
REGULAR SEMI-MONTHLY MEETING
July 22, 2014

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, Nagle, Tanczos, and Walbert, Engineer Jim Birdsall, Solicitor James Broughal, Public Works Director Vince Milite and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the Agenda, with an addition to "Administration" and "Public Works".
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, from the meeting of the Board of Supervisors dated June 26, 2014.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the List of Bills and Transfers dated July 22, 2014 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 with the exception of General Fund Check #3108, the portion which benefits me, Mr. Nagle aye with the same exception, Mr. Tanczos aye with the same exception, Mr. Walbert aye with the same exception, Mr. Diacogiannis aye with the same exception.

COURTESY OF THE FLOOR

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

REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS

Mr. Nagle – Road District #1, had nothing to report.

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

Accept Resignation of Joseph Bednarik from the Zoning Hearing Board

Mr. Salvesen moved that the Board approve to accept the resignation of Joseph G. Bednarik, Jr. from the Hanover Township Zoning Hearing Board effective immediately and to send a letter to Mr. Bednarik thanking him for his years of service on the Board.

Mr. Tanczos seconded the motion.

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

PLANNING & ZONING

Zoning Hearing Petition – South Italy Imports, LLC, 1510 Valley Center Parkway, Suite 180

The applicant is requesting zoning interpretation of the Ordinance from Section 185-36.G.(2) & 185.52.

Mr. Walbert directed the Solicitor to represent the Township relative to this hearing.

ADMINISTRATION

Appointment of Ryan Kish as Deputy Emergency Management Coordinator

Mr. Nagle moved to appoint Ryan Kish as a Deputy Emergency Management Coordinator for the Township.

Mr. Salvesen seconded the motion.

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

Authorize Solicitor to Execute the Tax Assessment Appeal Settlement with Wawa

Mr. Nagle moved to authorize the Township Solicitor to execute the necessary paperwork in regards to the Tax Assessment Appeal Settlement with Wawa, Inc.

Mr. Salvesen seconded the motion.

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

Adoption of Updated Township Employee Handbook

Mr. Nagle moved that the Board approve to adopt the Updated Township Employee Handbook to be effective September 1, 2014.

Mr. Salvesen seconded the motion.

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

Approval of Mid-Year Budget Amendments for General Fund and Recreation

Mr. Nagle moved that the Board approve the Mid-Year budget amendments for General Fund and Recreation Funds as submitted by the Director of Administration/Treasurer.

Mr. Salvesen seconded the motion.

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

Library Report – Supervisor Nagle

Mr. Nagle updated the Board on the Book Mobile schedule and noted that the Township has picked up two additional stops in efforts to increase visibility in the Township.

Authorize Chairman to Sign the Cable Franchise Agreements

Mr. Nagle moved to authorize the Chairman to Sign the Cable Franchise Agreements for Service Electric Cable TV.

Mr. Salvesen seconded the motion.

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

PUBLIC WORKS

Village View Park Phase I – Payment Recommendation No. 8

Mr. Salvesen moved that the Board approve, as recommended by the Township Engineer, to approve Payment Recommendation No. 8 in the amount of \$42,681.10 payable to Livengood Excavators, Inc., for the Village View Park Phase I Construction.

Mr. Nagle seconded the motion.

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

DEVELOPMENTS

HCC2 Lot 10 – Riverbend Hanover Properties, LLC – Execution of Site Plan Improvements, Site Plan Maintenance, Declaration of Covenant, Agreement and Easement for Maintenance of Stormwater Management Facilities Agreements.

Mr. Tanczos moved to authorize the Chairman and Secretary to sign the Site Plan Improvements Agreement, Site Plan Maintenance Agreement, Declaration of Covenant, Agreement and Easement for Stormwater Management Facilities for Riverbend Hanover Properties, LLC, HCC2 Lot 10.

Mr. Walbert seconded the motion.

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

Traditions of America at Bridle Path, Phase II – Extension Request

Mr. Tanczos moved that the Board approve to grant Traditions of America at Bridle Path, Phase II a one-year extension to the Improvements Agreement to August 14, 2015; and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

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

Note for the Record - Farmhouse Mews Subdivision – Extension

Mr. Tanczos noted for the record that the Developer of the Farmhouse Mews Subdivision has granted the Township an extension of 180 days to February 3, 2015 to act on the plan.

Bethlehem Orthodontics, 3076 Schoenersville Road – Extension Request

Mr. Tanczos moved that the Board approve to grant Bethlehem Orthodontics, 3076 Schoenersville Road, a sixty (60) day extension to September 22, 2014 to complete the Site Improvements; and to notify the Developer of the Board's action.

Mr. Walbert seconded the motion.

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

Note for the Record - FreshPet, LVIP IV Lots 55/56 – Extension

Mr. Tanczos noted for the record that FreshPet, LVIP IV Lots 55/56 has granted the Township and extension to November 3, 2014 to review the plan.

