

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

February 5, 2014  
7:30 P.M.

Present: Councilmen Heimbecker, Martucci, Paulus, Wegfahrt, Woolley; J. Jackson Eaton, III, Esquire; Sandra A. Pudliner; Vicky Roth

Absent: Frederick W. Hay, P.E.

Attendance: 8

Courtesy of the Floor:

Chairman Paulus opened a discussion at this time wherein he stated to all in attendance that with the attitude and nefarious agenda of the former Councilmembers, it is my hope that we, the Hanover Township 2014 Council (Heimbecker, Martucci, Paulus, Wegfahrt and Woolley) will keep our eyes forward to the future, our ears tuned in to the community and our hands feeling the pulse of our municipality.

Mr. Nappa of 382 East Bullshead Road in Allen Township advised the Board that he is before them this evening to indicate that his organization stopfedex.org is determined to forestall the development of a large FedEx hub facility in Allen Township which location would be adjacent to his property. Mr. Nappa noted that his house value dropped another \$3,600 recently. Mr. Nappa noted that originally the proposal was for the construction of a 1.2 million square foot facility. All the traffic studies were based on that. However, there are two more 1 million square foot warehouses going in for a total of 3.2 million square feet of facility. As previously noted, Mr. Nappa indicated that the traffic studies conducted were based only on 1.2 million square feet of warehousing. He noted that there will be 1,800 tractor trailers each day. There will be 580 box trucks each day and 12,000 cars each day. This would compute to 540,000 tractor trailers per year. Seventy-five percent of the tandems are duals. The path for this traffic pattern has been indicated to be going south on Willowbrook Road and then left onto Race Street and then onto Airport Road and ultimately onto Route 22. However, Mr. Nappa noted that the improvements, including the widening proposed for Route 22, may not happen for another 10 years. Mr. Nappa also advised the Board that transportation research group statistics of which he has become aware seem to indicate that when you add all the additional traffic onto Route 22 that Route 22 will come to a grinding halt. With respect to the worst commutes, Allentown is listed as number 57 in the nation. With respect to areas with major traffic issues, Route 22 to Airport Rd. is listed as number 22.

There was a discussion initiated by Vice Chairman Heimbecker wherein he questioned Mr. Nappa as to whether or not there have been any environmental impact studies. Vice Chairman Heimbecker questioned whether or not there has been any study as to noise pollution and other bad effects from this development. Mr. Nappa noted that there have been no studies. He did indicate there is an attorney for the Sierra Club who attended the Lehigh Valley Planning Commission meeting where he requested that Allen Township require a specific type of muffler filter on the trucks and auto shutoff on the trucks so that

they don't idle. Mr. Nappa indicated that the statistics presented by the attorney indicated that the Lehigh Valley is the 14<sup>th</sup> worst area for air pollution in the nation.

Mr. Nappa also advised the Board that he is aware that zoning waivers were granted to the developer for the height of the building and that lot coverage variances may be required. Mr. Nappa also advised that there is a radar tower which is 85 feet high in this area. The building height proposed by FedEx of 53 feet high is not allowed by the FAA. Accordingly, possibly the radar tower needs to be relocated. Mr. Nappa also noted that the concept of creation of new jobs breaks down to only 282 new jobs over a three year period. Most of the jobs carry a starting rate of \$13 plus per hour. Mr. Nappa noted that FedEx will be moving in people from other facilities but that the actual new job figure is only as stated, namely, 282 jobs.

Councilman Woolley opened a discussion with Mr. Nappa regarding the radar tower. Mr. Nappa indicated that tower appears to have a 200 mile radius and that the Department of Defense and others use it and not just Lehigh Valley International Airport. Vice Chairman Heimbecker questioned Mr. Nappa as to whether or not the Lehigh Valley Planning Commission has asked for any additional studies by the developer. Mr. Nappa indicated that the only information he is aware of is the Allen Township Planning Commission has requested information from the developer with respect to lot coverage and things of that nature. Councilman Woolley questioned whether or not a variance was granted for the height of the proposed FedEx building. Mr. Nappa indicated that the Building Code had indicated 35 feet in height but that had been changed to 60 feet in height some time ago.

Mr. John Matioboni of 15 Country Road, Northampton, PA, spoke to the Board at this time as a member of the opposition to the FedEx proposal. He indicated that in his opinion FedEx convinced the Board of Supervisors in Allen Township to grease the skids for this project before submission. He felt that the Township had assisted the developer by dealing with the height issue of buildings as well as lot coverage. He also felt that some of the zoning changes would require permission of the FAA, the Lehigh Valley International Airport and Allen Township Zoning Hearing Board. He noted that his efforts dealing with the state have all resulted in his being informed that the issues involved are local issues. He indicated his fear is that this entire area will be like Route 100. He advised that in his opinion it makes no sense since Route 78 was extended for the purpose of keeping tractor trailers off Route 22. Right off Route 33 there is an area designated for distribution facilities. With respect to the Route 33 area, any planning commission in its right mind would indicate that this is perfect for that type of use. That makes sense. However, if this facility is built in Allen Township, Allen Township would lose its pastoral sense. Councilman Woolley questioned him with respect to the benefit issue and Mr. Matioboni indicated that he didn't know. He didn't feel there was a tax income of any great proportion; however, Northampton County may give FedEx a ten-year tax abatement. Vice Chairman Heimbecker noted that this project would assist a struggling airport. Councilman Martucci entered into a discussion with Mr. Nappa regarding the five largest FedEx hubs on planet earth. Councilman Martucci questioned where the other four are and Mr. Nappa indicated that he knows there is one in Montana, but he was not aware of the other locations.

These discussions were concluded at this time and the Board thanked the representatives from Allen Township for coming to the Board and advising them of the issues.

Approval of Minutes: January 13, 2014 Reorganization Meeting  
January 13, 2014 Special Council Meeting  
January 15, 2014 Regular Council Meeting  
January 20, 2014 Special Council Meeting

Motion: I move we waive the reading of the Minutes of the January 13, 2014 Reorganization Meeting and accept same as presented.

Paulus, Heimbecker: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

Motion: I move we waive the reading of the Minutes of the January 13, 2014 Special Council Meeting and accept same as presented.

Paulus, Wegfahrt: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

Motion: I move we waive the reading of the Minutes of the January 15, 2014 Regular Council Meeting and accept same as presented.

Paulus, Heimbecker: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

Motion: I move we waive the reading of the Minutes of the January 20, 2014 Special Council Meeting and accept same as presented.

Paulus, Martucci: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

Reports:

1. Sandra A. Pudliner  
Township Manager

1. The Township Manager advised the Board that per their request a plan has been set in motion to secure email addresses from Township residents for use in bulk mailings to the residents to keep them advised of special situations or emergency situations. Mrs. Pudliner noted that we are currently collecting email addresses and will keep the Board advised regarding this process.

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

The Township Engineer was not present at the meeting and accordingly no report was offered at this time.

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

1. The Township Attorney advised that items in which he is involved are listed as Agenda items with the exception of an issue involving Lehigh County wherein Lehigh County has engaged a consultant to accomplish a zoning review. This deals with the Fair Housing Act. With respect to same, Attorney Eaton noted that on two separate occasions the consultant had been utilizing the incorrect Zoning Ordinance for Hanover Township but now has the correct Ordinance in hand. It appears that the Township Ordinance may not need any revision but that he would report back to the Board shortly regarding this matter.

Unfinished Business:

1. Bill No. 2014-01, An Ordinance Authorizing the Conveyance of a Portion of the Right-of-Way of Postal Road to the Lehigh-Northampton Airport Authority (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2014-01. It was noted that this proposed Ordinance deals with conveying a portion of property on Postal Rd. to be included within the fence line of the Airport. Apparently, the conveyance of this portion of land had been started some time ago but was never followed through. In conclusion of the discussion, Chairman Paulus closed the Public Hearing and the following Motion was made:

Motion: I move that Bill No. 2014-01, An Ordinance Authorizing the Conveyance of a Portion of the Right-of-Way of Postal Road to the Lehigh-Northampton Airport Authority be adopted as Ordinance No. 554.

