

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

June 1, 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: 9

Courtesy of the Floor:

Jacqui Howells and Mariam Fame appeared before the Board with respect to a request by Mrs. Fame to rent Canal Park for a graduation party for her daughter on June 19, 2016. Ms. Howells noted that Mrs. Fame has Stage 4 colon cancer, has financial issues as a result thereof, but would very much like to rent the park and would appreciate the Board's consideration with respect to waiver of costs. Council discussed the current fees which include a \$250 fee for nonresidents which Mrs. Fame would be as well as a \$250 security deposit which is refunded if the park is left undamaged after the event. Council determined that they would treat Mrs. Fame as a resident and only require the security deposit which could be refunded after the event. Chairman Paulus questioned Mrs. Fame as to how many people would be there and she indicated that no more than 30 or 40 people would attend the graduation party. In resolution of this matter, the Board made the following Motion:

Motion: I move we treat Mrs. Fame's graduation party in the same manner as we would handle a rental of the park by a resident.

Heimbecker, Wegfahrt: Moved and Seconded

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

Mr. John Martucci of 2033 Troxell Street, Allentown, PA 18109, appeared before the Board with respect to his upcoming rental of Canal Park for Saturday and requested that the time be extended one hour beyond sunset for cleanup. He advised the Board that this event is their annual bocce ball tournament which they hold yearly at Canal Park. In resolution of this matter, the Board made the following Motion:

Motion: I move we grant Mr. Martucci's request for a one hour extension for cleanup of Canal Park for his upcoming event.

Heimbecker, Wegfahrt: Moved and Seconded

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

Approval of Minutes: May 18, 2016 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the May 18, 2016 Regular Council Meeting and accept same as presented.

Paulus, Heimbecker: Moved and Seconded

Heimbecker, Lawlor, 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 copies of various correspondence some of which relate to the status of violations in the Township. Ms. Pudliner noted that the property owner on Ulster Street has removed the vehicles in violation from the property. With respect to the East Race Street property of which the Board is aware an arbitration has been scheduled in that matter before a panel of lawyers for July 20, 2016 at 1:00 p.m.
2. The Township Manager also noted that the State Police have been contacted requesting a troopers attendance at one of the Township's Council meeting to discuss drug abuse in the Lehigh Valley. Additionally, correspondence has been sent out to a resident of Troxell Street with respect to certain issues which she raised which unfortunately were not within Hanover Township's boundaries and could not be addressed by the Township. I advised the resident on behalf of the Board of that situation.
3. The Township Manager advised the Board that there is a land development scheduled for review on the Agenda and the Board determined that they would address the item under New Business at this time.

New Business:

1. Resolution No. 2016-30, A Resolution Granting Preliminary/Final Land Development Approval, Parking Lot Expansion, Patriot American Parkway, L.P., 1110 American Parkway, Allentown, PA 18109 (Vote)

On behalf of the Developer, Nicole Caffrey of Maser Consulting Engineers, appeared before the Board and provided the Board with a visual plan of the proposed parking expansion. By way of history of the matter, Ms. Caffrey advised the Board that as they may recall, the Developer had been before the Board previously for a subdivision approval. This application is for consideration of a parking lot expansion and that it is the Developer's intent to use the impervious coverage allocation already in place to become surface parking. It was noted that there had been approximately 344,000 sq. feet of parking area approved as part of the original development but for now it is the intent of the new owner to use 97,000 sq. feet. Ms. Caffrey explained that the parking expansion will be surfaced with pervious pavement with an underground storm water storage area. It was noted that the Developer's intent is to

allow the tenants to park closer to the entry points into the building by creating this addition of parking. It was further noted that the biggest concern with this proposal would be storm water but that the pond in place is way over size right now and there should be no problem.

The Township Attorney commented that with respect to Township Resolution No. 2016-30 relative to the approval of this matter, in his opinion, should be revised with respect to Items 6, 8 and 10 to add language at the end of each of those items which reads, "subject to the approval of the Township Engineer". Accordingly, in resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2016-30, A Resolution Granting Preliminary/Final Land Development Approval, Parking Lot Expansion, Patriot American Parkway, L.P., 1110 American Parkway, Allentown, PA 18109, be adopted as amended.

Wegfahrt, Heimbecker: Moved and Seconded

Heimbecker, Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

There was some discussion with respect to properties in the Township currently scheduled for Sheriff Sale but the Township will have to wait for further disposition of those matters.

2. Al Kortze, P.E.

Township Engineer

1. The Township Engineer noted that a preconstruction meeting has been held with respect to Phase II of the Chestnut Grove Sewer Replacement Project. They have submitted shop drawings and the project should start fairly soon.
2. With respect to the tennis courts, the paving has been completed. The Township Engineer noted that the fence company will be coming in within the next two weeks. The final coating work will then be done and the nets will be installed, etc.

3. J. Jackson Eaton, III, Esquire

Township Attorney

1. The Township Attorney advised that with respect to the Rockefeller Project, things are pretty much the same as reported in my letter sent to the Board last week. Attorney Eaton noted that PennDOT is still circulating the letter but that he does not anticipate any problems with that. There was some discussion initiated by Chairman Paulus with respect to the payment by the Developer to the Township in a total amount of \$412,183. The Township Attorney advised that figure encompasses the capacity immediately being transferred as well as the capacity being reserved and in addition reimbursement of previous legal fees paid from the Township's Sewer Fund.

Unfinished Business:

1. Bill No. 2016-03, An Ordinance Prohibiting the Parking of Recreational Vehicles on Certain Public Streets for More than Three Consecutive Nights. (Public Hearing)

The Township Attorney indicated to the Board that as they will recall there was considerable discussion at the last meeting regarding this proposed Ordinance and in that regard I have provided the Board with various options which the Board may wish to consider regarding the handling of recreational vehicles in the Township. Additionally, there was some discussion with respect to the problem in Chestnut Grove Towne Garden Development which might be resolved by restricting parking from an intersection so many feet back. However, it was noted that type of resolution would require a review by the Township Engineer. Accordingly, the Township Attorney reviewed with the Board various ways of handling the matter to include allowing these types of vehicles for a period of three consecutive nights, restricting such vehicles utilizing the registered gross weight in excess of 11,000 pounds with the three consecutive night provision, as well as a proposed ordinance which simply prohibits motor homes with a registered gross weight in excess of 11,000 pounds, adding same to current restrictions for trucks, truck tractors, truck and trailer, truck tractor and trailer in excess of 11,000 pounds. The Board considered the various options and determined that they would have the Township Attorney research the Codification to determine if there is any exception which would apply should the Board determine to simply prohibit the motor homes in excess of 11,000 pounds. The Township Attorney did review the Codification and reported to the Board that there is an exception which would allow these vehicles at a location for delivery, loading and unloading, etc. and he felt that it is sufficient to allow a mobile home to park in front of an area in the Township to get ready for a vacation, etc. and that the Code Enforcement Officers could monitor that pretty easily to determine if the people are going to be in and out. However, if the parties leave the mobile home there for extensive periods of time, citations would need to be issued. In resolution of this matter, the Board made the following Motion relative to Bill No. 2016-03, An Ordinance Prohibiting the Parking of Recreational Vehicles on Certain Public Streets for More than Three Consecutive Nights.

Motion: I move that the Board vote on the approval of Bill No. 2016-03.

Heimbecker, Wegfahrt: Moved and Seconded

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

The Board determined that the proposed amendment (Bill No. 2016-04) which amended Article 15, Part 4, Section 404, Subsections (3) and (4) to prohibit motor homes and motor homes and trailers in combination with registered gross weight in excess of 11,000 lbs. from parking on certain streets would be introduced at this time. The Public Hearing would be held on Wednesday, June 15, 2016 at 7:30 p.m.

Courtesy of the Floor:

Richard Fenstermaker of Catasauqua, PA, appeared before the Board on behalf of Vietnam Veterans of America. He advised Council that he is looking for a place to have a reunion and that Canal Park to them is a very good alternative but that he would like the Board to consider allowing them to have the park facilities for no charge. He indicated there would be approximately 50 to 60 people and there would be no alcohol or gambling. He advised they are a non-profit organization. Chairman Paulus commented that the Township must be careful with respect to exempting people from the fees for park rental. He indicated that could cause a situation where people are constantly asking for exemptions. He indicated that the Township would have to look into ways of handling these types of situations and that for the present time Mr. Fenstermaker could just put up the security deposit which he would get back if the park remained undamaged. Mr. Fenstermaker commented that he will pay the full payment of \$500, \$250 of which he would receive back as a security deposit. However, he requested the Board's consideration with respect to the exemption. He advised that his Board is meeting tomorrow and the date he would like to rent the park is September 17. The Board noted they will take this matter under advisement. Mr. Fenstermaker would pay the fees and if the Board would take some action, there might be a possible refund to Mr. Fenstermaker.

At this point in the meeting, Chairman Heimbecker commented on his feeling regarding exemptions for payment of park fees by certain organizations. He requested that the Township Solicitor look into this matter. He thought that some system could be devised with respect to providing for a few exemptions per year depending on the circumstances. Attorney Eaton indicated that he will review the matter and get back to the Board.

Adjournment:

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager