

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

June 5, 2019
7:30 P.M.

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

Absent: 0

Attendance: 4

Bid Opening (Live on Penn Bid):

1. Catasauqua Road & Pump Station #1 Sanitary Sewer
2. Pole Barn Installation – Postal Road

Christopher Garges, Township Manager, told everyone in attendance that Freddie was present from Penn Bid and they were logged in to the computer. Freddie with Penn Bid will go over it with everyone since it is the first time the Township is accepting bids through Penn Bid. Councilman Heimbecker asked if they were on paper form and Mr. Garges replied that, yes, they will be able to download all of it. At present, they are unlocking it live online. Mr. Heimbecker suggested reading all bidders into the record as if they had just opened the bids. Mr. Paulus read the bidders for the Pole Barn Installation at Postal Road as follows:

Ag Point Construction	\$147,713
CB Structures, Inc.	\$127,154
Dutchman Contracting, LLC	\$124,356

Chairman Paulus announced the lower bidder was Dutchman Contracting LLC at \$124,356.

Motion: I move we accept the bid of Dutchman Contracting, LLC at \$124,356 for the Pole Barn Installation at Postal Road, subject to the Township Engineer's approval.

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

Mr. Paulus explained to the audience that until now when bidders put in their bids for a certain project, they would drop them off to the Township Building sealed and then Council would open each bid at the Council Meeting to award the bid. With today's technology, bidders now will bid online and Council will open them live online at their Council Meeting.

to show Rev. Allen instructions on How to Remove your Home or Business from Pokeman Go. Mr. Bartholomew said Rev. Scott did not have any interest in the information. After no cooperation from Rev. Allen, Mr. Bartholomew and his partner, Leann, went around with a Petition to stop this behavior. After three days, they were able to gather 53, 54 signatures on the Petition which states, "This Petition is against St. Andrew's Episcopal Church, 1900 Pennsylvania Avenue, Allentown, PA 18109 to take measures to secure their internet against people that play Pokeman Go on their phones that creates people to trespass, loiter, harass, create disorderly behavior and cause concerns to neighbors to be alarmed in a crime watch in the Troxell Street area of recent alarms in crime in nearby vicinities such as the explosion and shooting that I expressed." Mr. Bartholomew said Council can make copies of the Petition for themselves. He said a lot of citizens over the past three days have shown concern over Pokeman Go. Mr. Bartholomew wanted to know from Council if the Township would help out and perhaps send a letter to Rev. Scott asking him not to shut down his wi-fi, but to secure the Pokeman Go game from his wi-fi so there are no problems in the community. A discussion ensued. At this time, Jackson Eaton, Township Attorney, said his understanding is that you need an internet connection for Pokeman Go to work and Mr. Bartholomew said he is correct. It is an App on your cell phone and once you activate it, you can see people's houses, cars, driveways, etc. and the cartoon characters appear in yards, private properties, and they try and catch them for points. Mr. Eaton asked if this is something that would connect to someone's router and Mr. Bartholomew replied, yes. Mr. Eaton asked if someone has internet service on their cell phone and they don't need wi-fi, would they still be able to play the game? Mr. Bartholomew was not sure. Mr. Paulus replied that they could play the game anywhere if their phone had internet service. Mr. Heimbecker wanted to know if the church was emanating to these players and Mr. Bartholomew said there are "hot spots" and the church is a hot spot. A discussion followed. Mr. Bartholomew said he will secure that his internet does not pick up Pokeman Go, but he feels since the church is a hot spot, it would be a good idea if they receive a letter from the Township with these concerns, along with a copy of the Petition. Mr. Paulus agreed that a letter should be sent to St. Andrew's Episcopal Church requesting Pokeman Go to remove them from being a hot spot for the game. A discussion followed.

Approval of Minutes: May 15, 2019 Regular Council Meeting

Mr. Eaton had a correction on Page 9, paragraph 4, "allow for a field" should be "allow for an appeal".

Motion: I move we waive the reading of the May 15, 2019 Regular Council Meeting Minutes and accept them as presented with Mr. Eaton's correction.

Paulus, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus

Aye

Unan.

