

The Hanover Township Board of Supervisors held their **Regular Meeting** on **March 15, 2012** at 7:30pm at the Municipal Building. Those present were David Duerr-Chairman, James Donohue-Vice Chair, Herbert Grubbs-Supervisor, Kevin Lemmi-Supervisor, Donald Winkler-Supervisor, Lane Turturice-Solicitor and Wendy M. Turrentine-Secretary/Treasurer.

Call to Order:

Pledge of Allegiance:

Approval of Minutes:

1. Regular Meeting Minutes from February 16, 2012

-Mr. Morra questioned what the Road Crew's miscellaneous hours included.

-Ms. Turrentine explained it was sick, vacation, etc...

-Mr. Morra questioned what the Road Crew's shop hours included.

-Mr. Grubbs explained that those were hours spent getting ready with equipment.

Motion: To approve the minutes from the regular meeting February 16, 2012.

Motion: Kevin Lemmi 2nd: James Donohue

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

Questions on Agenda Items:

-Mr. Niederriter asked where the insurance stood for the police.

-Mr. Winkler said that the policy had been renewed and that he had no real input.

-Mr. Lemmi said that it was basically done when he and Mr. Winkler were appointed to work together regarding insurance.

-Mr. Winkler said there was not much to do as only one application was submitted for one company. He went on to say that the policy is \$10,000 more than last year totaling \$112,875 with the same coverage and company.

Chairman's Report:

Mr. Duerr announced that were Executive Sessions held March 9th and March 15th, 2012 both for personnel.

Mr. Duerr stated that were 2 Conditional Use Hearing for Range Resources and a Hearing for the Airport Overlay Hazard Zoning Ordinance held prior to the regular meeting 3/15/12.

Public Safety:

Sergeant Paul Radatovich from the Pennsylvania State Police was introduced.

-Sergeant Radatovich said that if there was anything PSP could do to provide better service, please let them know.

-Mr. Lemmi asked if the Township could get a monthly list of calls answered by PSP.

-Sergeant Radatovich said yes.

Animal Control: 18 calls answered/received at residence, 15 warnings issued, 10 hours patrolled, 3 dogs picked up/placed in kennel, 1 dog returned to owner, 15 nuisance calls received.

Road Report:

Total Wages:

\$14,177.46; 61.5 hours overtime, 68 hours shop, 584 hours road, 24 miscellaneous for a total of 737.50 hours.

Bills List:

-Mr. Morra asked what the bill from Greens was for. Mr. Duerr explained a truck broke down on Foxwood Drive.

-Mr. Contumelio asked if anyone had gone to AT&T to change the contact information. Mr. Duerr stated no.

Mrs. Cassidy asked if the phone was still on in the police department. Mr. Duerr said yes.

Motion: To approve the Bills List.

Motion: Herbert Grubbs 2nd: Donald Winkler

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

New Business:

1. Range Resources Conditional Use Paris Sportsman’s “B”

-This site will be accessed via McCracken Hill Road.

-A conditional Use Hearing was held at 6:30 prior to the regular meeting.

Motion: To approve Range Resources request for condition use on property owned by the Paris Sportsman Club with the conditions of a road bond, excess road maintenance agreement and noise abatement plan to the satisfaction of the Township.

Motion: Herbert Grubbs 2nd: Kevin Lemmi

Vote:

Mr. Duerr-yes, Mr. Donohue-abstain, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

2. Range Resources Conditional Use Dakshinamurthy Property

-This site will be accessed via Curry Road

-A conditional use hearing was held at 6:30 prior to the regular meeting.

Motion: To approve Range Resources request for condition use on property owned by the Dakshinamurthys with the conditions of a road bond, excess road maintenance agreement and noise abatement plan to the satisfaction of the Township.

Motion: Herbert Grubbs 2nd: James Donohue

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

3. Airport Hazard Zoning Ordinance

-Mr. Grubbs explained the premise of the ordinance and its restrictions.

-A public hearing was held at 7:15 prior to the regular meeting

Motion: To approve the Airport Hazard Overlay Zoning Ordinance.

Motion: Herbert Grubbs 2nd: Kevin Lemmi

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

4. Transfer \$112,875 from the Capital Reserve to the General Fund

-Mr. Duerr explained that this is for the payment of the Police Liability Insurance.

-Mr. Winkler said he thought that was an odd amount to transfer and asked if any of the \$50,000 previously authorized for transfer was used and recommended transferring \$115,000.

-Mr. Duerr explained that none of the previous authorized funds were transferred as the Township mad it through without using the funds. After the bills from the Bills List were paid, the general fund balance is still \$24,000.

Motion: To authorize an additional transfer of \$65,000 from the Capital Reserve to the General Fund to be used in conjunction with the previously authorized \$50,000 to pay the premium for the Police Liability Insurance.

Motion: Donald Winkler 2nd: Kevin Lemmi

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

5. Opening Quotes for Road Materials.

1.	2,000 tons m/l washed #8 limestone		
	Hanson Aggregates	\$38.02 per ton	Total \$76,040
	McClymonds	\$21.09 per ton	Total \$42,180
	John Thomas Trucking	\$29.00 per ton	Total \$58,000
	AR Oliastro, Inc	\$22.50 per ton	Total \$45,000
2.	2,200 tons m/l washed #67 limestone		
	Hanson Aggregates	\$28.52 per ton	Total \$62,744
	McClymonds	\$20.09 per ton	Total \$44,198
	John Thomas Trucking	\$23.50 per ton	Total \$47,000
	AR Oliastro, Inc	\$20.95 per ton	Total \$46,090
3.	1,500 tons m/l #2A aggregate		
	Hanson Aggregates	\$26.02 per ton	Total \$39,030
	McClymonds	\$18.34 per ton	Total \$27,510
	John Thomas Trucking	\$21.50 per ton	Total \$32,250
	AR Oliastro, Inc	\$19.25 per ton	Total \$28,875
4.	400 tons m/l #1 aggregate		
	Hanson Aggregates	\$28.02 per ton	Total \$11,208
	McClymonds	\$20.09 per ton	Total \$8,036
	John Thomas Trucking	\$23.50 per ton	Total \$9,400
	AR Oliastro, Inc	\$20.95 per ton	Total \$8,380
5.	60,000 gallons m/l CRS #2 Asphalt		
	Youngblood	\$2.14 per gallon	Total \$128,400
	Suite-Kote Corporation	\$2.031 per gallon	Total \$121,860
	Russell Standard	\$2.154 per gallon	Total \$129,240
6.	7,500 gallons m/l E-1 Prime		
	Youngblood	\$1.75 per gallon	Total \$13,125
	Suite-Kote Corporation	\$1.767 per gallon	Total \$13,252.50
	Russell Standard	\$1.834 per gallon	Total \$13,755
7.	100 tons m/l 19mm mix Superpave		
	Hanson Aggregates	\$55.50 per ton	Total \$5,550
	Lane Construction	\$53.50 per ton	Total \$5,350
8.	50 tons m/l 9,5 mm mix Superpave		
	Hanson Aggregates	\$61.50 per ton	Total \$3,075
	Lane Construction	\$62.00 per ton	Total \$3,100
9.	6,000 gallons m/l diesel (on road)		
	Zappi Oil & Gas Co	\$3.42 per gallon	Total \$20,520
10.	12,000 gallons 87 octane unleaded gas		
	Zappi Oil & Gas Co	\$3.11 per gallon	Total \$37,320

Motion: To award McClymonds 2,000 tons m/l washed #8 limestone (\$21.09 per ton), 2,200 tons m/l washed #67 limestone (\$20.09 per ton), 1,500 tons m/l #2A aggregate (\$18.34 per ton) and 400 tons m/l #1 aggregate (\$20.09 per ton).

Motion: David Duerr 2nd: Kevin Lemmi
Vote:
Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Motion: To award Suite-Kote Corporation 60,000 gallons m/l CRS #2 Asphalt (\$2.031 per gallon).
Motion: David Duerr 2nd: Kevin Lemmi
Vote:
Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Motion: To award Youngblood Paving 7,500 gallons m/l E-1 Prime (\$1.750 per gallon).
Motion: David Duerr 2nd: Herbert Grubbs
Vote:
Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Motion: To award Lane Construction 100 tons m/l 19mm mix Superpave (53.50 per ton) and 100 tons m/l 9.5mm mix Superpave (62.00 per ton).
Motion: David Duerr 2nd: James Donohue
Vote:
Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Motion: To award Zappi Oil & Gas Company 6,000 gallons m/l diesel (\$3.42 per gallon) and 12,000 gallons 87 Octane unleaded gas (\$3.11 per gallon).
Motion: David Duerr 2nd: Herbert Grubbs
Vote:
Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Correspondence: (Moved to correspondence as Mrs. Paden had to leave)

1. Dawn Paden regarding Dan Reitz to open seat on the Sewer Authority
 - Mr. Duerr read the letter submitted from Mrs. Paden and the definitions provided for “maintains”
 - Mr. Grubbs asked if there was only one vacancy. Mr. Duerr said yes and Mrs. Paden said that it is a five year term.
 - Mr. Winkler asked what the previous decision was regarding this matter. Mr. Turturice said that there was not one and there is no case law regarding this matter to set precedence.
 - Mr. Winkler said that the description was simple: any person on the Board must be a tax payer, maintain a business or be a citizen. He went on to say that he consulted several attorneys who indicated that the WCCED was a non-profit organization and according to common English Law, maintaining a business means that it must be profitable. There is no appellant court law regarding this matter.
 - Mr. Grubbs said that with 3,000 people in the Township, there has to be someone willing to fill the seat.
 - Mr. Morra asked if any motions had been tabled due to the lack of a full board. Mrs. Paden stated yes and they are anxious to get the board filled.
 - Mrs. Paden said that the Township Board had questioned what “maintains” means and that was the definition given to her by attorneys.
 - Mr. Wright suggested that the act pertaining to this matter was outdated.
 - Mr. Beyerbach asked if Mr. Reitz lived in the Township and Mr. Grubbs said that he did not have to.
 - Mr. Grubbs asked Mr. Beyerbach if he was interested in filling the seat and Mr. Beyerbach said that he

would have to think about it.

No Action Was Taken

New Business (cont.)

6. Building Code Board Rate of Pay

-Mr. Grubbs stated that no rate of pay has been set for this Board and indicated that the Zoning Hearing Board receives \$55.00 per meeting/hearing.

Motion: To set the rate of pay for the Building Code Board at \$55.00 per meeting/hearing.

Motion: Herbert Grubbs 2nd: Donald Winkler

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

7. Quotes for Dumpsters for Clean Up Day

Motion: To authorize Dale Handick to obtain quotes for dumpsters for Clean Up Day.

Motion: David Duerr 2nd: Herbert Grubbs

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

8. Clean Up Dates

Motion: To set the Clean Up dates for 2012: May 12th, July 14th & September 8th and to keep the cost the same as 2011.

Motion: Herbert Grubbs 2nd: James Donohue

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

9. Municipal Building Sign

-Mr. Duerr explained that the Hanover Township sign at the end of the drive was weathered and stated Dale Handick priced a 48"x30" doubled sided metal sign for the entrance of Municipal Drive at \$100 plus shipping.

-Mr. Grubbs stated that the original plan when the new building was built was to have a sign in front of the flag pole and suggested getting quotes on this type of sign.

-It was agreed that Mr. Grubbs and Mr. Duerr would work on the building sign.

No Formal Action Taken

10. Street Sweeping Quotes

-Mr. Duerr read the quotes as follows:

Property Maintenance Services: \$105 per hour

3 Rivers: \$110 per hour

-Mr. Contumelio asked dates had been set yet and Mr. Duerr replied no.

