

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

March 4, 2020
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Paulus, Tocci, Woolley; J. Jackson Eaton, III, Esquire; Melissa A. Wehr; Al Kortze, P.E.; Vicky Roth

Absent: 0

Attendance: 1

Approval of Minutes: February 19, 2020 Regular Council Meeting

Motion: I move that we waive the reading of the Regular Council Meeting Minutes of February 19, 2020 and accept same as presented.

Paulus, Woolley: Moved and Seconded
Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye Unan.

Courtesy of the Floor: None.

Reports:

1. Melissa A. Wehr
Township Manager

1. Mrs. Wehr notified Council that she, Mr. Paulus and staff delivered the bereavement letter to Mrs. Jamie Frey. She was very moved and touched by the gesture. Mrs. Frey wished to express her sincere thanks to her Hanover Township family. She was overwhelmed by the warmth received from the Board and the employees. In the future, she may attend a meeting to thank you in person but wanted Mrs. Wehr to pass along her gratitude this evening. Mrs. Wehr asked Council where they would like her to go with the Bereavement Benefit status, which Vicky Roth included in Council's packets for this evening, which is a rough draft that Attorney Eaton prepared. Mrs. Wehr asked if Council would like it placed on the next meeting Agenda or have further discussions on this matter. Chairman Paulus and Vice Chairman Woolley said it looked good to them since they discussed it at a prior meeting. Mrs. Wehr said at this time she will proceed to introduce it as an Ordinance. Mr. Eaton said the Board can introduce it this evening under New Business. Mr. Tocci asked Mr. Eaton if there is a negative side in doing what they did as far as it being a case-by-case basis. Mr. Eaton replied yes because it raises issues of possible discrimination. When the Board forgets about it, it becomes more personal, not that this situation is not personal. It is written to try to reflect the feeling of the Township behind it. Mr. Tocci does not have a problem with it. He is in agreement to introduce it this evening.

2. Mrs. Wehr reported that the copier contract has been updated. The Township received a newer copier along with some updated feature and she extended the contract to five years which gave the Township a savings of approximately \$2,800 over the five-year period, which works out to approximately \$575 per year.
3. Mrs. Wehr reported that Senator Boscola has announced the Emergency Services Grants and Han-Le-Co Volunteer Fire Company was granted \$11,509.46.
4. On Monday, March 9, Mrs. Wehr and Josef Fragnito, Public Works Supervisor, will be attending the Multi-Municipal Truck Meeting at North Catasauqua Borough Hall to go over discussions.
5. Mrs. Wehr met with Mr. Fragnito, Tim Miller of Keystone Consulting Engineers, as well as Phil Depoe from the Lehigh County Authority to review the Interim Act 537 Plan. Mrs. Wehr said she received quite the education. There will be a scheduled monthly meeting tomorrow at 9:00 a.m. which will include Mr. Miller from Keystone, Mrs. Wehr and Mr. Fragnito. There are some questions that they are trying to get answers to the allocations that Hanover Township has. There are different numbers floating around. Mrs. Wehr is hoping to have it cleared up by tomorrow's meeting or at least after tomorrow's meeting to see where the Township stands. Her understanding is that it is the agreement the Township has with the City of Allentown. Mr. Tocci asked Mrs. Wehr if she is referring to the Sewer allocation and Mrs. Wehr replied, yes, which is referred to the Interim Act 537 Plan, which is the City of Allentown.
6. Mrs. Wehr is pleased to announce that Cindy Witman from Base Engineering has acquired her BCO Certification, which is the Building Code Official. It is a very difficult test. It is five days of training and then you take the test. She will now be the BCO for Hanover Township. Mrs. Wehr said she would be the backup.
7. Mrs. Wehr discussed temporary signs with the Board. Mr. Eaton can attest to that signs are the most litigated things in the Commonwealth. Because of it, she has taken the position that if someone is going to place a sign anywhere, they need to get a permit for it, which would include Han-Le-Co regarding their Easter Egg Hunt Event. Her question to the Board is that signs are placed throughout all the residential neighborhoods because it's for the children for an Easter Egg Hunt, does Council want to waive the fee that would be associated with the permit. The Board replied, yes. Mr. Eaton said there needs to be a Motion made.

