

**EAST HANOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
March 21, 2023**

CALL TO ORDER

Chairperson Leese called the Tuesday, March 21, 2023 Regular Meeting of the Board of Supervisors to order at 7:00 p.m. in the meeting room of the Township, 8848 Jonestown Road, Grantville, PA followed by the Pledge of Allegiance. An Executive Session began at 6:30 p.m. for informational purposes and to discuss potential litigation.

Chairperson Leese stated that the meetings are audio taped. The tapes are strictly for the use of the Recording Secretary for clarification during preparation of the minutes. The Public Guidelines of Decorum require all individuals wishing to make public comments do so at the microphone and state their name and address.

IN ATTENDANCE:

SUPERVISORS:

Chad Leese, Chairman
Rebecca Oller, Vice-Chairperson
Tina Hastie
Mike Yingling

ALSO PRESENT:

Nicholas Yingst, Township Manager
Lee Stinnett, Township Solicitor-Salzmann Hughes
Aaron Moyer, Township Engineer-HRG
Stephanie Harmon, MS4 & Planning Coordinator
Sharon Umberger, Recording Secretary
Becky Richards, Park and Recreation Director
Bryan Ziegler, Public Works Director

APPROVAL OF MEETING MINUTES FOR MARCH 7, 2023

Mrs. Hastie made a motion to approve the Board of Supervisors regular meeting minutes from March 7, 2023. Mrs. Oller seconded. Motion carried 3-0-1. Mr. Yingling abstained since he did not attend the meeting.

TREASURER'S REPORT:

01/31/23 Balance Sheet	\$9,266,283.32		
	Feb Revenue	Feb Expenses	Net Increase/(Decrease)
General Fund	\$ 292,687.09	\$ 261,452.24	\$ 31,234.85
Fire Fund	\$ 2,720.16	\$ 12,895.38	\$ (10,175.22)
Street Light Fund	\$ 421.02	\$ 699.01	\$ (277.99)
Liquid Fuels Fund	\$ 718.24	\$ 11,539.07	\$ (10,820.83)
Stormwater Fund	\$ 3,386.47	\$ 19,580.00	\$ (16,193.53)
Total	\$ 299,932.98	\$ 306,165.70	\$ (6,232.72)
Liability		Increase/(Decrease)	\$ 11,871.43
02/28/23 Balance Sheet			\$ 9,271,922.03

	Invoices due and paid 03/08/23-03/15/23	03/16/23 Invoices for Consideration on 03/21/23
General Fund	\$ 34,036.08	\$ 83,293.50
Fire Fund	\$ 0	\$ 1,180.00
Street Light Fund	\$ 0	\$ 692.87
Liquid Fuels Fund	\$ 0	\$ 4,520.49
Stormwater Fund	\$ 0	\$ 3,391.00
Total	\$ 34,036.08	\$ 93,077.86
Total Checks Written	03/08/23-03/21/23	\$ 127,113.94

Mr. Yingling made a **motion to approve the payment of the bills as presented through March 21, 2023**. Mrs. Hastie seconded. **Motion carried 4-0.**

Mr. Yingling made a **motion to approve the transfer of \$300,000 from the JBT Liquid Fuels checking account into the PLGIT Liquid Fuels account**. Mrs. Hastie seconded. **Motion carried 4-0.**

CORRESPONDENCE: Available for review on the table at the entrance of the meeting room.

- Notice was received from the Dauphin County Board of Commissioners approving the 2022-23 Dauphin County Gaming Local Share Municipal Grant which allocated \$685,000 to multiple East Hanover Township projects.

REPORTS:

MS4 and Planning Report: Mrs. Harmon provided a written report. She attended a WREP (Water Resource Enhancement Program) kickoff meeting. She has continued to field questions regarding the stormwater fee, credits, and appeals and worked with HRG to review 48 applications for credits or appeals in preparation for first quarter stormwater billing. Along with the Township Manager and Secretary/Treasurer, she has been working on stormwater bill design and reviewed sample bills from Dallas Data.

Park and Recreation Report: Mrs. Richards provided a written report. She has received the results from the Soil Testing and will share these results to assist with the turf management this year. The new sign for the Youth Sports Complex has been installed by Stoner Graphix. The new sign's height and location help with visibility, and the park address is a good addition on the sign. The VFW & Township Easter Egg Hunt is April 1st at noon in the Community Park. New this year is the Easter Egg Scavenger Hunt for Tweens & Teens and requires pre-registration to the Parks office. The Summer Rec Program is filling up and some weeks could be closed due to staffing limits. Haily Radnor & Jenn Little are returning as the Program Director and Assistant Director, respectively. An invitation was extended to the EHBSA Opening Day on Sunday, April 16th at 2 p.m.

