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**REGULAR SEMI-MONTHLY MEETING**  
**March 13, 2012**

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, Engineer Jim Milot, Solicitor 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 additions under Developments and a deletion of an item under Planning & Zoning. 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 minutes, as written, from the meeting of the Board of Supervisors dated February 28, 2012. 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/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, 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 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. 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

It was noted that there were no items on the Agenda.

PLANNING & ZONING

**Conditional Use Hearing Continued – 4140 Airport Road – Christine Bongiorno; Seeking Relief to Allow a Professional Practice in the AFHBD Zoning District**

Mr. Walbert closed the regular meeting and opened the Public Hearing. It is noted for the record that the hearing is being continued from January 24, 2012. The hearing was previously advertised and the Secretary has received Proof of Publication.

A Court Stenographer is present to record all testimony. After everyone who wishes to speak, has spoken, the Public Hearing will be closed and the regular meeting will be re-opened.

It was noted that the hearing is being continued to a future date.

ADMINISTRATION

**Introduction to Amended Policy # 53 – Road Crew Fire Call Responses**

Mr. Nagle introduced the amended Policy for review which will be placed on the March 27, 2012 meeting for Board action.

**Policy 53**  
**Road Crew Fire Call Response**

It shall be the policy of the Board of Supervisors, Hanover Township – Northampton County, that when requested by the Fire Chief, Fire Marshall and/or Officer in Charge, any member of the Road Crew who is a member of the Hanover Township Volunteer Fire Company #1, may respond to a working fire for support of the Hanover Township Volunteer Fire Company #1, if their leaving is approved by either the ~~Road Supervisor~~, Director of Public Works or Township Manager and is deemed necessary for Public Health, Safety or Welfare. Road Crew members shall be compensated at their normal rate of pay. Responding to a fire, when requested, is strictly voluntary on the part of a member of the Road Crew.

When deemed necessary, and again with the approval of either the ~~Road Supervisor~~, Director of Public Works or the Township Manager, additional Road Crew members may be sent to a working fire to assist with the operation of a hydrant, running of hoses or the operation of a pumper.

The Township will not be responsible for training and/or certifications required. Training would have to be arranged between the Road Crew member and the Fire Company and occur on the Road Crew member's own time.

**Authorize Signature – Independent Contractor Agreement – Substitute Zumba Instructor**

Mr. Nagle moved that the Board authorize the Chairman to sign the Independent Contractor Agreement with Tamra Nicholas, Zumba Instructor at the Community Center.

Mr. Salvesen seconded the motion.

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

## PUBLIC WORKS

### DEVELOPMENTS

#### **Faulkner New GM Showroom Final Approval**

Mr. Tanczos moved that the Board, as recommended by the Township Engineer, approve to adopt the terms and conditions relative to Faulkner Chevrolet Cadillac New GM Showroom Site Plan dated as last revised February 21, 2012, 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 withdraw the previous conditionally approved Faulkner Saab, Cadillac Showroom Site Plan (2006) prior to recording the Faulkner Chevrolet, Cadillac New GM Showroom Site Plan.
2. The Developer/Owner shall provide an approval letter from the City of Bethlehem for discharge of Service Building floor drains into the sanitary sewer. (Chapter 140-6, General Discharge Regulations).
3. The Developer/Owner shall sign the Owner's Statement and Owner's Acknowledgment. (SALDO Sections 159-29.F.(1)/159-30.E.(2)).
4. The Developer/Owner shall sign the Owner's Dedication statement. (SALDO Section 159-29.F.(7)).
5. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30D.(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 152-10.E).
  - 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. (Stormwater Sections 152-10.M and 152-24.3).
  - C. The Improvements Agreement shall include provisions, satisfactory to the Township Solicitor; that the Developer/Owner shall remove the gravel cover which is currently located at the northern end of the property within two years of the completion of construction of the currently proposed improvements, or the Developer/Owner shall apply for the required permits.
6. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30D.(6)).

7. The Developer/Owner shall provide a Storm Sewer Interceptor Improvements value of \$1,118.80 (\$1.80 per square yard of new impervious cover X 621.56 square yards). (Stormwater Sections 152-12.B and C).
8. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J)
9. 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 and/or Engineer. (SALDO Section 159-34.B)
10. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the 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 Preliminary/Record Plan approval shall be considered void and withdrawn.

Mr. Tanczos further moved that the granting of conditional approval of this plan recognizes that the Township is agreeing to the following on the Site Plan:

- A. That the Board of Supervisors waive the requirement that six (6) off-street loading spaces be provided and to allow one (1) off-street loading space as shown on the plans with the condition that car deliveries will occur on the Faulkner Dealership property and must not occur on the public streets. (Zoning Ordinance Section 185-18.C).
- B. That the Board of Supervisors waive the requirement that a Noise Study for exterior sound levels generated by Route 22 be provided. The proposed use of automobile sales and service is the same as the existing use, and no increase in sound levels is proposed. This dealership has been at this location for many years, and the owner is aware of the sound levels generated by Route 22 and has no operational issue. (SALDO Section 159-25.A).
- C. That the Board of Supervisors waive the requirement that pretreatment of stormwater runoff from vehicle maintenance and repair facilities be provided. All vehicle maintenance and repairs will occur inside the building. The drains to be installed within the maintenance areas will be connected to the sanitary sewer and permitted separately during the building code review process. (Stormwater Section 152-9.1.P).
- D. That the Board of Supervisors waive the requirement that all storm piping shall be Class III reinforced concrete piping with "O" ring joints. The plan proposes "water tight PVC" for the roof drains to an 'M' Inlet. (Stormwater Section 152-11.G.3).

Mr. Salvesen seconded the motion.

Mr. Mike Waldron from Ott Consulting was present to discuss the plan and answer any questions from the Board.

It is noted that the Developer has agreed with and signed the conditions.

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

#### **Northgate II, Lot 4 – Innovation Wellness Extension**

Mr. Tanczos noted for the record that the Developer of Innovation Wellness, Northgate II Lot 4 has granted the Township an extension to September 30, 2012 for the Land Development Plan.

#### **Becker Minor Subdivision – End of Maintenance**

Mr. Tanczos moved that the Board, as recommended by the Township Engineer and Township Manager, end the Maintenance Period for the Becker Minor Subdivision conditioned upon the Developer adhering to Township Policy #25 (payment of Plans and Appeals Account charges); and to notify the Developer of the Board's action.

Mr. Salvesen seconded the motion.

Mr. Leonard Becker was in attendance and thanked the Board.

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. Milot had nothing to report.

Mr. Broughal had nothing to report.

Mr. Milite had nothing to report.

Mr. Finnigan updated the Board on a meeting he attended with the County COG's and distributed an economic development (KOZ) and County recycling events for the year informational sheets.

Mr. Finnigan advised the Board that we will need an Executive Session for Potential Litigation.

Mr. Diacogiannis closed the regular meeting and opened the Executive Session at 7:15 P.M.

Mr. Diacogiannis re-opened the regular meeting at 8:18 P.M.

Mr. Nagle moved to authorize the law firm of Broughal & DeVito to commence litigation to stop the misappropriation of Hanover Township's EIT by the City of Allentown pursuant to Act 50 of 2009 and Act 26 of 2011.

Mr. Salvesen seconded the motion.

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

Upon motion of Mr. Salvesen, seconded by Mr. Walbert, the Board approved adjournment at 8:20 P.M.  
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Lori A. Stranzl  
Township Secretary