

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

October 15, 2014
7:30 P.M.

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

Absent: Councilmen Heimbecker and Wegfahrt

Attendance: 10

Courtesy of the Floor:

Trava and Brian Woelfle of 1635 N. Halstead Street approached the Board with respect to a sketch plan for what would be the Woodlawn Cemetery Property which had been presented to the Board recently. Mr. and Mrs. Woelfle advised the Board that they live right around the corner from this. They expressed to the Board their concerns regarding increased traffic, the possible closing of Lloyd Street, water runoff, etc. They posed to the Board the question as to what the possibility is of this project moving forward. Chairman Paulus indicated that this Developer just came before this Board with a sketch plan. The Developer owns the property. This Board did not allow a big box store or some huge conglomerate on this property. However, Chairman Paulus advised that the Township cannot stop someone from utilizing their property if it is zoned for it. Councilman Woolley also reiterated that the Township did not allow a big box store on this tract of land. The Township Engineer noted that the storm water will be controlled. Chairman Paulus also indicated that there has been a request for the vacation of Lloyd Street. He also indicated that area will receive more traffic because of the new bridge going in there. He stated that the Township really cannot do anything about it.

At this point in the meeting, Mr. Jacob Pudliner, 238 Peach Street, Catasauqua, PA advised the Board that he is getting married on November 1, 2014 and requested permission to stay past dusk to clean up after the festivities. He also noted that they would be bringing in some hay bales and that they would like to move those the day after the event. In resolution of this matter, the Board made the following Motion:

Motion: I move we allow Mr. Jacob Pudliner who rented Canal Park for
November 1, 2014 to remain until 7:30 P.M. on that date.

Paulus, Woolley: Moved and Seconded

Martucci, Woolley, Paulus:

Aye

Unan.

The Township Manager advised Mr. Pudliner that he would receive a letter indicating the extension of time until 7:30 P.M. on the day of his event.

Melissa Healy and Carmine Barreto appeared before the Board on behalf of PNC Bank to review with the Board the option of credit card services through the bank. Ms. Barreto noted that if the Township were to purchase a machine at a one-time cost of \$400, PNC

would reimburse \$150 of same for a total net cost of \$250. Ms. Barreto spoke of next day availability and at the end of the month they would process the transaction cost. The costs range from \$2.00 to \$3.50. Ms. Barreto quoted a range of 1.69%/2.4%/3.0%. She noted that at the end of the month, the detailed statement would be provided. There were discussions with Councilman Woolley addressing the issue of a virtual merchant terminal. Ms. Barreto noted that the Township would have to go to VISA directly to secure proper signage and set up a system for charging that cost to the user. It was noted that debit cards could not be used. Councilman Woolley questioned if there was a monthly minimum of transactions necessary and Ms. Barreto indicated there was not. A discussion ensued regarding PCI (Payment Cash Industry). Ms. Barreto indicated that the first year \$99 fee is waived. Chairman Paulus summarized his understanding being that the Township would buy the machine at a cost of \$250 and that the first year the yearly fee of \$99 would be waived and that the second year and thereafter there would be a \$100 fee per year. The issue of looking at ACH was also reviewed. It was noted you cannot pass any of the costs onto the consumer. A summary of the presentation is attached hereto and made a part hereof.

Approval of Minutes: October 1, 2014 Regular Council Meeting
October 6, 2014 Special Council Meeting

Motion: I move we waive the reading of the Minutes of the October 1, 2014
Regular Council Meeting and accept same as presented.

Paulus, Martucci: Moved and Seconded

Martucci, Woolley, Paulus: Aye Unan.

Motion: I move we waive the reading of the Minutes of the October 6, 2014
Special Council Meeting and accept same as presented.

Paulus, Martucci: Moved and Seconded

Martucci, Woolley, Paulus: Aye Unan.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that she has provided them with two additional letters from Township residents indicating their objection to the FedEx project.
2. As Council may recall, Senate Bill 1023 is currently before the House. Said Bill would require among other things that the Township be required to have at least two building inspection firms. As you may recall, the Township is opposed to this legislation along with PSATS which has expressed their opposition to the legislation. In speaking with Senator Boscola's office, the Township Manager noted that it appears that the House may not even vote on this legislation at this time. They will be shutting down shortly and it does not look like this issue will be addressed.

