

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

October 21, 2015
7:30 P.M.

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

Absent: Councilman Heimbecker

Attendance: 8

Courtesy of the Floor:

Attorney Joseph Plunkett along with Attorney Roth and Debra Skeans appeared before the Board on behalf of the Estate of Elaine Fassman, the owner of 111 Willowbrook Road, Allentown, PA 18109, with a request that the Township consider their request of rezoning of the property from Medium Density Residential to Planned Industrial Office. They stated as the reason for the request the fact that surrounding properties adjacent to the property are currently zoned Planned Industrial Office. They also noted that development on Race Street over the years and the proposed development of the Federal Express facility make the visible use of the property as residential extremely difficult. Additionally, they noted that as a result of the predominantly industrial/commercial uses in the immediate surrounding area, the property is more suitable for industrial/commercial uses. Debra Skeans, in attendance at the meeting, advised the Board that she is a relative of the family and is also in the real estate business. She explained to the Board the physical location of the property in question and its proximity to industrial zoning in the area. Attorney Plunkett noted that once the new road comes in which is proposed at the intersection of Race Street and Willowbrook Road for the Fed Ex project, trying to sell the property as a single family residence will not work. When questioned by Council as to the other residential properties in that area, Ms. Skeans noted that there are six small homes in place after their property and before the border with Catasauqua. It was noted that if this matter proceeds for rezoning, notice will need to be given to the adjoining property owners including the residential owners of the proposed rezoning. The Township Attorney noted that the usual practice would be for the Township in conjunction with the party requesting the rezoning to put together the necessary ordinance which could then be forwarded to the Township's Planning Commission and Lehigh Valley Planning Commission for their review and recommendation. It was determined that the Township would proceed in that fashion.

Approval of Minutes: October 7, 2015 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the October 7, 2015 Regular Council Meeting and accept same as presented.

Paulus, Wegfahrt: Moved and Seconded
Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager advised the Board that four citations have been issued against property owners with respect to failure to secure temporary sign permits from the Township for signage on their property.
2. The Township Manager noted that on the Agenda the Board will note Bill No. 2015-5 which is a proposed Ordinance to permit directional signs in certain zoning districts in the Township.
3. The Township Manager advised the Board that she has provided them with documentation with respect to the withdrawal of the lawsuit of the individual injured in an accident on Pennsylvania Avenue. As she had advised the Board prior to the meeting, the Plaintiff had sued the City of Bethlehem and the City of Bethlehem had joined Hanover Township as an additional Defendant. However, when further research was done, it was determined that the accident occurred on Hanover Township's portion of Pennsylvania Avenue not Bethlehem's portion of same. Unfortunately, for the Plaintiff, the Statute of Limitations regarding the lawsuit had run and the Plaintiff was forced to withdraw their suit.

2. Ryan Christman
Township Engineer

1. With respect to the 2015 Road Program, Mr. Christman noted that the Postal Rd. recycling is in the curing stage and the road will be topped at the end of next week.

Councilman Wegfahrt questioned Mr. Christman regarding the anti-skid placement on Catasauqua Road and Mr. Christman noted that project has been completed.

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

1. The Township Attorney advised the Board that as they will recall discussions had been held at the prior meeting regarding the Jake Brake Ordinance. The Township Attorney indicated that PennDOT rules require certain trucks have Jake brakes. However, local municipalities do not restrict the use of Jake brakes unless approval has been received by PennDOT. There are standards by which they gauge that. Examples would be road speed limits, accident history, etc. Attorney Eaton noted that Hanover Township, Northampton County, is in the process of preparing such an ordinance. They had an engineering study done and I have a copy of that. The Township Attorney did question the Board as to if you go through the process, how would the Township enforce it. In Hanover Township, Northampton County, they have Colonial Regional Police. However, Allen Township and Hanover Township do not have police enforcement power. The Township could ask the State Police if they are in a position to enforce this.

Chairman Paulus questioned what would happen if the Township passed an ordinance and secured PennDOT approval. In that event, he questioned whether or not the Township could put up signs. If PennDOT approval was secured, he noted that maybe the State Police would be willing to enforce it for the Township. The Township Attorney noted that he would need to look into this matter to determine if it's more of an engineering issue and also determine the issue regarding signage on state roads. He advised that his office would go through and find out what the criteria is to accomplish this and then the Township can decide how to proceed.