Reports:

1. Christopher J. Garges
Township Manager

Mr. Garges said he included a preliminary Manager's Report in Council's packets. Items are as follows:

A. Mr. Garges is seeking authorization to submit two grant applications for the same project. The project was brought to the Township's attention by LANTA and was submitted as part of the Lehigh Valley Planning Commission ("LVPC") call for future road improvements projects to be included in the updated Lehigh Valley Traffic Study ("LVTS"). The goal of the project is to create pedestrian crosswalks at the intersection of Catasauqua Road and Valley Plaza. There is heavy pedestrian traffic across Catasauqua Road from shopping centers/hotels/restaurants to other shopping centers/hotels/restaurants as well as heavy pedestrian traffic for the bus stops at that intersection.

The first grant is the Automated Red-Light enforcement ("ARLE") transportation enhancement grant program. Grant submission is open from June 1 to June 30. It is "no match" program providing 100% of funding for selected projects. Grants are awarded in December 2019. This would be through PennDOT.

The second grant is the Multimodal Transportation Fund grant. Grant submission is open from March 1 to July 31. This program provides 70% funding (Township's portion is 30%). Grants are awarded in November 2019.

The long-range plan included eventual repaving of Catasauqua and was planning to be included in the upcoming five-year Capital plan. The Engineer's preliminary estimate was in the \$500,000 range, as such at 30% match the Township would be required to provide \$150,000 in funding. LANTA has committed to working with the Township to provide information to build our case in the grant submission. The Township would also need some work done by the Township Engineer, i.e. prepare plans, etc. and some work from staff and a Highway Occupancy Permit ("HOP") from PennDOT. There will be design and a small-time lapse. It would be a minimal cost to at least give a shot at these two grants. Mr. Garges said this is something that was on the Township's longer-range plan. The Township wants to repave Catasauqua Rd. in the next four to five years. This would be something that the Township could repave and stripe it all in one project.

Mr. Heimbecker asked Mr. Garges what he estimates the preparation to be from the Township Engineer's side of it. Mr. Garges said it will just be some man hour and pulling data together costing much less than \$5,000. Mr. Kortze said that at this point it would just be an exhibit plan. Something that they can take an aerial image and show what they are doing and perhaps provide a list of some of the other improvements that will take place. Mr. Kortze said the reason the estimate was in the range of \$500,000 is because it's more involved than just painting crosswalk stripes. When they go to PennDOT for these improvements, they are going to make you improve everything up to current standards. The signal mast arms will have to be replaced and put in new signals, etc. Mr. Kortze said at this point there would not be any design, it will just be an exhibit sketch. He said their cost will be in the range of \$1,000, if not less. Councilman Tocci asked Mr. Garges in his conversations with LANTA did it include putting in a second bus shelter on the other side as previously discussed. Mr. Garges said they did not get that far into the discussion. He will get

Mr. Garges also wanted to note that there is a community block party in Bethlehem at 3:30 p.m. on June 12 at the intersection of Broad and New to roll out the “Walk/Roll LV” initiative prepared by LVPC. Details are on card that Mr. Garges provided to Council. Also, there is a flyer for what is called the LINK. It is a trail network. Basically, the goal of it is to get an interconnection through all of the regional trails and the D&L Trail that are currently in place, i.e. the Saucon Rail Trail, the Nor-Bath Trail, etc. The website just went live this week, which includes some good links to navigate your way through those trails.

E. Mr. Garges provided each Council Member a copy of the Northampton Regional EMS 2018 Annual Report which they submitted to the Township.

Mr. Tocci asked Mr. Garges if there is a time frame for completion of work regarding the D&L Trail loop that he discussed earlier. Mr. Garges said they do not have a time frame as of yet. The meeting he attended was a visionary meeting of future plans, which they invited all stakeholders to. They want to get something in place that as development occurs, they can have a baseline to encourage developers to do improvements. For now, they are seeking input from some of the larger stakeholders, i.e. City of Allentown. The ones that had identified projects. They don’t necessarily have a road map, but this was the first step of putting something out there. Mr. Tocci said it seems from the information Mr. Garges provided to Council and that he read over seems like a great plan. He asked if it was enthusiastically received by everyone at the meeting and Mr. Garges replied that it was. Mr. Tocci said it seems to him that this ties in to what they discussed at the last Council meeting where they were asked to consider a Township Park Comprehensive Plan. He recalls some mention of the D&L Trail and if the Township had a Park Comprehensive Plan to coincide with it. He is aware that most of Council voted against it. He is aware of Council’s concerns regarding the success rate and cost of a grant writer. The consultant that came before Council at last meeting quoted \$40,000 for his service and there was confusion as to his success rate. He said he was fairly successful at obtaining the grants and later it was clarified that his firm has a 90% success rate. Mr. Tocci asked if it was possible to get other grant writing consultants to make a presentation to Council who may come in at a lower cost but still have a high success rate. Mr. Tocci asked if the Township could revisit this matter. Mr. Garges said if this is something that Council would want to revisit again; he could reach out to others to put together a proposal to present to them. Mr. Garges said this was an eye opener to him because the Township is right in the middle of it. They are looking at commuting, recreation, etc. where trail heads are located. The Township has a large working population close to it. Mr. Tocci said he feels it’s a good investment when looking at long term and being a part of what they are already developing since it would incorporate the Township’s park anyway at Canal Park.

Motion: I move that we authorize the Township Manager to solicit other grant writers to present their proposal to Council in order to obtain a grant to develop a Township Park Comprehensive Plan.

Tocci, Woolley: Moved and Seconded

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

Mr. Garges feels this could benefit the Township greatly in the long run.

Mr. Paulus addressed Jeff Mouer, Public Works Maintenance Supervisor. He said while Mr. Mouer was on his physical leave, he was detained in the Catasauqua detour and bypassed Canal Park. Mr. Paulus took a look around the park and the lake and noticed that the aerators were not running. Mr. Paulus proceeded to go to the Township Maintenance Building at the Township Building and he noticed Josef Fragnito, Public Works Crew Chief, sitting at his computer and looking at aerators. He had a discussion with Mr. Fragnito and now wants to know from Mr. Mouer what became of the situation and if they had to rebuild the pump. Mr. Mouer said one pump was shot and some preventative maintenance was needed.

2. Al Kortze, P.E.
Township Engineer

A. Mr. Kortze discussed the Troxell neighborhood. At the last Council meeting, he was instructed to put together an estimate for the curb replacement. Mr. Kortze prepared two estimates. One for the complete replacement of all the curbing. Mr. Kortze had his guys tabulate the curbing they felt was damaged and that is either in dire need of repair or chances are would be in need of a repair if there was any kind of reconstruction of the road. The first test showed 13,170 feet of curbing within the neighborhood and Mr. Kortze's estimate, which he had as an attachment with his letter to Mr. Garges, there are seven items he included as part of the full curbing replacement. At this time, Mr. Kortze read off his list of items. Tabulating everything on his list plus a 10% contingency depending on extras comes to \$639,452. This is for removal and replacement of all the curbing within the neighborhood. The second estimate, which he had his guys tabulating the damaged curbing, which is about 910 feet of curbing repair and comes out to \$80,883. Mr. Tocci asked if curbs would have to be replaced if the Township did a full depth versus just doing a mill and overlay or doesn't it matter. Mr. Kortze responded that it really doesn't matter. He said if the Township does a full depth reclamation, they would be able to save the curbing. Mr. Kortze feels that the numbers he came up with for the damaged curbs and they start doing a full depth reclamation, he figured there would be about 910 feet give or take that would have to be replaced, but not necessary. Mr. Kortze said the downside to this is if the Township only does the patching, they will have some curbing that is brand new and some curbing that is 50 years old. It will look different in appearance and some residents might ask why some were replaced and not theirs. Mr. Heimbecker asked Mr. Kortze if trees will have to be removed to do the road work and Mr. Kortze replied that they will not have to be removed if they are not doing curbing. Mr. Lawlor said he is for saving as many trees as possible, if not all the trees. Mr. Paulus said the bad curb replacement should be the responsibility of the resident and they would have to pay for the replacement. Mr. Garges said they would have to look at each location of where the curb is and then assess the resident and provide a payment option over time. Mr. Heimbecker reminded everyone that the concern was to be able to get all the repairs and road done before the weather changed. His thoughts are if the Township is going to do 910 feet, he feels they should be publicizing the other side, which would be

