

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

February 15, 2017
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

Opening of Bids:

1. Bid No. 2017-01 Municipal Solid Waste and Recycling Collection in Hanover Township

Chairman Paulus proceeded to open the Bids received for the awarding of the new Municipal Solid Waste and Recycling Collection for the Township. The tabulation of the Bid result is attached hereto and made a part hereof. It appears that the low bidder is County Waste of PA with a total bid amount of \$89,936.64. Chairman Paulus noted that the Bids would be reviewed and awarded at the Township's Council Meeting to be held on Wednesday, March 1, 2017.

Courtesy of the Floor:

1. Good Mac Airport Associates, LP regarding the development of property located at intersection of Airport Road and American Parkway.

Attorney Lisa Pereira appeared before Council advising that she represents Good Mac Airport Associates, LP with respect to the proposed development of a tract of land located at the intersection of Airport Road and American Parkway adjacent to Cedar Hill Memorial Park. This property, Attorney Pereira noted, is currently under the ownership of Bruce Goodman who was in attendance at the meeting for the initial purpose of developing a retail shopping center. The Airport Centers Development, currently situated in the Township, is one of Mr. Goodman's projects. The property was actively marketed but those efforts have not been very successful in the attempts to secure a large anchor and retail pad sites.

At this point in the meeting, Attorney Pereira turned the discussions over to Adam Goodman of Goodman Properties and presented to the Board a slide presentation regarding their latest proposal for the tract. Mr. Goodman showed the Board in their presentation the original concept and revisions to same which have led them to the latest plan for a mixed use development. The mixed use development concept included 10 acres of apartments and retail pad sites.

At this point in the meeting, Ben Altman of Altman Companies addressed the Board advising Council that Altman Companies is the owner of Allendale Apartments as well as Hidden Village Apartments, a portion of which is located in the Township. The proposal would be for 192 units and those units would be comprised of eight

buildings on the tract. Mr. Rodger Gore of Elon Development noted that they would be three story garden-type apartments, 45% of which would be one bedroom and the balance two bedroom apartments. The one bedroom apartment concept would be 780 square feet and the two bedrooms would be 1,200 square feet. There would be a club house with a pool. The targeted tenants would be millennials and the 55+ market. It was noted that such a concept exists in the area known as Madison Farms. Vice Chairman Heimbecker commented that looking at the concept plan; it appears that all the retail is in Allentown with the exception of one pad in Hanover. Vice Chairman Heimbecker also questioned the logic behind apartments rather than actual homes. Vice Chairman Heimbecker also noted that he did not see the tax benefit to the Township in terms of establishing a residential base in an area clearly zoned commercial. Chairman Paulus commented that he had thought about this type of proposal, but has come to the conclusion that the Township's commercial zoning should remain in place and that the Township would most benefit from the development of the land for commercial uses. He noted that the Township tax base is less than ¼ mill at the present time and that a resident of a single-family home pays a negligible amount of money in real estate taxes. Then Altman Companies commented that the reason the apartments are being pursued relates to density.

Mr. Rick Albertson, one of the developers of the Airport Centers Development within the Township was also present at the meeting and advised Council that if they will recall when they first acquired the property, it was their intent to possibly bring Walmart onto that property but they were told the Township did not favor a Walmart. Vice Chairman Heimbecker commented that at this point in time the Township may not look unfavorably on such a prospect. Mr. Albertson also noted that the reason they were drawn away from the shopping center concept was the lack of visibility from Route 22 and the reason why this plan shows the retailers in Allentown is because retailers want to be along Airport Road.

In conclusion of these discussions, the governing body informed the developer that going back to the original concept would be looked upon favorably by the Township. The developer did note that they would provide the Township with figures with respect to revenues the Township could see from the proposal before them for the apartment complex and one retail site within Hanover Township. Such fiscal impact study would be prepared.

2. Mr. Tom Lerch, a resident of the Chestnut Grove Towne Garden Development, approached the Board with respect to information he had provided them regarding the fact that a Whitehall Commissioner had introduced a resolution in support of efforts to stop gerrymandering of congressional and state legislative districts during the next decennial reapportionment. Mr. Lerch noted that he had requested from the Township of Whitehall a copy of said resolution. The Township Clerk upon checking with their attorney indicated that since it had not yet been adopted it was not yet a public record and it could not be given out at this time. Chairman Paulus advised Mr. Lerch that the Township Manager would attempt to secure a copy of said resolution.

Motion: I move we waive the reading of the Minutes of the February 1, 2017
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 a copy of correspondence forwarded to the Director of Water and Sewer Resources in the City of Bethlehem regarding the area of 1865 Troxell Street where the city had a repair which was necessary as a result of fixing various water leaks in that area. The Township Manager noted that as a result of such correspondence, the Township had been in touch with the City of Bethlehem through another representative from Mr. Boscola's office and the gentleman indicated he would check with the supervisor and possibly the city could come and mill off the top. It was noted that when the repair had been done they had done a six inch base with a two inch wearing and that it could not be done with the proper machinery because same was not available at the time. There was also a discussion regarding the depression impacting the driveway of a Township resident at 1865 Troxell Street. The Bethlehem representative noted that it was their opinion that the depression had superseded any impact from water leaks in the area. Vice Chairman Heimbecker questioned what technology was available to look at subsurface areas. The Township Engineer noted that there are ways to check for water line leaks without digging them up. You can probe the street by way of core borings. The Township Engineer also felt he was unsure whether or not milling is acceptable because that would leave a rough surface on the street until the Township does something in terms of repaving the area. There was a discussion with respect to utilizing ground penetrating radar. It was noted that possibly the Township should be in touch with its insurance carrier and that they may allow a structural engineer to come in. The Township will continue to monitor the situation. The Township would reinforce with the City of Bethlehem the need to obtain a street opening permit or a right-of-way permit for any construction within the Township's right-of-way such as these water leaks. Additionally, a new letter would be sent to Mr. Boscola of the City of Bethlehem indicating that the Township wants a permanent fix/paving of the area in question. Additionally, Mr. Boscola should be advised that the Township wants its street opening permit or right-of-way permit process to be followed by the City of Bethlehem in securing necessary permits for water leak repairs.

2. Al Kortze, P.E.
Township Engineer

The Township Engineer offered no oral report at this time.

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

1. The Township Attorney advised that the title issues have finally been cleaned up with PennDOT as same relates to the Rockefeller project. Additional meetings have now been scheduled to proceed with finalization of the issues involved.
2. The Township Attorney advised the Board that he would like to schedule workshop meetings with Council to review two items of concern. First issue involves medical marijuana in terms of both growing and processing and distribution. The medical marijuana situation will be governed by state law. Attorney Eaton noted that the Township's current Zoning Ordinance does not have anything distinguishing it. It would appear it would be either agriculture or manufacturing with respect to the growing process and a dispensary would most likely fall under the Township's pharmacy provisions. Attorney Eaton advised the Board that if the Township desires to make amendments to our ordinances he felt that we should sit down and discuss the matter. He noted that he has real concerns as to whether or not we can do that. He felt there are special provisions in the law as far as zoning. He noted that he plans to talk to PSATS regarding the matter since they recently had a webinar out there which was viewed by both Township staff and Attorney Sarah Murray of his office.

The second item of concern the Township Attorney noted is the issue of cell towers. He noted that he has a sample ordinance regarding same. The Township will need to determine if it wishes to adopt such an ordinance. Council determined that these matters will be discussed prior to the regular Council meeting to be held on March 15, 2017. The workshop would be held at 6:30 p.m. and the Council meeting at 7:30 p.m. on that date.

3. With respect to the ongoing NFPA matter, Attorney Eaton noted the Lehigh County Communication Center has said that they will accept notification calls if we have provisions for same in our ordinance and we are working on a plan suggested by Tino Nocchi that we amend the Property Maintenance Code rather than the Building Code.
4. Maintenance Report
5. Storm Water Issues (Written)
6. Fire Company Report (Written)
7. Code Enforcement Officers' Reports (Written)
8. 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 Storm Water Issues, it was noted that none were before the Board at this time.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated February 15, 2017, 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: None.

New Business: None.

Payment of Bills:

Motion: I move Council authorize payment of ADP Fees (1/27/17 & 2/10/17 Payrolls), Payroll (1/25/17), Payroll (2/8/17), Voucher Nos 22560-22576 (Prepays), Voucher Nos. 22577-22622, from the General Fund Account in the amount of \$198,907.13; Voucher Nos. 4306 (Prepaid), Voucher Nos. 4307-4308 from Capital Reserve in the amount of \$25,334.98; Voucher Nos. 4478-4479 from the Escrow Account in the amount of \$31,846.39; Voucher No. 4105 (Prepaid), Voucher Nos. 4106-4111 from Water Account in the amount of \$3,916.71; Voucher No. 5471 (Prepays), Voucher Nos. 5472-5481 from the Sewer Account in the amount of \$82,057.41 for a Grand Total Expenditure of \$342,062.62.

Paulus, Lawlor: Moved and Seconded

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

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 8:55 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager