

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

December 16, 2015
7:30 P.M.

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

Absent: 0

Attendance: 4

Courtesy of the Floor:

Sharon Fina representing Old Navy located in the Airport Centers Shopping Center appeared before the Board asking for an extension from the 90 days allowed for a POD which is situated behind the Old Navy facility. Ms. Fina was inquiring as to whether or not the POD could remain there throughout the year. Chairman Paulus advised Ms. Fina that the Township has an Ordinance which is very specific in allowing those types of storage units for a maximum period of 90 days in a calendar year. He noted that the Township enacted this legislation so that the entire rear of the shopping centers located in the Township weren't filled with these types of containers. The Township Manager reiterated the Chairman's position on this matter. Vice Chairman Heimbecker questioned Ms. Fina as to whether or not she has the ability to expand at her location and she indicated that she did not and that they were using the POD for fixtures and mannequins, etc. Councilman Woolley commented that perhaps she should seek warehousing space in the industrial park or some similar facility in the region. Accordingly, Ms. Fina was advised that in any given calendar year Old Navy would be allowed to have the POD in question on the property for a maximum 90 day period.

Approval of Minutes: December 2, 2015 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the December 2, 2015 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 as well as the Township Solicitor attended a magistrate's hearing with respect to A. Airport Auto and that she would defer to Attorney Eaton in his report to provide details.

2. Al Kortze, P.E.
Township Engineer

1. The Township Engineer advised the Board that the specifications and plans for the Race Street storm sewer interceptor had been completed and will be advertised in early January. The bid opening will be somewhere around the 20th of January.
2. Mr. Kortze indicated that the 2015 Road Program has been completed and a request for payment has been received for the full amount which is \$349,999.60. The Township Engineer noted that it is \$3,556.60 less than the original contract.
3. The Township Engineer indicated he would like to take this opportunity to thank the Council for allowing his firm to handle the Township's engineering in the year 2015. He indicated that he has found the work enjoyable over the last few months and hoped that his firm can continue to work with the Board again in the New Year. He wished everyone a Very Merry Christmas and Happy New Year.

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

1. As the Board will recall, we had previously discussed the relationship between the Lehigh County Communications Center and the Township's Code Enforcement Officers with respect to them providing our Code Enforcement Officers confidential motor vehicle information for the purpose of issuing citations. We were instructed by the Board to check to make sure that the Township's insurance covers the release of confidential information by the Code Enforcement Officers. We have determined that the Township's insurance is adequate for that purpose. Attorney Eaton noted that he received copies of the policy. If there is intentional or malicious release of information, then the Code Enforcement Officers are not covered, but the Township is. All the employees are covered with the exclusion of the Chairman of Council and the Township Manager. If either would be responsible for the malicious release of information, the Township is not covered. The broker attempted to get a rider on the current policy, but the insurance company refused. He will be brokering insurance coverage for this type of situation on the Township's behalf as part of the annual renewal process. The Township Attorney noted that as the Board may recall, the County provided us with a new agreement for signature to cover the release of information to the Township's Code Enforcement Officers and a motion from the Board would be appropriate to authorize the Township Manager to sign the new agreement. In that regard, the Board made the following Motion:

Motion: I move that Hanover Township Council approves the agreement with the Lehigh County Communications Center for the release of confidential DMV information to Township Code Enforcement Officers.

Heimbecker, Wegfahrt: Moved and Seconded

Heimbecker, Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

2. As Council will recall, the Township Manager noted that a magistrate hearing had been held on December 10 with respect to the A. Airport Auto property. There had also been a hearing back in September at which time a guilty plea was entered and a \$250 fine was levied for violation of the International Property Maintenance Code. The hearing in December related to the defendant having a mobile home trailer in a zone where it is not permitted and also not having a permit for a storage container unit. The magistrate determined the defendant was guilty for having a storage container unit on the property without a permit and assessed a \$300 fine. With respect to the violation involving the Township Zoning Ordinance (mobile home, which is a residential unit in an industrial zoning district), our position with the magistrate was that the magistrate did not have the authority to hear evidence and that the magistrate could only impose a penalty. The magistrate indicated that he did not come across this before and requested time for him to review the case law which our firm had provided to him. Accordingly, a new hearing has been set for January 14, 2016.
3. The Township Attorney advised the Board that a hearing is upcoming with respect to the property on Race Street as same relates to unregistered vehicles on that property. That hearing is currently scheduled for January 20, 2016.

Chairman Paulus questioned the status of the house in the Troxell Street area which had the extensive water damage taken over by a bank. The Township Manager noted that she checked with the Building Inspector's Office with respect to the weed violation currently existing on that property and was advised that citations have been filed.

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.

There was discussion with respect to potential grant opportunities of which Public Works is aware and Chairman Paulus questioned the Township Engineer as to whether or not they have a grant specialist at their company. Mr. Kortze indicated that they do have someone and that he would put him in touch with the Township. Vice Chairman Heimbecker questioned the status of Catasauqua Lake and the Public Works Supervisor, Jeff Mouer, noted that it is still going down but they are monitoring the situation to determine if the fish need to be evacuated. Mr. Mouer noted that he has also talked to the Keystone inspector on that job, Jim Impietro and he will be happy to assist the Township in evaluating the situation since he was present when the lake was regraded initially and filled. Chairman Paulus questioned whether or not any radar

application can be used to try and determine where the sinkhole is in the lake. Mr. Kortze indicated we could look into that but it is not totally accurate. Mr. Mouer commented that the springs seem to be feeding the lake but if the Township is forced to look for an alternative water source, that could be very expensive and that we cannot get water from the river. Chairman Paulus questioned if Mr. Mouer had the fish counts and he indicated he should have that information shortly.

Chairman Paulus questioned the Maintenance Supervisor as to why a new tire had to be purchased for the new Township car. Mr. Mouer noted that there was a slice in the tread believed to be caused by a nail. It was driven by the Code Enforcement Officers when they were unaware of the problem and the sidewalls on the tire were broke. The Township was forced to by a new tire. Mr. Mouer also advised the Board as to the status of the playground equipment in Sherwood Park. He noted that the installer has been delayed in completing the project by rain but hopefully that will be accomplished very shortly and it is his intent to have stone put in place in early spring. The Township will lay down the mulch and be ready with the grass by June. Mr. Mouer also noted that Ed Chromzak, a Keystone inspector, is starting the specs for the tennis courts. We will try to get that done late winter so that we can complete the project for the summer.

8. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated December 16, 2015, 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. Bill No. 2015-06, An Ordinance Amending Chapter One, Part 7 (Employment Provisions), Section 1-761 (Township Job Classifications), of the Statutory Code of Hanover Township (Public Hearing)

Chairman Paulus opened the Public Hearing relative to Bill No. 2015-06. It was noted that the Township Codification needs to be amended to account for the change in job classifications. In this case, the classification for Secretary/Bookkeeper changes to Administrative Assistant. In resolution of this matter, the Board made the following Motion:

Motion: I move that Bill No. 2015-06, An Ordinance Amending Chapter One, Part 7 (Employment Provisions), Section 1-761 (Township Job Classifications), of the Statutory Code of Hanover Township, be adopted as Ordinance No. 578.

Wegfahrt, Heimbecker: Moved and Seconded

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

New Business:

1. Resolution No. 2015-36, A Resolution Providing for the Approval of Amending Township Job Classification for Secretary/Bookkeeper now Administrative Assistant (Vote)

The Township Manager advised the Board that all job classifications are adopted by Resolution and accordingly the change in the job classification for Secretary/Bookkeeper changes to Administrative Assistant needs to be handled by way of this Resolution.

Motion: I move that Resolution No. 2015-36, A Resolution Providing for the Approval of Amending Township Job Classification for Secretary/Bookkeeper now Administrative Assistant, be adopted as presented.

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

1. Resolution No. 2015-37, A Resolution Approving a Budget Transfer (Vote)

The Township Manager advised that in accordance with the Township Charter a department cannot go totally under and that after September of a given year the Township can transfer funds into a department where there is a deficit. There is a potential deficit in the Planning/Zoning Department and accordingly this Resolution will correct that.

Motion: I move that Resolution No. 2015-37, A Resolution Approving a Budget Transfer, be adopted as presented.

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

Payment of Bills:

Motion: I move Council authorize payment of Payroll (11/20/15), Payroll (12/04/15), Voucher Nos. 21558-21579 (Prepays), Voucher Nos. 21580-21631, from the General Fund Account in the amount of \$121,809.21; Voucher No. 4223-4224 (Prepaid), Voucher Nos. 4225-4227 from Capital Reserve in the amount of \$20,344.98; Voucher No. 129 from Liquid Fuels in the amount of \$6,245.45; Voucher Nos. 4325 from the Escrow Account in the amount of \$868.00; Voucher No. 4015 (Prepaid), Voucher Nos. 4016-4018 from Water Account in the amount of \$49,466.34; Voucher Nos. 5330-5332 (Prepays), Voucher Nos. 5333-5340 from the Sewer Account in the amount of \$33,994.06 for a Grand Total Expenditure of \$232,728.04.

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

Courtesy of the Floor:

The Township Clerk noted that the Board has one additional meeting this month which is to be held on December 30, 2015 at 4:00 p.m. for payment of final bills for 2015.

Adjournment:

The meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Sandra A. Pudliner
Township Manager