

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
October 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 7:05 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 personnel issues.

A Public Hearing will be held at 7:30 PM for Ordinance 2009-06 Amending Various Sections of the Stormwater Management and Flood Reduction Ordinance.

APPROVAL OF THE MEETING MINUTES FROM OCTOER 6, 2009

Ms. Beaudet noted she would abstain from voting since she was not at the last meeting.

Mr. Nelligan made a motion to approve the minutes of September 15, 2009. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed, 1 abstention, Ms. Beaudet.

Mrs. Casey noted the minutes from October 6th needed to be approved.

Mr. Nelligan revised his motion to approve the minutes of October 6, 2009. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed, 1 abstention, Ms. Beaudet.

TREASURER’S REPORT

Expenditures:

General Fund	\$ 74,864.82
Operations and Maintenance	\$ 6,898.89
Park and Rec	<u>\$ 1,638.19</u>
Total	\$ 83,501.90

Mr. Marshall made a motion to pay the expenses as presented. Ms. Beaudet seconded the motion. The motion was approved 5 in favor, 0 opposed.

Receipts

General Fund	\$ 14,609.89
Operations & Maintenance	\$ 22,624.00
Park and Rec	\$ 25.00

Mrs. Casey noted the Township received the reimbursement for the grant for the house at the intersection of Earlys Mill Rd. and Laudermilch Rd./Rt. 743 in the amount of \$219,524.67

Available Funds

General Fund	\$1,180,509.30
Operations & Maintenance	\$ 242,253.06
Street Light	\$ 5,589.23
State Fund	\$ 338,704.43
Public Sewer Fund	\$ 3,984.35
Park and Rec Fund	<u>\$ 85,751.49</u>
TOTAL	\$1,836,791.87

CORRESPONDENCE

The correspondence is listed as a hand out and is available for review during regular office hours.

REPORTS

PARK AND RECREATION – JANET ESPENSHADE – CLOSURE OF ROADS

Mrs. Espenshade requested closure of the following roads on Thursday, October 22nd: Fire House Rd. from the Carnival Grounds to Jonestown Rd.; Jonestown Rd. from the Lebanon County line to Bow Creek Rd.

- **Mr. Nelligan made a motion to approve the closure of the roads for the Halloween Parade for the Park and Rec Board and in conjunction with the Grantville Volunteer Fire Company Fire Police who will be administering the process from 6:00 PM until the conclusion of the parade. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

Mr. Longreen noted PennDOT contacted him and it agreed to move the salt shed back to the original spot so it won't be near the sewer lines.

- PennDOT is going to follow the Federal Setback Standards, OSHA, National Building Code and the County's Stormwater Ordinance. If the Board wants to request anything else, it needs to do so now. PennDOT would like a letter from the Township indicating it is alright to proceed with the project.
- Ms. Beaudet asked why they would be following the County's stormwater regulations and not the Township's. Solicitor Wyland noted PennDOT's argument is it is exempt from local regulations so it voluntarily tries to follow some regional or national guidelines.
- Chairman Espenshade asked how big the salt shed is. It was noted it was not a large shed. There is Federal approval for the driveway coming onto the ramp.
- Mr. Longreen will compose a letter including the guidelines PennDOT has said it is going to follow.

- Discussion was held as to whether or not PennDOT would be accessing any Township roads. Mr. Longreen felt they would not, but would confirm it.
- **Chairman Espenshade made a motion to have Mr. Longreen draft a letter in response to PennDOT's request for the salt shed that also includes the regulations they informed the Township they were going to follow. Ms. Beaudet seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- Mr. Longreen noted the contractor will start paving Fox Run and Fire House roads tomorrow.

CODES AND ZONING – DAVID SMITH

- On October 6th, Mr. Smith provided to the Board copies of the Zoning, UCC, and SEO monthly reports.
- Mr. Smith noted a copy of the 2010 SEO Fee schedule was provided to Board. There is no fee increase from the 2009 schedule. If the Township continues to use Light-Heigel as its zoning officer, the 2010 rate will remain the same as the 2009 rate.

ENGINEERS REPORT – NORM ULRICH

- LTL is finishing the review of the Letter of Map Adjustment (LOMA) for the property on 173 Ridge Road. A memo for Dave Smith's use will be issued shortly.
- Draft comments are being completed for the Dauphin County Act 167 Phase II Stormwater Management Plan. Once completed, it will be forwarded to the Board for its review before sending it to the County.
- Thompson Subdivision – Lot #1, David and Willa Thompson have completed their required lot improvements and a final escrow release letter will be issued. Lots 2 and 4 still need to be completed. There is activity.

EFMR MONITORING GROUP – ERIC EPSTEIN

- Representative Marsico did offer an amendment to the table games which codified language the Senate had been discussing.
- The House is probably not going to come back until November 9th. Although there is a budget, there is no table games legislation, which provides a hole in the budget. The revenue is \$240,000,000 short because the legislation has not been passed. Mr. Epstein felt when the House and Senate come back; they will probably act on Act Senate Bill 711 which is a reform mechanism and also work on table game legislation which will probably be passed. The table games local share will probably go to a conference committee. Initially HB 21 had anywhere between 1.6 to 1.9 million for local share. That has been eliminated. The Senate has nothing for local share. What Representative Marsico has offered will provide around \$120,000.00 for East Hanover and also money to go to a dedicated Crime Task Force. Mr. Epstein felt this is what will be adopted. East Hanover and Mt. Airy were the only municipalities that were advocating for local share. Our law makers were very aggressive and proactive for the local share. The sticking things for the bill are the tax rate for table games and the license

fee. He suggested Penn National come in to let the Township know what its plans are.

- The State Police bill is now in appropriations. Mr. Epstein did not feel it would be acted upon in this session, but felt some time down the road there would be an assessment for communities that rely on the State Police for enforcement.
- Mr. Epstein and Mrs. Casey attended a meeting on October 19th with Rick Dreyfuss who does pension consulting for the Commonwealth Foundation. East Hanover is in very good shape. There are other municipalities that are in distress, but East Hanover is fully funded.
- Mr. Epstein noted there is a meeting of the Hanover's coming up and suggested some of the Supervisors attend.
- Ms. Beaudet asked about revenue for the County for table games. Mr. Epstein noted the Crime Task Force would get 80% of the revenue and a percentage would be shared between East Hanover Dauphin and East Hanover Lebanon. If the legislation progresses, the Township would be looking at over 1 million coming into the General Fund between slots and table games.
- Ms. Beaudet noted money is being set aside for crime, and crime equates to police. The State wants to assess the Township for use of the State Police. She asked if crime fund money could be used for the Township's State Police cost. Mr. Epstein did not feel it could be used for that. It would be used for combating crime in the County. One of the options to be considered for table games is the Township's share could go to the Crime Force if the Township was indemnified for the State Police cost, but he did not think that would be agreed upon.
- Ms. Beaudet noted if the State Police bill goes through, it will de-fund the Township of its gaming funds. Mr. Epstein noted he has met with representatives and feels there may be flexibility with the rate. His commitment to the Township is to make suggestions so it wasn't a blanket assessment, and things like hosting a Casino would be considered. If it goes through, he would argue the Township should be exempt since it is hosting a Casino.
- Ms. Beaudet asked if the County is going to get money. Mr. Epstein felt the County would not be receiving any revenue with the exception of the Crime Task Force which he believes is a separate entity from the County.

7:30 PM - PUBLIC HEARING FOR ORDINANCE 2009-06 AMENDING VARIOUS SECTIONS OF THE STORMWATER MANAGEMENT AND FLOOD REDUCTION ORDINANCE

Solicitor Wyland noted it was the time and place advertised for a public hearing on Ordinance 2009-06, an ordinance amending various sections of the East Hanover Township Stormwater Management and Flood Reduction Ordinance by revising general requirements and standards for land disturbance activities; adds grading requirements; revising and specifying planting requirements for detention basins; adding regulations for underground detention; revising and clarifying stream bank protection requirements; supplementing erosion and sediment control criteria; and other general revisions. The reason for the ordinance is the runoff of sedimentation in particular to the roadways of the Township.

- The hearing was opened up for public comment.

- There was no public comment.
- The public record was closed at 7:33 PM.
- Solicitor Wyland noted the ordinance has been properly advertised.
- **Ms. Beaudet made a motion to adopt Ordinance 2009-06. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- The Public Hearing ended at 7:34 PM.

COUNCIL OF GOVERNMENTS – DEB CASEY

- Solicitor Wyland noted he attended the meeting and reported there was a presentation and discussion on the EPA's movement towards the total maximum daily load program to reduce nutrients in the Chesapeake Bay. EPA wants to speed up the reduction of nutrients being put into the Bay. This is a multi-State effort. EPA, by the end of 2010 is going to issue new, more restrictive loading requirements for nitrogen and phosphorous on the whole Chesapeake Bay. Then it will assign to each State which has tributaries to the Bay new reductions which they will have to allocate to point and non-point sources. There is a big concern of point sources which are those that have NPDES discharge permits, which are wastewater treatment plants. Many of those plants have recently gotten new more restrictive limits and are in the process of multi-million dollar projects to meet those limits. It is felt that once those projects are completed, the EPA is possibly going to issue more restrictive requirements which will require the municipalities to do further work. Solicitor Wyland discussed non-point sources, mainly agriculture, which is around 60 to 80% of the loading vs. wastewater treatment plants. If the States fail to reduce non-point sources, the additional reductions may fall back onto the point sources. The CAPCOG is the only entity in the State that has gathered up point source dischargers and has discussed this with the EPA during the process.

