

that since Councilman Wegfahrt was absent from the meeting, they would await his return before scheduling any hearings on the Capital Program.

3. The Township Manager advised the Board that she has provided them with information regarding the Lehigh County Association of Township Officials Summer Convention which will be held on Friday, August 7, 2015. Mrs. Pudliner noted that a response regarding registration must be made prior to Friday, July 24, 2015 and if any Board members are interested in attending she requested that they advise her accordingly so she can make the necessary reservation.

There was some discussion regarding the status of the house which was the subject of water damage on Troxell Street and the Township Manager advised that she would check with the Township's Building Inspector to determine the current status of that matter.

2. Ryan Christman
Township Engineer

1. Mr. Christman advised the Board that the Chestnut Grove Sanitary Sewer Replacement Project will commence on Monday of next week.
2. The Township Engineer noted that the 2015 Road Program will be advertised next week.

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

1. The Township Attorney advised that all his items are listed on the Agenda and will be addressed at that time.

Unfinished Business:

1. Consideration of the Airport/Rockefeller Proposal for the Infrastructure Improvements in Hanover Township (Review and Discussion)

Attorney Eaton opened the discussions by advising all in attendance that for over a year the Township has been conducting a very intensive review of the effect on the Township of the FedEx Development Project in Allen Township and the infrastructure improvements in Hanover Township. Numerous meetings were held and information was gathered at those meetings. There were intense discussions and disagreements at times. The Township Attorney noted that at the March 2015 meeting he was authorized by the Township to work with the Developer to prepare an agreement to bring back to Council for consideration which included a list of issues Council wanted considered. The agreement had been prepared and the Township Attorney advised that he had a chance to review same with individual members of Council and discuss the terms with individual members of Council. Said agreement has been amended from the original draft agreement. Major amendments to the original agreement relate to the fact that the Township's costs for Willowbrook Road will be handled by PennDOT taking over the road upon completion of construction. Additionally, the issue of the

traffic signal costs and maintenance thereof was revised from the initial concept that the Airport was going to be the permittee for the signal lights and Allen Township would be responsible for the cost. That issue has been amended to provide that Hanover Township, Lehigh County, will be the permittee for the signal lights and Rockefeller Group and its successors will be responsible for the maintenance costs in the future. Other than these items, the agreement proposed is substantially in sync with the original agreement.

With respect to the Infrastructure Agreement, which is the main agreement in this scenario, the Township Attorney advised that a private meeting was held with Council to ask questions of their attorney regarding the agreement. Attorney Eaton noted that the Developer has requested that Council authorize the Township Manager to execute the agreement substantially in conformance with the draft agreement which is before the Board at the present time subject to any further approvals by the Township Solicitor and Township Engineer, as well as authorizing the Township Manager to execute the additional agreements attached to the Infrastructure Agreement in the substantial form presented again subject to the approval of the Township Solicitor and Township Engineer. In that regard, the Township Attorney advised that the primary agreement, the Infrastructure Agreement, also included a Maintenance Covenant, a Sewage Transmission Agreement, and a Traffic Obligations Agreement which provides that if the traffic counts for any future development exceeds the traffic counts projected for the FedEx Project, then Hanover Township can request an alternate access route be put in place.

At this point in the meeting, the Township Attorney explained to all present some of the issues included in the agreements before the Board. Attorney Eaton noted that there is a provision in the Infrastructure Agreement for the Airport to use reasonable efforts to develop for commercial purposes two parcels located in Hanover Township, Lehigh County. Additionally, the Developer reserved sewer capacity in the Catasauqua Sewer Treatment Plant for future development which can be used in other townships.

At this point in the meeting, Chairman Paulus addressed the audience and advised that when the Township first heard about this project, the Township had serious concerns. It was felt that this could create a financial burden to the Township. The magnitude of this project caused the Board serious concerns and we went to State Senator Boscola to address those concerns. It was through her office that the Township was able to address the concerns of Hanover Township regarding this development. As a direct result, of all these efforts, PennDOT will take over Willowbrook Road once it becomes a four lane highway and the Township will have no responsibility for the roadway. The Township originally was concerned it might be necessary for the Township to raise taxes for a road that no one in the Township lives on. Additionally, Chairman Paulus noted that as addressed by the Township Attorney, the traffic signal lights in the Township will be handled by the Developer and the Developer will handle the costs for the maintenance of same. Additionally, sewer capacity for a development in that area will come from the Hanover Township, Lehigh County, sewer allocation reservation in the Catasauqua Sewer Treatment Plant. The Township has substantial allocation in

the Catasauqua Sewer Plant due to the fact that at one point in time the Township was anticipating homes being built in that area and has for many, many years held that reserve capacity in the plant. The Developer is buying sewer capacity for this project and when they need capacity they must buy from us before using reserve capacity.

Vice Chairman Heimbecker initiated discussion with respect to Exhibit D1 which was not included currently with the agreement documents. The Township Attorney noted that the Township Engineer will verify that the peak hour maximum counts proposed as Exhibit D1 are consistent with the Pidcock study and any comments of the Hanover Township Engineer with respect to how such figures are calculated. Vice Chairman Heimbecker also noted that legislation is currently being prepared for PennDOT to take over Willowbrook Road. He indicated that it appears that the state is 100% behind this project. He noted that he brought to the attorney's attention that there are certain references to the Township's Subdivision and Land Development Ordinance and he felt that this should not be misconstrued to indicate that the Township is looking at this situation as a land development. Attorney Eaton noted that a miscellaneous section will be included which indicates that the Township is approving this project by permit not as a subdivision or land development.

At this point in the meeting, in resolution of the discussions regarding this matter, the Hanover Township Council made the following Motion:

Motion: I move that the Hanover Township Council hereby authorizes the Township Manager to execute an Infrastructure Agreement pertaining to the widening and reconstruction of Willowbrook Road and related infrastructure improvements in Hanover Township with the Lehigh-Northampton Airport Authority and Rockefeller Group Development Corporation substantially in the form presented to Council and as further approved by the Township Solicitor and Township Engineer, and further authorizes the Township Manager to execute the agreements attached as exhibits to said Infrastructure Agreement substantially in the form as attached and as further approved by the Township Solicitor and Township Engineer subject to the approval of the Township Engineer that the peak hour maximum counts proposed as Exhibit D1 are consistent with the Pidcock Study and any comments of the Hanover Township Engineer with respect to how such figures are calculated.

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

Aye

Unan.

New Business:

1. Resolution No. 2015-29, A Resolution for Plan Revision for New Land Development (Vote)

The Township Attorney noted that the purpose for this Resolution is for the approval of the proposed line to be built to connect to our interceptor and the

transmission of sewer to our line. Attorney Eaton noted this is a standard sewer module. In resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2015-29, A Resolution for Plan Revision for New Land Development, be adopted as presented.

Heimbecker, Woolley: Moved and Seconded

Heimbecker, Martucci, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor:

Clark Machemer representing the Rockefeller Group addressed the Board and indicated that he felt that the last nine months were very productive and he is looking forward to working with the Township on this Development.

Adjournment:

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

Respectfully submitted,

Sandra A. Pudliner
Township Manager