

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

February 17, 2016
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Paulus, Wegfahrt, Woolley; J. Jackson Eaton, III, Esquire; Al Kortze, P.E.; Sandra A. Pudliner; Vicky Roth

Absent: 0

Attendance: 4

Courtesy of the Floor: None.

Approval of Minutes: February 3, 2016 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the February 3, 2016 Regular Council Meeting and accept same as presented.

Paulus, Wegfahrt: Moved and Seconded

Heimbecker, Lawlor, Woolley, Paulus:

Aye

Wegfahrt:

Abstained

At this point in the meeting, Chairman Paulus acknowledged to all present that the Township has received a plaque from the State Police expressing their appreciation to the Township regarding the Troop M Camp Cadet Program which the Township supports. The Township Manager noted that in that regard she has been in touch with Captain Tobin of the Bethlehem State Police regarding the upcoming State Police Appreciation Day which will be held on May 2, 2016 at 10:00 a.m. Mrs. Pudliner noted that Captain Tobin will be extending an invitation to the Township for attendance at those festivities and that she will keep the Board advised regarding same.

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager opened a discussion regarding the Days Hotel facility located adjacent to the Township Building on Airport Road. By way of the history of the matter, the Township Manager noted that a recent meeting had been held with representatives of the Days Hotel regarding an incident which occurred where there was insufficient parking on the property for the functions being held at that time and the fire lanes were blocked, occupancy load signs were removed from the premises, and exits from the banquet room facilities were also blocked. As a direct result of that incident, the Township forwarded a letter to the management individuals at the Days Hotel and a meeting was held with them to review the issues. At that meeting, it was determined that the Township would

look at the records to determine the parking requirements for that facility. In that regard, the Township Manager/Zoning Officer reviewed all records of the Township and advised the Board that review has revealed that the facility itself is shown on a Mylar dated 1980. Subsequent thereto there was a recalculation of the sizing of the parking stalls due to changes in the Township's ordinances, which allowed for additional parking. There was also a proposed expansion of the rooms which brought the number of rooms from approximately 150 to approximately 190. However, it appears from the records that expansion never occurred. There is documentation regarding the parking calculation in the records which would appear to indicate that the parking was somewhere between 285 spaces and 305 spaces. A study done by Keystone Consulting Engineers at the Zoning Officer's request, reveal a total of 276 spaces currently on the property. When one looks at that calculation in terms of the current ordinance, it would appear that there is a huge deficiency in parking due to the calculation which is on the records at this time for the banquet room facilities. However, the records of the Township show that all of the approvals, etc. for the facility occurred before the Township revised its ordinance to include a calculation for the banquet room facilities. The hotel is grandfathered from the banquet facility parking requirement and accordingly there does not appear to be a deficiency in parking. The Township Attorney commented that he agrees with the Township Zoning Officer that the Township cannot enforce the requirement for the parking for the banquet facility located at the Days Hotel. Attorney Eaton did note that there are sheds located on the property and that if they were removed that would create four more parking spaces. His recollection was that at some point in time the then owner of the hotel was doing renovations to same and put up the sheds as a temporary measure. However, it appears they were never removed. Additionally, the Township Attorney noted that he has been advised that there are tractor trailers parked on the property for periods of time and that type of conduct should not be permitted and it was the Township's Attorney's opinion that renting out tractor trailer parking spaces and also as they indicated at the meeting renting out spaces for individuals to park for extended periods of time when they are utilizing the airport to travel rather than using the long-term parking facilities at the airport is not something that the parking spaces were intended for use. The Township Attorney was of the opinion that the Township can advise the Days Hotel that the rental of parking spaces to individuals who are traveling utilizing the airport and also renting out spaces for tractor trailers to park for extended periods of time are not things which were part of the parking calculation. The Township Attorney was of the opinion that the only thing the Township can do at this time is to utilize strict enforcement in terms of parking in fire lanes, building code violations, etc. The Township Manager noted that as a result of that meeting the Township had asked her to call the airport to determine if some arrangement could be made between the Days Hotel and the airport for the Days Hotel to rent parking spaces for their clientele at the airport and shuttle people back and forth. The Township Manager noted that she had spoken to the individual at the airport dealing with those issues and that person advised that she would call the manager of the Days Hotel to discuss that matter. Council concluded their discussions on this issue and it was noted that the Township Manager should have the Code Enforcement Officers check on the status of the tractor trailers parked on the property of the Days Hotel.

2. Al Kortze, P.E.
Township Engineer

1. The Township Engineer noted that the tennis courts in Sherwood Park specifications went out and a pre-bid meeting is scheduled for next Wednesday. He advised that three companies picked up the specifications and it's their intent to open bid at the following Wednesday Council meeting.
2. With respect to the Race Street Interceptor Project, the Township Engineer indicated that the shop drawings have been approved and that it should be two to three weeks before the project has started.
3. The Township Engineer advised the Board that he has provided them with a projected three-year Road Program project and construction cost estimate as well as a projected three-year Sanitary Sewer Replacement Program project and construction cost estimates and, in particular, the Township Engineer noted the projects scheduled for 2016. A copy of the projection is attached hereto and made a part hereof. With respect to the Postal Rd. Culvert Project in particular, the Township Engineer opened a discussion with the Board with respect to different ways to accomplish the completion of the work. Mr. Kortze noted that in order to accomplish the work and put the culvert in place the easiest and most cost-effective way would be for a temporary road closure of Postal Rd. He noted that he anticipated the road would be closed a week and a detour route would have to be established. The other alternative is more complex and would require creating another lane of traffic to allow a one lane traffic lane through the area and at night time a temporary signal would have to be put in place. This process would be much more complex and would take a few weeks longer for the completion of the work. An additional cost increase could be in the area of 10% to 20%. Council discussed the matter and determined that the most logical approach would be to close Postal Rd. for the week or so period necessary to complete the work and establish a detour plan.

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

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

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.

At this point in time, Jeff Mouer, Township Maintenance Supervisor, approached the Board regarding some outstanding issues. Mr. Mouer noted that with respect to Catasauqua Lake it is maintaining its level and if anything the water level has risen slightly. Mr. Mouer also noted that he has received the fish survey which is 33 pages long and that he has not had an opportunity to read it in detail. He noted to the Board that he would be happy to email each of them a copy of the report for their review. He specifically noted the recommendations noted at the end of the report. A copy of the report is available at the Township Building for inspection by any interested parties. Mr. Mouer indicated that if after the Board reviews the report and has no objections he will begin adhering to the recommendations contained in the report.

There was some discussion with respect to the water main leak in the Troxell Street area which Mr. Mouer indicated was repaired fairly quickly. The Township Attorney commented that possibly the Township may want to look into establishing, by ordinance, penalties associated with open cutting new roads in the Township.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated February 17, 2016, for the General Fund Account, Capital Reserve Account, Escrow Account, Liquid Fuels Account, Sewer Account and Water Account subject to audit.

Paulus, Heimbecker: Moved and Seconded

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

Unfinished Business:

1. Status of the Rockefeller Development (Review and Discussion)

Attorney Eaton opened discussions by advising the Board that he has provided them with a resolution authorizing the application for PennDOT traffic signal permits which resolution allows the Township Manager to submit applications for traffic signal approval to PennDOT and to sign the applications on behalf of the municipality. These applications impose certain obligations on the Township which will be performed by the developer under the Infrastructure Agreement. In order to get a head start with review and approval of the applications, Rockefeller has requested that the Township submit the applications prior to the Infrastructure Agreement becoming effective. The Attorney said he advised Rockefeller that the Township would not submit applications prior to the Infrastructure Agreement becoming effective unless it received acceptable assurances from PennDOT that the Township could withdraw its applications prior to commencement of construction of the signals, in order to avoid any obligations if the Infrastructure Agreement does not become effective. Also, PennDOT has asked us for our approval to designate Willowbrook Rd. as a truck access route. The question was raised as to why Township approval was necessary since the road is to be adopted

by PennDOT as a state road immediately upon completion of construction? The Township Attorney noted that he felt it would appear reasonable to approve the truck access designation subject to the improvements being completed. The Township Attorney also noted that he has a meeting on Friday with the solicitor for Allen Township and the Rockefeller Group to determine how much usage will be involved with respect to the Township's sewer line and the transfer of capacity involved. Vice Chairman Heimbecker questioned the Township Attorney regarding the backup plan which was noted in the newspaper regarding another site for the project. The Township Attorney advised that he was of the opinion that all the steps are now being taken to move ahead with the current project. The issues involving the Fullers appear to have been totally resolved. With respect to the issue involving the truck access route, the Board made the following Motion:

Motion: I move that the Township designate Willowbrook Rd. as a truck access route conditioned upon all the improvements proposed by Rockefeller being completed.

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

Chairman Paulus noted that this Motion has been defeated.

New Business:

1. Resolution No. 2016-24, A Resolution Authorizing the Application for PennDOT Traffic Signal Permits (Vote)

With respect to this Resolution, the Board made the following Motion:

Motion: I move that Resolution No. 2016-24, A Resolution Authorizing the Application for PennDOT Traffic Signal Permits be adopted as presented, with the understanding that the Township Manager will not submit the applications until the Township receives assurances from PennDOT that the applications may be withdrawn prior to commencement of construction of the signals.

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

Payment of Bills:

Motion: I move Council authorize payment of Payroll (01/15/16), Payroll (01/29/16), Adj. Payroll (1/15/16), ADP Fees (1/15 & 1/29/16 and 2/12/16), Voucher Nos. 21731-21742 (Prepays), Voucher Nos. 21743-21787, from the General Fund Account in the amount of \$191,597.03; Voucher Nos. 4236-4239 from Capital Reserve in the amount of \$36,198.28; Voucher 654 (Prepaid) from Distribution Account in the amount of \$6.35; Voucher Nos. 4331-4334 from the Escrow Account in the amount of \$17,799.63; Voucher No. 4023-4026

from Water Account in the amount of \$1,922.18; Voucher Nos. 5350 (Prepaid), Voucher Nos. 5351-5356 from the Sewer Account in the amount of \$52,192.72 for a Grand Total Expenditure of \$299,716.19.

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

Courtesy of the Floor: None.

Adjournment:

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

Respectfully submitted,

Sandra A. Pudliner
Township Manager