

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

September 4, 2019
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Tocci; J. Jackson Eaton, III, Esquire; Al Kortze, P.E.; Christopher Garges; Vicky Roth

Absent: Paulus; Woolley

Attendance: 6

Opening of Bids: Bid No. 2019-03 Irving St. Mill and Overlay – 2019 Road Program

Christopher Garges, Township Manager, opened the bids and read them off in order as follows:

The lowest bidder is New Enterprise Stone & Lime Co., Inc., P. O. Box 77, 3912 Brumbaugh Road, New Enterprise, PA 16664 with a bid of \$133,795.00. Second is Schlouch, Inc., Excelsior Industrial Park, P.O. Box 69, Blandon, PA 19510 with a bid of \$135,560. Third is Gaver Industries, Inc. d/b/a Barker & Barker Paving, 910 14th Avenue, Bethlehem, PA 18018 with a bid of \$150,475.00. Fourth is Lehigh Valley Site Contractors, 5143 Lower Mud Run Road, Easton, PA 18040 with a bid of \$177,310.00.

Motion: I move that we accept New Enterprise Stone & Lime Co., Inc., P.O. Box 77, 3912, Brumbaugh Road, New Enterprise, PA 16664 as the lowest bidder with a bid of \$133,795.00 for Bid No. 2019-03 Irving St. Mill and Overlay – 2019 Road Program, subject to review and recommendation of the Township Engineer.

Heimbecker, Tocci: Moved and Seconded

Heimbecker, Lawlor, Tocci: Aye Unan.

Courtesy of the Floor: None.

Approval of Minutes: August 21, 2019 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the August 21, 2019 Regular Council Meeting and accept same as presented.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci: Aye Unan.

Reports:

1. Christopher Garges
Township Manager

Mr. Garges said that the first four items of his report are included in Council's packets.

1. The Township Engineer had prepared a letter dated August 29, 2019 regarding speed monitoring program permitting and purchase. Mr. Garges said if Council will recall this was discussed previously that the Township would need to obtain a permit from PennDOT for this device that the Township could move to specified locations within the Township. It is basically a type of device that can be hung from a sign that shows what the speed limit is and what the driver's speed is and it will flash and notify the driver if they are over the specified speed limit. The Township Engineer estimates the cost to be \$3,500 to purchase this piece of equipment. Al Kortze, the Township Engineer, has worked with these devices in other municipalities. Mr. Garges is seeking approval from Council to purchase one of these devices. Mr. Kortze said one of the things that these devices do in addition to showing the driver's real speed, it will also document the amount of vehicles that travel through at certain periods of time and you get daily and peak hour trips generated from the device and it will also compile average speeds. Mr. Kortze said they seem to work well in some of their other municipalities as a traffic calming device. There are other measures of traffic calming, i.e. speed bumps, road narrowing, etc. which are effective, but there are more issues with those measures. Speed bumps are winter maintenance issues for plows. Some places put in rumble strips that create a noise issue. Mr. Kortze said the device being discussed seems somewhat pricey but it works from a traffic calming measure to some degree. Councilman Heimbecker asked if it allows for verbiage, i.e. slow down, etc. Mr. Kortze thinks you can get them with verbiage. The one he specified does not have verbiage. It is an option that can be explored. Mr. Heimbecker asked the Township Attorney if there is any chance that the Township could get drawn into if there is an accident at the location where the device would be placed. Jason Ulrich, Township Attorney, replied that as a general rule there is no liability with respect to posting signs like this unless the Township would somehow be modifying the traffic patterns or modifying the speed limit. The Township does not need to worry about it. They already have posted signs, speed limits and traffic regulations. Mr. Garges said the Township would also need a permit from PennDOT for the device and it would have to meet PennDOT's standards. Mr. Garges believes there should be some coverage from that. Mr. Ulrich said the Township would need a permit each time they move the device. Councilman Tocci said that he recalls seeing a list of streets where the Township would want to place the device. He asked if one permit could cover the entire list of streets. Mr. Ulrich said he would have to research that question and get back to Council by their next meeting with an answer. Mr. Kortze said they had a list of seven streets at Lower Nazareth Township and they bought five of

the aforementioned signs and they listed all seven streets for their permit. Permit lasts for one year and within that period they can be moved. Mr. Kortze said whatever streets the Township has in mind; they would list them on the permit application and then the sign can be moved from street to street. The unit that Mr. Kortze specified are solar powered and somewhat top heavy and heavier than what could be mounted on a square channel normal speed limit sign post. The Township would have to put in something like a fence-post type arrangement. There would have to be a couple of foundation bases in certain areas and then just take the pole and move it along with the sign. Mr. Kortze said he can provide the Township Manager with more information if Council proceeds. Mr. Tocci requested the Township Engineer to also get cost estimates on the sign that has verbiage so they can compare. Mr. Heimbecker told Mr. Garges that he and Council think it's a good idea to proceed. Mr. Garges said he will bring back to the next meeting or two some cost estimates on signs with verbiage vs. signs without verbiage and then Council can decide which way to go.

2. REMINDER: Lehigh Valley Planning Commission has released Future LV in draft form. Future LV is the combined update of the regional plan and transportation study. The public review and comment period run from August 9 to September 23. LVPC will be performing a 90-minute presentation of Future LV here, at the Township Building, on September 17, 2019 from 6pm to 7:30pm. Township officials and staff are invited and encouraged to attend.
3. Rockefeller has submitted a preliminary / final minor subdivision plan for Willowbrook Road. This is the west side of Willowbrook Road that was recently rezoned to accommodate Planned Industrial Office. This will be placed on the September 17, 2019 Planning Commission agenda, which will be held at 8:00 p.m. after the LVPC presentation.
4. Target has filed a Zoning Hearing Board application for updates / revisions to the signage and facades on their building in Airport Centers Shopping Center which will be heard at the September 26, 2019 ZHB meeting. Their previous zoning variance was granted by the Board saying that any revisions to the signage would require another variance. There are no major increases, but they were over what they were allowed before and what the Ordinance allows.
5. The USDA has been working with the Airport regarding the spotted lanternflies. They had surveyed the area and had found and identified some trees in Canal Park, which Jeff Mouer, Public Works Supervisor, previously mentioned. They are seeking permission from the Township to spray for the lanternflies. They target the Tree of Heaven, which is where the lanternflies are drawn to. Mr. Garges is seeking approval from Council to sign off on a waiver to allow them to come in and spray.

Motion: I move that we authorize the Township Manager to sign off on the waiver allowing the USDA to come into the Township to spray at Canal Park for spotted lanternflies that target the Tree of Heaven.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci:

Aye

Unan.

Mr. Garges requested a short Executive Session after the Council Meeting to discuss a personnel matter.

Mr. Heimbecker asked Mr. Garges if they were still meeting with the Fire Company who was supposed to provide the Board with information regarding bill payments. Mr. Garges said he received the information today from the Fire Company and will bring it to Council at their September 18, 2019 meeting. Mr. Heimbecker suggested that maybe they could meet with the Fire Company next week or later in the week.

Councilman Woolley entered the Council meeting at 7:46 p.m.

Mr. Heimbecker said since Mr. Woolley is now present, he would like everyone to stand for a moment of silence. The Township lost Patricia Paulus who truly was in love with the Township and did everything she possibly could for the Township. She passed last Friday and her husband, Chairman Bruce Paulus, is in mourning.

2. Al Kortze, P.E.

Township Engineer

1. Mr. Kortze gave an update that at the last meeting their office was authorized to put together specifications for the Allendale Sanitary project. They started work on that. Their goal is to have that bid in late fall as a winter-type project, which would wind up working out better from a bid and price standpoint.

3. Jason Ulrich, Esquire

For J. Jackson Eaton, III, Esquire

Township Attorney

Mr. Ulrich said he had nothing to report.

Unfinished Business: None.

New Business:

1. Bill No. 2019-07, An Ordinance Amending Chapter 15, Section 301 of the Statutory Code of Hanover Township to Prohibit Truck Traffic on Lloyd Street between North Irving Street and Airport Road (Public Hearing)

Mr. Garges said that this Bill was introduced at the last Council meeting on August 21, 2019 and Mr. Kortze's office performed a study of the intersection of Irving and Lloyd. The Township has been noticing an increase of tractor trailer traffic, particularly, through that intersection and most particularly through what the Township calls Middle Lloyd and turning north onto Irving. That intersection as Mr. Kortze's report found, does not have the proper geometry for longer vehicles to be making those types of turning movements. This Ordinance

prohibits truck traffic between Irving and Airport Road on Lloyd Street. It does already have in it some definitions of what truck traffic is and what local deliveries are and those type of things. If it is truly a local delivery, that is fine; but, there is clearly a viable alternate route which is much safer and designed for truck traffic, which is Airport Road to Postal Rd. or Marcon Blvd.

Mr. Tom Hutterer of 740 Lloyd Street introduced himself. He asked if the Township is going to be posting signs. He feels signs do not really have any effect unless there is police presence. Will the Township have police patrolling the area and pulling trucks over? Mr. Heimbecker replied that the Township has an excellent relationship with the state police and they are just as eager to make sure that truck traffic is kept off of that street if it is not safe. The Township Manager enjoys a good relationship with the captain at the barracks. Mr. Heimbecker is sure if the Township asks for more observance, they'll get it. They were very cooperative when the Township had troubles with trucks parking in the Township. Mr. Heimbecker said Mr. Hutterer can rest assured that if it becomes a problem and they are reporting back to the Township, the Township will get the appropriate help. Mr. Garges said he has reached out to the owner of the Amazon facility located there and he leases out to the company that moves the Amazon trailers. Once the Ordinance is passed, he will know what date it will be effective, which he believes is a 30-day period, which he confirmed with Mr. Ulrich. They will have a 30-day window after the Ordinance. Signs need to go up and so forth. Mr. Garges' plan is to go out to Amazon before this goes into effect and let them know when the Ordinance is going into effect and then reach out to the state police. As Mr. Heimbecker said, Mr. Garges was recently talking to the state police regarding another issue in the Township and he feels the Township has a good relationship with them. Mr. Garges feels that once one or two of the trailers gets ticketed, they will get the message. Mr. Heimbecker said the Township's Code Enforcement are constantly on patrol also. Mr. Garges said Code Enforcement can mention it to the tractor trailers, but cannot cite them because it falls under the Vehicle Code, but they can certainly have a presence there. Mr. Hutterer also asked who is responsible for the weeds at the commercial property at Irving and Lloyd. He said the weeds are so high that you can't see the traffic coming either way. Mr. Garges had a discussion with them today and they are scheduling someone to come out to cut the first 15 or 20 feet back around the entire property. Tomorrow morning the Township's Public Works Supervisor is visiting that intersection which has vegetation on both sides at the clear sight triangle. They are working on getting that area cleared up as well to open up the intersection. They are also looking at striping and signage in that area because of the bus stop located there. Mr. Garges said the owner of the property at Irving and Lloyd was sent a weed letter. Mr. Heimbecker closed the Public Hearing.

Motion: I move we adopt Bill No. 2019-07, An Ordinance Amending Chapter 15, Section 301 of the Statutory Code of Hanover Township to Prohibit Truck Traffic on Lloyd Street between North Irving Street and Airport Road as Ordinance No. 616.

Heimbecker, Woolley: Moved and Seconded
Heimbecker, Lawlor, Tocci, Woolley:

Aye

Unan.

2. Resolution No. 2019-37, A Resolution Adopting Budget Transfers for the Year 2019 (Vote)

Mr. Garges gave Council information in their packets. Resolution No. 2019-37 has been drafted to transfer funds which will not be utilized in the Data Management Initiative line item for 2019. The funds are proposed to be transferred into two-line items. The first will cover the cost of the winning bid for the Pole Building at the Salt Shed. The second transfer will cover a typographical error which provided less funding for Fire Apparatus in the General Fund than was actually appropriated in the Capital Fund. The excess funds in the Data Management Initiative included \$100,000 which was budgeted for zoning and subdivision and land development updates which the Township will not be getting to this year because they are commencing the Comprehensive Plan Update. That is the large amount of what is being moved over as part of this Resolution to cover the overage in the Pole Building which was due to some additions to scope. When they put a number in the Budget last year, they had only looked at the structure of the building. They added a couple of garage doors, but the big added cost was the site work and the paving around it. If Council will recall, the Township had the bid opening a couple of month's ago. The contractor was notified that the Township didn't have sufficient funds in the Budget and that the Township's Charter does not allow a budget transfer until September 1 and then can look at the Budget to see if there are any line items that are under or over performing. This is why they will take money that will not be used this year and put it into where needed. Mr. Heimbecker asked if it's subject to audit and Mr. Garges replied, yes.

Motion: I move we accept Resolution No. 2019-37, A Resolution Adopting Budget Transfers for the Year 2019.

Woolley, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley:

Aye

Unan.

3. Fed Ex Aber, 951 Postal Rd., Accept Improvements, Move into Maintenance (Vote)

Mr. Garges said this was approved by Council last year. They had all their agreements drawn up, posted the security, and done the work. Mr. Kortze's office was out on the property and inspected all the improvements that were put in as part of that land development. Applicant requested this final inspection so the Township can move them into the 18-month maintenance period. As part of the agreement, it requires them to post additional security, a smaller amount than what was originally posted, to cover the items as well as after the 18-month period there will be an inspection and fix anything that they had changed or broken or any vegetation that had died. Mr. Garges gave a copy of Mr. Kortze's letter dated September 4 to Council that recommends that the Township accept this and move it into the maintenance period.

Motion: I move that we accept Fed Ex Aber, 951 Postal Rd., Accept Improvements, Move into Maintenance in accordance with the Township Engineer's letter dated September 4, 2019.

Woolley, Tocci: Moved and Accepted
Heimbecker, Lawlor, Tocci, Woolley:

Aye Unan.

Courtesy of the Floor: None.

Mr. Tocci questioned if the time frame for the truck prohibition is 30 days and Mr. Garges replied, yes after the Ordinance is passed. Mr. Tocci also wanted to know if there is a time frame for the signage, crosswalk and clearing. Mr. Garges replied that Mr. Mouer is meeting out there tomorrow with Gubish and the other property owner. It could happen within the next week or so depending on schedule and the striping and signage. The Township wants to incorporate it with the paving project. Mr. Mouer is in the process of ordering some of the signs.

Mr. Heimbecker said the Council will be going into Executive Session and will not be returning to the meeting.

Adjournment:

The meeting was adjourned at 8:00 P.M.

Respectfully submitted,

Christopher J. Garges
Township Manager