 40% reduction for a maximum of 4 quarters since the reserve capacity fee is 60% of an EDU. Solicitor Wyland noted he would have to check to regulations to see if the percentage would apply in this situation. The 60% is generally for new reserved EDU's. He suggested in this situation, it should be reviewed on a quarterly basis to prevent abuse and to make sure The Township is aware of the status of the property. He will write a policy but the Board can provide the property owner with relief before a policy is approved.
- Chairman Espenshade asked the Board if they wished to grant relief for this property owners. By consensus, the Board agreed to grant relief. Mrs. Casey will send the property owner a letter indicating some sort of relief will be granted, but the policy is not yet finalized.

REMOVAL OF DEAD DEER

Mr. Longreen commented the Township was notified by the Game Commission that they were picking deer up in East Hanover Township as a courtesy to the Township. However, the individual that covers East Hanover also covers a very large area and the deer removal service will no longer be provided. The Game Commission has indicated if you have State Game Lands in your Township, you have permission to dump the dead deer on the State Game Lands. The problem is there is no direct access to the Game Lands in the Township. The Township would need a key and either go to Cold Springs or Dauphin and go down the railroad bed to dump them. West Hanover's road crew does pick up dead deer and they have permission from the Game Commission to use their pit which is in West Hanover Township. Mr. Longreen contacted the Game Commission to see if it would allow East Hanover the same courtesy if the Board would decide to have the deer picked up. Mr. Longreen has not yet heard from the Game Commission.

- Chairman Espenshade asked if Mr. Longreen is telling the Board the Road Crew would remove the deer. Mr. Longreen noted he was not indicating the Road Crew would remove the deer. The Road Crew has discussed the issue and the majority do not get into removing dead deer.

- Chairman Espenshade asked what the option is. Mr. Longreen noted it would be to let nature or the property owner take care of it.
- Mr. Marshall noted there is a problem and the Board should look at having the Road Crew remove some of them. There will be some deer that will be lying on the street and cause a traffic hazard, or be in a culvert which could create problems.
- Mr. Longreen understood that but the problem is the Road Crew has its issues with it and he is not going to go out and pick them up. If it is a fresh deer that's a different story, but if there are maggots crawling on them, that's a different story. There are health issues you have to worry about and now the Road Crew is being put in danger. He's not ready to do that with the Road Crew.
- Mrs. Casey asked if there was anyone the Township could contract with to remove the deer. Mr. Shutt noted it is difficult to find someone to do that. He no longer has anyone to pick up dead cattle. He was told his options are to compost it or dig a hole and bury it. This has come from the mad cow disease.
- Chairman Espenshade asked if there have been problems with dead deer. Mr. Longreen noted there have been numerous calls about a decaying deer on Jonestown Rd. that has been there a while. There have also been other calls from other areas of the Township.
- Discussion continued. Mr. Shutt noted he will contact some individuals to see if they would pick up the deer. There would be a cost to it.
- David Craig asked how long the Game Commission has been removing deer. Mr. Longreen noted they have done it for as long as he has been here. Mr. Craig commented if they did it as a courtesy that might imply they have some responsibility to continue. This issue will be checked into.
- Information will be gathered for the next meeting.

APPROVAL OF THE SUMMER NEWSLETTER

- **Ms. Beaudet made a motion to approve the newsletter. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

GRANT WORKSHOP – BOARD OF SUPERVISORS AND PLANNING COMMISISON

Ms. Beaudet noted the Board and Planning Commission need to have a joint workshop to discuss grants. LTL, the Solicitor and Mr. Stein will also be present at the workshop. Tuesday May 12th is the proposed date.

- **Ms Beaudet made a motion to advertise for a comprehensive grant workshop with the Planning Commission and Board of Supervisors on May 12th at 7:00 PM. Mr. Shutt seconded the motion.** David Craig noted the Planning Commission already has a workshop meeting set up for May and if LTL does not get a response back to the Planning Commission, then the Township could save money by having the workshop on the one already scheduled. It was noted it would have to be advertised since the Board will be present. **The motion was approved 5 in favor, 0 opposed.**

OTHER BUSINESS FROM THE BOARD

There was no other business from the Board.

BUSINESS FROM THE PUBLIC

Gerald Erskine of 156 Cliff Rd. has 19 acres at his property. When he originally purchased the land, the intent was to provide a space to keep horses. Construction of his home took longer than anticipated, and now the ordinances have changed. It is no longer submitting your \$10 zoning application fee and putting up a barn. He has been trying to officially get permission to put up a horse barn and riding arena and has found he has a couple options. One is to hire an engineer and do a land development plan, including the stormwater management. This will cost him a lot of money and time. He submitted an application for a small land disturbance. The Township engineer reviewed the application and indicated the plan did not meet the requirements for a small land disturbance. Mr. Erskine would like to know what he needs to do. He would like to ask for a waiver of a land development plan and get some direction as to what he needs to do to get a zoning permit to build a barn and riding rink.

- Ms. Beaudet asked if Mr. Erskine could provide the Board with a drawing and some further information. Mr. Erskine noted he would.
- Chairman Espenshade asked Mr. Ulrich if he had any information on the projects. Mr. Ulrich commented he had met with Mr. Erskine. His contention was there is an extension of the driveway, a parking area he wanted to construct, construction of a building, and then a riding area. The total of all those areas from an impervious stand point triggered the requirement of a land development plan. Discussion was held on the dimensions. Mr. Ulrich noted Mr. Erskine felt the riding area he was proposing is marketed as a temporary structure. Mr. Ulrich spoke with Mr. Smith (Codes and Zoning) and it was determined that while the structure can be taken down, the intention is it will be left up and will act as additional impervious surface. Even if the riding arena were not to be constructed, the other development still puts the impervious surface at 6600 square feet. Mr. Erskine submitted his plan as a minor land disturbance and there are provisions for that, but those relate to items such someone building a new home, putting an addition, etc. Mr. Erskine plan is substantially more and has triggered a major land disturbance for stormwater.
- Mr. Erskine noted he is not trying to subdivide the land and build 200 hundred houses on it. He intends to create a certain degree of imperviable surface which represents about 2 ½% of his total land area. It's been agriculture land forever and he intends to keep it that way. He does not see a clear path for an endeavor like this except from going through the expense of hiring an engineering firm. He is hoping to get a waiver.
- Discussion continued. Mr. Erskine discussed the wetlands on his property and their preservation.
- Ms. Beaudet asked to have something in writing for the Board to look at. She would also like to see the property.
- Mr. Ulrich suggested Mr. Erskine provide the Board with the text from the minor land disturbance permit.
- Mr. Erskine provided permission for the Board to visit his property.

Mr. Marshall noted Anna Staver, who has worked quite extensively with the Township, passed away last weekend.

Ms. Beaudet noted she had spoken last year about our volunteers and publicly recognizing them. She would like to move ahead with that project. By consensus, Ms. Beaudet and Mr. Shutt will move ahead with the recognition.

There was no further business.

Mr. Shutt made a motion to adjourn the meeting. The meeting was adjourned at 8:44 PM.

Respectfully submitted,

Deborah A. Casey

cc: Marie Beaudet
David Marshall
Keith Espenshade
Thomas Shutt
John Nelligan
Hawke, McKeon & Sniscak
Curt Cassel

Charles Longreen
Planning Commission
Light-Heigel & Associates
Posted
Zoning Hearing Board
LTL Consultants
Eric Epstein