

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

June 3, 2015  
7:30 P.M.

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

Absent: 0

Attendance: 8

Courtesy of the Floor:

Mr. Mike Mizur of Whitehall, PA, appeared before the Board as a representative of an organization known as Pennsylvanians for Self Protection and spoke to Council regarding the Township's intent for adoption of Bill No. 2015-01 as noted on the Agenda as the first item under Unfinished Business. Mr. Mizur provided the Board with correspondence from Mr. Tom Campione, Director of Legislative Affairs of Pennsylvanians for Self Protection in which it is indicated that in their opinion the Township cannot regulate the discharge of firearms under current law. Again Mr. Mizur indicated that the Township needs to address their Discharge Ordinance, Sections 201-203 as noted when Mr. Mizur appeared before them on May 6, 2015, as well as the proposed Bill No. 2015-01 set forth on the Agenda. In support of his position, Mr. Mizur provided the Board with copies of what Mr. Mizur indicated constituted appropriate documentation of their position on this matter. The copies of same are attached hereto and made a part hereof.

At this point in the meeting, Councilman Martucci approached Council with respect to his reservation of Canal Park for Saturday, June 13, 2015 and requested an additional hour beyond sunset for cleanup, etc. In resolution of that matter, the Board made the following Motion:

Motion: I move we grant an extension of one hour for John Martucci's event for Canal Park scheduled for Saturday June 13, 2015.

Paulus, Woolley:	Moved and Seconded
Martucci:	Abstained
Heimbecker, Wegfahrt, Woolley, Paulus:	Aye

Approval of Minutes: May 20, 2015 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the May 20, 2015 Regular Council Meeting and accept same as presented.

Paulus, Heimbecker:	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 she has provided them with a copy of an informational email she received from the Lehigh County Association of Township Supervisors with respect to their Summer Convention to be held on August 7, 2015. After discussion, Council indicated that when the final details are provided regarding the Convention, the Township Manager should provide them with that documentation at which time they will consider attendance at same.
2. With respect to the Zoning Hearing Board hearing recently held regarding the home occupation use of a Township resident, Council should be advised that the Board granted relief to the resident for the home occupation use. With respect to signage on the property denoting the beauty salon, the Board did require that any such signage be set back from the curb a minimum of 10 feet with the option for the property owner to also place such sign on the front of the residence. The size has been restricted to a minimal size, i.e. 18" by 24".

2. Ryan Christman  
Township Engineer

1. The Township Engineer provided Council with a cost estimate regarding not only the 2015 Road Construction Program for the Township but also projections for the years 2016 and 2017. A copy of same is attached hereto and made a part hereof.

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

1. The Township Attorney advised the Board regarding the status of a possible state acquisition of Willowbrook Road. Attorney Eaton noted that there is legislation in draft form which is currently not at the stage of being a House Bill. The sponsors of such legislation include State Senator Lisa Boscola, Senator Brown and other Lehigh Valley legislators who are on board. Attorney Kelly, Counsel for Senator Boscola has had a meeting with the Rockefeller Group and an additional such meeting has been requested. Councilman Wegfahrt questioned whether or not there has been any determination as to when the legislation will be in its final stages. Attorney Eaton noted that he felt that the parties may be very close and that the emails involving PennDOT's General Counsel seem to be coming to a conclusion.

4. Maintenance Report (Written)

5. Fire Company Reports (Written)



regulations governing hunting. At the moment, it is highly unlikely that the Township is overstepping its jurisdiction because there are no areas open to the public for hunting in the Township. However, private property owners with a certain minimum acreage in a location significantly distant from residences and during certain seasons may hunt and allow guests to hunt on their private property and discharge weapons in accordance with the state laws governing hunting. Accordingly, Bill No. 2015-01 has been prepared to add an additional exception to the discharge prohibition in Chapter 6 for hunting in accordance with state laws. Additionally, the Township Attorney noted that he disagreed with the conclusions raised by Mr. Mizur with respect to the information provided to the Township regarding the killing of a dog as well as the case involving Lower Merion Township. Chairman Paulus commented that in speaking with State Senator Boscola he was advised that the challenges in court have not been ruled on as of yet. At this point in time, the Public Hearing regarding Bill No. 2015-01 was closed and the Board made the following Motion:

Motion: I move that Bill No. 2015-01, An Ordinance Amending Chapter 6, Part 2, Section 202(2) to Permit the Use of Firearms on Any Pennsylvania State Game Lands, Pennsylvania State Forests, or for Hunting in Accordance with State Law in the Township be adopted as Township Ordinance No. 572.

Heimbecker, Woolley: Moved and Seconded

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

2. Bill No. 2015-02, An Ordinance Amending Ordinance 571 to Correct Administrative Errors in the Budget for Hanover Township for the Year 2015 (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2015-02. The Township Manager advised the Board that Bill No. 2015-02 corrects administrative errors in the Township's Operating Budget. Mrs. Pudliner explained that during the budgeting process, the new line item for Public Works Vehicle Replacement was duly noted in the Capital Budget, but was not carried over into the General Fund Operating Budget. As the Board will recall, there were additional monies left over in the budgeting process which were put into the line item for Capital Reserve Future Road Construction Projects. By way of this proposed legislation, those monies in the amount of \$100,000 will be placed in a new line item in the Operating Budget for the Public Works Vehicle Replacement as shown in the Township's Capital Budget. Mrs. Pudliner noted that the Total Operating Budget amount does not change with this amendment to same. Chairman Paulus closed the Public Hearing relative to Bill No. 2015-02 and the following Motion was made:

Motion: I move that Bill No. 2015-02, An Ordinance Amending Ordinance 571 to Correct Administrative Errors in the Budget for Hanover Township for the Year 2015 be adopted as presented.

Wegfahrt, Martucci: Moved and Seconded

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

3. Bill No. 2015-03, An Ordinance Amending Chapter 1, Part 7, Section 722 of the Statutory Code of Hanover Township to Allow Non-Office Employee Workdays to Begin as Early as 6:30 A.M. (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2015-03. The Township Manager noted that the intent of this proposed legislation is to allow Township Public Works Employees to commence work during the summer months as early as 6:30 P.M. It gives them the option of working from 6:30 A.M. to 3:00 P.M. or 7:00 A.M. to 3:30 P.M. during the time frame as noted in the Ordinance as Summer Hours. Chairman Paulus closed the Public Hearing relative to Bill No. 2015-03 and the following Motion was made:

Motion: I move that Bill No. 2015-03, An Ordinance Amending Chapter 1, Part 7, Section 722 of the Statutory Code of Hanover Township to Allow Non-Office Employee Workdays to Begin as Early as 6:30 A.M. be adopted as presented as Ordinance No. 574.

Wegfahrt, Woolley: Moved and Seconded

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

New Business:

1. Resolution No. 2015-04, An Ordinance Amending the Statutory Code of Hanover Township to Establish Procedures for Disposition of Fire Insurance Proceeds Pursuant to the Pennsylvania Insurance Company Law of 1921 and Penalties for Violations Thereof (Introduce)

Chairman Paulus introduced Bill No. 2015-04 at this time with the Public Hearing on same to be held on June 17, 2015 at 7:30 P.M. The Township Attorney noted that the Township's insurance carrier had advised the Township Clerk of the state law which would allow the Township to establish procedures for the disposition of fire insurance proceeds pursuant to the Pennsylvania Insurance Company Law of 1921 and additionally establish penalties for violation thereof.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:20 P.M.

Respectfully submitted,

Sandra A. Pudliner  
Township Manager