
REGULAR SEMI-MONTHLY MEETING
December 18, 2012

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, Public Works Director Vince Milite and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

A Moment of Silence was held in memory of the Children and Teachers killed in the Connecticut school shooting.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the Agenda with an addition to 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 November 27, 2012.
Mr. Salvesen aye, Mr. Nagle abstain, 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 December 18, 2012 and to enter the signed List of Bills by the Secretary/Assistant Treasurer and the Board of Supervisors as an attachment to the minutes.
Mr. Salvesen aye with the exception of General Fund Check 2602, Mr. Nagle aye with the exception of General Fund Check 2602, Mr. Tanczos aye with the exception of General Fund Check 2602, Mr. Walbert aye with the exception of General Fund Check 2602, Mr. Diacogiannis aye with the exception of General Fund Check 2602.

COURTESY OF THE FLOOR

It was noted that there was no one to enter any comment.

REPORT OF THE CHAIRMAN

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS & ROAD REPORTS

Mr. Nagle – Road District #1, thanked the Road Crew for increasing the visibility of the stop sign at the intersection of Jacksonville Road and Westgate Drive.

Mr. Walbert – Road District #2 had nothing to report.

Mr. Salvesen – Road District #3, commented on the parking of vehicles on the small stub streets like Toni, Ashley, etc. in the morning where parents park and wait for the bus to come pick up their children. There is not a lot of room and afraid there may be an accident.

Mr. Tanczos – Road District #4 had nothing to report.

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

APPOINTMENTS & RESIGNATIONS

There were no items on the Agenda.

PLANNING & ZONING

There were no items on the Agenda.

ADMINISTRATION

Approval of Actuary for 2013

Mr. Nagle moved that the Board approve to authorize the Township Solicitor to advertise that it is the Township's intent to appoint Beyer-Barber Company as the 2013 Township Actuary.

Mr. Salvesen seconded the motion.

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

Authorize Secretary to Pay Invoices

Mr. Nagle moved that the Board approve to authorize the Township Secretary to pay invoices through December 31, 2012, subject to the approval of the Township Manager.

Mr. Salvesen seconded the motion.

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

Adoption of 2013 General Fund, Capital Reserve, State Fund and Recreation Budgets

Mr. Nagle moved that the Board approve to adopt Resolution 2012 – 24 adopting the 2013 Township Budgets as follows and to authorize the Chairman and Secretary to sign the Resolution:

HANOVER TOWNSHIP NORTHAMPTON COUNTY

RESOLUTION 12-24

A RESOLUTION of the Township of the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania, appropriating specific sums estimated to be required for the specific purposes of the municipal government, hereinafter set forth, during the year 2013.

BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by the Board of Township Supervisors of the Township of Hanover, County of Northampton, and Commonwealth of Pennsylvania:

Section 1. That for the expenditures and expenses of the fiscal year 2013 the following amounts are hereby appropriated from the fund equities, revenues, and other financing sources available for the year 2013. for the specific purposes set forth on the following pages.

Section 2. That any Resolution conflicting with this Resolution be and the same is hereby repealed insofar as the same affects this Resolution.

Mr. Salvesen seconded the motion.

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

Approval of 2013 Allocation to Colonial Regional Police

Mr. Nagle moved that the Board approve the letter written by the Township Manager stating that we approve the 2013 Hanover Township Allocation of \$1,592,958.45 towards the operation of the CRPD in compliance with Article V, Section A of the Colonial Regional Police Commissions Articles of Agreement and to send the letter to the Commission.

Mr. Salvesen seconded the motion.

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

Approve 2013 Tax Rate – Resolution 2012 – 25

Mr. Nagle moved that the Board approve to adopt Resolution 2012 – 25 setting the 2013 Tax Rate and to authorize the Chairman and Secretary to sign the Resolution:

**HANOVER TOWNSHIP
NORTHAMPTON COUNTY
Resolution 12- 25
TAX LEVY RESOLUTION**

SECOND CLASS TOWNSHIP

A RESOLUTION OF THE Township of HANOVER, County of Northampton, Commonwealth of Pennsylvania, fixing the tax rates for the year 2013.

BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by the Board of Township Supervisors of the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania:

That a tax be and the same is hereby levied on all real property and within the said Municipality subject to taxation for the fiscal year 2013 as follows:

Tax rate for general purposes, the sum of 3.40 mills on each dollar of assessed valuation or the sum of 34.0 cents on each one hundred dollars of assessed valuation.

Tax rate for fire tax purposes, the sum of 0.05 mills on each dollar of assessed valuation or the sum of 5.0 cents on each one hundred dollars of assessed valuation.

The same being summarized in tabular form as follows:

	Mills on Each Dollar of Assessed Valuation	Cents on Each One Hundred Dollars of Assessed Valuation
Tax Rate for General Purposes	<u>3.40</u> Mills	<u>34.0</u> Cents
Tax Rate for Fire Tax Purposes	<u>0.50</u> Mills	<u>5.0</u> Cents
TOTAL	<u>3.90</u> Mills	<u>39.0</u> Cents

That any resolution, or part of resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

Mr. Salvesen seconded the motion.

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

Approve 2013 Tax Rate for Act 611 Taxes – Resolution 2012 – 26

Mr. Nagle moved that the Board approve to adopt Resolution 2012 – 26 setting the 2013 Tax Rate for Act 611 Taxes and to authorize the Chairman and Secretary to sign the Resolution:

**HANOVER TOWNSHIP
NORTHAMPTON COUNTY
Resolution 12--26**

A RESOLUTION OF THE Township of Hanover, County of Northampton, Commonwealth of Pennsylvania, fixing the tax rate for the year 2013.

BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by the Board of Township Supervisors of the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania, that a tax be and the same is hereby levied on all property transfers and occupation tax within said municipality subject to taxation for the Fiscal Year 2013 as follows:

REAL ESTATE TRANSFER TAX	1%
EARNED INCOME TAX	1%
LOCAL SERVICES TAX	\$52.00
MERCANTILE TAX	
PERFORMANCE OF SERVICES	1 ½ MILLS
WHOLESALE SALES OF MERCHANDISE	1 MILL
RETAIL SALE OF MERCHANDISE	1 ½ MILLS

The latter three taxes to be shared with the Bethlehem Area School District in such proportions as prescribed by law.

Mr. Salvesen seconded the motion.

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

Authorize to Advertise Adoption of 2013 Budgets

Mr. Nagle moved that the Board approve to authorize the Secretary to advertise that the Board adopted the 2013 General Fund, Capital Reserve, State Fund and Recreation Budgets and that the budgets are on display at 3630 Jacksonville Road, Bethlehem, Pennsylvania during normal business hours.

Mr. Salvesen seconded the motion.

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

Approve 2012 Budget Amendments to General Fund and Recreation

Mr. Nagle moved that the Board approve the 2012 Budget Amendments as attached and prepared by the Township Secretary/Assistant Treasurer and Township Treasurer/Assistant Secretary.

Mr. Salvesen seconded the motion.

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

Policy 23 Update

It is noted for the record that in compliance with Policy 23, the Township Manager has provided the Board with the 2013 Township Organization Chart.

Approve Resolution 2012 – 27, Professional service Contracts Pursuant to Act 44 of 2009 (The Municipal Pension Plan Funding Standard and Recovery Act)

Mr. Nagle moved that the Board approve to adopt the following Resolution 2012 – 27, Professional service Contracts Pursuant to Act 44 of 2009 (The Municipal Pension Plan Funding Standard and Recovery Act) as follows:

RESOLUTION NO. 12 -_27

A RESOLUTION OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA SETTING FORTH CERTAIN PROCEDURES TO BE UTILIZED IN THE SELECTION OF INDIVIDUALS FOR PROFESSIONAL SERVICE CONTRACTS PURSUANT TO ACT 44 OF 2009 (THE MUNICIPAL PENSION PLAN FUNDING STANDARD AND RECOVERY ACT)

WHEREAS, Act 44 of 2009, the Municipal Pension Plan Funding Standard and Recovery Act provides, in part, that each municipal pension system shall develop procedures to select the most qualified person to enter into a professional services contract; and

WHEREAS, the Township of Hanover, Northampton County, Pennsylvania (the ‘Township’) operates a municipal pension system for its employees.

NOW, THEREFORE, be it resolved and it is resolved that the following constitutes the Township’s procedures for selecting the most qualified person to enter into a professional services contract pursuant to Section 702-A of Act 44 (capitalized words shall have the meaning set forth in Act 44);

1) Request for Proposal Application(s) including disclosures;

Applications will be drafted at the time professional services are needed by the Township. The application provisions will address the applicants’ qualifications, experience, expertise and

compensation to be charged. A disclosure form in accordance with the provisions of Act 44 will be included as part of the application. The selection process is not subject to a requirement that the lowest bid be accepted.

2) Advertisement;

The Township shall advertise the availability of a proposal for a professional services contract to potential participants or candidates in a timely and efficient manner. An advertisement of such will include the following:

- (a) The services that are the subject of the proposed professional services contract;
- (b) Specifications relating to the professional services;
- (c) Procedures to compete for the professional services contract;
- (d) Required disclosures and additional information desired.

3) Review;

The evaluation process will involve several steps. The initial responses to the advertisement for proposals will be evaluated by the Township. The Township will determine a list of finalists, interview finalists, if applicable, and make a final decision.

The criteria to be used in the evaluation process can differ depending on the professional services requested, but all shall include at least the following:

- (a) The applicant's qualifications, experience, and expertise related to Pennsylvania Municipal Pensions;
- (b) The applicant's approach to managing risk and research capabilities;
- (c) The applicant's knowledge of Act 205 and Act 600;
- (d) The quoted fee(s) associated with the desired service(s) sought;
- (e) The applicant's availability to meet with the Township's pension committees or governing body for periodic review; and
- (f) The response to the references provided by the applicant.

4) Personnel;

Prior to entering into a professional services contract, the contractor shall disclose the names and titles of each individual who will be providing professional services to the Township pension system, including advisors or subcontractors of the contractor. Furthermore, disclosures will include all of the following:

- (a) Whether the individual is a current or former official or employee of the Township;
- (b) Whether the individual is a current or former registered Federal or State lobbyist;
- (c) A description of the responsibilities of each individual with regard to the services provisions of the professional services contract; and
- (d) The resume of an individual listed in the aforementioned disclosure shall be provided to the Township upon request.

5) Conflict of Interest;

All proposals for professional services contracts shall include a minimum restriction for any applicant of **one year** on:

- (a) Participation by a former employee of a proposed contractor or potential contractor in the review of a proposal or negotiation of a professional services contract with that proposed contractor;
- (b) Participation by a former employee of the Township in the submission of a proposal or the performance of a contract by a proposed contractor.

Additionally, all proposals for performance service contracts shall include a permanent disqualification of any applicant for:

- (c) Any person or affiliated entity that currently holds a professional services contract with the Township and has conveyed a gift having more than a nominal value to any official or employee of the Township; or
- (d) Any person or affiliated entity that currently holds a professional services contract responds to, applies for, or otherwise solicits a professional services contract with the Township and, has within the past two (2) years of responding to any proposal, made a political contribution to any parties, candidates or current office holders of or for the Township; or
- (e) Any person or affiliated entity that holds a professional services contract with the Township and has a direct financial, commercial or business relationship with any Township official unless the Township consents, in writing, to the relationship after full and complete disclosure.

6) Public Information;

Following the award of a professional services contract, all applications and disclosure forms shall be made public except as may be exempted under the Right to Know Act.

7) Notification and Posting of Proceedings;

Following the decision by the Township of the selection of any applicant for a contract, the relevant factors that resulted in the selection for award of the professional services contract must be summarized in a written statement and included or attached to the documents awarding the contract. Within ten (10) days of the selection for award of the professional services contract, the original application, the proposal and selection statement, and all disclosure forms must be transmitted to all unsuccessful applicants and posted on the Township's website, at least seven (7) days prior to the execution of the professional services contract.

8) Increase:

A professional services contract shall not be amended to increase the cost of the contract by more than 10% or \$10,000, whichever is greater, unless the increase and a written justification for the increase are public and posted on the Township's website, at least seven (7) days prior to the effective date of the amendment.

Mr. Salvesen seconded the motion.

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

Approve 2013 Fee Schedule

Mr. Nagle moved that the Board approve the 2013 Fee Schedule as follows:

**HANOVER TOWNSHIP FEE SCHEDULE
Effective January 1, 2013**

Description	Fee
Assessed fee per the Commonwealth of Pennsylvania Act 13 of 2004 (subject to change without notice)	4.00 per each UCC Permit
Plan Review Fee Deposit (Residential) non-refundable	35.00
Plan Review Fee Deposit (Non-Residential) non-refundable	500.00 complete submission 150.00 each subsequent individual submission
Building Permit* New structures/dwellings, additions including sunrooms, patio enclosures, finished basements, interior and exterior alterations, structures, decks, including accessory building, and garages	
RESIDENTIAL - New dwellings	0.23 per sq ft
• Renovations & Repairs	155.00 <500 sq ft, Plus 0.23 each additional sq ft
Decks, Patios (with frost footers)	230.00
Decks, Patios with Roof	455.00
Enclosed Additions	455.00
COMMERCIAL and NON-RESIDENTIAL NEW STRUCTURES	775.00 first 10,000 sq ft 0.40 each additional sq ft
• Additions interior and exterior alterations, including tenant fit-outs	275.00 up to \$4,999.00 of cost plus 23.00 each additional \$1,000
Demolition Permit & Underground Storage Tank Removal	100.00
Cell Towers	500.00
Mechanical, Electrical, Sprinkler, Hood & Suppression and Alarm Permits* (Non-Residential Based on cost of construction)	
• Residential	125.00
• Up to \$3,499.99	125.00

• \$3,500.00 to up to \$4999.99	155.00
• \$5,000.00 to \$7,499.99	200.00
• \$7,500 to 10,000	225.00
• Over \$10,000	225.00 plus \$15.00 per \$1,000.00
Alarm Registration (required for new or existing or when transferred)	20.00
Plumbing Permit*	
New Construction Alteration and Repairs – (Base Fee plus each Fixture or Trap)	125.00 – Residential 155.00 – Residential New Construction 155.00 - (non-residential) plus 50.00 1-10 Fixtures or traps 25.00 each additional 10 fixtures or traps
Sprinkler	Based on Mechanical & Electrical Permit Fee Schedule
Master Plumber s License	50.00
Use & Occupancy Permit – Certificate of Occupancy	
New Construction and Tenant Fitout	20.00
Residential Resale and Inspection	50.00 (one Inspection) 75.00 each reinspection
Residential Rental Property – Registration and Inspection	100.00 per unit (one inspection) 75.00 each reinspection
Residential (Re-Inspection Fee – all permit types)	75.00 per unit
Commercial – Resale	200.00 under 10,000 sf 375.00 over 10,000 sf
Change of Use/Change of Occupancy (Zoning Approval Required)	200.00
Commercial Re-inspection, all non residential permit types	175.00 - Commercial

Swimming Pool and Spa Permit	
Above-ground – (new or re-installed, including air blown pools)	90.00
In-ground – Grading Plan Required	280.00
Hot Tub or Spa, Sauna	170.00
Yard Sale – One sign permitted on the premises	No Charge
Zoning Permit	
Residential – Fences, Sheds, Re-roof, Replacement Windows and Siding	90.00
Alarm Registration (required for new or existing or when transferred)	20.00
Curb and Sidewalk - Residential	65.00
Curb cut and sidewalk – Commercial, Non-Residential	75.00
Driveway - Residential (New, replace or enlargement)	40.00
Driveway – Commercial	75.00
Earth Moving Permit	275.00
Fence – Commercial	200.00
Home Occupation	40.00
Patio without a footer	90.00
Solicitation	50.00
Signs	
Banner Sign, Temporary Sign or Reface Sign	\$75.00
Pylon Sign & Monument Sign	150.00 (30 sq. ft.) 0.30 each additional sq. ft.
Special Permits	
Conditional Use	800.00

Zoning Appeal	600.00 – Residential 1,000.00 – Commercial, Non-Residential
Continuance Request – Applicant	175.00
UCC Building Code Appeal	600.00 – Residential 1,000.00 – Non-Residential
Miscellaneous	
Copies, Black and White	0.25 per copy
Copies, Plans and Blue Prints	7.50 each
Compost Center Cards	15.00
Dog Violations	\$20.00 pickup charge \$20.00 per calendar day housing
Recycling Barrel	15.00
Recycling – Lid only	5.00
Trash Certification	15.00
Postage & Shipping	Actual cost per USPS or other carriers
Hold Harmless Indemnification Agreement (Owner is responsible for all costs over and above the minimum fee)	125.00 minimum charge
Official Township Map	7.50 each
Zoning Map	10.00 each
All other Maps	7.50 each
Comprehensive Plan	25.00
S.A.L.D.O.	25.00
Zoning Ordinance	25.00
Liquor License Transfer (Applicant is responsible for all related costs over and above the minimum deposit fee)	2,000.00 (Deposit)

SUBDIVISION AND LAND DEVELOPMENT PLAN APPLICATION – FEE SCHEDULE

Submission Type

PRELIMINARY PLAN or FINAL PLAN or PRELIMINARY FINAL PLAN

Original Submission

RESIDENTIAL

1 - 5 Lots	825.00 per Lot
6 - 20 Lots	330.00 per Lot
21 Lots or More	275.00 per Lot
Units (i.e. apts./condo)	40.00 per Unit

NON-RESIDENTIAL

1 Lot	1, 650.00 Lot
2-5 Lots	1,100.00 per Lot
6-20 Lots	935.00 per Lot
21 Lots or More	880.00 per Lot

Each Revision – 50% of Original Submission Fee

LOT LOCATION PLAN	
Original Submission	200.00
Each Revision	110.00
 SKETCH PLAN	 220.00

Additionally, the Applicant/Developer shall reimburse the Township for expenses incurred as a result of the plan review

Mr. Salvesen seconded the motion.

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

Authorize Secretary to advertise the Re-Organization meeting for the Board of Supervisors

Mr. Nagle moved to authorize the Secretary to advertise that the Board of Supervisors will hold their Annual Re-organization Meeting on Monday January 7, 2013 at 6:30 P.M.

Mr. Salvesen seconded the motion.

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

Authorize Secretary to advertise the Re-Organization for the Board of Auditors

Mr. Nagle moved to authorize the Secretary to advertise that the Board of Auditors will hold their Annual Re-organization meeting on Tuesday, January 8, 2013 at 7:30 P.M.

Mr. Salvesen seconded the motion.

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

Authorize Secretary to Advertise January 2013 Meetings for all Boards/Commissions

Mr. Nagle moved that the Board authorize the Secretary to advertise the January meetings for the Board of Supervisors January 7 and January 22 (January 8, 2013 meeting is being moved to the 7th), Planning Commission January 14, Recreation Advisory Board January 10, Shade Tree Advisory Commission January 2, Crime Watch January 9, and Special Events Committee January 15. Meetings will be held at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, Pennsylvania 18017, with the exception of the Recreation Advisory Board which meets at 3660 Jacksonville Road, Bethlehem, PA 18017. Meetings will start at 7:30 P.M. with the exception of the Shade Tree Advisory Commission which will start at 6:00 P.M. and the Board of Supervisors and Special Events Committee which will start at 7 P.M. All meetings are open to the public.

Mr. Nagle further moved to authorize the Secretary to advertise that the January 8, 2013 Board of Supervisors meeting will be cancelled.

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 Keystone STARS Financial Award Request, Merit and Education & Retention Award

Mr. Nagle moved to authorize the Chairman to sign the Keystone STARS Financial Award request, Merit and Education & Retention Award as prepared by the Preschool Directors.

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 2010 Uncommitted Gaming Grant Final Report

Mr. Nagle moved to authorize the Chairman to sign the final report for the 2010 Uncommitted Gaming Grant for the Pedestrian Safety Signage Project.

Mr. Salvesen seconded the motion.

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

Authorize Signature of Independent Contractor Agreement – Hilari Stahler – Music Education

Mr. Nagle moved that the Board authorize the Chairman to sign the Independent Contractor Agreement with Hilari Stahler for Music Education at the Community Center.

Mr. Salvesen seconded the motion.

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

Authorize Signature of Independent Contractor Agreement – Randi Perrett – Hot Yoga

Mr. Nagle moved that the Board authorize the Chairman to sign the Independent Contractor Agreement with Randi Perrett for a Hot Yoga Program at the Community Center.

Mr. Salvesen seconded the motion.

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

Authorize Signature of Independent Contractor Agreement – CHS Professional Practice PC

Mr. Nagle moved to authorize the Chairman to sign the Independent Contractor Agreement with CHS Professional Practice PC, 2300 Highland Avenue, Bethlehem, PA, 18020 for physical fitness training and rehabilitation service.

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 Workers' Compensation Broker services Agreement with Broker, Brown and Brown of Lehigh Valley, Inc.

Mr. Nagle moved to authorize the Chairman to sign the Workers' Compensation Broker Services Agreement with Brown and Brown of Lehigh Valley, Inc. to provide workers' compensation insurance through the Pennsylvania State Workmen's Insurance Fund for the Fire Company effective January 1, 2013.

Mr. Salvesen seconded the motion.

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

Approve Release of Payment for Village View Park Project

Mr. Nagle moved that the Board approve, as recommended by Township Engineer's office, to release the retainage amount of \$5,106.07 to A. Scott Enterprises, Inc. conditioned upon receipt of and confirmation from the Township Solicitor of the appropriate Maintenance Bond for a period of twelve (12) months.

Mr. Salvesen seconded the motion.

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

Approve Release of Payment for Traffic Control Devices Project

Mr. Nagle moved that the Board approve, as recommended by the Township Engineer's office, to release Payment 3 in the amount of \$17,520.66 for the Traffic Control Devices project to Telco, Inc.

Mr. Nagle further moved that the Board approve, as recommended by the Township Engineer's office, to release the retainage amount of \$27,079.80 conditioned upon receipt of and confirmation from the Township Solicitor of the appropriate Maintenance Bond for a period of twelve (12) months.

Mr. Salvesen seconded the motion.

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

Proclamation 2012-9 honoring Cindy Gallagher

Mr. Nagle moved that the Board approve the following Resolution honoring Cindy Gallagher:

PROCLAMATION NO. 2012-9

**A PROCLAMATION HONORING
CINDY GALLAGHER**

WHEREAS, Cindy Gallagher has provided twenty-eight years of dedicated service as an employee of the Bethlehem Area School District and Colonial Intermediate Unit 20; and

WHEREAS, Mrs. Gallagher will officially retire from her duties as Secretary of Hanover Elementary School on December 21, 2012; and

WHEREAS, Mrs. Gallagher has gained the respect and admiration of the students, families, faculty and staff over the years as a result of her commitment, dedication, positive attitude, hard work, and demonstrating incredible school spirit; and

WHEREAS, Mrs. Gallagher always exhibited care, concern and compassion for each student, their families, faculty and staff; and

WHEREAS, Mrs. Gallagher has been a valuable employee of the Bethlehem Area School District as School Secretary – Marvine Elementary School; School Secretary – William Penn Elementary School; Clerk – Accounts Payable Office; and School Secretary at Hanover Elementary School since February of 2007.

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

That CINDY GALLAGHER is applauded and recognized on the occasion of her retirement and the Board of Supervisors congratulates her for her dedication and devotion to the students, families, faculty and staff of Hanover Elementary School. The Board of Supervisors also proclaims December 21, 2012 as Cindy Gallagher Day in Hanover Township and wishes her many years of a happy and healthy retirement.

Mr. Salvesen seconded the motion.

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

PUBLIC WORKS

There were no items on the agenda.

DEVELOPMENTS

Note for the Record – Hanover Corporate Center 2 – Lot 10 Storm Water Facilities Management – Extension

It is noted for the record that Jaindl Land Company has granted the Township an extension of time for consideration of the Preliminary/Record Land Development Plan for HCC2 – Lot 10 Storm Water Facilities Management to June 30, 2013.

LVCC II Lots 5 – 6, Triumph Acute Care Hospital – Extension

Mr. Tanczos moved that the Board approve to grant the Developer an extension of one (1) year to December 18, 2013 for the Conditional Approval for LVCC II Lots 5-6, Triumph Acute Care Hospital, and 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.

Preliminary/Record Approval – Bethlehem Business Park Lot 8A

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve to adopt the terms and conditions relative to Bethlehem Business Park Lot 8A Preliminary Land Development Plan, prepared and provided to the Developer/Owner for signature and the Township Secretary is to notify the Developer/Owner of the Board's action relative to this matter.

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated December 12, 2012 to the satisfaction of the Township Engineer, prior to recording.
2. A note shall be added to the Plan(s) identifying all waivers and deferrals granted by the Township and the meeting date of the Board of Supervisors action.
3. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(5)).

- A. The Improvements Agreement shall include a notarized statement, satisfactory to the Township Solicitor, stating that the Township shall be held harmless against any claim of damage from the downstream property owners that may result from the proposed development. (Stormwater Management Ordinance 98-2, Section 152-10.E).
 - B. The Improvements Agreement and a separate Covenant running with the land shall include provisions satisfactory to the Township Solicitor, that the stormwater collection, conveyance, BMPs and control facilities located on private property shall be properly operated and maintained by the property owner. (Stormwater Management Ordinance 98-2, Sections 152-10.M and 152-24.3).
 - C. The Improvements Agreement shall include a statement that a BMP Operations and Management Plan, (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township. (Stormwater Management Ordinance 98-2, Section 152-24.5).
4. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6)).
 5. The Developer/Owner shall not be required to provide an Open Space Contribution, as this is an existing, developed lot. (SALDO Section 159-16.D).
 6. The Developer/Owner shall not be required to provide a Tapping, Connection or Customer Facilities Fee, as no additional office space is proposed at this time. (Ordinance 05-06, Section 140-13).
 7. The Developer/Owner shall not be required to provide a Traffic Impact Fee, as no additional office space is proposed at this time. (Impact Fee Ordinance 91-12, Resolution 07-10).
 8. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements value of \$1,742.40 (\$1.80 per square yard of new impervious cover X 968 SY of new impervious cover). (Stormwater Management Ordinance 98-2, Section 152-12.B).
 9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J).
 10. The Developer/Owner shall provide two (2) Mylars for recording the plans and ten (10) sets of plans which are signed and notarized by the Owner and sealed by the Engineer. (SALDO Section 159-34.B).
 11. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the Record Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the conditional

Preliminary/Record Plan approval shall be considered void, and the application for Preliminary/Record Plan approval shall be considered void and withdrawn.

Mr. Tanczos further moved that the granting of conditional approval of this plan recognizes that the Township is agreeing to the following on the Land Development Plan:

- A. That the Board of Supervisors waives the requirement to provide off-street loading calculations, as no additional office space is proposed at this time. (Zoning Ordinance Section 185-18.C).
- B. That the Board of Supervisors waives the requirement to provide elevations of the existing buildings and proposed modifications and to allow photographs of the existing buildings with the modifications identified on the photographs. (Zoning Ordinance Section 185-22.C.(1)(e)).
- C. That the Board of Supervisors waives the requirement to provide contour lines for the entire site and to allow the contour lines only in the areas of proposed construction indicated on the plans. (Zoning Ordinance Section 185-22.C.(1)(f)).
- D. That the Board of Supervisors waives the requirement to maintain the existing planting strip and to allow removal of the existing planting strip and planting of the replacement trees indicated on the plans. (Zoning Ordinance Section 185-35.G.(3)(a)).
- E. That the Board of Supervisors waives the requirement to provide driveway curb radii a minimum of 20 feet and to allow the existing curb radii indicated on the plans. (SALDO Section 159-15.I.(1) and Driveways Section 73-7.D.(2)).
- F. That the Board of Supervisors waives the requirement to identify all existing features within 200 feet of any part of the land to be subdivided and to allow the existing features information indicated on the plans. (SALDO Section 159-29.C.(1)).
- G. That the Board of Supervisors waives the requirement to provide contour lines for the entire site and to allow the contour lines only in the areas of proposed construction indicated on the plans. (SALDO Section 159-29.C.(2)).
- H. That the Board of Supervisors waives the requirement to identify the species and size of all trees within the site and to allow the identified trees only in the areas of proposed construction indicated on the plans. (SALDO Section 159-29.C.(3)).
- I. That the Board of Supervisors waives the requirement to provide measured distances from the centerline of the existing streets to existing buildings, as no additional office space is proposed at this time. (SALDO Section 159-29.C.(4)).
- J. That the Board of Supervisors waives the requirement to identify the diameter, species and dripline of all trees within the site and to allow the identified trees

only in the areas of proposed construction indicated on the plans. (SALDO Sections 159-29.C.(6)(a) and (b)).

- K. That the Board of Supervisors waives the requirement to identify all utility information for all areas within fifty (50) feet of the property lines and to allow the utility information indicated on the plans. (SMO Section 152-15.B.(5)).

Mr. Salvesen seconded the motion.

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

Preliminary/Record Approval – LVIP IV Lots 55/56 – Freshpet

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve to adopt the terms and conditions relative to LVIP IV Lots 55/56 - Freshpet Preliminary Land Development Plan, prepared and provided to the Developer/Owner for signature and the Township Secretary is to notify the Developer/Owner of the Board's action relative to this matter.

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated December 10, 2012 to the satisfaction of the Township Engineer, prior to recording.
2. A note shall be added to the Plan(s) identifying all waivers and deferrals granted by the Township and the meeting date of the Board of Supervisors action.
3. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(5)).
 - C. The Improvements Agreement shall include a notarized statement, satisfactory to the Township Solicitor, stating that the Township shall be held harmless against any claim of damage from the downstream property owners that may result from the proposed development. (Stormwater Management Ordinance 98-2, Section 152-10.E).
 - D. The Improvements Agreement and a separate Covenant running with the land shall include provisions satisfactory to the Township Solicitor, that the stormwater collection, conveyance, BMPs and control facilities located on private property shall be properly operated and maintained by the property owner. (Stormwater Management Ordinance 98-2, Sections 152-10.M and 152-24.3).
 - C. The Improvements Agreement shall include a statement that a BMP Operations and Management Plan, (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township. (Stormwater Management Ordinance 98-2, Section 152-24.5).
4. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6)).

7. The Developer/Owner shall not be required to provide an Open Space Contribution, as this requirement was previously satisfied by LVIP, Inc. (SALDO Section 159-16).
8. The Developer/Owner shall not be required to provide a Tapping, Connection or Customer Facilities Fee, as the sanitary sewer does not utilize any facilities constructed or paid for by the Township. (Ordinance 05-06, Section 140-13).
7. The Developer/Owner shall not be required to provide a Traffic Impact Fee, as the Board of Supervisors, at their meeting of June 16, 1992, waived additional Traffic Impact Fees for the new development in LVIP IV. (Impact Fee Ordinance 91-12, Resolution 07-10).
8. The Developer/Owner shall not be required to provide a Storm Sewer Interceptor Improvements value to the Township, as this requirement was previously satisfied by LVIP, Inc. (Stormwater Management Ordinance 98-2, Section 152-12.B).
9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J).
10. The Developer/Owner shall provide two (2) Mylars for recording the plans and ten (10) sets of plans which are signed and notarized by the Owner and sealed by the Surveyor/Engineer. (SALDO Section 159-34.B).
11. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the Record Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the conditional Preliminary/Record Plan approval shall be considered void, and the application for Preliminary/Record Plan approval shall be considered void and withdrawn.

Mr. Tanczos further moved that the granting of conditional approval of this plan recognizes that the Township is agreeing to the following on the Land Development Plan:

- A. That the Board of Supervisors defers the requirement to provide the required number of parking spaces and to allow the eighty-eight (88) existing parking spaces indicated on the plans. (Zoning Ordinance Section 185-17.B and C).
- B. That the Board of Supervisors waives the requirement to identify the size and species of all existing trees on the site and to allow the tree locations indicated on the plans. (SALDO Section 159-17.A).
- C. That the Board of Supervisors waives the requirement to locate all existing sanitary sewers, storm drains, waterlines and similar features on or within two hundred (200) feet of any part of the land to be developed and to allow the existing information indicated on the plans. (SALDO Section 159-29.C.(1)).

- D. That the Board of Supervisors waives the requirement to identify the size and species of all trees four (4) inches or more in trunk diameter at a height of four and one-half (4 ½) feet above grade and to allow the tree locations indicated on the plans. (SALDO Section 159-29.C.(3) and 159-29.C.(6)(a)).
- E. That the Board of Supervisors waives the requirement that storm sewer pipes be Class III reinforced concrete pipe with “O” ring joints and have a minimum diameter of fifteen (15) inches, and pipe ends be fitted with concrete endwalls with minimum thirty (30) inch concrete footers and to allow the twelve (12) inch, HDPE pipe without endwalls indicated on the plans. (SMO Sections 152-11.G.(3), (4), (8) and (12)).

Mr. Salvesen seconded the motion.

Mr. Paul Szwczak, Liberty Engineering and Freshpet owner Richard Thompson were present to introduce the Freshpet business and give a background on his company.

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

Engineer Kocher had nothing to report.

Solicitor Broughal had nothing to report.

Mr. Milite advised the Board that 1,055 tons of leaves (199 loads) were collected during the leaf collection season.

Mr. Milite reported that employee Marty Limpar is now a Certified Playground Safety Inspector.

Mr. Finnigan had nothing to report.

Upon motion of Mr. Walbert, seconded by Mr. Salvesen, the Board approved adjournment at 7:55 PM and entered into an Executive Session to discuss personnel matters. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Lori A. Stranzl
Township Secretary