Northgate I – Land Development – Extension Request

Mr. Tanczos moved that the Board approve to grant Northgate I – Land Development a two (2) year extension to August 1, 2016 to review the plan; and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

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

Northgate I – Lot Consolidation – Extension Request

Mr. Tanczos moved that the Board approve to grant Northgate I – Lot Consolidation a two (2) year extension for the Record Plan Conditions to August 1, 2016; and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

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

Northgate I – 1 Lot AFHBD Subdivision – Extension Request

Mr. Tanczos moved that the Board approve to grant Northgate I – 1 Lot AFHBD Subdivision a two (2) year extension to the Improvements Deadline to August 1, 2016; and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

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

Northgate I – 2 Lot AFHBD Subdivision – Extension Request

Mr. Tanczos moved that the Board approve to grant Northgate I – 2 Lot AFHBD Subdivision a two (2) year extension to the Improvements Deadline to August 1, 2016; and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

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

SWB & R – Conditional Plan Approval

Mr. Tanczos moved that the Board approve, as recommended by the Township Engineer, to adopt the terms and conditions relative to SWB & R Associates Preliminary/Record 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 July 18, 2014 to the satisfaction of the Township Engineer prior to recording the Record Land Development Plan.

2. The Waivers Requested list shall be revised to identify the applicable waivers and deferrals and the meeting date of the Board of Supervisors Preliminary/Record Plan 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 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).
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 \$11,664.00 (4% x 2.43 acres x \$120,000.00/acres) prior to recording the Preliminary/Record Land Development Plan. (SALDO Section 159-16.D.3, Resolution 05-12).
6. The Developer/Owner shall provide a Tapping Fee of \$1,347.50 (\$5.39/gpd x 250 gpd), a Connection Fee of \$397.50, and a Customer Facilities Fee of \$330.00 at the time of building permit issuance. (Sewers Section 140-13).
7. The Developer/Owner shall provide an Impact Fee of \$4,116.00 (\$294.00/peak hour trip x 14 trips) prior to recording the Preliminary/Record Land Development Plan. (Impact Fee Ordinance 91-12, Resolution 97-11).
8. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements value of \$2,709.00 (\$1.80/SY new impervious cover x 1,505 SY) for the interim improvements prior to recording the Preliminary Record Land Development Plan and \$1,755.00 (\$1.80 per square yard of new impervious cover x 975 SY) for the future improvements at the time of building permit issuance for the future improvements. (Stormwater Sections 152-12.B.(2)).
9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J).

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

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

- A. That the Board of Supervisors waives the requirement that all storm sewer pipe be reinforced concrete pipe with “O” ring joints and allow HDPE storm sewer pipe in the future underground infiltration/detention basin only. (Construction Standards Section 67-9.A.(1) and Stormwater Management Ordinance Section 152-11.G.(3))
- B. 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))
- C. That the Board of Supervisors waives the requirement that the interim infiltration/detention basin and future underground infiltration/detention basin pipe outlet arrangements provide complete outletting of all detained water unless provisions for permanent ponding have been approved and allow temporary ponding and infiltration of runoff to meet DEP and Township water quality requirements. (Stormwater Management Ordinance Section 152-10.I.(3))
- D. That the Board of Supervisors waives the requirement to line the interim infiltration/detention basin and future underground infiltration/detention basin with a synthetic impervious liner and allow no synthetic impervious liner for temporary ponding and infiltration of runoff to meet DEP and Township water quality requirements. (Stormwater Management Ordinance Sections 152-10.I.(4) and (9))
- E. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of the interim infiltration/detention basin and future underground infiltration/detention basin be two percent (2%) toward the outlet structure to allow a flat bottom for temporary ponding and infiltration of runoff to meet DEP and Township water quality requirements. (Stormwater Management Ordinance Section 152-10.I.(10))
- F. That the Board of Supervisors defers the requirement to provide the required one hundred-one (101) off-street parking spaces and initially allow sixty-nine (69) off-street parking spaces to be provided, with the condition that the future parking will be provided when required by the Township Zoning Officer. (Zoning Ordinance Section 185-17.B)

Mr. Walbert seconded the motion.

Rick Roseberry from Maser Consulting was present and noted that the Developer has agreed with and signed the conditions.

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 Birdsall had nothing to report.

Solicitor Broughal had nothing to report.

Mr. Milite stated they are working the "Summer Mode".

Mr. Finnigan had nothing to report.

Upon motion of Mr. Walbert, seconded by Mr. Nagle, the Board approved adjournment of the regular meeting at 7:30 P.M. and went into an Executive Session for Litigation.

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

It was noted that the Executive Session ended at 7:45 P.M.

Lori A. Stranzl
Township Secretary