

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

June 5, 2013
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: 6

Courtesy of the Floor:

Mr. Joseph R. Heimbecker of 1834 Sherwood Street addressed the Board with a formal registered complaint concerning the ethics at the polling place on Postal Road on May 21, 2013. Mr. Heimbecker stated that Councilman William Kovacs acted inappropriately at the polls. Mr. Kovacs attacked Mr. Heimbecker verbally three times and pushed him once. Mr. Kovacs repeatedly asked for the poll numbers from the poll worker and also asked voter if they had the yellow paper (which had the opposing candidates' names on them). He stated both Mr. Atkinson and Mr. Dreisbach allowed this action to continue. He also commended Mr. Woolley on his conduct at the polls. At this point, Mr. Heimbecker asked Mr. Kovacs to resign his office. He stated if he did not do so, he would bring ethics charges against Mr. Kovacs.

Mr. Kovacs then stated he wants his turn and called Mr. Heimbecker a liar. Mr. Kovacs alluded to the fact that the pushing which occurred was only a result of a slow person attempting to enter the building blocking Mr. Kovacs' way which resulted in Mr. Heimbecker being pushed. Mr. Heimbecker again noted that if Mr. Kovacs would voluntarily step down he would not bring ethics charges against him. Mr. Kovacs again noted that he had no intention of resigning.

Approval of Minutes: May 15, 2013 Regular Council Meeting

Motion: I move we waive the reading of the May 15, 2013 Regular Council Meeting and accept same as presented.

Dreisbach, Kovacs: Moved and Seconded

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

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised Council that she has provided them with correspondence regarding the Lehigh County Community Justice Panel Program which was created by the Impact Project, a local social service agency, and the

Lehigh County Juvenile Probation Department. Mrs. Pudliner noted that she had been contacted by a representative from the Impact Project inquiring as to whether or not the Township will consider their organization utilizing the Township Building twice a month on a Monday evening generally from 6:15 P.M. – 8:45 P.M. as a meeting place where volunteers hear cases for the first-time juvenile offenders and offer ways for the youth to atone for their petty crimes and learn from their mistakes. Ms. Abigail Neff representing the Impact Project had indicated that they had previously met at a facility in LVIPII but that space was no longer available and in conversation with the Bethlehem State Police they had suggested that they contact Hanover Township.

The Township Manager advised the Board that some arrangement could be made to permit the use of this facility. The Board needs to consider whether or not the Township wants to open up the building for businesses not located within the Township. Council discussed the issue at length and it appeared to be the consensus of the Board that the Board did not wish to provide meeting space for businesses outside of our community. In that regard, the following motion was made:

Motion: I move that the Township Manager be directed to reply to the Impact Project and in particular Abigail Neff indicating that Hanover Township will not be making the Township Building available to accommodate their hearing process as set forth in their correspondence.

Atkinson, Kovacs: Moved and Seconded

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

2. The Township Manager advised the Board that a meeting had recently been held in the Municipal Building regarding the Rockefeller Group. As Council will recall, the Rockefeller Group is the entity desiring to build two 1,000,000 square foot warehousing facilities in Allen Township. These facilities would utilize Willowbrook Rd., Race Street, and Airport Rd. as a route back and forth to Route 22. In attendance at this meeting were representatives of PennDOT; representatives from Pidcock Company, the developer's engineer; representatives from Allen Township, including their Township Engineer; Chairman of Council; the Township Manager; the Township Engineer; and the Township's Public Works Supervisor. It was noted by PennDOT that they had four comments regarding the proposal but did not provide that information to either Hanover Township or Allen Township. Both municipalities made it known that the Townships wish to receive something in writing regarding that matter. There was a discussion regarding the trips generated and it appears that the trip generation was in the area of 2,800 trips but that calculation relates to a back and forth situation which leaves you with approximately 1,400 vehicles per day on the road systems. When questioned regarding the necessary right-of-way for widening and as to whether or not the airport would be donating land, PennDOT indicated they didn't have that information at this time. The Township was also informed that the vehicles involved in the trips were not all tractor trailers but a mix of tractor trailers and what they described as box trucks. There was also mention made that

in addition to utilizing Willowbrook Rd. as an access route toward Route 22, it was anticipated that some of the traffic would actually proceed north where the box trucks would deliver packages to areas north of the facility. Ultimately nothing was resolved and it was noted that further meetings would need to take place in this matter between the parties involved.

Council began a discussion regarding this matter. It appeared that Council was of the opinion that the Township should get together with the adjoining municipalities, school district, etc. and inform them of this whole process. The Township Attorney indicated that he and the Township Manager would talk regarding this matter. The Township Attorney did comment that he felt the Township should consider hiring a traffic expert to evaluate the process from the beginning so that the Township is aware of the issues affecting the Township up front. Council appeared to agree with this scenario.

At this point in the meeting, Councilman Paulus questioned the Township Manager as to the berm at the Carmike Cinemas facility not being cut. The Township Manager noted that she had been advised of same at a Planning Commission Meeting attended by one of the Township residents. The following day she had called the Manager of the facility, but did not receive a call until the day after. At that point in time, she informed him that the berm area must be cut as soon as possible and that the cutting which only takes place approximately three times a year is insufficient and that it cannot be allowed to become neglected. Council felt that whatever action needs to be taken should be taken to include issuing citations against the Carmike Cinemas facility.

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

1. Chairman Dreisbach advised all that the Township Engineer was not in attendance this evening but with respect to the PPL project taking place on Grove Road to bury the utility lines in that area that work is proceeding. PPL should conclude their work this week and next week the utility companies will be coming in to hopefully place their lines in the trench. The Township Manager noted that after that occurs, then the contractor will be brought back to fill in the trench. Vice Chairman Atkinson noted that it is his understanding that the Road Program will proceed directly after this project is completed. In that regard, the Township Manager advised that she would make that known to the Township Engineer.

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

1. The Township Attorney advised that with respect to the correspondence received from the Attorney for Bracy Contracting, he had responded to same and provided the Attorney with the details of the previous times that the Township has asserted its claim for liquidated damages. It was suggested that the parties sit down as soon as Bracy and his attorney has their timeline in place. Attorney Eaton advised he had spoken with Attorney Prokup today and that he advised that he has a meeting with his client scheduled in the near future to review the timeline of

events. Attorney Eaton noted that he would be away the following week and is hopeful the parties can get together by the end of the month. The Township Attorney noted that he felt that it appeared to him that they want to try to resolve this matter. Councilman Paulus commented as to whether or not the Township Attorney felt that we had dropped the ball in this matter and the Township Attorney indicated that we had not. Attorney Eaton noted that he would again send out his response letter which apparently did not reach the Board so they have that for their records.

Unfinished Business: None.

New Business:

Vice Chairman Atkinson brought up an issue regarding moving the election place back to the Township Municipal Building rather than the Township Fire Station where it is currently held. He noted that a number of people questioned why the election is not at the Municipal Building. Vice Chairman Atkinson felt that the Municipal Building would be more accessible to people, particularly the elderly. Councilman Kovacs agreed with Mr. Atkinson's position and indicated that quite a few people had approached him also. Councilman Paulus indicated that he himself received an opposite response from the Township residents. Councilman Kovacs interjected that this building belongs to the residents and not to anyone else and he felt they should not be denied use of it. Councilman Paulus noted that the Township's Fire Station has a room all set up with tables as opposed to the Municipal Building where tables would need to be brought in and furniture removed from the area where the election would take place. It also appeared that Mr. Heimbecker and Mr. Wegfahrt, who were in the audience also felt that the fire station was the more viable choice. Vice Chairman Atkinson indicated that he felt that we should just table this discussion at this time and that he would go back to the people he had spoken to before any determination would be made. Councilman Kovacs put forth a motion at this time.

Motion: I move that the voting place be changed from the Township Fire Station to the Township Municipal Building.

No second was received and the motion died.

Courtesy of the Floor: None.

Adjournment:

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

Respectfully submitted,



Sandra A. Pudliner
Township Manager