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**REGULAR SEMI-MONTHLY MEETING**  
**November 11, 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 Salvesen, Nagle, Walbert and Tanczos, Engineer Birdsall, 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. Nagle, the Board approved the Agenda with an addition to Planning and Zoning.

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

Mr. Finnigan noted that the Board will need an Executive Session for potential litigation.

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 October 28, 2008.

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

Upon motion of Mr. Salvesen, seconded by Mr. Nagle, the Board approved the List of Bills and Transfers dated November 11, 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. 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.

**REPORT OF THE CHAIRMAN**

Mr. Diacogiannis commented on Veteran's Day and the importance of the day. Mr. Diacogiannis read President Bush's Proclamation; then thanked all of the Township Staff, persons on the Board of Supervisors, and all of our boards, committees & commissions who have served.

**REPORT OF THE VICE-CHAIRMAN**

Mr. Walbert concurred with the Chairman and thanked all who served in particular any Township Employee.

**SUPERVISOR'S COMMENTS**

It was noted that no one had any comments.

**APPOINTMENTS & RESIGNATIONS**

It was noted that there were no items on the Agenda.

## PLANNING & ZONING

Mr. Walbert stated there are two Public Hearings on the Agenda for the same location. The first is an expansion of a current conditional use for the Conditional Use Application for 3864 Courtney Street – Proposed Cardio Boxing Training and Exercise Facility.

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

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

It was noted that the Board will act on this at the November 25, 2008 Board of Supervisors meeting.

Mr. Walbert introduced the second Public Hearing for the Conditional Use Application for 3864 Courtney Street, Suite 140 Proposed Exercise Facility Cardio Health and Fitness Center.

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

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

It was noted that the Board will act on this at the November 25, 2008 Board of Supervisors meeting.

Mr. Walbert introduced the 3910 Adler Place Site Plan Improvement Agreement.

Mr. Stan Lalka, P.E. of Arthur A. Swallow Associates Land Surveyors was present to discuss some minor revisions to the land development plan and to request a waiver from 4 required loading spaces to change to the 2 existing loading spaces at 3910 Adler Place.

Mr. Ralph Feldman of Cornerstone Realty was also present.

Mr. Birdsall stated he has no formal recommendation but feels it is a minor change and there are some miscellaneous items that need to be done to finish the improvements; they do have an extension to the middle of January.

Mr. Lalka stated he does have a letter requesting a waiver.

A discussion was held on the items that need to be done to finish the improvements.

Mr. Walbert suggested that they submit the request to the Board of Supervisors to be reviewed and place it on the agenda for November 25, 2008.

Mr. Salvesen asked if this is a recorded plan.

Mr. Birdsall stated there is a recorded plan.

Mr. Broughal requested that they provide “as-built” plans so that we know that we have an approved plan for what was discussed tonight and conditioned upon approval on November 25<sup>th</sup> meeting.

Mr. Lalka stated he will submit as-built plans.

Mr. Walbert introduced the Verizon Wireless Proposed Co-location at 3439 Bath Pike.

Mr. Mike Tomiano from PPL and Mr. Erich Shock from Fitzpatrick, Lentz and Bubba and Mr. Paul Duggan from Verizon Wireless were present to discuss a proposal to extend the existing pole on the Key Pontiac property an additional 10 feet to accommodate Verizon antennas and an equipment box at the base of the communication pole. This is in a C-2 zoning district; therefore they would be requesting a variance to permit the proposed communication equipment.

Mr. Walbert recommended that the petition go to the Zoning Hearing Board and that the Board not send representation and let the Zoning Hearing Board handle the request.

Mr. Diacogiannis recused himself from this item because his employer is PPL.

Mr. Walbert moved that the Board approve the following Ordinance No. 2008-11, Brake Retarder Ordinance, which restricts the use of brake retarders on certain Township roads, and that the Chairman and Secretary be authorized to sign the Ordinance:

**ORDINANCE NO. 08-11**

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 INCONCISTENT HEREWITH

Mr. Nagle seconded the motion.

Mr. Finnigan stated that the Township took over certain roads as part of Hanover Corporate Center project, Jaindl Boulevard and Sterner's Way, and this adds the restriction of the brake retarders on these two streets; we could not adopt the Ordinance until the Township accepted the Deed of Dedication.

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

Mr. Walbert moved that the Board approve the following Ordinance No. 2008-12, "No Parking" Ordinance, which restricts 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, and that the Chairman and Secretary be authorized to sign the Ordinance:

**ORDINANCE NO. 08-12**

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

Mr. Salvesen seconded the motion.

Mr. Finnigan stated that this is a result of taking over the two roads in that development.

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

Mr. Walbert moved that the Board approve the following Ordinance No. 2008-13, which increases the penalties for violation of Chapter 172, and that the Chairman and Secretary be authorized to sign the Ordinance.

**ORDINANCE NO. 08-13**

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. Nagle seconded the motion.

Mr. Finnigan stated that two other Townships have similar ordinances increasing the fees.

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

Mr. Walbert introduced a Petition for Relief from Setback and Parking Provisions at 310 Stoke Park Road for KSB Holdings.

Mr. Walbert stated that it is the recommendation of the professional staff to let the Zoning Hearing Board handle the petition.

#### PUBLIC WORKS

It was noted there were no items on the Agenda.

#### ADMINISTRATION

Mr. Nagle moved that the Board approve the updated job title and description for the Office Support Associate Residential Waste & Recycling Billing Coordinator – Full Time as presented by the Township Manager to be effective January 1, 2009.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved that the Board approve to authorize the Secretary to advertise that the Board of Supervisors will hold their annual re-organization meeting on Monday, January 5, 2009.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved that the Board approve to authorize the Secretary to advertise that the Board of Auditors will hold their annual re-organization meeting on Tuesday, January 6, 2009.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved that the Board approve the following Resolution to designate an additional institution as a depository for Township funds for the year 2008 and that the Chairman and Secretary be authorized to sign the Resolution.

#### **RESOLUTION 08-21**

WHEREAS, Section 708 of the Second Class Township Code requires the designation of depositories for Township funds on an annual basis; and

WHEREAS, security is not required from those institutions insured by the Federal Deposit Insurance Corporation or the Commonwealth Credit Union Share Insurance Fund or their successor agencies unless the amount of any deposits are in excess of the insured limits.

Be it resolved and it is hereby resolved that the following institution is designated as a depository for Township funds for the year 2008:

Embassy Bank for the Lehigh Valley, 100 Gateway Drive, Bethlehem, PA 18017; and

Any resolution or part of a resolution conflicting with this resolution and the same is hereby repealed insofar as the same affects this resolution.

Mr. Nagle also moved to authorize the Secretary/Treasurer to direct a letter to this bank advising them that the Board has designated them as a Township depository and request that the bank states their policy pledging assets against municipal deposits.

Mr. Salvesen seconded the motion.

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

Mr. Salvesen stated that when the Secretary sends the letter to the bank, we should find out what the value of the assets is, whether it is current or replacement value; meaning what they bought the asset at to what it is worth now.

Mr. Broughal stated banks are required by Federal Law and it is marked to market.

Mr. Nagle moved that the Board approve the following Resolution to designate an additional institution as a depository for Township funds for the year 2008 and that the Chairman and Secretary be authorized to sign the Resolution.

### **RESOLUTION 08-22**

WHEREAS, Section 708 of the Second Class Township Code requires the designation of depositories for Township funds on an annual basis; and

WHEREAS, security is not required from those institutions insured by the Federal Deposit Insurance Corporation or the Commonwealth Credit Union Share Insurance Fund or their successor agencies unless the amount of any deposits are in excess of the insured limits.

