

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

July 17, 2019
7:30 P.M.

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

Absent: Councilman Heimbecker

Attendance: 16

Courtesy of the Floor:

Marcia D'Ambrosio introduced herself to Council. She is a resident of the Township on Ulster Road and the Chair for the Township Recreation Board. She said they've got problems on her end of the Township. Bicycles are being stolen. Three boys that live in the nearby apartments came and tried stealing her neighbor's daughter's bicycle, but her neighbor caught them in time and they dropped the bike. He called the State Police who responded and caught the boys. Also, a neighbor who lives on the corner of Taft and Troxell Streets reported that a young girl, who was photographed from another neighbor, took down her jeans and urinated in their yard. Mrs. D'Ambrosio said this is not acceptable. The Township streets were never like this and never had these problems in the past. They get cars that burst through the stop sign at Hoover and Ulster and Pennsylvania Avenue, then stop across from the D'Ambrosio resident for a little while, and leave. Mrs. D'Ambrosio is worried someone is going to get hurt. They are also seeing trash left all over the neighborhood. Mrs. D'Ambrosio said they also desperately need mulch at the children's playground where the train is. The plastic is coming up and there is hardly any mulch left. She said one of the moms who brings her children to the park suggested to her that the Township get a Playground Director, which the Township had years ago. There are more kids in the neighborhood than there were in the past. Mrs. D'Ambrosio would like Council to consider this for the younger kids. In the past when the Township had a Playground Director, there would be a morning and afternoon session. They would take the kids on trips, etc. Mrs. D'Ambrosio said the bottom line for her is that the Township may need to consider a police department. Chairman Paulus asked Mrs. D'Ambrosio if she had a timeline when the stop sign violations occur. She replied that it's all the time. Mr. Paulus asked her when she thought the heaviest violations occur so he can have a state trooper there. Another acquaintance of Mrs. D'Ambrosio, whose yard faces Sherwood Park, said that there is traffic in the park at all hours of the night. Mr. Paulus said they will inform Code Enforcement to keep a closer check on the area, they will notify the state police of Mrs. D'Ambrosio's concerns and happenings in the community. A discussion followed.

Approval of Minutes: July 3, 2019 Regular Council Meeting

Motion: I move we waive the July 3, 2019 Regular Council Meeting Minutes and accept same as presented.

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

Aye

Unan.

New Business:

1. Bill No. 2019-07, An Ordinance Amending Chapter 27, Part 16 of the Statutory Code of Hanover Township, the Hanover Township Zoning Map, By Changing a Portion of the Zoning District Designated Limited Use (LU) South of Lloyd Street to a Designation of Planned Commercial (PC) (Public Hearing)

Before Mr. Garges begins the Public Hearing, he wanted to note that the Township is also going to bring up later in the meeting a discussion regarding the intersection of Irving and Lloyd Street and the possibility of performing a study there to look at the clear sight triangle and large vehicle traffic that is going through there. Once Council goes through this Public Hearing, Mr. Garges wanted them to know that if they want to know more about this, it will be discussed later.

Mr. Garges said as Mr. Paulus mentioned, this is a Zoning Map change. The area that is basically bordered to the north by Lloyd Street to the west by Irving Street to the south by the City of Allentown boundary and to the east it is bounded by Planned Commercial Zoning which then stretches over to Airport Road at the intersection of Airport Road and Lloyd St. This is largely the area that was the cemetery back in the 2008 timeframe. This particular section had a draft proposal done to do the same thing that this Zoning Map does which would change that entire area from Limited Use to Planned Commercial. The Limited Use is outdoor recreation, cemetery, that type of use. Planned Commercial is your shopping center-type use with retail. There is no residential component to the Planned Commercial Zoning. There had been a request for that at one point, but at this point, the rezoning would just be from Limited Use to Planned Commercial. There is no intention from the Board, that Mr. Garges knows of, to have anything different than that. This is strictly just a map change of that area from LU to PC. This was advertised in the newspaper, posted, and has gone through the Lehigh Valley Planning Commission review and been found consistent with the general use plan of the Lehigh Valley Planning Commission. It was also reviewed by the Township's Planning Commission and found to be consistent as well. They recommend the Zoning Map amendment. Mr. Paulus questioned Jackson Eaton, Township Attorney, if this is really just a correction of an oversight in 2008 and asked him to explain it. Mr. Eaton said his recollection is that the property owners at that time undertook a substantial change of the property in anticipation of it being the whole area becoming commercial. Graves were removed and transferred in accordance with state law to another location. This is no longer used as a Limited Use property and at the time it was anticipated, in his recollection, that an ordinance has been prepared to rezone this into Planned Commercial which was the intention all along. Mr. Eaton is not sure it was an oversight, but may have been just waiting at that point for a final determination of exactly what type of commercial use or whatever was going to be placed there. This property has substantially been revised after presentations to the Township to be placed in a commercial state. The property owners made that change and that was the intention at the time in 2008. Mr. Eaton believes the intention to the Township at that time was to proceed to make the change but it was tabled. Mr. Garges added that back at that point to add along with the

rezoning there was also a zoning amendment that the Township referred to as the Big Box Ordinance, which at that point would have limited the size of one large retail store based off of property size. Mr. Garges believes this was another component of what Mr. Eaton referred to back in 2008. The records for those two files basically show that the developer at that point never carried forward with the actual finalization and approval of those. The current owner from his understanding had purchased the property with the understanding that the zoning was already changed, but when going through the documents recently found that it was never actually completed. Councilman Tocci asked Mr. Garges to clarify its current zoning being Limited Use and what else would be permitted in a Limited Use zoning. Mr. Garges replied that largely it would be outdoor recreational-type uses, farming, those type of things that are not intensive from a developer's standpoint. Councilman Woolley asked if a mobile home park be allowed and Mr. Garges replied that no, not in a Limited Use zoning.

Eileen Rutz of 1615 N. Halstead Street approached Council and asked if they are going to put more stores a block away from other stores and Mr. Paulus replied, that is their intention if they can get stores to sign but they are having trouble getting stores to sign and Mrs. Rutz said she hopes they don't sign. She is against more stores coming in. Mrs. Rutz said if they think that intersection is a problem now, wait until the Township puts more stores there. Mr. Garges said any development would require a full study on traffic patterns. Mr. Paulus said as a Township they can't say to a developer that they can't develop their property. The Township has to work with them.

Tom Hutterer of 740 Lloyd St. introduced himself. Mr. Hutterer asked Council if what they are saying is that they are not going to do residential or apartments. Mr. Paulus replied that the developer came before Council months ago and showed them a plan where there were going to be half apartments and half stores. The Board was not happy about putting in a large number of apartments in there. The Board chose to go with stores. It's a retail property and it is their belief that retail should stay retail and money comes back to the Township. You don't give away retail land. Mr. Hutterer asked if there are any plans for the future to develop that property. Mr. Paulus said the developer would like to if they get stores to sign. They are having trouble getting signatures for a main store. Mr. Hutterer said he heard that as of now they want to change it and possibly in the future change it again to different zoning. Mr. Garges said as Mr. Paulus said, the developer came before Council asking for the change, but there has not been any indication from the Board that they want to change it. Mr. Paulus said they would have to come before the Board and request a change from commercial and go into residential. But, before they did that, they wanted to get a feel on how the Board felt about it. Mr. Hutterer asked if there will be a traffic study at the intersection of Lloyd and Irving. Mr. Paulus replied that if the developer would want to go in, there would have to be a study. Mr. Tocci said that will be discussed next in the Manager's report. His understanding is the reason why they are doing this now is that when the proposal came up to make it possible apartments and commercial that is when the realization was that it was not even zoned commercial yet. It is still Limited Use. Mr. Tocci said he is not clear on that part when they say it's almost like they are fixing an error. He asked if the Township is under an obligation. He said if it's clearly zoned Limited Use, right now the decision is

whether the Township changes it to Commercial or not. Mr. Eaton said he is correct. Mr. Tocci asked if there is a legal reason why they have to change it. Mr. Eaton said he didn't think the Township is legally required to change it. Mr. Tocci said if most of the residents in that area, including himself, are never going to be in favor of it being Commercial, what would be the reason to switch it now to Commercial? Mr. Eaton said the reason he believes is that it may have been the anticipated plan when the developer originally undertook the expense of changing the actual use of the property from Limited Use. He was not privy or does not recall what was done. But, at that time, an ordinance was drafted by the Township to make that change and for whatever reason it was not followed through at that time. Mr. Garges said there is an email from the developer's attorney at that time saying they did not wish to move any further at that point. Mr. Woolley said it was supposed to be changed and it was an oversight on the Township's part not to change it. Mr. Tocci said since the opportunity is here now that it didn't go through, is it necessarily a foregone conclusion that it will if the general reflection is that people do not want it rezoned. He has not heard anyone say that they want it rezoned. Mr. Garges wanted to clarify that he doesn't believe it was any oversight on the Township's side that they didn't follow through with it. The request to do it was removed. There were conversations with Council at meetings after the discussions and the ordinances were prepared. At that point, Council basically said since they haven't heard anything more from the developer they were not going to move forward with the rezoning until they heard from the developer. It wasn't necessarily an error on the Township side, the developer at that time simply didn't want to move forward with the rezoning. The Township drafted the ordinance and was prepared to do that, but at that point the project was pulled away. Mr. Hutterer asked what type of commercial is it going to be. Mr. Paulus replied that the developer had plans before them which included a convenience store. At this time, Lisa Pereira, Attorney for the property owner introduced herself. In answer to Mr. Hutterer's question, what was previously proposed were some restaurant uses, convenience store and just general strip mall retail stores. She said in speaking with the Township regarding the situation with the prior developer not moving forward with the rezoning, there had been a period of time where that entire area in Hanover Township was anticipated as a Planned Community and they had to put a hold on it because they had to move the gravesites from that back piece. This is where the delay came in. Certainly, the front piece of that property at the corner of Lloyd Street and Airport Road did go through the rezoning process. As Mr. Garges mentioned, her client purchased the property believing that it had been rezoned to Planned Commercial and she believes some Township staff also believed it had gone through. As Council can see from looking at the map, actually two of the parcels are split zoned. If they don't clean this up, you have a situation where there will be issues with the parcels not being the same zoning. As Mr. Garges mentioned, the maps were reviewed by both the LVPC and the Township Planning Commission to fall in line with what the Comprehensive Plan was to what the Township wanted and County would foresee in this area of the community. Ms. Pereira said they also have a situation with the City of Allentown that is part of these parcels and there they have highway industrial. The Limited Use doesn't fall in line with anything else that is occurring on this site. It is a hardship for her client in order to develop it if that portion of the property would not be rezoned to Planned Commercial as how it previously had been intended by the prior developer and property owner. Mr. Garges said to add to her point, the map that the Township

has today as part of this is actually the same map that was part of the 2008 proposal. It's not as if anything is different than what had been discussed that day. It just wasn't followed through. Ms. Pereira said that is correct. Councilman Lawlor asked if they do not pass it and they want to still build on it, do they need to go before the Zoning Hearing Board and claim a hardship. Mr. Eaton said they would have to go to the Zoning Hearing Board first and if the Zoning Hearing Board denies them, they can take it to Court and if the Zoning Hearing Board grants it, the objectors can take it to court. Mr. Tocci asked if the Court would simply be asking for a review because they are saying that in good faith the developer thought it was rezoned. Mr. Eaton replied that the Law of Variances requires certain standards. That is, the Zoning Board doesn't just hear a presentation that someone requests a variance. They have to show a certain type of hardship. A financial hardship is not usually by itself. In some extreme cases, that could be allowed. Mr. Eaton said the developer would have to meet certain standards to show they were entitled to a variance that is being allowed to build something that wasn't permitted by law. There is a long list of standards they would have to meet, including one that says it's the minimal standard, the minimal exception necessary to give them some relief. They don't necessarily get whatever they want. If any party was dissatisfied with the decision, they can appeal it to the court. Mr. Tocci asked the residents present at the meeting if any one of them is in favor of the zoning in that area being changed to commercial. No one replied. Mr. Tocci said the only thing he has heard from residents in that area is that there is already too much in that area and don't want more. If there is anyone who feels differently, Mr. Tocci would like to hear from them. No one replied.

Mr. Paulus closed the Public Hearing.

Motion: I move that Bill No. 2019-07, An Ordinance Amending Chapter 27, Part 16 of the Statutory Code of Hanover Township, the Hanover Township Zoning Map, By Changing a Portion of the Zoning District Designated Limited Use (LU) South of Lloyd Street to a Designation of Planned Commercial (PC) be accepted as Ordinance No. 616.

Woolley: Moved No Second
Mr. Paulus said Motion failed.

