
REGULAR SEMI-MONTHLY MEETING
October 14, 2008

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 7:30 P.M.

Present were Supervisors Nagle, Salvesen, Tanczos and Walbert, Engineer Birdsall, Attorney Wendy Nicolosi for Solicitor Broughal, Public Works Director Kevin Healy, and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Salvesen, seconded by Mr. Walbert, the Board approved the Agenda.

Mr. Nagle aye, Mr. Salvesen 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 September 23, 2008.

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

Upon motion of Mr. Tanczos, seconded by Mr. Nagle, the Board approved the List of Bills and Transfers dated October 14, 2008 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. Nagle aye, Mr. Salvesen aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

Mr. Ken Vail was present as representative to the Planning Commission.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS

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

PLANNING & ZONING

Mr. Walbert closed the regular meeting and opened the public hearing for the Post Secondary School in PIBD Ordinance, an Ordinance amending the text of the zoning ordinance to provide for post secondary schools in the PIBD, Planned Industrial / Business Zoning District.

It was noted for the record that the hearing had been duly advertised. 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 No. 2008-10A, Post Secondary School in PIBD Ordinance, and that the Chairman and Secretary be authorized to sign the Ordinance.

ORDINANCE NO. 2008 – 10A

**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 POST SECONDARY SCHOOLS IN THE PIBD – PLANNED
INDUSTRIAL/BUSINESS ZONING DISTRICT.**

Mr. Nagle seconded the motion.

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

Mr. Walbert moved that the Board approve to authorize the Chairman and the Secretary to sign the Hold Harmless Indemnification Agreements between Hanover Township and the property owners of 167 North Commerce Way Suite 105, conditioned upon the Township Solicitor’s approval.

Mr. Nagle seconded the motion.

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

Mr. Walbert moved that the Board approve to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreements between Hanover Township and the property owners of 167 North Commerce Way Suite 125, conditioned upon the Township Solicitor’s approval.

Mr. Salvesen seconded the motion.

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

Mr. Walbert introduced a Hold Harmless Indemnification Agreement for the property owners of 4519 Susan Drive regarding the re-installation of a fence on the property line.

Mr. Walbert moved that the Board approve to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreements between Hanover Township and Cosmo and Theodora Cosenza, conditioned upon the Township Solicitor’s approval.

Mr. Nagle seconded the motion.

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

Mr. Walbert introduced a Petition for relief from fence provisions at 1241 Oakside Drive and suggested that the Township Engineer and Solicitor attend the Zoning Hearing Board meeting.

Mr. Diacogiannis directed the Township Solicitor and Engineer to attend Zoning Hearing Board meeting for petition, from Nick Giacomopoulos at 1241 Oakside Drive, requesting relief from fence provisions of the Zoning ordinance to erect a 6-foot solid vinyl privacy fence.

Mr. Walbert introduced a Petition for Relief from Sign Provisions at 3759 Bath Pike: TD Bank NA (formerly Commerce Bank) and suggested that the Township Engineer and Solicitor attend the Zoning Hearing Board meeting.

Mr. Diacogiannis directed the Township Solicitor and Engineer to attend the Zoning Hearing Board meeting for petition, from TD Bank NA, requesting relief from sign provisions of the Zoning ordinance; property is located in an LBD (Limited Business District) zoning district.

Mr. Walbert introduced Petition for Relief from Sign Provisions at 1525 Valley Center Parkway: Central Pennsylvania College and suggested that the Township Engineer and Solicitor attend the Zoning Hearing Board meeting.

Mr. Diacogiannis directed the Township Solicitor and Engineer to attend Zoning Hearing Board meeting for petition, from Central Pennsylvania College, requesting relief from fence provisions of the ordinance to erect an additional free standing sign; property is located in a PORR (Planned Office Research and Residential) zoning district.

Mr. Walbert introduced the proposed Brake Retarder Ordinance for advertisement.

Mr. Diacogiannis directed the Solicitor to advertise for a Public Meeting for the proposed Brake Retarder Ordinance on Jaindl Boulevard and Sterner's Way.

ORDINANCE NO. 2008-

AN ORDINANCE ENACTED BY THE BOARD OF SUPERVISORS
OF HANOVER TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA,
ENACTING RESTRICTIONS ON THE USE OF BRAKE RETARDERS
ON CERTAIN ROADS WITHIN THE TOWNSHIP AND REPEALING
ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH

Mr. Walbert introduced the proposed "No Parking" Ordinance for advertisement.

