
REGULAR SEMI-MONTHLY MEETING
April 14, 2009

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, Pennsylvania was called to order by Chairman John N. Diacogiannis at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, Pennsylvania, 18017 at 7:30 P.M.

Present were Supervisors Salvesen, Nagle, Tanczos and Walbert, Engineer Birdsall, Solicitor Broughal, Road Superintendent Vince Milite and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the Agenda with an addition of "Manager's Comment" between the approval of the minutes and the approval of the list of bills.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Walbert, seconded by Mr. Nagle, the Board approved the minutes, as written, from the meeting of the Board of Supervisors dated March 24, 2009.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Finnigan noted that under the PA Public Official & Employee Ethics Act specifically 65 Pa. C.S.A. § 1103, Mr. Diacogiannis, Mr. Salvesen and Mr. Tanczos have filed official memorandums with the Township relative to recusing themselves from certain matters that may come before the Township.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the List of Bills and Transfers dated April 14, 2009 as prepared by the Secretary/Treasurer and to enter the signed List of Bills by the Secretary/Treasurer and the Board of Supervisors as an attachment to the minutes.

Mr. Salvesen aye with the exception for General Fund Payroll Check Numbers 1706 and 1716, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye with the exception of General Fund Check# 13338 made payable to PPL and Recreation Check# 7280 which is a payroll check.

COURTESY OF THE FLOOR

It was noted that no one wished to offer any comment.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis stated that the Board received a thank you note from Mr. Healy and read it to the audience.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS & ROAD REPORTS

Mr. Nagle – Road District #1, Mr. Walbert – Road District #2, Mr. Diacogiannis – Road District #3, Mr. Salvesen – Road District #4 and Mr. Tanczos – Road District #5 had nothing to report.

Mr. Diacogiannis welcomed Mr. Milite.

APPOINTMENTS & RESIGNATIONS

Mr. Salvesen moved to accept, with regret, the resignation of Mr. Luis E. Campos, from the Planning Commission, effective immediately. Mr. Salvesen further moved to send Mr. Campos a letter thanking him for his service to the Commission and the Township.

Mr. Nagle seconded the motion.

Mr. Diacogiannis asked the Manager if we have a list of interested persons for the vacancy.

Mr. Finnigan stated we have a list of those who applied previously. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

PLANNING & ZONING

Mr. Walbert introduced the T-Mobile Proposed Co-location at 3439 Bath Pike Presentation.

Mr. Diacogiannis stated he will not comment on this item because of his affiliation with PPL.

Mr. Erich J. Schock from Fitzpatrick Lentz and Bubba, Mr. Brian Grevass from T-Mobile and representative from PPL were present to speak to the Board regarding a variance to permit the proposed communications equipment in the C2 (Commercial center) zoning district at 3439 Bath Pike. They were looking to get some comment from the Board of Supervisors.

Mr. Walbert explained the proposal's violation to current and planned zoning ordinances.

Mr. Walbert recommended, not to oppose, but to send our staff to the Zoning Hearing Board meeting.

Mr. Salvesen stated he would like a letter from the Airport on the proposal before they go before the Zoning Hearing Board.

Mr. Schock stated a letter was sent to the Airport but they have not received a response yet.

Mr. Broughal explained that if there is no response from the Airport Authority prior to the Zoning Hearing Board meeting, a condition could be made that approval is conditioned upon a letter from the Airport Authority stating their approval or non-committal, prior to installing the tower.

Mr. Walbert stated he will assist with getting the Airport to respond.

Mr. Walbert introduced a Petition for Relief from Rear Yard setback and Lot Coverage for 4511 Hampshire Drive for residents Samuel M. Varney, III and Susan E. Adams, M.D.

Mr. Walbert recommended that we have representation at the Zoning Hearing to oppose this petition.

Mr. Walbert moved that the Board authorizes the Township Solicitor and Township Engineer to attend the Zoning Hearing Board meeting to convey that this is not permitted under the current zoning ordinance or under the ordinance scheduled for presentation to the Board of Supervisors on April 28, 2009.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Walbert moved that the Board approve to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and the property owners of 5788 Monocacy Drive (Matthew J. and Sarah B. Nowak) conditioned upon the Township Solicitor's approval.

Mr. Salvesen seconded the motion.

Mr. Broughal stated his office has reviewed the agreement and finds it acceptable.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

ADMINISTRATION

Mr. Nagle moved that the Board adopt the following Resolution No. 2009-11, which authorizes the Township to file an application and all required forms for the PA DCNR Community Conservation Partnerships Program (April 2009 funding round), and that the Chairman and Secretary be authorized to sign the Resolution.