Motion: I move that we waive the fee for Temporary Signs for the Han-Le-Co Volunteer Fire Company Easter Egg Hunt.

Paulus, Woolley: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye Unan.

8. Mrs. Wehr advised the Board that the Liquid Fuels Funds are in the bank. The Township received \$59,110.71. The Township is expecting the turnback monies soon, but the Township has received the bulk of the \$59,000.

9. Mrs. Wehr addressed the issue regarding the Allendale swale and the potential litigation that may be coming from that. The letter went to the individual that caused the damage. Mr. Tocci asked Mrs. Wehr for more information regarding this matter. He was not aware of a problem. At this time, Mrs. Wehr reiterated what was discussed at a previous meeting. She informed Mr. Tocci that the damage was done in November and January and it was a significant cost. Mrs. Wehr reached out to the Township's insurance company but it does not look like it will be covered. Mrs. Roth is graciously dealing with the insurance company and making sure the Township is covering all its avenues. Since it will not be covered, Mrs. Wehr is putting the individual on notice that the Township expects him to pay for it. Mr. Paulus said the damage was to the liner in the swale which cost is at \$40,000 plus, which is significant.

10. On Friday, Mrs. Wehr will be attending the Fire Company's needs assessment meeting with Garren Knoll, Fire Chief, at Catasauqua Borough Hall with the other area fire departments which are also volunteer. One of the discussions will be the problem that all the volunteer fire companies are having in recruiting volunteers and lack of them. Mrs. Wehr will report back to Council at next month's meeting.

11. Mrs. Wehr said there was a resident that called the Township and Mr. Fragnito asked Mrs. Wehr to return her call. She was requesting speed humps. Mrs. Wehr reached out to the resident and explained to her that there is a process that you have to go through for speed humps, which includes a traffic study and it's expensive. The short distance on the road where she is complaining about the traffic probably wouldn't meet the requirement. She thanked Mrs. Wehr and said she understood but needed to air the complaint. Mr. Tocci asked which road she is referring to. Mrs. Wehr replied that it is Ulster Road.

Mr. Tocci said he is certain that the Township went through and purchased speed limit signs that flash. He has not heard anything more on that. Mr. Tocci asked for an update since he has not seen any placed anywhere as of yet. Mr. Kortze was asked if he knew anymore about them. He asked Mrs. Roth. Mrs. Roth replied that she thought Mr. Fragnito had some issues with them. Mr. Tocci asked Mrs. Wehr to speak with Mr. Fragnito and get back to them. Mr. Kortze did not think that Ulster was one of the streets earmarked for the flashing signs. Mr. Kortze said the last time he spoke with Mr. Mouer, the former Public Works Supervisor, he was trying to work out a way to mount them so he could make them portable and Mr. Kortze directed him to another municipality who has the portable units. Mrs. Wehr will look into it and report back to the Board.

12. Mrs. Wehr asked to discuss the follow-up tour with KRE. They were reaching out to the Township to see what the status is on this matter. Mr. Tocci asked if KRE was aware that there is an issue with the sewer allocation. Mr. Paulus said they are aware and Mr. Tocci said then the Township waits for them. A discussion ensued. A time frame will be discussed at a later date.

13. Mrs. Wehr advised Council that the Township has hired a second crew member for the Maintenance Department. He will be starting on Monday. He is very excited to start and Mrs. Wehr feels he will fit in well with the other crew members. He is

very eager to learn and looking forward to coming to work for Hanover Township. A discussion ensued.

2. Al Kortze, P.E.
Township Engineer

1. Mr. Kortze advised Council that they have completed their survey and design in finishing the specs for the Allendale Sanitary Sewer Project. That will be replacing the remaining trunk lines that are clay piped with plastic. Mr. Kortze is seeking authorization for advertising at the next meeting. He will make sure he has everything wrapped up and ready to go and place it on Penn bid similar to the last few projects. Mr. Tocci asked Mr. Kortze if it is all in Allendale or will it involve Irving Street at all. The main lines are in Cedar Hill Drive and will be maintained within there. One of the things that LCA, Allentown and DEP have been looking at for the 537 updates, is for all of the municipalities that feed into that Allentown Wastewater Treatment Plant to do improvements to their systems to eliminate infiltration and inflow. Mr. Kortze said this is probably the last big area that has clay pipes. Once they have this done, Mr. Kortze thinks the Township will have met their obligations with DEP regarding. He believes the Township is well ahead of any of the other municipalities out there. This should be taking place relatively soon and will be wrapped up. A discussion ensued. Mr. Kortze said he gave Mrs. Wehr a typed-up copy of the Notice that will be placed at all the residents to notify them of the work being done whether they are having work done or not.

Councilman Heimbecker asked Mr. Kortze a question regarding Race Street. He has been using it frequently to go back and forth to Catasauqua. He said there seems to be a lot of elevation changes. Mr. Kortze wanted to know what is happening in the first half a mile before it starts to go downhill. Mr. Kortze said he was curious of that too. He does not have the most recent PennDOT plans of Race Street. He realizes that in the fall they had the one side up 3 inches higher than the other side. Mr. Kortze thinks they will wind up raising the other side up to match it. He does not know what the reason was for bringing the grade up on the one side. He will look into it.

3. J. Jackson Eaton, III, Esquire
Township Attorney

1. Mr. Eaton said his items are on the Agenda.

Unfinished Business:

1. Bill No. 2020-03, An Ordinance Amending the Statutory Code of Hanover Township to Prohibit turns by a Truck and Trailer or Truck Tractor and Trailer at the Intersection of Irving Street and Lloyd Street (Public Hearing)

Mr. Paulus said this has been discussed in the past. Mrs. Wehr asked some questions so she could understand the situation. Mr. Eaton said the PennDOT replied that it was not necessary for a sign on Airport Road. Mr. Kortze, Mr. Garges, the former Township Manager, and Mr. Eaton discussed having Mr. Eaton send PennDOT a

