

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
May 20, 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 7:08 P.M. Present were Supervisors Marie Beaudet, Dave Marshall, John Nelligan and Tom Shutt.

Scott Wyland, Solicitor; Norman Ulrich, Engineer; David Smith, 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 Public Hearings for Ordinance 2009-01 Junkyards, Ordinance 2009-04 Increase Park and Rec Board Members, and Ordinance 2009-02 Sewer Capacity Reservation will begin at 7:30 PM.

APPROVAL OF THE MEETING MINUTES FROM MAY 5, 2009

Ms. Beaudet made a motion to approve the meeting minutes as written. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.

TREASURER’S REPORT

Expenditures:

General Fund	\$ 27,034.45
Operations and Maintenance	\$ 6,599.62
State Fund	\$ 10,760.67
Park and Rec	<u>\$ 3,617.38</u>
Total	\$ 48,012.12

Mr. Shutt made a motion to pay the bills as submitted. Ms. Beaudet seconded the motion. The motion was approved 5 in favor, 0 opposed.

Receipts

General Fund	\$ 5,050.52
Operations & Maintenance	\$ 7,140.00
Park and Rec	\$ 950.42

Available Funds

General Fund	\$1,258,693.44
Operations & Maintenance	\$ 329,727.34
Street Light	\$ 6,828.37
State Fund	\$ 482,213.40

Public Sewer Fund	\$ 3,979.89
Park and Rec Fund	\$ 83,574.05
TOTAL	<u>\$2,165,016.49</u>

CORRESPONDENCE

The correspondence is available for review during normal office hours.

REPORTS

PLANNING COMMISSION – DAVID CRAIG

No report.

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

- Mr. Longreen requested permission to advertise for road materials and fuel. He checked the COSTARS prices and felt the Township would do better by going out to bid. Mr. Marshall asked if the materials were put out to bid and it ended up the COSTARS price is lower, can we reject the bids. Solicitor Wyland noted the Township could reject the bids and go with COSTARS.
- **Mr. Marshall made a motion to allow Mr. Longreen to advertise the materials for bid. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- Mr. Longreen noted he received a letter from Lobar regarding a road construction project within the Township. This will begin on June 8, 2009 and a traffic detour will be in place until September 4, 2009. This is for the replacement of the bridge on Manada Bottom Rd. This is the 3rd bridge from Jonestown Rd.

CODES AND ZONING – DAVID SMITH

Mr. Smith noted on May 5th his office provided copies of the Zoning, UCC and SEO reports for the month of April to the Board.

ENGINEERS REPORT – NORM ULRICH

Mr. Ulrich was in a meeting with the Planning Commission.

EFMR – ERIC EPSTEIN

- Mr. Epstein attended the Commonwealth Finance Agency Board meeting last week regarding the H2O Grants. He was not able to stay for the entire meeting but was able to meet with the director of the CFA, Scott Dunkleberger. The only grants that were being authorized were for high hazard damns. The earliest the Township will hear about its application is in July.
- The Grant agreements have been completed. The Township has signed the agreements and the IDA is expected to sign the agreements tomorrow, May 21st. Mr. Epstein noted Solicitor Wyland did an excellent job in reviewing the agreement and making the appropriate changes. He felt we have a grant agreement that fully protects East Hanover.

