

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

September 5, 2018
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Paulus, Wegfahrt, Woolley; J. Jackson Eaton, III, Esquire; Ryan Christman; Christopher Garges; Vicky Roth

Absent: Al Kortze, P.E.

Attendance: 16

Courtesy of the Floor: None.

Conditional Use Hearing:

1. B. Braun Medical, 939 Marcon Blvd.

Approval of Minutes: August 15, 2018 Regular Council Meeting

Motion: I move we waive the reading of the Minutes of the August 15, 2018 Regular Council Meeting and accept same as presented.

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

Reports:

1. Christopher J. Garges
Township Manager

A. Mr. Garges said that Katrinka, a representative from Brosky Insurance is present this evening. He had sent an email out to give Council a brief overview of what he wanted to discuss at the meeting tonight. It has to do with the public officials and employment practice and liability and EPLI. They are up for renewal. We are under a binder right now. There are two things that stuck out to him that he wanted to make sure Council understood and seek direction from them when it comes to those two pieces of liability insurance. One of them is what is currently on our policy called Consent to Settle. The descriptions of this were in the packet he sent to Council earlier. It basically gives the Township the option of should there be a claim under public officials or the EPLI that we could step in and basically have a say if we don't want to settle or a say in the settlement. This obviously comes with a cost and potentially a burden as far as what the settlement would be. But, it does give us the option to be a part of that. The second piece of this is not on our current policy and that is the choice of counsel. This would give Council the ability if there is a claim against the Township to choose their own counsel. That counsel would have to be chosen before as part of our policy renewal, vetted by the insurance company and that type of thing. We couldn't just have a few on deck and then say when we get a claim,

we pick this counsel. One should be picked now and then move forward. These are the two main components that stuck out in this policy that Council may want to have a say in. The rest of it is more of a general renewal. The other recommendation that Katrinka and Mr. Garges had going forward is to up our limits as well. Currently, we are at 1,000,000/1,000,000. Mr. Garges wants to raise that to \$2,000,000 for public officials and \$3,000,000 for the employment practices liability. Mr. Garges said if Council has any questions, between Katrinka and himself, hopefully they can answer them. Mr. Eaton, Township Attorney is aware of this. It was discussed at the last staff meeting as well. Mr. Paulus asked if Council would have a liable case against them, the insurance company would represent them. Katrinka replied, yes. Mr. Paulus asked if the insurance company would supply Council with legal and they would work up a settlement. Katrinka replied that both coverages are written up with a duty to defend, which means that the insurance company does provide the defense. They are responsible for all of the litigation as well as any decisions with respect to settlement. At this time, Katrinka explained to Council what would happen in a case Consent to Settle and choice of counsel. Mr. Garges said putting things into perspective, if they would go to the levels of \$2,000,000/\$3,000,000 that he is recommending, the Consent to Settle option is a few hundred dollars additionally. Mr. Eaton wanted to point out that the Consent to Settle, if it's only a few hundred dollars, Council is not losing anything by taking it because it's their option. If the insurance company comes in with a settlement offer, Council can take it and they will pay 100%. It's only if Council doesn't want to take it and then by having paid that couple hundred dollars then Council has the option to make the choice at that time of taking the risk of splitting the fee in the hopes that Council can ultimately drive them to a lower settlement. Katrinka stated that in her personal experience of 29 years in the insurance agency both as an underwriter for a large company and management with profits and loss responsibilities, typically where she sees the Consent to Settle coming into play is primarily on the employment practices liability. Those lawsuits do have the ability to go into Federal litigation. That generally drives up the cost of the defense and also the cost of the settlement. She said that particularly in that manner, she has seen municipalities of Hanover Township's size and some smaller and some larger make the option to go with Consent to Settle. Mr. Heimbecker asked who is the underwriter. Katrinka replied that it is Hudson Insurance. He asked how they are rated. Katrinka replied that they have an A rating and they are permitted and a carrier. Mr. Eaton wanted to know if he is correct in understanding if a settlement is offered at \$100,000 and the Township would say they want to take this to trial because they don't think they are liable for anything and it comes in a \$50,000, indeed it would be lower. But, in this case, would they still be splitting the cost. Katrinka replied that with a Consent to Settle, yes, 70% would come from the carrier and 30% would come from the Township. Mr. Eaton asked if that's both the damages and the defense cost and Katrinka replied, yes. Mr. Eaton asked if the settlement was higher does that also include damages and Katrinka replied, yes. Mr. Eaton pointed out that again Council would not be locked into anything until you got to the actual case and something is presented to them and then they could decide as to whether they wanted to take the risk. Mr. Wegfahrt asked what their cover limit is presently if they were not to take it. Katrinka replied that it's \$1,000,000 for public officials and a separate \$1,000,000 for employment practices liability. Mr. Wegfahrt said so it's \$1,000,000 for settlement and legal fees and charges. Katrinka replied that defense is provided in addition to policy limits. She said there would be

\$1,000,000 for the actual demand. Mr. Wegfahrt asked Katrinka if there was a settlement for \$995,000, it would not affect them. Katrinka replied that up to \$1,000,000, yes. A discussion ensued at this time. Mr. Paulus said it comes down to a cost of \$300 more a year for them to have a say if something would happen. Mr. Garges added that it is already on the policy. He just wanted to make sure that Council wanted to continue it. Katrinka commented that in her opinion \$1,000,000 with what she sees in today's society, may not be adequate and her experience with an insurance carrier, she understands how things are rated and right now the Township is paying a minimum premium for a \$1,000,000 layer for public officials. She said they could increase the limit to \$2,000,000 and have a savings of about \$500 for the two lines combined. She reiterated that given today's society, her recommendation is \$2,000,000. She said the Township is unique in that what is occurring in the Township right now is not necessarily residential basis as far as it is more commercial base with development of their master plan as they heard tonight. This brings a unique situation of the likelihood of increased claims down the road under public officials particularly with the zoning. That's where she sees the frequency of those claims is under the zoning. Mr. Wegfahrt mentioned one example that Katrinka quoted of the EPLI suit out of all the ones that have it right now. He wanted to know how big is that organization and how big is that Township. How many employees do they have? Katrinka replied they have about 240 employees. It is one of the larger ones that Brosky insures. That is something she had just recommended to them at their prior renewal just last year. Mr. Wegfahrt asked if that's the only one we know of right now and Katrinka replied, yes as of right now and they have about 21 municipal entities that they write right now. Mr. Wegfahrt asked if some are a lot larger than that and Katrinka replied there are quite a few that have the Consent to Settle option on. The particular one she is referring to with the EPLI also chose the choice of counsel option. Mr. Paulus asked by raising their premium, they are saving money. Katrinka replied yes. Mr. Garges said to clarify the minimum premium is \$1,500. To jump up \$1,000,000 is \$1,250 more so it's less to get that extra \$1,000,000. Katrinka said that at the \$2,000,000 premium, the savings is marginal. When you go up to the \$3,000,000 is when you start to save. Mr. Paulus thought it was a good idea to keep it on. Everyone agreed.