while the work is being done, this is the price and while we have crews there, we can take care of it. Mr. Heimbecker feels there is a positive side to this. There are residents that would like to redo their curbs but can't get their own contractor and may want to take advantage of this. Garges proposed that Mr. Kortze and a representative from the Township go out and physically paint the areas that Mr. Kortze feels need repair and they can see where that falls with each homeowner. Have Mr. Kortze's office start to prepare the specs and come back with some type of aerial photos to show where the replacements would be. He can come back with a number that will be per linear foot and the Township can start to reach out to the residents and let them know that this is the project we are proposing and let them know what the Township deemed needing repairs. A discussion followed. Mr. Paulus asked Mr. Kortze to put together two separate specs; the full depth reclamation and the recycling of the majority of Troxell, Sherwood and Taft and full depth reclamation in the sinkhole area. Mr. Kortze, for clarity, went over what a full depth reclamation would involve. Mr. Kortze does not recommend a full depth reclamation for a small section because the price would be astronomical due to the special equipment they would have to bring in. One option Mr. Kortze had recommended and still recommends, is full reconstruction of that certain area on Troxell. Mr. Kortze explained the process of doing a full reconstruction which is done with conventional equipment. Mr. Kortze explained pavement recycling which the Township has done in the past. This is a good way of getting a nice finish on the rest of the road. Mr. Kortze also explained the mill and overlay process. If Council wants to do the full depth reclamation, Mr. Kortze's recommendation is to do it on the entire development because of the specialized equipment that's going to go through and you'll have a completely rebuilt road the entire way through. At the last meeting, Mr. Kortze mentioned if they decide to do a full depth reclamation of all the streets, his estimate cost would be \$900,000 - \$1,000,000. The recycling which is option 3 will be considerably less because you won't be doing anything to the stone underneath. You're just rebuilding the pavement structure itself, the blacktop. Mr. Heimbecker asked if there is a way to combine parts of all four options on Troxell Street because of the sinkholes. He suggested that the Township Manager and Mr. Kortze get together and come up with the four options and list them in which way they think is the best way to go. Mr. Heimbecker also feels that Council needs a meeting with the Township Engineer to explain how he picked the four options so they get educated and when they get the numbers back in, they will be in a better position. Mr. Heimbecker said it's confusing on how many different options they are going to end up with. Mr. Kortze asked if he explained it properly and Mr. Garges responded that he did, but they will get together at the next Staff Meeting and get the four options together and explain them at the next meeting. Mr. Tocci asked Mr. Kortze to clarify which option he is missing. He has the full depth reclamation, the paving recycling and the mill and overlay. Mr. Kortze replied that the fourth option is full depth reconstruction, where you tare everything out. Mr. Kortze explained the process. Mr. Tocci asked Mr. Kortze if the full depth reconstruction is the most intensive and Mr. Kortze replied that it is and it is also the most expensive. A discussion followed.

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

A. Mr. Eaton said they've been going back and forth with Allen Township with wrapping up the final transfer of sewer allocation to take care of the Rockefeller lots. It appears that by the next Council meeting it will be taken care of and off the table. Mr. Garges asked Mr. Eaton once they get this ironed out, they will bring back the Ordinance that they drafted and introduced for changes and terminology which may be at one of the next Council meetings and Mr. Eaton replied, yes.

Mr. Eaton said he has other items but they are included in the Agenda.

Unfinished Business:

1. Bill No. 2019-05, An Ordinance Amending Chapter 7, Section 716 of the Statutory Code of Hanover Township to Permit Han-Le-Co Volunteer Fire Company to Assign to Hanover Township Claims for Recovery of Haz-Mat Cleanup and other Costs (Vote)

Mr. Garges said this was introduced at the last Council meeting. This will allow Han-Le-Co to assign the Township to collect their bills when they haven't been paid. Mr. Eaton said in the past the he had done that for Han-Le-Co as their representative; and to avoid any possible future conflicts with attorneys, they assign it to the Township and the Township collects it on their behalf.

