

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

August 19, 2020
7:30 P.M.

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

Absent: 0

Attendance: 5

Opening of Bids: 1. Bid No. 2020-2, Allendale Swale Repair
2. Bid No. 2020-3, Troxell Area Neighborhood Road Resurfacing Project

Mrs. Wehr said there was one bid submitted for Bid No. 2020-2, Allendale Swale Repair project.

There were three bids submitted for Bid No. 2020-3, Troxell Area Neighborhood project as follows:

New Enterprise Stone and Lime	\$824,996.85
Recon Construction Services Inc.	\$859,790.00
Schloch, Inc.	\$886,724.05

Motion: I move we accept New Enterprise Stone and Lime for the amount of \$824,996.85 for Bid No. 2020-3, Troxell Area Neighborhood project, subject to the Engineer's approval and that we do not accept the one bid received for the Allendale Swale Repair project which came in way out of line with what the Township Engineer recommended and at this time we will rebid the project.

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

Mr. Al Kortze, Township Engineer, said that the one bid that came in for the Allendale Swale Repair project came in very high. Mr. Kortze estimated the work at \$45,000 and the bid came in at \$144,950. They will not be accepting that bid and rebidding the project. Mr. Paulus agreed to rebidding this project.

Councilman Heimbecker asked Mr. Kortze if there has been any increase in the market that might have caused the Allendale Swale Repair bid to come in so high. Mr. Kortze replied that it's a fairly straight forward job which involves putting down sod, doing a little bit of cleanup, relaying the erosion matting and repairing any damage. It is more or less time than opposed to materials. He doesn't see anything that changed in the market. Mr. Kortze said with the paving project the asphalt index is down a little bit. He thinks that would probably be indicative of the lower price.

Courtesy of the Floor:

Stephen Seier, a resident of the Township, approached the Board regarding the curbing project. As Council is aware, they have Tacoma/Troxell Street area curbing reconstruction. Approximately one year ago, Mr. Seier approached the Board when the letters went out to the residents regarding the curb replacement. Mr. Seier said with that it was understood that the homeowner was responsible to bare the cost. Mr. Seier came before the Board to complain like he did to Sandra Pudliner, a previous Township Manager. He did not feel it was right that he had to pay the cost of the curbing when the curbing in front of his house was crushed from the construction of the prior street work that was done regarding the sewer work in front of his house. He had approached the present Board and at that time they weren't sure what they were doing to do and he hasn't heard anything since. A couple month's following Mr. Seier ran into Mr. Heimbecker and asked him when he had a chance, he should take a look at the front of his property area. Mr. Seier didn't hear anything since then. With the COVID situation, both he and his wife have been working from home and generally take walks over lunch and during one of these walks ran into Mr. Heimbecker. Mr. Seier said, not verbatim, but Mr. Heimbecker asked Mr. Seier if he'd heard the good news. Mr. Seier and his wife replied they hadn't heard anything. Mr. Seier said the effect from Mr. Heimbecker was, we took care of it as in the cost of the curbing. Mr. Seier said he paid an extra \$1,800 to have his apron done which was a separate cost that he paid for. Mr. Seier said they are in the process of moving out of the Township very soon and he called Vicky Roth, Township Clerk, this past Monday and asked her if there is anything, he needs to be aware of in the Township that he needs to take care of. Mrs. Roth replied to Mr. Seier, "by the way you owe us about \$2,800 yet." Mr. Seier replied to her that he didn't know what she was talking about. And she replied, for the curbing. Mr. Seier told Mrs. Roth that this was news to him since Mr. Heimbecker told him that it was taken care of and he was unaware that they had to pay this bill. Mr. Seier said to date they still have not received a bill. Mr. Seier's question to the Board is what is the status of this because when he sells his house, he wants to have this paid off before a lien is placed on his property on title search. He is concerned and confused as to what it all means. What is the status so Mr. Seier knows definitively what it is? Mr. Paulus replied that when the project is totally complete, everyone will get their bill. Everyone is charged \$50 per foot. Mr. Seier asked Mr. Heimbecker what was the statement he made to him and his wife. At this time, Mr. Heimbecker took the microphone. Mr. Heimbecker announced his name and that he is a resident at 1834 Sherwood Street. He said what Mr. Seier was relating to was a conversation they had in front of his house. Mr. Heimbecker asked each Council member personally if he every spoke to them regarding this matter. Each Council member responded that Mr. Heimbecker did not speak to them regarding this matter. Mr. Heimbecker said this is fresh information for the Council. Mr. Heimbecker recalls running into the Seiers. He said he will not dispute with Mr. Seier because he does not recall the conversation precisely. He said what he was relating to and if Council and Mr. Kortze will recall, was he was relating to the heavy equipment busting up the sidewalks and the apron, Mr. Heimbecker was elated because the Township now has a line item that takes care of those aprons. Mr. Heimbecker said this is what he was referring to. Mr. Paulus asked Mr. Heimbecker if he was telling Mr. Seier that if he wanted his apron repaired, he could go to that contractor and have it repaired. Mr. Seier said that was a separate conversation. Mr. Paulus said that is the explanation he heard. Mr. Heimbecker