2. With respect to the tent issue on the property at the corner of Ulster and Pennsylvania Avenue, the Township Attorney indicated that a new tent structure appears to be in place and that the Township's Building Inspector will call the property owner to make arrangements for an inspection of the new tent to determine compliance.
3. The Township Attorney advised the Board that there have been five tax appeals filed with the Assessment Office of Lehigh County. Per the Township's usual practice, the Township has been allowing the County and the School District to handle such matters since a reduction in taxes would affect them more than the Township due to the millage rate.
4. Maintenance Report (Written)
5. Fire Company Reports (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.

With respect to the Maintenance Report, the Township's Maintenance Supervisor, Jeff Mouer, was in attendance at the meeting. Mr. Mouer advised the Board that the playground equipment project in Sherwood Park is currently at the installation stage. Township personnel had done the excavation for the new installation and the installers are there today and hopefully the structures will be installed beginning tomorrow. Mr. Mouer noted that Township leaf collection will commence the first Monday in November. Chairman Paulus questioned the status of Catasauqua Lake and Mr. Mouer indicated that the electro fishing is being done at this time. A report should be forthcoming by the end of the year. I indicated to them that I would like to get that report to the Fish Commission by the end of the year. Mr. Mouer noted that there is still an argument between different parties as to why the lake is so low. The one train of thought is that there is a sinkhole of which we are currently not aware. The other train of thought is that there is low flow from the springs which feed the lake. Additionally, the precipitation in the area has been down. Councilman Woolley questioned survey work which is being conducted on Dauphin Drive. Mr. Mouer and

the Township Engineer noted that Dauphin Drive is a state road and that they were unaware of any surveying or the purpose thereof.

At this point in the meeting, Chairman Paulus commented that he had attended the funeral of the first Township Fire Chief, Samuel "Bud" Santee. Mr. Santee was with the Fire Company from its inception. He noted that the Township's present Fire Company attended the funeral and provided the ceremony accorded to deceased fire fighters.

There were questions regarding the status of the matter involving Santander Bank and the Township Clerk noted that it is her understanding that they will be proceeding with citations.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated October 21, 2015, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Wegfahrt: Moved and Seconded
Lawlor, Wegfahrt, Woolley, Paulus:

Aye Unan.

Unfinished Business: None.

New Business:

1. Bill No. 2015-05, An Ordinance Amending the Hanover Township Zoning Ordinance to Permit Directional Signs in Certain Zones (Review and Recommendation)

The Township Attorney noted that he and the Township Manager discussed inquiries received by the Township from sign companies, developers, etc., regarding directional signs in various areas of the Township. Accordingly, we have prepared this Ordinance regarding internal signs at internal intersections for directional purposes. He noted that you cannot block a sight triangle. Accordingly, Bill No. 2015-05 was introduced at this time. The Public Hearing on same will be held after a review is accomplished in accordance with the Zoning Amendment regulations by the Township's Planning Commission and the Lehigh Valley Planning Commission. Currently, that Public Hearing is scheduled for Wednesday, December 2, 2015 at 7:30 p.m.

Payment of Bills:

Motion: I move Council authorize payment of Payroll (09/25/15), Payroll (10/09/15), Voucher Nos. 21421-21447 (Prepays), Voucher Nos. 21448-21494, from the General Fund Account in the amount of \$179,530.81; Voucher Nos. 4211-4216 from Capital Reserve in the

amount of \$487,896.69; Voucher No. 127 from Liquid Fuels in the amount of \$6,038.18; Voucher Nos. 4307-4318 (Prepays), Voucher Nos. 4319-4321 from the Escrow Account in the amount of \$8,471.63; Voucher No. 4006-4011 from Water Account in the amount of \$11,476.80; Voucher Nos. 5308-5309 (Prepays), Voucher Nos. 5310-5320 from the Sewer Account in the amount of \$46,155.77 for a Grand Total Expenditure of \$739,569.88.

Paulus, Woolley: Moved and Seconded
Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

Courtesy of the Floor:

Chairman Paulus reminded all in attendance of the upcoming Budget Hearing for the Proposed 2016 Budgets which will be held on Monday, October 26, 2015, at 5:00 p.m.

Adjournment:

The meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager