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**REGULAR SEMI-MONTHLY MEETING**  
**April 28, 2009**

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, Tanczos and Walbert, Engineer Birdsall, Solicitor Broughal, Public Works Director Designee 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 under Administration and deletions under Planning and Zoning.

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 April 14, 2009.

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 April 28, 2009 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 with the exception of General Fund Payroll Check Number 1724, Mr. Nagle aye with the exception of General Fund Check Number 13375 and General Fund Payroll Check Number 1724, Mr. Tanczos aye with the exception of General Fund Payroll Check Number 1724, Mr. Walbert aye with the exception of General Fund Payroll Check Number 1724, Mr. Diacogiannis aye with the exception of General Fund Check Number 13376, General Fund Payroll Check Number 1724, General Fund Check Number 13385, made payable to PPL, Recreation Check Number 7287, which is a payroll check, and Recreation Check Number 11562, made payable to PPL.

**COURTESY OF THE FLOOR**

Mr. Gerald A. Blust, 4767 Kathi Drive, addressed the Board concerning the Township's property at his property line. He said that he received a letter from the Township regarding the disposal of debris. He invited the Board, the Township Manager, and the Township Engineer to his property to walk along the Township property to witness the work he and his wife have done. Mr. Diacogiannis directed the Township Manager and Road Superintendent to have the appropriate staff visit the property.

Ms. June Mills, 1395 Stafore Drive, addressed the Board on two issues. She inquired about mosquito treatment of standing water, such as ponds and basins, in the Township. Mr. Finnigan explained how the Township has handled this in the past by contacting the property owner to direct the owner to treat the property. He also stated that PA DEP has accepted other

properties as adequate and not needing treatment due to the water being discharged and only remaining in the area for a short period of time.

Ms. Mills also inquired about the status of re-paving of Stafore Drive. Mr. Milite stated that it is scheduled for this summer. Mr. Finnigan explained that the street was scheduled for 2008 but the Township was forced to cancel its road work projects due to the price of asphalt as was announced in the Township newsletter. He also explained how the 2009 bids for road work projects he received are approximately 60% of the 2009 budget estimate.

#### REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

#### REPORT OF THE VICE-CHAIRMAN

Mr. Walbert reminded everyone that the Sousa concert will take place on Sunday at 2PM at the Hanover Township Community Center. He asked everyone to please join them.

#### SUPERVISOR'S COMMENTS & ROAD REPORTS

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

Mr. Tanczos commented that the intersection at Schoenersville Road and Jacksonville Road should be reviewed for a safety concern, specifically for motorists heading southbound on Schoenersville Road and turning left on to Jacksonville Road in front of northbound traffic on Schoenersville Road. Mr. Finnigan stated that the City of Bethlehem controls the lights at that location (Schoenersville Road and Jacksonville Road/Catasauqua Road) and making changes would require much work and planning. Mr. Tanczos added that if the property on the corner is ever developed we should look at this issue at that time.

#### PUBLIC WORKS

Mr. Milite asked the Board for a motion for the 2009 Roadwork project and to please refer to the bid opening minutes from April 24<sup>th</sup>. Mr. Milite stated that the lowest bidder is Eastern Industries, Inc. at a total bid amount of \$217,860.28.

Mr. Salvesen moved that the Board award the bid for the 2009 Roadwork Project to Eastern Industries, Inc., 4401 Camp Meeting Road, Suite 300, Center Valley, PA 18034 for the total amount of \$217,860.28. Mr. Salvesen further moved that the Secretary notify Eastern Industries, Inc. of their awarded bid, to notify the next highest bidder that we will be holding their bid bond until the awarded bidder confirms, and to return all other bid bonds.

Mr. Nagle seconded the motion.

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

Mr. Walbert asked if the Township can also do other streets in 2009 since the bids are under the budgeted amount. Mr. Finnigan explained that he investigated this option with the Road Superintendent today, with the next road to include being Crawford Drive, and found that the cost would exceed the budgeted surplus amount.

Mr. Finnigan asked the Board for a motion for the Siding of Township Municipal Building project and to please refer to the bid opening minutes from April 28<sup>th</sup>. Mr. Finnigan

stated that the lowest bidder is Alan Kunsman Roofing & Siding, Inc. at a total bid amount of \$16,400.00 and the bids need to be reviewed by Township Manager and Township Solicitor.

Mr. Salvesen moved that the Board award the bid for the Siding of Township Municipal Building Project to Alan Kunsman Roofing & Siding, Inc., 203 Washington Street, Freemansburg, PA 18017 for the total amount of \$16,400.00 pending review by and approval of Township Manager and Township Solicitor. Mr. Salvesen further moved that the Secretary notify Alan Kunsman Roofing & Siding, Inc. of their awarded bid, to notify the next highest bidder that we will be holding their bid bond until the awarded bidder confirms, and to return all other bid bonds.

Mr. Nagle seconded the motion.

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

### DEVELOPMENTS

Mr. Tanczos moved that the Board approve to grant LVIP IV Lot 12 Integrated Asset Management Properties, LP an extension to their Site Plan Improvements Agreement for a period of one (1) year from June 29, 2009 to June 29, 2010 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.

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, grant the Developer, IAM Properties, LP, a calculated release for Escrow Release Number 1 in the amount of \$104,000.00 upon the following conditions:

1. That the Developer acknowledges that the security provided by Embassy Bank, as required by the Subdivision Improvements Agreement, will remain in force and at a minimum of \$70,080.00 for the work remaining, plus contingencies;
2. That the Developer requests an extension to the Site Plan Improvements Agreement prior to June 15, 2009; and
3. That the Developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

He further moved to notify the Owner/Developer of the Board's action relative to this matter.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, grant the Developer, Summit Realty Advisors, LLC, a release for Escrow Release Number 1 in the amount of \$155,544.00 upon the following conditions:

1. That the Developer acknowledges that the security provided by Safeco Insurance Company of America, as required by the Subdivision Improvements Agreement, will remain in force and at a minimum of \$38,886.00 for the work remaining, plus contingencies;
2. That the Developer requests an extension to the Site Plan Improvements Agreement prior to May 5, 2009; and
3. That the Developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

He further moved to notify the Owner/Developer of the Board's action relative to this matter.  
Mr. Nagle seconded the motion.

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

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 two (2) months from April 30, 2009 to June 30, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle 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 sixty (60) days from April 30, 2009 to June 30, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

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

Mr. Tanczos moved that the Board approve to grant the Owner/Developer of Lehigh Valley Industrial Park IV Lot 53A an extension, for the Improvements/As-Built Landscaping Plan, from May 2, 2009 to May 12, 2009 and to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

Mr. Finnigan explained the need for an extension to the next meeting and that trees are scheduled to be planted on April 29<sup>th</sup>.

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

#### ADMINISTRATION

Mr. Broughal noted that the time was now past 7:30 PM and the Board may now proceed with the adoption of advertised ordinances.

Mr. Nagle moved that the Board approve the following Ordinance to amend the Shade Tree ordinance in its entirety.

#### **ORDINANCE NO. 09-05**

#### **AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING, IN ITS ENTIRETY, AN ORDINANCE KNOWN AS THE SHADE TREE ORDINANCE OF HANOVER TOWNSHIP AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH**

Mr. Tanczos seconded the motion.

Dr. Eugene Witiak offered comments on the need for this ordinance by using an analogy and commented on volunteer help versus the job now being performed by paid staff.

Mr. Tanczos commented on the ordinance and thanked the Shade Tree Advisory Committee for their work. Mr. Walbert and Mr. Salvesen also commented on the ordinance. Mr. Diacogiannis commented on the continued need for the Committee and all of the work they currently do; only the enforcement will be performed by Township staff.

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

Mr. Nagle moved that the Board adopt the following Resolution No. 2009-12, which establishes the Shade Tree Advisory Board, sets members, and duties & responsibilities, and that the Chairman and Secretary be authorized to sign the Resolution.

**RESOLUTION 09-12**

**HANOVER TOWNSHIP – NORTHAMPTON COUNTY**

WHEREAS, the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania (the “Board of Supervisors”) enacted certain amendments to the Shade Tree Ordinance (the “Ordinance”) on April 28, 2009; and

WHEREAS, the Ordinance provides for the Board of Supervisors or their duly appointed representatives, to exercise all of the powers granted by the Ordinance to the Board of Supervisors over the custody and control of shade trees and street trees in Hanover Township, Northampton County, Pennsylvania (the “Township”); and

WHEREAS, the Board of Supervisors desires to establish a Shade Tree Advisory Board (“Advisory Board”) in order for the Advisory Board to exercise and perform certain of the Board of Supervisor’s powers, obligations and responsibilities under the Ordinance as its’ duly appointed representatives.

NOW THEREFORE, BE IT RESOLVED and it is RESOLVED by the Board of Supervisors that a Township Shade Tree Advisory Board is hereby established in accordance with the following provisions:

1. The Advisory Board shall be appointed and shall serve at the pleasure of the Board of Supervisors. The Advisory Board shall consist of not more than five (5) members, four (4) of whom shall be Township residents. Residents shall be given priority in receiving an appointment. If a qualified resident is not available then the Board at their discretion may appoint a non-resident. The initial terms of the members shall be for periods of one (1) year, two (2) years, three (3) years, and two (2) members for four (4) years respectively commencing January 1, 2010. All subsequent terms shall be for a period of four (4) years. Members of the Advisory Board shall serve without compensation. Vacancies in the Advisory Board shall be filled by the Board of Supervisors for the unexpired term. The Advisory Board shall meet monthly on the last Monday of each month, commencing at 6:30 P.M., at the Township Municipal Building, unless otherwise directed by the Board of Supervisors.

2. The Advisory Board shall have the following duties and responsibilities:

(a) To review and forward comments on subdivision and land development plans, submitted to Township, to the Board of Supervisors and Township Engineer; and

(b) Offer suggestions on the approved shade tree list for the Township; and

(c) Offer suggestions to the Board of Supervisors or its representative relative to the planting of trees on municipal properties; and

(d) At the direction of the Board of Supervisors or its representative, obtain proposals and/or bids for the bulk purchase of shade trees or planting materials; and

(e) Offer informal assistance to Township property owners via on-site visits or use of Township educational mediums, *i.e.*, newsletter, website; and

(f) Bring to the attention of the Board of Supervisors or its representative information relative to the absence of or removal of a street tree and assist in the inspection for compliance.

Mr. Walbert seconded the motion.

Mr. Finnigan explained the language that was added today. Mr. Walbert stated why the language was added.

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

Mr. Nagle moved that the Board approve the following Ordinance prohibiting the discharge of firearms for any purpose other than authorized by the laws of the Commonwealth of Pennsylvania.

#### **ORDINANCE NO. 09-06**

### **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, PROHIBITING THE DISCHARGE OF FIREARMS FOR ANY PURPOSE OTHER THAN AUTHORIZED BY THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA**

Mr. Salvesen seconded the motion.

Mr. Finnigan stated that the former ordinance was outdated and needed to be in compliance with state statutes. Mr. Broughal stated that he had to change some section numbers for codification but these changes did not change the ordinance itself.

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

Mr. Nagle moved that the Board adopt the following Resolution No. 2009-13, which authorizes the preparation and submission of a Declaration of Taking and related documentation for the condemnation of land for roadway improvements to Bath Pike (Route 512) in Hanover Township, and that the Chairman and Secretary be authorized to sign the Resolution.

#### **RESOLUTION 09-13**

#### **HANOVER TOWNSHIP – NORTHAMPTON COUNTY**

### **RESOLUTION OF HANOVER TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA AUTHORIZING PREPARATION AND SUBMISSION OF A DECLARATION OF TAKING AND RELATED DOCUMENTATION FOR THE CONDEMNATION OF LAND FOR ROADWAY IMPROVEMENTS TO BATH PIKE (ROUTE 512) IN HANOVER TOWNSHIP**

**WHEREAS**, Jaindl Land Company (“DEVELOPER”) has undertaken roadway improvements to Bath Pike (Route 512) within the Township of Hanover (“Project”); and

**WHEREAS**, pursuant to the Project, Hanover Township, Northampton County, Pennsylvania (“TOWNSHIP”) is undertaking certain land acquisition activities necessary to acquire a certain curb easement and a temporary construction easement to be utilized for the Project; and

**WHEREAS**, in order to provide for the acquisition of the curb easement and temporary construction easement for the Project, it has been necessary for the TOWNSHIP to effect the condemnation of certain real estate, which is more particularly described in Exhibit "A", attached hereto.

**WHEREAS**, pursuant to an Agreement dated January 19, 2001, DEVELOPER has agreed to pay all expenses of condemnation and to indemnify TOWNSHIP on account of any expenses incurred in connection with the condemnation of that certain real estate described in Exhibit "A".

**NOW, THEREFORE**, be it resolved and it is resolved by the TOWNSHIP as follows:

1. That the Solicitor is hereby authorized and directed to prepare, and the proper officers to execute, a Declaration of Taking, and Notice of Condemnation in accordance with the provisions of the Pennsylvania Eminent Domain Code of 1964 as amended.
2. That the Solicitor is hereby authorized and directed to file the Declaration of Taking in the Office of the Prothonotary of Northampton County.
3. That the Solicitor is hereby authorized and directed to record the Notice of Filing of Declaration of Taking in the Office of the Recorder of Deeds of Northampton County.
4. That the TOWNSHIP, acting by its Solicitor, is hereby authorized and directed to pay, or to offer to pay, within sixty (60) days from the filing of the herein above-mentioned Declaration of Taking, just compensation to condemnee as provided in Section 407 of the Eminent Domain Code.
5. That the Solicitor is hereby authorized and directed to send the notice required by Section 405 of the Eminent Domain Code to the record owners of property in the condemnation area by certified mail.
6. That the TOWNSHIP, acting by its Solicitor, is hereby authorized and directed to forward all expenses of condemnation to DEVELOPER for payment pursuant to the Agreement dated January 19, 2001.
7. That this Resolution shall take effect immediately.

Mr. Salvesen seconded the motion.

Mr. Salvesen questioned our inability to negotiate since we are pursuing condemnation.

Mr. Finnigan confirmed this and explained the entire situation.

Mr. Broughal explained the history of the project and how it is now delaying the progress of the project. He stated that the Township had to proceed in this manner.

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

Mr. Nagle directed the Board to review the revised Policy 54, Employee Travel Expenses, as it is presented to the Board tonight and which will be adopted on May 12, 2009. Mr. Finnigan asked for any comments and/or changes from the Board prior to May 12<sup>th</sup>. Mr. Finnigan explained that he sent the Board a copy of the IRS guidelines that support these revisions.

#### **Policy 54** **Employee Travel Expenses**

It shall be the policy of the Board of Supervisors of Hanover Township to reimburse employees, including Supervisors, for expenses incurred attending training seminars or conferences.

Cost of Lodging: Reasonable rate based on government/market (least costly available) rate

Meals: Reasonable based on location of training, seminar, conference or meeting

Employees will not be reimbursed for expenses incurred by spouses, life partners or dependants.

Expenses for alcoholic beverages and other non-necessities will not be reimbursed.

It is recommended that receipts be submitted for all reimbursable employee expenses as outlined in this policy. It is required that employees provide detailed receipts for:

- all purchases made on a Township Credit Card, regardless of the amount;
- all lodging expenditures, regardless of the amount;
- other employee business travel and entertainment expenditures of \$30 or more; and
- all other expenses (e.g., materials, supplies, fees, etc.), regardless of the amount.

Overall responsibility and exceptions to Policy 54 rests with the Township Manager or Chairman – Board of Supervisors.

Mr. Nagle moved that the Board adopt the following Resolution No. 2009-14, which authorizes the Chairman and Secretary to sign the Cooperative Purchasing Agreement and Resolution by and between Hanover Township and Lehigh Valley Cooperative Purchasing Council (LVCPC) to enable Hanover Township to become a member of the LVCPC for the purpose of participating in jointly purchasing various materials, supplies, equipment and services.

**RESOLUTION 09-14  
HANOVER TOWNSHIP – NORTHAMPTON COUNTY  
COOPERATIVE PURCHASING AGREEMENT**

Mr. Salvesen seconded the motion.

Mr. Finnigan stated the purpose of this resolution and explained that it will cost us nothing and will save us money.

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

Mr. Nagle moved that the Board appoint John J. Finnigan, Jr. and Vincent G. Milite to the Lehigh Valley Cooperative Purchasing Council (LVCPC) as representatives of Hanover Township for the purpose of meeting periodically with representatives of the Council, to discuss Governmental procurement problems, exchange purchasing ideas, and the preparation of specifications for various materials, supplies, equipment and services which may be jointly purchased and that the Chairman be authorized to sign the Appointment.

Mr. Salvesen seconded the motion.

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

PLANNING AND ZONING



Mr. Walbert introduced the topic of the first public hearing. He stated that the Board will consider an ordinance, Patios and Decks, amending the Zoning Ordinance with respect to providing for the regulations of patios and decks.

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

Mr. Walbert introduced the topic of the second public hearing. He stated that the Board will consider a Drive-Thru Windows Ordinance, to enact certain amendments to the Hanover Township Zoning Ordinance with respect to providing restaurants with drive-thru windows as a conditional use in the C1-Service Commercial District.

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

Mr. Walbert introduced the topic of the third public hearing. He stated that the Board will consider a Drive-In Shopping Ordinance, to enact certain amendments to the Hanover Township Zoning Ordinance with respect to providing drive-in shopping as a conditional use in the C1-Service Commercial District and C2-Commercial Center District.

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

Mr. Walbert moved that the Board approve the following Ordinance amending the Zoning Ordinance with respect to providing for the regulations of patios and decks.

**ORDINANCE NO. 09-07**

**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 REGULATIONS FOR PATIOS AND DECKS.**

Mr. Nagle seconded the motion.

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, Drive-Thru Windows Ordinance, to enact certain amendments to the Hanover Township Zoning Ordinance with respect to providing restaurants with drive-thru windows as a conditional use in the C1-Service Commercial District.

**ORDINANCE NO. 09-08**

**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 RESTAURANTS WITH DRIVE-THRU WINDOWS AS A CONDITIONAL USE IN THE C1-SERVICE COMMERCIAL DISTRICT.**

Mr. Tanczos seconded the motion.

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

Mr. Walbert moved that the Board approve the following Ordinance, Drive-In Shopping Ordinance, to enact certain amendments to the Hanover Township Zoning Ordinance with respect to providing drive-in shopping as a conditional use in the C1-Service Commercial District and C2-Commercial Center District.

**ORDINANCE NO. 09-09**

**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 DRIVE-IN SHOPPING AS A CONDITIONAL USE IN THE C2-COMMERCIAL CENTER DISTRICT AND C2R – RESTRICTED COMMERCIAL DISTRICT.**

Mr. Tanczos seconded the motion.

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

Mr. Diacogiannis questioned when the Small Wind Energy Systems Zoning Ordinance and the Small Wind Energy Systems Codified Ordinance will be on the agenda. Mr. Broughal directed the Board that these items will be advertised and placed on the May 26<sup>th</sup> agenda.

Mr. Walbert moved that the Board approve the following Ordinance to provide for a residential rental permitting and inspection system and establish administrative provisions, fees and penalties.

**ORDINANCE NO. 09-12**

**AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 02-01 BY ADDING CHAPTER 136, RESIDENTIAL RENTAL PERMITTING AND INSPECTION, PROVIDING FOR A RESIDENTIAL RENTAL PERMITTING AND INSPECTION SYSTEM, ESTABLISHING ADMINISTRATIVE PROVISIONS, FEES AND PENALTIES AND REPEALING ALL ORDINANCES INCONSISTANT HEREWITH.**

Mr. Tanczos seconded the motion.

Mr. Finnigan explained why this ordinance is necessary and why it will take effect in 90 days.

Mr. Broughal stated the process that the rental property owners must observe as a result of this ordinance.

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, Fire Marshall Ordinance, which provides for the appointment, powers, and duties of a fire marshall.

**ORDINANCE NO. 09-13**

**AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE 02-01 BY ADDING CHAPTER 14, FIRE MARSHALL, PROVIDING FOR THE APPOINTMENT, POWERS AND DUTIES THEREOF, PROHIBITING THE INTERFERENCE WITH THE EXERCISE OF SAID POWERS AND DUTIES AND REPEALING ALL ORDINANCES INCONSISTANT HEREWITH.**

Mr. Nagle seconded the motion.

Mr. Finnigan stated the necessity of this ordinance and that such an ordinance did not exist until now.

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, Volunteer Fire Company Ordinance, which modifies existing Ordinance 93-5.

#### **ORDINANCE NO. 09-14**

#### **AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING AND MODIFYING CERTAIN PROVISIONS OF ORDINANCE 93-5, DEALING WITH THE HANOVER TOWNSHIP VOLUNTEER FIRE COMPANY AND REPEALING ALL SECTIONS INCONSISTENT THEREWITH.**

Mr. Nagle seconded the motion.

Mr. Finnigan stated that this ordinance was re-written to have the amended ordinance match the State guidelines.

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

Mr. Walbert moved that the Board approve the following policy to provide the Hanover Township Volunteer Fire Company #1 with assistance for providing fire and emergency medical services within the Township.

#### **Policy 61 Fire Company Support**

Mr. Nagle seconded the motion.

Mr. Finnigan described the need for this policy in conjunction with Ordinance 09-14 above.

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, Parking Violation Ordinance, which authorizes the Township Code Enforcement Officer to enforce the Township's parking regulations.

#### **ORDINANCE NO. 09-15**

#### **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 AUTHORIZING THE TOWNSHIP CODE ENFORCEMENT OFFICER TO ENFORCE THE TOWNSHIP'S PARKING REGULATIONS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

Mr. Nagle seconded the motion.

Mr. Finnigan explained how this ordinance will be enacted.

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

Mr. Birdsall reported that the TD Bank's plans have been received from Wegmans and he will hold the plans until other steps are finalized.

Mr. Broughal explained that the TD Bank's agreements have been given to the developer in their final version but he has not yet received them.

Mr. Milite discussed line striping for 2009 with the Board. He asked for a motion to award the work.

Mr. Salvesen moved that the Board award the line striping work for 2009 to Interstate Road Management Corporation, 322 Rocky Road, Hazleton, PA 18201 for the total amount of \$6,886.00.

Mr. Nagle seconded the motion.

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

Mr. Milite also described some of his 2009 tasks and his progress toward performing those tasks, including changing the pools to meet the PA Department of Health's new standards, street sweeping and drain cleaning.

Mr. Finnigan reported on the following:

- Colonial Regional Police Commission met, for those who did not attend the CRPD report is available and directed the Board to contact Nancy
- HTVFC No. 1 report is in front of you tonight
- Curbside Yard Waste Containers will be delivered in late June and there will be a form in the Township newsletter for residents to reserve a container; it will be first come first served
- Sousa Concert-Mr. Walbert gave the details earlier in the meeting
- Hanover Township Fair will be different this year and will be on more than one day
- Borough of Freemansburg sent the Township a package of information, which is in front of you tonight, concerning traffic and planning resulting from building the casino in Bethlehem; Mr. Finnigan requested direction from the Board on how to proceed; he stated that the Solicitor is reviewing the package
- Mr. Blust's presentation earlier in the meeting: Mr. Finnigan asked the Board for direction with this matter
- Vincent Horvath: Mr. Finnigan requested the Board to direct the Secretary to send a letter to Mr. Horvath thanking him for his time, hard work and contributions toward the Patios and Decks Ordinance

Mr. Nagle brought two issues to the attention of the Board and staff. He stated that Statten Avenue could use CRPD there to ticket cars for going straight across Schoenersville Road, supporting that the intersection is well marked and drivers continue to cross illegally. Mr. Nagle also suggested that the annual yard sale held by the residents of Troxell Estates has caused traffic problems in the past and will do so this year. Mr. Nagle asked Mr. Finnigan to review the matter.

Upon motion of Mr. Tanczos, seconded by Mr. Walbert, the Board approved adjournment at 8:47 P.M.

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

Stacy C. Milo  
Secretary-Treasurer