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## **REGULAR SEMI-MONTHLY MEETING November 24, 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 November 10, 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 November 24, 2020.

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

### COURTESY OF THE FLOOR

Joan Steinburg questioned why the budget did not include lines for the Community Center.

Mr. Diacogiannis advised due to the uncertainty of reopening plan the budget line items were not input, an average of the last few years transfer was put in as a placeholder. It is expected that the revenue and expenses once open will equal out with the addition of the transfer line.

Dr. Rami Solloum, of Bright Dental, spoke about the neighbor across the street from the dental office parking his vehicle in the middle of the road in protest of the Township not maintaining the road. Dr. Solloum inquired as to why the Township does not maintain the road.

Mr. Finnigan advised that TD Bank and the individual blocking the road came to an agreement that was sealed by the court and advised Dr. Solloum should contact the legal team at TD Bank to receive the information regarding the settlement.

### REPORT OF THE CHAIRMAN

Mr. Diacogiannis advised Shop with Cops is not being held this year, due to the Pandemic. As an alternative, the funds collected will be used to purchase games and toys to be donated to the Children's areas of the hospitals.

### REPORT OF THE VICE CHAIR

Mr. Prendeville had nothing to report.

## SUPERVISOR'S COMMENTS

Mr. Nagle – Road District #1, commended the Public Works on their leaf collection efforts.

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

Mr. Warren – Road District #3, Mr. Warren wished everyone a happy and healthy Thanksgiving.

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

Mr. Prendeville – Road District #5, had nothing to report.

## APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

### PLANNING & ZONING

#### **Willow Crest Farms – Revised Plan Discussion**

Attorney Holzinger, on behalf of the developer of Willow Crest Farms, informally presented a revised plan. Greg Elko, Langan Engineering, spoke about the division of the subdivision. He spoke on Zoning items, stating that apartments are not stated in the zoning ordinance.

Mr. Broughal advised they need to request an interpretation from the Zoning Officer.

Mr. Elko advised the intention is to revise the plans to address all the comments from the review letters and then go through the formal process with the Planning Commission, Board of Supervisors, and Zoning as necessary.

John MacKechnie stated that it appears the developer has ignored all the resident's previous comments about the traffic concerns.

Ray French advised he had spoke with Mr. Lane regarding the development. Mr. French stated the revised plan does not address the issues that were presented by the residents. Mr. French requested the Township advise what is the process the developer has to follow moving forward.

Mr. Broughal advised all land development, subdivision development is in accordance with the State Law, Pennsylvania State Municipal Planning Code. The process begins when the applicant files for approval for land or subdivision development. After the application is filed, a 90-day review period begins for the Township to review the plans and make an approval or disapproval, during the 90 days the plans go to the Engineer and the Planning Commission. The Planning Commission makes a recommendation to the Board of Supervisors. If a developer submits a "by-right" plan, it is nearly impossible for a Township to deny a "by-right" plan, meaning it meets all zoning and subdivision requirements. The first stage is the preliminary plan approval. If the preliminary plan is approved, the developer must then file for final plan approval, where a new 90-day review period begins. Once a decision on the final plan approval has been made, it can then be appealed.

Mr. French asked what the next step is for the Willow Crest Farms developer. Mr. French spoke about sink hole issues in the proposed development space.

Mr. Kocher advised the plan presented tonight has not been submitted for approval, there was an application received previously, which was the plan that initiated the twenty-page review letter. The developer is currently working through the Planning Commission.

Mr. Elko advised there was a formal application in September of 2019, the developer received a review letter from Hanover Engineering as well as the Lehigh Valley Planning Commission. It was presented to the Planning Commission in November 2019. The developer then stopped. The developer has not currently addressed the Engineering reviews, which will lead to plan changes. The developer is going to be submitted updated Engineering reports, (traffic, geo-technical, etc.), this has not been completed yet. The developers plan is to revise the plans and get updated reports and then make a full new resubmission to the Township.

Gabriel Scala stated he understands development is inevitable, however no one he has spoken to is in favor of this development. If this property is going to be developed, then develop it into single family homes. Mr. Scala spoke on concerns of the traffic. Mr. Scala stated the quality of life will change in the Township if this development goes in.

Melissa Johnson spoke about the concerns of the increased traffic, especially with the children, the Macada North Park, and the bus stop.

Paul Erfle also stated his concerns about the increased traffic and the safety of the children.

Mr. French stated that he would like an independent traffic study done.

Andrew Kantner questioned if the residents will be advised when the traffic study will take place. Ms. Lawless advised that it will be part of the Planning Commission meeting.

Tim Donchez inquired if there were ever plans considered to make the main access point go to 512.

Alan Hubatka asked if the residents can be part of the review process. He questioned who makes decisions on variance requests.

Mr. Broughal advised the residents can attend the meetings and speak at those meetings. Mr. Broughal advised the Zoning Hearing Board acts on variance requests.

Mr. French questioned what culpability the Supervisors and Township have if they allow a development to move forward knowing the dangers of the sinkholes that the development will be built on.

Mr. Broughal advised if the Township has regulations in place, and the developer complies with those regulations and later there is a sinkhole issue, the Township is not culpable at all.

Mr. French questioned if there has been an extension to the Township. Mr. Elko advised there has been an extension given to March 2021.

### **Proposed Ordinance – Vehicles & Traffic – Advertisement**

Ms. Lawless moved the Board authorize the Township Solicitor to advertise the proposed ordinance amending Chapter 172 vehicles and traffic of the code of ordinances of the Township of Hanover, Northampton County, Pennsylvania by amending section 172-31 of the code of ordinances.

Mr. Warren seconded the motion.

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

### **ADMINISTRATION**

#### **Community Center Update**

Mr. Warren advised that with the current increased COVID cases there is no possibility of opening the Community Center at this time. He stated he will continue to monitor the numbers.

#### **Resolution 20 -18 Towing & Storage of Vehicles Schedule**

Mr. Warren moved the Board adopt resolution 20 – 18 establishing a schedule of fees for towing and/or storage of vehicles pursuant to the provision of Article VII Towing of the Township of Hanover Code of Ordinances to become effective January 1, 2021.

Mr. Prendeville seconded the motion.

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

### **Resolution 20 – 19 Local Share Grant Application**

Mr. Warren moved the Board adopt resolution 20 – 19 stating the Township’s desire to apply for grants with the Commonwealth Financing Authority from the Local Share Account of Northampton Lehigh County.

Mr. Prendeville seconded the motion.

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

### **Resolution 20 – 20 Shade Tree**

Mr. Warren moved the Board adopt resolution 20 – 20 enacting certain amendments to the Shade Tree Ordinance.

Mr. Prendeville seconded the motion.

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

### **2021 Residential Waste & Recycling Fees**

Mr. Warren moved the Board approve the 2021 Residential Waste & Recycling Fees as presented by the Township Manager.

Mr. Prendeville seconded the motion.

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

### **2021 Salary Increase Guidelines**

Mr. Warren moved the Board approve the 2021 Salary Increase Guidelines as presented to the Board by the Township Manager to be used for employees effective with the 2020 reviews.

Mr. Prendeville seconded the motion.

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

### **Employee Medical Contribution Rate Increase**

Mr. Warren moved the Board increase the employee’s contribution for medical and dental benefits from 5% to 7.5%.

Mr. Prendeville seconded the motion.

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

## **DEVELOPMENTS**

### **Farmhouse Village – MPC Deadline**

Mr. Nagle noted for the record the developer of Farmhouse Village, has granted the Township an extension to February 26, 2021 regarding the MPC deadline, per their letter dated November 17, 2020.

### **Advanced Health Care – MPC Deadline**

Mr. Nagle noted for the record the developer of 3370 High Point Boulevard (Advanced Health Care) has granted the Township an extension to January 31, 2021 regarding the MPC deadline, per their letter dated November 17, 2020.

### **6904 Steuben Road – MPC Deadline**

Mr. Nagle noted for the record the developer of 6904 Steuben Road has granted the Township an extension to February 26, 2021 regarding the MPC deadline, per their letter dated November 20, 2020.

### **Freshpet Pre-Treatment Sewer Plant**

Mr. Nagle moved the Township grant the developer of Freshpet Pre-Treatment Plant an extension to March 5, 2021 to complete the improvements, per their letter dated November 17, 2020.

Ms. Lawless seconded the motion.

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

### **Freshpet Manufacturing Addition – Improvements Inspection Status**

Mr. Nagle moved, per the recommendation of Hanover Engineering Associate's letter dated November 20, 2020, the Board release the remaining improvements security and close out the project. This action is conditioned upon the Developer replacing the signs noted in the referenced letter and the developer adhering to Township Policy 8 (payment of plans and appeals).

Mr. Warren seconded the motion.

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

### **Hanover Corporate Center II – Steuben Road & Township Line Road Improvements Extension**

Mr. Nagle moved the Board grant the developer of Hanover Corporate Center 2 an extension to June 30, 2021 to complete the improvements, per their letter dated October 19, 2020.

Ms. Lawless seconded the motion.

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

### **3355 High Point Daycare – Improvements Status**

Mr. Nagle moved, per the recommendation of Hanover Engineering's letter dated November 18, 2020, the Board release the remaining improvements security and close-out the project. This action is conditioned upon the developer adhering to Township Policy 8 (payment of plans and appeals).

Mr. Warren seconded the motion.

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

### **Lehigh Valley Flex Center – Security Release #5**

Mr. Nagle moved, per the recommendation of Hanover Engineering's letter dated November 19, 2020, the Board grant the developer a reduction in the required security in the amount of \$218,886.85, resulting in a security balance of \$508,230.60. This reduction is conditioned upon the following:

The Developer acknowledges the security provided for all improvements will remain in force at a minimum of \$508,230.60 for the remaining work, plus contingencies.

The Developer adheres to Township Policy 8 (payment of Plans and Appeals Accounts).

Ms. Lawless seconded the motion.

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

### **Hanover Flex Center – 5000 Township Line Road**

Mr. Nagle moved, per the recommendation of Hanover Engineering's letter dated November 19, 2020, the Board accept the improvements, subject to the developer providing all legal and maintenance documentation required by the Township Solicitor and conditioned upon the Developer adhering to

Township Policy 8 (payment of Plans and Appeals accounts). It is noted an 18-month maintenance period and security in the amount of \$8,339.25 will be required for the waterline and roadway restoration in the Township Line Road right-of-way.

Ms. Lawless seconded the motion.

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

#### PUBLIC WORKS

##### **Pool Update**

Mr. Prendeville advised the analysis has not been received from Terracon.

#### COURTESY OF THE FLOOR

#### STAFF REPORTS

Mr. Kocher – Engineer – nothing to report.

Mr. Broughal – Solicitor – nothing to report.

Mr. Milite – Public Work Director – Mr. Milite commended the Public Works staff on leaf collection. He wished everyone a Happy Thanksgiving.

Mr. Finnigan – Township Manager – Mr. Finnigan wished everyone a happy, healthy, and Thanksgiving.

Upon motion of Mr. Nagle the Board adjourned at 9:02 pm.

Elizabeth D. Ritter  
Township Secretary