- Lehigh County does not extend theirs. The County has extended theirs until September 15.
2. Lehigh-Northampton Airport Authority has their cert rep. Mrs. Wehr forwarded it to Council and is included in their packets.
 3. Regarding RCN with their franchise fees issue. Mrs. Wehr and Jackson Eaton, Township Attorney, are working on this. They received correspondence that they will go back to RCN with. Mrs. Wehr has a couple more documents she needs to get to Mr. Eaton. She hopes to have this resolved shortly.
 4. Regarding the sewer allocation, the good news is the Township signed the letter with Allentown and the LCA. If there are any questions, there is a representative from LCA present at meeting this evening to answer those questions. Mrs. Wehr said we have the agreement of what our allocation is and it is concrete and in writing. A lot of hard work went into this on all sides. Mrs. Wehr appreciates the cooperation and extends a heartfelt thank you to the City of Allentown and LCA in getting this work through especially with her coming on in the middle of it. There is a Resolution on the Agenda for later this evening for the Interim Act 537.
 5. Mrs. Wehr gave an update on the COVID-19 grant. She said we are still waiting for federal grant monies to come back. We are anticipating getting fully refunded for the monies we have submitted thus far, which is right around the \$10,000 mark. The Township staff has worked to keep it as low as they could.
 6. Mrs. Wehr said she, Mr. Eaton and Mrs. Roth are working with L & W Supply at 1635 Airport Road with their issue with the appropriate taxing jurisdiction. More news to come on this later on.
 7. Mrs. Wehr said the Township had a vacancy in the Public Works Department. The Township placed an ad for hire and received a few applications and held some interviews. Mrs. Wehr is pleased to announce that we have a new person starting in Public Works on August 31. The job was offered to Chris Spadaccia who is our Emergency Management Coordinator. Mrs. Wehr and staff are excited to bring him on board. Josef Fragnito, Maintenance Supervisor, is very excited having him start. We look forward to a long-time employee in Mr. Spadaccia here at the Township. Everyone welcomed Mr. Spadaccia. Mrs. Wehr asked Council not leave after the meeting. She needs to get photos of them for the calendar.
 8. A copy of the Chapter 94 Municipal Wastewater Report from the Borough of Catasauqua was emailed to Council. If Council has any questions, please let Mr. Fragnito or Mrs. Wehr know. In addition, for Council's knowledge, there is a notice of proposed rate changes from the City of Bethlehem for their water. This is something that she, Mr. Fragnito and Mr. Kortze have sat down and preliminary discussed. They will be researching what the Township rates are and coming

- back to the Board with their recommendation as to whether the Township should keep the rates where they are or if they should be raised. Fortunately, it has been since 2014 since the last time the Township raised the rates. They just want to look at them and make sure the Township is in line or not.
9. There were a few business tax fee waivers requested. Unfortunately, they were using companies that took the approach that many municipalities have waived them. Some didn't bother to check and some misunderstood. We had two or three request and unfortunately, we did not waive them. If Council will recall, we did bring it before them and decided not to extend the deadline. It was understood and the companies will be paying the BPTs owed.
 10. With the last major storm that went through, Mrs. Wehr sent everyone an email regarding the status of what happened over on Maryanne Way with the sidewalk collapse. The Township had a great response from their Fire Department, Emergency Management Coordinator, the Township's Public Works Director so much to the extent that the Homeowner's Association felt the need to not only call to let us know what a wonderful response they had from everyone at Hanover Township but they also put it in writing. A copy was handed out to all Council members for their information.
 11. Council will find in their packets letters that went out to Chestnut Grove residents regarding a property maintenance issue including pictures, which are being addressed. There has been a good rate of compliance from property owners in cleaning up and bringing their properties back to compliance. It will take some time, but Mrs. Wehr is hopeful it will get resolved in an acceptable amount of time. They specifically called out Garren Knoll, Fire Chief, Joseph Fragnito, Public Works Supervisor, Joey Kirk, Cindy Witman, the Township's Code Official and the EMS official. Hats off to them in such a tense situation. It's not easy to see a whole open up in front of your house and water shut off and told they can't occupy their home. It's nice to know that the Township has such great staff that rose to the occasion and handled it professionally, heartfelt and above and beyond what was expected.
 12. It is with sad news that Mrs. Wehr pass along that the Township's head Code Inspector, John Lemos, has submitted his resignation. He is retiring as of the end of this month. His last working day will be August 25, but as of August 31 it will be his last day. Mr. Lemos has been employed at Hanover Township since 1993. He will definitely be missed.
 13. There was a cat issue on Troxell Street. Several calls were made to the Township. Notice was sent to the property owner. Steps have been made to correct the situation. We gave the neighbors the information of the Sanctuary of Haafsville which we have a contract with for picking up stray cats and dogs. Hopefully, this will go way by the end of the 30-day deadline.