RESOLUTION 09-11 HANOVER TOWNSHIP – NORTHAMPTON COUNTY

WHEREAS, the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania ("Applicant") desires to undertake the following project: Village View Park; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "**Signature Page for Grant Agreement**"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department **if the applicant is awarded a grant**; and

NOW THEREFORE, IT IS RESOLVED THAT:

1. The "**Signature Page for Grant Agreement**" may be signed on behalf of the applicant by the Official who, at the time of signing, has **TITLE** of **Chairman**, Board of Supervisors, Hanover Township, Northampton County.
2. If this Official signed the "**Signature Page for Grant Agreement**" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "**Signature Page for Grant Agreement**", signed by the above Official, will become the applicant/grantee's **executed** signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the **TITLE** specified in paragraph 1 and the grantee will be bound by the amendment.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to authorize the Chairman and Vice Chairman to sign the Community Revitalization Assistance Program Grant Agreement between the Commonwealth of PA Department of Community & Economic Development and Hanover Township for \$5,000 toward the special events program.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to authorize the Chairman and Vice Chairman to sign the Community Revitalization Assistance Program Grant Agreement between the Commonwealth of PA Department of Community & Economic Development and Hanover Township for \$5,000 toward the purchase of new exercise/athletic equipment.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved that the Board accept the License Agreement by and between 3864 Courtney Street Suite 140 and the adjoining tenant for the use of shower facilities; this agreement meets condition #1 of the Board's conditional use approval from November 25, 2008 and has been approved by the Township Solicitor and Township Manager.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle noted that the proposals were due by 12 noon on March 30, 2009 for the Industrial Drive & Schoenersville Road S.R. 1009 Signalized Intersection Improvements.

Mr. Nagle moved to authorize Telco, Inc., 1224 Cross Keys Road, Reading, PA to install Emergency Vehicle Pre-Emption (Opticoms) devices at the Industrial Drive & Schoenersville Road (S.R. 1009) intersection (2 approaches) for the proposal price of \$6,950.00. Mr. Nagle further moved to authorize the Township Engineer to notify Telco, Inc.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

DEVELOPMENTS

Mr. Tanczos noted for the record that the Developer of Traditions of America at Bridle Path Land Development, has granted the Board an extension of 62 days from April 29, 2009 to July 1, 2009.

Mr. Tanczos noted for the record that the Developer of Traditions of America at Bridle Path Minor Subdivision, has granted the Board an extension of 62 days from April 29, 2009 to July 1, 2009.

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, accepts the improvements for Wagner Holdings, Inc., starts the eighteen (18) month Maintenance Period effective April 30, 2009 and releases the balance of available improvements security if Township Policy #25 is satisfied. Mr. Tanczos also moved that the Township Secretary notify the Developer/Owner of the Board's action relative to this matter.

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

It was noted that no one wished to offer any comment.

STAFF REPORTS

Mr. Birdsall had nothing to report.

Mr. Broughal explained the draft of the adoption of the International Fire Code, 2006 Edition. When we adopted the Uniform Construction Code, included within the UCC are a number of other codes; one of them is the International Fire Code. However the only portions of the International Fire Code that were adopted are those that deal with new construction because that's what the UCC is all about. So, there is a large part of the International Fire Code that we have not yet adopted and need to because they deal with safety. Because part of it is included in the UCC, technically we need to go back to the (PA) Department of Labor & Industry and get their approval of the whole thing. A public hearing is needed to amend the Uniform Construction Code. Mr. Broughal stated he would need authorization to begin the process of advertising and scheduling the hearing.

Mr. Walbert moved that the Board approve to authorize the Township Solicitor to begin the process of advertising and scheduling the Public Hearing to amend the UCC.

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Broughal explained to the Board that back in 2000 we adopted a whole series of BOCA codes; electrical, plumbing, mechanical, etc., 2003 Edition; all of these codes are outdated and need to be updated every 3 years. Mr. Broughal stated he needs authorization to begin the process of updating all those codes if he has to.

Mr. Walbert moved that the Board approve to authorize the Township Solicitor to begin the process of updating the BOCA Codes.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Finnigan reported on the following:

- Distributed and discussed the results of the Library Survey that are available to residents on the website
- Updated the Board on Hanover Crossing/Monocacy Farms. Board discussed options including pulling the bond at a future meeting.
- Updated the Board on 248 Brodhead Road Operating Committee formal organizational meeting and the elected officers. The Committee approved to distribute the 2008 excess back to Lower Nazareth and Hanover Township and to place \$40,000 in a capital reserve account.
- Updated the Board on the Siegfried Quarry Line and a meeting to be held at the Best Western explaining the matter on 4/29.
- Reminded the Board that the 4/28 Board meeting will begin at 7:00 P.M.

Mr. Tanczos stated at the Planning Commission meeting he attended the question came up on the Planning Commission offering comments on zoning amendment ordinances prior to the proposed ordinance being advertised. Mr. Tanczos stated that the quality of comments that we get from the Planning Commission members; he believes it would be a good idea.

Mr. Diacogiannis stated that it would be an appropriate thing to do.

Upon motion of Mr. Tanczos, seconded by Mr. Walbert, the Board approved adjournment at 8:19 P.M.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Stacy C. Milo
Secretary/Treasurer