

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

June 20, 2012
7:30 P.M.

Present: Councilmen Atkinson, Kovacs, Paulus, Woolley; Kimberly Spotts-Kimmel, Esquire; Sandra A. Pudliner; Vicky Roth

Absent: Councilman Dreisbach; J. Jackson Eaton, III, Esquire; Frederick W. Hay, P.E.

Attendance: 3

Courtesy of the Floor: None.

Approval of Minutes: June 6, 2012 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the June 6, 2012 Regular Council Meeting and accept same as presented.

Paulus, Kovacs: Moved and Seconded
Atkinson, Kovacs, Woolley, Paulus:

Aye

Unan.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that in the month of July, their first Wednesday of the month meeting would fall on the Fourth of July. Accordingly, since that is a holiday, the meeting would need to be cancelled or rescheduled. Due to the fact that there are no pressing issues before the Board, the Township Manager recommended that the meeting be cancelled and the Board meet at their regular meeting on the third Wednesday in July.
2. The Township Manager advised the Board that she has provided them with a copy of correspondence from J. P. Mascaro & Sons wherein they reiterated their agreement to the adjustment in the number of units and reduction in the monthly bill with respect to continuing for an additional year in 2013 under the garbage/recycling contract.

There was a discussion initiated by Councilman Kovacs with respect to the Bartholomew property on Pennsylvania Avenue. Councilman Kovacs noted that the front yard is in total disarray with rusted lawn mowers, plywood, and other garbage items located there. The Township Manager was requested to look into the matter. The Township Manager noted that there is some difficulty in proving either a harborage or a nuisance. Attorney Kimberly Spotts-

Kimmel indicated that the best thing to do at the present time is to take pictures of what is present on the property, make a list of same and then make a determination of whether or not there is sufficient cause to justify a nuisance situation. Councilman Woolley noted that at one of his prior residences he had a neighbor that had a property that was very unsightly but the City of Allentown indicated to him that there was nothing they would do to force the property owner to remove certain items from the property.

Councilman Kovacs also raised an issue with the Bauer property on Pennsylvania Avenue. He noted that Mr. Bauer has his dump truck backed up in the back of the property adjacent to the property of Thomas Malozi. Councilman Kovacs also noted that the Bauer dog has been running in the adjoining neighbor's yard. He also noted that the dump truck owned by Mr. Bauer is now parked on the street. In that regard, the Township Manager noted she would review the Ordinance recently adopted by the Board regarding the parking of such vehicles on public streets. Councilman Kovacs also raised an issue with respect to hedges of Mr. Malozi part of which are on the Ruby and Robert Bauer property. Councilman Kovacs noted they will not allow Mr. Malozi on their property to cut the hedges. He questioned whether or not Mr. Malozi had any course of action and was advised by the attorney that he had no right to cut the hedges on someone else's property.

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

It was noted that the Township Engineer was not present at the meeting. Chairman Paulus indicated he had spoken with him prior to the meeting and he indicated that there was nothing unusual to report with respect to the continuing construction of the new Municipal Building. He also noted that he is proceeding to do a study in the Irving Street area for traffic purposes.

Councilman Atkinson questioned whether or not the Township Building is now secured and the Township Manager advised it is currently not. Councilman Atkinson expressed his concern that the copper being placed in the building could again be stolen.

3. Kimberly Spots-Kimmel, Esquire
For J. Jackson Eaton, Esquire
Township Attorney

1. Attorney Kimmel noted that with respect to prior discussions regarding a nuisance on a property she reiterated to the Board that pictures need to be taken and a list made to determine if the situation rises to the level of a nuisance. With respect to the same property in question, Attorney Kimmel noted that with respect to the two citations issued against that property owner, the first citation resulted in a settlement agreement and the second citation resulted in a fine assessed and court costs also being paid. There was a discussion regarding whether or not even though a settlement was reached, the Township should not have gone through with the hearing and secured a fine against the property owner. The Township Manager was of the opinion that the settlement forestalled such action and made the individual only liable for the court costs. The

Township Manager suggested that Council discuss the issue with the Township Attorney if there were concerns regarding the handling of that matter.

