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## **REGULAR SEMI-MONTHLY MEETING**

### **July 28, 2020**

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

Present via virtual Zoom meeting were Supervisors Nagle, Lawless, Warren, Prendeville, Diacogiannis, Engineer Brien Kocher, and Solicitor Jim Broughal.

The Pledge of Allegiance was performed.

Upon motion of Mr. Nagle, seconded by Ms. Lawless the Board approved the Agenda.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Upon motion of Mr. Nagle seconded by Mr. Warren, the Board approved the minutes from the meeting of the Board of Supervisors dated June 23, 2020.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

Upon motion of Mr. Nagle seconded by Mr. Prendeville, the Board approved the list of bills and transfers dated July 28, 2020.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

#### COURTESY OF THE FLOOR

#### REPORT OF THE CHAIRMAN

Mr. Diacogiannis noted for the record the Board of Supervisors met in executive session on July 27, 2020 at 8:00 pm regarding personnel. Mr. Diacogiannis requested Mr. Finnigan make a statement.

Mr. Finnigan stated The Board of Supervisors has made the difficult decision to temporarily close the Hanover Township Community Center effective August 8, 2020. The Township has made this decision after careful consideration of all alternatives.

As a result of the current economic impact of COVID-19 (coronavirus) and in light of future uncertainties regarding the sustainably safe operation of public activities hosted by and at the Community Center, Hanover Township is implementing measures to ensure the financial stability of the Township. The current pandemic situation has impacted our operations significantly, and as a result, we find that we must make some difficult decisions.

We found it impossible to balance the health and safety needs of all members of the Community Center and remain compliant with the requirements of the Centers for Disease Control and Prevention (CDC), Pennsylvania Department of Health (PA DoH) and the Governor's Orders.

We understand this decision will cause hardship to some, but we must consider everyone's health, safety and welfare. Hanover Township will continue to monitor this fluid situation and will make decisions as events dictate.

## REPORT OF THE VICE CHAIR

### SUPERVISOR'S COMMENTS

Mr. Nagle – Road District #1, had nothing to report.

Mr. Diacogiannis – Road District #2, had nothing to report.

Mr. Warren – Road District #3, had nothing to report.

Ms. Lawless – Road District #4, had nothing to report regarding the road district. Ms. Lawless advised she had been contacted by three Township residents saying the issues with fireworks had been getting better except for at Crawford Park. Ms. Lawless inquired if anyone else had reported these same issues.

Mr. Prendeville – Road District #5, had nothing to report regarding the road district. Mr. Prendeville informed the Board that Hanover Township is number 3 of the Townships in the state of Pennsylvania regarding response to the census.

## APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

### PLANNING & ZONING

Advanced Health Care of Hanover Township – Conditional Use

Ms. Lawless moved that the Board of Supervisors approve the Conditional Use Application of Advanced Health Care of Hanover Township, for property located at 3370 High Point Boulevard, Bethlehem, Pennsylvania 18017, to be utilized as a Skilled Nursing Facility, with the following conditions:

1. The Applicant obtains a Skilled Nursing Facility license from the Pennsylvania Department of Health and provides same to Hanover Township prior to any occupancy of the facility.
2. The facility to be located at 3370 High Point Boulevard, Bethlehem, Pennsylvania, in accordance with the Conditional Use, shall not be utilized as a drug and alcohol rehabilitation facility.
3. The facility and property to be located at 3370 High Point Boulevard, Bethlehem, Pennsylvania shall not have any vehicular access onto Old Stoke Park Road.
4. The Applicant shall satisfactorily address the comments noted in the Hanover Engineering review letter, dated February 28, 2020.

AND to notify the Applicant/Owner of the Board of Supervisors' decision.

Mr. Warren seconded the motion.

Mary Jo Johnson, 1655 Stoke Park Road, requested information regarding fire department access, land regrading, and right of way deed to the ruminant lot.

Mr. Broughal advised Ms. Johnson that these issues will all be addressed during land development. The subdivision plan is on the agenda for August 3, 2020 Planning Commission. The developer will have to file a land development plan.

Ms. Johnson requested what the process is once it goes to planning commission.

Mr. Broughal advised it goes to the planning commission, then the planning commission will make a recommendation to the Board of Supervisors, the Board will then address the preliminary plans at a future meeting.

Ms. Lawless noted that the Planning Commission and Board of Supervisors have the benefit of professionals through Hanover Engineering to review the plans to give an extra layer of inspection.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Universal Adler, LLC – Conditional Use**

Ms. Lawless moved that the Board of Supervisors approve the Conditional Use Application of Universal Adler, LLC, in an existing one-story office building on property located at 3864 Adler Place, Bethlehem, Pennsylvania 18017, to be utilized as an Adult Daycare Facility, with the following conditions:

1. The Applicant provides all required Commonwealth of Pennsylvania licenses and/or Hanover Township permits to Hanover Township prior to Applicant's occupancy of 3864 Adler Place, Bethlehem, Pennsylvania 18017, pursuant to the Conditional Use.
2. Applicant complies with the Hanover Engineering review letter, dated April 3, 2020.

AND to notify the Applicant/Owner of the Board of Supervisors' decision.

Mr. Nagle seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Building Height Ordinance – Advertise**

Ms. Lawless moved the Board authorize the Township Solicitor to advertise the proposed ordinance amending part II general legislation, Chapter 185 zoning, article VII commercial districts and strible VII employment districts of the code of codified ordinances to provide changes to maximum heights of buildings and structures of the zoning ordinance of the Township of Hanover.

Mr. Nagle seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Zoning Hearing Board – 4575 Dolores Lane**

The property owners at 4575 Dolores Lane are requesting a variance for a front yard setback for the installation of a covered front porch.

The Board will not be sending representation to the Zoning Hearing Board.

### ADMINISTRATION

#### **Proposed Ordinance – RCN Telecom Services, Inc.**

Mr. Warren moved the Board adopt Ordinance 20 – 2 granting to RCN Telecom Services, Inc., a non-exclusive franchise to erect, install, maintain and operate cable service in, under, over, along, across and

upon the streets, sidewalks, alleys, bridges, roads, highways and other public places in the Township of Hanover and subsequent annexations thereto.

Mr. Prendeville seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Community Center Programs & Programming**

Mr. Finnigan stated that effective August 8, 2020 the Board will be temporarily suspending all activity at the community center, to be reopened when it will be safe for all participants to return. It is difficult to segment the groups that come in, seniors, childcare, and meet the guidelines of the CDC. In the Boards opinion it would be impossible to fit “all the round pegs in the square holes” to make it successful at this time.

Mr. Warren stated it is important to note what Mr. Finnigan said, it being impossible to fit all the round pegs in the square holes. The Board dissected and attempted to do what they could and do what is best for what is best for the residents of this Township. Mr. Warren spoke about not knowing what will come from the Bethlehem Area School district regarding their curriculum, puts the municipality in a holding pattern. Mr. Warren commended his colleges on the detailed discussions that they had and feels that the Board has come to the best decision for the safety of the residents of the Township. The Board worked through alternatives and know there is no perfect answer to any of it. Mr. Warren said he looks forward to the day that they can open the Community Center fully for the residents without and health risks for them or their families.

Mr. Nagle moved the Board temporarily close the Hanover Township Community Center effective August 8, 2020.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Bingo License**

Mr. Warren moved the Board authorize the Chairman to sign the Application for Bingo License.

Mr. Prendeville seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **PNC Investment Policy Statement**

Mr. Warren moved the Board authorize the Chairman to sign the Investment Policy Statement with PNC for the Township of Hanover Retirement Plan.

Mr. Prendeville seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **DEVELOPMENTS**

#### **4098 Bath Pike Security Release #2**

Mr. Nagle moved the Board grant the developer of 4098 Bath Pike Security Release #2, per the recommendation of Hanover Engineering’s letter dated July 22, 2020, in the amount of \$160,981.15, resulting in a security balance of \$266,568.28. This reduction is conditioned upon the following:

1. The Developer acknowledges the security provided for all improvements will remain in force at a minimum of \$266,568.28 for the work remaining, plus contingencies.
2. The Developer adheres to Township Policy 25 (payment of Plans & Appeals Accounts).

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **TOA PA VIII, L.P. – Bill of Sale and Assignment of Ownership**

Mr. Nagle moved the Board authorize the Chairman to sign the Bill of Sale and Assignment of Ownership of intersection improvements for the intersection improvements at Bridle Path Road and Jacksonville Road.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Brodhead Road Holdings – Indemnification Agreement**

Mr. Nagle moved the Board authorize the Chairman to sign the indemnification agreement between Hanover Township and Brodhead Road Holdings for construction at 257 Brodhead Road.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Northgate I Lot 2 Subdivision – Improvements Extension**

Mr. Nagle moved the Board grant the developer of Northgate I – 2 Lot subdivision an extension to August 1, 2021 to complete the improvements, per their letter dated July 21, 2020, and direct the Secretary to notify the developer of the Board's action.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

### **Northgate I Land Development Plan – MPC Deadline**

Mr. Nagle noted for the record the developer of Northgate I has granted the Township an extension to August 1, 2021 regarding the MPC deadline.

### **Northgate I Lot Consolidation Plan – Recording Deadline**

Mr. Nagle moved the Board grant the developer of Northgate I – Lot Consolidation Plan an extension to August 1, 2021 in regards to the record plan conditions, per their letter dated July 21, 2020, and direct the Secretary to notify the developer of the Board's action.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville aye, Mr. Diacogiannis aye

## **PUBLIC WORKS**

### **COURTESY OF THE FLOOR**

### **STAFF REPORTS**

Mr. Kocher – Engineer – nothing to report.

Mr. Broughal – Solicitor – nothing to report.

Mr. Milite – Public Works Director – Mr. Milite advised the Hanoverville Road repairs have been completed.

Mr. Finnigan – Township Manager – Mr. Finnigan discussed the Waste and Recycling Bids are due by noon on August 11, 2020. The bid opening will be at 3:00 pm on August 11, 2020.

Mr. Finnigan advised the township has acquired bids for the removal of five trees on Township property that are present an imminent danger.

Mr. Finnigan informed the board about the ZOOM conference call he hosted with Sheetz, PSP, BPD, and CRPD relative to the perceived speeding and noise that seems to be based around vehicles and motorcycles congregating in the Sheetz lot on Friday and Saturday evenings.

Ms. Lawless requested a diagram of where the trees will be removed, to look into replacing the removed trees with smaller healthier trees. Mr. Finnigan advised that the new trees would need to be planted in different locations, as new trees would not survive in the current locations.

Mr. Warren asked if the Township has received communication from residents regarding spotted lantern flies. Mr. Finnigan advised that we just received information from one resident stating they found an adult spotted lantern fly on their property.

Upon motion of Mr. Nagle the Board adjourned at 8:50 PM.

Elizabeth D. Ritter  
Township Secretary