

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

September 16, 2015  
7:30 P.M.

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

Absent: 0

Attendance: 4

Courtesy of the Floor: None.

Approval of Minutes: September 2, 2015 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the September 2, 2015 Regular Council Meeting and accept same as presented.

Paulus, Wegfahrt: Moved and Seconded  
Heimbecker, Lawlor, Wegfahrt, Woolley, Paulus:                   Aye                   Unan.

Reports:

1. Sandra A. Pudliner  
Township Manager

1. The Township Manager noted to the Board that she has provided them with up-to-date status information regarding certain violations of Township Ordinances and Codes. With respect to the matter involving the property owner on East Race Street, the Township Manager advised that subsequent to the material which she has provided to the Board, the gentleman called and indicated that by the end of this week, all the vehicles that are in violation would be removed from the property. I informed him that the citation in my possession was to be filed as of Thursday, September 17, but that the Township would forego filing the citation until Monday of next week pending inspection by the Township Building Inspector on Monday to confirm removal of all the vehicles. If indeed the vehicles are not removed then the citation will be taken to the local magistrate.
2. With respect to the property owner on Ulster Road, the Board has received a copy of a Notice forwarded to that property owner indicating a violation regarding a violation of the International Property Maintenance Code. As the Board will recall, there had been an inoperable vehicle on this property in an accessory structure which had fallen down and the property owner was notified to remove the vehicle. It appeared that same had been accomplished but the Township has now become aware of a vehicle parked in the rear of the property covered by a tarp. Said vehicle may be an additional violation of the Code. The Building Inspector will follow through on this matter.

3. Council has received a copy of a citation filed against the property owner of a currently vacant facility at the corner of Weaversville Road for violation of the Weed Ordinance. This is the second violation against the property owner. With respect to the first violation, a hearing had been held and the defendant was found guilty at that time. Regarding the same property owner, Council should be aware that I will be filing citations against this property owner the middle of next week after the Notice has expired for violations of the Storage Container Permit Ordinance as well as the placement of a mobile home in a Planned Industrial Zoning District.
  4. The Township Manager advised that the Chairman of the Board brought to her attention the existence of two large storage container units behind Plato's Closet in the Valley Plaza Shopping Center. In that regard, these units have no permits and are only permitted for a period of 90 days in a calendar year. Accordingly, the Township Manager advised that she has had Code Enforcement notify the property owner of a need to secure a permit. As of this time, I have not heard further from this property owner. The Township will keep on top of this matter.
  5. The Township Manager advised the Board that she, along with Chairman Paulus, Jeff Mouer, and a representative from Brickman, the lawn maintenance contractor utilized by Carmike Cinemas for the cutting of the berm area met at the site of the berm, and walked the area to determine the best way of handling future maintenance of the area. It was noted that the area needed to be monitored more carefully. It was discussed that it has become a refuge for wildlife. There was a discussion with respect to access and it was determined that the Township would create an access way at one of the stub streets for Brickman to easily access the berm area with their equipment. Vice Chairman Heimbecker noted that it is his understanding that they only cut the berm area six times per year and in his opinion that was insufficient. He requested that the Township Manager advise Brickman and Carmike that a more intense cutting schedule needs to be put in place.
2. Ryan Christman  
Township Engineer
    1. The Township Engineer advised the Board that the Chestnut Grove Sewer Replacement Project has been completed with the exception of the permanent pavement restoration which will be done in a couple of weeks due to the fact that the Homeowner's Association will be having their parking lots paved at the same time and contracted with the Township's contractor to have that accomplished.
    2. The Township Engineer advised that the Township's Road Program will commence in approximately two weeks.

Councilman Lawlor questioned the status of the depression at the corner of Clarence Street and Pennsylvania Avenue which was created by the City of Bethlehem during repair work in that area. The Township's Maintenance Supervisor, present in the meeting, noted that he personally spoke to Bethlehem representatives a couple of

times regarding the matter and that he would make another call.

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

1. With respect to the matter involving the property owner at the corner of Pennsylvania Avenue, Attorney Eaton noted that he is of the opinion that the matter will be settled and that the property owner has agreed to completely cover the vehicle at that location and this is all to be accomplished before the date set for the hearing, namely, September 30, 2015. The property owner has indicated that he will advise us when he has done the work so that the Township can send the Building Inspector out to make sure that the violation has been abated. The Township Attorney noted that he indicated to this property owner that the Township is not simply singling him out and that there are other locations in the Township where this type of violation has occurred and is being pursued by the Township for abatement.

Vice Chairman Heimbecker questioned the Township Attorney as to his opinion involving the recent discovery of a restrictive covenant on the land FedEx is purchasing from the airport which would prevent it from being developed for industrial/commercial use. He noted that it appears the covenant dates back to the 1990s when the land was owned by a developer proposing a golf course community. Apparently, it appears that the airport is arguing that the covenant became void when a Lehigh County Judge ruled that the airport effectively claimed eminent domain on the land in 1996. However, Vice Chairman Heimbecker noted that it appears that the airport is racing to court to file a motion to have the court backup that argument.

The Township Attorney noted that he will seek out all the facts in this matter indicating that as some of the Board members may recall this Township Building was part of such a situation where there was a building restriction imposed by the Bethlehem Steel that the land could only be a public building or it would revert back to the Bethlehem Steel, their heirs, successors and assigns. The Township Attorney indicated of course that the airport will need to resolve this issue in order to produce a clear title. He noted that he felt it was rather late in the game for this to finally be discovered. In any event, the Township Attorney will look into this matter on behalf of the Township.

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.



Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Sandra A. Pudliner  
Township Manager