
REGULAR SEMI-MONTHLY MEETING
November 9, 2010

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 Salvesen, Nagle, Tanczos and Walbert, Solicitor Broughal, Brien Kocher for Township Engineer, 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. Mr. Salvesen aye, 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 minutes, as written, from the meeting of the Board of Supervisors dated October 26, 2010. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis abstain.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the minutes, as written, from the Special meeting of the Board of Supervisors dated October 28, 2010. 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 as presented by the Secretary/Asst. Treasurer, and to enter the signed List of Bills by the Secretary/Asst. Treasurer and the Board of Supervisors as an attachment to the minutes.

COURTESY OF THE FLOOR

Mr. Al Young of Wellesley Road questioned an email he sent to the Board. Mr. Young also expressed his concerns on the 2011 proposed budget process and the approval of the budget.

Mr. George Werkheiser, resident, questioned the group home in his neighborhood. Township Manager Finnigan stated that group homes are protected under Federal Statute and we would expect them to honor their agreement with the Township.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS & ROAD REPORTS

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

APPOINTMENTS & RESIGNATIONS

There were no items on the Agenda.

PLANNING & ZONING

Zoning Hearing Board Application – ABB, 252 Brodhead Road, Suite 500

Applicant, ABB, 252 Brodhead Road, Suite 500, Bethlehem, PA., 18017 submitted a petition for variance requesting relief from the dimensional and height provisions for a wall mounted sign.

Mr. Walbert recommended that the Board send representation to the hearing.

Mr. Diacogiannis directed the Township Solicitor and Engineer to attend the Zoning Board meeting.

Hold Harmless Indemnification Agreement – Alan S. Brau and Iris Mar Reyes, 483 Sugar Maple Court

Mr. Walbert moved to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and Alan S. Brau and Iris Mar Reyes of 483 Sugar Maple Court, Bethlehem, Pennsylvania, 18017 for the installation of geothermal wells on their property.

Mr. Nagle seconded the motion.

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

Hold Harmless Indemnification Agreement – James Rommens and Cynthia K. Rommens, 4634 Smith Drive

Mr. Walbert moved to authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement between Hanover Township and James Rommens and Cynthia K. Rommens of 4634 Smith Drive, Bethlehem, Pennsylvania, 18017 for the installation of a fence on their property that will encroach into the ten (10) foot drainage and utility easement located in the side yard and rear yard.

Mr. Nagle seconded the motion.

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

Attorney John Lychak – Potential Re-zoning of 2261 and 2351 Jacksonville Road

Attorney Lychak was present to discuss the potential re-zoning of 2351 Jacksonville Road, the Mastellar Estate. Attorney Lychak stated that 2351 is the only residential property remaining of the original 5 lot parcel. 2261 Jacksonville Road is zoned OI and the properties around them are zoned C-1. They are asking to have the property at 2351 rezoned to OI. Re-zoning would merge all these parcels together and for one (1) lot and make it more marketable and developable. Attorney Lychak stated that

with the development of this property the intersection of Jacksonville and Schoenersville Roads would be re-designed.

Mr. Walbert stated it is reasonable enough for the applicant to go through the rezoning process.

Mr. Walbert moved to authorize the professional staff and the Township Manager to set up the proper hearings and begin the process necessary to begin the rezoning process for the Board's consideration.

Mr. Nagle seconded the motion.

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

Mr. Broughal explained the rezoning process to Attorney Lychak.

ADMINISTRATION

Approve the Re-Numbering of Policy #63 and Policy #64

Mr. Nagle moved to authorize the Secretary to change Policy #63 Personnel Files/Retention of Employee Records adopted March 9, 2010 to Policy #64 and to change Policy #64 Snow Operations adopted March 9, 2010 to Policy #65.

Mr. Salvesen seconded the motion.

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

Authorize Chairman to Sign the Grant Agreement for the 2010-2011 Keystone STARS Quality Improvements Grant

Mr. Nagle moved to authorize the Chairman to sign the Grant Application from Community Services for Children, Inc. for the 2010-2011 Keystone STARS Quality Improvements Grant.

Mr. Salvesen seconded the motion.

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

Eagle Award Proclamation 2010-5 honoring John Roland O'Brien

Mr. Nagle moved that the Board approve the Eagle Award Proclamation No. 2010-5 honoring John Roland O'Brien:

HANOVER TOWNSHIP NORTHAMPTON COUNTY

PROCLAMATION NO. 2010-5

A PROCLAMATION HONORING JOHN ROLAND O'BRIEN ON THE ACHIEVEMENT OF HIS EAGLE AWARD

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

WHEREAS, John will officially received his award during an Eagle Presentation Ceremony on November 27, 2010 as a member of Boy Scout Troop 352, Notre Dame of Bethlehem Church, Bethlehem, PA; and

WHEREAS, John landscaped, painted awnings and a classroom at St Elizabeth's School in Whitehall, PA; and

WHEREAS, John has exemplified the virtues of scouting and has exhibited leadership skills as Senior Patrol Leader and Assistant Patrol Leader.

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 John R. O'Brien 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 29, 2010 as John R. O'Brien Day in Hanover Township.

Mr. Salvesen seconded the motion.

Mr. Salvesen suggested that the Township Manager look into getting a plaque that lists all the eagle award recipients on it.

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

Introduction of Policy #66 – Waste & Recycling Billings and Collections

Policy 66

Waste & Recycling Billings and Collections

In accordance with Ordinance No. 08-05 to set billing policies and procedures for Residential Waste and Recycling Fees as follows:

- 1.) Bills will be mailed by First Class U.S.P.S. on/or before February 15th of each calendar year.
- 2.) The Bills will include a Discount Period ending March 15th, which can be adjusted to the following Monday if the 15th occurs on a Saturday or Sunday. Payments must be postmarked on/or before the due date.
- 3.) All bills not paid on/or before April 15th will be subject to a late fee to be set by the Board of Supervisors.
- 4.) All fees will be due by May 1st, which can be adjusted to the following Monday if the 1st occurs on a Saturday or Sunday. Payments must be postmarked on/or before the 1st.
- 5.) Reminder Postcard #1 by May 7th.
- 6.) Reminder Postcard #2 by July 7th.

- 7.) Accounts that had a lien filed the previous year will automatically be liened if current fees are not paid on June 1st.
 - 8.) Accounts with an outstanding balance, other than those liened will be turned over to an outside collection agency on or after August 1st, but no later than August 15th.
 - 9.) Accounts not collected by the outside collection agency will be turned over to the Solicitor's Office for collection and liening
 - 10.) Uncollected accounts will have a lien filed at the county's Prothonotary's office approximately February 1st of each year.
- Policy is an introduction and will be on the November 23, 2010 meeting for adoption.

DEVELOPMENTS

LNAA Cul-de-sac Subdivision – Extension Request

Mr. Tanczos moved that the Board approve to grant LNAA Cul-de-sac Subdivision a ninety (90) day extension to February 25, 2011 to meet conditions of approval; 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.

LNAA Parcel E – 2 Lot Subdivision – Extension Request

Mr. Tanczos moved that the Board approve to grant LNAA Parcel E – 2 Lot Subdivision a ninety (90) day extension to February 25, 2011 to meet conditions of approval; 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.

LNAA Lot Location Plan – Lot Consolidations – Extension Request

Mr. Tanczos moved that the Board approve to grant LNAA Lot Location Plan – Lot Consolidations a ninety (90) day extension to February 25, 2011 to meet conditions of approval; 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.

Monocacy Farms – Improvements Status

Mr. Tanczos moved that the Board notify The Travelers Companies, Inc. that the following items must be addressed prior to or during the eighteen (18) month Maintenance Period:

1. Find and/or adjust water curb stop boxes (List dated October 15, 2010).
2. Fix Fire Hydrant – 5725 Monocacy Drive (List dated October 15, 2010).
3. Detention Basin “A-East”.
 - a. Opinion letter that pond will function as designed.
 - b. Washout at Headwall 5 adjacent to the cable concrete.
 - c. Low area (s) holding water at outlet structures OCS AE6 and OCS AE7.
4. Maintenance Security must be presented in a form acceptable to Township Solicitor and Manager to begin Maintenance Period.
5. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Account charges).

Mr. Tanczos further moved to notify Travelers of the Board's action.

Mr. Nagle seconded the motion.

Mr. Finnigan stated that a final inspection has already been requested.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

LVCC II Schoenersville Road Frontage – Release of Escrow

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve the release of escrow being held in the amount of \$12,264.00 upon the following conditions:

1. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Account charges).

Mr. Tanczos further moved 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.

MW Homes – Davis Subdivision – Accept Improvements – Begin Maintenance

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, accepts the improvements, returns the improvements security and starts the eighteen (18) month Maintenance Period effective December 1, 2010, upon the following conditions:

1. That the Developer provides the Maintenance Security in the amount of \$25,237.50 for a period of one (1) month beyond the Eighteen (18) month Maintenance Period.
2. That the Developer completes the minor repair items, required certifications, Deed of Dedication and "As-Built" information prior to the start of the Maintenance Period.
3. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Account charges).

Mr. Tanczos further moved 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.

LVIP IV Lot 61 Ungerer & Company – Accept Improvements – Begin Maintenance

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, accepts the improvements for the Developer of LVIP IV Lot 61, returns the balance of the improvements security and start the eighteen (18) month Maintenance Period effective December 1, 2010 conditioned upon the following:

1. That the Developer provides the pin / monument / drill hole certification and the Maintenance Security in the amount of \$11,818.50 prior to November 19, 2010.
2. That the Developer adheres to Township Policy #25 (payment of Plans and Appeals Account charges).

Mr. Tanczos further moved 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

2011 Budget Discussions

Mr. Finnigan stated the tax rate remains at 3.9 mills which includes the .5 mills for the fire tax that was adopted four years ago and he believes the Township remains economically sound despite the economic crisis that has gone through our country and the Lehigh Valley.

Mr. Finnigan presented an overview of the General Fund, Capital Reserve and State Fund budgets, and answered questions from the Board.

The Recreation budget will be discussed at the next Board meeting and the Recreation Director will be present.

COURTESY OF THE FLOOR

It was noted that there was no one to offer any comments.

STAFF REPORTS

Mr. Kocher had nothing to report.

Mr. Broughal updated the Board on a letter received from Uninvest Bank & Trust regarding the Letter of Credit for Airport Commons.

Mr. Milite updated the Board on the leaf pick-up and stated there are four trucks out.

Mr. Finnigan reported on the following:

The Bethlehem Area Public Library proposed 2011 budget.

Updated the Board on Valley View Estates Phase 1 and stated he has the resolution for dedication and acceptance of roads for signature.

Mr. Salvesen moved to authorize the Chairman and Secretary to sign Resolution 2010-16 for the dedication and acceptance of roads for Valley View Phase I conditioned upon the recommendation of the Township Manager.

Mr. Nagle seconded the motion.

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

Mr. Finnigan requested a motion be made to authorize the Chairman and Secretary to sign the two loan amendments with National Penn Bank; Series 2006A for the 248 Building and Series of 1998 for the Community Center.

Mr. Nagle moved to authorize the Chairman and Secretary to sign the loan amendment documents.

Mr. Salvesen seconded the motion.

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

Mr. Finnigan stated at the last meeting the Board approved the fees for 2011 at the Community Center, distributed tonight are Township Policies that mirror those fees and are for the Board's review and will be on the next agenda for adoption.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved adjournment of the regular meeting at 8:25 PM and entered into an Executive Session for litigation and contract negotiations.

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

Lori A. Stranzl
Secretary/Asst. Treasurer