Mr. Diacogiannis directed the Township Solicitor to advertise for a Public Meeting for the proposed "No Parking" Ordinance on Jaindl Boulevard and Sterner's Way.

ORDINANCE NO. 2008-

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON
COUNTY, PENNSYLVANIA, PROVIDING FOR THE REGULATION OF
STOPPING, STANDING AND PARKING VEHICLES ON JAINDL
BOULEVARD BETWEEN TOWNSHIP LINE ROAD AND PA STATE
ROUTE 512 AND ON STERNER'S WAY BETWEEN PA STATE ROUTE 512
AND JAINDL BOULEVARD IN THE TOWNSHIP OF HANOVER AND
PROVIDING THE PENALTIES FOR VIOLATION THEREOF

PUBLIC WORKS

Mr. Salvesen noted for the record that the Bid Opening for the Village View Meter Facility Improvements was held on September 19, 2008 and referred to the Bid Opening minutes for bids received and amounts.

Mr. Salvesen moved that the Board award the bid for the Village View Meter Facility Improvements to Muschlitz Excavating, Inc., 615 Moorestown Drive, Bath, PA 18014 at a total bid amount of \$79,096.00 for Alternate B. Mr. Salvesen also moved that the Secretary notify Muschlitz Excavating, Inc. of their awarded bid and to notify the next highest bidder that we will be holding their bid bond until the awarded bidder confirms.

Mr. Tanczos seconded the motion.

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

DEVELOPMENTS

Mr. H.G. Pretti of 1860 Rosewood Drive was present to discuss the swale between his property and the Ravelle property (next door to his). Mr. Pretti referenced a letter from Hanover Engineering to the Dewire Subdivision requesting that the Developer take action to direct the stormwater as approved as part of the Stormwater Management and Soil Erosion Control Plan. Mr. Pretti also referenced his letter along with pictures that he submitted to the Board of Supervisors. Mr. Pretti also discussed two large sinkholes.

Mr. Birdsall stated that the Developer of the Dewire Subdivision and the City of Bethlehem are required to install the stormwater drainage pipes.

Mr. Pretti asked the Board to contact the City of Bethlehem and request that they do whatever is necessary to install the pipes in order to correct the stormwater drainage problem.

Mr. Finnigan stated that this is a City of Bethlehem and homeowner matter.

Attorney Nicolosi explained the Township's position in regard to this matter.

Mr. Tanczos moved that the Board approve to grant the Developer of 3910 Adler Place Limited Partnership an extension to the Improvements Agreement for the Site Development Plan for three (3) months from October 31, 2008 to January 31, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved that the Board approve to grant the Developer of LVIP IV Lot 46 Omega Assets, LP / DBSi an extension to the Site Plan Improvements Agreement for six (6) months from October 31, 2008 to April 30, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

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

Attorney Molly Graver was present on behalf of Darbin and Deborah Skeans for GMA at Northgate. They are requesting an extension to finish the buffer plantings. The buffer plantings are scheduled to be completed by this Thursday, however Paul Drissel at Hanover Engineering suggested they request an extension to provide Hanover Engineering time to come out and inspect the work before the next Board of Supervisors meeting.

Mr. Tanczos moved that the Board approve to grant the Developer of GMA at Northgate an extension to November 28, 2008 to complete the remaining items on the replacement of trees that need to be completed and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

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

Attorney Molly Graver was present on behalf of Darbin and Deborah Skeans for the Northgate II Development extension request.

Mr. Tanczos moved that the Board approve to grant the Developer of Northgate II Development an extension to November 28, 2008 to complete the remaining maintenance items and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

Mr. Birdsall clarified for the Board that the work that the Skeans' have to do is on the GMA property but GMA itself is done and finished; this is just the remaining loose ends on the Skeans' part on GMA and the street area.

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

Mr. Tanczos moved that the Board approve, as recommended by the Township Engineer, to release the Developer/Owner of LVCC II Lot 4 from his Maintenance Responsibilities and return the Maintenance Security upon the condition that the Developer adheres to Township Policy #25 (payment of Plans and Appeals Accounts); and to notify the Developer/Owner of the Board's action relative to this matter.

Mr. Walbert seconded the motion.

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

Mr. Tanczos moved that the Board approve to grant Lehigh Valley Corporate Center Phase II an extension to complete the outstanding Improvements from October 14, 2008 to November 25, 2008 and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

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

Mr. Tanczos moved that the Board approve to grant the Developer of the PNC Bank – Stoke Park Road a ninety (90) day extension for the site improvement agreement to January 15, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

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

A discussion was held on LVIA Lot Consolidation Plan – Record Plan Conditions.

ADMINISTRATION

Mr. Nagle moved that the Board approve to authorize the Secretary to advertise that the Board will hold a public meeting on November 25, 2008 for the adoption of the proposed 2009 General Fund, Capital Reserve, State Fund and Recreation budgets and to advertise that the budget will be on display, beginning October 15, 2008, for public review at 3630 Jacksonville Road during normal business hours.

Mr. Walbert seconded the motion.

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

Mr. Nagle moved that the Board approve to grant a waiver of the **penalty** on the Residential Waste and Recycling Fee to 1584 Allen Way, Bethlehem, PA, 18017.

Mr. Salvesen seconded the motion.

Mr. Nagle no, Mr. Salvesen aye, Mr. Tanczos no, Mr. Walbert no, Mr. Diacogiannis no.

The motion failed.

Mr. Diacogiannis explained the Budget process.

Cathy Heimsoth, Recreation Director was present to discuss the review of the 2009 Recreation Budget. Mrs. Heimsoth presented a synopsis of the Budget requests and gave an overview to date of 2008.

Mr. Diacogiannis directed the Township Manager to take the comments he receives individually and do his best to revise the Budget to an acceptable balance.

Mr. Nagle moved that the Board approve to authorize the Township Solicitor to advertise the Proposed Ordinance increasing the Penalty for Violations of Chapter 172 of Ordinance 02-01.

ORDINANCE NO. 08-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE 02-01, CHAPTER 172, BY INCREASING THE PENALTY FOR VIOLATIONS OF CHAPTER 172 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved that the Board approve the following Resolution for PennDOT authorizing the submission of the Application for Permit to Install and Operate Traffic Signals at Innovation Way and Airport Road.

HANOVER TOWNSHIP
NORTHAMPTON COUNTY
RESOLUTION 2008-20

WHEREAS, Hanover Township, Northampton County desires to erect, operate and maintain traffic signals at the intersection of Airport Road (S.R. 0987) and Innovation Way, and

WHEREAS, the Vehicle Code requires the approval of the Secretary of Transportation before any traffic signals may be legally erected or reconstructed, and

WHEREAS, the Department of Transportation requires an engineering drawing of the location, Hanover Township will prepare such a drawing in conformance with the instructions provided by the Department.

NOW, THEREFORE, BE IT RESOLVED, that traffic signals be erected at the above mentioned location, subject to the approval of the Secretary of Transportation, and that his approval is hereby requested, and

BE IT FURTHER RESOLVED, that, in the event a traffic signal is approved after proper investigation, Hanover Township will be bound by the following provisions:

The traffic signal shall be installed and maintained in accordance with the Vehicle Code and the Regulations for traffic signs, signals, and markings of the Department of Transportation, and

Should future highway or traffic conditions, or legal requirements, necessitate alteration of the construction or operation, or hours of operation, or removal of the traffic signals at the above mentioned location, they shall be altered or removed when and as directed by the Secretary of Transportation.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved to authorize the Chairman to execute the contract with M & W Fire Apparatus for the MWFA M15 Engine/Pumper.

It was noted that the Contract has been reviewed by Township Manager and Solicitor.

Mr. Salvesen seconded the motion.

Mr. Nagle aye, Mr. Salvesen 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.

REPORTS

Mr. Nagle – Road District #1 & #5, Mr. Walbert – Road District #2, Mr. Salvesen – Road District #3, Mr. Tanczos – Road District #4 and Mr. Diacogiannis – Road District #6 had nothing to report.

Mr. Tanczos stated a resident questioned the ability to put “no jake brakes” signage up on Hanoverville Road between Jacksonville Road to Route 512 coming east bound.

Mr. Birdsall stated they can look into it.

Mr. Healy stated we would have to get East Allen to do their section and would also have to get the State involved because it is a State road.

Mr. Diacogiannis directed the Township Engineer to look into it.

ENGINEER’S REPORT

Mr. Birdsall had nothing to report.

SOLICITOR’S REPORT

Ms. Nicolosi had nothing to report.

PUBLIC WORKS REPORT

Mr. Healy stated that leaf pick-up begins Thursday October 16th.

MANAGER'S REPORT

Mr. Finnigan noted for the record that the Halloween Parade is on Saturday October 25th.

Mr. Finnigan noted for the record that the Board met in an Executive Session tonight at 6:15 P.M. to discuss Personnel matters.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved adjournment at 9:15 P.M.

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

Lori A. Stranzl
Assistant Secretary/Treasurer