Be it resolved and it is hereby resolved that the following institution is designated as a depository for Township funds for the year 2008:

Lafayette Ambassador Bank, 360 Northampton Street, P. O. Box 25091, Lehigh Valley, PA 18002-5091; and

Any resolution or part of a resolution conflicting with this resolution and the same is hereby repealed insofar as the same affects this resolution.

Mr. Nagle also moved to authorize the Secretary/Treasurer to direct a letter to this bank advising them that the Board has designated them as a Township depository and request that the bank states their policy pledging assets against municipal deposits.

Mr. Salvesen seconded the motion.

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

Mr. Nagle moved that the Board approve the following Resolution for the revised permit fee schedule for residential and commercial fees and the revised Subdivision/Land Development fee schedule to take effect January 1, 2009.

### **HANOVER TOWNSHIP NORTHAMPTON COUNTY Resolution 08-23**

WHEREAS, various ordinances of the Township of Hanover allow for the setting of fees by Resolution to defer the cost of their administration, and

WHEREAS, in keeping with good practice, the Board of Supervisors periodically reviews the schedule of fees and makes appropriate revisions thereto, and

WHEREAS, the Board of Supervisors of Hanover Township periodically reviews the schedule of fees and makes appropriate revisions thereto, and

NOW, THEREFORE, BE IT RESOLVED, let it be resolved and enacted that the schedule of fees attached hereto are established as contained herein and that this Resolution shall replace the schedule of fees for Road Occupancy Permits, Residential Plan Review Deposit, Building Permit – Residential, Electrical Permit, Plumbing Permit, Master License permit, HVAC Permit, Driveway Permit, Curb Cut Permit, Zoning Permits, Swimming Pool Permit, Sign Permit, Demolition Permit, Soliciting Permit, Home Occupation Permit, Earth Moving Permit – Residential, Moving In / Moving Out, Certificate of Occupancy, Zoning Hearing Fees, Conditional Use Hearing, All Failed & Reinspection Fees – Residential , Commercial Plan Review Deposit, Building Permit – Commercial, Electrical Permit – Commercial, Plumbing Permit – Commercial, Driveway Permit – Commercial, Curb Cut Permit – Commercial, HVAC Permit – Commercial, Earth Moving Permit – Commercial, All Failed and Reinspection Fees – Commercial, UCC (BOCA) Appeal, Alarm Registration, Commercial Communication/Cell Towers and Subdivision and Land Development Plan Application – Fee Schedule effective January 1, 2009.

Mr. Salvesen seconded the motion.

Mr. Salvesen questioned how many of the fees were changed.

Mr. Finnigan stated just the ones in red.

**RESIDENTIAL & COMMERCIAL PERMIT FEE SCHEDULE:**

RESIDENTIAL PLAN REVIEW DEPOSIT	Cost 35.00	COMMERCIAL PLAN REVIEW DEPOSIT Partical Submissions M.E.P.S. Plan Review Deposit	Cost 400.00 140.00
BUILDING PERMIT - RESIDENTIAL		BUILDING PERMIT - COMMERCIAL	
Renovations & Repairs (< 500 sq. ft.)	155.00	Renovations, Repairs, Decks (Up to \$4,999.00)	275.00
Each Additional Square Foot	0.23	Each Additional \$1,000.00	23.00
Enclosed Additions	455.00	New Construction & Additions by S.F. (First 10,000 S.F.)	680.00
Per Square Foot	0.23	Each Additional S.F. over 10,000	0.40
Patios, Decks	230.00	Fences	200.00
Patios, Decks with Roof	455.00	UCC Act 13 Fee	4.00
New Homes Computed by S.F.	0.23		
UCC Act 13 Fee	4.00	ELECTRICAL PERMIT - COMMERCIAL	155.00
ELECTRICAL PERMIT	120.00	PLUMBING PERMIT - COMMERCIAL	155.00
PLUMBING PERMIT	120.00	1-10 fixtures	50.00
MASTER PLUMBERS LICENSE	40.00	Each additional 10	10.00
HVAC PERMIT	120.00	Sprinkler/Fire Suppression/Alarm	155.00
DRIVEWAY PERMIT - RESIDENTIAL	40.00	HVAC PERMIT - COMMERCIAL	155.00
CURB CUT PERMIT - RESIDENTIAL	65.00	DRIVEWAY PERMIT - COMMERCIAL	60.00
ZONING PERMITS (Re-Roof, Siding, Sheds & Fences)	90.00	CURB CUT PERMIT - COMMERCIAL	75.00
SWIMMING POOL PERMIT		ALL FAILED & REINSPECTION FEES	
In-ground Pool	280.00	Commercial (Per Visit)	125.00
Hot Tub, Spa, Sauna	170.00	ALL FAILED & REINSPECTION FEES	
Above Ground Pool	90.00	Residential (Per Visit)	75.00
HOME OCCUPATION PERMIT	40.00	EARTH MOVING PERMIT - COMMERCIAL	275.00
		MOVING IN / MOVING OUT	20.00