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

1. The Township Engineer advised with respect to the 2014 Road Program the contractor has asked to hold off on the recycling until spring 2015 and will hold the price in the contract until that time. The Township Engineer noted that the other work under the Road Program Contract would be completed this year. Council had no issue with the proposed work, in particular the recycling being done in 2015.
2. The Township has received revised road improvements plans from Pidcock Company, the engineer acting on behalf of the Developer of the FedEx Project. Mr. Hay noted that this has not been submitted as a land development but was submitted as their response to attempt to meet comments from our letter to them regarding the Land Development Plans. The Township Engineer questioned the Board regarding the handling of this matter and noted that they need to decide whether or not a land development review will be required. Chairman Paulus commented that he thought the Township was looking for a land development process. The Township Attorney noted that this was part of a subdivision and land development in Allen Township. That process included everything improved in Hanover Township to include Willowbrook Road, Race Street, and Airport Road, down to Route 22. The completion of those improvements included keeping the roads open, etc. were part of the improvements for that project. Attorney Eaton indicated he felt it reasonable for the Township to consider it a land development taking place over two townships. Such plan submitted to Hanover Township would show the roadway system, storm water detention ponds, sanitary sewer running through the project, etc. He noted it seems reasonable to consider all that in one plan. Attorney Eaton indicated that land development will also set some standards. Unlike first class townships, second class townships, etc. that operate under codes, a home rule municipality does not have the same structure or processes. In conclusion, Attorney Eaton indicated his recommendation would be that this matter be considered a land development. The Township Engineer noted that the entire project, including Allen Township, consists of five lots and the fifth lot is in Hanover Township. A minor subdivision would need to occur regarding that.

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

1. With regard to the proposed development of the Woodlawn Cemetery property, the Township Attorney noted that he has been advised that they will be submitting a petition for vacation of the roadway, namely, Middle Lloyd Street. However, the Township would not do anything until the project moves along.
2. The Township Attorney advised that two years ago the Township received notice of legal action involving a municipal derivatives class action. It also indicated that Hanover Township might have a claim. The Township received notice in the mail recently that a settlement has been reached. The Township is now in a

position to file a proof of claim. Attorney Eaton noted that whether or not the Township pursues that depends on how PNC handled our accounts. Apparently, there had been anti-trust violations. To make a determination, the Township will need to go back to PNC Bank and find out if they dealt with any specific parties involving in the violations. Attorney Eaton noted that he did not know what the financial result would be regarding this matter.

4. Maintenance Report (Written)
5. Fire Company Report (Written)
6. Code Enforcement Officers' Reports (Written)
7. Building Inspector's Report (Written)

Chairman Paulus acknowledged receipt of a written Maintenance Report, written Fire Company Report, written Code Enforcement Officers' Reports, and written Building Inspector's Report and same were noted for the record.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated October 15, 2014, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

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

Aye Unan.

Unfinished Business: None.

New Business: None.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (09/26/14), Payroll (10/10/14), Voucher Nos. 20627-20644 (Prepays), Voucher Nos. 20645-20688, from the General Fund Account in the amount of \$178,459.68; Voucher Nos. 4151 (Prepays); Voucher No. 4152-4155 from Capital Reserve in the amount of \$12,454.27; Voucher Nos. 4176-4183 (Prepays); Voucher Nos. 4184-4186 from the Escrow Account in the amount of \$16,246.17; Voucher Nos. 3945-3950 from the Water Account in the amount of \$3,388.33; Voucher Nos. 5185 (Prepays), Voucher Nos. 5186-5195 from the Sewer Account in the amount of \$103,831.44 for a Grand Total Expenditure of \$314,379.89.

Paulus, Woolley: Moved and Seconded
Martucci, 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