
REGULAR SEMI-MONTHLY MEETING
July 26, 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, Attorney Wendy Nicolosi, and Township Manager, John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Salvesen, seconded by Mr. Tanczos, the Board approved the Agenda with the addition of an Executive session for Litigation.

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 June 28, 2011.

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 as prepared by the Township Secretary-Asst. Treasurer; and to enter the signed List of Bills as an attachment to the minutes.

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

COURTESY OF THE FLOOR

Resident Hank Pretti of Rosewood Drive was present to discuss the storm water and sinkhole issues in the Ravelle Retention Pond.

A discussion was held on the storm water and the retention pond.

Mr. Diacogiannis directed the Township Manager and Township Engineer to look at the situation.

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, had nothing to report.

Mr. Walbert – Road District #2, commented on the sidewalk from Stoke Park Road to Wegmans and that the Township should send Wegmans a letter thanking them for being a great corporate neighbor.

Mr. Salvesen – Road District #3, had nothing to report.

Mr. Tanczos – Road District #4, commented on the trees hanging over the sidewalks and asked who has the authority to enforce the cutting of the trees. Mr. Finnigan stated that the Township has the authority and letters have gone out on complaints received.

Mr. Diacogiannis – Road District #5, had nothing to report.

PLANNING & ZONING

Public Hearing – Adoption of Ordinance 2011-7, Enacting Certain Amendments to Chapter 185, Section 185-45 of the Zoning Ordinance, by adding the Definitions of Conditional Resale Certificate and Resale Certificate and Changing References to Certificate of Occupancy to Resale Certificate when Referring to Transfer of Ownership.

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.

Mr. Walbert moved that the Board adopt Ordinance 2011 – 7 enacting certain amendments to Chapter 185, Section 185-45 of the Zoning Ordinance:

ORDINANCE NO. 2011-7

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, REVISING ORDINANCE 02-01 CHAPTER 185 SECTION 185-45 BY ADDING THE DEFINITIONS OF CONDITIONAL RESALE CERTIFICATE AND RESALE CERTIFICATE AND CHANGING REFERENCES TO CERTIFICATE OF OCCUPANCY TO RESALE CERTIFICATE WHEN REFERRING TO TRANSFER OF OWNERSHIP AND REPEALING ALL ORDINANCES INCONSISTANT HEREWITH.

Mr. Tanczos seconded the motion.

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

Public Meeting: Adoption of Ordinance 2011-8, Amending the Official Zoning Map of the Hanover Township Zoning Ordinance to Provide for the Expansion of the Office and Institutional (OI) District for the Property located at the Intersection of Jacksonville Road and Schoenersville Road.

Mr. Walbert moved that the Board adopt the following Ordinance, 2011-8 amending the Official Zoning Map of the Hanover Township Zoning Ordinance:

Ordinance 2011-8

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE HANOVER TOWNSHIP ZONING ORDINANCE TO PROVIDE FOR THE EXPANSION OF THE OFFICE AND INSTITUTIONAL (OI) DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Nagle seconded the motion.

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

Conditional Use Approval – Greenway Creative Learning Center, LLC, 52 Highland Avenue, Bethlehem, PA, 18017 – Seeking Relief to Allow a Day Care/Preschool in the P.I.B.D. Zoning District.

Mr. Walbert moved that the Board approve the Conditional Use Application from Greenway Creative Learning Center LLC, 52 Highland Avenue, Bethlehem, PA, 18017 with the following conditions:

A. CONDITIONS

1. The Applicant/Owner shall acknowledge that the majority of clients come from the PIBD Zone, that there shall be no interconnection between the adjacent units.
2. The Applicant/Owner shall provide an updated Conditional Use Plan showing signage to be provided for all “Pick-up/Drop-off” spaces (8) as indicated in the Hanover Engineering Associates, Inc. letter of June 2, 2011.
3. The Applicant/Owner shall acknowledge that traffic shall “enter off of Highland Avenue and exit on Burgess Place,” post appropriate signs for the Daycare, One Way traffic and Do Not Enter (adjacent to the Northwest corner of the building) as included on the revised Conditional Use Plan.
4. The Applicant/Owner shall receive State approval for an Outdoor Play Yard/Controlled Entrance with fence (yard size to be determined – 40 feet x 48 feet testimony, versus 48 feet x 54 feet shown on Conditional Use Plan). The fence shall be, as testified, split rail with 4-foot high nonclimbable coated wire on the inside.
5. Building Permits shall not be issued until Conditions 1 through 4 are completed to the satisfaction of the Township Manager, Township Zoning Officer, Township Engineer and Township Solicitor.

Mr. Nagle seconded the motion.

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

David and Susan Hicks, 5351 Greenbriar Drive, Bethlehem, PA, 18017 – Installation of an In-Ground Pool and Consideration of Owner’s Requests and Engineer’s Recommendations.

Mr. and Mrs. Hicks were present. Mr. Hicks discussed the review by Hanover Engineering as directed at the last Supervisors’ meeting.

A discussion was held on the review letter from Hanover Engineering and the Hicks’ request.

Mr. Walbert moved that the Board authorize the Chairman and Secretary to sign a Hold Harmless Indemnification Agreement between Hanover Township and Mr. and Mrs. Hicks, 5351 Greenbriar Drive, Bethlehem, Pennsylvania, 18017 conditioned upon the Solicitor’s office

approving the Hold Harmless Indemnification Agreement for the installation of a fence in the side yard drainage easement.

Mr. Nagle seconded the motion.

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

David and Nathalie Elias, 6765 Lilac Drive, Bethlehem, PA, 18017 – Requesting Permission to install 6 foot tall vinyl privacy fence within an Easement at the Rear of their Property

Residents were not in attendance. Item has been tabled.

Hold Harmless Indemnification Agreement – Salvatore Basile and Anna Basile F/K/A Anna Palldino, 4766 Kathi Drive, Bethlehem, PA, 18017 – Installation of a Fence on the Property which will Encroach into the Ten (10) Foot Township Drainage and Utility Easement in the Side Yard

Mr. Walbert moved that the Board authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and Salvatore Basile and Anna Basile F/K/A Anna Palldino of 4766 Kathi Drive, Bethlehem, PA, 18017.

Mr. Nagle seconded the motion.

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

Hold Harmless Indemnification Agreement – Mahmood Datoos and Fatma M. Datoos, 4762 Kathi Drive, Bethlehem, PA, 18017 - Installation of a Fence on the Property which will Encroach into the Ten (10) Foot Township Drainage and Utility Easement in the Side Yard

Mr. Walbert moved that the Board authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and Mahmood Datoos and Fatma M. Datoos of 4762 Kathi Drive, Bethlehem, PA, 18017.

Mr. Nagle seconded the motion.

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

ADMINISTRATION

Proclamation 2011-7, Honoring Keegan Amal Boyle on the Achievement of his Eagle Award.

Mr. Nagle moved that the Board approve the following Proclamation 2011-7 honoring Keegan Amal Boyle:

**HANOVER TOWNSHIP
NORTHAMPTON COUNTY**

PROCLAMATION NO. 2011-7

**A PROCLAMATION HONORING
KEEGAN AMAL BOYLE
ON THE ACHIEVEMENT OF HIS EAGLE AWARD**

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

WHEREAS, Keegan will officially receive his award during an Eagle Presentation Ceremony on July 30, 2011 as a member of Boy Scout Troop 306, St. Anne's Roman Catholic Church, Bethlehem, PA; and

WHEREAS, Keegan interviewed local World War II Veterans and provided the Bethlehem Area Public Library with a booklet of their stories. The aim is to preserve the memories of their war experiences while educating the community; and

WHEREAS, Keegan has exemplified the virtues of scouting and has exhibited leadership skills in his troop serving as Troop Scribe and Order of the Arrow Representative

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 Keegan Amal Boyle 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 proclaim Monday, August 1, 2011 as Keegan Amal Boyle Day in Hanover Township.

Mr. Salvesen seconded the motion.

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

Adopt Resolution 2011-14, Third Party Agency List

Mr. Nagle moved that the Board approve the following Resolution 2011-14 enacting certain amendments to the Construction Codes, Uniform (the "Ordinance"):

HANOVER TOWNSHIP – NORTHAMPTON COUNTY

RESOLUTION # 2011 - 14

WHEREAS, the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania (the "Board of Supervisors") enacted certain amendments to the Construction Codes, Uniform (the "Ordinance") on April 27, 2004; and

WHEREAS, the Ordinance provides for the Board of Supervisors to update the Approved Third-Party Agency List, by resolution.

NOW THEREFORE, BE IT RESOLVED and it is RESOLVED by the Board of Supervisors that the Approved Third-Party Agency List is hereby established in accordance with the provision of Ordinance 04-07 as follows:

W. Bruce Trout, BCO
10 Smith Gap View
Bath, PA 18014-8601

CodeMaster Inspection Services
1209 Hausman Road
Suite B
Allentown PA 18104-9300

Keystone Code Consulting & Enforcement
P.O. Box 391
Bethlehem, PA 18016-0391

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

Adopt Resolution 2011-15, Northampton County Gaming Revenue & Economic Development Authority

Mr. Nagle moved that the Board approve the following Resolution 2011-15 to apply for grants with Northampton County through the Northampton County Gaming Revenue & Economic Development Authority:

**RESOLUTION 11-15
HANOVER TOWNSHIP – NORTHAMPTON COUNTY**

WHEREAS, The Board of Supervisors of Hanover Township (“Township”), Northampton County, Pennsylvania (“Applicant”) desires to apply for grants with Northampton County (“County”) through the Northampton County Gaming Revenue & Economic Development Authority (“Authority”); and

WHEREAS, the Applicant desires to specifically assist the Colonial Regional Police Commission and Department assist the many hotels, inns and suites in Hanover Township which have all experienced an increase in prostitution and related crimes since the opening of the Sands Casino – Resort in the City of Bethlehem; and

WHEREAS, the Applicant desires to receive a grant from the County through the Authority to combat these crimes.

NOW THEREFORE, IT IS RESOLVED THAT:

1. Any application for a grant from the Authority may be signed on behalf of the applicant by the officials of the Township of Hanover who, at the time of signing, has **TITLE** of **Chairman**, Board of Supervisors; or **Vice Chairman**, Board of Supervisors; or **Township Manager**.

2. The signature page for the grant agreement can be executed on behalf of the Township by the Official who, at the time of the signing of the agreement, has the **TITLE** specified in paragraph 1 and the Township is bound by the grant agreement.
3. If this official signed the “**Signature Page for Grant Application**” prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
4. Any amendment to the grant agreement can be executed on behalf of the Township by the Official who, at the time of the signing of the agreement, has the **TITLE** specified in paragraph 1 and the Township is bound by the grant amendment.
5. This Resolution shall remain in effect and binding until rescinded or modified by the Board of Supervisors, Township of Hanover.

Mr. Salvesen seconded the motion.

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

Authorize Signatures – Memorandum of Agreement – Basic Life Support

Mr. Nagle moved that the Chairman and Secretary be authorized to execute the **MEMORANDUM OF AGREEMENT TO PROVIDE BASIC LIFE SUPPORT SERVICES TO HANOVER TOWNSHIP** between Hanover Township and the Hanover Township Volunteer Fire Company #1 of Northampton County for the period January 1, 2012 and December 31, 2013. I further authorize the Secretary to notify Frank Almer, President of the Fire Company of the Board’s action.

Mr. Salvesen seconded the motion.

Mr. Walbert gave an overview of the last year to determine what the Township needed in regards to Basic Life Support and the type of service that would work best. Mr. Walbert stated that he is happy to say that we have a good agreement that will benefit the Township and he is confident in the Township’s EMS staff.

Mr. Tanczos thanked Karen VanWhy and Mike Coogan for all their hard work over the past year during this process.