EARTH MOVING PERMIT - RESIDENTIAL	115.00	CERTIFICATE OF OCCUPANCY	20.00
SIGN PERMIT		ZONING HEARING FEES	
Monument/Pylon Sign 30 S.F.	150.00	Residential	600.00
Each Additional Square Foot	0.23	Commercial	1,000.00
Building Sign 16 S.F.	100.00	Continuance Request – Applicant	175.00
Each Additional Square Foot	0.23		
Banor Sign/Temporary Sign	75.00	CONDITIONAL USE HEARING	
	800.00		
DEMOLITION PERMIT		UCC (BOCA) APPEAL	
Razing Buildings or parts of Buildings	50.00	Residential	600.00
Tank Removal	50.00	Commercial	1,000.00
SOLICITING PERMIT		COMMERCIAL COMMUNICATION / CELL TOWERS	
	40		500
ALARM REGISTRATION			
Residential	15		
Commercial	15		

HANOVER TOWNSHIP  
NORTHAMPTON COUNTY

SUBDIVISION AND LAND DEVELOPMENT  
PLAN APPLICATION - FEE SCHEDULE

PRELIMINARY PLAN  
Or  
FINAL PLAN  
Or  
PRELIMINARY/FINAL PLAN

Original Submission

Residential			
1-5 Lots	825.00	Per Lot	
6-20 Lots	330	Per Lot	
21 Lots or More	275	Per Lot	
Units (i.e. apts/condo)	40	Per Unit	
Non-Residential			
1 Lot	1,650.00	Lot	
2-5 Lots	1,100.00	Per Lot	
6-20 Lots	935	Per Lot	
21 Lots or More	880	Per Lot	

Each Revision - 50% of Original Submission Fee

LOT LOCATION PLAN

Original Submission	200
Each Revision	110

SKETCH PLAN 220

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

MISCELLANEOUS FEE SCHEDULE

COMPOST CENTER ID	15	OFFICIAL TOWNSHIP MAP	5
RECYCLING BIN	12	ZONING MAP	7.5
RECYCLING BIN LID	5	ZONING ORDINANCE	25
POSTAGE - Actual Cost		SALDO	25

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

### SCHEDULE OF FEES FOR HIGHWAY OCCUPANCY PERMITS

#### PERMIT ISSUANCE FEES

These fees are applied to the administrative costs incurred in reviewing the application and plan(s) and issuing and processing the permit, including the preliminary review of the site location identified in the application, whether or not a permit is issued and processed.

Schedule <u>Item No.</u>	<u>Unit Fee</u>
1.) <b>Application Fee</b>	
a) Utility	\$50.00
b) Driveways	
(i) minimum use (e.g., single-family dwellings, apartments with five or fewer units)	5.00
(ii) low volume (e.g., office buildings, car washed)	30.00
(iii) medium volume (e.g., motels, fast food restaurants, service stations, small shopping plazas)	40.00
(iv) high volume (e.g., large shopping centers, multi-building apartment or office complexes)	50.00
c) Other (e.g., bank removal, sidewalk and curb)	20.00
2.) <b>Supplement Fee</b> (each six month time extension) (each submitted change)	10.00
3.) <b>Emergency Permit Card</b> (each card)	5.00
4.) <b>Exemption</b> (see below for list of exemptions)	

#### GENERAL PERMIT INSPECTION FEES

These fees are applied to the costs incurred in the preliminary review of the location covered by the permit, and/or spot inspection of the permitted work, and/or subsequent inspection after the permitted work has been completed to ensure compliance with PennDOT specifications and permit provisions.

5.) <b>Driveways</b>	
a) Each minimum use driveway	10.00
b) Each low-volume driveway	20.00
c) Each medium-volume driveway	35.00
d) Each high-volume driveway	50.00
6.) <b>Surface Openings</b> (These fees are calculated on the total linear feet of the opening being permitted with different areas of the right-of-way.)	
a) Total linear feet of opening each (100 foot increment or fraction thereof):	
(i) Opening in pavement	40.00
(ii) Opening in shoulder	20.00
(iii) Opening outside pavement and shoulder	10.00
b) If a longitudinal opening simultaneously occupies two or more highway areas identified in subparagraph (a), only the higher fee will be charged.	
Linear distances shall be measured to the nearest foot.	
7.) <b>Surface Openings of Less Than 36 Square Feet</b> (e.g., service connections performed independently of underground facility installation, pipe line repairs) (each opening)	
(i) Opening in pavement	30.00
(ii) Opening in shoulder	15.00
(iii) Opening outside pavement and shoulder	10.00
If an opening simultaneously occupies two or more highway areas identified in subparagraphs (i)-(iii), only the higher fee will be charged.	
8.) <b>Above-Ground Facilities</b> (e.g., poles, guys and/or anchors if installed independently of poles)	
a) Up to 10 physically connected above-ground facilities (each continuous group)	20.00
b) Additional above-ground physically connected facilities (each pole with appurtenances)	2.00
9.) <b>Crossings</b> (e.g., "overhead" tipples, conveyors or pedestrian walkways and "undergrade" subways or mines)	80.00
10.) <b>Seismograph – Vibroseis Method</b> (e.g., prospecting for oil, gas)	
a) First Mile	50.00
b) Each additional mile or fraction thereof	5.00
11.) <b>Non-Emergency Test Holes in Pavement or Shoulder</b> (each hole)	5.00
12.) <b>Other</b> (e.g., bank removal, sidewalk and curb)	20.00

#### EXEMPTIONS

Permit issuance fees and general permit inspection fees are not payable by any of the following:

- 1.) The commonwealth.
- 2.) Political subdivisions of the commonwealth, except when placing a facility longitudinally within more than 100 total linear feet of pavement. In that case, the application and inspection fees for pavement openings will be charged.
- 3.) Governmental authorities organized under the laws of the commonwealth.
- 4.) The federal government.
- 5.) Charitable organizations that are in compliance with Act No. 337, approved August 9, 1963, P.L. 628, as amended (churches, hospitals, schools, charitable institutions, veterans' organizations, non-profit organizations)
- 6.) Utility facility owners for:

- a) The installation of street lights as the request of PennDOT or the political subdivision.
- b) The replacement or renewal of their facilities prior to a township resurfacing project after notice from the township.
- c) Facilities moved at the request of PennDOT or the political subdivision.
- d) The reconstruction or maintenance of their facilities that occupy the right-of-way under private status.

**ADDITIONAL INSPECTION FEES**

If the township determines that the permitted work is of sufficient magnitude or importance to warrant assignment of one or more persons to inspect the permitted work on a more than spot inspection basis, the permit will so indicate and the permittee shall be charged for additional salary, overhead and expenses incurred by each assigned inspector and the township.

Mr. Nagle moved that the Board approve to set the following schedule of fees for Residential Waste & Recycling for 2009:

**Single Family Residential**

ANNUAL PER HOUSEHOLD: \$295.00  
 ANNUAL PER HOUSEHOLD IF PAID BY 03/16/2009: \$265.50  
 PENALTY FOR LATE PAYMENTS after 04/15/2009: 10%  
 All fees due by 05/01/2009

**Multifamily Residential = Non-Apartment, Non-Commercial**

ANNUAL FEE PER UNIT: \$150.00  
 ANNUAL PER UNIT IF PAID BY 03/16/2009: \$135.00  
 PENALTY FOR LATE PAYMENTS after 04/15/2009: 10%  
 All fees due by 05/01/2009

**Duplicate Invoice Fee** \$5.00

*The Township reserves the right to assess the cost or fees incurred by collection of delinquencies and the right to pro-rate the cost based on a reasonable monthly calculation. Ordinance 08-05, adopted on June 10, 2008, establishes collection and payment of refuse fees.*

Mr. Salvesen seconded the motion.

It was noted that the due date changed because March 15, 2009 is on a Sunday.

Mr. Salvesen questioned whether this information is on our website.

Mr. Finnigan stated it will be on the new website this weekend.

Mr. Diacogiannis questioned if the bills will be available to be printed and mailed in January instead of February.

Mr. Finnigan stated yes.

Mr. Nagle deferred the discussion on the 2009 Budget until after the items on the agenda under Developments.

**DEVELOPMENTS**

Mr. Tanczos introduced the Monocacy Farms Subdivision – DeLuca a.k.a. Hanover Crossing North Improvements Agreement Status and Extension.

Mr. Tom Doyle from DeLuca Homes was present to discuss the remaining improvement items and the status of the project.

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, grant the Developer of Monocacy Farms Subdivision (aka Hanover Crossing North) an extension to complete the required public improvements to June 15, 2009, in order to allow the streets to be ready for dedication on the last meeting of June upon the following conditions:

1. That the Developer shall appear at the Board of Supervisors meeting of November 11, 2008, and have provided a schedule to the Township Manager by 4:00 p.m. Monday, November 10, 2008 for the repair of the sanitary sewers that is acceptable to the Board of Supervisors;
2. That the Developer shall provide confirmation that the Improvements Security remains in effect and that the Developer provides an estimate of remaining improvements to be completed, *using current construction costs* including the sanitary sewer repairs, to be reviewed by the Township Engineer; the security shall be increased to this amount and in a form satisfactory to the Township Solicitor, before December 1, 2008;
3. That all streets shall be repaired and winterized except for areas where the sanitary sewer is scheduled to be repaired; upon completion of the sewer repairs, these areas shall also be repaired and winterized;
4. That the Developer shall provide the Township with assurance that the streets will be plowed throughout the winter from curb to curb;
5. That all soil erosion and sedimentation control features be reviewed with NCCD and repaired as required; and
6. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Accounts).

Mr. Tanczos further moved to notify the Developer of the Board's action relative to this matter.

Mr. Nagle seconded the motion.

Mr. Doyle explained to the Board that he agreed to meet the conditions and agreed to supply the plowing contract to the Township Manager.

Melody Dow, President of the Homeowners Association, was present to ask Mr. Doyle about the details of the improvements, to explain the effect that this will have on the residents and why this will take until June 2009.

Mr. Finnigan explained why it will take until June 2009 to complete all the improvements.

A discussion was held and the Board agreed to add an additional condition as follows:

That the Developer sends notification to the residents of the repair schedule for the sanitary sewer repairs including any road closures prior to commencing the project.

Mr. Tanczos amended the motion to include the additional condition.

Mr. Nagle seconded the amendment.

Ms. Dow questioned Mr. Doyle about more extensions.

Mr. Doyle stated that nothing precludes them from submitting future extensions, but the Board doesn't have to approve them.

Mr. Walbert explained how the Board views extension requests.

Mr. Diacogiannis asked Mr. Doyle if he agrees with and will adhere to the conditions stated.

