

HANOVER TOWNSHIP, LEHIGH COUNTY  
REGULAR COUNCIL MEETING

April 19, 2017  
7:30 P.M.

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

Absent: Vice Chairman Heimbecker

Attendance: 4

Courtesy of the Floor: None.

Approval of Minutes: April 5, 2017 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the April 5, 2017 Regular Council Meeting and accept same as presented.

Paulus, Woolley: Moved and Seconded

Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

Reports:

1. Sandra A. Pudliner  
Township Manager

1. The Township Manager advised the Board she has provided them with a copy of correspondence from Troop M Pennsylvania State Police inviting the Township to their State Police Memorial Day Ceremony on Tuesday, May 2, 2017, at 10:00 a.m. The Township Manager inquired as to who would attend. It was determined that the Chairman and Vice Chairman would attend as well as the Township Manager. If any additional council members desire to attend, they would advise the Township Manager accordingly.
2. The Township Manager advised Council that she has provided them with correspondence from the Lehigh Valley Military Affairs Council with respect to a dinner and dancing occasion to be held on Friday, May 12, 2017, in Breinigsville, PA. The Township Manager noted that if any of the Board members wish to attend, they should advise her accordingly.
3. The Township Manager advised the Board that she has provided them with copies of notices of two upcoming Zoning Hearings. Mrs. Pudliner noted that the first appeal involves a property at 710 Lloyd Street and the proposed use is for a towing business at that location. The Township Manager/Zoning Officer advised Council that the property historically had been industrial and then the zoning had at one time changed to Planned Unit Development which allows some

commercial activity as well as residential development. At one point in time, a townhouse development was proposed for that location, but nothing ever came of that. More recently, a fuel company had operated out of that facility. The Township Manager advised Council that the Ordinance had changed recently to require that certain uses such as the proposal could not be within 250 feet of residential areas. There are residential homes in this location. The Township Manager noted that one of the residents had already approached her inquiring into the activity and some of the residents in the area may attend the Zoning Hearing. With respect to this matter, Council determined to have the Zoning Hearing Board handle the matter and that the Board would not take a position regarding this appeal.

The second appeal before the Zoning Hearing Board involves a property at 2100 Hoover Avenue in the ownership of Primo Enterprises, L.P. It is the desire of Primo to create an additional warehouse on the property. In order to do so, various variances will need to be secured from the Zoning Hearing Board. The Township Manager/Zoning Officer reviewed the numerous variance requests with Council. However, Council determined that they would not intervene and allow the Zoning Hearing Board to handle this matter.

2. Al Kortze, P.E.  
Township Engineer

1. The Township Engineer opened a discussion relative to items reviewed at the last Council meeting. He noted that there had been discussions that the City of Bethlehem is looking to replace the water line in the Troxell Street area. That is earmarked for early next year. Additionally, UGI will approach the residents in the area with respect to potential gas service. In lieu of those issues, it was determined that an overlay of the Troxell Street roadways not take place in 2017 and we looked to move forward the project scheduled for 2018 for the milling and overlay of Middle and Lower Postal Road. Vice Chairman Heimbecker expressed concerns about the construction on Race Street and Airport Road as a result of the FedEx project. He felt that the high degree of truck traffic would impact the Township road system. However, the Township Engineer advised the Board that in his opinion if we hold off for a couple of years the condition of the road might necessitate more work and in that regard he provided the Board with a copy of a cost estimate relative to the cost of doing Middle and Lower Postal Road milling and overlay in 2017 versus doing Middle and Lower Postal Road in 2019 at which time cold in place recycling and overlay would most likely be necessary. Mr. Kortze noted that the Township should protect the base of the road system and that can be accomplished by the milling and overlay at this time. Councilman Wegfahrt questioned the Township Engineer as to the life cycle of the road system and the Township Engineer noted that the roadway probably has a 15 to 20 year life cycle. He also indicated that the Township could use the bigger aggregate with respect to the overlay. Chairman Paulus commented that he had an opportunity to speak with the individuals doing work on behalf of the City of Bethlehem with respect to the proposed water main replacement and they indicated that project will start around March 2018. The Township Engineer reiterated his feelings and advised the Board that if they want to think about it

- they could determine if they want to proceed and advise him at a later time. Council determined that they would agree with the Township Engineer's recommendation to do a milling and overlay of Middle and Lower Postal Rd. in 2017.
2. Council should be advised that we sent out a Notice of Intent to proceed to Anrich, the low bidder with respect to the Cascade Drive and Easement Area Sanitary Sewer Replacement Project. We are awaiting some documents from them and then a Notice to Proceed will be issued.
  3. The Township Engineer noted that the Township Manager had been approached with regard to issues involving filling in waterways in the Township. Mr. Kortze noted that any such work would need to be cleared through the Army Corps of Engineers as well as DEP permitting and the conducting of a wetland studies. The Township Solicitor commented that such work would raise red flags. The Township Manager noted that in addition to the lake filling in the canal bed was questioned. Council noted that they had heard of these issues and as a whole agree that such action on behalf of the Township would not be taken.
3. J. Jackson Eaton, III, Esquire  
Township Attorney
1. The Township Attorney noted that as the Board will recall at a recent Workshop Meeting he had been directed to prepare a Cell Tower Ordinance. He advised that he has provided Council with a draft of same for their review and that he felt a workshop after that would be in order. Council discussed dates and times for a workshop and it was determined that a workshop would be held before the May 17 Council Meeting at 6:30 p.m.
  2. The Township Attorney advised the Board that last month the Commonwealth Court decided that the fire fighters in the Borough of Emmaus could unionize. Although the Borough of Emmaus has volunteer fire services in that case the Borough had instituted so many things that made them look like employees of the Borough. In any event, this decision caused our office to look at the Township's relationship with its volunteer fire company. The Township does own the building and the fire equipment and does have line items in our General Fund Budget for expenses for the fire company. However, with regard to employee-type things, we do not establish their officers. The Township does not appoint or approve officers or engage in employee discipline. The Township has not established any operating procedures. No employees of the Township have management responsibilities with Han-Le-Co Volunteer Fire Company No. 1. We don't schedule shifts. There are no time clocks involved and there are no paychecks. Attorney Eaton noted that it is his opinion that the Township does not need to do anything as far as changing its present procedures. He also noted that he is of the opinion that the case in Emmaus will be appealed to the Supreme Court.

Chairman Paulus questioned the Township Attorney with respect to the correspondence he received from Hill Wallack LLP, Counsel for Waste

Management of Pennsylvania, Inc. with regard to the Township's recent garbage/recycling bid. The Township Attorney noted that upon receipt of the documentation he had advised the attorney that he would get back to him and in that regard he just received a memorandum from one of his associates setting forth that the Township's position is that the Township did nothing wrong and that he would correspondence back with the attorneys for Waste Management expressing same.

4. Maintenance Report
5. Storm Water Issues
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. Additionally, the line item for Storm Water Issues resulted in nothing being brought before the Board at this meeting.

Jeff Mouer, Township's Maintenance Supervisor, was in attendance at the meeting. There was a discussion with respect to the chassis of the 10 Ton being done and that the whole vehicle will be done by mid-July 2017. Mr. Mouer noted that the street cleaner is here and was lettered this past Saturday. He indicated it will be on display at the PSATS Convention and that the Township will get reimbursement for the week it is there. With respect to the street cleaning, Mr. Mouer indicated we are still waiting for the signs and we are also looking to have JP Mascara remove the street dirt to their facility. This will probably entail a 20 yard dumpster and they will remove it from said dumpster. The Township Maintenance Supervisor felt that hopefully the street sweeping program will be in full force by the time of the Troxell Street Garage Sale.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated April 19, 2017, 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:

Prior to the discussion of Agenda items Chairman Paulus noted for the record that on April 17, 2017, Council held a meeting on personnel matters. Councilman Lawlor was not present at the time. No action was taken at that meeting.

1. Resolution No. 2017-31, A Resolution Designating May 2, 2017 as State Police Day in Hanover Township (Vote)

Motion: I move that Resolution No. 2017-31, A Resolution Designating May 2, 2017 as State Police Day in Hanover Township, be adopted as presented.

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

Aye Unan.

2. Resolution No. 2017-32, Adopting a Fee Resolution for Hanover Township (Vote)

The Township Manager and Township Engineer advised the Board that they have reviewed the Township's current fees for right-of-way permits and determined that the cost for inspection has increased and accordingly the charges should be increased. The projected increases are as shown on the new Resolution before the Board for adoption. In resolution of this matter, the Board made the following Motion:

Motion: I move that Resolution No. 2017-32, Adopting a Fee Resolution for Hanover Township, be adopted as presented.

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

Aye Unan.

Payment of Bills:

Motion: I move Council authorize payment of ADP Fees (3/24/17 Payrolls), Postage Meter Funding; Payroll (3/24/17), Payroll (4/7/17), Voucher Nos. 22679-22701 (Prepays), Voucher Nos. 22702-22752, from the General Fund Account in the amount of \$209,750.19; Voucher Nos. 4312 (Prepaid), Voucher Nos. 4313-4318 from Capital Reserve in the amount of \$305,383.02; Voucher No. 142 from Liquid Fuels Account in the amount of \$5761.37; Voucher Nos. 4482-4485 from the Escrow Account in the amount of \$26,799.30; Voucher No. 4119-4120 (Prepays), Voucher Nos. 4121-4125 from Water Account in the amount of \$3,241.60; Voucher No. 5493-5497 (Prepays), Voucher Nos. 5498-5503 from the Sewer Account in the amount of \$90,932.15 for a Grand Total Expenditure of \$641,867.63.

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

Aye Unan.

Courtesy of the Floor:

The Township Manager noted that Council should be aware that Captain Brian Tobin with Troop M Pennsylvania State Police Barracks has retired. Currently, they have an acting commander and no new captain has been assigned.

At this point in the meeting, Patricia Paulus, present at the meeting advised the Township Manager that the flashing sign of the property on Airport Road, a few doors down from the Township Building, in her opinion is a distraction. Mrs. Pudliner noted that the individual has a permit for the signage but that the ordinance does not allow the constant flashing and that she would speak to the property owner regarding same.

Adjournment:

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

Respectfully submitted,

Sandra A. Pudliner  
Township Manager