Municipal Engineer's Report: Mr. Moyer provided a written report. He attended two meetings in February. He was involved with six plan reviews and inspections. Municipal Projects Status: **MS4/stream restoration**-Finalizing PADEP submission for final approval. **Stormwater Fee Implementation**-Consulting in the process of reviewing appeals and credit applications received by the Township. **Green Light Go**-Progressing with the signal tie in. **East Hanover Elementary Flashing Lights**-The engineering work on this project has been completed. **Playground Rehabilitation and Reconstruction**-Construction bids were received and will need DCNR approval. **Public Well Design/Permit**-A new well was drilled and pump tests are to be scheduled. **Rt 39/Jonestown Road Truck Signage**-West Hanover Township agreed to review signage updates to its Rt 39/Jonestown Road intersection to provide advance warning to a truck restriction in this Township. Mr. Moyer will provide more information later in the meeting. **Grantville Infrastructure Project**-No update.

Zoning/SALDO Ordinance updates-The first Zoning/SALDO update committee meeting will be held March 29th from 1 p.m.-3 p.m. Mrs. Hastie commented that Dollar General property has installed new fencing.

Emergency Management Report: Ron Johnson provided a written report. He shared that three staff members attended monthly training at the Dauphin County EOC for EMA coordinators. He received one notification regarding anticipated winter weather plus a notification for a boil advisory for Chesapeake Estates. Software was obtained for amateur radio and the updates were installed successfully. Public Safety Advisory Council (PSAC) meeting scheduled for Monday, March 27th. Mrs. Oller noted that a Dauphin County Gaming Grant in the amount of \$18,000 was awarded to the EMA. Mr. Johnson requested the funding in order to set up a community shelter at the Public Works Building.

Grantville Volunteer Fire Company Report: GVFC President Grant Garland stated the fire company spaghetti dinner was a success and thanked all the community members who volunteered to help. Announced upcoming events: April 1st assisting with the VFW/Township Easter Egg Hunt, April 15th Pulled Pork Dinner, and this Saturday, March 25th holding the GVFC Banquet at the Colonial Golf and Tennis Club. Mr. Garland asked what the timing would be to receive the Dauphin County Gaming Grant that was awarded to pay the fire hose loan. Solicitor Stinnett stated the award letter and agreement are typically reviewed in March and within a few weeks the funds will become available to the fire company. The fire company is rescinding the request for lawn mowing assistance at the Allentown Boulevard site. The May yard sale at the carnival grounds is moving forward with many volunteers offering to help with parking and food preparation. Mrs. Richards is taking the yard sale registrations. Mrs. Hastie is concerned with the effects of not having a carnival for the 75th year and the loss of revenue to the fire company.

Codes and Zoning Report: Light-Heigel provided written reports for UCC, Zoning and Property Maintenance.

Sewage Enforcement Officer's Report: Brian McFeaters provided a written report but was not present.

UNFINISHED BUSINESS:

Fire Prevention Ordinance-

Solicitor Stinnett provided an update that the notice to Labor & Industry was sent thirty days prior to the Fire Prevention Ordinance hearing on April 18th, 2023 as required by the statute.

Proposed Ordinance restricting vehicle length on certain Township roads

Township staff are still working through this and should have an update next month for BOS review.

Zoning/Subdivision and Land Development Ordinances update project

Zoning/SALDO ordinance update project committee is scheduled to hold its first meeting March 29th.

Proposal for Jonestown Road vehicle length restriction signage in West Hanover Township

Mr. Moyer provided the HRG proposal regarding the Jonestown Road vehicle length restriction signage in West Hanover Township. It was noted that there are no mast arms at Rt 39 intersection and traffic signals are currently on wires. The improved signage will prevent tractor trailers from turning onto Jonestown Road when there is an incident on Interstate I-81. Mrs. Oller made a **motion to approve the HRG proposal and to move forward with the vehicle length restriction signage in West Hanover Township at a lump sum cost of \$4,500.** Mr. Yingling seconded. **Motion carried 4-0.**

Proposal for Jonestown Road vehicle length restriction signage in East Hanover Township, Lebanon County

No update.

Rech (153 Pine Road) land development plan

Plan proposes to develop an existing lot of approximately 6.5 acres at 153 Pine Road, Palmyra by placing 2,600+ solar panels on it. The parcel is in the Rural Agricultural (RA) zoning district. The plan was accepted for review on November 22,

2022 and no waivers are currently being requested by the applicant. The Planning Commission recommended conditional approval of the plan on December 27, 2022. A review extension was granted and the plan review period currently expires on April 21, 2023.

Attorney Charles Courtney stated he was representing the applicant and referenced HRG's review letter dated January 23, 2023. He indicated his belief that General Comments #1 and #2 on that letter had been satisfied. He further indicated that all other comments on that letter were administrative in nature, with Administrative Comments #2 and #6 having been satisfied via submission of a stormwater financial security estimate and operations & maintenance (O&M) agreement, and he was requesting the BOS to approve the plan.

Chairman Leese referenced several items discussed at prior meetings—fencing, screening, battery storage, acknowledgement that stormwater fees would apply, decommissioning process plan, vehicle access—and asked for clarification of same. Joe Burget, the applicant's engineer, noted a preference for cattle fencing but was open to suggestions and was fine with reasonable screening. He indicated there would be a gate at the driveway entrance and there would be minimal parking since this was only needed for mowing and general maintenance. Mr. Burget shared there would be no battery storage onsite. Seth Berry of SRE, the developer, indicated they typically were not asked for a decommissioning plan in other municipalities due to their desire to purchase rather than lease the site. Mrs. Hastie noted she had previously asked for a decommissioning plan and had not received anything despite the applicant indicating they were fine providing that. Mr. Courtney indicated a paragraph could be added to the O&M agreement addressing decommissioning and Mr. Burget shared that could also be added to the financial security. Per a question about the gate being locked, Mr. Burget noted the applicant would meet with the fire chief to discuss the details of the facility and he would be granted full access to it for emergency response purposes. Per a question about batteries, Mr. Berry indicated there would be no batteries—lithium or otherwise—onsite. Per a question about snow plowing and grass mowing, Mr. Courtney indicated this would be done frequently enough to ensure compliance with the property maintenance code. Mrs. Oller reflected that in an earlier presentation the applicant indicated it would be sufficient for the property to be mowed three times a year and she indicated that would not be adequate. After a discussion about grass growing rates on solar facilities, Mr. Berry indicated he was comfortable with the Township providing stipulations on mowing frequency. Mrs. Oller expressed concerns the location was too close to residential properties for a project of this scope and asked if there were other SRE projects adjacent to residences. Mr. Berry provided Londonderry Village as an example, and indicated he could provide a list of others.

Mr. Courtney noted the applicant was willing to agree to address decommissioning and grass cutting frequency. Mrs. Hastie asked if everyone in the neighborhood of the proposed project received a letter. Mr. Burget indicated they had, and that 12 letters were issued. Several in attendance indicated they did not receive such communication.

PUBLIC COMMENTS:

Several members of the public commented on the plan, starting with **Dr. Ernesto Barnabas, 283 Pine Road**. He shared a PowerPoint presentation opposing the solar plan which is attached to and made a part of these minutes.

Chief Saul Schmoltz of the Grantville Volunteer Fire Company expressed concerns about maneuverability challenges for apparatus, in particular between the rows of panels and inside the perimeter of the fence. He asked how responding fire companies were to get hoses out to all areas of the property and how a brush truck would be able to access them. Mr. Burget noted there were between 13 and 14 feet between panel rows, so a brush truck should be able access those areas. He also indicated the perimeter fencing could be pushed back if necessary. Chief Schmoltz indicated that the Grantville Volunteer Fire Company was not the only fire company that would be responding to a call at the location and in certain

circumstances other fire companies may respond first, so the applicant had a responsibility to educate all fire companies who might respond.

David Hyde, 804 Carlson Road, expressed concerns about the project's stormwater runoff and it being a commercial use in a residential and agricultural area. The outline of his comments is attached to and made a part of these minutes.

Randel Balkarran, 715 Laudermilch Road, noted that he recently moved to the neighborhood due to its agricultural nature and opposed the project because it was not in keeping with that.

Jeff Gillette, 301 Pine Road, expressed his support for Dr. Barnabas's presentation and opposition to the plan. He expressed environmental concerns about the project and asked the BOS to do its due diligence.

Abigail Balkarran, 715 Laudermilch Road, expressed her opposition to the plan, noting her agreement with the concerns raised by Dr. Barnabas and Chief Schmolitz.

Gary Painter, 723 Laudermilch Road, expressed his opposition to the plan, noting that while he was supportive of solar panels, he was not in favor of the project due to its scope and location.

Richard Shirk, 125 Shirks Lane, noted that a town in Texas recently froze due to its reliance on solar panels and windmills.

At the conclusion of these comments, Mr. Courtney addressed the BOS and noted that if the Township was not willing to provide approval of the plan at this meeting, he wanted clear direction as to what the BOS wants. Noting his belief the plan complied with Township regulations, he indicated the BOS had requested financial security for decommissioning, an updated O&M agreement addressing decommissioning and grass mowing provisions, and a meeting with the fire chief. Chairman Leese pointed out there were areas on the plan between panels and fences that looked to be considerably less than the 13-14 feet Mr. Burget had previously indicated, and Mr. Burget concurred with this. Chairman Leese inquired about the height of the aboveground wiring between rows of panels and raised concerns about how that might restrict access by first responders. Mr. Burget indicated the wiring could be placed underground if this was a concern. Chairman Leese noted this would require a revision of the plan and until those changes were reviewed it was too early to definitively identify all outstanding items. Mrs. Hastie noted she wished to see all the pertinent documents first, and Mrs. Oller agreed, noting she needed time to consider the information presented at the meeting. Mrs. Oller made a **motion to table the plan until a future meeting**. Mrs. Hastie seconded. **The motion carried 4-0**. Mr. Courtney asked the BOS to let him know if there was anything else the BOS wanted him to provide prior to the April 18, 2023 meeting. Mr. Stinnett asked Mr. Courtney to provide all drafts and revisions to the Township no later than April 4, 2023.

AMENDED AGENDA ITEM:

Mrs. Hastie made a **motion to amend the agenda to add an item under New Business-Authorize advertising for a public hearing for liquor license transfer application for 9163 Allentown Boulevard**. Chairman Leese seconded. **Motion carried 4-0**.

NEW BUSINESS:

Award contracts for playground improvements project and alternates

Mrs. Richards shared that HRG listed the Community Park Redevelopment Project on PennBid with ending date/time of March 14th at 10 a.m. Five proposals were received for the Base Bid and Alternates Nos. 1, 2, and 3. The Township also received quotes for Alternates Nos. 2 and 3 from Play & Park Structures, the company doing the Play Equipment installation. The estimated project cost for the Base Bid plus Alternate No. 1 was \$77,544, and Gundy Excavating and Paving, Inc. as the lowest bid came in \$606 above the projected cost.

Mrs. Oller made a **motion awarding the construction project to Gundy Excavating and Paving, Inc., in the amount of \$78,150 for the Base Bid and Alternate No. 1, subject to receipt of acceptable Performance and Payment bonds**. Mrs. Hastie seconded. **Motion carried 4-0**.

The estimated project costs for Alternates Nos. 2 and 3 were \$19,560, and the lowest bid was by Park & Play Structures at \$2,026.33 under the projected budget. It is estimated that there is a 2-3 week construction time frame for the project, depending on the weather.

Mrs. Oller made a **motion awarding the work for Alternates No. 2 and 3 to Play & Park Structures in the amount of \$17,533.67.** Mrs. Hastie seconded. **Motion carried 4-0.**

Proposal for electrical design and engineering work for amphitheater

Mr. Yingst provided the BOS with an HRG proposal for services related to the amphitheater project. Phase 1 relates to stamped electrical design plans, Phase 2 and Phase 3 pertain to additional services that were not included in the 2023 budget regarding demonstrating ADA compliance and developing a site plan.

Mr. Yingling made a **motion approving HRG services related to the amphitheater project, Phase 1 \$4,000, Phase 2 \$550, and Phase 3 \$8,500 with a total amount not to exceed \$13,050.** Mrs. Oller seconded. **Motion carried 4-0.**

Authorize advertising for a public hearing for liquor license transfer application for 9163 Allentown Boulevard

Mr. Yingst noted the Township received an application to transfer a restaurant liquor license from outside of East Hanover Township into East Hanover Township at the former Colonial Penn location at 9163 Allentown Boulevard. Per law, the Township has to hold a public hearing and there are advertising requirements.

Mr. Yingling made a **motion to authorize staff to advertise the required public hearing regarding the restaurant liquor license transfer request for 9163 Allentown Boulevard from outside of the Township.** Mrs. Oller seconded. **Motion carried 4-0.**

BUSINESS FROM THE PUBLIC:

Mr. Richard Shirk-125 Shirk Lane-He voiced concerns about the Red Cross involvement at the Public Works building if used as a temporary shelter. Mr. Yingling invited Mr. Shirk to attend the Public Safety Advisory Council meeting on Monday, March 27th at the Public Works building.

Dr. Sarah Barnabas-283 Pine Road-She expressed that she is against the solar farm and hopes the plan gets denied. A petition has been started on-line against the solar farm and she wanted to let anyone know who wants to add their name.

BUSINESS FROM THE SUPERVISORS:


Mrs. Hastie-1) Shared that Faith Church members recently praised employees Candy Huyck and Stephanie Harmon for the help that was provided during stormwater appeal process. **2)** Noted that a group was searching for artifacts in a field behind the pawn shop on Bow Creek Road. **3)** Encourages community members to support horse racing at Penn National which provides a Township revenue source through the gaming grants.

Mrs. Oller-1)Acknowledged how busy the fire department was this weekend with three different fires. **2)** She announced that this week marked the one year anniversary for Mr. Yingst as Township Manager.

Mr. Yingling-Noted that the new Public Works truck is parked outside in the front parking lot.

ADJOURNMENT:

Mrs. Oller made a **motion to adjourn**, seconded by Mrs. Hastie. The meeting adjourned at 9:40 p.m.


Sharon Umberger, Recording Secretary