

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

May 3, 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

Attendance: 2

Courtesy of the Floor: None.

Approval of Minutes: April 19, 2017 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the April 19, 2017 Regular Council Meeting and accept same as presented.

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

Reports:

1. Sandra A. Pudliner
Township Manager

1. The Township Manager noted that she would like to remind the Board that a workshop has been scheduled prior to the May 17 Regular Council Meeting which will be held at 7:30 p.m. The workshop before said meeting will be held at 6:30 p.m.
2. The Township Manager/Zoning Officer reported to the Board regarding the two Zoning Hearings which have recently been held before the Zoning Hearing Board. The Township Manager noted that the first appeal was withdrawn by the applicant. With respect to the second appeal involving Primo Produce located on Hoover Avenue in the Township, that appeal with respect to the various variances requested, was approved by the Board. The Board did note that when the applicant comes through the land development process that they would like the Township Manager to advise the planning commission that the developer had agreed to contact the AMC Cinema property with respect to continuing the current berm. It was thought that doing so may provide a barrier to the residents in the area with respect to noise and other issues.
3. The Township Manager noted that Chairman Paulus and she attended the State Police Memorial Day on Tuesday, May 2, 2017. At that time, the Township presented the state police with a proclamation indicating that the Township

declared the date of the event as State Police Appreciation Day within the Township.

Vice Chairman Heimbecker brought to the Manager's attention an issue with respect to the clock in the meeting room being fast and the Township Manager noted that she would have the clock adjusted to the proper time. There was discussion with respect to a property on Tacoma Street initiated by Vice Chairman Heimbecker which Mr. Heimbecker noted he had been informed was in foreclosure. He noted that there was an unattended dog at that property and that conversations have been held with the Code Enforcement Officer Stephen Rusyn. The Township Manager indicated she would look into this matter further.

2. Al Kortze, P.E.
Township Engineer

1. With respect to the sanitary sewer work done in Chestnut Grove, that project is at the end of the 18-month maintenance period. Recently, the Township has TV'd the lines and everything appears to be good. They will be submitting a request to the Township for release of the maintenance monies.
2. With respect to the Cascade Drive Project, the Township is in receipt of all the agreements and documents from the contractor and we have given the contractor notice to proceed as of May 15, 2017. There is a 60-day completion window, but the project may be completed sooner than that time frame. The Township Engineer did note the need to have a manhole fabricated and that could take some time to get in.

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

1. The Township Attorney advised that a week ago today PUC came down with a decision that cell towers are not utilities. The proposed Ordinance we have prepared for the Township was predicated under the assumption that cell towers were some kind of utility. Accordingly, the Township's Cell Tower Ordinance will now be more limited and has become more of a zoning issue. As far as zoning, the Township Attorney noted it is not much more than an issue of height limitation. However, the Township Attorney still thought it was worthwhile to have an ordinance in place and hold the workshop scheduled prior to the next Council Meeting to discuss the matter. Vice Chairman Heimbecker questioned the Township Attorney as to what the Township could restrict. For example, could the distance between them be restricted like it is for billboards. The Township Attorney noted that the Township can separate the cell towers and has the authority to sanitize certain areas of the Township from cell towers. It was noted that the distance between billboards was set by the Township. There was also some discussion initiated by Vice Chairman Heimbecker requesting that the Township Manager check to determine if the Adams Digital Billboards are conforming to the Billboard requirements. The Township Manager/Zoning Officer noted that the Ordinance requires a 10 second delay between screens and Vice Chairman Heimbecker felt that same was being violated. There was some

- further discussion regarding the necessity of the workshop. Vice Chairman Heimbecker questioned the Township Attorney as to whether or not the surrounding townships have such a cell tower ordinance and the Township Attorney noted that he does not know exactly if that is the case. In any event, the Township determined to still hold the workshop prior to the upcoming meeting.
2. The Township Attorney noted that some time ago the Township had entered into a suit on behalf of Han-Le-Co against a hotel company. Judgment was entered in favor of the Township and the Township seized the bank accounts which were insufficient to pay the judgment amount.
 3. The Township Attorney advised the Board that he has provided them with a copy of correspondence sent to counsel from Waste Management setting forth the Township's position with respect to the bid procedures for the municipal waste collection and recycling contract which had been awarded to JP Mascaro.

Unfinished Business: None.

New Business: None.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 7:46 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager