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**REGULAR SEMI-MONTHLY MEETING**  
**November 24, 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 7:00 P.M.

Present were Supervisors Nagle, Tanczos and Walbert, Engineer Birdsall, Attorney Wendy Nicolosi for Solicitor Broughal, Public Works Director Vince Milite and Township Manager John J. Finnigan, Jr. Supervisor Salvesen was not in attendance.

The Pledge of Allegiance was performed.

Chairman John N. Diacogiannis requested a moment of silence in remembrance of John L. McGonigle, Jr. who was a former member of the Hanover Township Planning Commission.

Upon motion of Mr. Walbert, seconded by Mr. Tanczos, the Board approved the Agenda. Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved the minutes, as written, from the meeting of the Board of Supervisors dated November 11, 2009. Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Walbert, 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. 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 had nothing to report.

**REPORT OF THE VICE CHAIRMAN**

Mr. Walbert moved that the Board approve the 2010 Colonial Regional Police Commission Budget in the amount of \$2,800,461.31 with Hanover Township's contribution in the amount of \$1,468,476.44 and to notify the Police Commission of the Board's action.

Mr. Nagle seconded the motion.

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

Mr. Walbert moved that the Board approve to authorize the Chairman to execute a Lease Addendum between the Colonial Regional Police Commission and the Townships of Hanover and Lower Nazareth for additional space at the 248 Brodhead Road facility.

Mr. Nagle seconded the motion.

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

## SUPERVISOR'S COMMENTS & ROAD REPORTS

Mr. Nagle – Road District #1 – Nothing to report.  
Mr. Walbert – Road District #2 – Nothing to report.  
Mr. Diacogiannis – Road District #3 – Nothing to report.  
Mr. Tanczos – Road District #5 – Nothing to report.

## APPOINTMENTS & RESIGNATIONS

There were no items on the Agenda.

## PLANNING & ZONING

### **Hold Harmless Agreement – Judson W. Frank and Kathleen S. Frank, 5117 Barbary Street, Bethlehem, PA, 18017**

Mr. Walbert moved that the Board approve to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and Judson W. Frank and Kathleen S. Frank of 5117 Barbary Street, Bethlehem, PA, 18017 in regard to the property owners landscaping within the Drainage and Utility Easement.

Mr. Nagle seconded the motion.

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

### **Public Meeting – Adoption of Brake Retarder Ordinance 2009-23**

Mr. Walbert moved that the Board adopt Ordinance 2009-23 regarding the use of Brake Retarders on certain roads within the Township.

#### **ORDINANCE NO. 09- 23**

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 INCONSISTENT HEREWITH

Mr. Nagle seconded the motion.

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

## PUBLIC WORKS

There were no items on the Agenda.

## DEVELOPMENTS

### **Hanover Corporate Center II – Lot 10 Detention Basin MPC Deadline**

Mr. Tanczos noted for the record that Jaindl Land Company has granted the Township an extension of time to March 31, 2010 to the Preliminary/Record Land Development Plan for Hanover Corporate Center 2 – Lot 10.

### **Northgate I – 2 Lot AFHBD Subdivision – Reject Improvements**

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, reject the Developer's request to accept the improvements and grant the Developer an extension to complete the improvements as stated in the "punch list" until Spring 2010; including close out of PennDOT and NCCD permit(s); and to notify the developer of the Board's action.

Mr. Nagle seconded the motion.

Upon further discussion, Mr. Tanczos revised his motion to read “that the improvements be completed by June 1, 2010”.

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

#### **LNAA Cul-de-sac Subdivision Record Plan Conditions Extension**

Mr. Tanczos moved that the Board approve to grant the Developer of the Lehigh-Northampton Airport Authority Cul-de-sac Subdivision a ninety (90) day extension to March 9, 2010 to meet conditions of approval; and to notify the Developer of the Board’s action.

Mr. Nagle seconded the motion.

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

#### **LVIA Lot Consolidation Record Plan Conditions Extension**

Mr. Tanczos moved that the Board approve to grant the Developer of LVIA Lot Consolidation a ninety (90) day extension to March 16, 2010 to meet conditions of approval; and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

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

#### **LVCC II Lot 5-6 Record Plan Conditions Extension**

Mr. Tanczos moved that the Board approve to grant the Developer of LVCC II Lots 5-6, Triumph Acute Care Hospital Conditional Approval a one (1) year extension to December 18, 2010; and to notify the developer of the Board’s action.

Mr. Walbert seconded the motion.

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

#### **Hanover Highlands Lot 2 Record Plan Conditions Extension**

Mr. Tanczos moved that the Board approve to grant the developer of Hanover Highlands Lot 2 an extension of one (1) year to December 10, 2010 to meet the conditions of record plan conditional approval; and to notify the Developer of the Board’s action.

Mr. Nagle seconded the motion.

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

#### **Holiday Inn Express End of Maintenance**

Mr. Birdsall stated that the Developer did not request a maintenance inspection 90 days prior to the end of maintenance however some maintenance inspections were done and will be reported on next month. The Maintenance Agreement automatically extends itself in the meantime and no further action is required at this time.

#### **HCC – Jaindl Signal at Orchard/Crawford/Jacksonville Status of Generator Transfer Switch**

Mr. Birdsall referenced a letter dated November 17, 2009 from Mr. Jaindl stating that the generator switch will be provided when the work at Brodhead Road and Rt.512 is done in the Spring of 2010. Mr. Jaindl’s letter also refers to the work he believes to be completed to stabilize basins B2 and D and requested confirmation of this conclusion and the beginning of the 18 month maintenance period for the basins. Mr. Birdsall stated that the work on basins D and C are basically done however basin B2, located on TOA’s property, was approved for conversion to a permanent basin and this work has not been done. Mr. Birdsall requested that the Board

respond to Mr. Jaindl's letter rejecting the basins as not completed and the 18 month maintenance period should not begin.

Mr. Tanczos moved that the Board approve to authorize Hanover Engineering to draft a letter to Hanover Corporate Center in accordance with Mr. Birdsall's comments.

Mr. Nagle seconded the motion.

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

#### ADMINISTRATION

##### **Authorize Signature of Documents to sell Fire Company Vehicle 1511**

Mr. Nagle moved that the Board approve to authorize the Chairman to sign the Documents from Firetec Apparatus Sales regarding the sale of Fire Company Vehicle #1511.

Mr. Walbert seconded the motion.

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

##### **Authorize Signatures of Agreement between Hanover Township and Hanover Township Volunteer Fire Company #1**

Mr. Nagle moved to authorize the Chairman and Secretary to sign the Agreement between Hanover Township and the Hanover Township Fire Company #1 referencing the Township's funding to enable the Fire Company to obtain a 2009 Ford E-450, Type III Excellence Ambulance.

Mr. Walbert seconded the motion.

Mr. Finnigan advised the Board that the agreement was required because the Fire Department vehicles are registered in the name of Hanover Township however in order for the ambulance to receive state certification as a basic life support unit from the Pennsylvania Department of Health the vehicle must be registered by the Fire Company. The agreement was drafted by Ms. Nicolosi which states that the Fire Company may use the vehicle however when the vehicle is sold, the Township will receive the proceeds from the sale.

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

##### **Proclamation 2009-04, Eagle Scout Award for Andrew R. Kanaskie**

Mr. Nagle moved that the Board approve the following proclamation Honoring Eagle Scout Andrew R. Kanaskie:

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

PROCLAMATION NO. 2009-04

#### **A PROCLAMATION HONORING ANDREW R. KANASKIE ON THE ACHIEVEMENT OF HIS EAGLE AWARD**

WHEREAS, Andrew R. Kanaskie has achieved a significant accomplishment in life's path earning his Eagle Award as a member of the Boy Scouts of America; and

WHEREAS, Andrew will officially received his award during an Eagle Presentation Ceremony on November 28, 2009 as a member of Boy Scout Troop 352, Notre Dame of Bethlehem Church, Bethlehem, PA; and

WHEREAS, Andrew planned and directed the creation of web-based teaching resource tools for the Theology Department at Bethlehem Catholic High School; and

WHEREAS, Andrew has exemplified the virtues of scouting and has exhibited leadership skills Senior Patrol Leader, Patrol Leader and Chaplain's Aide and Order of the Arrow Representative.

NOW, THEREFORE, BE IT AND IT IS HEREBY PROCLAIMED, by the Board of Supervisors of Township of Hanover, County of Northampton, and the Commonwealth of Pennsylvania:

That Andrew R. Kanaskie is applauded and recognized on the occasion of his Eagle Award and the Board of Supervisors congratulates him for his dedication and devotion in preserving the finest virtues of American life as set forth by Scouting principals. The Board of Supervisors also proclaim Monday, November 30, 2009 as Andrew R. Kanaskie Day in Hanover Township.

Mr. Tanczos seconded the motion.

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

**Authorize Signature of the Updated Plan Document for the Group Health PPO Plan**

Mr. Nagle moved that the Board approve to authorize the Chairman to sign the Updated Plan Document for the Township's Group Health PPO Plan. The document was updated to accommodate changes in legislation with regard to Medicaid and SCHIP (State Children's Health Insurance Program).

Mr. Walbert seconded the motion.

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

**Advertise December Meeting for the Board of Supervisors**

Mr. Nagle moved to authorize the Secretary to advertise that the Board will be cancelling their December 8<sup>th</sup> and December 22<sup>nd</sup> meetings and will hold a regular meeting on Tuesday December 15<sup>th</sup>, 2009.

Mr. Walbert seconded the motion.

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

**Approve to Adopt the 2009 Wage Scale Adding the Code Enforcement Official**

Mr. Nagle moved that the Board adopt the 2009 Hanover Township Wage Scale adding the Code Enforcement Official as presented by the Township Manager.

Mr. Walbert seconded the motion.

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

**Approve to Adopt the Job Description for the Code Enforcement Official**

Mr. Nagle moved that the Board approve to adopt the Job Description for the Code Enforcement Official as presented by the Township Manager.

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

### **Pension Audit of 2007 and 2008 Update**

Ms. Stranzl, Secretary/Treasurer, updated the Board regarding the audit 2007 and 2008 pension plans. The findings included an error in an individual's pension calculation resulting in the overpayment of approximately \$58 per month since 2005; an error resulting in a refund of state aid for approximately \$6000; the mailing of account statements which must be sent to the office and not to an employee's home; and a discrepancy in the start date and contribution amount of an individual. The auditor also recommended an annual reconciliation of contributions due vs. contributions made.

### **2010 Recreation Budget**

Mrs. Catharine Heimsoth, Recreation Director, Mr. Fran Taglang, Assistant Recreation Director-Administration and Mr. Rob Cegin, Assistant Recreation Director-Programs & Aquatics were present to address questions from the Board regarding the 2010 Recreation Budget. Mr. Diacogiannis suggested that all budgeted programs include fully allocated costs e.g. building expenses not just salaries.

### **2010 General Fund, Capital Reserve, State Fund Budgets**

Mr. Nagle moved to authorize the Secretary/Treasurer to advertise that the 2010 General Fund, Capital Reserve and State Fund Budgets to be adopted at the Board of Supervisors meeting to be held on December 15, 2009 is on display for public review at the Municipal Office.

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

Mr. Diacogiannis discussed the option of advertising for one (1) Board of Supervisors meeting in the months of July (4<sup>th</sup> Tuesday), August (4<sup>th</sup> Tuesday) and December (3<sup>rd</sup> Tuesday).

### **COURTESY OF THE FLOOR**

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

### **STAFF REPORTS**

Mr. Birdsall had nothing to report.

Attorney Nicolosi had nothing to report.

Mr. Milite reported that the last leaf pickup will be the first week in December.

Mr. Finnigan reminded everyone that the Tree Lighting Ceremony will be held on Friday, December 4<sup>th</sup>.

Mr. Finnigan provided copies of the Fire Company report and the Major Assets Schedule.

Mr. Birdsall, Mr. Broughal, and Mr. Finnigan attended a meeting with Travelers and the City of Bethlehem regarding the sewer lines at Monocacy Farms. The majority of the work is expected to be completed next week.

Mr. Walbert questioned if the curb issue at TD Bank had been resolved. Mr. Finnigan responded that there was a settlement sealed by the Court.

ADJOURNMENT

Upon motion of Mr. Nagle, seconded by Mr. Walbert, the Board approved adjournment at 8:30 P.M.

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

Lori A. Stranzl  
Secretary-Treasurer