- Solicitor Wyland noted he received a request from the County's Solicitor for us to try to calculate the precise amount of the makeup payment for this year. He is currently working on this. It is estimated to be around \$90,000.00 this year.
- Solicitor Wyland commented he has heard the CFA is still negotiating over the actual scoring matrix for the grants.
- Mr. Epstein noted the estimated \$90,000.00 the Township will receive from the County is part of the MOU and will only be in effect for the next 2 years. The agreement will then have to be re-negotiated.
- Mr. Epstein will be attending a workshop on Broadband Funding. He felt the Township may be eligible for the funding. The workshop is on May 26th.
- The League of Cities has basically committed to the Municipal Utility Alliance to purchase energy at prices that are below what PPL will be selling next year. Mr. Epstein originally told the Township to hold off on purchasing energy but he is now concerned because the price of electric on the market right now is very good. If the Township waits until the Met-Ed rate caps come off, the Township might be too late in purchasing lower cost electricity. He has approached the president of Utility Solutions which is the company that is buying the power for the League of Cities and asked if he would come before the Board to make a presentation to explain what they do, is this something the Township should act upon and to see what the League of Cities is offering. He agreed to do the presentation. It was noted a presentation would be set up for the next Board of Supervisors meeting.
- Andy Stein noted Mrs. Casey and he will be meeting with Skip Memmi on May 28th to discuss the procedures for submitting reimbursements for the grant agreements.

UNFINISHED BUSINESS

CLEAN STREET ORDINANCE

Solicitor Wyland noted the ordinance is finalized and ready for a public hearing.

- **Mr. Marshall made a motion to advertise the Clean Street Ordinance for a public hearing on June 16th at 7:30 PM. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

CHANGES TO THE SALDO

This is with the Planning Commission.

NEW BUSINESS

DEANN MOBILE HOME PARK

Chairman Espenshade noted a layout was received and it will be reviewed to see how it fits in with the Mobile Home Park Ordinance.

- Mr. Nelligan noted Mr. Shutt and he spent time in the park trying to visualize the proposed changes. Both of them had a problem trying to visualize how things would fit together. They discussed the issue with the operator and asked if she would consider going back to her engineer and provide a detailed drawing which

would delineate which sites they would propose making the changes and how they would fit into the park in regards to the ordinance requirements. The drawing has been provided and will be beneficial to the Township in making a decision.

- Mr. Smith noted he has reviewed the plan and provided a partial copy to the Board with his numbers and review. He commented he just furnished a letter to RVG/DeAnn Mobile Home Park referencing where he believes they should go next which is to come before the Board for a hearing for a waiver. His questions and concerns had to do with the setbacks. Mr. Smith did not see any problems with the 2 double wides they want to put in. It seems the only violation is the front yard setback. The single wide will still have some of the concerns the Board had which is the close proximity to neighboring structures.

PUBLIC HEARING FOR ORDINANCE 2009-01 – JUNK YARDS – 7:30 PM

Solicitor Wyland noted it is the time and place advertised for the public hearing on An Ordinance Regulating and Licensing Junk Dealers and the Establishment and Maintenance of Junk Yards in East Hanover Township, Dauphin County. This is the 2nd iteration of the ordinance since there comments received the last time. The ordinance has been revised. Mr. Smith has reviewed it in detail. Mr. Haas from Hawke, McKeon and Sniscak has reviewed it in detail and Solicitor Wyland understands it is ready for action. Solicitor Wyland opened the floor for public comment.

- George Rish noted in Section 602 the word Inspection is misspelled and in Section 701, he believes there is an archaic term, Justice of the Peace. He believes they are District Judges now. Discussion was held on the proper term.
- Solicitor Wyland noted the comments could be addressed as minor typo.
- There were no further public comments. Solicitor Wyland closed the record for public comment.
- It was noted there were no comments received in writing. Chairman Espenshade asked for a motion.
- **Mr. Nelligan made a motion to adopt Ordinance 2009-01 as presented with the changes noted. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

PUBLIC HEARING FOR ORDINANCE 2009-02 – RESERVATION OF SEWER CAPACITY – 7:33 PM

Solicitor Wyland noted Ordinance 2009-02 is an Ordinance Pursuant to Section 2502 of the Second Class Township Code, as Amended, Providing for the Establishment of Procedures and Charges for the Reservation of Sanitary Sewer System and Treatment Plant Capacity within East Hanover Township, Effective Five Days from Enactment. The ordinance is a more detailed version of the Resolution that was passed last year. It basically allows the Township to make a financial charge to a person who wants to reserve sewer capacity in the system. Consistent with the underlying law, the Township is allowed to charge basically a sewer reservation fee of 60% of what the average quarterly standard sewer customer bill is in order to hold that capacity. This provides a more equitable way of allowing people to reserve capacity, but does not prejudice existing or future customers because those that are reserving capacity are paying for

the capacity. This ordinance allows the Township to take advantage of an existing authorized charge under the law.

