

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

March 7, 2012
7:30 P.M.

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

Absent: Frederick W. Hay, P.E.

Attendance: 3

Courtesy of the Floor:

Mr. Alex Parnis, a resident of the Township in the Upper Willowbrook Rd. area approached the Board at this time regarding a notification he had received relative to two vans in the yard on his property. A discussion ensued relative to Township Ordinance No. 526, which provides that motor vehicles require registration unless they are kept in an enclosed building. Mr. Parnis advised that one vehicle in his ownership is not registered and he keeps same in the garage on the property. Mr. Parnis indicated that the vehicles he currently has in the yard area both have current plates on them. He did advise that he utilizes a dealer's plate. On occasion he might remove same from the vehicle to utilize for his business which is conducted at a different location. Mr. Parnis was advised that should the Township become aware that there is a non-registered vehicle on the property appropriate legal action will be taken.

Approval of Minutes: February 15, 2012 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the February 15, 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 currently there are two Zoning Hearings scheduled for the month of March. The first appeal involves the property at the corner of Race and Willowbrook Rd. in the ownership of Airport Ventures, L.P. They are seeking two signs in the front yard of the property, where the Ordinance only allows one. The theory behind two signs is the fact that the property has an excessively long front yard and because of the multiple tenants in the facility the two signs are something the owner feels are necessary. Additionally, the owner intends to have the Board consider removing the

condition for the chain across the driveway added to the property exiting onto Willowbrook Rd.

The Board determined that no action would be taken by Council regarding this Zoning Appeal.

With respect to the Zoning Hearings, the Township Manager advised that the second appeal relates to a property on Hoover Avenue in the ownership of Diehl Paving Co. The Township Manager noted that it is the intent of the owner to sell the property for a service garage. Such use is allowable in the Planned Industrial Office Zoning District. However, the property in question does not meet any of the requirements under the Ordinance for lot area, front, side and rear yard setbacks. A discussion ensued relative to this particular property. Certain members of the Board noted that currently the owner is doing auto repair work at that location which in no way relates to company vehicles and creating an excessive noise problem. Additionally, the owner is selling tires at that location. The Township Manager advised that the prior Zoning Decision does allow Mr. Diehl to repair his own vehicles on the property. However, if the owner is doing other activities same are in violation of the current zoning decision. The Township Manager advised that she would provide the property owner with written notification regarding these issues. A discussion ensued regarding the current Zoning Appeal and it appeared to be the consensus of the Board that if a service garage was placed at this location, the noise control needed to be enforced. It was noted that currently the repair of the vehicles at that location are creating noise issues heard by property owners long distances from the site. It was discussed by the Board that should a variance be granted certain conditions needed to be accepted by the applicant. The Board felt that any repair servicing, testing or other work on vehicles must be done inside the building on the premises. Additionally, at any times engines of motor vehicles within the building are operating, the doors to the garage shall be closed except when vehicles are entering or exiting the building. Additionally, the uses on the property should comply with all noise ordinances of the Township. The Township Attorney indicated that he would speak with the attorney for the applicant and advise him of the Township's position. If the applicant agreed to the conditions possibly it would not be necessary for the Township Attorney to attend the Zoning Hearing on behalf of the Township. No final determination was made at this time.

2. A discussion ensued with respect to enforcement of Ordinance 526. The Township Manager advised that there has been compliance with respect to both residential and commercial entities. It appears that the property owners in the area of the intersection of Grove and Schoenersville Road are in compliance, as well as an industrial entity on Weaversville Road. The Township is still pursuing compliance. The Township Attorney commented that he felt this matter is being handled very well by Township staff.

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

It was noted that the Township Engineer was not in attendance at the meeting. In his absence, Councilman Kovacs brought to the Board's attention the fact that two individuals from East Allen Township had indicated to him that the signalized intersection at Race Street and Willowbrook Road does not have an arrow to turn left on Willowbrook Rd. coming from Catasauqua. The Board noted that it was their understanding and recollection that the Township Engineer had indicated that the warrants did not justify such an arrow and that is the reason why same was not installed. Additionally, Councilman Atkinson indicated to the Township Manager that he would appreciate her questioning the Township Engineer relative to the installation of the turtle docks at Catasauqua Lake.

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

1. The Township Attorney advised the Board that a meeting had been held with the Township Clerk and Township Engineer and himself regarding the issue of Bethlehem sewer bills. As the Board may be aware, there is an issue regarding the water bills issued to Bethlehem customers. That issue has been in the newspaper. The Township Attorney noted that he has gone back through the Township records to review the entire process. As the Board is aware, the water bills or water consumptions from the City of Bethlehem generate the Township's sewer bills and the Township currently cannot get the readings from Bethlehem because of the issues they are experiencing. Attorney Eaton noted that it is his intent to make the system work more efficiently and he is proceeding to that end at this time.
2. With respect to the NIZ tax matter with the City of Allentown, the Township Attorney advised that Hanover Township, Northampton County, has authorized their attorney to undertake a study to challenge the Act. The Township Attorney noted that the Township Clerk has indicated that she anticipates that at the next TCC meeting there will be a request to have the TCCs for Lehigh and Northampton Counties join in. The Township Attorney indicated that he had done a cursory review and he doesn't necessarily feel they will be successful. He did note that if the costs are prorated, the Township's costs would be relatively small. The Board indicated that if that were the case and the costs were proportional, the Board would have no problem with the Township's participation. There was some discussion with respect to the area encompassed by the NIZ Zone and it was noted that the area is approximately 130 acres.
3. The Township Attorney advised the Board that he would request their approval of a tax assessment appeal settlement as same relates to the property of Rebecca Associates, 984 Marcon Blvd. A reduction in the assessment is proposed from approximately \$3.6 million to \$2.8 million. In that regard, the Board made the following motion:

Motion: I move that Council approve the tax assessment appeal settlement proposed for Rebecca Associates, 984 Marcon Blvd., to provide for a reduction in their assessment from approximately \$3.6 million to \$2.8 million.

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

4. The Township Attorney noted that as Council will recall he is working on the process to rename Catasauqua Lake to Lake Hanover. The Township Attorney indicated that he had sent a proposal to USGS back in September. Additionally, contact was made with the State and County officials. Attorney Eaton noted they have since been in touch with the state and they indicated they did not get the complete package. The Township Manager had been in contact with the County and will contact the County again to confirm their approval of the name change.

Unfinished Business:

1. Councilman Dreisbach initiated a discussion relative to the costs for the underground location of the PPL lines, etc. along Grove Road as part of the Municipal Building project. The Township Manager noted that it is her understanding from the Township Engineer that the cost is somewhere around \$40,000 to \$45,000 for that work.
2. Councilman Woolley raised the issue of St. Andrew's Church. The Township Manager noted that inspections were made at that property and it was determined that certain work needed to be accomplished. The Township Building Inspector has been in touch with St. Andrew's Church indicating what will be required and assuring that compliance occurs.

New Business:

1. Resolution No. 2012-33, A Resolution of the Township of Hanover, Lehigh County Pennsylvania, Commonwealth of Pennsylvania urging the Pennsylvania General Assembly to Eliminate or Amend the State Prevailing Wage Act (Act 442 of 1961) (Vote)

The Township Manager advised the Board that the Pennsylvania State Association of Township Supervisors has requested that the Township adopt a resolution supporting the elimination or amendment of the State Prevailing Wage Tax to increase the threshold from \$25,000 to approximately \$183,000 as previously proposed. As the Board will recall, prior legislation had been defeated. PSATS has indicated that they would appreciate us adopting the resolution before the Board at this time and also forwarding same to the State Senator and State Representative and requesting their support. In resolution of this matter, the Board made the following motion:

Motion: I move that Resolution No. 2012-33, , A Resolution of the Township of Hanover, Lehigh County Pennsylvania, Commonwealth of

Pennsylvania urging the Pennsylvania General Assembly to Eliminate or Amend the State Prevailing Wage Act (Act 442 of 1961) be adopted as presented.

Atkinson, Dreisbach: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor: None.

Adjournment:

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

Respectfully submitted,



Sandra A. Pudliner
Township Manager