

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

May 7, 2014  
7:30 P.M.

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

Absent: Councilman Heimbecker and Frederick W. Hay, P.E.

Attendance: 6

Courtesy of the Floor: None.

Approval of Minutes: April 16, 2014 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the April 16, 2014 Regular Council Meeting and accept same as presented.

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

Reports:

1. Sandra A. Pudliner  
Township Manager

1. The Township Manager advised the Board that with respect to the Township's Right-To-Know Request to PennDOT regarding the FedEx Land Development Proposal, the Board should be aware of the fact that the Township has filed an appeal to PennDOT's refusal to provide information regarding the matter. The Township Attorney collaborated with the Keystone Traffic Engineer, Mr. Keith Lawler, in the preparation of the Appeal and will continue to do so through the appeal process.
2. The Township Manager advised that as the Board is aware the Township has formally denied the Federal Express Ground Truck Access Route Application forwarded to us by PennDOT. The reasons for the denial basically relate to the fact that the Township has not been provided with sufficient information to make a decision regarding said application. The Board commented that the denial letter was well done and the Township Manager advised that same had been prepared in collaboration with the Township Attorney.
3. As the Board is aware, the State Police Appreciation Day was held on Friday, May 2, 2014 at the Troop M Bethlehem Barracks. The event was attended by the Chairman and Vice Chairman of Council and Councilman Woolley as well as myself and the Board presented the State Police with a plaque as an expression of the Township's appreciation for their fine service, as well as a Proclamation

declaring May 2, 2014 as State Police Appreciation Day in Hanover Township, Lehigh County. The Township also provided the lunch served for the occasion. As several members of Council are aware, the State Police were extremely appreciative of the Township's efforts.

Chairman Paulus commented that he had been thinking that possibly the Township should consider contacting the businesses in the Township and see if they want to donate toward the luncheon next year since this is an annual event. Chairman Paulus also noted that he thought the caterer should be someone from the Township. The Township Attorney noted that he would like the opportunity to research this matter since he felt that although the State Police may be willing to accept contributions from a municipality, they may have a policy with respect to accepting gifts from any other individuals or organizations.

Chairman Paulus also offered for discussion the issue involving the Election Board ruling that the elections will be held at the Township's Fire Company from hereon. As a direct result thereof, the two days listed as paid holidays for both the primary and general election can now revert to work days for Township employees. In lieu of those two vacation days being taken away, it was discussed that the employee should be provided with two additional personal days. The Township Manager noted that she would prepare the necessary Ordinance to remove the election days from the paid holidays and add in two more personal days for the Township employees. With respect to any issues with respect to working on the primary Election Day this month, due to the fact that the Ordinance will not be adopted in time, the Township Attorney indicated that he would discuss that matter with the Township Manager.

Chairman Paulus also brought to the Board's attention that consideration perhaps should be given to listing all the Township businesses on the web site. The Township Manager commented that such a matter would become a massive project. Additionally, the tenants in some of the buildings change constantly. Chairman Paulus also thought that the businesses and what they do should be presented on the web site. The Township Manager noted that if the Township wished to pursue that course of action, the Township's Building Inspection Office would need to get involved to determine the use of each business in the Township. The Township Attorney commented that his office is still looking at the liability issue in terms of creating a sort of Angie's List on the Township's web site. The Township Attorney noted that his office has not been able to make a final determination on whether or not the Township should consider that process.

2. Ryan Christman  
For Frederick W. Hay, P.E  
Township Engineer

In lieu of the absence of the Township Engineer, Ryan Christman of Keystone Consulting Engineers appeared at the meeting on his behalf and offered the following report:

1. Mr. Christman advised that the Friendly swale project has been completed and that they are hydro seeding tomorrow morning.

2. Mr. Christman advised that with respect to sinkhole issues that need to be repaired on the Business Aerotech property, his office is working with the property owner to resolve those problems.
  3. With respect to the former Davis Business Machines property, Mr. Christman indicated that the project is currently on hold and they are doing water line relocation plans. They are doing a little bit of work and the project will continue to move along. When questioned as to the completion date, Mr. Christman indicated that he thought completion may be by fall 2014. Councilman Martucci questioned the tenants for this proposed small shopping center and Mr. Christman indicated that he was not sure. He noted that at one point in time there were two restaurants. One was more sure and the second was tentative. The Township Manager mentioned that she understood that Chipotle Restaurant would be one of the restaurants occupying the shopping center space.
3. J. Jackson Eaton, III, Esquire  
Township Attorney

3. The Township Attorney advised that as the Board will recall at the last meeting the Township approved forwarding to the Lehigh Valley Planning Commission a proposed amendment to rezone the property of J.O. Krapf on Dauphin Street in the Township. He indicated that he is putting together the Ordinance but he doesn't have it for the Board tonight. Attorney Eaton noted that he needs to ask for a more detailed plan of the area. He noted there are different parcel numbers and that he needed to get in touch with the Krapf's attorney to clarify the matter. He advised that he didn't believe that there was anything significant to worry about with respect to this matter.
2. The Township Attorney noted that as the Township Manager had advised the Township had denied the truck access route application forwarded to the Township by PennDOT. Additionally, the Township appealed the Right-to-Know Request the Township had made. Attorney Eaton indicated that each agency has a Right-To-Know Officer. The appeal goes to a state agency and the Township will have the opportunity to supplement our initial appeal with further information. In that regard, Attorney Eaton noted that Mr. Lawler of Keystone Consulting Engineers has been extremely helpful in providing additional support information and data regarding this appeal. The Township Attorney also noted that since the Township has appealed the state will now have 30 days from the date of filing of the appeal to respond. Attorney Eaton indicated that the Township has sufficient time to supplement the information for our appeal and feels that the Township can make a reasonable case. With respect to the issue of the information the Township has requested being privileged, the Township Attorney noted that they have in their own traffic manuals information about safety or capacity studies and he felt that we have a reasonable chance of appeal.

There was some discussion with respect to the Township's request for plans from the Rockefeller Group Development people and hopefully we will be able to have those in the near future. There was discussion with respect to Willowbrook Road and what would happen if the Township would not agree to allow the expansion

of the road and the question arose as to whether or not the road could be taken by way of eminent domain or other processes that could come into effect. The Township Attorney commented that this matter could be discussed in Executive Session.

3. The Township Attorney indicated that it is the intent of the Township to meet with Allen Township at their request to review the sewer allocation which will be needed for their development and which could be given to them by Hanover Township. At the time of the meeting, Attorney Eaton noted we will pass onto them the Township's fees and the process that would need to be gone through as well as the agreements that would need to be executed to accomplish a transfer of the sewer allocation. After the meeting, the staff would report back to the Board regarding the matter.

Unfinished Business: None.

New Business:

1. Resolution No. 2014-33, A Resolution Designating May 2, 2014 as Pennsylvania State Police Day for Troop M, Bethlehem Barracks (Vote)

Chairman Paulus noted that the Proclamation regarding State Police Appreciation Day had already been presented to the State Police but this Resolution is the formal process for the declaration. In that regard, the Board made the following Motion:

Motion: I move that Resolution No. 2014-33, A Resolution Designating May 2, 2014 as Pennsylvania State Police Day for Troop M, Bethlehem Barracks, be adopted as presented.

Paulus, Wegfahrt: Moved and Seconded  
Martucci, Wegfahrt, Woolley, Paulus:

Aye Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Sandra A. Pudliner  
Township Manager