Heimbecker, Woolley: Moved and Seconded

Heimbecker, Martucci, Wegfahrt, Woolley, Paulus:                   Aye                   Unan.

2. Bill No. 2014-02, An Ordinance Amending Section 1-404 of the Statutory Code of Hanover Township to Delete Subsection (4) Which Provides Term Limits for any Person Serving in the Position as Chairman of the Township Council (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2014-02, An Ordinance Amending Section 1-404 of the Statutory Code of Hanover Township to Delete Subsection (4) Which Provides Term Limits for any Person Serving in the Position as Chairman of the Township Council. Chairman Paulus noted that this matter had been addressed last year and had been redone and that this proposed Ordinance will put the original language back in place which in his opinion is for the betterment of the Township. Attorney Eaton noted that the language which is being deleted was added in the last quarter of last year. The Township Attorney indicated that Chairman Paulus is correct that this Ordinance will revert to the provisions in the original Ordinance. Vice Chairman Heimbecker questioned the legality and the Township Attorney indicated that this

process is legal. Chairman Paulus closed the Public Hearing on Bill No. 2014-02 and the following Motion was made:

Motion: I move that Bill No. 2014-02, An Ordinance Amending Section 1-404 of the Statutory Code of Hanover Township to Delete Subsection (4) Which Provides Term Limits for any Person Serving in the Position as Chairman of the Township Council be adopted as Ordinance No. 555.

Heimbecker, Wegfahrt: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

New Business:

1. Resolution No. 2014-27, A Resolution Adopting the 2013 Lehigh Valley Hazard Mitigation Plan (Vote)

It was noted that there had been an omission in the year 2013 with respect to the adoption of this plan and accordingly the Board will do so at this time.

Motion: I move that Resolution No. 2014-27, A Resolution Adopting the 2013 Lehigh Valley Hazard Mitigation Plan be adopted as presented.

Paulus, Heimbecker: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

2. Resolution No. 2014-28, A Resolution Appointing Barry Schultz to the Hanover Township Zoning Hearing Board, Filling the Vacancy Created by the Resignation of John Martucci, Jr. (Vote)

Mr. Schultz was present at the meeting and addressed the Board regarding his desire to serve as a member of the Hanover Township Zoning Board. He noted that he is employed currently by the Borough of Hellertown Public Works Department. In resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2014-28, A Resolution Appointing Barry Schultz to the Hanover Township Zoning Hearing Board, Filling the Vacancy Created by the Resignation of John Martucci, Jr. be adopted as presented.

Wegfahrt, Woolley: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus: Aye Unan.

3. Resolution No. 2014-29, A Resolution Appointing Robin Trexler to the Hanover Township Planning Commission, Filling the Vacancy Created by the Resignation of Peter D'Ambrosio (Vote)

Robin Trexler was not present at the meeting but Vice Chairman Heimbecker noted that he has known her for a long period of time and felt she would be a fine representative on the Planning Commission. He indicated she is a very detail-

oriented individual. In resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2014-29, A Resolution Appointing Robin Trexler to the Hanover Township Planning Commission, Filling the Vacancy Created by the Resignation of Peter D'Ambrosio be adopted as presented.

Wegfahrt, Heimbecker: Moved and Seconded  
Heimbecker, Martucci, Wegfahrt, Woolley, Paulus:           Aye           Unan.

Courtesy of the Floor:

Mr. Heimbecker noted for the record that he is advising all in attendance that he will be resigning his position with the Republican Party of Lehigh County effective March 1, 2014. The Township Attorney commented that there is no necessary violation by Mr. Heimbecker, but by resigning his position he could avoid possible conflict in the future.

Adjournment:

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

Respectfully submitted,

Sandra A. Pudliner  
Township Manager