

HANOVER TOWNSHIP
SPECIAL COUNCIL MEETING BY VIDEO CONFERENCE
APRIL 15, 2020

Pledge of Allegiance

Statement by Council Chairman Bruce Paulus

Chairman Paulus opened the meeting with the following statement:
Good afternoon and welcome to the special videoconference public meeting of the Hanover Township Council. Because of the restrictions and recommendations with regard to public gatherings established by Governor Wolf to protect the health and welfare of all Pennsylvania citizens during this coronavirus pandemic, the Council is conducting this meeting by a video teleconference which we believe satisfies in substance and intent the purposes of the Sunshine Act.

Before we begin, I would like to explain how this meeting will work. We hope you find it very similar to how it would be conducted as a regular meeting, complete with the opportunity for public participation.

Council will proceed to consider matters as set forth on the agenda.

We will begin as we always do with Courtesy of the Floor. That is for public questions or comments relating to any Township matter about which you may wish to address Council. For matters which are listed on the meeting agenda, we request you hold your comments or questions until that time. And there will be another Courtesy of the Floor period at the end of the meeting.

If you wish to make a comment during Courtesy of the Floor or at any other topic on the agenda, please call the dial-in number which is **508-924-2880**. I will give that number again in a moment. The Township Manager will answer and screen the calls to determine the caller's name and subject of the call, to make certain you are put through to Council at the proper point in the agenda. When that happens, please state your name and address so Council and the public know who is speaking. The system is capable of accepting and putting on hold multiple calls to this number at the same time, so you should not run into any busy signals.

Before any vote on a matter, I will invite public comment on the subject and the Township Manager will open the calls waiting to speak on that subject, one at a time. All Councilmembers and the public will be able to hear the comments made or questions asked, just as in a normal meeting.

The same rules of decorum apply to calls as they would to statements or questions at a regular Township Meeting. They must be respectful. No statements which imply discrimination of race, creed, color, gender or disability or any obscene language or attacks on the character of any individual will be tolerated. Any such calls will be terminated at the discretion of the chairman, that's me.

This is new to all of us, so we hope you will be patient if we encounter any glitches along the way. Once again, the call-in number is **508-924-2880**.

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

Absent: 0

Attendance: Chris Spadaccia, Emergency Management Director; Josef Fragnito, Public Works Supervisor; Pina Romano, Administrative Assistant

Courtesy of the Floor: None

Approval of Minutes: March 4, 2020 Regular Council Meeting
April 2, 2020 Emergency Council Meeting

Motion: I move we waive the reading of the Minutes of the March 4, 2020 Regular Council Meeting and accept same as presented.

Paulus, Lawlor: Moved and Seconded

Heimbecker: Abstained

Lawlor, Tocci, Woolley, Paulus: Aye

Motion: I move we waive the reading of the Minutes of the April 2, 2020 Emergency Council Meeting and accept same as presented.

Paulus, Woolley: Moved and Seconded

Heimbecker: Abstained

Lawlor, Tocci, Woolley, Paulus: Aye

Reports:

1. Melissa A. Wehr
Township Manager

1. Mrs. Wehr told Council that a copy of a letter she received from an appraiser hired by Lehigh County to appraise .7 miles section of the D&L Trail has been put in their packets. In order for the County to comply with funding grants they need to widen the existing towpath to accommodate the existing trail. Although the trail exists, improvements will be required, therefore the County has to get a temporary construction easement. This results in the County to pay just compensation for the temporary construction. Therefore, Christie Davis, the appraiser, will be conducting an appraisal of our land and has extended an invitation to the Township to join her on the property during the inspection. The County hired Christopher Stroller from the Wildlands Conservancy as an intermediary to assist the property owner in this

process. Mr. Stroller will be contacting the Township in the near future. Mrs. Wehr will report on this as Mr. Stroller contacts the Township.

Councilman Tocci asked Mrs. Wehr if they have a proposed date for the inspections or will they want to hold off? Mrs. Wehr responded that with COVID-19 and the social distancing put in place, the Township will accommodate them in any way they can. They are still looking to move forward since it is outside and everyone can easily accommodate the six-foot separation. Mrs. Wehr does not see a problem with it in the future. Mr. Tocci said he noted on the letter that they extended an invitation if the Township is able to join. Mr. Tocci asked Mrs. Wehr when she got a chance to confirm and pass on the date of inspection to the Board.

2. Mrs. Wehr advised Council that the Township is moving forward with the Interim Act 537 Plan that will be on the Planning Commission's meeting this month. Therefore, she expects a resolution will be placed on Council's Agenda for next month.

3. Mrs. Wehr said the Township received MRM dividends in excess of \$26,000 and deposited into the account.

4. Mrs. Wehr said as a note of interest the Township received a courtesy set of plans from the City of Bethlehem regarding the proposed Royal Farms that will be going in the lot aside of the Bethlehem State Police barracks. If anyone has any questions or would like to review the plans, please reach out to Mrs. Wehr. She said the Fire Chief may want to review them just for the knowledge of responding to an accident in the area.

5. Mrs. Wehr reported that Staff is keeping track of expenditures and revenues and moving forward. She said she is very proud of the Staff she has and they are all doing an excellent job and continue to serve the residents the best that they can under the current conditions.

2. Al Kortze, P.E.
Township Engineer

1. The Township Engineer reported on the Willowbrook Road widening project. As part of the Lot 5A land development, the developer, Rockefeller will have to do some widening on Willowbrook Road in the vicinity of the entrance of this new Lot 5A that is in Hanover Township. Rockefeller submitted an interim design plan, traffic study, stormwater report to the Township and copies Mr. Kortze. Mr. Kortze said their intent was to try to resolve and approve it as quickly as possible so they can complete the project by July so that PennDOT does not use this as another excuse that they are not going to take over the road. Mr. Kortze said they received the plans and did an initial review. They submitted to PennDOT and also submitted to the Conservation District. Mr. Kortze said they are working, staff level otherwise, to get this done. It was initially felt at the first meeting that this portion of the project wasn't necessary

to go in as a full fledge land development review and that it would be handled internally staff wise. This is the way Mr. Kortze is proceeding with it. The land development is a separate submission. This hasn't come in to the Township as of yet. Mr. Kortze believes they still have to get a zoning variance for an interpretation for a fence and a fire lane. This won't be going in for a while. They submitted an interim land development for them to give them some preliminary comments. Mr. Kortze said they are proceeding with that. The goal is to try and get this done and wrapped up quickly so they can start construction. Apparently, the contractor Lehigh Valley Site, has gotten an exemption waiver so they can start on the project as soon as they get their approval.

2. Regarding the Allendale Sanitary Sewer project, everything is ready to be put out to bid. Mr. Kortze said they want to contact Allendale's Manager and/or Owner to go over some items. That will be something they will do by Penn bid within the next couple of weeks.

3. Mr. Kortze reported on the Allendale swale situation. From his understanding, the Township is going to do the repair work and getting the individual that caused the damage to pay for it. If this is the case, Mr. Kortze requested Council to authorize him to get specs together to be put out for bid.

Mr. Paulus said this is probably the best way. The Township cannot wait to get payment and then authorize the work. There is no way of telling how long that would be. Mrs. Wehr said a certified letter was sent to the individual who did the damage. The Township received the Return Receipt that some did sign for the letter and it was received.

Motion: I move we authorize the Township Engineer to put together the specs to be put out for bid on Penn bid.

Paulus, Woolley: Moved and Seconded

Mr. Tocci asked if this is an authorization for the repair work or authorization to get it done. Mr. Kortze replied that it would be authorization for them to prepare the specs, put it out to bid and get contractors to bid on it.

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

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

Mr. Eaton said his items are on the Agenda. Mr. Eaton said he noted that earlier this week the daily PSATS Briefing noted a statement regarding pending Coronavirus Relief Bill that is being considered by Congress and they were suggesting that municipalities write to support the provisions that give benefits to local municipalities that may have been impacted by the Coronavirus. This is something to consider whether the Township wants to do it. Because Hanover Township has a much larger percentage of its revenue from gross receipt tax as opposed to property tax, the

Township may want to consider whether the Township wants to make a statement to the federal legislators about this. Mr. Tocci replied that it seems like a good idea to him. He asked if the airport would be included in this as well. Mr. Eaton replied yes and thought that they would be making their own requests on this. This is mainly for the revenues that are lost by Hanover, primarily through the loss from retail stores and shopping centers. Mr. Eaton said he would discuss this further with Mrs. Wehr and give her the contact information. Mr. Paulus and Council agreed to go forward with this.

4. Maintenance Report (Written)

Josef Fragnito, Public Works Supervisor gave the following statement to Council:

I would like to take this time to thank the Board for moving me to the Public Works Supervisor position. I am happy for the opportunity to lead the department and am willing to learn and improve upon the good things that are happening here in the Township and also to meet future challenges that lie ahead.

The Maintenance Department is going through a period of transition. As part of the transition, as you already know, I moved to the Supervisor position and Dave Strongowski has moved to the Crew Chief position. The transition has been seamless thanks to Dave's experience and knowledge which has helped tremendously. In the process, the Township has hired two new Equipment Operator/Mechanics, Ralph Seidler and Josh Hein and to not forget Forrest Graver who is our seasoned Equipment Operator/Mechanic with over 30 years of service.

The transition has gone fairly smooth and thanks to the mild winter the process has been a lot easier. For the most part, we have been changing from the winter maintenance to the spring maintenance schedules. We moved the snow removal equipment to the Postal Road facility and have now started street cleaning, lawn care and park maintenance.

As Council may have noticed we have installed and started our radar speed limit sign program. We will move the signs about every two to three weeks. One sign is located on Middle Lloyd Street between Airport Road/Irving Street and on Postal Road near the Boy Scouts building. Batteries last approximately one week and replace with rechargeable batteries.

As far as COVID-19 is concerned, everyone is keeping safe distances and washing their hands regularly. As of this point, we've been fortunate to have a full crew on staff.

If there are any questions, comments or concerns, my door is always open or you can contact me via phone or email or whatever works for Council.

At this time, Fire Chief Garren Knoll asked Mr. Fragnito if the Fire Department needs assistance from his crew, does he prefer to be contacted directly or does he have

another number he can be reached at. Mr. Fragnito replied that they should just contact him directly through the Township number of his cell.

Mr. Tocci said he noticed the speed limit signs and appreciates him getting them out. Mr. Tocci asked Mr. Fragnito if they record. Mr. Fragnito replied that they do record and it's something that Public Works is working on. They will have to download the data and it will basically give you how many people traveled it, speed limits, whether they exceeded the speed limit or not. He will get the information to Council as it comes in.

5. Storm Water Issues
6. Fire Company Report (Written)

Garren Knoll, Fire Chief, for Han-Le-Co Volunteer Fire Company No. 1, told Council that he has stopped all meetings and trainings at the Station. He and his officers have gotten together like this, online, to try and keep things moving forward. Mr. Knoll said the only individuals heading to the stations, other than emergencies and essential duties to keep up maintenance of the building and equipment, which everyone has been really good about keeping up with. Mr. Knoll said once we get past COVID-19, he is planning on putting together an open house down at the station that will be open to the public. He would like the opportunity for Council and Township staff to also attend as well. Mr. Knoll would like the community to see more of what the Fire Company does. Their Easter Egg Hunt was cancelled, which is one of their community events. Mr. Knoll said that considering everything that is going on, they had a huge outreach of donations from the companies. A lot of the companies are in the Township. To name a few, Whitehall Pharmacy donated hand sanitizers, Sam's Club donated toilet paper when there was none, BJs donated Lysol spray, Clorox wipes, water and snacks, City Line donated 25 gallons of sanitizer to clean trucks and hard surfaces, Eight Oaks Distillery donated two cases of sanitizer, which Mr. Knoll gave some to the Township. He said they are still waiting on some minor supplies. For the most part, they are in good shape at the Fire Station. Mrs. Wehr said to add to Mr. Knoll's list, Sam's Club also donated 35 bottles each of sanitizer to both the Township and Fire Company as well as some Lysol spray. Each Councilmember was also given a bottle of sanitizer. Mrs. Wehr said it's fantastic how these stores have been responding to our local municipality during this pandemic. Mr. Knoll said at no time has he asked to these supplies. He simply asked to put some aside for them since they were not at critical levels and they took the extra step and made the donation to them. Mr. Knoll has a list of all the donations. The Fire Company will be sending out Thank You letters to each and every one of them. At this time, Pina Romano, Administrative Assistant, addressed Mr. Knoll. She asked Mr. Knoll if others continue to donate, could he let her know since she has been posting Thank You comments on the Township's social media and website thanking the different companies. Mr. Knoll said he would give her the complete list. Ms. Romano said on a second note, she sent Mr. Knoll an email regarding receiving requests through social media regarding the Fire Company driving through neighborhoods to celebrate kids' birthdays, etc. Ms. Romano asked Mr. Knoll what was decided on this specifically for the kids' birthdays. Mr. Knoll said everyone is

on a Stay at Home by the state. He said this is a grey area that he is hesitant to cross. He feels it says to his members, you have to stay home, but I can go out. Some of his other officers agree that they should stick at the station and not be out there unless an emergency occurs. It would be a nice thing, but he's not sure about it. He briefly sent an email to Mrs. Wehr but haven't had the chance to discuss it yet. Mr. Knoll asked the Council what their thoughts are on doing this. Mr. Paulus said they should Stay Home and the rest of Council agreed. Ms. Romano said the Fire Company will be doing the Open House for the community and that's a nice gesture. Mr. Knoll said when he discussed it with his officers, one of them came up with the idea of doing the Open House for the community and he thought that would be a better idea.

