

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

September 18, 2013
7:30 P.M.

Present: Councilmen Atkinson, Dreisbach, Kovacs, Paulus, Woolley; Kimberly Spotts-Kimmel, Esquire; Frederick W. Hay, P.E.; Sandra A. Pudliner; Vicky Roth

Absent: J. Jackson Eaton, III, Esquire

Attendance: 3

Courtesy of the Floor: None.

Approval of Minutes: September 4, 2013 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the Regular Council Meeting of September 4, 2013 and accept same as presented.

Dreisbach, Woolley: Moved and Seconded

Kovacs, Paulus, Woolley, Dreisbach:

Aye

Atkinson:

Abstained.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that she had provided them with a written Manager's Report and indicated she had no further items to report at this time.

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

1. The Township Engineer advised that with respect to the 2013 Road Program, Lower Lloyd Street and Cascade Drive have been paved. Forms are up for the driveway leading to the parking area in Chestnut Grove Park. It is anticipated that the paving of the parking lots for the Administration portion of the Municipal Building as well as the Public Works portion will take place within the next week or so and then the paving of Grove Road and Pennsylvania Avenue will occur thereafter.

2. The Township Engineer advised that the telephone poles are finally down in front of the Municipal Building. He noted there was an issue further up on Grove Road with a guide wire problem. It is a Verizon issue and Verizon will come in and hold the pole in place and then concrete the anchor into the ground.

At this point in the meeting, Councilman Atkinson indicated to the Township Manager that he appreciated her efforts in having the weed problem resolved with respect to one particular property in LVIP III.

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

1. In the absence of the Township Attorney, Attorney Kimmel appeared before the Board and offered no report at this time.

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.

The Township's Public Works Maintenance Supervisor was in attendance at the meeting and reviewed with the Board several issues. Mr. Mouer noted that the Recycling Report for 2012 has been completed and sent in as of this date. Mr. Mouer noted that the swing set project has been completed. He advised the Board that Tall Timbers, at his request, had hydro seeded an area in the park where the installation occurred. Mr. Mouer indicated that he has secured preliminary approval for the program to be initiated in Catasauqua Lake. Michael Woolley advised that in reading Code Enforcement Officer Robin Yoder's report, there are parts missing from the slide in Sherwood Park. Mr. Mouer indicated he would look into that matter. Councilman Kovacs questioned the letter the residents received with respect to sewer billing. Mr. Mouer noted that the current bill individuals will receive is still the old system, but the next bill which should come out in December will be the Township personnel readings.

There was also some discussion with regard to the hydrant at Postal Road and Irving Street being repaired. There was discussion with respect to Carmike Cinemas having been cited for weed violation. The Township Manager noted that originally written notice was given to them and a second violation occurred. They had been advised at the time of the initial notification that any further violations would simply result in citations and accordingly when

the second violation occurred they were cited before the District Magistrate. There was also discussion with respect to fundraising information received from the Treasurer of the Township's Fire Department, which, by agreement with the Fire Company provided the Fire Company with a reimbursement of \$8,000.00.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated September 18, 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, Kovacs, Paulus, Woolley, Dreisbach:

Aye

Unan.

Unfinished Business: None.

New Business:

1. Bill No. 2013-07, An Ordinance Amending Section 1-404 of the Statutory Code of Hanover Township to Establish Term Limits for Any Person Serving in the Position as the Chairman of the Township Council (Public Hearing)

Chairman Dreisbach opened the Public Hearing relative to Bill No. 2013-07 at this time. A discussion ensued relative to this proposed Ordinance initiated by Councilman Paulus. Councilman Paulus questioned how this Ordinance benefits the Township. He noted that a vote is taken every year for Chairman and changes can be made yearly if the Board so desired. He noted that prior chairmen have all been long terms. Chairmen, in particular, he noted that Eleanore Hayden had served for Chairman for many, many years. Councilman Paulus noted that over the past 10 years during his Chairmanship, he accomplished many things, but it had taken that period of time to do so. He summarized some of his accomplishments as follows:

1. Cutting back Budget Meeting time.
2. Opened up meetings to all opinions.
3. Implemented a plan for Fire Company fundraising.
4. Realigned all employee classifications, and initiated the following:
 - (a) Updated employee wage scale.
 - (b) Revamped employee healthcare.
 - (c) Set up wage and pay to automatic progression.
 - (d) Placed a cap on COLA.
 - (e) Added healthcare percentage rise deduction.
5. Capped charitable contributions.
6. Put restraints on Code Enforcement Officers.

7. Limited Code Enforcement Officer hours.
8. Approved Airport Centers Development.
9. Kept Wal-Mart out of the Township.
10. Built new Municipal Building without service interruption.

Councilman Kovacs acknowledged that he is not arguing the accomplishments of prior chairmen, but he was of the opinion that someone else can come in and assume a chairmanship role. He felt that there are term limits everywhere in government. Chairman Dreisbach commented that the Chairman works closely with the Vice Chairman and that he had been Vice Chairman previously and he felt he had showed his worth in the leadership role during the construction of the new Municipal Building project. Chairman Dreisbach noted that he tried to save the Township money during the construction of the new Administration and Public Works buildings. He indicated he did not think that the Township was a kingdom.

Councilman Woolley, who introduced the Ordinance, indicated that in listening to Councilman Paulus, he could understand his point of view with respect to term restrictions. Councilman Woolley felt that it is indeed a fact that on a yearly basis the Board can choose anyone they wish to be Chairman of the Board for that given year. Councilman Kovacs brought up an issue regarding the upcoming election and the fact that the Board as it now stands may not be the same Board in 2014. Councilman Woolley reiterated that he felt that Councilman Paulus made a good point with respect to the fact that the chairmanship can be voted on a yearly basis and could change yearly if the current Board at that time chooses to do so. Councilman Atkinson noted that he had been Chairman for a period of years. The Township Manager was questioned as to how long she felt Eleanore Hayden had been Chairman and she indicated she thought it might be approximately 20 years and Councilman Atkinson did not agree with that assessment but he noted that each member of the Board should be doing different jobs. Councilman Kovacs commented that in his opinion Councilman Atkinson may be more intelligent than him but he felt that he did good things with respect to jobs he performed for the Township while on Council. Councilman Woolley noted that he originally thought that this type of Ordinance would prevent a person from being in a position of having all the power, but now he wasn't so sure.

Mr. Thomas Lerch, a resident of the Chestnut Grove Towne Garden Development, approached the Board at this time. Mr. Lerch let his opinion be known that he felt that this Ordinance simply creates a problem. Mr. Lerch was of the opinion that there isn't a problem at the present time and that the Board could vote for anyone as Chairman on a yearly basis. Accordingly, Mr. Lerch questioned why there was a necessity for this Ordinance. Chairman Dreisbach noted that every two years the House of Representatives goes up for a vote. It is a democratic process. Chairman Dreisbach indicated that even the President only gets two terms. Mr. Lerch commented that the term limits for the President only went in after FDR was elected for four terms. Mr. Lerch indicated that he is of

the opinion that this matter is basically political. In resolution of this matter, the Board made the following Motion:

Motion: I move that the Bill No. 2013-07, An Ordinance Amending Section 1-404 of the Statutory Code of Hanover Township to Establish Term Limits for Any Person Serving in the Position as the Chairman of the Township Council be adopted as Ordinance No. 547.

Kovacs, Atkinson: Moved and Seconded

Atkinson, Kovacs, Dreisbach:

Aye

Paulus, Woolley:

Nay.

2. Resolution No. 2013-28, A Resolution Authorizing and Empowering its Township Manager to Sign Contracts with the Commonwealth of Pennsylvania, Department of Transportation for a 0.136 Acre Temporary Construction Easement and 0.117 Acre Aerial Easement (Vote)

It was noted that Resolution No. 2013-28 will provide PennDOT with the authorization they require as same relates to granting a temporary construction easement and an aerial easement to PennDOT relative to the 22 widening project. In resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2013-28, A Resolution Authorizing and Empowering its Township Manager to Sign Contracts with the Commonwealth of Pennsylvania, Department of Transportation for a 0.136 Acre Temporary Construction Easement and 0.117 Acre Aerial Easement, be adopted as presented.

Atkinson, Kovacs: Moved and Seconded

Atkinson, Kovacs, Paulus, Woolley, Dreisbach:

Aye

Unan.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (08/30/13), Payroll (09/13/13); Voucher Nos. 19713-19723 (Prepays), Voucher Nos. 19724-19767, from the General Fund Account in the amount of \$96,626.97; Voucher Nos. 106 from the Liquid Fuels Account in the amount of \$5,807.28; Voucher No. 4082-4084 (Prepays), Voucher Nos. 4085-4088 from Capital Reserve in the amount of \$218,417.59; Voucher Nos. 4035-4046 (Prepays), Voucher Nos. 4047-4048 from the Escrow Account in the amount of \$20,548.15; Voucher Nos. 2890-3894 from the Water Account in the amount of \$14,448.81;

Voucher Nos. 5054 (Prepays), Voucher Nos. 5055-5064 from the Sewer Account in the amount of \$29,245.29 for a Grand Total Expenditure of \$385094.09.

Dreisbach, Kovacs: Moved and Seconded

Atkinson, Kovacs, Paulus, Woolley, Dreisbach:

Aye

Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:25 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager