

HANOVER TOWNSHIP, LEHIGH COUNTY  
SPECIAL COUNCIL WORKSHOP

Tuesday, July 22, 2014  
5:00 P.M.

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

Absent: Councilman Woolley; Frederick W. Hay, P.E.

Attendance: 1

New Business:

1. Bill No. 2014-12, An Ordinance to Initiate a Referendum for the Purpose of Amending the Township Charter to Make Certain References Gender – Neutral, Correctly Reference the Eminent Domain Code, Change Reference From “Voters” to “Electors”, Confirm Limitation on the Term of a Person Filling a Council Vacancy with the Election Code, Reference Applicable Cable State Laws, Allow Certain Public Notices to be Made Through the Township’s Internet Web Site, Eliminate Requirement to File Ordinances and Resolutions with the Lehigh County Clerk of Courts, Permit Fines in the Maximum Fines in the Amount Permitted by State Laws, Remove Limitations on Court or Agency Review of Certain Actions of Council, Substitute Reference to the Public Official and Employee Ethics Act in Place of Conflict and Solicitation Provisions Sections 6.03 and 6.04, and Conform Time Limits for Submission of Referendum Petitions with the Pennsylvania Code (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2014-12. Council began an item-by-item review of the contents of this proposed Ordinance. The Township Attorney noted that Section 1 of the proposed Ordinance is for the purpose of making the charter gender neutral by replacing references to chairman with chairperson. Section 2 refers to deleting all references to “he” and replacing by “he/she” and all references to the word “him” to be replaced by “him/her”. Section 3 provides a definition for the word defalcation. Section 4 provides an amendment of the charter to remove Act 6, 1964 and replace same with the Pennsylvania Eminent Domain Code. Section 5 amends Section 3.01(b) to replace the word voters with electors. Section 6 adds language to the subsection (c) filling of vacancies to read... “to hold such office until the end of the term or until the first Monday of January following the next regular municipal election “at which a person is elected to serve the remainder of the term, whichever first occurs”. Section 7 amends Section 3.10(a) of the Charter to eliminate the sentence, “Said notice prior to the special meeting shall be published in a newspaper of general circulation in the Township.” Additional language is added to the end to read, “Public notice for meetings of Council shall be as prescribed by the Sunshine Act as it may be

amended.” Section 8 amends Section 3.13(d) of the Home Rule Charter to remove the language “to print in one or more newspapers of general circulation in the Township” to read, “to post on the Township’s internet website”. Additional language was added to read, “Notice of a hearing shall remain posted until the hearing concluded. An adopted Ordinance shall remain posted until repealed or posted in codified form. Such publication is in addition to any other publication required by law.” Section 9 amends Section 3.16(a)(2) of the Home Rule Charter to remove the sentence which reads, “Such Ordinances and Resolutions shall be filed with the Clerk of Courts of Lehigh County, Pennsylvania.” Section 10 amends Section 3.17(b) of the Home Rule Charter to remove the language, “Five Hundred (\$500.00) Dollars” and replace same with, “the maximum amount permitted by law”. Section 11 amends Section 402(3) by deleting the last sentence which reads, “The action of council in suspending or removing the manager shall not be subject to review by any court or agency”. Section 12 amends Section 6.03(b) of the Charter by deleting in its entirety said Subsection b, General Prohibitions. A new Section (b) is added to read, “All officials, officers, and employees shall abide by all applicable provisions of the Pennsylvania Public Official and Employee Ethics Act as it may be amended. Section 13 amends Section 9.06(b) of the Charter to read as follows:

- (b) Submission to Voters: After the Township Clerk files the petition with the County Board of Elections, it shall cause the question as to whether the ordinance to which the petition pertains be enacted or repealed to be placed on the ballot, at the earliest general, municipal, or primary election to be held in the Township at which the question may be considered in accordance with the Pennsylvania Election Code.

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

Motion: I move that Bill No. 2014-12, An Ordinance to Initiate a Referendum for the Purpose of Amending the Township Charter to Make Certain References Gender – Neutral, Correctly Reference the Eminent Domain Code, Change Reference From “Voters” to “Electors”, Confirm Limitation on the Term of a Person Filling a Council Vacancy with the Election Code, Reference Applicable Cable State Laws, Allow Certain Public Notices to be Made Through the Township’s Internet Web Site, Eliminate Requirement to File Ordinances and Resolutions with the Lehigh County Clerk of Courts, Permit Fines in the Maximum Fines in the Amount Permitted by State Laws, Remove Limitations on Court or Agency Review of Certain Actions of Council, Substitute Reference to the Public Official and Employee Ethics Act in Place of Conflict and Solicitation Provisions Sections 6.03 and 6.04, and Conform Time Limits for Submission of Referendum Petitions with the Pennsylvania Code, be adopted as Ordinance No. 564.

Heimbecker, Martucci: Moved and Seconded

Heimbecker, Martucci, Wegfahrt, Paulus:      Aye                      Unan.

Chairman Paulus noted for the Board that as they will recall there are three other Ordinances which have been adopted which will also be placed along with these provisions on the ballot as a referendum. There was a discussion that once these matters are all approved by the voters, a councilman would then be in a position to be a committee man but could not be involved with respect to finances for any political party. The Township Attorney noted that he has talked to the Election Office with respect to the multiple changes to the Charter and they will be getting together to discuss the easiest way of handling this on the ballot.

At this point in the meeting, there was some discussion with respect to the proposed FedEx project in Allen Township. The discussions centered on traffic issues to include the Township's continuing concerns involving Route 22 as well as Airport Road North from the interchange. It was noted that the Township's engineer from Gilmore and Associates, is in the process of preparing specifics for a scope of the traffic study the Township would like to see done involving both Route 22 as well as Airport Road Northbound from the interchange. It was noted that the Township will be asking the Rockefeller Group's engineer to do the study. There was also some discussion with respect to the Township considering the work done in Hanover Township, Lehigh County, as a land development submission. There was also discussion with respect to a suggested time line for the study which the Township will request of the Developer. That time line should not be before fall 2014.

Adjournment:

The meeting was adjourned at 6:00 P.M.

Respectfully submitted,

Sandra A. Pudliner  
Township Manager