

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

May 19, 2021
7:30 P.M.

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

Absent: 0

Attendance: 2

Courtesy of the Floor: None.

Approval of Minutes: May 5, 2021 Council Meeting

Motion: I move we waive the reading of the Minutes of the May 5, 2021 Council Meeting and accept same as presented.

Councilman Tocci asked for a clarification regarding the May 5 meeting where Councilman Heimbecker made a statement about wanting to be on the record and proceeded to make his statement. Councilman Tocci is not asking for a change to the May 5, 2021 Minutes, but more so for point of clarification from the Township Attorney on how to proceed going forward when a Councilman asks that a statement be on the record. The Township Attorney replied that if someone requests a statement be put in the record, their name and their statement should be part of the record. Not necessarily word for word, but stating if they are for or against a subject. Councilman Heimbecker stated that in the past when someone wanted a statement in the record, the Administrative Assistant transcribing the Minutes would make sure their name and statement was put in the record. The Township Attorney agreed that a person's name and statement should be included in the record. If it is not included, at the next meeting, an individual can ask for amendment to the previous Minutes to include the name and statement into the record. A discussion ensued. At this time, the Township Clerk read the statement from the Minutes dated May 5. The Board was in agreement that individual's names and their statement will be included in the record if so stated.

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

Aye
Nay

Reports:

1. Melissa A. Wehr
Township Manager

1. Declaration of Emergency Disaster was extended this week. The Township Manager fully intends to extend it along with the County. However, she is anticipating perhaps opening the Township Building sooner as she stated last month

that once she gets two-thirds of the office staff vaccinated. She plans on possibly doing this beginning of July. She will keep Council informed with an exact date.

2. In Council's packets, are thank you letters from LVED and Community Action Committee of the Lehigh Valley for the Township's generous donations.

3. The Township Manager requested an Executive Session at the end of the Council Meeting regarding personnel matters.

Opening of Bids: Bid No. 2021-02 – Lower-Middle Postal Rd., Recycle and Overlay

The Township received two bids. They are as follows:

New Enterprise Stone and Lime for a total bid of \$889,912.50 and Recon Construction Services, Inc. at \$916,747.50.

Motion: I move we accept New Enterprise and Lime as the lowest bidder at \$889,912.50 subject to the approval of the Township Engineer after inspection.

Paulus, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

2. Al Kortze, P.E.
Township Engineer

1. Mr. Kortze reported that the Willowbrook Road paving is complete. Keystone Consulting made sure that PennDOT had a representative on site so there would be no issues. There isn't anything else workwise to prevent them from turning it over to the state.

2. As a follow-up to the Allendale Swale Project, the Township Engineer mentioned at the last meeting possibly working with the contractor on eliminating or adjusting some prices. Pursuant to Council's recommendation, that is something the Township should not do. This is something you do after bid is awarded but not prior to bid awarding. The \$119,000 would have to stay in tact whether Council awards it or not. In the interim, the Township Engineer did research and found out that this project would be eligible for a grant. The option is to either accept the bid as is or reject it and pursue the grant. The grant is for \$85,015 with 15% matching from the Township. The grant could be placed for approximately \$120,000. A discussion ensued.

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

1. The Township Attorney received an email from Steve Borrell, one of the attorneys for the Rockefeller Group. He said Joe Fitzpatrick, his senior partner has been working directly with PennDOT. He and the Township Attorney have been getting packages of materials together for them to review. There are also a

Application and Providing for a Fifteen Percent (15%) Match Commitment to Undertake the Project Known as the Allendale Stream Restoration of 2021 as presented by the Township Manager and the Township Engineer.

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

2. Resolution No. 2021-35, A Resolution Granting Preliminary/Final Approval to Guardian Storage, 1890 Airport Road, Allentown, PA 18109.

The Township Attorney stated that at the last meeting Council approved the Preliminary Plan of Guardian Storage, Allentown Airport Center, LLC. That was the applicant and who is named on all the plans and approved as such. There was a condition added at the last meeting for them to provide a confirmation that this in fact was a business entity in Pennsylvania. The Township received it, but not with an entity in this name. They indicated there were internal issues and suggested that the Township indicate that Guardian Storage, Allentown Airport Center LLC, changed its name to the other company, but it didn't. There was no entity to change the name. The Township Attorney said they've been reviewed and gone through everything, but the Council needs to pass an approval in the name of the correct entity. The Township Attorney put it that it makes it clear that the Township is rescinding the old Resolution and considering the Application as filed in the correct name and approving the development in the correct name. He also took the liberty of deleting Condition 20 which was the one added that they needed to get proof that they are a business entity and added language requiring them to change the affidavits on the plan signed by the owner to follow the text that he has in the Appendix and that the correct owner is mentioned. A discussion ensued. The Township Attorney and Building Inspector reviewed their Lease Agreement and agreed that it was very tight and complete including all Council's concerns.

Motion: I move for the adoption of Resolution No. 2021-35, A Resolution Granting Preliminary/Final Approval to Guardian Storage, 1890 Airport Road, Allentown, PA 18109 as presented by the Township Attorney.

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

Payment of Bills:

Motion: I move Council authorize payment of Payroll (04/30/2021), Payroll (05/14/2021); Voucher Nos. 25801-25810 (Prepays), Voucher Nos. 25811-25854 from the General Fund Account in the amount of \$347,325.02; Voucher Nos. 191 from the Liquid Fuels Account in the amount of \$5,432.33; Voucher Nos. 4554 (Prepaid), Voucher No. 4555-4557 from Capital Reserve in the amount of \$47,859.38; Voucher Nos. 5014-5015 from the Escrow Account in the amount of \$31,718.75; Voucher Nos. 4441 (Prepays); Voucher Nos. 4442-4444 from the Water Account in the amount of \$972.84; Voucher Nos.

6014-6016 (Prepays); Voucher Nos. 6017-6026 from the Sewer Account in the amount of \$33,074.34 for a Grand Total Expenditure of \$466,382.66.

Paulus, Woolley: Moved and Seconded

Heimbecker, Lawlor, Tocci, Woolley, Paulus:

Aye

Unan.

The Township Attorney noted that with regard to A. Duie Pyle, there was a condition added relating to looking at an alternate access road. When it was originally transcribed, they had a second emergency access located on another street shall be reviewed by the Township and Han-Le-Co Fire Company. Further discussions with staff, as they understood it, was not the intention of Council that the term should have been, developer shall review the feasibility of relocating the emergency access from Lloyd Street to another location for consideration by the Fire Chief and Township Council. A Councilmember asked if the Fire Chief reviewed it and what his comments were. The Township Manager said the Fire Chief reviewed the plan and had no comments regarding the emergency access. She has placed a call in to the Fire Chief and is planning to discuss same with him. A discussion ensued. Also, regarding the Weaversville Road Project, the No Left Turn for Trucks as one of Council's conditions was also addressed and changed which the Township Attorney feels was the intent of the Motion added at that meeting.

Courtesy of the Floor: None.

The Chairman of Council said they will be going into Executive Session regarding a personnel matter and will not be returning to the meeting with any decisions.

Adjournment:

The meeting was adjourned at 8:15 P.M.

Respectfully submitted,

Melissa A. Wehr
Township Manager