- Solicitor Wyland opened the record for public comment.
- John Geesaman 1170 Trail Road asked if the ordinance applies to capacity already being held or is this for new reserves. Solicitor Wyland noted if there is already an agreement in place, he would have to review the terms but felt in general, on a going forward basis, if you are going to reserve capacity there is going to be a charge for that which is 60% of a normal sewer bill for as long as you are going to hold the capacity.
- Mr. Geesaman noted himself and the Township made an agreement when they first went through with the sewer systems. Instead of taking money for the right-of-way he wanted hookups. He wanted to know if he would have to pay the fee for those hookups. Solicitor Wyland noted he would have to review the agreement to see if it would be exempt from charges.
- Mr. Geesaman noted the agreement didn't say anything about being exempt.
- Chairman Espenshade noted he has reviewed the agreement, and in his opinion Mr. Geesaman's agreement was made prior to the ordinance and what the agreement says is what it is.
- Mr. Nelligan noted he was on the Board at the time of the agreement and charges were not contemplated at that time.
- Mr. Geesaman noted at the time, the Township would have had to borrow the money to pay him and he would have rather have the hookups in the future.
- There were no further comments.
- **Mr. Marshall made a motion to adopt Ordinance 2009-02. Ms. Beudet seconded the motion.** Mr. Marshall noted if there was an agreement with Mr. Geesaman prior to the ordinance, then it should stand. Ms. Beudet felt that was already established. Chairman Espenshade felt the agreement with Mr. Geesaman takes it out of this ordinance. Solicitor Wyland noted if you have an agreement that is in place, a new ordinance will not abrogate that contract. **The motion was approved 5 in favor, 0 opposed.**

ORDINANCE 2009-04 – INCREASE IN PARK AND REC BOARD MEMBERS – 7:38 PM

Solicitor Wyland noted Ordinance 2009-04 is an Ordinance Amending Ordinance 2002-07 which Created and Regulated a Township Park and Recreation Board. The ordinance will change the Board from 5 members to 7 which is authorized by the 2nd Class Township Code. Solicitor Wyland open the floor for public comments.

- There were no public comments. The Public record was closed at 7:40 PM.
- **Mr. Nelligan made a motion to adopt Ordinance 2009-04 as presented. Ms. Beudet seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- Solicitor Wyland noted the ordinance will be effective 5 days after enactment.
- Chairman Espenshade noted the Park and Rec Board has recommended 2 persons to fill the newly created positions. Dan Casey and Karen Zemitis. The Park and Rec Board members serve 5 years. It is not known what the terms would be. Discussion was held on the rotation of the members. Solicitor Wyland

noted that not more than 2 member's terms can expire annually. It was noted the terms would be determined by the Park and Rec Board.

- **Ms. Beaudet made a motion to appoint Dan Casey and Karen Zemitis to the Park and Rec Board for a term of 3 or 5 years to be determined by the Park and Rec Board, effective 6 days from today (5-27-2009). Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

NEW BUSINESS - CONTINUED

BASEBALL FIELD AGREEMENTS

- Chairman Espenshade noted on the one agreement the Soccer Association was crossed out and another name put in. He asked as to why the Soccer Association's name was in the agreement for the Twilight Baseball Team. Steve Espenshade noted they may have only had the one form with the Soccer Association name in it and noted the only forms he has have the Soccer Association name in them. The Park and Rec Board assigns the baseball fields, but they don't sign the contracts. They do know the details of who is using the fields. Discussion continued.
- Chairman Espenshade asked if the Twilight Baseball Team has residents from the Township. Steve Espenshade noted they are a Lower Dauphin Team. He is not sure who is on the team. There is availability of the Field.
- Chairman Espenshade noted he had concerns about the other agreement since the contact address is an address he is not familiar with. The request was made by the Harrisburg Pioneers Baseball Club. Steve Espenshade noted they are a 13 year old travel team. Chairman Espenshade noted he would like to know where the people are coming from since he wants to make sure our residents and the local associations have availability to the fields. Steve Espenshade noted they do and have first use of the fields. The other teams must contact the original people to use the fields. Discussion continued.
- **Ms. Beaudet made a motion to sign the agreements with the appropriate editing out of the one agreement.** Mr. Shutt asked if the motion to could be amended to as long as it does not interfere with any of our local teams. **Ms. Beaudet amended her motion to include as long as use of the fields does not interfere with any local teams. Mr. Shutt seconded the motion.** Mr. Marshall noted the Township is proposing building a couple more fields. He is not inclined to build them for teams that are traveling an hour to get here unless they are playing an East Hanover Team. Ms. Beaudet noted that travel teams may have members from the Township. Discussion continued. Ms. Beaudet noted in the future, the Township could ask them for their rosters so we know if there are Township residents playing on the team. **The motion was approved 5 in favor, 0 opposed.**

GRANTVILLE VOLUNTEER FIRE COMPANY – RE-APPROVE LAND DEVELOPMENT PLAN

Mrs. Casey noted since it's been over a year since the plan was approved, it needs to be re-approved. There were also some minor changes made to the plan.

- Mr. Ulrich noted the primary hold up was a permit approval they needed from DEP for the main entrance and crossing. This was finally squared away. There were some minor changes made and the plan has been updated.
- **Ms. Beaudet made a motion to re-approve the Fire Company Plan. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

TRANSPORTATION IMPACT FEE ORDINANCE 2009-05 – SET PUBLIC HEARING

- **Mr. Marshall made a motion to advertise Ordinance 2009-05 for June 16th immediately following the hearing for the clean street ordinance. Mr. Nelligan seconded the motion. 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

George Rish asked if the meeting with the Planning Commission and LTL that is taking place this evening has a quorum. Chairman Espenshade noted there were 3 members present. It is a Workshop and was advertised.

John Geesaman noted the wire back where the electric is being put is not hooked up. He asked if that was an issue with Met-Ed. He is concerned he might hit it with a mower. Mrs. Espenshade noted she has contacted Met-Ed a number of times. Mr. Longreen noted the ditch is closed up but there is a wire sticking out of the ground towards the pole. He noted he would look to see if there is something he can do and will also contact Met-Ed.

John Geesaman noted he received a paper at the polls from one of the residents. He was concerned about some of the sums of money spent by the Township last year on legal fees, engineering and consultants. He asked who got the money. He asked where we could cut back.

- Chairman Espenshade felt every penny spent was work and asked Mr. Geesaman to consider the source of the paper.
- Mr. Geesaman asked if there was something he could see to explain where some of the money was spent.
- Chairman Espenshade noted every bill is documented and you can see where every penny was spent. The Board has not hidden anything and if someone wants to stir the pot, stir it. The money was spent to go after casino money, you have an excellent attorney, consultants and engineers, but what the letter doesn't tell you is the money that is coming back from that investment. Mr. Schock always told him you need to run the Township as a business and that is exactly what the Board is doing. That investment will pay dividends beyond what he can comprehend. You got half the truth on that piece of paper.