Reports:

1. Christopher J. Garges
Township Manager

1. The July steering committee meeting for the River Central Multi Municipal Comp plan was held yesterday. East Allen Township will be joining in the plan. Mr. Eaton's office has drafted Intermunicipal Agreements and have been circulated and will be brought before Council for approval by the August 21 meeting as well as the scope for the Comprehensive Plan itself. The goal is September/October to formally kick off the project. They haven't discussed if they want to have any type of kick off event. From a Council standpoint, the next step they need to do is to come up with three members and any possible alternate members. Mr. Garges suggested one

Council member, one Planning Commission member and a staff member. Mr. Garges planned to be the staff member unless Council would like someone else. The goal is to meet once a month. It would probably be a 12-month process at a minimum. They would be held at 6:30 p.m. on the third Tuesday of each month which would move around to each of the municipalities each month.

2. Mr. Garges included in Council's packets some background information and a draft scope for a proposed study of the Irving / Lloyd intersection. He would like to ask Keystone to get started, but first wanted Council to review the scope and note anything that should be added or changed. What precipitated bringing this before Council was with the Mobile Mini that received zoning relief and is moving in at 710 Lloyd Street and some recent changes in traffic patterns. Jeff Mouer, Public Works Supervisor, and himself were out there to determine a sight distance issue and saw some of the traffic patterns and saw a need to at least investigate the intersection more closely from an engineering standpoint. Mr. Garges put together six items that they would like the Township Engineer's office to perform. Those items are:

- a. Perform an actual survey.
- b. Put a plan together for the intersection that would show the roadway, striping, signage, vegetation, and designate the clear sight triangle as defined by the Township Ordinance. From that, move forward with recommendations of what needs to be cleared from the clear sight triangle area to make the intersection safer from a motorist standpoint.
- c. Evaluate the existing signage at the intersection on Middle and Lower Lloyd Streets and make recommendations for sign up dates for new signs, which also includes Dead End, No Outlet-type signage particularly now that there is more activity going down Lloyd Street for the businesses that are open down there or in the process of opening. Currently, at the northeast corner, there is an active bus stop and bus shelter which doesn't appear to be utilized. Within the right-of-way, Mr. Garges believes the survey would be able to tell them exactly where it stands. He would ask the Township Engineer's office for a review and to make recommendations for any signage or striping, cross walks for the bus stop that is there, removal of the structure and those types of things.
- d. Make recommendation for any traffic calming devices and locations. Mr. Garges would like recommendations from the Township Engineer's office to create an electronic speed notification device program that can be utilized not only in this area but rotate through the Township, particularly the speed warning signs, something the Township can move from location to location. The Township Engineer's office has worked on this in other municipalities. It would involve at least the purchase of one or two devices as well. This would be part of the Township Engineer's recommendation of their study.

e. Evaluate the geometry of the intersection and construction of the roadways as it relates to truck traffic that they are seeing there right now. Ideally, they would look for recommendation for any size, length or weight restrictions that should be placed on those roadways from a safety and road construction standpoint. What they are seeing right now is large vehicles utilizing Lloyd and Irving Streets and to make their turning movements, they need to take up the entire roadway so that the back end of the trailer makes it around the corner because the radii is so tight, which impacts the traffic flow through there. It is also a safety issue with confusion at that four-way intersection.

They anticipate that some vegetation will have to be taken down on some of the properties at that location, which will mean the Township notifying those property owners.

A discussion ensued.

Al Kortze, Township Engineer, said there is certain criteria for a traffic study that have to be evaluated that would look at the restriction of truck traffic in that area. There are a lot of factors with the cart way, pavement composition, tight radii, things like the sight distance obstruction because it can't readily be moved. One of the criteria is if you restrict a certain weight or vehicle class, there has to be a viable, alternate route for those vehicles. When it comes to the speed radar devices, they are classified as temporary traffic control devices and a temporary permit is needed from PennDOT. They are relatively easy to get and can be mounted on a post that can be moved or the post can stay there and the device can be moved from one location to another depending on where the Township feels there is a need to monitor speed. They also do vehicle counts and data on the actual speed limit on speeds of people going by there. It seems to have a fairly decent success. You're not actually issuing tickets, but a lot of times when people see those it makes them look at how fast they're going.

At this time, Dan Hicks from 1610 N. Halstead Street introduced himself. He said at one time Lloyd Street was a colonial road. Irving Street was another country road that went directly to Catasauqua Rd. That intersection hasn't changed. The bus stop has been there for over 60 years. Mr. Hicks recommends putting a weight restriction on that section because if not it will tare that road up. At that intersection, people fly down Irving Street and between Irving and Lloyd Streets and American Parkway and Irving, there are accidents all the time. Putting the flashing lights up might help some. On that corner with all the vegetation on the one side, the people going north can't see anyone coming out from Lloyd Street.

Mr. Hutterer of 740 Lloyd Street asked if what they are saying is possibly putting a No Truck or weight restrictions. Mr. Paulus replied that this is what the Township Engineer's office is going to study. The Township's goal is to get those trucks to where they belong. They should be staying on the four-lane

highway not cutting through their neighborhood. Mr. Paulus said they do not intend on making that intersection more accessible to trucks. Mr. Hutterer was concerned about how it will affect the Mobile Mini that was just approved to move in that neighborhood. Mr. Garges said they are a local delivery where the other trucks have an alternate route they could be taking. Mr. Hutterer suggested having police stationed at west of Irving Street on Lloyd Street. Mr. Paulus said if they determine there are a lot of violations there, they will ask the state police to patrol it.

Motion: I move that the Township Engineer moves forward with the study of the Irving / Lloyd intersection.

Paulus, Tocci: Moved and Seconded

Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

3. Mr. Garges received three quotes for access control within the Municipal and Public Works buildings. This will move away from the current push button-controlled lock system to a fob system which controls the door strike. It includes five doors. The big improvement will come with the interface system which will allow for a centralized, easier method of setting up users, user restrictions, days and time. The three quotes are as follows:

- | | |
|-------------------|----------|
| a. B & K Security | \$ 5,135 |
| b. Altronics | \$ 9,686 |
| c. Protect Alarms | \$11,460 |

Mr. Garges would like authorization from Council to move forward. His recommendation is to go with the lowest bidder. B & K Security currently monitors the alarms in the Township. They had set up the security systems that are at the Municipal Building and the park. They all quoted the exact same system.

Motion: I move that B & K Security be awarded for the access control system subject to the Township Manager's approval.

Paulus, Woolley: Moved and Seconded

Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

Mr. Garges said they are close to having all the bids lined up for the camera system upgrades that the Township is looking to do at Sherwood Park and Canal Park higher resolution cameras or storage, better remote capability to view the cameras. Mr. Garges will have quotes within the next month or so for Council's approval.

4. On July 31st, 12:00 pm (at 961 Marcon Blvd., Suite 310, Allentown), the LVPC will be discussing freight and the Lehigh Valley, as well as the LVIA Area Freight Study. If you'd like to attend, it's free, Mr. Garges can sign you up.

5. It has been brought to Mr. Garges' attention by the Township's insurance carrier that their current insurance policies are issued in the joint names of Hanover Township and HanLeCo fire company. The Township's agent recommends that the Township policy only cover assets and operation under its control / direction. Mr. Garges has begun to work with the agent to separate HanLeCo operational related insurances (liability, public officials, employee honesty, etc.). The Township has traditionally budgeted for and paid policy premiums for HanLeCo insurance. Unless Council desires, that would not change. This separation would protect the Township from claims made outside of Township operation.

Dan Hicks, 1610 N. Halstead Street, asked Council since they are upgrading cameras, could some be placed in the neighborhood. Mr. Paulus replied that the Township only cameras their parks. The Township can't camera streets. It would be illegal. The Township can only camera their own properties. A discussion ensued.

A question was asked regarding fireworks. Mr. Paulus went over the state law and advised the residents in the audience that the Township along with other municipalities have written their own Ordinance controlling the use of fireworks. Mr. Paulus discussed the Township Fireworks Ordinance and how it is enforced and what citizens need to do if they see fireworks and they are causing a disturbance.

2. Al Kortze, P.E.
Township Engineer

Mr. Kortze mentioned that his office completed the specs for the paving project and he has provided the Township Manager with a copy of the specifications and will have him look it over if he has any questions. If everything looks good, they can put it out to bid.

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

Mr. Eaton had nothing to report this evening.

4. Maintenance Report

1. Jeff Mouer, Maintenance Supervisor, addressed Dan Hicks of 1610 N. Halstead and in attendance at this evening's meeting and told him that the cameras he was referring to down at the end of their cul-de-sac are there because it is a requirement to have the Township's pump stations and metering stations have cameras and are alarmed. The camera is not watching the roadway. Mr. Mouer said they are partnered with the security firm that runs Patriot Equities and the Township gave

them access to monitor it and they watch it for the Township. If they see something, they call.

