

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

February 1, 2012
7:30 P.M.

Present: Councilmen Atkinson, Dreisbach, Kovacs, Paulus, Woolley; J. Jackson Eaton, III, Esquire; Frederick W. Hay, P.E.; Sandra A. Pudliner; Vicky Roth

Absent: 0

Attendance: 8

Courtesy of the Floor:

Mr. Robert Hess, a resident of the Township on Dauphin Street, approached the Board regarding a certified letter he received about a trailer on his property not being inspected. Mr. Hess advised the Board that the trailer in question is a rebuilt house trailer for which no inspection is required. The Board reviewed the contents of the Ordinance in question and determined that house trailers are listed therein as an exception. Accordingly, Mr. Hess' trailer would not come under the terms of this particular Ordinance.

There was further discussion at the meeting with Mr. Harold Knight, a resident of the Township in the Troxell Street area regarding the matter he had previously brought before the Board as same relates to speeding and violations of the stop signs in the area by individuals apparently residing in the Hidden Village Apartments. Previously the Township requested that the State Police look into this matter. Councilman Atkinson questioned Mr. Knight as to whether or not the car problems still exist and Mr. Knight indicated that it has been much better. Mr. Knight noted that there is still one vehicle that apparently has not been monitored by the State Police. Councilman Atkinson indicated that Mr. Knight should give the license number to the Township Manager so that she could handle same with the State Police.

Approval of Minutes: January 18, 2012 Special Council Meeting

Motion: I move we waive the reading of the Minutes of the January 18, 2012 Regular Council Meeting and accept same as presented.

Paulus, Kovacs: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Woolley, Paulus: Aye Unan.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that she has provided them with correspondence from the Salvation Army as same relates to a 5K Run to be held

at Coca-Cola Park on May 12, 2012. As Council will note in reviewing same, the Salvation Army has requested the Township's support to close a portion of Dauphin Street at the intersection at LSI West through American Parkway for the 5K Run for a time period of approximately 30 minutes. The distance from Dauphin Street to American Parkway is approximately .45 mile. The 5K Run starts promptly at 9:00 A.M. and the event will have runners covering that distance from approximately 9:05 A.M. to 9:35 A.M. The request of the Salvation Army is that the Township provide Fire Police with staffing to support the road closing. Additionally, the Township would need to correspond with Penn DOT regarding Dauphin Drive which is a state road to indicate that the Township is giving them notification of the event and also providing documentation that an entity other than Penn DOT will provide proper maintenance and protection of traffic as well as be indemnified for the event. A discussion ensued regarding this matter. In particular, the Township concern appeared to center around the indemnification requirement. The Board as a whole felt that the Township could provide the fire police but that the indemnification should come from another entity; most likely, in this case, the Salvation Army. In that regard, the Township Manager was directed to advise Penn DOT and the Salvation Army of the Township's position. Fire Police will be provided if the indemnification for liability purposes is provided by another entity; i.e., the Salvation Army. The Board as a whole was in agreement with this with the exception of Councilman Dreisbach who indicated he did not support the matter.

Councilman Atkinson questioned the Township Manager regarding the upcoming PSAT's Convention and why the Township Maintenance Supervisor was not invited to attend same. The Township Manager indicated that this must have slipped through the cracks due to the time of registration and hiring of the new Maintenance Supervisor. The Board discussed this issue and was of the opinion that the Maintenance Supervisor should be permitted to attend the convention for at least a year or two to gain knowledge which would be very helpful in his new position.

There was also some discussion at this time initiated by Councilman Atkinson with respect to the Lehigh-Northampton Airport Authority selling off land on Willowbrook Road outside of the Township. Councilman Atkinson was of the opinion that should the airport proceed in that fashion in order to pay off their debt then he was very opposed to having huge tractor trailers on Willowbrook Road. The Township Engineer noted that the Road is posted for 20 tons. The Township Attorney noted that the problem that will be encountered is enforcement.

2. Frederick W. Hay, P.E.
Township Engineer

1. The Township Engineer advised the Board that they should be aware that the Township is encountering major issues with the sewer lines in the Chestnut Grove Towne Garden Development. There are major root blockages as well as breaks in the line both in the main and the laterals. He noted that the Township has used chemical cleaners in those areas. The Township Engineer further noted that it is the intent of the Township Manager and he to attend a meeting at the Lehigh County Government Center relative to the CDBG Grant Program and how they

are attempting to consolidate same. Additionally, the Township Engineer advised he has signed up for a webinar to review possible grant monies.

2. The Township Engineer advised the Board that the owner of Valley Plaza Shopping Center is proceeding to do some storm work. In that regard, the Board reviewed a plan presented to them by the Township Engineer with respect to same. It was noted that the work involved securing an easement from the adjoining property owner, Richard Kroll, and would bring the pipes out to Catasauqua Road.
3. The Township Engineer advised the Board that Carl Balliet has asked him if the Township would consider paying for a fence along his property by the Allendale Swale. The Township Engineer noted that Mr. Balliet was of the opinion that the Township's personnel cut limbs off his trees in that area. However, the Township Engineer indicated that another entity other than the Township was responsible for same. In this regard, it was the consensus of the Board that Mr. Balliet be advised that the Township would not pay for fencing on his property.

