

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

July 17, 2013
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: 7

Courtesy of the Floor:

1. Envision Lehigh Valley

Envision Lehigh Valley cancelled their appearance at this evening's meeting indicating they would get back to the Township Manager regarding the matter.

Mr. Robert Heimbecker, 1834 Sherwood Street, appeared before the Board at this time and advised all in attendance that in accordance with Pennsylvania Code Section 33.5-503 Recall, he intended to begin the process for those proceedings against Councilman William J. Kovacs, Sr. Mr. Heimbecker noted that Mr. Kovacs had been asked to step down by him but he has not done so. Mr. Heimbecker indicated that he will circulate a required petition for Recall which requires 200 signatures that need to be certified and sent to the Board of Elections. He will secure those signatures and proceed with the process thereafter. Mr. Heimbecker indicated it should also be noted that Mr. Atkinson and Mr. Dreisbach have not denied their interest or involvement in the issue involving Mr. Kovacs. Mr. Heimbecker indicated that they have sat back while Mr. Kovacs has become a human resources risk and in his opinion a loose cannon. Mr. Heimbecker indicated that Mr. Atkinson and Mr. Dreisbach are protected by limits in the law relating to being within nine months of their re-election. However, Mr. Heimbecker indicated he will inform the citizens of the Township of Mr. Atkinson's and Mr. Dreisbach's willingness to defend Mr. Kovacs.

In response to these comments, Councilman Kovacs advised Mr. Heimbecker that he should proceed to do whatever he has to do. He noted that Mr. Paulus had given him many stones to throw over the last ten years and now he has given those stones to you.

Approval of Minutes: June 19, 2013 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the Regular Council Meeting of June 19, 2013 and accept same as presented.

Dreisbach, Kovacs: Moved and Seconded

Atkinson, Kovacs, Paulus, Woolley:

Aye

Dreisbach:

Abstained

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that she has provided Council with information relative to the Lehigh County Association of Township Officials Summer Convention. In that regard, she inquired of the Board as to who would attend. Councilman Kovacs noted that he would attend and that he would also like to see the Township's Maintenance Supervisor and Crew Chief attend the Convention. The Township Manager indicated that she would secure tickets for Mr. Kovacs as well as the Maintenance Supervisor and Crew Chief.
2. As Council is aware, I have provided the Board with a copy of correspondence from the Township's current garbage/recycling collector wherein they are requesting a one year extension on their contract in accordance with the current provisions of the contract with them. They have indicated they would be happy to meet with the Board to discuss same. Chairman Dreisbach indicated that the Township Manager should secure some times and dates during the day for such a meeting to occur.
3. The Township Manager indicated to the Board that she had provided them with information which has been provided to her by the company the Lehigh Valley Economic Development Corporation utilizes from marketing/advertising purposes. In a recent meeting with individuals from this company, they had requested that I present this information to the Board. As you can see, advertising in their magazine format is somewhat costly.

The Board discussed whether or not there was any interest in such advertising and it was determined that the Township Manager advise the individuals who had contacted the Township that the Township is not interested in advertising at this time.

There was some discussion at this point in the meeting regarding the landscaping of the Municipal Building property. The Township Manager had provided the Board with the landscape architect's inspection of the property and it was noted by the Township Manager that there are many issues and many plantings that will need to be replaced. There was discussion

regarding the current status of the new Township website. The Township Manager advised that the website is almost in a position to go live. There was also discussion regarding the repair of the pavilion of the Chestnut Grove Park. Apparently, Grand Prix has still not repaired same. The Township Manager advised the Township Engineer that she would request that he provide her with contact information so that she could look into the delay.

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

1. The Township Engineer advised that the 2013 Road Program Bid Opening will be held on August 7, 2013 at the Council meeting at 7:30 P.M.
2. The Township Engineer advised that Level 3, one of the utilities to be buried under ground along Grove Rd. has indicated that they will start their portion of the project on July 23. Councilman Atkinson expressed his concern that this has been going on for such a long period of time. The Township Engineer noted that Level 3 did not order the necessary materials even though they knew about this project for a long, long period of time. The ordering of the materials caused the delay until July 23. The Township Manager noted that the Township Engineer has constantly tried to coordinate this project and that she has also been involved in same; but, the project is not moving along at the pace it should. Hopefully, however, after Level 3 does their work the other two entities' work should be done in a timely fashion and we can proceed to finalize this project.
3. A Duie Pyle appeared before the Hanover Township Planning Commission but received no recommendation regarding their proposed land development.

Councilman Paulus questioned the Township Engineer as to the paving of the parking lot regarding the overlay and the Township Engineer noted that there would be a one and one-half inch wearing course placed on the parking lot and that it should be sufficient to negate the issue of cars running into the curb with the under carriage of their vehicles. Councilman Paulus also commented on being in Canal Park on Saturday and the fact that individuals are fishing in the lake even though it is posted. A discussion ensued regarding enforcement and that the Fish & Game Commission can enforce regulations there once they post it. However, it was noted that fish study needs to be done prior to fish harvest. The Fish & Game Commission has their own biologist but unfortunately there are only two of them covering the entire state. The Township can get them to come in within the next year or so but we need to write a letter to them requesting them to perform the necessary work. The Township Ordinance regarding No Fishing in that area would need to be enforced until enforcement by the state can be secured. Councilman Paulus questioned whether or not the Township's Code Enforcement Officers could issue citations in this instance. The Township Attorney noted that the Township may encounter difficulty in securing the necessary information from individuals in violation in order that citations can be issued, but that he would sit down with the Township Manager and review this matter. Councilman Kovacs commented that the Township should have the attorney look into the legality of the Township's enforcement, as well as what state enforcement procedures would be. Councilman Atkinson commented

about the scum in the Catasauqua Lake. He noted that he thought that the depth that we chose for the lake was sufficient to avoid such issues. However, Vice Chairman Atkinson noted that the scum is along the edge of the lake as well as the middle of the lake. The Township Engineer indicated he would look at it.

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

1. The Township Attorney requested that an Executive Session be held regarding existing litigation and a delayed damage issue and tax appeal settlements proposed. The Township Attorney noted that with respect to the tax appeals, the Board could then come back on the record at the meeting to approve tax appeal settlements if they are acceptable.

4. Maintenance Report (Written)

5. Fire Company's Report (Written)

6. Code Enforcement Officers' Reports (Written)

7. Building Inspector's Report (Written)

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

With respect to the Maintenance Report, the Township's Maintenance Supervisor, Jeff Mouer, was in attendance at the meeting and advised the Board that with respect to auto read regarding the Township's sewer and water billing, he needed a start read and that has caused a delay in terms of the process not occurring until the next billing cycle. He did note that he had two of his men go through the process of reading the meters and it took approximately 36 man hours. He noted that he felt that once the auto read was up it would take somewhere around 24 man hours. That is the Bethlehem side and ours would take about 4 hours.

There was some discussion with the Maintenance Supervisor regarding the Township's alarm system and access to the building by Code Enforcement Officers. The Maintenance Supervisor and Township Manager advised the Board that there has been a recent issue involving the alarm system and Jeff had to come in whereas if the code individuals had a code of their own they could easily handle those types of situations. Council discussed the matter and appeared to be of the opinion that the code officials should have their own access code to enter the building in any kind of emergency situation. In that regard, the Board made the following Motion:

Motion: I move we provide each of the Code Enforcement Officers with a unique building access code to be provided to them by the Township's Maintenance Supervisor and also monitored by the Township's Maintenance Supervisor to see that it is used properly.

Atkinson, Kovacs: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Paulus, Woolley:

Aye

Unan.

The Township's Maintenance Supervisor advised the Board that the shoulder mower has arrived. Mr. Mouer indicated it is working very well and it appears that they will be using this throughout the Township throughout the year. Mr. Mouer also advised that the playground equipment for Chestnut Grove Park will be delivered on Friday morning. Additionally, in accordance with the Township's Road Program, the crew will be taking down the fence around the existing tennis/street hockey court in Chestnut Grove Park so that eventually the paving can take place to create the parking lot in that area. Mr. Mouer also advised that he is pursuing a Green Days Grant which would involve wildflowers and plantings. He noted he is working with the Lehigh County Conservation District on this grant issue.

There was also some discussion at this point in the meeting regarding the Fire Company's request that the Township look into getting an account with another fuel company other than the current fuel provider on Airport Road. The Township Manager noted that in discussions with the Maintenance Supervisor he had indicated that he thought it might be worth looking into the Township getting its own tanks. Mr. Mouer indicated that he will be doing so and his recollection is that we must stay under a certain gallonage to keep away from DEP regulations. The tanks would of course be above ground and used for diesel fuel storage. It was also noted that there is a facility on Hanover Avenue that the Township might want to look at with respect to getting an additional fuel provider.

With respect to the Building Inspector's Report, Councilman Atkinson questioned whether or not there are any buildings still vacant in Airport Centers. The Township Clerk noted that she believes there is a small parcel still vacant.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated July 17, 2013, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Dreisbach, Kovacs: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Paulus, Woolley:

Aye

Unan.

Unfinished Business: None.

New Business:

The Township Manager advised the Board that they should consider scheduling hearings with respect to the proposed Five Year Capital Program. It was determined that the Township will schedule two hearings, one for Monday, August 5, 2013 and one for Monday, August 12, 2013 at 5:00 P.M.

At this point in the meeting, Vice Chairman Atkinson indicated he would like to revisit the issue of the relocation of the polling place in the Township. Vice Chairman Atkinson indicated that he had personally spoken to the Election Board individual in charge and that he was quite surprised with the information that he received versus the information provided by the Township Clerk. At this point in the meeting, Mrs. Roth again reiterated what had been told to her by the person in charge at the Lehigh County Board of Elections. The bottom line on the issue is the fact that the Township will need to write a letter to the Election Board requesting a change and then the Election Board will determine if same will be granted. Chairman Dreisbach indicated his feelings that he always thought that the Township Building and in particular the lobby was designed as big as it is so that the building would be suitable for the election process. Councilman Kovacs indicated he spoke to the gentleman in charge at the Election Bureau. Councilman Kovacs advised that he had told him that he was under the impression that the Township had no interest in changing the election polling place back to the Municipal Building. Vice Chairman Atkinson noted that there is a safety issue for the individuals in the area of the Municipal Building in that they in order to get to the Township's Fire Station need to utilize an unsignalized intersection to do so. Councilman Woolley suggested that the Township Clerk provide him with a memo regarding her discussions with the Election Board. The Township Manager commented that in a recent conversation with the Township's Fire Chief he indicated to her that there had been no complaints regarding utilizing the Fire Station for polling purposes from residents or the individuals serving the day of Election. In any event, the Board made the following Motion:

Motion: I move that the Township proceed to make the necessary change from the Township's Fire Station back to the Municipal Building as the Township's voting place effective November of this year and that a letter be sent to the Election Board to that effect.

Kovacs, Atkinson: Moved and Seconded

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

At this point in the meeting, the Board proceeded to hold an Executive Session and close the meeting at 8:55 P.M.

The Board reopened the meeting after a brief Executive Session and made the following Motion:

Motion: I move that Council authorize settlement of the Sun Allentown Lodging, LLC, Lehigh County Tax Assessment 2012-C-40993 at a fair market value of \$2.75 million.

Atkinson, Woolley: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Paulus, Woolley:

Aye

Unan.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (06/21/13), Payroll (07/05/13); Voucher Nos. 19575-19582 (Prepays), Voucher Nos. 19583-19634, from the General Fund Account in the amount of \$297,572.60; Voucher Nos. 104 from the Liquid Fuels Account in the amount of \$5,529.18; Voucher No. 4067-4068 (Prepays), Voucher Nos. 4069-4071 from Capital Reserve in the amount of \$3,314.64; Voucher Nos. 3992-4007 (Prepays), Voucher Nos. 4008-4010 from the Escrow Account in the amount of \$20,542.65; Voucher Nos. 3880 (Prepaid), Voucher Nos. 3881-3883 from the Water Account in the amount of \$719.09; Voucher Nos. 5026-5028 (Prepays), Voucher Nos. 5029-5037 from the Sewer Account in the amount of \$156,192.69 for a Grand Total Expenditure of \$483,870.85.

Dreisbach, Kovacs: Moved and Seconded

Atkinson, Dreisbach, Kovacs, Paulus, Woolley:

Aye

Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 9:05 P.M.

Respectfully submitted,



Sandra A. Pudliner
Township Manager