
REGULAR SEMI-MONTHLY MEETING
May 12, 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 7:00 P.M.

Present were Supervisors Salvesen, Nagle, Tanczos and Walbert, Engineer Birdsall, Attorney Wendy Nicolosi for Solicitor Broughal, Public Works Director 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 revisions and a note that Ms. Nicolosi is present as Solicitor tonight.

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

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the minutes, as written, from the meeting of the Board of Supervisors dated April 28, 2009.

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

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the List of Bills and Transfers dated May 12, 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 # 1739, Mr. Nagle aye, Mr. Tanczos aye, with the exception of General Fund Check# 1733, Mr. Walbert aye, Mr. Diacogiannis aye, with the exception of General Fund Check# 13420 to PPL, Recreation Check# 7295 for Payroll and Recreation Check # 7292 to PPL.

COURTESY OF THE FLOOR

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

REPORT OF THE CHAIRMAN

Mr. Diacogiannis commented on the 1st 2-day festival/carnival held this past Friday and Saturday and stated it was successful and we had good weather. He also thanked everyone who participated.

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 had nothing to report, Mr. Salvesen – Road District #4 reminded everyone that next Tuesday is primary election day, Mr. Tanczos – Road District #5 had nothing to report.

PLANNING & ZONING

Mr. Walbert introduced the presentation for the Farmhouse Mews Project.

Mr. Abraham Atiyeh and Mr. Keith Lawler from Keystone Engineering were present to discuss the plan for Farmhouse Mews project located primarily in East Allen Township. The Hanover Township parcel is basically all single family homes. The major issues are water and sewer because they will need Hanover Township's permission to connect to the water and sewer system; without that, there can be no project. Mr. Atiyeh stated he would like Hanover Township completely involved in the project.

Mr. Nagle questioned how many townhouses will there be.

Mr. Atiyeh stated 55.

Mr. Nagle asked what the square footage is of the single family home.

Mr. Atiyeh stated 2,000 to 2,100.

Mr. Salvesen asked if they did a traffic impact study.

Mr. Lawler stated East Allen is asking for one and one will be submitted and a copy will be given to Hanover Township as well.

Mr. Salvesen asked what they are doing to protect the southern neighbors.

Mr. Atiyeh stated there is a natural buffer with trees there now and are going to maintain that natural buffer.

Mr. Salvesen questioned which way the ground water will flow.

Mr. Birdsall stated it moves away from this area; probably half on Airport Road and half on Jacksonville Road.

Mr. Salvesen questioned if there is any sanitary storm sewers.

Mr. Birdsall stated the only storm sewer is up on Jacksonville Road about half way down the property line.

Mr. Lawler stated they are proposing to replace that pipe because it is tilted the wrong way.

Mr. Salvesen questioned if they are planning any traffic improvements to the intersection of Jacksonville Road and Hanoverville Road.

Mr. Lawler stated that they are planning on widening Hanoverville Road.

Mr. Tanczos asked if they will be staging the phases of development and when they plan to start.

Mr. Atiyeh stated the single family homes will be the last phase and retail will be first and depending on approvals that will determine when they start.

Mr. Tanczos questioned the berm.

Mr. Atiyeh stated it will be a 14-foot high berm and maybe 20-30 feet wide.

Mr. Tanczos questioned the drainage along Jacksonville Road; there is piping and water issues there, south of Airport Road.

Mr. Atiyeh stated if the adjoining neighbor allows us, we'll consider trenching over to catch some of that water.

Mr. Diacogiannis questioned what re-zoning East Allen did.

Mr. Lawler stated Limited Plan Commercial; a mix use.

Mr. Diacogiannis asked who will own and maintain the pump station.

Mr. Atiyeh stated a Homeowners Association.

Mr. Diacogiannis commented on the depth of the detention basin.

Mr. Walbert questioned several of the lots have their property split between municipalities.

Mr. Finnigan stated the single family homes are all in Hanover Township as addresses (and for school district) but will pay both municipality's taxes if the property is split.

Mr. Finnigan discussed Lot 25 with Mr. Lawler and a waiver and the sizes of the lots.
Mr. Birdsall commented on the three homes going into the pump station.

Mr. Birdsall commented on the eastern basin.

Hanover Township resident Al Young gave a presentation on the storm water situation in Suburban Estates and expressed his concerns on additional storm water from an additional development.

Mr. Diacogiannis stated that maybe with this new development, we can improve our storm water issues.

Hanover Township resident Tom Grammes commented on the water on his property from heavy rainfall.

Hanover Township resident Jeff Borger agreed with prior comments on the water issues.

Hanover Township resident Bob Roeder also agreed with and confirmed prior comments on the water issues.

Mr. Walbert thanked everyone for their comments.

Mr. Finnigan advised the Board that there is a conditional use hearing tomorrow in East Allen and a zoning hearing next week regarding the berm. Ms. Nicolosi did not comment tonight because Mr. Atiyeh is represented by the same office that represents the Township; to be present for these hearings, we will need motions made either now or under Administration to appoint special solicitors for the Township and we neglected earlier this year to re-appoint Attorney Piperato as a special solicitor.

Mr. Walbert introduced a zoning violation for easement encroachment at 6100 Hanoverville Road, Dana A. Otto.

Mr. Otto was present to discuss a drainage swale in his back yard and was seeking permission to put a barrier between his property and the swale. He planted some trees along the property line and was unaware of the easement until he received a letter stating the trees need to be moved.

A discussion was held.

Mr. Finnigan and Ms. Nicolosi advised Mr. Otto to get a fence permit application. They explained the hold harmless agreement to him and told him to work with the zoning officer.

Mr. Walbert introduced a petition for relief from Dimensional Restrictions of a Storage Shed for 5216 Harriet Lane for Michael J. Baran.

Mr. Walbert stated that this shed is a lot larger than what our shed ordinance allows.

Mr. Walbert moved to authorize the Township Solicitor and Township Engineer to attend the zoning hearing to ensure the Ordinance is enforced.

Mr. Salvesen seconded the motion.

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

ADMINISTRATION

Mr. Nagle moved that the Board approve the following proclamation supporting National Night Out 2009:

HANOVER TOWNSHIP, NORTHAMPTON COUNTY

PROCLAMATION NO. 2009-01

**A PROCLAMATION SUPPORTING
NATIONAL NIGHT OUT 2009**

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 4th, 2009 entitled “*National Night Out*”; and

WHEREAS, the “26th Annual National Night Out” provides an opportunity for heighten crime and drug prevention awareness; generates support for, and participation in, local anti-crime efforts; strengthens neighborhood spirit & police-community partnerships and sends a message to criminals letting them know that neighborhoods are organized & fighting back; and

WHEREAS, the Hanover Township Board of Supervisors plays a vital role in assisting the Colonial Regional Police Department through joint crime, drug and violence prevention efforts in Hanover Township – Northampton County and is supporting “*National Night Out 2009*” locally; and

WHEREAS, it is essential that all citizens of Hanover Township – Northampton County be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Hanover Township – Northampton County; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “*National Night Out*” program;

NOW, THEREFORE, WE, THE BOARD OF SUPERVISORS OF HANOVER TOWNSHIP - NORTHAMPTON COUNTY, do hereby call upon all citizens of Hanover Township to join the Board of Supervisors and the National Association of Town Watch in supporting “26th Annual National Night Out” on August 4th, 2009.

FURTHER, LET IT BE RESOLVED THAT, WE THE BOARD OF SUPERVISORS do hereby proclaim Tuesday, August 4th, 2009 as “*NATIONAL NIGHT OUT*” in Hanover Township – Northampton County.

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 adopt the following resolution No. 2009-15, which establishes the schedule of fees for Residential Permitting, Inspection and Re-inspection effective June 1, 2009, and that the Chairman and Secretary be authorized to sign the Resolution.

**HANOVER TOWNSHIP
NORTHAMPTON COUNTY**

Resolution 09-15

WHEREAS, various ordinances of the Township of Hanover allow for the setting of fees by Resolution to defer the cost of their administration, and

WHEREAS, in keeping with good practice, the Board of Supervisors periodically reviews the schedule of fees and makes appropriate revisions thereto, and

WHEREAS, the Board of Supervisors of Hanover Township periodically reviews the schedule of fees and makes appropriate revisions thereto, and

NOW, THEREFORE, BE IT RESOLVED, let it be resolved and enacted that the schedule of fees attached hereto are established as contained herein and that this Resolution shall establish the schedule of fees for Residential Permitting, Inspection & Re-Inspection effective June 1, 2009.

RESIDENTIAL RENTAL REGISTRATION FEE (per unit)	\$50.00
INSPECTION FEE (per unit)	\$50.00
ALL FAILED & REINSPECTION FEE (per unit)	\$75.00

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 approve the following policy which amends the current Policy 54, Employee Travel Expenses.

Policy 54
Employee Travel Expenses

It shall be the policy of the Board of Supervisors of Hanover Township to reimburse employees, including Supervisors, for expenses incurred attending training seminars or conferences.

Cost of Lodging: Reasonable rate based on government/market (least costly available) rate

Meals: Reasonable based on location of training, seminar, conference or meeting

Employees will not be reimbursed for expenses incurred by spouses, life partners or dependants.

Expenses for alcoholic beverages and other non-necessities will not be reimbursed.

It is recommended that receipts be submitted for all reimbursable employee expenses as outlined in this policy. It is required that employees provide detailed receipts for:

- all purchases made on a Township Credit Card, regardless of the amount;
- all lodging expenditures, regardless of the amount;
- other employee business travel and entertainment expenditures of \$30 or more; and
- all other expenses (e.g., materials, supplies, fees, etc.), regardless of the amount.

Overall responsibility and exceptions to Policy 54 rests with the Township Manager or Chairman – Board of Supervisors.

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 Solicitor to advertise the proposed Ordinance to amend Ordinance 71-3 Chapter 172 by regulating the parking of vehicles during periods of snow fall and proscribing penalties for violations and be effective October 1, 2009.

ORDINANCE NO. 09-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE 71-3, CHAPTER 172, BY REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL; PROSCRIBING PENALTIES FOR VIOLATION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

Mr. Salvesen seconded the motion.

Mr. Salvesen asked if this is reasonable, Section I states all Township streets are designated as snow emergency routes.

Mr. Finnigan stated it is currently the ordinance of the township.

Mr. Diacogiannis asked what has changed.

Mr. Finnigan stated it what switched to a District Justice and added a code enforcement officer.

Mr. Finnigan stated this is another case of “cleaning up” an ordinance.

Ms. Nicolosi stated that if you designate all township streets as snow emergency routes, they do not have to be posted.

Mr. Salvesen asked since it’s the summer months, how are we going to get the residents to read this.

Mr. Finnigan stated it will be in the newsletter twice before winter, which meets notification requirements.

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

Mr. Nagle moved to authorize the Solicitor to advertise the proposed ordinance to amend the Ordinance 02-01 Chapter 140-Article II, relating to discharge of industrial waste.

Mr. Salvesen seconded the motion.

Mr. Salvesen asked what was changed.

Mr. Birdsall explained the proposed changes.

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

Mr. Nagle introduced the discussion for proposed Policy # 62 Home Improvement permits regarding Act 132 of 2008 adopted by the Pennsylvania Legislature in October of 2008 and signed by the Government. He stated that it basically establishes a mandatory registration for contractors who offer or perform home improvements in Pennsylvania; it also establishes a minimum insurance requirement for a contractor; requires contractors to provide their registration numbers in their ads and contracts; it establishes contract terms for home improvement contracts; and it prohibits unfair business practices and creates a criminal penalty for home improvement fraud. He further stated that effective July 1, 2009 Hanover Township will not issue a permit for home improvements unless the home improvements contractor complies with the requirements of Act 132 of 2008.

Mr. Finnigan stated this is for review and the Board will vote on it next month.

Mr. Finnigan stated that the Board has in front of them a copy of the act and a brochure, and there are posters on display.

Mr. Walbert stated there is a database to search for contractors to see if they are registered.

A discussion was held.

Mr. Nagle moved that the Board approve to appoint Mr. James J. Holzinger, Esquire as Special Solicitor.

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 approve to appoint Mr. Paul J. Harak, Esquire as Special Solicitor.

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 approve to appoint Mr. Joseph J. Piperato, III, Esquire as Special Solicitor.

Mr. Salvesen seconded the motion.

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

DEVELOPMENTS

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, grant an extension to the developer of Hanover Corporate Center 2 Lot 3 – CVS/Turkey Hill an extension of sixty (60) days.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, release the Developer/Owner of Lehigh Valley Industrial Park IV Lot 53A from his maintenance responsibilities and returns the maintenance security upon the condition that the Developer/Owner adheres to Township Policy #25 (payment of Plans and Appeals Accounts).

Mr. Nagle seconded the motion.

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

COURTESY OF THE FLOOR

Mr. Robert Bamm was present representing some of the homeowners and is on the Board of Directors for the Homeowner's Association for Hanover Crossing North. Mr. Bamm explained the purpose of their presence; they are looking for an update on the status of the developer's responsibilities.

Mr. Finnigan explained the current financial situation, the status of discussions with the developer, status of security and what would occur if developer would default.

Ms. Nicolosi stated the Township cannot take any action until the developer is in default which is June 15, 2009 for Hanover Crossing North.

Dave Stella, Hanover Township resident of Hanover Crossing North, asked if the streets will be complete by winter if the Township takes over.

Mr. Finnigan explained how we would proceed and what the Township has to consider in bidding the work, but cannot give a timeline at this point.

Mr. Bamm asked for a status on the Valley View Estates development.

Mr. Finnigan stated their deadline for improvements is June 30, 2009.

A discussion was held on the sewer status.

Mr. Walbert stated that the Township has pulled Letters of Credit before.

Mr. George Werkheiser thanked Mr. Walbert for the tour of the Colonial Regional Police Department and the District Justice office. He also thanked the Board for having this building in our township; it is a fantastic building and more people should tour the building.

Mr. Walbert updated the Board that, through a grant, there are now cameras in most of the patrol cars for the Colonial Regional Police Department.

Mr. Bill Cannan, of 5401 Nala Drive, questioned the Board on where the Township advertises.

Mr. Finnigan explained where they are advertised and why and also explained possible changes in legislation.

Mr. Cannan congratulated the Board on the new website. Mr. Cannan also wanted to know where to read ordinances in full and wanted to know why the minutes are brief.

Mr. Salvesen stated it is not a requirement to publish a verbatim dialog on what occurs in the meeting.

Mr. Leo Calon, of 5930 Monocacy Drive, questioned fence requirements and easements.

Mr. Finnigan stated that there have been no changes to fence requirements but the best thing to do is to meet with the zoning officer and get a permit.

Hanover Crossing North Homeowner's Association President asked if DeLuca defaults, could the Homeowner's Association ever be responsible to complete the improvements.

Ms. Nicolosi stated only if the Homeowner's Association owns the property.

STAFF REPORTS

Mr. Birdsall had nothing to report.

Ms. Nicolosi had nothing to report.

Mr. Milite had nothing to report.

Mr. Finnigan reported on the following:

- Reminded the Board of the Executive Session
- Asked for authorization for the Chairman, Secretary and himself to sign the CDBG Cooperative Agreement with Northampton County.

Mr. Nagle moved that the Board approve to authorize the Chairman, Manager and Secretary to sign the CDBG Cooperative Agreement with Northampton County.

Mr. Tanczos seconded the motion.

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

- Updated the Board that all 5 Municipalities surrounding the Bethlehem casino agreed to split the costs of the traffic study regarding to the packet of information from Borough of Freemansburg discussed on April 28th. Hanover Township's share is under \$2,000.

Mr. Diacogiannis closed the regular meeting and opened the Executive Session at 8:54 P.M.

Mr. Diacogiannis closed the executive Session and re-opened the regular meeting at 9:31 P.M.

Mr. Nagle moved that the Township Solicitor pull Bond No. 104162572 issued by Travelers Casualty and Surety Company of America, on behalf of DeLuca Enterprises, Inc., 107 Floral Vale Boulevard, Yardley, PA 19067, in favor of Hanover Township for the Monocacy Farms subdivision Improvements on or after June 15, 2009 at the direction of the Township Manager. Mr. Nagle further moved to notify the Developer of the Board's action.

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 Township Solicitor pull Bond No. 104351483 issued by Travelers Casualty and Surety Company of America, on behalf of DeLuca Enterprises, Inc., 107 Floral Vale Boulevard, Yardley, PA 19067, in favor of Hanover Township for the Valley View Estates – Phase 1 subdivision improvements on or after June 30, 2009 at the direction of the Township Manager. Mr. Nagle further moved to notify the Developer of the Board's action. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to authorize the Township Manager to contact DeLuca Enterprises, Inc. to begin the process of dedicating the recreation / open space in both the Monocacy Farms and Valley View Estates – Phase 1. Mr. Nagle further moved to authorize the solicitor to draft the appropriate documentation.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to appoint James P. Skinner as Crew Leader – Roads effective June 1, 2009 at an hourly rate of \$25.35. Position is non-exempt.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to appoint Martin M. Limpar as Crew Leader – Parks effective June 1, 2009 at an hourly rate of \$25.35. Position is non-exempt.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved adjournment at 9:34 P.M.

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

Stacy C. Milo
Secretary/treasurer