

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

July 18, 2018
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Paulus, Wegfahrt, Woolley; J. Jackson Eaton, III, Esquire; Al Kortze, P.E.; Christopher J. Garges; Vicky Roth

Absent: Wegfahrt

Attendance: 10

Courtesy of the Floor:

1. Mrs. Woolley approached Council and requested permission to extend her pavilion rental scheduled for July 24 to 9:30pm for cleanup.

Motion: I move we grant the extension as requested.

Heimbecker, Woolley: Moved and Seconded

Lawlor, Woolley, Paulus, Heimbecker

Wegfahrt

Aye

Absent

2. Karen Frisch of 2247 Irma Drive approached Council to discuss concerns regarding the new fireworks law in Pennsylvania. She read a prepared statement. Council acknowledged her concerns and told Ms. Frisch that it was a state law and that Council had no authority, and the Township is currently in the process of amending its more stringent ordinance to comply with state law.

Chairman Paulus suggested that Council should direct the Township Manager to forward Ms. Frisch's statement to our local state legislators. Council agreed.

3. Margaret Hess of 2251 Irma Drive approached Council and made them aware of concerns that she had with noise from fireworks and neighbors. She expressed frustration that the Township's Code Enforcement Officers returned her phone call after she was asleep. She also stated that she was confused as to what matters were handled by code and which matters were handled by the State Police.

Chairman Paulus explained that the Code Officers are directed to return all phone calls as department policy. The Township Manager told Ms. Hess that if she would not like a returned phone call that she should specifically direct the officer not to call her back. Mr. Garges further noted that the Code Officers are trained as to which matters they are legally permitted to address and which matters must be forwarded to the State Police.

Approval of Minutes: June 20, 2018 Special Council Meeting

Motion: I move we waive the reading of the Minutes of the June 20, 2018 Regular Council Meeting and accept same as presented.

Paulus, Woolley: Moved and Seconded

Lawlor, Heimbecker, Woolley, Paulus:

Aye

Wegfahrt:

Absent

June 20, 2018 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the June 20, 2018 Regular Council Meeting and accept same as presented.

Paulus, Heimbecker: Moved and Seconded

Lawlor, Heimbecker, Woolley, Paulus:

Aye

Wegfahrt:

Absent

Reports:

1. Christopher J. Garges
Township Manager

- A. The Township has recently invested \$1,000,000 of capital funds into a 90 day term PLGIT fund at 2.36%. The current statement is available statement in Council's packet.
- B. Mr. Garges is researching a potential website upgrade. He has interviewed New Arrival Studios which is a local business whose primary focus is creating and maintaining municipal websites. They have constructed the following websites: Allen Township, Lower Saucon Township, New Britain Township, Bethlehem Township, among others. Mr. Garges said that New Arrival has created their own interface for ease of maintenance. They create websites which are very user friendly. Their websites also interface with the Nixel system which is a resident alert system. From a data management standpoint, they offer a search capability which will allow archived minutes to be searched. The quote is just under \$10,000 which will also includes professional photography. The Township Manager requested that Council take a look at some of their work and the matter will be further discussed at the August 1, 2018 meeting.
- C. Lehigh County Association of Township Officials will hold their Summer Convention on Friday August 3, 2018 from 8am – 3:30pm. Mr. Heimbecker said he is interested in attending. Mr. Garges said he will register him.

- D. The new HanLeCo Fire Company rescue / pumper truck was put in service as of June 28. The old truck was sold for \$65,000 on 6/28 to Mount Bethel Fire Department.
- E. B. Braun will be holding open house for Township officials to visit facility and see how operations work. It will be held on 7/25 from 4pm to 6pm. A formal invitation will follow.
- F. The Building Code Board of Appeals will meet on August 9, 2018 at 12:15pm to hear application for 3575 Airport Road.
- G. Sherwood Park Ballfield construction is substantially complete. The Township Manager stated that Keystone Engineering has reviewed the payment request and he is seeking Council authorization to release payment #1 for the rehabilitation project to Grace Industries in the amount of \$25,468.52.

Motion: I move we authorize the release of \$25,468.52 to Grace Industries per the July 16, 2018 Keystone Consulting Engineer letter.

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

Aye
Absent

2. Al Kortze, P.E.
Township Engineer

- A. The Board discussed his July 17, 2018 letter regarding the ongoing sinkhole issue in the 1800 block of Troxell Street. He described potential methods of investigation including ground penetrating radar, electrical resistivity testing and drilling. He said that repair options could include pressure grouting, but he did not feel this would be feasible due to existing utilities. He stated that his recommendation would be to first perform geotechnical investigations to determine what the underlying issue is. Once the issue is identified other repair options may be more apt to work. He felt that at a minimum a full depth restoration of the roadway would be the final step. He stated that he will bring more information back to Council including an estimated cost for the work.

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

- A. Mr. Eaton told Council the he has finalized the Land Development agreements for Primo and LNAA Hangar 11. The agreements have been forwarded to the applicants.
- B. He also mentioned that he is working on revisions to the Rockefeller agreement.

4. Maintenance (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.

Mr. Lawlor & Mr. Paulus stated that they were unable to open the Building Inspectors Report. Mrs. Roth assured the Board that another copy would be sent to them immediately.

5. Treasurer's Report (Written)

Motion: I move we accept the computer printouts dated July 18, 2018, 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, Woolley, Paulus:	Aye	Unan.
Wegfahrt	Absent	

Unfinished Business:

A. Munilogic software purchase

Mr. Garges notified Council that Councilman Wegfahrt and himself had been working diligently with Munilogic regarding the purchase, implementation and maintenance pricing for the software. The price has been reduced by \$1,000 for the purchase and \$860 per year for maintenance. Mr. Heimbecker requested that the solicitor review the agreement. He also requested that the annual maintenance rate be held steady for at least the first three years of the contract. The Township Manager said that he would ask the solicitor to review the agreement and bring it back to Council at the next meeting for a vote to authorize purchase of the software.

New Business:

A. Resolution No. 2018-38, A Resolution Granting Preliminary / Final Land Development Approval, Federal Express-Aber Facility, 951 Postal Road, Allentown PA 18109 (Vote)

Mark Heeb of BL Engineers was present to represent the applicant, Fed Ex. He noted that Jim Bear of Fed Ex Express was also present to answer any operational questions which Council may have. Mr. Heeb gave an overview of the project. He said it creates seven new loading berths, but does not create any additional traffic. He noted that the intent of the project is to increase efficiency on site. He discussed two waiver requests which are detailed in the Keystone Engineering Review Letter dated June 14, 2018. The waivers entail Section 22-203 to allow preliminary and final approval at the same time and section 22-8-VI.B.1 which requires that all storm sewer piping have a minimum diameter of 15 inches.

Councilman Heimbecker questioned what size the pipe would be. Mr. Kortze said it would be 8 inches. Mr. Heimbecker then asked why the applicant was unable to meet the ordinance requirements. Mr. Kortze said that there was not sufficient cover due to existing site conditions. Mr. Kotze said the his office supports the waivers as requested.

Motion: I move Council approve resolution 2018-38 granting preliminary / final approval to the Fed Ex Aber Facility at 951 Postal Road subject to the following conditions:

1. Each condition must be rejected or accepted in writing by the applicant within thirty (30) days of the date of this approval, or in the absence of such acceptance, this approval shall be deemed rescinded as of the expiration of the thirty (30) day period or the date of receipt of the rejection of any such condition, whichever first occurs.
2. The Applicant shall comply with all items contained in the June 14, 2018 Keystone Consulting Engineers review letter.
3. The waivers from Section 22-203 (to allow preliminary / final) and Section 22-8-VI.B.1 (with regard to storm sewer pipe diameter) as mentioned in the June 14, 2018 Keystone Consulting Engineers letter are also acknowledged and recommended for approval.
4. Approval of the soil erosion control plans will be required from the Lehigh County Conservation District. (if applicable to LCCD regulations)
5. The owner's certification shall be signed and notarized.
6. All outstanding fees shall be paid, improvement agreements executed and security agreements posted prior to recording of the plan.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Woolley, Paulus:

Wegfahrt

Aye

Absent

Unan.

- B. Bill 2018-05 – An ordinance amending Chapter 7, Part 4 (Fireworks) of the Statutory Code of Hanover Township. (Vote)

Attorney Eaton provided an overview of the ordinance which had been introduced at the previous Council meeting in an effort to bring Hanover Township's ordinance into compliance with recent changes to Pennsylvania Law. Councilmen Heimbecker asked what defines a "Professional" pyrotechnician. Mr. Easton responded that he was unable to find an exact definition and that the verbiage in the proposed ordinance mimics that of the Pennsylvania Law. Mr. Heimbecker said that he would not feel comfortable adopting the ordinance until this point was clarified as he felt this was critical terminology. The other Council

members agreed to table the ordinance adoption to allow Attorney Eaton to perform additional research.

C. Review, Discussion and Authorization to Amend the Statutory Code of Hanover Township to Create Fire Marshal Position (Review & Discussion)

Attorney Eaton provided a history of the Fire Marshal position in Hanover Township. He said that there currently is not a formal position in the Township Code and that he was introducing an amendment to the code which would create the position. Bill 2018-06 “An Ordinance Amending Chapter 1, Part 7 of the Statutory Code of Hanover Township To Provide a job Classification For Fire Marshal” was thereby introduced to Council for the same.

Mr. Eaton said that after the code is amended, Council will also need to pass two resolutions, one creating a job description, the other would appoint the Fire Marshal and designation his/her compensation.

Payment of Bills:

Motion: I move Council authorize payment of the following

<u>ACCOUNT</u>	<u>VOUCHER NOS.</u>	<u>EXPENDITURES</u>
General Fund Account	Payroll (6/29/18)	\$ 20,407.28
	Payroll (7/13/18)	19,266.29
	23693-23707 (Prepays)	33,210.89
	23708-23749	<u>498,737.08</u>
	TOTAL GENERAL FUND	\$ 571,621.54
		=====
Capital Reserve Account	4373-4380	\$ <u>41,765.65</u>
	TOTAL CAPITAL RESERVE	\$ 41,765.65
		=====
Liquid Fuels Account	156	\$ <u>5,721.27</u>
	TOTAL LIQUID FUELS	\$ 5,721.27
		=====
Escrow Account	4666-4685 (Prepays)	\$ 3,400.00
	4686-4687	<u>44,268.25</u>
	TOTAL ESCROW	\$ 47,668.25
		=====
Water Account	4213-4215 (Prepays)	\$ 183.33
	4216-4220	<u>4,309.97</u>
	TOTAL WATER	\$ 4,493.30
		=====

Sewer Account	5629-5635	\$ 60,721.50
	TOTAL SEWER	\$ 60,721.50
		=====

GRAND TOTAL EXPENDITURES \$ 731,991.51

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

Courtesy of the Floor:

Ms. Frisch approached the Council and stated that she is upset that the Township spent so much money on this new building and it is not ADA compliant. Mr. Paulus assured her that the building was inspected and met all of the applicable codes. Ms. Frisch responded that she was upset that not handicap individuals were unable to enter the building and she felt that mechanically assisted door openers were not present. Mr. Paulus responded that they were not required and that he had a conversation with he Township Manager recently about this very matter. The Township is ordering signage that will provide a phone number to call for assistance.

Councilmen Heimbecker voiced his displeasure with PENNDOT. The Airport Road north Ramp from Route 22 has created a hazard to motorists when they need to cross the traffic lanes to turn onto Postal road. He called this area a suicide lane and generally voiced his frustration. This area is a problem now and will only get worse and he felt PENNDOT was turning a blind eye to the issue.

Adjournment:

The Meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Christopher J. Garges
Township Manager