

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

August 21, 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: 5

Courtesy of the Floor:

Deb Phillips, 2893 Seemsville Rd., Northampton, PA 18067, appeared before the Board and advised Council that she was the Township's former website provider who was recently informed that her website has been replaced by a new website. Ms. Phillips outlined her 10 years as the website designer and manager of the website for the Board expressing her sorrow that the Board did not give her a chance to bid and design the new website. She expressed her concern that the small business person, once the back bone of the American Dream is slowly being eliminated. She advised that the loss of the website would have a severe impact on her small one person operation and her income.

Approval of Minutes: August 7, 2013 Regular Council Meeting  
August 5, 2013 Special Council Meeting

Motion: I move we waive the reading of the Minutes of the Regular Council Meeting of August 7, 2013 and accept same as presented.

Dreisbach, Kovacs: Moved and Seconded

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

Motion: I move we waive the reading of the Minutes of the Special Council Meeting of August 5, 2013 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 the Board that the new Township website is now online and invited the Board to view same at their opportunity. Mrs. Pudliner noted that per the direction of the Board a new website has been created through the Township's computer company. She indicated she felt the Board would find same represents a modern up-to-date approach to the website and is more cost-effective than the prior website. Additionally, this website can be handled in-house in terms of updates and postings that need to be done from time to time. She indicated that the upfront cost will be recouped in one year and thereafter the Township staff should be able to handle updates to the website as they become necessary.

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

1. The Township Engineer advised that all the wires are down on the telephone poles adjacent to the Municipal Building on Grove Road. However, PPL was scheduled to remove the poles today but forgot to do a PA One Call and accordingly cannot do the work until Monday of next week.
2. With respect to the Rockefeller Group Project, basically PennDOT approved the methodology they will use for the traffic study. They never checked with the Township but we will have our traffic engineer review same and I will report back to the Board on this matter.
3. The Township Engineer noted that the Board has been provided with a memorandum to the Township's Public Works Maintenance Supervisor from Jason Smith, Senior Scientist of Hanover Engineering Associates, regarding the Canal Park lake. The lake was observed to contain a high density and biomass of Eurasian Watermilfoil, with lesser amounts of Curlyleaf Pondweed, two invasive exotic species which are targeted by PALMS, the Pennsylvania Invasive Species Council, and other agencies for eradication. Mr. Smith noted that the source of these two species is likely through dumping of aquariums, although unsubstantiated at this time. The pond also contained considerable amounts of filamentous algae which are generally associated with nutrient enrichment, and Purple loosestrife, a common invasive exotic shoreline species and also a species targeted for eradication. The problematic aquatic plants and algae are most commonly treated using approved aquatic herbicides. Purple loosestrife is generally controlled best using a combination of cutting (flower heads) and herbicide application, although non-chemical controls may also be implemented with varying success. Mr. Smith went on to indicate that PALMS has two programs available that can be used to assist with the management issues observed at the lake. The first is the Consortium for Scientific Assistance to Watersheds Program, which provides technical assistance and training to applicants for pond and lake management issues. This program does not require a match

by the applicant, but maximizes the number of people trained as part of an approved project. The second is the Mini-Grant Program, which requires a 25% match up to a total of \$24,000 in approved funds. Mr. Smith noted that he felt Canal Park was a good candidate for the PALMS funding. It was noted that Hanover Engineering would assist Hanover Township with preparing applications for both programs as appropriate. The Township Engineer noted that pursuit of these programs would take place in the year 2014.

4. With respect to the previously awarded Road Program, there had been an error in the total amount of the bids received. The Township Engineer noted that the bid of Muschlitz Excavating, Inc. was in the amount of \$372,742.50. The bid of Bracalente Construction Inc. was in the total amount of \$348,438.00. Accordingly, the Township Engineer requested that the Board make a motion awarding the contract for the correct amount of the bid. In that regard, the Board made the following Motion:

Motion: I move we award the bid for the 2013 Road Program to Bracalente Construction Inc. in the amount of \$348,438.00.

Atkinson, Woolley: Moved and Seconded

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

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

1. As Council will recall, the Board had requested that I research the issue of the Pennsylvania Fish Commission's ability to enforce Township regulations for No Fishing in Catasauqua Lake. Attorney Eaton noted that he could find no basis for them to do that. They can only enforce state law and state regulations. The Township Attorney noted that he spoke to the Chief Counsel for the Fish Commission and she indicated that the Fish Commission does not enforce local regulations. The Township could have its own regulations and enforce same. However, those regulations cannot be in conflict with the regulations of the State. With respect to the Township's Code Enforcement Officers, they can ask individuals to leave the property if they find them fishing at the lake. The Code Enforcement Officers, however, cannot take control of an individual for arrest.

Chairman Dreisbach questioned the Township's Maintenance Supervisor, who was in attendance at the meeting as to whether or not the Public Works Department has seen these individuals during the day. Mr. Mouer noted that they do not usually come across them during the day. He did note that he spoke to Lee Cryor of the Fish Commission who indicated that he can enforce someone fishing without a license, fishing out of season, but he cannot stop them from fishing. He also indicated he could enforce pan fish regulations if they are adopted by the Board. Mr. Mouer indicated he is considering the adoption of the pan fish regulations, but indicated that the Township should wait for this time next year to do so because it is too soon to do so at this time.

2. The Township Attorney requested an Executive Session with the Board from which the Board would not return to the meeting with any decision. The Executive Session would relate to damage issues and payment issues.
4. Maintenance Report (Written)
5. Fire Company's Report (Written)
6. Code Enforcement Officers' Reports (Written)
7. Building Inspector's Report (Written)

Chairman Dreisbach acknowledged 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.

At this point in the meeting, Jeffry Mouer, Township Maintenance Supervisor, addressed the Board with various issues. Councilman Paulus brought up the issue of painting of the curbs at which time weeds had been painted instead of the curb area and Mr. Mouer indicated that will be resolved. It was noted that a home plate was replaced at Sherwood Park. It was further noted that the playground equipment has been installed in Chestnut Grove Park. With respect to the issue of a new fueling depot, Mr. Mouer advised the Board that he did speak to another vendor and the pricing was the same basically. Mr. Mouer did note that the company he spoke with did seem a little more up on making everything more computerized and would like our business. With respect to the issue of having our own tanks, Mr. Mouer indicated that his research indicated that would not be economical for the Township to do so. Our usage is too low to justify the installation of our own tanks. Mr. Mouer did indicate he would speak to the Township's Fire Chief to determine whether it is necessary to have more than one company to secure the fuel. Mr. Mouer also noted that he attended the Lehigh County Association of Township Officials Summer Convention and he and the Crew Chief received some good information and spoke to vendors at the Convention.

With respect to the Fire Company Report, there was a discussion with respect to the property that burned adjacent to the Township's garage on Dauphin Street. Councilman Kovacs questioned whether or not the owner could rebuild. The Township Manager indicated that she was of the opinion that the owner could do so but would have to stay within the footprint of what exactly existed at that time since the property is nonconforming. Vice Chairman Atkinson requested that the Township Manager check with the airport to determine if they have any issues regarding that property and the rebuilding of same.

There was some discussion regarding the Lehigh Valley Economic Development Corporation meeting being held on September 12 at Whitehall High School. Councilman Kovacs noted that same would conflict with the Township Attorney's event being held on the same date.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated August 21, 2013, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

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

Unfinished Business:

Chairman Dreisbach noted that at a prior meeting, a Township resident indicated that she had seen A. Duie Pyle trucks parked in the parking lot adjacent to the Bottom Dollar store in Valley Shopping Center. Chairman Dreisbach noted that he has had occasion to see orange trucks that resemble the A. Duie Pyle vehicles which say Reinhart Food Services on the body of same.

New Business:

1. Resolution No. 2013-27, Adoption of the Five Year Capital Program for the Years 2014-2018 (Vote)

Chairman Dreisbach indicated that Council met on August 5, 2013 to review the Five Year Capital Improvements Program and some revisions had been made. For the purpose of adoption of same, the Board made the following motion:

Motion: I move that the Resolution No. 2013-27, Adoption of the Five Year Capital Program for the years 2014-2018 be adopted as presented.

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

Payment of Bills:

Motion: I move Council authorize payment of Payroll (07/19/13), Payroll (08/02/13), Payroll (8/21/13); Voucher Nos. 19635-19653 (Prepays), Voucher Nos. 19654-19712, from the General Fund Account in the amount of \$210,828.03; Voucher Nos. 105 from the Liquid Fuels Account in the amount of \$5,632.40; Voucher No. 4072-4074 (Prepays), Voucher Nos. 4075-4081 from Capital Reserve in the amount of \$52,650.19; Voucher Nos. 4011-4031 (Prepays), Voucher Nos. 4032-4034 from the Escrow Account in the amount of \$10,282.00; Voucher Nos. 3884-3889 from the Water Account in the amount of \$1,335.56; Voucher Nos. 5038-5053 from the Sewer Account in the amount of \$33,319.96 for a Grand Total Expenditure of \$320,548.14.

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

Courtesy of the Floor: None.

It was noted that the Board would be going into Executive Session and would not return to the meeting with any decisions.

Adjournment:

The meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Sandra A. Pudliner  
Township Manager