
REGULAR SEMI-MONTHLY MEETING
November 10, 2009

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

Present were Supervisors Salvesen, Nagle, and Tanczos, Engineer Birdsall, Solicitor Broughal and Township Manager John J. Finnigan, Jr. Chairman John N. Diacogiannis arrived at 7:06 P.M.

The Pledge of Allegiance was performed.

Upon motion of Mr. Salvesen, seconded by Mr. Tanczos, the Board approved the Agenda, with addition to Administration.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert 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 October 27, 2009.

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

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

COURTESY OF THE FLOOR

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

REPORT OF THE CHAIRMAN

Mr. Diacogiannis was not in attendance.

REPORT OF THE VICE CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS & ROAD REPORTS

Mr. Nagle – Road District #1 – Nothing to report.

Mr. Walbert – Road District #2 – Nothing to report.

Mr. Salvesen – Road District #4 – Nothing to report.

Mr. Tanczos – Road District #5 – Mr. Tanczos reported that there is a street light pole down on Hanoverville Road. Mr. Finnigan stated that the pole and a street sign were knocked down by BASD school bus 93 and PPL is aware of it and will be replacing it.

APPOINTMENTS & RESIGNATIONS

There were no items on the Agenda.

PLANNING & ZONING

Hold Harmless Indemnification Agreement – Tygh VanZandt and Kristen VanZandt of 5309 Stenton Drive, Bethlehem, PA, 18017

Mr. Walbert moved that the Board approve to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Tygh VanZandt and Kristen VanZandt, 5309 Stenton Drive, Bethlehem, PA, 18017 and Hanover Township for the installation of a fence which will encroach ten (10) feet into a Township Easement on their property.

Mr. Nagle seconded the motion.

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

Adoption of Ordinance No. 2009-22, Outdoor Wood-Fired Boilers

Mr. Walbert moved that the Board approve Ordinance No. 2009-22 Outdoor Wood-Fired Boilers, amending Ordinance 02-01 by adding Chapter 121.

Mr. Salvesen seconded the motion.

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

ORDINANCE NO. 09-22

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 02-01 BY ADDING CHAPTER 121, OUTDOOR WOOD-FIRED BOILERS, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

Authorize Solicitor to advertise proposed Ordinance for Snow Emergency

Mr. Walbert moved that the Board approve to authorize the Township Solicitor to advertise for adoption the proposed Ordinance regarding Snow Emergency.

Mr. Nagle seconded the motion.

Mr. Finnigan explained that the Ordinance has already been adopted; there were minor administrative corrections that needed to be made.

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

ORDINANCE NO. **09-**_____

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 REGULATING THE PARKING OF VEHICLES DURING PERIODS OF SNOW FALL; PROSCRIBING PENALTIES FOR VIOLATION; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS snow storms can and do impair the flow of vehicular traffic and fire equipment which may result in conditions adverse to the welfare and safety of the residents of the Township and the people lawfully upon public highways; and

WHEREAS it is necessary in order to insure the welfare and safety of the public highways and streets be cleared of snow as promptly as possible;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania as follows:

SECTION I: The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the "Second Class Township Code" and the "Pennsylvania Municipalities Planning Code," as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby ordain and enact the following amendment to the Hanover Township Codified Ordinance, as amended

SECTION II: Ordinance 02-01, Chapter 172, Section 172-26 is hereby amended as follows:

§172-26. Snow and ice emergency.

A. In order to facilitate the movement of traffic and to combat the hazards of snow and ice on the snow emergency routes as designated by the municipality, the municipality, in its discretion, may declare a snow and ice emergency (designated as a snow emergency). Information on the existence of a snow emergency shall be given by the municipality through radio, newspaper or other available media, and information on the termination of the emergency may be given by use of the same media. A declaration shall be effective immediately and shall not be dependent on the advertisement through the media.

B. All Township streets are hereby designated as snow emergency routes.

SECTION III: Ordinance 02-01, Chapter 172, Section 172-31 (A) and (D) are hereby amended as follows:

§172-31. Violations and penalties.

A. Violation of all sections in this article except §§ 172-7, 172-22A, 172-15C, 172-19 and 172-27. The owner of any vehicle found in violation of any sections of this

article shall pay a fine of \$10 for each violation, if payment is received by the CRPD or the Code Enforcement Officer within five days of the date of the violation, unless a fine in a different amount is specifically set forth herein. If payment is received after five days but within 10 days of the date of the violation the fine shall be \$20 for each violation. If payment is not received within the ten-day period, the CRPD or Code Enforcement Officer shall file a citation with the District Justice and, upon conviction, the violator shall pay a fine of \$40 plus costs of prosecution.

D. Violation of §§ 172-15C and 172-27. The owner of any vehicle found in violation of §§ 172-15C (parking in a handicap zone) and 172-27 (vehicle restrictions on snow emergency routes) shall pay a fine of \$50 for each violation, if payment is received by the CRPD or the Code Enforcement Officer within five days of the date of the violation, unless a fine in a different amount is specifically set forth herein. If payment is received after five days but within 10 days of the date of the violation the fine shall be \$75 for each violation. If payment is not received within the ten-day period, the CRPD or Code Enforcement Officer shall file a citation with the District Justice and, upon conviction, the violator shall pay a fine of \$200 plus costs of prosecution.

SECTION IV: The owner of any vehicle found in violation of any sections of this Ordinance shall pay a fine of \$50 for each violation, if payment is received by the CRPD or the Code Enforcement Officer within five days of the date of the violation, unless a fine in a different amount is specifically set forth herein. If payment is received after five days but within 10 days of the date of the violation the fine shall be \$75 for each violation. If payment is not received within the ten-day period, the CRPD or Code Enforcement Officer shall file a citation with the District Justice and, upon conviction, the violator shall pay a fine of \$200 plus costs of prosecution.

SECTION V: All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION VI: The provisions of this Ordinance shall be severable and if any provision thereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this Ordinance would have been enacted had such unconstitutional, illegal or invalid provision(s) not been included herein.

SECTION VII: This Ordinance shall become effective five days after enactment.

Mr. Frederick Sprissler present to discuss his November 2, 2009 letter to the Board

Mr. Sprissler explained that he received a letter from the Zoning Officer indicating he needed to replace a tree that fell down over eight (8) years ago and is questioning the need to replace it. Mr. Sprissler feels there is not enough room between his driveway and property line to replace the tree and when the tree was there, it was difficult to see when backing down his driveway presenting a safety concern. Mr. Diacogiannis stated that the Board is required to enforce the approved plan and any change may require an amendment to the plan. Mr. Walbert recommended that Mr. Broughal and Mr. Finnigan determine if a new policy should be developed.

PUBLIC WORKS

There were no items on the Agenda.

DEVELOPMENTS

Northgate II Lot 4, Innovation Wellness

Mr. Tanczos noted for the record that the Developer of Northgate II Lot 4, Innovation Wellness has granted the Township a six (6) month extension to April 30, 2010 in regard to the Land Development Plan.

Minrad Inc. WIP Tank Farm Site Plan

Mr. Tanczos noted for the record that Minrad Inc. has granted the Township an extension of ninety (90) days to review the final documentation regarding this project.

Northgate I, 2-Lot Subdivision Improvements Extension Request

Mr. Tanczos moved that the Board approve to grant the Developer of Northgate I, 2-Lot Subdivision an extension to December 31, 2009 for the completion of the improvements; 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.

Northgate I, Kayamco, Land Development Plan

Mr. Tanczos noted for the record that Northgate I, Kayamco, Land development Plan has granted the Township an extension of time to August 4, 2010 to render a decision with regard to the Land Development Plan.

3910 Adler Place Site Plan Improvements

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, accept the improvements for the 3910 Adler Place Site Plan, and begin the eighteen (18) month Maintenance Period effective December 1, 2009, upon the following conditions:

1. That the Developer revises the As-Built Plan and provides four (4) record copies to the Township by November 18, 2009.
2. That the developer addresses the dumpster issue.
3. That the developer provides Maintenance Security in the amount of \$5,877.30 prior to November 18, 2009.

4. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Accounts).

Also, to notify the Developer of the Board's action.

Mr. Nagle seconded the motion.

A discussion was held regarding condition #2 and what the specific issue is.

Mr. Tanczos amended his motion to read that in condition #2 the developer addresses the dumpster issue by complying with the Township Ordinance.

Mr. Nagle seconded the amended motion.

Mr. Ralph Feldman of Adler Place L.P. elaborated on the dumpster issue and requested that they be allowed to address this issue when the building is leased to a larger tenant. Mr. Finnigan explained that the plan that was filed and approved by the Board shows that there is a dumpster enclosure and that all dumpsters must be in the enclosure which follows the Township Ordinance requiring dumpsters be enclosed.

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

LVCC II Lot 12 Hotel Site Plan Maintenance

Mr. Tanczos noted that Maintenance was up November 1, 2009 and a request for inspection or an extension of time has not been submitted. Staff will continue to contact them for resolution.

Davis Subdivision – Landscaping Plan and Revised record Plan approval

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, to grant an approval of the revised Record Plan of the Michael C. and Bonita Davis Subdivision, Sheet 1 of 9 dated September 22, 2003 and revised September 29, 2009 and the revised Landscaping Plan dated September 22, 2003 and revised September 29, 2009 (Sheet 4 of 9) and authorize the Chairman and Secretary to sign plans and authorize the recording of the record Plan upon the following condition:

1. That the developer adheres to Township Policy #25 (payment of Plans and Appeals Accounts).

Also, 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.

ADMINISTRATION

Authorize signature of Investment Policy Summary regarding Employees Retirement Plan with PNC Advisors

Mr. Nagle moved that the Board approve to authorize the Chairman to sign the Investment Policy Summary for the Township of Hanover Employees Retirement Plan submitted by PNC Advisors Institutional Investment Group.

Mr. Salvesen seconded the motion.

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

Annual Re-organization Meeting for Board of Supervisors 2010

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 4, 2010.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Annual Re-organization Meeting for Board of Auditors 2010

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 5, 2010.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Approval of Auditor for 2010

Mr. Nagle moved that the Board approve to authorize the Township Solicitor to advertise that it is the Township's intent to appoint Todd J. Bushta, CPA as the 2010 Township Auditor at a cost of \$8,500.00.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Approval of Actuary for 2010

Mr. Nagle moved that the Board approve to authorize the Township Solicitor to advertise that it is the Township's intent to appoint Beyer-Barber Company as the 2010 Township Actuary.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Authorize signature of National Penn Authorized Signatures Page

Mr. Nagle moved that the Board approve to authorize the Chairman to sign the National Penn Authorized Signatures page for the General Fund Investment Portfolio.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Discussion and Review of 2010 Proposed Budget

Mr. Rob Cepin, Assistant Recreation Director, was present to address questions from the Board regarding the 2010 Recreation Budget while Mr. Finnigan addressed questions from the Board with regard to other areas of the Budget.

Mr. Diacogiannis requested that any further questions be directed to Staff prior to the next meeting.

COURTESY OF THE FLOOR

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

STAFF REPORTS

Mr. Birdsall had nothing to report.

Mr. Broughal had nothing to report.

Mr. Milite reported that leaf pickup is going well and he expects that it will be completed earlier than usual.

Mr. Finnigan reported that the 248 Operating Committee met this morning. The budget has been approved and they are working on a lease modification with CRPD which will include additional square footage for training and self-defense areas. The Committee also authorized the payment of \$6000.00 for Management Fees to Hanover Township for 2009. Mr. Finnigan also reported that Ms. Lori Stranzl was elected Treasurer of the Committee.

ADJOURNMENT

Mr. Diacogiannis adjourned the regular meeting at 8:50 P.M. to enter into an Executive Session for potential litigation and personnel matters.

The Executive Session adjourned at 9:20 P.M.

Lori A. Stranzl
Secretary-Treasurer