Councilman Atkinson initiated a discussion with respect to the progress and completion of the new Municipal Building facility. The Township Engineer noted that he is still dealing with PPL with respect to the issue of locating the lines underground along Grove Road. He noted that matter is progressing and that work orders will be issued and will go into design with loads. Councilman Atkinson questioned whether or not the garage is closed in and the Township Engineer noted that is not the case and that they are currently concentrating on steel going up on the administration portion of the facility.

Councilman Dreisbach noted that he had seen the article in the Morning Call regarding the traffic patterns on Airport Center. The Township Engineer noted that the reporter did not agree with him with respect to the three-way stop sign but that he accurately quoted the interview.

There was also some discussion at this point in the meeting with respect to correspondence sent by the Township Manager to the owner of the former Qualex Property on Race Street advising that the condition of the prior zoning hearing regarding chain link fencing is not being complied with at the present time. In said correspondence, the Township Manager notes that possibly a solution to the problem would be to readdress the issue with the Zoning Hearing Board. In the alternative, the chain needs to be in place during nonbusiness hours. Council indicated that they felt the best course of action would be for the property owner to go before the Zoning Hearing Board once again.

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

1. The Township Attorney advised the Board that they are in receipt of a copy of his correspondence regarding the NIZ Zone in Allentown as a result of the proposed hockey arena. The Township Attorney advised that he looked at the code and thought that there might have been a problem not notifying the municipalities but

that is a nonissue. The Township could eliminate earned income tax within the Township and therefore Allentown would not get it. However, there are no other actions the Township can take. The Township Attorney noted that it is extremely unlikely that this would be repealed since bonds have been issued. Attorney Eaton did note that if there are excess monies those would be refunded. How the excess revenues would be dispersed is unclear. The Township Attorney indicated that in his opinion in the future such legislation should have as a requirement that the surrounding municipalities become aware of same before it is approved. It was the opinion of the Township Solicitor that the Township had no options in this matter. Councilman Kovacs indicated that he is aware that the TCC will be meeting and will be discussing this matter. He questioned whether or not the Township Clerk who is the delegate to the TCC would feel more comfortable with the Township's Attorney present when this matter is discussed. The Township Clerk noted that there are already two attorneys as part of the TCC committee, one of which is Jim Bartholomew. The Township Attorney indicated he could write a letter setting forth some of the positions he felt could be taken.

2. The Township Attorney advised the Board that as they may recall Act 84 changed state law regarding the bidding process and raised the amounts. The Township Attorney noted that when this matter was first brought before the Board it was determined that discussion would occur at a later date. The Township Attorney did note that in the past the Township has changed its bidding levels when the state law has changed. Chairman Paulus noted that this matter could be discussed at an upcoming meeting.

Unfinished Business:

1. Bill No. 2012-02, An Ordinance Amending all Provisions of the Statutory Code of Hanover Township to Change the Position Identified as Director of public Works or Director of Operations to Maintenance Supervisor (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2012-02. It was noted that there were certain issues with the legislation as proposed. There was a reference to Director of Operations which should be stricken and read Maintenance Supervisor. Additionally, there were section numbers that should be changed to show 120, 222 and 224. In resolution of this matter, the Board made the following motion:

Motion: I move we amend Bill No. 2012-02 to show the proper section numbers of 120, 222 and 224 and that the second last line where reference is made to Director of Operations shall be stricken and replaced with Maintenance Supervisor.

Atkinson, Dreisbach: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Woolley, Paulus:

Aye

Unan.

Motion: I move that Bill No. 2012-02, An Ordinance Amending all Provisions of the Statutory Code of Hanover Township to Change the Position Identified as Director of public Works or Director of Operations to Maintenance Supervisor be adopted as amended as Ordinance No. 530.

Atkinson, Woolley: Moved and Seconded
Atkinson, Dreisbach, Kovacs, Woolley, Paulus: Aye Unan.

There was a discussion that ensued at this time relative to Bill No. 2012-01, which had previously been before the Board and relates to amendments to the Township's Floodplain Ordinance. In that regard, the Township Attorney reviewed with the Board the changes intended. In resolution of the matter, the Board made the following motion:

Motion: I move that Bill No. 2012-01, An Ordinance Amending the Hanover Township Floodplain Ordinance, Chapter 8 of the Statutory Code of Hanover Township to Comply with National Flood Insurance Program Standards be amended to make the changes in accordance with the recent correspondence from DEP regarding same.

Kovacs, Atkinson: Moved and Seconded
Atkinson, Dreisbach, Kovacs, Woolley, Paulus: Aye Unan.

New Business: None.

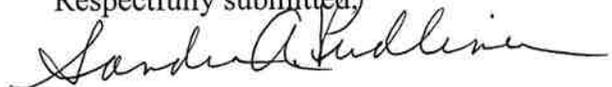
Courtesy of the Floor:

Mr. Robin Yoder, the Township Fire Chief and Emergency Management Director appeared before the Board to advise of issues with St. Andrew's Church located within the Township. Mr. Yoder noted that the building is being used to allow 20 to 30 homeless to sleep on the property on a Friday night. Apparently, upon disbursement these individuals have been going into the yards of the property owners in the area. Council first thought that the Township's Zoning Ordinance should be reviewed regarding this matter. The Township's Zoning Officer advised she would look at same. Mr. Yoder noted that he felt that there may be issues under the Township's Building Code as to the ability of the church to perform this function and he noted that he had indicated same to the Township's Building Inspector who would be looking into the matter.

Adjournment:

The meeting was adjourned at 8:35 P.M.

Respectfully submitted,



Sandra A. Pudliner
Township Manager