
REGULAR SEMI-MONTHLY MEETING

September 22, 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 Mr. Warren 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. Prendeville, the Board approved the minutes from the meeting of the Board of Supervisors dated September 8, 2020.

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

Upon motion of Mr. Nagle seconded by Ms. Lawless, the Board approved the list of bills and transfers dated September 8, 2020.

Mr. Nagle Aye, with the exception of the portion of General Fund Payment #45, that benefits me, Ms. Lawless Aye, with the exception of the portion of General Fund Payment #45, that benefits me, Mr. Warren Aye, with the exception of the portion of General Fund Payment #45, that benefits me, Mr. Prendeville Aye, with the exception of the portion of General Fund Payment #45, that benefits me, Mr. Diacogiannis Aye, with the exception of the portion of General Fund Payment #45, that benefits me.

COURTESY OF THE FLOOR

REPORT OF THE CHAIRMAN

Mr. Diacogiannis had nothing to report.

REPORT OF THE VICE CHAIR

Mr. Prendeville had nothing to report.

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, Mr. Warren requested Mr. Diacogiannis update the Board on his findings for the trainings of the Colonial Regional Police.

Mr. Diacogiannis advised the Colonial Regional Police currently has a training component requirement that includes anti-bias and anti-discrimination. The State is currently reviewing and updating the accreditation standards, that may require another level of training regarding this.

Mr. Warren requested the Chairman continue to update the Board as he is made aware of changes.

Ms. Lawless – Road District #4, had nothing to report.

Mr. Prendeville – Road District #5 – Mr. Prendeville spoke on the library board meeting. He advised the library budget planning phase has not begun. Mr. Prendeville stated his concerns focus on what cost reductions are being implemented.

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

PLANNING & ZONING

Public Hearing – Proposed Ordinance – Zoning Administration & Penalties

Ms. Lawless noted for the record the Ordinance has been duly advertised and the Township Secretary has received proof of advertisement. A court stenographer is present to record all testimony.

Ms. Lawless moved the Board adopt Ordinance 20 – 3, amending Chapter 185 Zoning, article XII Administration and penalties of the code of codified ordinances to provide changes to the appeals, violations and penalties 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

Public Hearing – Proposed Ordinance – Maximum Heights of Building & Structures

Ms. Lawless noted for the record the Ordinance has been duly advertised and the Township Secretary has received proof of advertisement. A court stenographer is present to record all testimony.

Ms. Lawless moved the Board adopt Ordinance 20 – 4, amending Part II General Legislations, Chapter 185 Zoning, Article VII commercial districts and article VII employment districts of the code of codified ordinances to provide changes to maximum heights of building and structures of the zoning ordinance of the Township of Hanover.

Mr. Warren seconded the motion.

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

Hindu Temple – Presentation

Mr. William Malkames, Esquire, Malkames Law Office, Mr. Amit Mukherjee, of Base Engineering, Mr. Pattabi Neelakantan (Chairman of the HTS Board of Trustees) and Anand Shastrigal (HTS Priest), were all present and discussed the future use of the building that is being presented to the Zoning Hearing Board.

Hold Harmless Indemnification Agreement – 1108 Marble Circle – Fence and Shed

Ms. Lawless moved the board authorize the Chairman and Secretary to sign the Hold Harmless Indemnification Agreement for the installation of a fence and a storage shed on the property located at 1108 Marble Circle, Bethlehem, PA. The proposed structures will encroach into the ten-foot Township drainage and utility easements along the south property line and into the twenty-five-foot Township utility and pedestrian easements along the north property line.

Mr. Nagle seconded the motion.

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

4437 Kathi Drive – Zoning Hearing Board

Coleen and Jorge Alvarez are seeking a variance from the setback provision of the ordinance to construct an inground swimming pool at the property located at 4437 Kathi Drive, Bethlehem, PA.

The Board will not be sending representation.

ADMINISTRATION

2021 Minimum Municipal Obligation – Pension Plan – Distribution to Board

Mr. Warren noted for the record the Township Treasurer distributed the 2021 Minimum Municipal Obligation requirement for the Non-Uniformed Employees' Money Purchase Pension Plan and the Retirement Plan for Employees of Township of Hanover.

Resolution 20 - 13 Support of Bill 607

Mr. Warren moved the Board adopt Resolution 20 – 13 urging State Representative Marcia Hahn to aggressively call upon the leadership of the Pennsylvania House of Representatives to bring Senate Bill 607 to a vote by the full Pennsylvania House of Representatives and its citizens who support local use of radar and LIDAR to help protect public safety to contact State Representative Marcia Hahn to voice their support in favor of Senate Bill 607.

Mr. Prendeville seconded the motion.

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

Resolution 20 – 14 Dedication of Road – Portion of Township Line Road

Mr. Warren moved the Board adopt Resolution 20 – 14, accepting a portion of Township Line Road from The Estate of Kenneth E & Carol A Miller.

Mr. Prendeville seconded the motion.

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

Community Center & Pool – Discussion

Community Center:

Mr. Warren stated it is important that the Board start gathering metrics to reopening the Community Center.

Ms. Lawless stated that the Board is using the remainder of the year to develop a strategy on reopening. Ms. Lawless presented the Board with a few questions to consider: Option of reopening on a tiered approach? If on a tiered approach, employee numbers, length of time to prepare for the reopening, what part of the center opens first? What specific metrics does the Township want to use, how long must the green phase be, what percentage capacity do we want approved by the Governor? Ms. Lawless advised that there needs to be numbers put into the 2021 budget to account for reopening costs.

Mr. Warren's opinion was to reopen on a tiered approach. Mr. Warren spoke about using metrics based on the Bethlehem Area School District.

Mr. Prendeville stated wanting to know the financial consideration for the tiered reopening. His current focus is health and safety of the Township Residents.

Ms. Lawless spoke that she would like to see the tiered approach start with the Preschool, then implement youth sports and activities, then reopen the gym last.

Mr. Warren agreed with Ms. Lawless on the tiered approach of starting with the Preschool.

Mr. Nagle questioned what the timeline of the tiered opening would be.

Ms. Lawless discussed possibly bringing Rob and / or Nichole in for a consultation to better establish a timeline.

Mr. Finnigan spoke briefly about what other local community centers are doing.

Mr. Diacogiannis stated he thinks the important thing is to decide when the center can reopen, and then figure out how long it will take to reopen.

Mr. Broughal stated the Solicitor's office has been advising municipalities what CDC requirements and other guidelines are necessary to reopen, and this is information that the Board needs to take into consideration before deciding on a plan. Mr. Broughal advised that this information is continually changing.

Ms. Joan Steinburg, Tracey Lane, stated she does not understand the Board's methods on reopening. Ms. Steinburg state that money should be spent on services that can actually happen.

Mr. Prendeville stated he will continue to investigate metrics and volunteered his services to assist Ms. Lawless.

Pool:

Mr. Diacogiannis advised he reached out to Senator Scavello and was advised of grant funds that could be available to cover the cost of the pool investigation.

Mr. Diacogiannis moved to take the tabled motion “Ms. Lawless moved the Board of Supervisors authorize the release of up to \$50,000 from the 2020 budget previously allocated to resume negotiations with Terrecon and finalize the contract, in order to get the geotechnical study completed as soon as possible” from the September 8, 2020 Board of Supervisors meeting off the table.

Mr. Prendeville seconded the motion.

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

Ms. Lawless moved the Board of Supervisors authorize the release of up to \$50,000 from the 2020 budget previously allocated to resume negotiations with Terrecon and finalize the contract, in order to get the geotechnical study completed as soon as possible.

Mr. Warren seconded the motion.

Ms. Lawless stated that the money is a prudent investment to make informed decisions, and the money needed for this study will not be the tipping point for a tax increase.

Mr. Warren advised he thinks it is positive that the Board is looking into grant funds and finding out what funding is available; however, this needs to be acted on now. The use of this money is a smart investment to figure out what is going on.

Mr. Prendeville advised that he is concerned with the numbers that were presented to the Board by the Treasurer.

Ms. Lawless stated this is only a request for money to do the investigation, not to release funds to replace the pool.

Mr. Nagle stated that he was appalled at how far behind the Township is in revenue. Mr. Nagle wants to see the Township attempt to get the grant funding.

Mr. Diacogiannis stated if we release some of the frozen funds, why are we not releasing the funds for everything.

Mr. Michael Fina stated that if the Board is going to unfreeze funds the Board needs to reprioritize what the Township really needs, as there has been discussion of the deferment of emergency equipment. If funds are going to be released it should be directed for emergency equipment over a pool.

Ms. Joan Steinburg stated that the money should be unfrozen, and she is concerned with the emergency equipment, but previously it was mentioned that the EMS people were okay with waiting a year.

Mr. Tapler thanked the Board for those who responded about a letter he sent to the Board. He is supportive of releasing the funds. If the pool is delayed to see if the Township can get grants it is another six month delay, and if the Township does not get the funds it will be another six months on top of that. This is an investment for the Community.

Mr. Peterson agreed with Mr. Tapler. If the Board was thinking about getting funding, it should have been looked into over a year ago, not now.

Beth Bucko, Township Treasurer, spoke about the budget numbers that were sent to the Board earlier in the day, focusing on losses in the tax revenue categories.

Dale Traupman questioned is the \$38,000, still the amount with Terracon? Can they do the work during this calendar year?

Ms. Lawless advised she spoke with Terracon and the \$38,000 is still valid, and they were confident pending when the agreement is finalized that they would be able to complete the study in this calendar year.

Ken Guerin stated for years the Township has had pride in having the pool. A lot of Township's have reserves, and there are rumors that Hanover Township has a large rainy day fund. Mr. Guerin also asked if it is public information to see the Township's financials.

Mr. Finnigan advised that the financial statements are all on the Township website. He also advised that the Township does have reserves however most funds are restricted in what the funds can be spent on.

Evan Kocon stated that growing up Hanover Township was always put on a pedestal as a great place to live. Hanover Township is now starting to slide down the scale of places to live. The pool issue has been going on for years now, this is not a new issue. The Township needs a Community Center and a Pool.

Joan Steinberg stated the Township has no debt, and the Township has a lot of assets and let's make the Community Center and Pool another asset to the community.

Tom Whalen understands and respects where the Board is coming from with these budget numbers. He praised the Township and encouraged the Board to consider the people of the Community. He stated he hopes the Board approves the release of the funds for the study.

Mr. Nagle no, as the Township should go after grant funds, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville no, Mr. Diacogiannis aye.

Mr. Warren moved the Board authorize the Township Manager to sign the Terracon agreement regarding the geotechnical study.

Ms. Lawless seconded the motion.

Mr. Nagle aye, Ms. Lawless aye, Mr. Warren aye, Mr. Prendeville no, Mr. Diacogiannis aye.

DEVELOPMENTS

Willow Crest Farms – MPC Deadline Extension

Mr. Nagle noted for the record the developer of Willow Crest Farms has granted the Township an extension to December 31, 2020 to review and take action under the Pennsylvania Municipal Planning Code, per their letter dated September 15, 2020.

4098 Bath Pike – Improvements Deadline Extension Request

Mr. Nagle moved the Board grant the developer of 4098 Bath Pike an extension to December 18, 2020 to complete the improvements, per their letter dated September 18, 2020.

Ms. Lawless seconded the motion.

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

Hanover Corporate Center II Lot 10 – Griffin Land – Improvements Deadline Extension Request

Mr. Nagle moved the Board grant the developer of Hanover Corporate Center 2 Lot 10, an extension to April 5, 2021 to complete the improvements, per their letter dated September 16, 2020.

Ms. Lawless seconded the motion.

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

6292 Hanoverville Road – MPC Deadline Extension

Mr. Nagle noted for the record the developer of 6292 Hanoverville Road has granted the Township an extension to December 31, 2020 to review and take action under the Pennsylvania Municipal Planning Code, per their letter dated September 16, 2020.

Freshpet Plant #2 Addition – Improvements Extension Request

Mr. Nagle moved the Board grant the developer of Freshpet Plant #2 Addition, an extension to January 5, 2021 to complete the improvements, per their letter dated September 16, 2020.

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. Finnigan – Township Manager – nothing to report.

Upon motion of Mr. Prendeville the Board adjourned at 10:00 pm.

Elizabeth D. Ritter
Township Secretary