B. Mr. Garges mentioned that at the last meeting he was absent and Council discussed the geophysical microgravity testing. Mr. Garges reached out to Richard Lee. He is currently still available. What the Township would be looking at now from a project standpoint would probably be, should Council move forward with that testing, they would use the data that comes from that test to then put plans and specs together to do whatever work that would come out of that study as well as the Sherwood, Troxell, that neighborhood repair and overlay project that the Township has on the Capital Plan all as one next spring. At this time, Mr. Garges gave a recap of discussions on when this matter was first brought up. It will cost approximately \$26,000 to do that area. Mr. Wegfahrt asked if that's the first area or second area and Mr. Garges replied it's the combination of the two. He asked what was it for the initial Troxell Street area. Mr. Garges did not have that in front of him, but said it was less. This is in the middle of the two. Mr. Wegfahrt said as it was discussed at the last meeting, he is all in favor of it especially since they are not doing anything about it until spring at this point. Mr. Garges said if it would show that there is an immediate need, they would act on that then. But, the goal would be to preserve the

new work that the Township will be doing and make sure it's structurally sound. Mr. Wegfahrt said considering this has been a two-year issue at this point with Troxell Street and the holes resurfacing and patching, we are dealing with residential area, with property and residents themselves, some cars getting stuck in some of these when they start showing up on some of these. Mr. Wegfahrt is all in favor of playing it safe in this instance and spending the money and seeing what lies below the six to eight inches that the Township's Engineer told them the last time that they would do with the slurry and see what's far below that since utilities can go as far as four feet and below. Mr. Wegfahrt said since it's resident property and life, in a situation like this, he is all for spending the extra money and being safe. If it doesn't uncover anything, they did everything they could. Mr. Heimbecker said if you look at the history of sinkholes in municipalities, it's been from washouts from utilities breaking, storm water damage that create the problem under the ground and then the surface just falls into it. Probably 10 or 12 volumes on it throughout Florida where they have a lot of limestone similar to the Township. Mr. Heimbecker said he would like to know what's under there especially when you go on Taft Street out toward Pennsylvania Avenue to see what happened there because one of the residents had coincidental damage to a swimming pool. Mr. Garges reiterated that this area is just curb to curb that he will be working on. Mr. Wegfahrt said it's an indicator. It's where most of the problems have been surfacing is in this area, on the roadways. So, one would think if they find something there than obviously it needs to be explored elsewhere. Mr. Wegfahrt said considering the situation and the surroundings he is all for spending the money to be better safe than sorry on this. Mr. Heimbecker said that Mr. Lee has a track record of when you drill there is a hole there. Everything that has been shown to them that he has produced, he has a good track record. He said that in this case, he thinks that knowledge is really powerful for them going forward especially if they had a problem with a resident whose house disappeared one day, at least the Township would be able to go to court and say that they did do studies, but we can't go on private properties. Mr. Wegfahrt said that the Township Engineer spoke very highly of Mr. Lee and that he was referred by other people that he respects very highly. Mr. Heimbecker is in favor of moving forward with the survey. Mr. Wegfahrt agreed. Mr. Heimbecker said that in relation to this, Mr. Garges has a letter going to the city, the Engineer has a letter going to the city about the disastrous look of the neighborhood over there. Mr. Garges said he did the letter to the city. The Engineer has been working back and forth with them and it hasn't really worked so the next step was to escalate it so he actually sent the letter. The Engineer isn't going to send one. Mr. Wegfahrt asked what has the Engineer done since they discussed this about three weeks ago as far as the City of Bethlehem and following up on this. Mr. Garges said that they spoke about it at the staff meeting last week to get a game plan on how they were going to move forward. Mr. Garges said he didn't direct Mr. Kortze to do anything further other than the game plan being that Mr. Garges would go to the city's boss and try to run it up the chain. Mr. Garges said that he is not sure what more Mr. Kortze could have done. Mr. Wegfahrt said their discussion at the last meeting was a surprise to the whole Board about this whole scenario and the timing on it. He said they are a little dismayed on that. Mr. Heimbecker said it's bad and Mr. Wegfahrt agreed and said then three weeks later, the Manager's is sending out a letter now, when the Engineer should have been discussing this with them. Mr. Heimbecker said it's bad because what they understood was going to happen to that project was a finished roadway and then they find out that after it's "finished" and

they go out and look at it, first the contractor takes the position that they are not fixing anything anymore and that they did their part. Mr. Heimbecker, said no and that's what it was supposed to be contracted for, it's not done. He said the Attorney was going to look into it, so he would be interested in hearing what Mr. Eaton has to say about what the contract was supposed to be. Mr. Eaton replied that there is no contract with the Township. This is strictly a City of Bethlehem job. They were agents of the City of Bethlehem and it's Bethlehem's line that they were fixing. The proper response is to the City of Bethlehem. It seemed, for a couple of reasons to him, that the process suggested by the Manager that they move it up a level to a higher supervisory level, he could direct correspondence to was the best way to go forward. In his mind, and part because there is a new sheriff in town if you will, and if the Township Manager is making first approach to the Department. Mr. Heimbecker said at the risk of being argumentative, what does the contract say was supposed to be the finish level that the contractor was going to do for the City. Mr. Eaton said he thought the question was if they had some contract them. Mr. Heimbecker said they specifically asked about what was supposed to be the finish level of this project. Mr. Eaton said it's up to the City. Mr. Garges said he thought they were talking about a couple of different things here. He asked Mr. Heimbecker is he talking about what the finished product looks like or the ride quality of the finish. Mr. Heimbecker responded, both. He said one, Mr. Kortze called it a course finish. That's what is in the Minutes. He said a course finish is not a finished roadway. It's not the milling that you see. He asked Mr. Garges what he refers to the finish on a completed street. Ryan Christman in attendance for Al Kortze, Township Engineer, said normally the finished course is an inch and one-half wearing course. Mr. Heimbecker said that wearing course does not exist on any of those holes. Mr. Garges said his understanding is, and a lot of it was in motion well before his time at the Township, his understanding of the previous discussions was that the trenches were going to be done bigger than their Subdivision Land Development Ordinance requires in depth. A deeper finish, but all of base material because the plan was that this was just going to be overlaid anyway subsequent to the work being done. That being said, they are talking about the finish with what you see material wise. The fact that they could have made the ride quality much better using that same product, in his mind he thought was where the issue was. Because right now you have some settlement, some high spots and low spots. He said the contractor did a horrible job on the repair. They could have done a good job with the material they used. Mr. Heimbecker stopped Mr. Garges and asked everyone if they understood when they talked about this originally when it was proposed to the Township that they were going to have the finish that is currently existing or did they expect a finished roadway. Mr. Wegfahrt said his understanding is that once a roadway is opened in this Township according to the Township's Ordinance and what any contractor in the Township must follow, it's to be restored to original condition. Mr. Garges said Mr. Wegfahrt is correct in that statement. Mr. Wegfahrt said that was his part of the discussion at the last meeting, which was why isn't the Ordinance being enforced. Mr. Heimbecker said that would be the position that they would take as a Board that the Ordinance says you are going to get a finished roadway. Mr. Wegfahrt said in the aspect that the Township Solicitor was going to look to see what kind of enforcement would be possible because according to the Township's Engineer, Bethlehem officials or whomever he went to, Mr. Wegfahrt thinks the Department of Public Works he went around with, said to them it was good enough. Mr. Wegfahrt's

point is that it is not their decision if it's good enough. It's the Township's and the Ordinance decision if it's done well enough. Mr. Wegfahrt reiterated it's not their decision. Mr. Garges said he believes he sent them the Township's Ordinance section to the City when they went, but they pulled out those sections of the Ordinance and read it and basically, they feel they did not meet from a right quality standpoint, it's not back to the level it was supposed to be. He said when you talk about the product that's in there, he will have to defer to the Engineer because that was all, from what he was told, discussed before he began at the Township that that is the material they were going to use. Mr. Garges was just trying to separate it out into two issues. Mr. Wegfahrt said he thought the discussion they had at the last meeting was that at the end of the day they weren't overly concerned about the product used they were concerned about the restoration into original condition and the highs and lows and suspension work that's going to be done to people's cars or whatever the case is. Mr. Garges said that was the nuts and bolts of the letter he sent to the City which addressed basically that the finished product is not acceptable. Mr. Wegfahrt said the fact that they didn't know about this until he raised the question that this apparently happened a month or two earlier is a whole other subject to discuss. Mr. Heimbecker said he doesn't recall ever anything being brought to the Board that said they were going to do this one project and leave it at a point because the next project was going to cover it. Mr. Woolley asked if it was possible to get a copy of whatever contract Bethlehem Water Authority signed with the contractor. Mr. Eaton said they could get that under the Freedom of Information Act Request if they want. He said they do not have the authority to enforce that contract. Mr. Wegfahrt questioned if that is really relevant because at the end of the day he doesn't care what their contract says. He cares about restoration of the road to its original condition. Mr. Woolley said he agrees but what he is saying they can always go back to Bethlehem and say this isn't what we agreed to. Mr. Wegfahrt said it's irrelevant. Mr. Heimbecker said they have five blocks of residential township that is a tank trap and Jeff Mouer, Public Works Supervisor, is not going to be happy sending his Public Works out there with snow plows this year. When the water gets down in those holes, it's going to pop that topping out like they were soda pop caps. It's coming out. It's inferior work and it's not something the Township should even be talking about. He went on to say that this has been months that this is going on. Mr. Wegfahrt said that's the other upsetting part about this is that they are here three weeks later after the last meeting and they asked for action and the letter just goes out the other day and it takes three weeks more to do that. He said that's a little disheartening also and he guesses the Township waits at this point. Mr. Garges replied, yes unless someone wants to place a personal phone call to the Mayor, but that is the level that we will take it up to. He said when they hear back from Mr. Boscola and they don't get the answer they want they will just keep going. Mr. Eaton said that in part he thinks they are better going with this step first because he thinks going to a magistrate is going to get you a \$300 fine fast for something minor. If you want to go to litigation and force them to refinish the road because it's not up to your speed, you are going to spend a significant amount in legal costs which may be avoided if Mr. Garges is successful in a direct approach. Mr. Wegfahrt said he agrees. He is not questioning the process. He is questioning the timing of the process. His preference would have been both the Engineer and Mr. Garges going and doing something simultaneously the Thursday after the meeting they had or even the next Monday. Not three weeks later. Mr. Heimbecker said they didn't find out until three weeks ago that Mr. Kortze had

been told by the City months earlier and Mr. Wegfahrt reiterated that they wouldn't have known unless he raised the question again. Mr. Wegfahrt said he looks forward to hearing the positive results of this whole thing and how soon they are going to fix it.

C. Mr. Garges said next up is another continuation of discussion from the last meeting regarding the Credit Cards. The cards were terminated after the last meeting and after some pointed discussions with PNC, they miraculously figured out how to issue cards without any employees personally securing the credit. They arrived this week through PNC. PNC waived the annual fee perpetually and the Township has a 1% cash back on that. Mr. Heimbecker said that's wonderful. Good job.

D. The Airport and Council approved earlier this year Hangar 11. A new hangar over off of Hayden Circle. Mr. Garges attended the groundbreaking on August 21. It was very well attended. The Airport secured a large chunk of the funding from PennDOT Aviation. It will be about one year of construction until a grand opening.

E. Mr. Garges said the Township received plans for Patriot, Lot 2, 1108 American Parkway which is down next to LSI. There are three lots there, one currently in use and developed which is where St. Luke's is in now. This would be an office and laboratory building just to the west. That application will be heard at the September 18 Planning Commission Meeting.

F. Mr. Garges received an Audit Report from the Auditor General for January 1, 2016 through December 31, 2017 for Liquid Fuels and they found no issues of noncompliance.

G. On August 28, Mr. Paulus and Mr. Garges attended the Lehigh County COG Meeting. There were some good discussions from DCED regarding the local share account, which is the new process for handing out gaming grant money. What they found out was their estimate was there is about \$500,000 for all of the municipalities in Lehigh County. That grant window does open up soon and goes through early November. Mr. Garges said he is looking into putting something small into that for some signs for the parks or our park plan that the Township wanted to have done next year.

H. A few meetings ago Council authorized the purchase of the MuniLogic Software. The Township is having their kickoff meeting tomorrow morning to start the process, which they envision is a four-month process. Mr. Garges sent an email out to Council as well. Through the DCED, it's the municipal internship program. The Township was authorized an intern for \$18 per hour for a 20 hours per week. It's a college-level internship. They would have to apply through the MIP website. Mr. Garges started to reach out to some of the local municipalities, Lisa Boscola's office and Jeanne McNeill's office to see if we can find someone to apply. Should we be able to find someone, one of their main jobs would be the liaison between the Township, Base Engineering and the Engineering firm software implementation. If not, then we would handle that all with our current staff.

I. Lehigh Valley Planning Commission - Hanover Township will be hosting a small forum for their future Lehigh Valley Comprehensive Plan on September 18 at 6:00 p.m. That will be before our next Planning Commission Meeting. We sent out invitations from them that will include Allen Township, East Allen Township, Walnutport Borough and Lehigh Township. They tried to get those that were most affected by the current development in this area.

J. Before the meeting, Mr. Garges dropped off the Employee Handbooks in draft form for now. He asked Council to take a look through them. Mr. Eaton's office and Mr. Garges spent a lot of time going over all the items. If Council wants to jot down any questions or comments you have, he can bring that up at the next subsequent meeting and revise it with any comments that Council may have and then get it to implementation.

Mr. Wegfahrt said he had two matters to discuss. They talked briefly about the surveys on Troxell, but he doesn't know if they came to any conclusion on whether they were doing them or not. He said Mr. Heimbecker and himself shared their thoughts and asked if anyone else had any thoughts. Mr. Lawlor said he was in favor of it and Mr. Woolley said he is in between because they did at the Township Building and there were no sinkholes according to what they did and then one appeared, but he doesn't think it could hurt to do it especially if the Township is going to spend the money to resurface it.

Motion: I move we move forward with the survey on Troxell Street with Mr. Lee.

Wegfahrt, Heimbecker: Moved and Seconded

Heimbecker, Lawlor, Wegfahrt, Woolley:

Aye

Paulus:

Nay

Mr. Heimbecker questioned Mr. Garges regarding the intern. He asked if Mr. Garges gets the final say on who is hired and does he get to interview more than one or are they just going to send someone to the Township. Mr. Garges replied that the way the process is set up he is not 100% sure because it's a new program. The applicant has to apply through the Pennsylvania Internship website. Mr. Garges will get notified once someone applies through there. He can find out what the Township's involvement would be. It is 100% funded by the state. Mr. Heimbecker asked Mr. Garges if they have any types of benefits. Mr. Garges wasn't sure. He will find out. Being that it's a 20-hour work week, Mr. Garges doesn't imagine there are benefits. They envision this as someone working while they are taking classes. It's not a full-time internship. They may open that up in the summer. This is for this semester right now and then if we don't get anyone, it will carryover. Mr. Wegfahrt asked if this would be an employee of the state or our employee and we are just reimbursed for it. Mr. Garges believes it would be an employee through the PA MIP. Mr. Heimbecker's concern is that if someone is carrying boxes or restacking stuff down in the basement, coming up the steps trips and falls. Mr. Wegfahrt said from a liability standpoint. Mr. Heimbecker wanted to know whether we are carrying the ball or they are coming here and they have their own coverage because its part of the program. Mr. Heimbecker said they want them safe and with coverage it's much better.

Mr. Wegfahrt wanted to touch on another matter quickly. He understands there has been some conversation about auditors. He wanted to know if that's something they should be discussing or not discussing as far as exploring other auditors. Mr. Garges replied that his plan was to go with our current audit amount in the Budget and then bring back to you before Audit, before the end of the year, a list of firms and prices for you to make a choice. Mr. Garges doesn't intend to do that in the near term. He wants to put the Budget together first. Mr. Garges said he has reached out to a few municipalities and gotten some names of other firms and Mr. Heimbecker has provided some as well. He said that was his plan unless directed otherwise. Mr. Wegfahrt said that's fine. He said it was a general conversation and he wanted to know what the game plan was and expectations. It would be price, different firm and also what they audit and services. Mr. Garges said ideally, he could get them here to do presentations and narrow it down to one or two.

2. Ryan Christman for
Township Engineer

A. Mr. Christman had one quick item to report on. The Lower Lloyd Street Sanitary Sewer Project is 99% complete. They restored the street today. Mr. Christman hasn't had a chance to look at it yet. Hopefully, it meets the specs. They are going to be videoing the lines tomorrow and then all he will have is punch list items to do and that should be it.

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

A. Mr. Eaton said there have been no changes on the Rockefeller status since the last meeting. The items are still open. It appears that the completion of Willowbrook Road is now toward the end of October that they are aiming for. Of course, that's been pushed back repeatedly. He said his other items are on the Agenda.

Mr. Wegfahrt mentioned the conversation they had at the last meeting with some of the verbiage they had is it Postal Road entry onto Airport Road. Mr. Eaton replied, yes. He had been in touch with an attorney from PennDOT on this issue. Sometime ago, he received Mr. Eaton's correspondence. He understood it. The Township was asked to sign a joinder to an agreement they had with Bethlehem. That's a big long one and this is a little paragraph that says, we agree to paragraph 18. They still had not heard back from Bethlehem. As to the main agreement, the attorney said do you mind if they wait until they hear from Bethlehem to discuss it. Mr. Eaton replied, you know what our position is. Mr. Wegfahrt said he thought it had something to do with their maintenance if the Township would adhere to their maintenance on our road or something like that. Mr. Eaton replied yes and he understood that readily and seemed reasonable. Mr. Eaton said we will have to see what they say about the regulations. Mr. Garges commented that particular was the PennDOT project from Postal to 22. Mr. Wegfahrt said yes, that Postal Rd., they needed a little bit more room from Postal Rd. to Airport Rd. Mr. Eaton thought there was a signal there and they are reconfiguring some things and in doing that they have to dig up a portion of our

Township road and he said they are welcome to do that but the Township is not going to accept any additional responsibilities.

Unfinished Business:

1. Bill No. 2018-05, An Ordinance Amending Chapter 7, Part 4 of the Statutory Code of Hanover Township to Conform its Provisions with the State Fireworks Law (Public Hearing)

Mr. Eaton commented that he still has not gotten a positive response from the American Pyrotechnics Association despite earlier indications to the contrary. He thought it might be a result of summertime. Obviously, they have a small staff there. He will continue to try and reach them, but he will get a definition from some reputable source that they can use for professional pyrotechnician which is the definition of the statute by the next Council Meeting. Mr. Wegfahrt said he is shocked that the organization that owns this can't even give us a definition of what that is. Mr. Wegfahrt told Mr. Eaton thank you for trying and staying on top of it. The Public Hearing was tabled.

2. Letter of Credit Reduction #5, Phases 1 and 2, Rockefeller Group (Vote)

Mr. Garges said this is another leftover from the last meeting. The history behind this is for all of the Rockefeller improvements, Willowbrook Rd., Race Street and everything within the Township. Their letter of credit had been reduced a couple times. Early on last year, they actually split it into two phases. There was some different traffic signal work done and added. There was a requirement then to increase the amount of the bond or the letter of credit that the Township has. Mr. Garges said what we've been waiting for is a return of the letter of credit that now shows the increased amount on there. That being said, the amount that the Township currently holds on the letter of credit is more than the value of work that they've done. It's not that we are behind. We are ahead from that standpoint. What is before Council tonight is the next reduction which is the fifth request, but the second request after the split. This request totals \$118,000. It's for Phase 1 and Phase 2. There are two review letters, one for each phase dated July 26, 2018 from Keystone. The Motion that would be before the Board would be to grant the reduction of the letter of credit conditioned upon receipt of the revised letter of credit. Mr. Garges received an email late in the day from Rockefeller. Below that, from the bank saying that the letter of credit had been signed by the bank and is now being sent to Rockefeller for execution and then the Township will get a copy of that. Mr. Garges does not physically have that letter. Mr. Garges said as the Township had done for the first request which they are still holding, Council approved that request conditioned upon getting the revised Letter of Credit. That was for number 4 which would have been the first one, Phase 1 and 2. That is still sitting and waiting for release until the Township gets what they are waiting for with this letter of credit. What is before Council is the same thing. To approve it conditioned upon actually physically getting that letter of credit. Mr. Garges said if Council would be so moved to approve the two releases before them, they wouldn't physically get released until they had that letter of credit in hand. Mr. Garges asked Mr. Eaton if he was correct in all of this and Mr. Eaton replied, it's correct. Mr. Garges said the reason they brought it back to

functional features. His witnesses will explain this to Council and at the end when he wraps up, he will ask Council the question again to consider whether they really need the Conditional Use approval and if Council's thinks they do need it, then to grant it based on what they present here tonight. At this time, Mr. Charlesworth asked Council if they had any introductory questions before he got to his first witness. At this time, Mr. Charlesworth called Mr. Rex Bolen as his first witness. Mr. Rex Bolen introduced himself. He is the Vice President and General Manager for the Allentown Operations at B. Braun Medical. Mr. Charlesworth asked Mr. Bolen to describe his position with the company and his involvement with this particular project. Mr. Bolen responded that he is the site manager responsible for all manufacturing operations that take place at their 901 Marcon Blvd. facility. He is also the chief sponsor and representative for the site construction that they are proposing at 939 Marcon Blvd., the old Sure Fit property. Mr. Charlesworth asked Mr. Bolen, which is immediately adjacent to 901 and Mr. Bolen responded that was correct. At this time, Mr. Charlesworth stepped back so the Board could see the plan. He marked it as Exhibit A-3. It's a plan from Pennoni Engineering. He pointed out the revision date is August 21, 2018. He asked Mr. Bolen if he was familiar with the plan and Mr. Bolen replied that he was. Mr. Charlesworth asked Mr. Bolen to describe what the existing building is at 901 Marcon. Mr. Bolen pointed out on the plan where the existing B. Braun is located and where the proposed facility will be located. Mr. Charlesworth asked Mr. Bolen what is surrounding the area. Mr. Bolen replied that it is all industry and offices. Mr. Charlesworth asked Mr. Bolen if they are part of the Lehigh Valley Industrial Park and Mr. Bolen replied that they are. Mr. Charlesworth asked Mr. Bolen to explain what goes on in the existing building as it relates to what is going to go on in the new building. Mr. Bolen responded that they manufacture a variety of medical devices and it's going to be the same activity up on the new building. Mr. Charlesworth said there is also a land development plan also pending which they will get into more detail about later this evening. Mr. Charlesworth said that these were the only questions he had for Mr. Bolen at this time and asked the Board if they had any questions for Mr. Bolen. Councilman Heimbecker asked Mr. Bolen to orient the plan to the active runway and Hangar 5 for him. Mr. Bolen did so. Mr. Heimbecker said that while they were on the subject, Mr. Charlesworth specifically brought up height. He asked if the FAA had a look at the plan. Mr. Charlesworth said they will have just as LVIP will as part of the whole planning process they need to submit to those outside agencies. Mr. Heimbecker asked from what they see on the plan, is there anything else on the top of the building, like cell towers on the site. Mr. Bolen responded, no. Councilman Woolley asked if the proposed new building will be larger than the existing one. Mr. Bolen responded that the existing building is approximately 400,000 square feet and the new building both lower and upper floors, 310,000 square feet. It will be three quarters of the size. At this time, Attorney Knerr realized that everyone needed to be sworn in and asked if anyone was intending to testify tonight that they raise their right hand and be sworn in by the stenographer. Mr. Knerr told Mr. Bolen that his testimony would fall under what he just swore in. He thanked everyone and told them they could proceed. At this time, Mr. Charlesworth called his next witness, Mr. Michael Lennon and asked him to state his name and occupation for the record. At this time, Mr. Michael Lennon introduced himself. He is the project architect with

Integrated Project Services in Blue Bell, PA. Mr. Charlesworth asked Mr. Lennon what his role is in this project. Mr. Lennon replied that he is the lead architect. He helped B. Braun design the initial phases and now he is in the current phase of detail design. Mr. Charlesworth asked Mr. Lennon what his qualifications and professional experiences are and he responded that he has about 12 years of professional experience specifically in industrial architecture related to medical devices and pharmaceuticals. He has been with Integrated Project Services for about six years. Mr. Charlesworth asked him what his familiarities are with this particular site and plans that they are looking at tonight. Mr. Lennon replied that he has been working closely with B. Braun to develop the floor plans and the overall footprint to establish and get to all the program requirements that are needed for the building. He was asked if he was familiar with this particular site and if he's been there and Mr. Lennon replied that he has, several times. Mr. Charlesworth asked him if he's been in the surrounding area as well and Mr. Lennon replied, yes and that he's done lots of surveying to get the plans developed. Mr. Charlesworth asked Mr. Lennon if he was familiar with all the applicable rules and regulations of the Township and other bodies and Mr. Lennon replied, yes, he has done several projects in the Pennsylvania area and have studied the local requirements. Mr. Charlesworth said he wanted to talk about the specific portions of this building that will exceed the 50-foot maximum as planned for that from Mr. Lennon's perspective. Mr. Charlesworth said it's A-4 in the corner and it's called View from Postal Rd. Mr. Lennon was asked to explain to the Board what it means. Mr. Lennon said as you can see in view A, there is a large frontage wall that faces Marcon Blvd. and the roof level of this portion of the roof will be at approximately 50 feet, but B. Braun requested that they extend the building wall up 42 inches to provide a barrier for individuals that may be working on top of the roof. This is in lieu of their existing conditions where they have a premade barrier that sits on the roof and does not play a role in the building. Mr. Charlesworth said he wanted to jump back to 901 Marcon, next door, if you look at it from the outside, you wouldn't see a continuous roof or parapet, you would see a yellow fence sort of structure. Mr. Lennon said, kind of sitting on top of the roof, yes that's correct. Mr. Lennon continued at this point. He said because of the nature of the building, there are various roof heights. It's a manufacturing building, so there will be certain areas that will have this extended parapet that will be required for the 42-inch wall protection. Another portion of the building is in the very center of the building. B. Braun has requested that they extend the stair tower up beyond the surface of the highest point. Mr. Charlesworth asked the stair tower is in lieu of what other features that you could use for access. Mr. Lennon replied that it's in lieu of a roof-mounted hatch. Normally you would have to walk up a stair inside the building and your head would be very close to a hatch and you would have lift that hatch up and then climb on out on to the roof. The stair tower will allow the occupants to simply walk up and enter the roof by a normal path. Mr. Charlesworth asked Mr. Lennon if he would call both of these things positive evolution of the building. Mr. Lennon replied yes, absolutely. He said it will be a lot safer for maintenance to access the roof in a building like this. Mr. Charlesworth asked him if this is being done as a cost savings for B. Braun. Mr. Lennon replied that they are not viewing it as a cost saving measure. Mr. Charlesworth wanted to talk about the plan on the bottom, marked as Exhibit A-6. Mr. Lennon said that A-6 describes the view

points from both Postal Rd. and Marcon Blvd. So, you can see View A as being described as shown on Marcon Blvd. from the south, View B is from Postal Road and in their drawing, they are trying to indicate what the building site lines will be from those to vantage points. This will not be a monumental element on the building at all. At this time, there was a discussion regarding View A. Mr. Charlesworth discussed the existing B. Braun building. He asked Mr. Lennon what features are on the existing building that are higher than what are being proposed for new facility. Mr. Lennon replied that there is a cooling tower and screening at existing building that extends up substantially on a portion of that building. There are all types of mechanical on the roofs that have been developed organically over the years. Mr. Charlesworth asked Mr. Lennon if they are higher than the stair tower and parapet they are proposing at new facility and Mr. Lennon responded that yes specifically the cooling tower is higher. At this time, they discussed the construction of the proposed building and as it relates to what will be inside of it and how they would get to that 50-foot height. Mr. Charlesworth asked Mr. Lennon to explain why that's being proposed. Mr. Lennon replied that the manufacturing at B. Braun does in the new facility require some equipment which needs overhead access and so specifically there will be a crane that needs to access the top of some of these projection molding machines. The stack up of those pieces of equipment, the crane, and the floor assembly would drive a 25 foot or a 1st floor to a 2nd floor height. The mechanical equipment that also serves that area will also require a 25-foot height. There is a tiller plant that will be above this. So, if you stack those two together that is how they get the 50 feet. Mr. Charlesworth clarified that rather than putting that on the roof, it's actually interior to the second floor and Mr. Lennon agreed. Mr. Charlesworth mentioned Mr. Heimbecker's question regarding submission to the FAA. He asked Mr. Lennon if that will be done in due course. Mr. Lennon replied that yes, it's underway. At this time, Mr. Charlesworth spoke about the general Conditional Use criteria that are in the Zoning Ordinance, Section 1102. He asked Mr. Lennon for his professional conclusion based on what he knows of the Ordinance and of the proposed site. He asked Mr. Lennon if it is his conclusion that the proposal is in accordance with the Township's Comprehensive Plan and with the Zoning Ordinance. Mr. Lennon replied that it is. He asked Mr. Lennon if it is his conclusion that the height is in the best interest of the Township and community and will be an improvement to the property. Mr. Lennon replied yes, it is. He asked Mr. Lennon if he thought the building was suitable for the mentioned property and the neighborhood. Mr. Lennon replied, absolutely. He asked Mr. Lennon but for this conditional use, if everything is in conformity with the Zoning Ordinances. Mr. Lennon replied, yes. He asked if there will be any extension of public services or facilities necessary because of this increased height. Mr. Lennon replied, no. He was asked if there would be any impact on traffic or other safety elements for the public based on this increased height and he replied, no. Mr. Heimbecker asked Mr. Lennon what they are exhausting out of the building. He asked if their HVAC units are located behind the parapets. Mr. Lennon replied that there will be several reliefs of exhaust that come out of the building. They are all general exhausts. They don't expect anything corrosive or hazardous to be exhausted other than normal HVAC-type exhaust. Mr. Heimbecker commented, pharmaceuticals and Mr. Lennon said, it's medical device production. Mr. Heimbecker asked if it is a fully sprinklered building and Mr.

Lennon replied, yes, it is. Mr. Paulus questioned if the wall that is extended on the roof, is actually a safety wall for workers and Mr. Lennon said he thought yes you could categorize it as such. Mr. Paulus said so no one falls off the roof. He also wanted to know if he understood it correctly that's why this is being raised to that height and the stairs that they want easy access for maintenance or roof workers is an emergency exit. Mr. Lennon said that no, it's not required, but it could be. Mr. Woolley said he imagines they will be hiring a number of people and will be there additional parking. Mr. Lennon replied that yes as part of the plan there is additional parking planned. Mr. Charlesworth said he would address this during the Land Development portion. Mr. Wegfahrt questioned if the heights that will be above 50 feet will be on the south side of the building. Mr. Lennon replied that it will be on the western portion of the building, which will be closer to the existing building. Mr. Charlesworth said those were his two witnesses and he would now take a seat and asked if the Board or members of the audience had any questions or comments at this time. Mr. Charlesworth mentioned as he said at the beginning of his presentation he thinks from a legal perspective that the Conditional Use is not even applicable because the features that they are talking about are functional safety-type features. They are not meant to be occupied. They are more akin to a chimney or other feature that is part of the building structure. He said if the Board does not agree with that, the alternate legal theory is that they've satisfied all the criteria in the Township's Ordinance for Conditional Use based on this particular parapet and particular stairwell and he thinks it's pretty straightforward. They will answer questions and he will move his exhibits into evidence. Mr. Paulus thanked Mr. Charlesworth and Mr. Knerr concluded the hearing. He asked if anyone had any thoughts. At this time, Mr. Knerr gave a few comments on Mr. Charlesworth's argument. He understands what he said but isn't convinced that something along the nature of even the wall or stairway access is quite the equivalent of a chimney. He said the stair might be, but the wall itself is not. He doesn't feel that would preclude them from getting the relief for everything they want to do. He feels that by granting the Conditional Use would be the cleanest way for the Board to handle the situation. He recommends that they proceed to consider whether to grant the Conditional Use that they have requested. Mr. Wegfahrt said he agrees and he also doesn't see this as not subject to Conditional Use just based on human usage is going to be. He said approving or not approving, a chimney is not human usage. Mr. Paulus said going back to him questioning the safety of the wall, years to come when you have workers up there, it's good to have a wall and the exit is better this way than a hatch for workers or whomever might use it. He doesn't see a problem. Mr. Heimbecker said he thought it looked very attractive. Mr. Wegfahrt said he thought it was planned well. He is in full agreement with something that is going to provide safety for any worker who is on the roof of a 50-foot building. He would be in favor of this. Mr. Heimbecker commented that he thinks if there would be any factor in that it would be the FAA. Mr. Paulus didn't think it would be a problem. Mr. Paulus asked Councilman Lawlor what he thought and Mr. Lawlor replied he was okay with it. Mr. Paulus told Mr. Knerr that they were all in agreement. At this time, Mr. Wegfahrt made a Motion.

Motion: I move we accept the Conditional Use as presented.

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

Mr. Knerr told Mr. Charlesworth that they would provide them with the written Decision.

Mr. Paulus said that the Motion was to grant them Conditional Use.

2. Resolution No. 2018-40, A Resolution Granting Preliminary/Final Land Development Approval, B. Braun Medical, 939 Marcon Blvd., Allentown, PA 18109 (Vote)

At this time, Laura Eberly with Pennoni Associates introduced herself. They are the site's Civil Engineer for B. Braun 939 Marcon Blvd. expansion. She mentioned that everyone has already heard discussions on what is proposed on the site and they started to talk a little bit about some of the site features. She went on to describe more about the features and mentioned that this was the former Sure Fit site and that the Sure Fit foundation is still in place on the site. That building was approximately 7 acres of impervious cover. With this plan they would be reducing the amount of impervious cover on the site by approximately 3 acres. Once they put up the main building, they have a small maintenance building to the north on the site that they are proposing along with parking lots and access driveways. They are proposing three different driveways into the site. Two of the driveways come from Postal Road on the north side of the site, one driveway comes from the south on Marcon Blvd. on the south side of the site. On the south side of the site, they are proposing an employee parking lot with 326 spaces, which does meet the zoning requirement for parking on the site. To the north of the main building, they do have their truck access area and they designed the site in such a way that the employee parking will be mostly separate from the truck traffic that will be accessing the building. Ms. Eberly pointed out on the plan that to the north of the building they have loading docks space and proposed trailer storage space. She pointed out that the smaller building to the north is going to be part of B. Braun's maintenance area. There is an existing storm water management facility on the site. They are going to keep that storm water management pond and their storm sewers will drain to that. They have some storm water sewers that go to the north to Postal Rd. and because they are reducing the impervious cover on the site, they do have a reduction in rate and volume of storm water leaving the site. They've studied the runoff on both directions to Postal Rd. and to Marcon Blvd. Additionally, they submitted to the Township some traffic information, vehicle trips that were generated by the development. They looked at it in two ways. They calculated it based on the square footage of the manufacturing facility. They also looked at it based on what B. Braun thought would be the maximum number of employees at the site. The actual square footage of the manufacturing at the proposed building generated a larger trip generation number. They came up with 380 vehicle trips per day and that is a combination of employee traffic and truck traffic and that was below the 500 trips per day that would require a full traffic impact study according to the Township's Ordinance. She reiterated that this building is going to be an expansion of B. Braun's current manufacturing capabilities at their 901 site. They

believe that the truck and trailer storage parking is adequate for their needs because it is essentially replicating what they are doing on their existing site. Ms. Eberly said they have an approval letter from the Lehigh Valley Planning Commission. They did determine that the plan was consistent with the County's Comprehensive Plan. They currently have an application before the Lehigh County Conservation District and they have received their first set of comments from them. They are updating the plans according to those comments and they will be resubmitting to them on Friday. They anticipate having that approval from them shortly. Ms. Eberly pointed out that the Board has the Engineer's comment letter that had some very minor comments left and they have stated to the Planning Commission and to Council that they will comply with the comments remaining in the Township Engineer's letter. At this time, Ms. Eberly asked if there were any questions on the plan or if there was anything else she could offer. If not, they request the Township's approval. Mr. Paulus said he has before him the Planning Commission's letter and their comments and he asked Ms. Eberly if they agree to all those conditions, there are nine of them, and she replied, yes. Mr. Wegfahrt asked if these nine conditions are provided by Keystone Engineering or the Planning Commission. The Township Manager commented that part of the Resolution has nine conditions for approval and one of those is the Keystone letter. They would have to comply with everything in the Keystone letter as well as the other conditions. Mr. Wegfahrt said that was his question because it does reference a development approval subject to compliance with a letter dated August 20, 2018 by Keystone. Mr. Garges said all the items in that would be applicable. Mr. Charlesworth asked for a clarification that the nine items are listed in the Resolution and Mr. Paulus replied, yes. Mr. Knerr address the Chairman and made a comment that on Condition No. 3, he thinks that would be the appropriate language for the Planning Commission but in the Board's case they wouldn't be recommending approval but granting approval. He asked Mr. Paulus if they are granting those waivers and Mr. Paulus replied, yes. The only other issue Mr. Knerr thought they should have a discussion on is Item No. 7. He said they should either determine what the open space is or where it should be or how much or in lieu of that what the fee is or should be and be a little more specific about it. He understands that the Engineer's office made a recommendation of a \$1,200 fee in lieu of and Mr. Lennon responded that yes that was a calculation of the amount it would be based on the SALDO requirements. Mr. Knerr asked if they would rather grant the fee as opposed to granting land. Mr. Lennon said they came up with the same calculation and that would be acceptable. Mr. Garges said he would follow up and make the two adjustments to Resolution and then the Board can just approve the Resolution as amended and Mr. Paulus replied, yes. Mr. Garges said he would sent it out to the Board the next day. Mr. Paulus asked the representatives for B. Braun if they agreed with this and they replied, yes. Mr. Paulus asked if Mr. Knerr had anything else and if he was okay with this and Mr. Knerr replied he had nothing else and yes, he agreed with them.

Motion: I move we accept Resolution No. 2018-40, A Resolution Granting Preliminary/Final Land Development Approval, B. Braun Medical, 939 Marcon Blvd., Allentown, PA 18109, as Amended and Conditions made as part of the record.

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

3. Resolution No. 2018-41, A Resolution Granting a Waiver Request, Runway Intersection Rehabilitation and Safety Area Restoration, LNAA, 3311 Airport Rd., Allentown, PA 18109 (Vote)

Ryan Meyer, Director of Planning and Programming for the Airport Authority, introduced himself at this time. He said they are looking for a request for a waiver for the land development approval for their runway rehabilitation that they will be doing over the next four years. They met with the Township Manager. He received a letter from the Township Engineer. He said the first three phases of the project are not increasing any impervious coverage but just rehabilitating their main runway as well as relocating existing storm water infrastructure on the property outside of their runway safety areas, but it isn't impacting anything off of the airport property. They are looking for a waiver for the Land Development Approval for the first three phases and the fourth phase they are looking to do shoulder improvements for safety, about 25 feet of pavement down the full 76-foot length of the runway. Prior to that point and in discussions with the Township Manager and Engineer, they would come back to review whether it's land development approval or what needs to be done at that point. Mr. Garges commented that if Council will remember he believes it was the first meeting in August, August 1, he brought this matter up and they briefly discussed it under his Manager's Report that conceptually they would move this forward as a land development as a waiver or deferral more so of the land development process so that the Airport could get moving. He believes from their meeting that their funding through the FAA begins through this fall, this month or next month. For them to go through the whole process would have kicked them out of this window that they have, which is why they went this route to basically defer. That's what Resolution No. 2018-41 basically says that any movement on stage 4 down the road will require full land development approval which will kick in our storm water reviews and that type of thing. Mr. Wegfahrt asked him to remind them again what this exactly bypasses. Mr. Garges said he will start with a bigger overall picture of what they are doing which might help Council to understand a little more of the project and he asked to be corrected if he is wrong with any of it since he is not an airport engineer by any means. Mr. Garges gave an overview of what the airport is planning leading up to Stage 4. Mr. Paulus asked if the Board had any questions.

Motion: I move we adopt Resolution No. 2018-41, A Resolution Granting a Waiver Request, Runway Intersection Rehabilitation and Safety Area Restoration, LNAA, 3311 Airport Rd., Allentown, PA 18109, as presented.

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

4. Bill No. 2018-06, An Ordinance Amending the Statutory Code of Hanover Township to Establish a System of Annual Compensation Increases for Township Employees

Based Upon a Common Percentage “Base Increase” for all Employees and a Possibility for Supplemental “Merit Increase” Based Upon Performance (Introduce) Mr. Garges said this would be for introduction tonight. Bill No. 2018-06 and the subsequent markup of the Bill which shows what they removed and what they are proposing. Mr. Garges asked Council if they wanted an overview he could give one unless they were fine with what is in their packet. Mr. Paulus asked if there is a cap. Mr. Garges said there is not one put in the Bill before them. From previously discussions, it would have been 5% total. Mr. Paulus agreed. Mr. Garges said they could add into it that a combination of the merit and the base would not exceed 5%. Mr. Eaton said if it’s introduced now, do you want to amend the Bill now so that it’s in so that there aren’t any questions that this is a substantive change. Mr. Garges said they will bring the Bill back for approval and it will have that revision or do you want it reintroduced. Mr. Eaton wanted to make clear the Ordinance as introduced you can essentially amend the Bill as it’s introduced now will put a cap of 5%, the base increase and merit increase combined. A discussion ensued. Mr. Wegfahrt asked if they needed to make a Motion on the amendment or leave it as is. Mr. Eaton said whomever is introducing this can do that individually.

5. Bill No. 2018-07, An Ordinance Amending the Statutory Code of Hanover Township to Change the Life Insurance Provided to Employees from \$25,000 in Universal Life Insurance to \$35,000 in Term Life Insurance and also to Provide for Short Term and Long-Term Disability Insurance (Introduce)

Mr. Garges gave an overview of this Ordinance. A discussion ensued on current policy and changes to current policies. Mr. Eaton asked when would the life insurance take affect with regard to the individual employees. Mr. Garges said he has to check with the carrier to see because some won’t start until a new policy enrollment period or if it would be upon employment. Mr. Eaton said once the Ordinance is in effect essentially it says the Township will provide this kind of insurance and if it’s not done until three months later and something happens in the interim. Mr. Garges said that the current one kicks in right away, right upon employment you get your universal life insurance policy. That is the way the Code is written currently. Mr. Wegfahrt asked if a policy takes place on January 19, they can write that right into that date and Mr. Eaton replied, yes. Mr. Garges said the insurance carrier said the Township can start as soon as October 1 if we wanted to switch over immediately. Mr. Eaton said it’s up to Mr. Garges, but it has to be in the Ordinance. A discussion followed.

Courtesy of the Floor:

Mr. Woolley said his wife, Beth, would like to request an extension to the sunset hours for their event at Canal Park this Friday, September 7.

Motion: I move that the sunset hours for Beth Woolley’s Canal Park rental on Friday, September 7, be extended to 8:30 p.m.

Paulus, Wegfahrt: Moved and Seconded

Heimbecker, Lawlor, Wegfahrt, Woolley, Paulus:

Aye

Unan.

Mr. Wegfahrt asked if there was any kind of discovery on the Chevy Volt versus the Honda Fit versus anything else that is out there. Mr. Garges said he looked into a few things. There will be no increase in the premium for insurance. He and Mr. Mouer called around and couldn't find a Honda dealer with a state contract. Mr. Garges gave an update on comparable vehicles one being the Chevy Sonic which is \$18,500 roughly. The Bolt, which is the electric one, is in between the Sonic and the Cruze. The Bolt is a little bit bigger than the Sonic, but a little smaller than the Cruze. The Cruze would be \$20,400 and the Malibu would be \$24,000. A discussion followed. Mr. Heimbecker asked why this all came up and Mr. Garges explained that since we added a day time Code, Administration would need a vehicle if he had to go to meetings or Vicky had to run an errand so not to use personal cars. He doesn't think that's good practice. Mr. Wegfahrt asked Mr. Garges if he was still exploring this and he replied he wasn't at this time and that he would follow Council's direction. He said if Council didn't want to do anything this year, they could maybe visit it next year. He said he did include it in the Budget numbers and Mr. Paulus asked Mr. Garges to get more information and they would discuss it during Budgets.

Mr. Lawlor said in the Employee Handbook he noticed under Notice of Unexpected Absence, Mr. Garges has that they have to notify the supervisor by telephone no later than one hour and then when you go back to page 17 the section on Rules, Section 2, where it says subject to disciplinary action, on number 13 on page 18, it says failure to notify your supervisor within two hours before your shift if unable to report. Mr. Garges said he would correct that.

Adjournment:

The meeting was adjourned at 9:21 P.M.

Respectfully submitted,

Christopher J. Garges
Township Manager