
REGULAR SEMI-MONTHLY MEETING
May 26, 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 with additions under Developments and a deletion under Administration.
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 May 12, 2009.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Salvesen, seconded by Mr. Nagle, the Board approved the List of Bills and Transfers dated May 26, 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 of General Fund Payroll Check# 1759, Mr. Nagle aye, with the exception of General Fund Payroll Check # 1759, Mr. Tanczos aye, with the exception of General Fund Payroll Check # 1759, Mr. Walbert aye, with the exception of General Fund Payroll Check# 1759, Mr. Diacogiannis aye, with the exception of General Fund Payroll Check# 1759, General Fund PPL Check # 13461, Recreation Payroll Check # 7306 and Recreation PPL Check # 11608.

COURTESY OF THE FLOOR

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

REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

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. Salvesen asked if everyone abstains from a certain check, how does that check ever get approved.

Ms. Nicolosi stated she will look into it and recommended using additional language when stating an exception in the future.

PLANNING & ZONING

Mr. Walbert introduced a Public Hearing for Small Wind Energy Systems Zoning Ordinance.

Mr. Walbert closed the regular meeting and opened the Public Hearing. It was noted for the record that the hearing has been duly advertised and the Secretary has proof of publication. A Court Stenographer was present to record all testimony.

After everyone who wished to speak, had spoken, the Public Hearing was closed and the regular meeting was re-opened.

Mr. Walbert moved that the Board approve the following Ordinance, which amends the text of the zoning ordinance to provide for Small Wind Energy Systems as an accessory use.

ORDINANCE NO. 09-10

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA TO AMEND THE TEXT OF THE "HANOVER TOWNSHIP ZONING ORDINANCE" TO PROVIDE FOR SMALL WIND ENERGY SYSTEMS AS AN ACCESSORY USE.

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 the following Ordinance, which amends the Zoning Ordinance 02-01 by adding Chapter 55 entitled Regulations for Small Wind Energy Systems.

ORDINANCE NO. 09-11

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 02-01 BY ADDING CHAPTER 55, REGULATIONS FOR SMALL WIND ENERGY SYSTEMS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

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 the following Ordinance, Graffiti Ordinance, which provides for additional enforcement tools to help protect public and private property from acts of vandalism and defacement and an ordinance to Renumber Chapter for Ground Source Heat Pump.

ORDINANCE NO. 09-16

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA AMENDING ORDINANCE 02-01 BY ADDING CHAPTER 88a, GRAFFITTI, PROVIDING FOR ADDITIONAL ENFORCEMENT TOOLS TO HELP

PROTECT PUBLIC AND PRIVATE PROPERTY FROM ACTS OF VANDALISM AND
DEFACEMENT, RENUMBERING THE CHAPTER RELATED TO GROUND SOURCE
HEAT PUMPS FROM CHAPTER 54 TO CHAPTER 90 AND REPEALING ALL
ORDINANCES INCONCSISTENT HEREWITH.

Mr. Nagle 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 policy, Policy 62 – Home Improvement Permits.

Policy 62

Home Improvement Permits

Act 132 of 2008 was adopted by the Pennsylvania Legislature in October of 2008 and signed by the Governor. The law establishes a mandatory registration for contractors who offer or perform home improvements in Pennsylvania. The statute also establishes minimum insurance requirement for contractor; requires contractors to provide their registration number in their ads and contracts; establishes required contract terms for home improvement contracts; prohibits unfair business practices; and creates a criminal penalty for home improvement fraud.

Effective July 1, 2009 Hanover Township will not issue a permit for home improvements unless the home improvement contractor complies with the requirements of Act 132 of 2008.

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 Township Manager to send a letter to East Allen Township stating that Hanover Township endorses their proposed “Official Map”.

Mr. Salvesen seconded the motion.

Mr. Salvesen asked if the Engineer has reviewed and agreed.

Mr. Finnigan stated yes.

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

DEVELOPMENTS

Mr. Tanczos moved to adopt the attached Resolution for deed of dedication for Open Space, accepting the following: Open Space – Hanover Crossing North and authorize the execution by the appropriate Township officials.

RESOLUTION 09-16

WHEREAS, DELUCA ENTERPRISES, INC., a Pennsylvania corporation with offices at 107 Floral Vale Boulevard, Yardley, PA 19067, did grant and convey unto the **TOWNSHIP OF HANOVER** certain open space, which is more fully described in said Deed, a copy of which is attached hereto and made a part hereof and marked as Exhibit “A”; and

WHEREAS, said Deed is to be recorded in the Recorder of Deeds Office, Northampton County Courthouse, Easton, Pennsylvania; and

WHEREAS, the Act of May 1, 1933, P.L. 103, Art. XI, 1140, as amended reads as follows:

“The board of supervisors may designate lands or buildings owned, leased or controlled by the Township for use as parks, playgrounds, playfields, gymnasiums, swimming pools, indoor recreation centers, public parks and other recreation areas and facilities and acquire lands or buildings by lease, gift, devise, purchase or by the exercise of the right of eminent domain for recreational purposes and construct and equip facilities for recreational purposes.”

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the foregoing, the Board of Supervisors of Hanover Township hereby formally accept in the name of Hanover Township, Northampton County, Pennsylvania, the above-described roads which are duly recorded in the Office of the Recorder of Deeds of Northampton County.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved to adopt the attached Resolution for deed of dedication for Open Space, accepting the following: Open Space – Valley View Estates and authorize the execution by the appropriate Township officials.

RESOLUTION 09-17

WHEREAS, DELUCA ENTERPRISES, INC., a Pennsylvania corporation with offices at 107 Floral Vale Boulevard, Yardley, PA 19067, did grant and convey unto the **TOWNSHIP OF HANOVER** certain open space, which is more fully described in said Deed, a copy of which is attached hereto and made a part hereof and marked as Exhibit “A”; and

WHEREAS, said Deed is to be recorded in the Recorder of Deeds Office, Northampton County Courthouse, Easton, Pennsylvania; and

WHEREAS, the Act of May 1, 1933, P.L. 103, Art. XI, 1140, as amended reads as follows:

“The board of supervisors may designate lands or buildings owned, leased or controlled by the Township for use as parks, playgrounds, playfields, gymnasiums, swimming pools, indoor recreation centers, public parks and other recreation areas and facilities and acquire lands or buildings by lease, gift, devise, purchase or by the exercise of the right of eminent domain for recreational purposes and construct and equip facilities for recreational purposes.”

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the foregoing, the Board of Supervisors of Hanover Township hereby formally accept in the name of Hanover Township, Northampton County, Pennsylvania, the above-described roads which are duly recorded in the Office of the Recorder of Deeds of Northampton County.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved, as recommended by the Township Engineer, to reject the Owner’s request to release him from his maintenance responsibilities for Hanover Corporate Center 1 – Lot 1 IDI and to urge him to complete the repairs noted in the Punch List by June 30, 2009 and to request another inspection. Mr. Tanczos further moved to notify the Owner/Developer 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.

Mr. Tanczos moved, as recommended by the Township Engineer, to accept the improvements of LVIP IV Lot 46-DBSi, begin the eighteen (18) month maintenance period, and return the balance of the cash security for Omega Assets, LP, upon the following conditions:

1. That the Developer acknowledges that cash security in the amount of \$750.00 shall remain with the Township during the Maintenance Period; and
2. That the Developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

Mr. Tanczos further moved to notify the Owner/Developer 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

Mr. Robert Bamm, resident of Hanover Crossing questioned the Resolution previously approved as to whether it is Hanover Crossing or Hanover Crossing North.

Attorney Nicolosi stated Hanover Crossing North.

Mr. Bamm also asked for a status of the development.

Attorney Nicolosi updated everyone on the status and why the resolutions were adopted tonight.

STAFF REPORTS

Mr. Birdsall had nothing to report.

Ms. Nicolosi had nothing to report.

Mr. Milite updated the Board that the 2009 5500 Chevy is being up-fitted at E.M. Kutz and should be ready in 4-6 weeks.

Mr. Finnigan distributed the Fire Company to the Board.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved adjournment at 7:25 P.M.

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

Stacy C. Milo
Secretary/Treasurer