UNFINISHED BUSINESS

PUBLIC HEARING FOR CONDITIONAL USE - BROADWAY CLASSICS – NOVEMBER 4TH CANCELLED

Mrs. Casey reported the public hearing for the Conditional Use for the Broadway Classics Dinner Theatre has been cancelled. The applicant withdrew its Zoning Hearing Board application and Conditional Use application since they are now planning on building the Dinner Theatre in East Hanover Lebanon County.

REICHELDERFER ANNEXATION PLAN – REVIEW

The Plan was accepted for review at the October 6th meeting.

- Ed Kaylor of Reiber Associates was present for the applicant.
- **Ms. Beaudet made a motion to approve the plan.** Mr. Ulrich noted there were only 2 outstanding issues, one is the trees and the developer's agreement. The understanding was that the monuments and street trees were going to be placed. He recommended if there is an approval, there is a condition of not signing the plans until the outstanding items are verified. Payment of the outstanding

engineer's fees and some pavement are in the letter. This could be done on the condition of LTL's letter.

- **Ms. Beaudet revised her motion to approve the plan with the conditions of the outstanding items presented by the Township engineer. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

NEW BUSINESS

BONAWITZ/GROY RELEASE OF LETTER OF CREDIT

Chairman Espenshade noted Mr. Ulrich has recommended the release of the letter of credit for the Groy land development plan in the amount of \$40,157.05.

- **Ms. Beaudet made a motion to release the letter of credit for the Groy land development for \$40,157.05. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

PURCHASE OF COPIER

Mrs. Casey noted the current copier is 6½ years old and there are issues with it. A quote has been received from Engle Business Systems through the COSTARS program. This is a black and white and color copier which is the same price as a black and white copier. The total is \$8,980.00 purchase price. It would be less expensive to purchase than lease. The annual fee would \$834.30. There is around \$3,600.00 left in the IT grant which would cover part of the cost. Ms. Beaudet noted the Township cost would be around \$5,300.00 with the grant amount taken out.

- **Ms. Beaudet made a motion to purchase the copier.** Discussion was held on what would be done with the old copier. Mr. Longreen noted there were other items that need to be put out for bid and the copier could be included. **Mr. Nelligan seconded the motion. Chairman Espenshade noted there was a motion and a second to purchase the copier at a cost of \$8,980.00. The motion was approved 5 in favor, 0 opposed.**

EFMR MONITORING CONTRACT

Chairman Espenshade noted the contract will expire soon. The new contract is the same as it was last year.

- **Mr. Nelligan made a motion to enter into the contract agreement with EFMR for the remaining of 2009 and 2010. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

ZONING HEARING BOARD APPEAL

Chairman Espenshade noted a Zoning Hearing was held and a decision rendered by the Zoning Hearing Board for the Ingram property. The Board of Supervisors has decided it doesn't agree with the decision and will appeal the decision.

- **Mr. Nelligan made a motion to move forward with the appeal on the Ingram property with the Zoning Hearing Board decision. Mr. Marshall seconded the motion. The motion was approved 5 in favor, 0 opposed.**

BUDGET WORKSHOP – SCHEDULE

Mrs. Casey noted a budget workshop needs to be scheduled. If the Board wants to approve the Budget at the December 15th meeting it would need to approve the proposed budget at the Tuesday November 17th meeting and advertise for adoption at the December 15th meeting. If necessary, a special meeting could be scheduled to adopt the budget. Mrs. Casey is to meet with the Park and Rec Board at its November 2nd meeting to discuss its budget. Discussion was held on a meeting date.

- **Mr. Marshall made a motion to hold a Budget Workshop meeting on November 10th at 7:00 PM and advertise the meeting. Mr. Nelligan seconded the meeting. The motion was approved 5 in favor, 0 opposed.**

OTHER BUSINESS FROM THE BOARD

Mr. Nelligan noted a copier will be going up for sale and other communications equipment. He suggested this all be bundled together to get rid of it.

There was no further business from the Board.

BUSINESS FROM THE PUBLIC

There was no business from the public

Ms. Beaudet made a motion to adjourn the meeting. The meeting was adjourned at 7:51 PM.

Respectfully submitted,

Deborah A. Casey

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