- Ms. Beaudet noted the letter also did not include reimbursables. There is money that has been reimbursed from developers. Mr. Geesaman noted Ms. Beaudet had answered one of his questions.
- Chairman Espenshade noted some of the money spent was involved with getting the grants. You have to put the money out before you get it back. Every since we started working on the grants, the costs have been made public. It cost money to obtain the grants and if you want to do it right, you have to pay good people. He felt every penny spent will provide the Township with dividends Mr. Geesaman would be happy with. He needs to look at the grants to see what the Township is getting back from that investment. Until you look at that, the number is offensive.
- Mr. Marshall noted Mr. Geesaman can look at the bills and receipts any time since they are a matter of public record.
- Discussion continued.
- Chairman Espenshade noted the Board has been working hard for 1 ½ years going after the casino money and we knew it would cost money and the public was informed of the costs. The bills are detailed.
- Mr. Geesaman asked if the Township was reimbursed for the Stormwater Ordinance. Chairman Espenshade noted the reimbursement has not been received at this time. The Township is still fighting with DEP on the reimbursement. Mr. Ulrich is working on the issue.
- There is grant money in the package to reimburse some of that.
- Mr. Geesaman noted the ordinance is a sore spot for him and knows it can't be corrected with a simple thing. He is upset with the ordinance since it is unfair to his kids and grandkids.
- Mr. Geesaman noted there had been discussion about getting a Code Enforcement Officer back into the Township. Is the Township working on this?
- Chairman Espenshade noted the Board had every intention to do that last year, but it got busy with the grants. The Board has spoken about proceeding with some more personnel and that was one of the positions. He would like to have an in-house person the residents can deal with.
- Mr. Shutt noted if Mr. Geesaman comes to read the minutes, or look at bills, take all the information down and not just what he wants to see. Mr. Geesaman noted he is not trying to make trouble but wanted to get the issue cleared up. Mr. Shutt noted if all the numbers were in there, he would have been fine with it.
- Ms. Beaudet commented there was a State of the Township in the last newsletter which was the first time in many years this was done. A tremendous amount of work was put into it. We tried to break out the costs of getting the grants. The base the Township was supposed to get was \$500,000.00. That base was lifted from \$500,000.00 to \$944,000.00. This is forever or until they open Act 71 again and the Township can try for more money. If we get this money for 10 years, the additional casino money is a huge increase from where we were. Then you add \$3.1 million in grants this year. Also negotiated was a payment from the County of around \$80,000.00 to \$90,000.00 that is paid each year for 4 years. Last year we got \$88,000.00. Even if it cost \$1.2 million, which it didn't, it was still a steal. What she doesn't like is when people intentionally misrepresent. It does the

public and Board a disservice and no one is served well. Even if it was \$1.2 million it was still a steal. Everyone on the Board work hard to obtain these additional funds and grants.

- Mr. Geesaman noted he wanted an answer and the Board provided him with answers.
- Richard Schock noted the Board has said he misrepresented the numbers. The numbers are what they are. They came out of a printout of the General Fund for 2008. It includes, Caldwell, Kearns; KTHL; Kauffman; engineering, Pickering and Corts, McMahon, the numbers do add up.
- Mr. Schock felt everyone knew how he felt about grants. The only money Government has is what it takes from the people.
- It was noted the grants were from Casino money.
- Mr. Schock commented the Government still takes that money. The figures are what they are.
- Chairman Espenshade noted when Mr. Geesaman asked him about the money, he noted he was correct about the number. The thing is what is the point of the number.
- Mr. Schock noted the number is about what the budget was in 2003. This is a big increase. He also crunched some numbers on the solicitor. The company got \$401,000.00. He continued his discussion.
- The engineering included Light-Heigel which got \$123,000.00. Mrs. Casey noted Light-Heigel is not under engineering. They are the Sewage Enforcement Officer, UCC Inspections, and Zoning which has nothing to do with engineering costs.
- Mr. Schock noted there has been some sewer work done. He asked if that money is being out of the General Fund. It was noted the General Fund. Mr. Schock felt it could be a problem.
- Chairman Espenshade noted the Act 537 Plan is part of what the Township is required to do.
- Mr. Schock noted he is talking about the engineering work being done. Chairman Espenshade noted you don't take that out of the sewer fund until you do the project. The money will be transferred back to the General Fund. The Township is not going out and borrow money to do the project if the money is available in the General Fund. He also commented when he first came on the Board, we were paying a Township employee out of the General Fund to run the sewer plant. After he and Ms. Beaudet got on the Board, that changed and the salary was taken out of the sewer fund.
- Mr. Schock noted he has a problem with the engineering for the Stormwater Ordinance which he feels is onerous. He discussed a minor one-lot subdivision plan that he put into his flyer. It took 8 months and the costs were \$8,272.00.
- Chairman Espenshade noted Mr. Schock attends all the Planning Commission meetings and asked what he felt was the problem with the plan. Mr. Schock noted some of it was probably both engineers. Discussion continued. He discussed a plan on Devonshire Heights Rd. and felt the ordinances were strict.
- Chairman Espenshade noted when the CEHAAG group was started, there was an issue. One person was telling and dictating everything that got done around

here. The general consensus of the group, when it got started, was when you walk in this door, you get treated the same as everyone else. Unfortunately, when you do that, now you make some people angry because they have to follow the rules this time. Depending on the person, should the Township look the other way? He did not think so.

- Mr. Schock felt the Stormwater Ordinance is what caused the problems and does not have to be enforced the way it is.
- Mr. Schock noted when the Stormwater Ordinance was presented by the engineer at the public hearing last year he talked about a 10 x 20, 2 feet deep basin, which Mr. Schock calls a dam. How many dams have to be built to reduce floodwaters on Bow Creek in 1972 to reduce the levels by one inch? It is a misrepresentation to present the plan as a flood reduction plan. He is not against ground water recharge, but it can be done in other ways. He doesn't see that in the ordinance. Mr. Schock further discussed his concerns.
- Chairman Espenshade understood Mr. Schock's concerns, but if stormwater management doesn't start somewhere, it will never get accomplished. If you have been keeping with the Chesapeake Bay initiative, President Obama just signed an Executive Order and the Federal Government is going to get involved in the Chesapeake Bay initiative under the Clean Streams and Water Act and if Mr. Schock thinks the Township's ordinance is bad now, he is concerned. He felt what the Township is doing will be the minimum. Discussion continued.
- Mr. Schock noted electric rates are going to increase. Chairman Espenshade noted that was on the sheet and asked what the Township's consultant's opinion of what plant to use has anything to do with the Board. Mr. Schock noted both of the consultants are part of TMI Alert. Chairman Espenshade noted if Mr. Schock is telling him TMI is the cheapest form of electricity, it is going to ruin this world. Mr. Epstein had several comments and indicated he would get the Township clean energy at the cheapest price. Discussion continued.
- Mr. Schock felt nuclear energy was acceptable. Discussion was held on nuclear waste, its dangers and costs.
- Ms. Beaudet noted Mr. Schock had brought up Mr. Halbleib's place and accused the engineer of not going to the site, but never let Mr. Ulrich elaborate. His associate had been there to review the property, not Mr. Ulrich.
- Mr. Ulrich noted he did not visit the site and the site visit Ms. Beaudet was talking about had to do with an infiltration test and was not specific to the driveway since it had not been constructed at that point. Visiting the site had to do with the embankment wall for the basin and would the driveway satisfy the criteria of the ordinance, and more specifically would a site visit by him satisfy the criteria. The applicant was requesting about 38 waivers. Mr. Ulrich discussed the waivers. Mr. Schock had suggested if he visited the site he would have a better understanding of the waivers. What Mr. Schock did not mention was about 15 minutes earlier in that meeting, everything that would have been verifiable by me was already opening admitted by the property owner. By Mr. Ulrich visiting the site would only have cost the property owner money for something he already admitted and is in the meeting minutes. He was trying to prevent excessive bills to the applicant. Visiting the site would only have verified what the applicant

already stated. He has no decision as to waivers, it is recommended by the Planning Commission and granted by the Board of Supervisors.

- Mr. Ulrich noted earlier Mr. Schock brought up excessive bills for a one lot subdivision. During that time, there was another applicant who submitted something similar but a little more complicated since there were other issues involved. The applicant started about 2 months after and finished about 2 months earlier than the individual Mr. Schock talked about. His bill was about half of the other applicant. The difference in the philosophy of the engineers is proportional with the costs. The first review letter for the Royer plan was around 7 pages and the difference is the engineer in that case was more adversarial and the Planning Commission indicated the individual needed to comply with the ordinance, which is why it took so long. The applicant who went through the process sooner sat down with their engineer and the Township's engineer and the issues were worked out in a much shorter period of time.
- Mr. Ulrich noted the Stormwater Ordinance represents the Township's desire and the Stormwater Ordinance Committee that was set up desires. It does not represent LTL's wishes in any way, shape or form. The Stormwater Committee was looking for more restrictions than what is currently adopted. LTL pointed out that it also needs to be enforceable. DEP spoke very highly of the ordinance, but didn't like the cost. There was a lot of work put into the ordinance and it is very comprehensive. Discussion continued.
- Mr. Schock noted the driveway discussed is 75 feet wide and is clay. The topsoil was pushed off. Mr. Ulrich noted a letter was submitted by a firm who had evaluated the driveway. If you read the letter you will find they evaluated the driveway for use as a driveway and not as an embankment structure. The letter only provides an evaluation of the top 2 feet and would not go any farther.
- Mr. Schock gave his opinion of the driveway and the ordinance. He felt the driveway would not wash out. He continued his discussion.
- Mr. Schock's made a comment about the newsletter noted that developers would have to pay an escrow fee.
- Ms. Beaudet noted the Township was running into a problem where developers would not pay their engineering fees and the Township was losing money by developers not paying their engineering bills. The Township decided to have developers put up an escrow so the Township citizens will not be the bank.
- Mr. Schock noted if you want to build a house, you have to put up an escrow fund for stormwater.

Mr. Shutt noted he was approached by a gentleman in the Township about his driveway and he wants the Township to pave it since he felt it is the Township's fault that it is broke up. He and Mr. Longreen looked at the driveway. The last time the Township did any work in the right-of-way was about 20 years ago. Mr. Shutt is bringing this issue to the Board.

- Mr. Marshall noted he has discussed the issue with Mr. Longreen and Mr. Marshall commented his understanding is the gentlemans driveway is breaking up where he enters the road. He felt when you get a driveway permit to enter a Township road, the individual is responsible for the driveway entrance to the

road. Unless the property owner presents himself before the Board or in a letter to the Board to explain it, he is inclined to say no unless the resident can prove there is something out of the ordinary.

- Mr. Longreen noted he has been dealing with the individual for over 2 years and recommended the Township or the Solicitor write a letter stating it is his responsibility and not the Township's.
- Chairman Espenshade noted some facts will be needed and then a reply will be sent.

Ms. Beaudet noted she was approached by a couple who are concerned about their children not being able to play in the park during the Summer Recreation Program. She would like to discuss this with the Park and Rec Board.

- It was noted this is only during the Summer Rec Program.
- Chairman Espenshade noted this was for security purposes and asked Mrs. Espenshade if the outer portions could be opened during Summer Rec.
- Mrs. Espenshade noted when you have 60 or 70 children; we are responsible for those children. The Counselors have indicated they would like the park closed since when they are out in the field and strange people come out with strange kids, and especially adults, they are concerned about the safety of the children. Summer Rec is held throughout the park.
- By consensus of the Board, the policy of closing the park during the Summer Rec Program will remain in force.

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
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