4. Maintenance Report (Written)
5. Fire Company's Report. No Report.
6. Code Enforcement Officers' Reports (Written)
7. Building Inspector's Report (Written)

Chairman Paulus acknowledged receipt of a written Maintenance Report, written Fire Company Report, written Code Enforcement Officers' Reports and written Building Inspector Report and same were noted for the record.

The Township Maintenance Supervisor was in attendance at the meeting and in response to questions advised that the Township's F350 truck had to be towed to Piechota Auto Body. At the same time, it was noted that the undercarriage was rusted out. Mr. Mouer noted that he is looking into replacement of that vehicle. He advised that this is the Township's utility truck and that it is very old. Councilman Kovacs questioned Mr. Mouer as to the replacement of the water heater at Canal Park. Mr. Mouer noted that although water heaters usually last in excess of two years, this particular heater is being filled with well water and accordingly there are issues with lime buildup, etc. Councilman Atkinson questioned the situation of bentonite spills on the Township roads. Mr. Mouer noted that as previously discussed there were trucks coming in from New York City going to get weighed at the facility on Dauphin Drive. Material had been spilling out. It appears that as of now the issue has gone away. Mr. Mouer noted that even though he had talked to the State Police they indicated they could not enforce anything unless there is an eyewitness to the situation. Chairman Paulus commented that there is more sand on the ballfield at Sherwood Park. Mr. Mouer noted that they have spare sand. He also indicated there are a lot of soft spots. It was noted that the ballfield looks good and Mr. Mouer further indicated that they groom it on Mondays, Wednesdays and Fridays. In conclusion of these discussions, the Board noted as a whole that they felt that the Township looked good and that the Public Works Department is doing a good job.

Councilman Kovacs commented that in reviewing the Code Enforcement Officers' Reports, he is of the opinion that the only Code Enforcement Officer issuing citations is Mr. Yoder. Chairman Paulus indicated it could possibly be the hours they work. There was also a discussion initiated by Councilman Atkinson with respect to the slag bank property having a truck again parked facing 22. It is being utilized as a huge sign painted on the truck, apparently for advertising purposes. The Township Manager indicated that she dealt with this individual in the past and the truck had been removed. She indicated she would again look into the matter.

With respect to the Building Inspector's Report, there was a discussion with respect to invoice payments due from Coco Nails and A Taste of Italy. The Township Clerk advised that those entities have paid those invoices.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated June 20, 2012, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Atkinson: Moved and Seconded
Atkinson, Kovacs, Woolley, Paulus:

Aye

Unan.

Unfinished Business: None.

New Business: None.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (05/25/12), Payroll (06/08/12); Voucher Nos. 18762-18772 (Prepays), Voucher Nos. 18773-18831, from the General Fund Account in the amount of \$509,021.63; Voucher Nos. 91 from the Liquid Fuels Account in the amount of \$5,434.09; Voucher Nos. 3837-3841 (Prepays), Voucher Nos. 3842-3855 from Capital Reserve in the amount of \$528,305.78; Voucher Nos. 3784-3789 from the Water Account in the amount of \$2,930.62; Voucher Nos. 4857-4859 (Prepays), Voucher Nos. 4860-4874 from the Sewer Account in the amount of \$183,230.09; Voucher No. 635 from the Distribution Account in the amount of \$20,408.53; Voucher Nos. 3860-3878 (Prepays), Voucher Nos. 3879-3881 from the Escrow Account in the amount of \$20,488.25 for a Grand Total Expenditure of \$1,269,818.99.

Paulus, Woolley: Moved and Seconded
Atkinson, Kovacs, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:10 P.M.

Respectfully submitted,



Sandra A. Pudliner
Township Manager