Karen VanWhy was present and thanked Glenn, Mark and Jay for all their help.

Mr. Diacogiannis read the following letter into the record from the Hanover Township Volunteer Fire Company dated July 20, 2011:

“Dear Board Members – Hanover Township Volunteer Fire Company #1 held our regular scheduled meeting last night. The company voted to sign the Memorandum of Agreement. Thank you for your time in this matter. Sincerely, Frank Almer, President.”

Mr. Diacogiannis thanked the committee appointed to represent the Board, Karen and Mike, and the entire EMS staff.

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

HTCC Refund Request of Deborah Finnegan and Manuel Espinel

Mr. Finnegan discussed the Community Center Policy regarding refunds and Ms. Finnegan’s and Mr. Espinel’s request. Mr. Finnegan ask if any member of the Board would make a motion to refund the “deposit” paid for programs for the child of Ms. Finnegan and Mr. Espinel who was dismissed from the Community Center. No member of the Board offered a motion.

PUBLIC WORKS

DEVELOPMENTS

Note for the Record – LNAA – 1,144 Acre Consolidation Plan Extension

Mr. Tanczos noted for the record that Lehigh Northampton Airport Authority, 1,144 Acre Lot Consolidation has granted the Township an extension to November 3, 2011 to review the plans.

Note for the Record – Newly Weds Foods Building Addition – LVIP IV Lot 23 Extension

Mr. Tanczos noted for the record that Newly Weds Foods Building Addition – LVIP IV Lot 23 has granted the Township an extension to November 7, 2011 for review and approval of the project.

Faulkner Saab, Cadillac Showroom Renovations – Record Plan Conditions - Extension Request

Mr. Tanczos moved that the Board approve to grant Faulkner Chevrolet, Cadillac an extension to July 18, 2012 to meet the Record Plan Conditions for the Faulkner Saab, Cadillac Showroom Renovation project; and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

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

Airport Road Group Home – Improvement Status/Escrow Release

Mr. Nagle moved that the Board, as recommended by the Township Engineer, approve the release of “balance of escrow”, if any, be released upon the following conditions:

1. That the Developer provides an “As-built” Utility Plan
2. That the Township receives the Highway Occupancy Permit “Acknowledgement of Completion.”
3. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals accounts).

Also, to notify the Developer of the Board's action.

Mr. Tanczos seconded the motion.

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

COURTESY OF THE FLOOR

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

STAFF REPORTS

Mr. Kocher had nothing to report.

Attorney Nicolosi had nothing to report.

Mr. Milite had nothing to report.

Mr. Finnigan distributed the “Group Home Ordinance”. Group Homes are covered under State and Federal Law. The Township followed the appropriate procedures in the Conditional Use Hearing. However, Attorney Nicolosi has been corresponding with the Attorney who represents Group Homes in the Commonwealth. He is not going to continue to challenge the Ordinance in place at that time, based on this Ordinance which now meets State and Federal statutes.

Mr. Finnigan stated he needs a motion to authorize the Solicitor's office to forward this Ordinance to the appropriate parties for review.

Mr. Walbert moved that the Board approve to authorize the Solicitor's office to forward the proposed Ordinance to the appropriate parties for review and comment.

Mr. Nagle seconded the motion.

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

Mr. Finnigan updated the Board that beginning in 2012 Earned Income Tax Collection will be done by a Countywide Tax Agency. Northampton County, through their Tax Collection Committee, hired Keystone Collections Group as their agency. They are holding informational sessions throughout Northampton County starting in August on the new requirements and penalties.

The Township sent a letter to every employer in Hanover Township, Northampton County encouraging the employers to attend one of the sessions. We also sent reminder postcards out today.

Information is on our website and was handed out at voter polling areas.

Included in this change are requirements for employees to certify themselves to their employer as to what their tax districts are.

The Fire Company report was distributed.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved adjournment of the regular meeting at 8:32 P.M. and entered into the Executive Session for Litigation.

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

The Executive Session concluded at 8:45 P.M.

Lori A. Stranzl
Township Secretary