Mrs. Wehr asked Chris Spadaccia, Emergency Management Coordinator, if he had anything to add. Mr. Spadaccia said he has been sending situational updates to keep everyone in the loop of what has been taking place. Mr. Spadaccia is keeping track of COVID-19 cases in the Township in case they start seeing a trend of hot spots that can occur and to see that the numbers don't grow too quickly and too out of hand. His other concern was that residents from New York and New Jersey have refuted many of the hotels in the Township. This could pose a risk to the first responders. EMS has been taking proper precautions to any calls to eliminate going to these incidents. Mr. Spadaccia said just by driving by the hotels, he can tell that the residencies are still out of state plates. It's not as packed as it normally would be though.

7. Code Enforcement Report (Written)

Mr. Tocci asked if their hours have been cut back. Mrs. Wehr replied that Code Enforcement hours have been cut back to two days a week and reduced to four hours each day. We have them in the Township for a total of eight hours to drive around for any complaints/issues.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated April 15, 2020, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Heimbecker: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

9. Building Inspector's Report (Written)

Unfinished Business:

1. Resolution No. 2020-30, Extending the Declaration of Emergency (Vote)

Mr. Eaton noted that the law provides for such declarations of emergency. It states that it should be adopted by the municipal governing body, which would be Council. After that, it would have to be extended every seven days. The Council can authorize the manager to do that. When you originally passed this in the first

emergency meeting, it included this language. Since that first meeting was not a full public meeting, just to clear up any questions that might arise, the first extension of the Declaration of Emergency should be done by Council then the Township Manager can do it every seven days after that as long as she needs to do so.

Motion: I move that Council extends the Declaration of Emergency.

Paulus, Woolley: 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 (Public Hearing)

Mr. Eaton addressed the members of Council and reminded them that at the last meeting, Bill No. 2020-04 was introduced and it contained only the language providing the benefit. At that meeting, it was suggested that it be revised in some way and that going forward this would remain in some way to recognize and/or honor Nat Frey. The change has named it the Nate Frey Bereavement Benefit. If Council wants to adopt the changes, the first thing you would need to do is amend the Bill to adopt the changes as amended and then Council can vote on the Bill as amended. Mr. Tocci asked Mr. Eaton to go over the version again since the version he is looking at looks exactly the same. Mr. Eaton asked Mrs. Wehr if the updated version was provided in Council's packets and she said Vicky Roth, Township Clerk, provided it to them. Mrs. Roth told Council that yesterday she sent the revised Agenda, the revised proposed Ordinance, to everyone. Mr. Tocci said he would look through his 120 some page documents again and see if he could find the revised copies. Mr. Eaton reiterated that the Ordinance is exactly the same except that it now includes Nate Frey's name in the title of the Ordinance and then the Whereas clauses were added which are not part of the law but just explain why this was done to honor Nate.

Motion: I move Council accept the amendments as presented.

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

Mr. Eaton said that at this time it would be appropriate to have a Motion to adopt the Bill as amended.

Motion: I move Council adopt Bill No. 2020-04, An Ordinance Authorizing Payment of a Bereavement Benefit to the Immediate Family of a Deceased Employee, as Ordinance No. 623.

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

Mr. Paulus closed the Public Hearing.

Mrs. Wehr told Council that as a point of interest the insurance company has paid the accidental death benefit for the policy. The Board agreed that this was good news for the family.

New Business:

1. Resolution No. 2020-31, A Proclamation Setting Aside May 2, 2020 as Pennsylvania State Police Day in Hanover Township (Vote)

Motion: I move Council accept Resolution No. 2020-31, A Proclamation Setting Aside May 2, 2020 as Pennsylvania State Police Day in Hanover Township, as presented.

Paulus, Heimbecker: Moved and Seconded

Mrs. Wehr told Council that Staff spoke with Trooper First Class Nathan Baranski. He said that unfortunately due to the Coronavirus this year they cancelled their celebration that they normally hold for this. Trooper Baranski did inform Mrs. Wehr that May 2 is actually the PSP's birthday. Therefore, moving forward with this Resolution, we will still do that and would like to present it to them so they can still be recognized and honored. Council agreed that was a good idea.

Heimbecker, Lawlor, Tocci, Woolley, Paulus: Aye

Payment of Bills: Approval of the Bills for March 18, 2020
Approval of the Bills for April 15, 2020

Motion: I move Council authorize payment of Payroll (02/21/2020) & (03/06/20); Voucher Nos. 24947-24997 (Prepays), Voucher Nos. 24998-25038, from the General Fund Account in the amount of \$478,126.59; Voucher Nos. 177 from the Liquid Fuels Account in the amount of \$5,321.14; Voucher Nos. 4474 (Prepays), Voucher Nos. 4475-4477 from Capital Reserve in the amount of \$60,307.87; Voucher Nos. 4354-4357 from the Water Account in the amount of \$1,015.29; Voucher Nos. 5830&5844 (Prepays), Voucher Nos. 5845-5855 from the Sewer Account in the amount of \$718,248.66 for a Grand Total Expenditure of \$1,278,561.68.

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

Motion: I move Council authorize payment of Payroll (03/20/2020) & (04/03/20); Voucher Nos. 25039-25060 (Prepays), Voucher Nos. 25061-25106, from the General Fund Account in the amount of \$260,171.59; Voucher Nos. 178 from the Liquid Fuels Account in the amount of \$5,301.63; Voucher Nos. 4478-4480 from Capital Reserve in the amount of \$15,900.27; Voucher Nos. 4903 (Prepaid), Voucher Nos. 4904-4907 from the Escrow Account in the amount of

\$11,677.50; Voucher Nos. 4359-4359 (Prepays), Voucher Nos. 4360-4365 from the Water Account in the amount of \$27,211.48; Voucher Nos. 5856-5858 (Prepays), Voucher Nos. 5859-5869 from the Sewer Account in the amount of \$111,779.90 for a Grand Total Expenditure of \$432,042.37.

Paulus, Woolley: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor:

Mr. Paulus asked Mrs. Wehr if we had any outside contacts and Mrs. Wehr replied that we did not. At this time, Mrs. Wehr said she will open it up for questions and answers. She started the Q&A session and she did not see any new attendees. Mrs. Wehr made a request to the Board at this time for next month's meeting. In light of the situation and not knowing how things will carry on. Mrs. Wehr requested that for the May meetings, we hold the meetings via teleconferencing and only hold one meeting out of the two and requests that meeting to be May 20, 2020 at 3:00 p.m. Mr. Paulus agreed to the May 20, 2020 meeting. Mr. Woolley asked if it was okay to only meet for one meeting. Mr. Heimbecker asked Mr. Eaton for his thoughts on this. Mr. Eaton replied that the Charter only requires meetings once a month. He said the other dates have been advertised already. If Council decides that they need to meet on one of the other dates that is fine. Mr. Woolley asked if it was okay that there will be a five-week gap between meetings. Mr. Eaton said as long as the Township is meeting on a monthly basis, that is sufficient. The Board as a whole decided that they would meet only once next month on May 20, 2020 at 3:00 p.m. via teleconference.

Mr. Heimbecker asked if there were members of the public watching this teleconference, would they see what he is seeing? Mrs. Wehr said it has been set up that members of the public would not see anything but hear everything. The reason it was set up this way was because we didn't want any surprises on the screen. They can hear and then when Mrs. Wehr opens the Q&A session that's when the public can ask their questions or make comments which Mrs. Wehr would pass on to the Board. A discussion occurred regarding the process of teleconferencing. Mrs. Wehr informed Council that the only participants in this teleconference are Councilmembers, Township Staff, Fire Company representative and Emergency Management Coordinator. Any public invited to participate would only be participating via telephone and would not be able to see anything including private phone numbers. The teleconference meeting was advertised in the Morning Call Newspaper, the Township website and Facebook page. Mr. Heimbecker thanked Mrs. Wehr for addressing his concerns.

Mr. Tocci informed Mrs. Wehr that he sent her emails regarding the troubles he is having with the teleconference site and his tablet which he wants her to address if we are going to continue to go through this site. Mr. Tocci said Zoom has addressed the privacy issues that were brought up earlier. He asked if there was any consideration going back to the Zoom teleconference. Mr. Tocci feels Zoom is a better quality. Mrs. Wehr told Mr. Tocci that we discontinued use of Zoom at the advice of the Township's IT representatives stating that there have been many issues with the use of Zoom and they

don't recommend using it. Mrs. Wehr said she has taken notice of the background noises and will address them and if the problems still exist, we will switch back to Zoom.

Mr. Tocci thanked Mrs. Wehr and the Township Staff for keeping everything running and that he and speaking for the entire Board appreciate what everyone's efforts. Mrs. Wehr and Ms. Romano thanked the Board for their appreciation.

Adjournment:

The meeting was adjourned at 3:51 P.M.

Respectfully submitted,

Melissa A. Wehr
Township Manager