
REGULAR SEMI-MONTHLY MEETING
April 23, 2013

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, was called to order by Chairman, John N. Diacogiannis at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, PA, 18017 at 7:00 P.M.

Present were Supervisors Salvesen, Tanczos, and Walbert, Engineer Kocher, Solicitor Broughal, Public Works Director Vince Milite 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. Salvesen aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Salvesen, seconded by Mr. Walbert, the Board approved the minutes, as written, from the meeting of the Board of Supervisors dated April 9, 2013.
Mr. Salvesen aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis abstain.

Upon motion of Mr. Salvesen, seconded by Mr. Walbert, the Board approved the List of Bills and Transfers dated April 23, 2013 as presented by the Township Secretary/Assistant Treasurer; 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, 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 read into the record a thank you card from employee Anne Francis.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS & ROAD REPORTS

Mr. Nagle – Road District #1 – not in attendance.
Mr. Walbert – Road District #2 had nothing to report.
Mr. Salvesen – Road District #3 had nothing to report.
Mr. Tanczos – Road District #4 had nothing to report.
Mr. Diacogiannis – Road District #5 had nothing to report.

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

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

PLANNING & ZONING

Discuss Request from Mr. David Ney – Nicole Lane

A discussion was held on Mr. Ney's request to place large stones in the Township easement on his property.

Mr. Milot stated that doing this would substantially impact the swale and potentially affect other homeowners.

The Board agreed to notify Mr. Ney that they have denied his request.

ADMINISTRATION

Authorize Chairman to sign the 2013 Season Pool Contract with QC Laboratories

Mr. Walbert moved to authorize the Chairman to sign the 2013 Season Pool Contract with QC Laboratories at a total cost of \$868.00; once the contract has been approved by the Township Solicitor.

Mr. Salvesen seconded the motion.

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

Authorize Chairman and Manager to sign Amendment Number 1 to the Local Share Account Grant Contract

Mr. Walbert moved to authorize the Chairman and Manager to sign Amendment Number 1 to the Local Share Account Grant Contract No. C000051403 to reflect the new expiration date of June 30, 2014.

Mr. Tanczos seconded the motion.

Mr. Finnigan explained that this grant relates to the Village View Park and we requested an extension due to the acquiring of permits through DEP.

Mr. Milot stated that they will do as much as they can the rest of the year; schedule is very aggressive and will do whatever necessary to adhere to the schedule.

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

PUBLIC WORKS

Award Bid for the 2013 Rescue Truck

Mr. Salvesen moved that the Board approve to award the Bid for the 2013 Rescue Truck to Marion Body Works, 211 West Ramdell Street, Marion, WI, 54950 at the total Bid price of \$449,774.00; and to authorize the Secretary to notify Marion Body Works of their awarded bid and to return the Bid Bonds to the other bidders except for the next lowest bidder.

Mr. Walbert seconded the motion.

Mr. Craig Wasem from the Fire Company was present to explain the reasoning on awarding the bid to Marion Body Works and not the lowest bidder for the following reasons:

1. Cab Design

KME does not utilize a Spartan Cab. Our current fleet consists of three Spartan cabs. Two of them being 99% identical. In order to retain the interoperability amongst our apparatus, we specifically requested a Spartan cab. Although KME can build a similar cab, it does not retain the functionality and similarities of our current apparatus. For example, location of heating/cooling controls, "smart wheel technology," tinted windows which reducing night vision, and dissimilar dash panel configuration and layout.

2. Bumper Design

The design of the specified bumper is complex. The requested size and design is needed to accommodate all of the equipment. The bumper must include (2) hydraulic reels, (2) hydraulic combination rescue tools, (2) Electronic siren speakers, (2) Air horn trumpets, (1) Q2B mechanical siren, and (3) separate winch mount points under the bumper. This is simply not achievable with the size bumper they have supplied.

3. Compartment Dimensions

Most of the compartment dimensions are oversized from the supplied specifications. Resulting in a wheel base that is 7" longer than desired. Although this may sound like an advantage, it makes the total apparatus 4 inches longer even with the shorter front bumper. Having a vehicle that is both longer in wheelbase and overall length takes away from the vehicles maneuverability. Congested highways and secondary roadways become harder to navigate.

4. Front Suspension

The specified front suspension calls for a nine leaf spring pack where the longest leaf is 54" long and 4" wide. KME spec'd a nine leaf pack where the longest leaf is 51" long and 3 1/2" wide. The lighter duty front suspension will have less longevity and provide less stability and comfort while operating the vehicle. There are occasions where the vehicle may need to be operated in an off-road situation for short durations. During those off-road stints, there needs to be sufficient stability while still allowing the suspension to flex independently.

5. Body Construction

All of the body cross-members were requested to be 3" x 2" x .25" thickness **extruded** aluminum rectangular tubing. KME chose to build with 3" x 1-1/2" "thick-walled" **non-extruded** rectangular tubing. By utilizing a smaller dimensional non-extruded aluminum rectangular tubing, you simply sacrifice structural integrity. By sacrificing structural integrity, you are subjected to less rigidity, resulting in a diminished safety qualities.

Beyond the five listed critical factors, KME marked several line items "yes," and there bid specification does not comply. There also were several items listed as "no exceptions," that they marked as compliant and yet were not adhered to in the bid packet.

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

Village View Park – Retainer Release – A. Scott Enterprises

Mr. Salvesen moved that the Board approve, as recommended by the Township Engineer's letter dated April 18, 2013, to release the retainage amount of \$5,106.07 to A. Scott Enterprises.

Mr. Walbert seconded the motion.

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

DEVELOPMENTS

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

Mr. Tanczos noted for the record that Lehigh-Northampton Airport Authority 1,144 Acre Lot Consolidation has granted the Township an extension to October 30, 2013 to review the plans.

Note for the Record – Bethlehem Orthodontics – 3076 Schoenersville Road – Extension

Mr. Tanczos noted for the record that Bethlehem Orthodontics Land Development – 3076 Schoenersville Road has granted the Township an extension to August 1, 2013 for review and approval of the plans.

Patient First – Record Plan Approval

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve to adopt the terms and conditions relative to the Record Land Development Plan of Patient First – Bethlehem, dated as last revised April 2, 2013, 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 April 19, 2013 to the satisfaction of the Township Engineer prior to recording the Record Land Development Plan.
2. The List of Waivers and Deferrals shall be revised to identify the meeting date of the Board of Supervisors Record Plan action.
3. Prior to recording the Record Land Development Plan, the Developer/Owner shall address all outstanding conditions of the Patient First-Bethlehem Preliminary Land Development Plan Approval granted by the Board of Supervisors at their meeting of October 23, 2012.
4. 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 Section 152-10E).
 - 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 Sections 152-10M and 152-24.3).
 - C. The Improvements Agreement shall include a statement that a BMP Operations and Maintenance Plan (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, signed by the landowner. (Stormwater Section 152-24.5).
5. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6)).

6. The Developer/Owner shall provide an Open Space Contribution in the amount of \$9,672.00 (4% x 2.015 acres x \$120,000.00/acres) prior to recording the Record Land Development Plan. (SALDO Section 159-16.D.3, Resolution 05-12).
7. The Developer/Owner shall provide a Tapping Fee of \$3,934.70 (\$5.39/gpd x 730 gpd), a Connection Fee (\$397.50 each), and a Customer Facilities Fee (\$330.00 each) prior to recording the Record Land Development Plan. (Sewers Section 140-13).
8. The Developer/Owner shall provide an Impact Fee of \$7,938.00 (\$294.00/peak hour trip x 27 trips) prior to recording the Record Land Development Plan. (Impact Fee Ordinance 91-12, Resolution 97-11).
9. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements value of \$5,574.60 (\$1.80/SY new impervious cover x 3,097 SY) prior to recording the Record Land Development Plan. (Stormwater Sections 152-12.B.(2)).
10. The Developer/Owner shall provide a Replacement Tree contribution of \$21,000.00 (\$300.00/tree x 70 replacement trees) for replacement trees that will not be planted, prior to recording the Record Land Development Plan. (SALDO Section 159-17)
11. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J).
12. 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).
13. The Developer/Owner shall meet all conditions of the Preliminary and Record Plan approvals, 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 and Record Plan approvals shall be considered void, and the application for the Preliminary and Record Plan approvals shall be considered void and withdrawn.

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

- A. That the Board of Supervisors waives the requirement that Jacksonville Road (a collector street) has a minimum grade of seventy-five hundredths percent (0.75%) to allow the proposed road widening to match the existing grades. (SALDO Section 159-11.N.(1))
- B. That the Board of Supervisors waives the requirement that the front setback from the Schoenersville Road right-of-way be clear of all structures to allow construction of a stormwater management facility within the setback. (SALDO Section 159-15.A)

- C. That the Board of Supervisors waives the requirement to locate and identify the existing trees within the Jacksonville Road and Schoenersville Road right-of-way areas. (SALDO Section 159-17.F)
- D. That the Board of Supervisors waives the requirement that plans be drafted to a horizontal scale of one inch equals fifty feet (1" = 50') to allow horizontal scales of one inch equals thirty feet (1" = 30') and one inch equals twenty feet (1" = 20'). (SALDO Section 159-29.B.(1))
- E. That the Board of Supervisors waives the requirement to locate all existing features within two hundred feet (200') of any part of the land to be developed and allow the existing features as shown on the plans. (SALDO Section 159-29.C.(1))
- F. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of a detention structure be two percent (2%) toward the outlet structure to allow a flat bottom as designed. (SMO Section 152-10.I.(10))
- G. That the Board of Supervisors defers the requirement to remove Trees #166 and #167 from the intersection clear sight triangle until such time as the sidewalks must be constructed, or the right turn lane along Jacksonville Road must be constructed, or until such time as it is determined that said trees constitute an obstruction to the clear sight triangle, or are determined to present development issues relative to stormwater improvements located in that area. (SALDO Section 159-11.G.(2))
- H. That the Board of Supervisors defers the requirement to install sidewalks, complete with accessible ramps, along Jacksonville Road. (SALDO Section 159-13.B.(1))

Mr. Salvesen seconded the motion.

It was noted that the Developer has agreed with and signed the conditions.

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

Bethlehem Orthodontics – Preliminary/Record Plan Approval

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve to adopt the terms and conditions relative to the Preliminary/Record Land Development Plan for Bethlehem Orthodontics, dated as last revised March 20, 2013, 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 April 19, 2013 to the satisfaction of the Township Engineer prior to recording the Preliminary/Record Land Development Plan.
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).
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 provide an Open Space Contribution in the amount of \$10,272.00 (4% x 2.14 acres x \$120,000.00/acre) prior to recording the Preliminary/Record Land Development Plan. (SALDO Section 159-16).
6. The Developer/Owner shall not be required to provide a Tapping, Connection or Customer Facilities Fee, as the proposed Orthodontics Office will utilize the existing sanitary sewer lateral and the estimated sanitary sewage flow for the proposed Orthodontics Office does not exceed that of the previous bank. (Ordinance 05-06, Section 140-13).
7. The Developer/Owner shall not be required to provide a Traffic Impact Fee, as the PM Peak Hour Trips for the proposed Orthodontics Office are less than the trips for the previous bank. (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 no additional impervious surface is proposed with this Land Development. (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 Preliminary/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 sidewalks along Schoenersville Road, with the exception of the accessible ramps at the signalized intersection, as indicated on the plans. (SALDO Section 159-13.B).
- B. That the Board of Supervisors waives the requirement to provide a ten (10) foot wide planting screen and easement along Schoenersville Road and to allow the landscaping indicated on the plans. (SALDO Section 159-15.F).
- C. That the Board of Supervisors waives the requirement to provide a noise study. (SALDO Section 159-25).
- D. 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 information shown on the Existing Conditions Plan. (SALDO Section 159-29.C.(1)).

Mr. Salvesen seconded the motion.

It was noted that the Developer has agreed with and signed the conditions.

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

COURTESY OF THE FLOOR

It was noted there was no one to offer any comment.

STAFF REPORTS

Mr. Milot had nothing to report.

Solicitor Broughal had nothing to report.

Mr. Milite had nothing to report.

Mr. Finnigan reported on the following:

Fire Company monthly report distributed

Noted that prior to tonight's meeting Bids were opened for the 2013 Road Project. We received 8 bids with the lowest being \$246,537.00 to \$362,302.20. All included bid bonds and PennDot paperwork and will be forward to the Solicitor for review. The project to be completed by August 18th.

Upon motion of Mr. Walbert, seconded by Mr. Salvesen, the Board approved adjournment at 8:25 P.M.

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

Lori A. Stranzl
Township Secretary

