

**EAST HANOVER TOWNSHIP BOARD OF SUPERVISORS MEETING
8848 Jonestown Road, Grantville, PA 17028
December 21, 2010**

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 7:02 P.M. Present were Supervisors Dave Marshall, John Nelligan; and Tom Shutt. Supervisor George Rish arrived at 7:18 PM.

Scott Wyland, Solicitor; Norm 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. An Executive Session will be held after the meeting to continue discussion.

The 2011 Budget will be considered for adoption at 7:15 PM

APPROVAL OF THE MEETING MINUTES FROM DECEMBER 7, 2010

Mr. Nelligan made a motion to approve the minutes as presented. Mr. Shutt seconded the motion. The motion was approved 4 in favor, Chairman Espenshade, Mr. Nelligan, Mr. Marshall and Mr. Shutt; 0 opposed.

TREASURER'S REPORT

Expenditures:

General Fund	\$ 31,219.26
Operations and Maintenance	\$ 11,723.99
Park and Rec	<u>\$ 1,182.82</u>
Total	\$ 44,126.07

Mr. Marshall made a motion to pay the expenditures as submitted. Mr. Shutt seconded the motion. The motion was approved 4 in favor, Chairman Espenshade, Mr. Nelligan, Mr. Marshall and Mr. Shutt; 0 opposed.

Receipts

General Fund	\$11,792.61
WWTP	\$ 4,480.00
Street Light Fund	\$ 43.89
Park and Rec	\$ 550.00

Available Funds

General Fund	\$ 757,982.30
Operations & Maintenance	\$ 209,018.71
Street Light	\$ 6,813.41
State Fund	\$ 398,042.95
Gaming Fund	\$ 327,505.70
Public Sewer Fund	\$ 3,386.44
Park and Rec Fund	\$ 81,068.19
TOTAL	\$1,783,817.70

CORRESPONDENCE

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

REPORTS

PARK AND RECREATION – JANET ESPENSHADE

- The Tree Lighting and Breakfast with Santa were a success. There were 216 people at the Breakfast.
- Chairman Espenshade thanked everyone who participated in the Christmas events.

PUBLIC WORKS DEPARTMENT – CHARLES LONGREEN

- Five employees went to the Flagger Class and all passed. The staff is legal for 3 years.
- Mr. Longreen noted Mr. Marshall had questioned line painting. With the weather and the shortage of paint they have not been done and they are waiting for weather above 38 degrees before they can paint.
- Chairman Espenshade noted on Bow Creek Rd., near Mountain Road, there is some kind of a pot hole. Mr. Longreen noted it is where the gas line crosses and it was patched. He received phone calls about the way it was patched so the patch was taken out. It was patched again this morning and was not done as high as the last time.

CODES AND ZONING – DAVID SMITH

- On December 7th, the Zoning, UCC and SEO reports for November were presented to the Board.

ENGINEERS REPORT – NORM ULRICH

- The bid opening for the bridge over the Manada Creek on Jonestown Rd. project was postponed until January 3, 2011. There was a pre-bid meeting and questions were raised about utility pole relocation. Verizon and Comcast have been contacted to get some questions answered.

EFMR MONITORING GROUP – ERIC EPSTEIN

- Rt. 22/Rt. 743 – A follow up meeting was held with Commissioner Pries. A previous meeting was held to see if the Rt. 743 Committee could be revived. Mr. Nelligan and Mr. Epstein met with representatives of Derry and South Hanover to see if they are interested. No word has been received from either PennDOT or Tri-County Regional Planning Commission regarding the issue.
- A date is needed to schedule representatives from Verizon to attend a Board meeting to discuss the issues.
- On November 24th House Bill 708 was passed. This has to do with mandating electronics recycling. Mr. Epstein noted the Township does its recycling through a contract that includes East, South and West Hanover Townships and Lower Paxton Township. He contacted Lower Paxton and it is unclear whether or not the mandate will have an economic impact on East Hanover. January 24, 2010 the bill will be in place.
- The rate cap will come off January 1, 2011 and it looks like prices will be good for next year.

DAUPHIN COUNTY TAX COLLECTION COMMITTEE – DEB CASEY

- The 2011 Budget was presented at the December 15th meeting. It is projected to be \$93,858.52. The budget was adopted and the cost will be billed quarterly based on the voting percentage.
- The Upper Dauphin School District and some Townships in the northern part of the County went with the 2011 early implementation.
- A meeting was held with Berkheimer and representatives of the TCC. It was noted the meeting was productive and we are getting closer to a contract.
- Berkheimer will not collect the Local Services Tax unless we negotiate another contract with them. Mrs. Casey spoke with other representatives of the TCC as to going in together for the contract.
- Part of the RFP was that Berkheimer share its financial statements with the TCC. It is willing to do so, but not provide copies since it is not a publicly owned entity.
- Members of the TCC will be billed for postage to send tax return forms so Berkheimer is encouraging everyone to file on-line.
- Berkheimer has agreed to provide a toll free number.