Motion: To award the 2012 street sweeping to Property Maintenance Services for \$105 per hour.

Motion: David Duerr 2nd: Donald Winkler

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

11. Advertise LERTA Ordinance

-Mr. Duerr explained that the 2008 LERTA Ordinance needs updated.

-Mr. Grubbs asked if the current ordinance is expiring and Mr. Duerr said yes.

- Mr. Grubbs said that the ordinance needs to be included with zoning and went on to say that the ordinance is good for 4 years with a 5 year tax relief period with new construction. He went on to say that it needs to include zoning districts SD & I-B.
- Mr. Duerr stated that the current ordinance needs updated and a public hearing needs held.
- Mr. Grubbs said that the ordinance perhaps should include N-S district but must stipulate that it is new business construction only and specify what type of business.

Motion: To authorize the solicitor to compose a new draft of the LERTA ordinance.

Motion: Herbert Grubbs 2nd: Kevin Lemmi

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

12. Pension Issues

- Mr. Turturice stated that in the 2012 audit, there were several findings regarding the pension plans including survivor benefits for retirees, disability with 50% benefits, killed in service, pre-vested benefits with 5% interest, when benefit payments begin and the thorough definition of salary and monthly pay.

Motion: To accept Resolution 2012-5 regarding the municipal pension plans.

Motion: Donald Winkler 2nd: James Donohue

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

Not on the Agenda:

1. Open Burning Ordinance

- Mr. Turturice explained that at a previous meeting, the Board had asked him to modify the Open Burning Ordinance (#95) to set a flat fine rate. He also stated that once the ordinance was passed, the Board should designate an appropriate party to enforce it by resolution.
- Mr. Morra said that this is a rural area and asked what people should do with items they normally burn. Mr. Grubbs stated that the Township Ordinance coincides with the State burning ordinance. He went on to say that the burning of household domestic trash is permissible.
- Mr. Duerr said that open burning was permitted but it had to be attended and must be done during designated hours.

Motion: To authorize the advertisement of the amended Opening Burning Ordinance.

Motion: Donald Winkler 2nd: Kevin Lemmi

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-yes, Mr. Lemmi-yes, Mr. Winkler-yes

Motion Passed

Correspondence:

Mr. Turturice announced that after 4 years as the solicitor for Hanover Township, he would be resigning his position in order to spend more time with his family. He stated that it has been a pleasure to work with the Board and the residents and he wished everyone the best. He thanked everyone for allowing him to work for the Township.

-Mr. Duerr thanked Mr. Turturice.

-Mr. Contumelio asked who would finish any ongoing projects and Mr. Turturice stated he would assist the Township until they found a replacement.

Motion: To advertise for the position of Township Solicitor.

Motion: Kevin Lemmi 2nd: Donald Winkler

Vote:

Mr. Duerr-yes, Mr. Donohue-yes, Mr. Grubbs-not present to vote, Mr. Lemmi-yes, Mr. Winkler-yes
Motion Passed

Public Comments:

1. Mr. Niederriter asked Sergeant Radatovich if he could look into the abandoned car that has been sitting in Florence. Sergeant Radatovich explained the process and said he would take care of it.
2. Randy (?) stated that he understands why the Township can not have a police department and that the Pennsylvania State Police are stretched thin but asked what residents are supposed to do when there is no one to respond in a timely manner.
 - Mr. Duerr stated that PSP prioritizes their calls and respond as soon as they can.
 - Randy asked the Board that if something were to happen, would the Township be liable because they are required to provide protection.
 - Mr. Duerr stated that the Township is required to provide fire protection and road maintenance.
 - Sergeant Radatovich stated that Mr. Duerr was correct in that PSP prioritizes their calls, gave a brief demographic of their coverage area and gave a summary of the officers they have available. He said that PSP does the best job they can and their main concern is the preservation of life and property.
 - Sergeant Radatovich stated that Trooper Lulkovich is patrolling the Township during the daylight shift so response time to any calls would be decreased.

Adjourn:
9:22pm