letter regarding legal liability and so forth. This was at the time when the Mobile Mini issue came up and they were unsure what the entire legal figuration was going to be. It was put on hold. Mr. Eaton has a note to discuss at the next staff meeting now that everything is set to see about going forward and putting PennDOT on notice that the Township thinks it's a danger not to have a sign on Airport Rd. Mrs. Wehr said the Township will have to have something at that intersection. Mr. Tocci said he sees the concern. He understands maybe we should try and get the sign from PennDOT. Mr. Tocci asked if Mrs. Wehr is saying that new signs need to go up if the Township puts this into effect. Mrs. Wehr said the Township will have to have something at that intersection. Mrs. Wehr doesn't know what the objective is other than keep them off of Lloyd Street which is impossible unless you have someone manning it and the word gets out that they can't. Everyone makes mistakes and it's going to happen. Once they get down to Irving and Lloyd and they obey all the laws they will have to go back down and have to get out one way or another. Mrs. Wehr is not sure what they were looking to achieve. Perhaps, at some point, the Board might want to think about if they do come down that way at least allow them to take the left hand turn when coming off from Airport Rd. down to Irving and Lloyd. It's more industrial. This may present a better route for them to get out of that area. Mr. Tocci said it goes back to the fact that that intersection is not built for any tractor trailers. With the amount of traffic on Irving from the Parkway, if a tractor trailer is there, cars have to stop and backup and the truck has to go into the opposite lane to make the turns. They are a danger and they are taring up part of the road. It wasn't just about not wanting trucks on Lloyd. It's that it is an unsafe intersection. There is no room to turn. They have to go into the left lane of traffic to turn. Mrs. Wehr's observation when she went out with Public Works is that they drove all the way down past the Mobile Mini and the U-turn. It will be a challenge down there as well because there are vehicles that park down there in between deliveries. It's not going to be a clean easy sweep for them to do that down there either. Mrs. Wehr just wants to come up with what is the best solution and what Council is looking to do and achieve it. Personally, and professionally Mrs. Wehr thinks the Council's best bet would be to go back to PennDOT before moving forward with this. You won't catch all of them. There will still be some. But at least if we can get that sign back on Airport Road, it will help reduce the numbers that are going to go down that way. Mr. Tocci asked Mr. Eaton if the he hadn't sent the letter; would he do that now. Mr. Eaton replied that the intention was to discuss it further at the next staff meeting. It was on the list before as things to do but he didn't want to get into a discussion with PennDOT until the Township had its Ordinances in line. Mr. Woolley asked if it is possible to make the Lloyd Street going East one way. Mr. Tocci replied that the residents use Lloyd St. back and forth to get where they are going. Making it one way would make the residents go out to the Parkway into more traffic. A discussion ensued. Mr. Tocci wanted to clarify that there is no sign on Airport Road. Mrs. Wehr said there is a sign at Lloyd St., but before the trucks see the sign they are already committed to the turn. A sign needs to be placed at Airport Road before the turn onto Lloyd Street to deter the trucks from making that turn. Mr. Eaton said they can get a letter out to PennDOT this week. A discussion followed. Mr. Eaton said the Ordinance before the Board is primarily for when traffic is heading to that intersection on Irving St. that they have the same prohibition. Initially, they tried to prohibit it by preventing people from getting onto Lloyd Street from Airport Road so they wouldn't get down there and find out they couldn't turn which is Mrs. Wehr's problem. The intersection is

bad for turns on any direction for a tractor trailer. This language was adding that right at the intersection so that trucks traveling in either direction on Irving St. cannot turn onto Lloyd if it's a tractor trailer. Mr. Eaton said the Board can table this and take it up later or approve it now. Since the Township doesn't have any enforcement power, there is not much they can do about it. Chairman Paulus closed the Public Hearing.

Motion: I move that we adopt Bill No. 2020-03, An Ordinance Amending the Statutory Code of Hanover Township to Prohibit turns by a Truck and Trailer or Truck Tractor and Trailer at the Intersection of Irving Street and Lloyd Street as Ordinance No. 622 as presented.

Woolley, Tocci: Moved and Seconded
Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye Unan.

New Business:

1. Release of Payment, Application #2, Doli Construction Company, Catasauqua Rd. & Pump Station #1, \$49,289.25 (Vote)

Mr. Kortze said this is their second release. They are essentially finished with all of the utility work. They will have to come back in and do some permanent paving and permanent seeding and stabilization. The costs for these are still being held. Once they are done with that they will come in for their last payment and then provide the Maintenance Bond. This request is for payment of completion of some other work that was done since the first payment. There were some extras. The primary extra was after the contract was awarded. The Township looked at wanting to put in a metering manhole at the downstream end of the project which wasn't included in the bid. The overall contract price when it is all said and done will be approximately \$25,000 more than the original bid amount was and that would include the extras.

Motion: I move that we authorize Release of Payment, Application #2, Doli Construction Company, Catasauqua Rd. & Pump Station #1, \$49,289.25 as presented and recommended by the Township Engineer.

Heimbecker, Lawlor: Moved and Seconded
Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye Unan.

2. Bill No. 2020-04, An Ordinance Authorizing Payment of a Bereavement Benefit to the Immediate Family of a Deceased Employee (Introduce)

Motion: I move that Bill No. 2020-04, An Ordinance Authorizing Payment of a Bereavement Benefit to the Immediate Family of a Deceased Employee, be introduced as presented.

Heimbecker, Tocci: Moved and Seconded
Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:11 P.M.

Respectfully submitted,

Melissa Wehr
Township Manager