7:15 PM – ADOPTION OF THE 2011 BUDGET

RESOLUTION 2010-13 – SETTING THE TAX RATE FOR 2011

- Chairman Espenshade noted the tax rate will not increase for 2011.
- **Mr. Nelligan made a motion to adopt Resolution 2010-13. Mr. Marshall seconded the motion. The motion was approved 4 in favor, 0 opposed.**

RESOLUTION 2010-14 – ADOPTION OF THE GENERAL OPERATING AND GRANT BUDGETS

- It was noted the Budget was posted and properly advertised.
- Mr. Rish arrived at the meeting.

- **Mr. Marshall made a motion to adopt the 2011 Grant and Operating Budgets, Resolution 2010-14. Mr. Nelligan seconded the motion.** Chairman Espenshade opened the floor for any comments or discussion. **The motion was approved 5 in favor, 0 opposed.**

UNFINISHED BUSINESS

ANDY STEIN – RFP FOR ENGINEERING SERVICES

- Mr. Stein noted the Township has been reviewing the RFP's for the bridge on Crooked Hill Road. The information has been provided to the Board.
- Chairman Espenshade noted Mr. Longreen and Mr. Stein have reviewed the information and recommendations have been provided to the Board. A legal review has been done on the proposals and both are satisfactory.
- **Mr. Marshall made a motion to award the contract to Light-Heigel for the project. Mr. Nelligan seconded the motion. The motion was approved 5 in favor, 0 opposed.**

SPEED LIMIT ON BOW CREEK RD./NO PARKING SIGNS

- Mr. Longreen commented he has the ordinances. They were reviewed by the solicitor and changes were made. The ordinances are ready for consideration. The speed limit study on Bow Creek Rd. indicates a speed limit of 40 MPH. This is the entire length of Bow Creek Rd. The no parking signs will also go the whole length of the road.
- **Mr. Marshall made a motion to advertise a public hearing for the No Parking and Speed Limit Ordinances for Bow Creek for January 18, 2011 at 7:30 PM and immediately following the first public hearing will be second public hearing. Mrs. Casey noted the ordinance numbers would be 2011-02 and 2011-03. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**

FLOOD PLAIN MANAGEMENT ORDINANCE

Mr. Nelligan noted he reviewed the information. There are 2 draft ordinances, one prepared by Dauphin County Economic Development and the other by the Dauphin County Conservation District. As indicated by Mr. Smith earlier, there are a lot of similarities between the 2 draft ordinances; however, the DCCD ordinance is somewhat tighter. He felt if there is going to be a standalone ordinance; he would lean toward the DCCD ordinance.

- Mr. Smith noted when this was first presented, the intent was to take a look at whether the Township wanted to amend its existing ordinance. It was discovered it would be very difficult to amend the ordinance in the format it was in. There were also instances where there would need to be dual definitions. At that time, a standalone ordinance was investigated. Janine Park from the Tri-County Planning Commission provided both those comments. If the Board chooses to go with a standalone ordinance, it needs to decide which draft ordinance to amend and adopt. Once the final mapping is approved, the Township has 180 days to adopt a new ordinance.

- Mr. Nelligan felt a standalone ordinance would be better in regards to the Planning Commission and Zoning Hearing Board. Mr. Marshall felt a standalone ordinance would take some of the confusion out of the Zoning Ordinance.
- **Mr. Nelligan made a motion to move forward in preparing to eventually adopt the model ordinance of the Dauphin County Conservation District which will set forth the requirements of the Pennsylvania Floodplain Management Act of 1978. Mr. Marshall seconded the motion.** Crist Espenshade asked if the old maps will be used or will they be updated. Mr. Smith noted the maps are being updated at this time. Mr. Smith noted the model ordinance would be updated with the Township's information and provided to the Board for review. **The motion was approved 5 in favor, 0 opposed.**

SHIRK PRELIMINARY SUBDIVISION PLAN

Jim Smith of Fischbach, Morgan Associates was present to represent the plan.