Mr. Doyle stated yes.

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

Mr. Tanczos introduced Hanover Highlands Lot 2 –Wil Hallman Retirement Development, LLC – Presentation of Status on Project.

Mr. Wil Hallman, President of the Retirement Development, Mr. Gary Gearhart, member/COO of WHRD, LLC, and Engineer John McNamon were present to make a presentation and answer any questions about Hanover Highlands Lot 2 and to request an extension because they are the new developer for the site.

Mr. Finnigan explained the history of the site and stated that the Developer will be submitting an extension request for the next meeting or the first meeting in December. He also stated that he met with the Developer and would recommend that the Board grant the extension when it comes before them.

Mr. Tanczos introduced Lehigh Valley Corporate Center II Lots 5 and 6 - Conditional Approval Status (Triumph Hospital Acute Care Facility).

Mr. Jim Gentile of North Star Construction was present and explained the delay in the project due to the Federal Government putting a moratorium on these types of buildings.

Mr. Finnigan stated they will have to submit an extension request in writing.

Mr. Tanczos noted for the record that the Developer of Northgate I, Kayamoco, LTD, has granted the Board an extension of six (6) months from November 18, 2008 to May 18, 2009.

Mr. Tanczos moved to authorize the Chairman and Secretary to sign the Declaration of Covenant and Agreement for Maintenance of Stormwater Management Facilities for Northeast Pennsylvania Lions Eye Bank, Inc.

Mr. Nagle seconded the motion.

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

#### ADMINISTRATION

A discussion was held on the proposed 2009 budget. Mr. Diacogiannis stated that the budget for 2009 is scheduled for adoption on November 25, 2008.

#### COURTESY OF THE FLOOR

Resident Andrew Soltis asked when the Official Township Map will be available for purchase.

Secretary/Treasurer Stacy Milo stated that they are available now for a cost of \$5.00 and they are in color.

Melody Dow, President of the Hanover Crossing Homeowners Association, questioned the light timing issue at Hanoverville and Route 512 for the left lane signal coming North on 512 and turning into the development. The timing seems to be off.

Mr. Healy stated its PennDot's timing but he will check it out.

#### REPORTS

Mr. Nagle reported on Road District #1 and #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 on any road district.

Mr. Salvesen suggested that the Board consider eliminating the Halloween Parade in the future or possibly scaling down the parade, and having more of an event at the Municipal Complex and the Community Center where it wouldn't be affected by weather; also it seems that over the years the majority of the people attending sit down by the municipal area and if it is focused more at the Community Center it wouldn't disrupt the Township as much and it would be more viable.

Mr. Diacogiannis and Mr. Walbert agreed with Mr. Salvesen.

Mr. Diacogiannis stated that Stacy and Nancy from the Township Staff researched the terms of office for the boards and commissions, there have been some terms that were incorrect and they have come up with the correct terms. Mr. Diacogiannis agreed that when the terms come up for those that were wrong, they will be re-appointed with the correct term.

ENGINEER'S REPORT

Mr. Birdsall had nothing to report.

SOLICITOR'S REPORT

Mr. Broughal had nothing to report.

PUBLIC WORKS REPORT

Mr. Healy had nothing to report.

TOWNSHIP MANAGER'S REPORT

Mr. Finnigan had nothing to report.

Mr. Diacogiannis closed the regular meeting and opened the Executive Session for potential litigation at 9:47 P.M.

Mr. Diacogiannis closed the Executive Session and re-opened the regular meeting at 9:58 P.M.

Mr. Walbert moved that the Board approve to authorize the Township Manager to execute Release of Claims with Federal Express in the amount of \$1,550.00 when the Township Solicitor accepts the agreement.

Mr. Nagle seconded the motion.

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

Upon motion of Mr. Nagle, seconded by Mr. Walbert, the Board approved adjournment at 10:01 P.M. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Stacy C. Milo  
Secretary/Treasurer