2. Mr. Mouer addressed Council. As Council knows, the 2001 Utility Truck has been placed on Municibid for sale. It is still up on bid. It will expire on July 22, 2019. The current bid is \$8,900 as of this afternoon. In the meantime, Mr. Mouer received a phone call from North Catasauqua's Public Works Department. They are interested in purchasing it. Mr. Mouer spoke to the Public Works Director today and they have an offer of \$6,000. Mr. Mouer is mentioning this because Municibid can be stopped at any time and he knows that in the past the Board had interest in helping out other jurisdictions with equipment. If the Township wants to keep it on Municibid, we have until the 22nd which is Monday. The Board decided to keep it on Municibid.

3. Mr. Mouer reported on the Spotted Lantern Fly. They are in their teenage stage and will becoming adults shortly. Mr. Mouer has evidence, as of today, that they are in the Township. He has seen them and taken pictures of them. If anyone sees them, you need to destroy them. Everyone can go online and it will tell you the proper way of doing it. Basically, get soap and water and spray them, and they will die off naturally. Mr. Mouer is in the process of getting the Township employees trained. They will then be able to get a permit to operate in a quarantined zone. There are eight counties that are in the quarantined zone. We are in it. If Mr. Mouer and the employees travel outside the County and they are not trained, they will be opened to violations which are actually citations. Within the next month, Mr. Mouer and the trained employees will be permitted and the Township will be protected. They are going to start doing checkpoints to see if businesses, and the Township is considered a business, has had the training and is permitted. Mr. Mouer said when this occurs, he will bring back more information to the Board. The Public Service Announcement behind it is any businesses that have vehicles that travel needs this permit. For example, the lab collection agency in our Township has about 25 vehicles. They need the permit. Mr. Mouer said he will figure out a way to be proactive and notify the businesses in the Township and make sure they are informed.

4. Mr. Mouer gave an update on the Capital Program for Parks. The waterfall at Canal Park is completely done. It's fixed, it works and looks nice. Maintenance on the waterfall will be minimal. He said they are looking at some ADA issues to the gazebos, which can be addressed with the current budget. At Sherwood Park, he is in the process of scheduling the safety zone. Mulching by the train is being scheduled. Mr. Mouer had to order some borders and it's a project that will have to be scheduled and worked on with Public Works employees, which are minimal, and they will try and get it done as quickly as possible. He anticipates having it completed by end of summer. The borders take six to eight weeks to come in. He is still working on the permanent bathrooms at Sherwood Park.

5. Storm Water Issues (None)
6. Fire Company Report (Written)
7. Code Enforcement Report (Written)

Councilman Woolley asked Mr. Garges if it is possible to check on having a regional police force would do to the Township taxes for the residents and what the response time would be. Mr. Woolley was made aware that the Northampton regional police response time is not great. He was wondering if it would be a better response time than the State Police. Mr. Garges said one thing to keep in mind as the Township enters into Intermunicipal Agreements with adjoining municipalities which opens the door for shared services and the possibility to talk to them as well regarding some type of regional police force. Mr. Garges said he would reach out and bring back information to the Board.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated July 17, 2019, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Lawlor: Moved and Seconded

Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

9. Building Inspector's Report (Written)

Mr. Garges reported that just yesterday Mr. Mouer and Base Engineering went out to Hoover Avenue. The conditions of the roadway out there have been subtly deteriorating. Hoover Avenue is a private roadway. The maintenance of the roadway falls on the property owners in that area. Mr. Mouer and Base Engineering went on site and marked the potholes in particular that need repair and Base Engineering is sending out a letter to start the process of getting them to either repair those roadways under the Property Maintenance Code or do enforcement should they not comply with that. The potholes identified as having to be fixed are by the AMC, Primo, U.S. Foods and BJs. The Township is working on getting it cleaned up.