- Mr. Smith noted Mr. Shirk is seeking conditional approval of 8 lots. Eight lots are being subdivided, 7 are new lots. The residual lot has an existing lot with a dwelling on it. There is a cul-de-sac road opposite of W. Caren Drive. Conservation District approval has been received. General permits are pending. A speed study was conducted and a 35 MPH speed limit has been posted. There are several waivers being requested. A sewer planning module has been approved and E&S approval has been received from DCCD. There are some general permits still pending.
- Chairman Espenshade noted 13 waivers have been recommended for approval by the Planning Commission.
- Mr. Rish questioned the waiver for Section 619.5 which relates to the limits on disturbance and impervious cover in steep slopes. He noted for lot 2 it was indicated what is allowed and what the intentions are. It appears to be a lot over what the requirements are.
- Jim Smith noted the reason they are that high is the proposed street was brought in opposite of W. Caren so that dictated where the street was. We tried to minimize the cut fill as best as possible entering the site. There are wetlands south of the site so that limited as to what could be done as to raising the road and that set the elevation. To get the road with the steep slopes to the north, there was a lot of cut to get the road in. We did the best we could to minimize the amount of disturbance. There was more than some of the other sites on the project.
- Mr. Rish asked about the impact on the wetlands and if those have to be mitigated. Mr. Smith felt once you exceed .1 acres you have to but the property owner does not exceed that.
- The Board reviewed the plan. Chairman Espenshade asked if the Board wished the waivers to be voted on at one time. Mr. Rish noted he was alright with the waivers, but would like to vote on the waiver for Section 619.5 separately.
- Chairman Espenshade read 12 of the waivers requested.
 - Section 304.A,1,a – Infiltration BMP Requirements
 - Section 304.J.7 - Distribution of infiltration facilities
 - Section 307.F – Storm Pipe conveyance material

- Section 308.B – Requirements for basin outlet structure
- Section 402.3.4 – Existing features located within 200 ft. of property
- Section 601.1 – Preserve natural features of the site
- Section 601.2 – Preservation of natural and cultural features
- Section 602.3.4.1 and 602.3.4.2 – Cart way widths
- Section 609 – Sidewalk requirements
- Section 610.1 – Curbing requirements
- Section 611.4.3 – Lots 1, 2, 3, 6, 7, 8, designed with configuration that allows for additional subdivision
- Section 618.1.6 – Location of trees of 20 inches or larger

- **Mr. Nelligan made a motion to grant the 12 waiver request read by Chairman Espenshade for the Shirk subdivision. Mr. Shutt seconded the motion. The motion was approved, 5 in favor, 0 opposed.**
- Chairman Espenshade noted the waiver for Section 619.5 which limits disturbance and impervious cover in steep slope areas will be considered. It was noted this has to do with driveways
- Mr. Rish indicated his concern was with lot 2. The limits in the ordinance for disturbance when the slope is greater than 25% is 20% of the area and this lot is 77.8%. The engineers explained the lot and the plan to the Board..
- **Mr. Marshall made a motion to grant the waiver for Section 619.5 for limits of disturbance of impervious cover and steep slope areas. Mr. Shutt seconded the motion. The motion was approved 5 in favor, 0 opposed.**
- It was noted that Mr. Ulrich's most recent letter has outstanding issues, and the plan will have to go back to the Planning Commission as a final plan. Mr. Ulrich noted the issues have not all been addressed but the Planning Commission was comfortable with issuing a conditional approval at this time. One of the conditions that is being suggested by the Planning Commission to the Board is that no construction activities occur until plan recording.
- Mr. Smith of Fishbach asked if that meant no earth moving. Mr. Ulrich noted that was correct. With DCCD approval, some earth moving can be done.
- Mr. Rish noted it was indicated no construction or earth moving can be done until the final plan is approved. Mr. Ulrich noted that was the intention of the Planning Commission.
- Discussion continued. It was noted that earth moving could be done with DEP approval. There are some issues that need to be resolved.
- Mr. Rish had concerns if the Board made it conditioned and the property owner wants to do some clearing, he can't until final approval. Discussion continued and it was noted some work could be done with the E&S approval, which has been received but the DEP approval has not yet been received.
- **Mr. Rish made a motion to approve the plan conditioned on the applicant obtaining all necessary permits and dealing with any outstanding items from LTL's letter and no clearing and construction activity until the final plan is approved. Mr. Nelligan seconded the motion. Mr. Longreen asked who the bill is to be sent to for the speed limit signs. It was noted it should be sent to the applicant. The motion was approved 5 in favor, 0 opposed.**

NEW BUSINESS

DAUPHIN COUNTY PLANNING COMMISSION AGREEMENT

Chairman Espenshade noted every year the Township enters into an agreement with the DCPC for planning services. The County provides up to \$1,200.00 worth of services without any charge.

- Mrs. Casey noted the Township only requests DCPC services when needed.
- **Mr. Nelligan made a motion to enter into the Dauphin County Planning Commission agreement to provide services for 2011. Mr. Shutt 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.

- Mr. Marshall wished everyone a Merry Christmas and Happy New Year.
- Mr. Shutt did the same and felt it was a great year and a lot was accomplished

BUSINESS FROM THE PUBLIC

Wayne Isett asked if any Board members would be willing to swear in the Fire Company officers on January 13, 2011 at 7:00 PM. It was noted a Board member will be present for the swearing in.

Mr. Nelligan made a motion to adjourn the meeting. The meeting was adjourned at 8:05 PM.

Respectfully submitted,

Deborah A. Casey

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