Motion: I move we accept Bill No. 2019-05, An Ordinance Amending Chapter 7, Section 716 of the Statutory Code of Hanover Township to Permit Han-Le-Co Volunteer Fire Company to Assign to Hanover Township Claims for Recovery of Haz-Mat Cleanup and other Costs as Ordinance 614.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

2. Bill No. 2019-06, An Ordinance Amending the Hanover Township Zoning Ordinance to Require a Permit for Certain Types of Devices, Signs and Displays, to Limit Their Size and Limit Their Use to Periods of Between 30 and 120 Days. No More than Four Times a Year with a Maximum of 120 Days in any Year and Authorizing Council to Establish the Permit Fees by Resolution (Vote)

Mr. Garges said this was introduced at the last Council meeting. At that meeting, Mr. Woolley suggested clarifying the height requirements which is included. This specifies now that the maximum height of a banner would be no higher than twenty feet and a free-standing sign can be no higher than eight feet. This Ordinance is to try and at least put some type of parameters on promotional signage so that we don't have every business in the Township putting out ten signs, etc. Mr. Heimbecker asked if the policing of this is done through Code Enforcement. Mr. Garges replied, yes, it is. Mr. Eaton suggested that since this is a change to the Ordinance as introduced, the changes are in Section 8(c), Council should first vote to amend Bill No. 2019-06 with those changes.

Motion: I move we accept the changes to Bill No. 2019-06 as submitted by the Township Attorney.

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

Motion: I move we accept Bill No. Bill No. 2019-06, An Ordinance Amending the Hanover Township Zoning Ordinance to Require a Permit for Certain Types of Devices, Signs and Displays, to Limit Their Size and Limit Their Use to Periods of Between 30 and 120 Days. No More than Four Times a Year with a Maximum of 120 Days in any Year and Authorizing Council to Establish the Permit Fees by Resolution as Ordinance No. 615.

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

New Business:

1. Authorization to purchase sanitary sewer easement from Falconi (Willowbrook Road) (Vote)

Mr. Eaton said there may need to be an Executive Session for this matter since it is real estate. Council has in their packets a picture of the easement. Mr. Falconi owns a flag lot that fronts on Race Street three lots. The third lot to the west of Willowbrook Road and there is a flag from his lot that runs behind the other Race Street properties over to Willowbrook Road and the sewer easement will cross that flag which is undevelopable. Mr. Eaton said they have negotiated with him and he is aware of it. The Township has offered him \$1,000, which the Township thought was reasonable for the easement and that is acceptable to Mr. Falconi according to the people he has been talking to. Mr. Eaton said if this were to go to a condemnation, he'd be entitled to \$1,000 off the top in attorney's fees, plus costs for the process and whatever Mr. Falconi would get for the damages. Mr. Eaton said this was a reasonable settlement. The easement is 66 feet by 20 feet wide. If Council would like further explanation, Mr. Eaton suggested going into Executive Session.

Motion: I move for the Authorization to purchase sanitary sewer easement from Falconi (Willowbrook Road) in the amount of One Thousand Dollars (\$1,000)

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

Courtesy of the Floor: None.

Mr. Heimbecker said that residents who have elementary and middle school children in the Sherwood and Taft Streets area have asked how do they get the bus stop moved from where it currently is on Troxell Street and Hoover Avenue. Mr. Heimbecker explained a situation where a gentleman tried to abduct two of the children and the state police were

called out. A discussion followed. Mr. Paulus asked what the ideal pickup spot would be and Mr. Heimbecker said it used to be at Hoover and Sherwood. Mr. Paulus suggested the Township Manager call the school district to inquire about it. A discussion followed.

Mr. Paulus said they are going into Executive Session on a personnel matter and may be returning with a decision.

Adjournment:

The meeting was adjourned at 8:49 P.M.

Respectfully submitted,

Christopher J. Garges
Township Manager