Unfinished Business:

1. Troxell Neighborhood Curbs (Review and Discussion)

Mr. Garges included in Council packets a draft letter that he would like to send to the residents of the Troxell/Sherwood area regarding the curb replacement. Mr. Eaton said the draft letter basically is trying to be as complete as possible explaining what will be happening, why it is necessary and what their options are. He will provide a very specific drawing so the residents know what the specifications are and there is a clear list of what the costs would be for an individual's property. Each resident will get their own letter. In the letter, they are told they have the option to do it themselves and the time with which it has to be done or that the Township is ready to do it. It also provides payment options or payment in full. A three-year payment plan will be offered with no interest if payments are made on time each year. If the resident does not make their payment each year, then interest would start. If the resident takes the payment plan, there will be a lien on their property until it is paid off. The Township is making an estimate under the Township Manager's proposal

that it will cost \$50 per foot. It will be stated in the letter that this is only an estimate, but the Township is committing that it will not charge you higher than \$50 per foot even if the contract cost comes in higher than \$50 per foot. If the real contract cost comes in lower than that, the resident will only get billed their portion of that cost. Residents can make a fair judgment as to whether they want to do it or find someone to do it at a lower cost. Mr. Eaton said there is going to be a statement in the letter that on August 21, the Township will hold a town hall meeting to explain and answer questions about the entire project. The time limits are that if the residents want to do it themselves, they have to pull a construction permit and pay the fee by September 15, 2019 and complete construction by October 15, 2019. The intention of this is that the Township wants to get this done this season. Come spring, the Township can then start the road construction. The Township will know by September 15 who will not do the work themselves. There will then be enough time for the Township to finish the curb work and be ready to go in the spring. Mr. Garges said the goal is to get the letter out to residents by the end of this week so they have enough time by the September 15 date to make a decision. Council would like to hold the meeting at 6:30 p.m. and would not be an advertised Council meeting. It will simply be a presentation from staff. Council is welcomed to attend in the audience. Staff will present what the project entails and then have a question and answer session for the residents. A discussion ensued. Mr. Garges said Mr. Kortze based the cost off of previous projects that he's had numbers for. The Township does not have the exact numbers on this because they have not had the chance to bid it. The Township won't know the exact amount until September 15, 2019. The number the Township may get back from a bid may be more than the \$50 per foot, but this is committing the Township to pay the full amount and only charge the resident for up to the \$50. There won't be any surprises once the Township bids. Mr. Garges said there is no fairer way to give a resident the opportunity to compare prices without committing to a number and knowing that the Township may have some exposure there. Curbing is damaged. The Township Engineer has gone out and looked at all the curbing. They placed some markers out there. The letter will go to each resident and tell them how much curb the Township found that needs repairing. The Township will have the open house-type meeting and after that if the Township needs to come out and go over things with a resident, they will do that. Mr. Paulus said Council was in agreement to move forward with sending the letter to the residents. Mr. Eaton said when they would have to file a lien, the cost would be \$75.65. Mr. Garges said this would also cover the Township if there were to be a change in ownership of a certain property.

New Business:

2. Letter of Credit Reduction #11, Phases 1 & 2, Rockefeller Group (Vote)

Mr. Garges said they had one of these at meeting last month. This is Release #11. The Township Engineer's office has reviewed the request and provided a letter dated July 3, 2019, which recommends that the Township move forward with this Reduction. The Reduction would be for Phase 1 for \$52,395.45. There was a rounding error that was picked up in Release #10 for \$.01. To make things all add up, it will be included in this Release as well. If Council is so moved to authorize him to release these funds requested by the Developer.

Motion: I move that Council release Reduction #11, Phases 1 & 2, Rockefeller Group, as presented by the Township Manager.

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

Aye Unan.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (06/28/2019), Payroll (07/12/2019); Voucher Nos. 24506-24524 (Prepays), Voucher Nos. 24525-24575, from the General Fund Account in the amount of \$223,347.87; Voucher Nos. 169 from the Liquid Fuels Account in the amount of \$5,054.28; Voucher Nos. 4435-4441 from Capital Reserve in the amount of \$58,789.59; Voucher Nos. 4810-4827 (Prepays), Voucher Nos. 4828-4830 from the Escrow Account in the amount of \$35,795.25; Voucher Nos. 4301 (Prepaid), Voucher Nos. 4302-4305 from the Water Account in the amount of \$817.34; Voucher Nos. 5761-5763 (Prepays), Voucher Nos. 5764-5770 from the Sewer Account in the amount of \$527,462.94 for a Grand Total Expenditure of \$527,462.94.

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

Aye Unan.

Courtesy of the Floor:

Mr. Garges advised Council that the lettering on the Township electric vehicle has been completed and is in the parking lot if they wanted to look at it after the meeting. Mr. Tocci thanked the residents that came to the meeting this evening.

Adjournment:

The meeting was adjourned at 8:51 P.M.

Respectfully submitted,

Christopher J. Garges
Township Manager