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**REGULAR SEMI-MONTHLY MEETING**  
**May 10, 2011**

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 Brien Kocher, Solicitor Broughal 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 as presented.

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 12, 2011

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

The motion carried by a 3-0, with two abstentions.

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 26, 2011

Mr. Salvesen abstain, 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 10, 2011 as prepared by the Township Secretary; and to enter the signed List of Bills by the Board of Supervisors and the Township Secretary as an attachment to the minutes.

COURTESY OF THE FLOOR

It was noted there was no one 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, nothing to report.  
Mr. Walbert – Road District #2, nothing to report.  
Mr. Diacogiannis – Road District #5, nothing to report.  
Mr. Salvesen – Road District #3, nothing to report.  
Mr. Tanczos – Road District #4, nothing to report.

## APPOINTMENTS & RESIGNATIONS

There were no items on the Agenda.

## PLANNING & ZONING

### PLANNING & ZONING

#### **Conditional Use Hearing – Continuation - Greenway Creative Learning Center, for the Property located at 57 Highland Avenue.**

Mr. Walbert closed the regular meeting and opened the Public Hearing. It is noted for the record that the hearing had been continued from the April 26, 2011 meeting. A Court Stenographer was present to record all testimony. After everyone who wished to speak, has spoken, the Public Hearing was closed and the regular meeting was reopened.

Mr. Walbert moved that the Board approve to continue the conditional hearing for Greenway Creative Learning Center to the June 28, 2011.

Mr. Salvesen seconded the motion.

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

#### **Conditional Use Hearing – Richard and Rhonda Bartolacci – 3864 Courtney Street, Bethlehem, PA – Expansion of an Exercise facility in the PIBD Zoning District**

Mr. Walbert closed the regular meeting and opened the Public Hearing. It is noted for the record that the hearing has been duly advertised and the Secretary received Proof of Publication. A Court Stenographer was present to record all testimony. After everyone who wished to speak, has spoken, the Public Hearing was closed and the regular meeting was reopened.

It was noted that the Conditional Use Approval will take place on the May 24<sup>th</sup> Supervisor's meeting.

#### **Public Meeting – Adopt Ordinance 11-4, Regulation of Stopping, Standing and Parking on Certain Roads within the Bethlehem Business Park and Lehigh Valley Industrial park IV**

I move that the Board approve to adopt the following Ordinance Number 11-4, Regulating Stopping, Standing and Parking on Certain Roads within Bethlehem Business Park and Lehigh Valley Industrial Park IV:

### **ORDINANCE NO. 11-4**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE 02-01, CHAPTER 172, PROVING FOR THE REGULATION OF STOPPING, STANDING AND PARKING VEHICLES ON CERTAIN**

**ROADS WITHIN THE BETHLEHEM BUSINESS PARK AND THE LEHIGH VALLEY INDUSTRIAL PARK IV, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

Mr. Nagle seconded the motion.

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

**Zoning Hearing Petition – David and Angeline Brong, 1204 Alyssa Place – Requesting Dimensional Variance for Lot Coverage Imposed from the Woodlands section of the Ordinance**

Mr. Finnigan recommended that based on conversations with Mr. Brong, the Solicitor and Engineer's office that the Township does not oppose this variance request before the Zoning Hearing Board.

Mr. Finnigan further recommended that the Solicitor be authorized to communicate to the property owner of the whole development that it would be advantageous for him to acquire a similar variance; or others who buy lots will all be requesting variances because of the way in which the Woodlands was attached to this property.

Mr. Finnigan noted that the above has been suggested to the property owner; however there has been no action as of yet.

Mr. Walbert concurred with the recommendation.

Mr. Diacogiannis directed the Solicitor to contact the property owner.

**Zoning Hearing Petition – PJ's Bethlehem, LLC, for 3395 High Point Blvd., Requesting Relief from Zoning Section 185.19 D.(3)(c)**

Mr. Walbert recommended that the Board direct the Engineer and Solicitor to attend the hearing to enforce the Township Ordinance in regards to the square footage of the sign.

Mr. Diacogiannis so directed.

**Zoning Hearing Petition – Metro PCS Pennsylvania, LLC, 5325 Northgate Drive, Requesting a Use Variance and Dimensional Relief from the Provisions of the Ordinance**

Mr. Walbert recommended that the Board direct the Engineer and Solicitor to attend the hearing.

Mr. Diacogiannis so directed.

**Hold Harmless Indemnification Agreement – Georges Carreira and Jae Kierstin Carreira, 4614 Kathi Drive – Installation of a Fence and Shed in a Drainage/Utility Easement**

Mr. Walbert moved that the Board approve the Hold Harmless Indemnification Agreement between Georges Carreira and Jae Kierstin Carreira of 4614 Kathi Drive for the installation of a fence and shed in the Drainage / Utility Easement.

Mr. Nagle seconded the motion.

Mrs. Carreira was present and stated that they have decided to not install the fence in the easement of the rear yard; only the side yard will be affected.

After a discussion, the Board agreed to modify the Hold Harmless Indemnification Agreement by crossing out "rear yard" and having the Chairman and property owner initial the change.

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

**Introduction of Resolution 11-11, Appointing and Designating a Liaison between It and Northampton County Tax Collecting Committee and Its Tax Officer for the express Purpose of Sharing Confidential Tax Information with Hanover Township for Official Purposes**

For Introduction – To be adopted May 24<sup>th</sup> Meeting:

**HANOVER TOWNSHIP – NORTHAMPTON COUNTY**

**RESOLUTION # 11-11**

**A RESOLUTION OF THE HANOVER TOWNSHIP OF NORTHAMPTON COUNTY, PENNSYLVANIA, APPOINTING AND DESIGNATING A LIAISON BETWEEN IT AND NORTHAMPTON TAX COLLECTION COMMITTEE AND ITS TAX OFFICER FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH HANOVER TOWNSHIP FOR OFFICIAL PURPOSES.**

WHEREAS, the Pennsylvania Local Tax Enabling Act (LTEA), 53 P.S. Sec. 6924.101, et seq., requires and empowers the Northampton Tax Collection Committee (NTCC) to provide for local earned income tax (EIT) collection in the Northampton Tax Collection District (NTCD); and

WHEREAS, Hanover Township is a constituent member of the NTCD; and

WHEREAS, NTCC has appointed, and contracted with, Keystone Collection Group (Tax Officer) as the private agency responsible for EIT collection in the NTCD; and

WHEREAS, Sec. 6924.514 of the LTEA, 53 P.S. Sec. 6924.514 provides that information gained by a tax officer, or any employee or agent of a tax officer, or of a tax collection committee as a result of any declarations, returns, investigations, hearings, or verifications shall be confidential tax information; and

WHEREAS, Sec. 6924.514 prohibits, except for official purposes or as provided by law, the Commonwealth, any political subdivision, tax collection committee member, tax officer, or employee or agent of a tax officer or tax collection committee from divulging or making known confidential tax information, inter alia; and

WHEREAS, Sec. 6924.514 further provides criminal and civil penalties, including loss of employment, in the event of violation of its confidentiality requirements; and

WHEREAS, the NTCC and Tax Officer request the passage of a Resolution by the Board of Supervisors of Hanover Township, appointing and designating the specific representative on behalf of the Township of Hanover to request and receive confidential tax information on behalf of the Township of Hanover for official purposes, and absolving the NTCC and Tax Officer from any liability in connection with the release of said confidential tax information to such individual.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Supervisors of the Township of Hanover hereby appoints and designates the *Township Manager, Tax Collector and/or Township Treasurer* as the Township of Hanover's Authorized Representative to make requests upon, and receive any and all tax information records from, the NTCC or the Tax Officer relative to the Township of Hanover's EIT collection, as desired and deemed necessary by the Authorized Representative on behalf of the Township of Hanover, to be used for official purposes only, or as provided by law.

2. The NTCC and Tax Officer are hereby authorized and directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of EIT taxes for the Township of Hanover, upon request, to the Authorized Representative as the authorized representative for the Township of Hanover. Requests by the Authorized Representative shall be considered requests for official purposes, or as provided by law.

3. The Authorized Representative is further authorized to release the Township of Hanover's confidential tax information to the NTCC and Tax Officer for the purpose of the administration and collection of the Township of Hanover's EIT.

4. The Township of Hanover hereby agrees to save harmless, indemnify and/or absolve the NTCC and Tax Officer from and against any and all liability in connection with the release of confidential tax information to such Authorized Representative.

5. A certified copy of this Resolution shall be provided to the NTCC and Tax Officer, both of which may rely upon the Resolution and designation contained therein on an ongoing basis until they receive a written notice or certified Resolution to the contrary from the Township of Hanover.

**Proclamation 2011-3, Eagle Scout Award, Douglas J. Miller**

Mr. Nagle moved that the Board approve the following Proclamation honoring Douglas J. Miller on his Eagle Scout Award:

**HANOVER TOWNSHIP  
NORTHAMPTON COUNTY**

PROCLAMATION NO. 2011-3

**A PROCLAMATION HONORING DOUGLAS J. MILLER ON  
THE ACHIEVEMENT OF HIS EAGLE AWARD**

WHEREAS, Douglas J. Miller has achieved a significant accomplishment in life's path earning his Eagle Award as a member of the Boy Scouts of America; and

WHEREAS, Douglas will officially receive his award during an Eagle Presentation Ceremony on May 28, 2011 as a member of Boy Scout Troop 306, St. Anne's Roman Catholic Church; and

WHEREAS, under Douglas' leadership, scouts, family and Hanover and Bethlehem residents completed over 140 hours of service constructing picnic tables, some with handicap access along the Lehigh River in the Native Plant Reserve; and

WHEREAS, Douglas has exemplified the virtues of scouting and has exhibited leadership skills as Pastoral Leader, Assistant Senior Patrol Leader, Chaplain's Aid, Junior Assistant Scout Master and as an active member of the First Baptist Church Student Ministries.

NOW, THEREFORE, BE IT AND IT IS HEREBY PROCLAIMED, by the Board of Supervisors of Township of Hanover, County of Northampton, and the Commonwealth of Pennsylvania:

**That Douglas J. Miller is applauded and recognized on the occasion of his Eagle Award and the Board of Supervisors congratulates him for his dedication and devotion in preserving the finest virtues of American life as set forth by Scouting principals. The Board of Supervisors also proclaims Monday, May 30, 2011 as Douglas J. Miller Day in Hanover Township.**

Mr. Salvesen seconded the motion.

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

**Authorize Chairman to sign the MailFinance Lease Agreement and Amendment to Lease Agreement for a Neopost IS440 Mail System Leased through Document Systems Ltd.**

Mr. Nagle moved that the Board authorize the Chairman to sign the MailFinance Lease Agreement and the Amendment to Lease Agreement for a Neopost IS440 Mail System being leased through Document Systems Ltd at a rate of \$125.00 per month for 63 months. It is noted that the Township was offered an early upgrade on a new machine, which will include rate changes, online capabilities, and at our current lease rate. (The Township will save \$350.00 on rate changes which had to be purchased separately before.)

Mr. Salvesen seconded the motion.

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

**PUBLIC WORKS**

**DEVELOPMENTS**

**Note for the Record – Extension from Innovation Wellness Center – Northgate II, Lot 4**

It is noted for the record that Innovation Wellness Center – Northgate II, Lot 4 has granted the Township an extension to September 31, 2011 in regards to the Land Development Plan review.

COURTESY OF THE FLOOR

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

STAFF REPORTS

Mr. Kocher – Engineer, had nothing to report.

Mr. Broughal – Solicitor, advised the Board of the time limit for the Greenway Creative Learning Conditional Use application.

Mr. Milite – Public Works Director, was not in attendance.

Mr. Finnigan – Township Manager, had nothing to report.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved adjournment at 7:55 P.M.

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

Lori A. Stranzl  
Township Secretary