14. Mrs. Wehr received a letter from the Troxell Street Crime Watch. They've also sent a letter to everyone in the neighborhood. She has provided a copy of letter in Council's packets. Mrs. Wehr said it's good to see that this is starting back up and moving forward with their intentions.
15. Mrs. Wehr thanked Mr. Heimbecker. Pursuant to his request, Mrs. Wehr and staff sent letters out to the neighboring police departments including the Pennsylvania State Police. She received several responses back and has put a copy in Council's packets. It was nice to hear back from them. Mrs. Wehr said any interaction that she has had with the different police departments over the past month she has thanked them and they are very appreciative of the support that they have from everyone at Hanover Township and Council and they wanted Mrs. Wehr to pass their sentiments along to them.
16. There is a Zoning Hearing Board Meeting on August 27. Items on the Agenda are 710 Lloyd Street and Friendly's for a sign.
17. Regarding the personnel matter. The Board's decision was mailed out. The individual has received it and the Township has not heard anything back, which is good news.
18. A copy of the 2019 Financial Audit has been provided to each Council member and in their packets.
19. The Large Sign Permits have been sent out so we can get them back in a timely manner.
20. Council's PSATS Membership Cards have arrived and Mrs. Wehr put them at each Council member's spot this evening.
21. The 2020-21 PennDOT Programs Projects was received. Mrs. Wehr did not make a copy for Council as it is very thick. She has it if anyone wants to look at it. There is a section in it regarding Hanover Township, Lehigh County. It's a few pages. Mrs. Wehr can forward them to Council if they want to receive them.
22. Council will see in their packets a Thank You note from Barbara Jo in memory of her husband Joseph Jurnock who passed away. She was very appreciative and couldn't believe the support that Hanover has given to her in her time of sorrow.

Councilman Woolley asked Mrs. Wehr if all the residents are back in their homes in the Chestnut Grove area due to the sinkhole situation. Mrs. Wehr said there was a total of 28 families displaced mostly due to the water being shut off. When the water was turned back on, which they worked very hard between the contractor and the Township's inspection agency and everyone involved to get 24 families back in to their homes. Of the four that were left, one was vacant and Base Engineering worked

with the other three and in kind did a structural visual analysis and there is only one not back in as of yet and it's vacant.

Councilman Lawlor asked Mr. Paulus if he was going to call the State Police about the stop signs on Troxell Street. Mrs. Wehr said she and Mr. Paulus were just discussing that. Mrs. Wehr has a few issues she wants to discuss with the State Police and hoping to set up a meeting early next week or by the end of next week with Mr. Paulus, herself and the Captain of the State Police. Mr. Lawlor said it's mainly in the morning during rush hour and rush hour in the evenings. They go 30-40 miles per hour through the stop sign without even slowing down. Mrs. Wehr said she will pass it along.

2. Al Kortze, P.E.
Township Engineer

1. Mr. Kortze said they had preconstruction meetings with two contractors. One with the Willowbrook Road Sanitary Sewer Replacement and also with the Willowbrook Road Widening that would go along the Lot 5A Development. They are looking at starting construction early next month. They made material submittals and Mr. Kortze has reviewed them. It is just a matter of them mobilizing and getting started. Once the Infrastructure Agreement Amendment is finalized then it will be 100%.

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

Mr. Eaton said over the last two days he has been in touch with the Rockefeller attorneys and they are ironing out the agreement which they had some changes in the type of security they wanted to put up for the widening. It's a surety bond that is accepted in Pennsylvania. Mr. Eaton said it's moving along so it shouldn't hold up the progress after it is signed. It provides that they will start within 15 days on both projects.

4. Maintenance Report (Written)

5. Storm Water Issues

6. Fire Company Report (Written)

Mr. Paulus said that representatives of the Fire Company were in to meet at 6:00 p.m. with himself and Mrs. Wehr. They went over the new rules and regulations and hopefully things are ironed out. Mrs. Wehr said she is pleased that the meeting went very well. There have been some transition questions between them taking over and COVID-19, it was the perfect storm for things to fall behind the cracks in taking longer for them to get the documents to us. Mrs. Wehr is looking forward in keeping everything moving so that there are no issues with late bills and payments for the Fire Company and they are all on the same page and it was a productive meeting. She was invited down to the fire station some time back but declined due to COVID. Once things settle down some with that, she will go over and get a tour. Not that there

wasn't before, but it will be a very good relationship between the Township and the Fire Company. Mrs. Wehr is hoping to close some of the gaps of things that they were unsure of. They were unsure of how Chris Garges, the former Township Manager, was going down the path of getting bills paid. Mrs. Wehr pulled some things back and changed the path a little bit. When Mrs. Wehr first started, Council approved giving the Fire Company a \$5,000 check. It has doubled the work for staff, especially for Pina Romano, the Administrative Assistant. She receives the bills, forward them to the Fire Company who pays them and then they send them back with documentation for proof of payment and then the Ms. Romano reimburses them. Instead they will sign off on them and get them back to Ms. Romano for payment out of their budget. This will cut down on some of the back and forth traffic. This will ease up on the time of bills getting lost and not paid.

7. Code Enforcement Report (Written)

Councilman Tocci said they have been having issues with the very loud music being played. In the Lloyd/Halstead area, it's every night. Mr. Lemos and Mr. Rusyn, in particular, have been great about responding if they call and verifying that the music is just over the border coming from the Coca Cola Park/Apgar Oil area. Mr. Tocci appreciates them verifying where the music is coming from and them calling the Allentown Police to come out. Mr. Tocci said he wanted to say Thank You that they go above and beyond to find out where the music is coming from. He also wanted to mention it to Mrs. Wehr to reach out to the Allentown Police because a Captain's name was given to talk to and some of the residents have called and the individual is not returning any phone calls. Mr. Tocci wants Mrs. Wehr to reach out to the police directly and say that we have the complaint from residents and code enforcement. The concern is that because it is recurring who ever the individual is, they are not being cited. Running them off every night does not alleviate the problem when they keep coming back and disturbing the residents. Mrs. Wehr said she will reach out to the Allentown Police Department. A discussion ensued.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated August 19, 2020, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

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

9. Building Inspector's Report (Written)

Unfinished Business: None.

New Business:

1. Resolution No. 2020-35, A Resolution Adopting the Five-Year Capital Program for the Years 2021-2025 (Vote)

Motion: I move we adopt Resolution No. 2020-35, A Resolution Adopting the Five-Year Capital Program for the Years 2021-2025 as presented.

Heimbecker, Lawlor: Moved and Seconded

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

2. Resolution No. 2020-36, A Resolution Adopting the Act 537 Amended Sewerage Facilities Plan (Vote)

Mr. Kortze said Tim Miller of his office is in attendance this evening. He was very instrumental in putting this together and it is very self-explanatory. Mrs. Wehr said Mr. Miller did a fantastic job in pulling this all together. He was able to answer any questions that she, Mr. Fragnito, or Mr. Eaton had throughout this process. Mrs. Wehr said Mr. Miller was very knowledgeable and very capable and the Township would not have been able to succeed to this point without him. Mr. Miller said that they were able to secure the amount of flows needed over the next five years, which is the period that the Act 537 Plan covers. It is basically the second phase in the development of the final long-term regional Act 537 Plan which will cover the 30-year period from 2025-2055. This Interim Act 537 allows the Township to make connections under the connection management plan with DEP and allows the Township to go through the very extensive process of developing the final Act 537 Plan. It is a very involved process. At this point, this is what is being presented for your consideration to adopt the Act 537 Plan and the continuation of that procedure. All the municipalities this month are going through the adoption process. Once it is all complete, it will be sent to DEP for approval and acceptance. Council thanked Mr. Miller for his hard work.

Motion: I move that we adopt Resolution No. 2020-36, A Resolution Adopting the Act 537 Amended Sewerage Facilities Plan as submitted.

Heimbecker, Woolley: Moved and Seconded

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

3. Resolution No. 2020-37, Adopting the Revised Fee Resolution (Vote)

Mrs. Wehr said there are a few changes she is proposing on the Fee Schedule. On the first page, the maximum fees for new construction or alterations, just cleaning up the language. The other two changes are in under Zoning, for more than one single family dwelling unit to clarify that. It is \$300. Lastly, a zoning verification letter. A lot of times major development mostly commercial or industrial look for a more in-depth letter. Most municipalities charge anywhere from \$35 to \$100 for that. We will stay in the middle with \$50.

Motion: I move we adopt Resolution No. 2020-37, Adopting the Revised Fee Resolution as presented.

Heimbecker, Lawlor: Moved and Seconded

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

professionally. They kept the contractor moving as best as they could with what they had to work with. Mr. Kortze said that was all Ed Chromzak with Keystone.

6. Resolution No. 2020-28, A Resolution Authorizing an Intermunicipal Cooperation Agreement Between the Boroughs of Catasauqua, North Catasauqua, Northampton, the Townships of Hanover (Lehigh County) and East Allen, and the Lehigh Valley Planning Commission to Create a Multi-Municipality Comprehensive Plan (Vote)

Mr. Eaton asked that this be deferred and tabled until the next meeting. He said the language needs to be reviewed further.

Motion: I move we table Resolution No. 2020-28, A Resolution Authorizing an Intermunicipal Cooperation Agreement Between the Boroughs of Catasauqua, North Catasauqua, Northampton, the Townships of Hanover (Lehigh County) and East Allen, and the Lehigh Valley Planning Commission to Create a Multi-Municipality Comprehensive Plan until the next Council Meeting on September 16, 2020 at 7:30 p.m.

Heimbecker, Woolley: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (07/24/2020) & (08/07/2020); Voucher Nos. 25252-25264 (Prepays), Voucher Nos. 25265-25311, from the General Fund Account in the amount of \$600,473.32; Voucher Nos. 182 from the Liquid Fuels Account in the amount of \$5,037.30; Voucher Nos. 4511-4513 from Capital Reserve in the amount of \$85,018.20; Voucher Nos. 4382 (Prepays), Voucher Nos. 4383-4390 from the Water Account in the amount of \$54,667.71; Voucher Nos. 5896-5897 (Prepays), Voucher Nos. 5898-5911 from the Sewer Account in the amount of \$182,806.56; Voucher Nos. 4925-4943 (Prepays), Voucher Nos. 4944-4945 from the Escrow Account in the amount of \$20,849.55 for a Grand Total Expenditure of \$948,852.64.

Paulus, Woolley: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor:

Chris Spadaccia addressed the Council. He said he is currently the Emergency Management Coordinator and works for Budget Storage and has been there almost exactly four years to the day he will be leaving. He said he will still have a great relationship with them. They were great employers and he enjoyed working with them. Nothing bad on their part. Mr. Spadaccia is looking for a new opportunity. He has a vast Knowledge in the field of maintenance. The Township will be sending him for his CDL

Mr. Spadaccia is looking forward to working with the Township and keeping up on everything. The Council welcomed Mr. Spadaccia.

Mr. Heimbecker asked if Council will be reviewing the binder, they received regarding Klein's Island. Mr. Kortze replied that he hadn't really looked at it himself. He said it seems like years of meetings with LCA and their consultant coming up with different ways of improving the plant, getting it rerated and what kind of improvements and how they want to do it. He doesn't think its necessary to have it digested completely. Mr. Heimbecker asked if this is a reference, they will need for the next five years to go back to. Mr. Kortze said its worth holding onto. Mr. Kortze feels that once the Interim Act 537 Plan is adopted and if DEP comes back and they agree to it, there will be a lot of things that are going to be worked out to try and adopt those longer-range improvements that are listed in the Klein's Island manifesto.

Mr. Paulus asked Mr. Kortze if he may be able to contact some of the contractors who worked previously on swales and let them know that we are bidding a project. Mr. Kortze was surprised by that number because most of the people that picked up specs were contractors that they dealt with in the past. He was, however, pleasantly surprised with the Troxell Street project bidding results. Mr. Kortze said he will make some inquiries and if everyone seem busy the only other option would be to defer the swale project until the spring.

Adjournment:

The meeting was adjourned at 9:04 P.M.

Respectfully submitted,

Melissa A. Wehr
Township Manager