
REGULAR SEMI-MONTHLY MEETING

February 23, 2021

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.

Mr. Diacogiannis led a moment of silence in the memory of those that loss their lives to the COVID-19 virus.

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 Ms. Lawless seconded by Mr. Nagle, the Board approved the minutes from the meeting of the Board of Supervisors dated January 26, 2021.

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 February 23, 2021.

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

COURTESY OF THE FLOOR

Ms. Joan Steinburg stated residents should not be muted during courtesy of the floor. She stated she was muted during the last meeting while speaking.

Mr. Diacogiannis advised Ms. Steinburg it was not done intentionally.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis advised they have received a hundred and four applicants for the CRPD.

There will also be a Sergeant vacancy due to a promotion.

He stated he met with the Fire Company; the process has started on the new truck. The committee is currently working on gathering the specs of what is needed for the new truck.

REPORT OF THE VICE CHAIR

Mr. Prendeville thanked Mr. Diacogiannis for taking a moment of silence for those that lost their lives from COVID.

SUPERVISOR'S COMMENTS

Mr. Nagle – Road District #1, had nothing to report. Mr. Nagle thanked the public works staff for doing a fantastic job during the many snowstorms. Mr. Nagle encouraged everyone who can donate a pint of blood report to Miller Keystone Blood Center and donate blood.

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

Mr. Warren – Road District #3, Mr. Warren seconded Mr. Nagle’s statement and encouraged everyone to donate blood, giveapint.org is the website to sign up. Mr. Warren reminded residents to remove their vehicles from the street during the snowstorms. Mr. Warren stated he reached out to the Bethlehem Health Bureau and advised the Lehigh Valley Planning Commission hosted an online meeting providing information regarding COVID-19 and the vaccines. Mr. Warren suggested the Board introduce a policy that advises the employees that it is recommended all employees receive the vaccine.

Mr. Diacogiannis advised the administration has informed the employees it is recommended the staff get the vaccine.

Ms. Lawless – Road District #4, Ms. Lawless stated she requested an article from the County Executive and supplied it for the newsletter, and stated the article was not in the newsletter. Ms. Lawless advised she will continue to request and submit articles from the County Executives office for future newsletters.

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

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

PLANNING & ZONING

Public Hearing – Proposed Ordinance – AFHBD New Permitted & Conditional Uses

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

Ms. Lawless moved the Board adopt Ordinance 2021 – 1, an Ordinance to amend the Code of Ordinances by amending the text of the Hanover Township Zoning Ordinance, Chapter 185 to provide for new Permitted Uses and new Conditional Uses in the AFHBD – Aircraft Flightpath Highway Business Zoning District.

Mr. Nagle seconded the motion.

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

Advertisement – Property Maintenance Code Ordinance

Ms. Lawless moved the Board authorize the Solicitor to advertise the proposed ordinance amending Chapter 133, property maintenance of the code of codified ordinances to provide changes to the property maintenance 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

Discussion & Advertisement – Snow Removal – Fire Hydrant Ordinance

Ms. Lawless moved the Board authorize the Solicitor to advertise the proposed ordinance amending certain provisions of the code of ordinances, Chapter 155, streets and sidewalks, article II conditions of curbs and sidewalks dealing with the depositing of snow on Township streets and keeping fire hydrants clear of snow.

Mr. Nagle seconded the motion.

Mr. Dale Traupman asked how much space around the hydrants need to be cleared out.

Mr. Prendeville responded it is a three foot around recommendation.

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

ADMINISTRATION

Community Center

Mr. Warren advised wants a phased reopening plan put in place. There was lengthy conversation about options on the reopening. Mr. Finnigan advised organizations that previously rented out the fields have been contacted to set up field rentals. He spoke about possible other options for programs. He stated an inspection of the HVAC has been scheduled, per the recommendation of the CDC. Ms. Lawless stated she would like to see a list of the items that Mr. Finnigan had spoken about. Mr. Finnigan stated there should be an executive session regarding personnel for the reopening.

Ms. Lawless inquired about renting the commercial kitchen to generate revenue. Mr. Diacogiannis stated it was originally designed for that purpose. There was discussion on different scenarios.

Mr. Nagle thanked Mr. Finnigan for doing behind the scene research.

Ms. Lawless stated the Board needs to have all the data provided to them, to make the decisions.

PNC Pension Plan Review

Mr. Paul Kamor of PNC presented the pension plan review.

Proclamation – Elijah John Sivick – Eagle Scout Award

Mr. Warren moved the Board adopt Proclamation 2021 – 3 honoring Elijah John Sivick on the achievement of his eagle award.

Mr. Prendeville seconded the motion.

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

DEVELOPMENTS

Braddock Court – Deed of Dedication

Mr. Nagle moved the Board adopt Resolution 21 – 7, the dedication & acceptance of roads in Hanover Township Northampton County, Pennsylvania, for Braddock Court.

Ms. Lawless seconded the motion.

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

Bill of Sale & Assignment of Ownership of Intersection Improvements – Bridle Path & Jacksonville

Mr. Nagle moved the Board authorize the Chairman to sign the bill of sale and assignment of ownership of intersection improvements for the intersection of Jacksonville and Bridle Path.

Mr. Warren seconded the motion.

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

Advanced Health Care - Preliminary / Record Land Development Plan

Mr. Nagle moved the Board of Supervisors approves the Preliminary/Record Land Development Plan of Advanced Health Care, dated as last revised January 15, 2021, upon the following:

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated February 17, 2021 to the satisfaction of the Township Engineer prior to Plan recording.

2. The Developer/Owner shall provide two (2) copies of all final reports (i.e. NPDES Post-Construction Stormwater Management Narrative, Site Evaluation for Stormwater Infiltration, Erosion and Sediment Pollution Control Narrative, Traffic Assessment, etc.) and supporting documentation prior to Plan recording.
3. A note shall be added to the Plan(s) identifying all waivers, deferrals, zoning variances and the conditional use granted by the Township and the meeting date of the Board of Supervisors action.
4. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(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 Management Ordinance 19-01, 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 by the property owner. (Stormwater Management Ordinance 19-01, Sections 152-10.M and 152-24.3)
 - C. The Improvements Agreement shall include a statement that a BMP Operations and Management Plan (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township. (Stormwater Management Ordinance 19-01, Section 152-24.5)
5. The Developer/Owner shall not be required to provide a Recreation and Open Space Area Contribution to the Township, as this requirement was previously satisfied by the Lehigh Valley Corporate Center Phase II Subdivision.. (SALDO Section 159-16.D)
6. The Developer/Owner shall provide a Tapping Fee in the amount of \$49,410.00 (\$8.10/GPD x 6,100 GPD), a Connection Fee of \$472.50 each, and a Customer Facilities Fee of \$330.00 each prior to Building Permit issuance for this Land Development. (Sewers Section 140-13)
7. The Lehigh Valley Corporate Center Phase II Subdivision conditions of approval required a total Impact Fee of \$134,181.36 based on the Traffic Impact Study provided by the Developer. The fee is to be paid at the time of Record Plan approval for each of the individual lots on a pro-rated per acre basis. Therefore, the fee due for this lot is calculated as follows:
Net acres in LVCC Phase II – 64.40 acres

$$(3.78 \text{ Acres}/64.4 \text{ Acres}) \times \$134,181.36 = \$7,875.86$$

The Lehigh Valley Corporate Center Phase II Subdivision Traffic Impact Study projected a total of 919 PM Peak Hour Trips upon full build-out. The previously approved PM Peak Hour Trips for existing land developments within Lehigh Valley Corporate Center Phase II is 1,106 trips; therefore, an additional Traffic Impact Fee is required.

The Developer/Owner shall be required to pay a Traffic Impact Fee in the amount of \$7,875.86 plus \$6,860.00 (\$343.00 per PM Peak Hour Trip X 20 PM Trips) for a total Traffic Impact Fee of \$14,735.86. (Impact Fee Ordinance 91-12, Resolution 2013-20)

8. The Developer/Owner shall not be required to provide a Storm Sewer Interceptor Improvements Value to the Township, as this requirement was previously satisfied by the Lehigh Valley Corporate Center Phase II Subdivision stormwater management improvements. (Stormwater Management Ordinance Section 152-12.B.(2))
9. The Developer/Owner shall pay a \$21,000.00 (\$350.00/tree X 60 trees to be removed) replacement tree contribution in lieu of providing one (1) shade tree for every existing tree or shade tree proposed to be removed. (SALDO Section 159-17.F)
10. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J)
11. 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/Engineer. (SALDO Section 159-34.B)
12. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approval, and the Preliminary/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. Nagle further moved, that the granting of conditional Preliminary/Record Plan approval of this plan recognizes that the Township is agreeing to the following on the Land Development Plan:

1. That the Board of Supervisors accepts the proposed parking lot landscaping as shown on the Plan per Zoning Ordinance Section 185-17.F.
2. That the Board of Supervisors accepts the proposed off-street loading space as shown on the Plan per Zoning Ordinance Sections 185-18.B and C.
3. That the Board of Supervisors accepts the proposed 408.1 feet nonresidential structure length as shown on the Plan per Zoning Ordinance Section 185-36.K.
4. That the Board of Supervisors defers the requirement to install sidewalks along the High Point Boulevard and Stoke Park Road frontages. (SALDO Section 159-13.B)
5. That the Board of Supervisors accepts the Developer's/Owner's proposal for a monetary contribution in lieu of providing one (1) shade tree for every existing tree or shade tree proposed to be removed on the site. (SALDO Section 159-17.F)
6. That the Board of Supervisors waives the requirement to base all elevations on the USGS sea level datum. (SALDO Section 159-29.C.(2))

7. That the Board of Supervisors waives the requirement to obtain Preliminary Plan approval prior to submission of a Record Plan and allow a combined Preliminary/Record Plan submission. (SALDO Section 159-34)
8. That the Board of Supervisors waives the requirement to employ vegetated/surface BMPs “first” for the site to capture the equivalent of a minimum of 0.38 inches of runoff for each square foot of impervious area. (SMO Section 152-9.2)
9. That the Board of Supervisors waives the requirement that a detention facility be lined with a synthetic impervious liner and to allow the infiltration beds indicated on the plans to meet DEP and Township water quality requirements. (SMO Sections 152-10.I.(4) and (9))

Mr. Nagle further moved, that the Township Secretary be authorized to notify the Developer of the Board’s action.

Mr. Warren seconded the motion.

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

Freshpet Pre-Treatment Plant – Improvements Extension

Mr. Nagle moved the board grant the developer of Freshpet Pre-Treatment Plant an extension to June 5, 2021 to complete the improvements, per their letter dated February 15, 2021.

6904 Steuben Road – MPC Deadline

Mr. Nagle noted for the record the developer of 6904 Steuben Road has granted the Township an extension to May 31, 2021 to review the plan.

Farmhouse Village – MPC Deadline

Mr. Nagle noted for the record the developer of Farmhouse Village granted the Township an extension to June 30, 2021 to review the plan.

90 Highland Avenue – MPC Deadline

Mr. Nagle noted for the record the developer of 90 Highland Avenue granted the Township an extension to May 31, 2021 to review the plan.

Northgate II Lot 4 – Improvements Deadline

Mr. Nagle moved the board grant the developer of Northgate II Lot 4 an extension to September 3, 2021 to complete the improvements, per their e-mail dated February 15, 2021.

PUBLIC WORKS

Pool Update

Mr. Prendeville presented the findings of Terrecon. Terracon will be submitting a proposal for further testing using the remaining funds of the agreement. There was further discussion on bringing in a pool design company to further investigate options.

Mr. Diacogiannis thanked the pool advisory board for all their hard work.

COURTESY OF THE FLOOR

STAFF REPORTS

Mr. Kocher – Engineer – had nothing to report.
Mr. Broughal – Solicitor – had nothing to report.
Mr. Milite – Public Work Director – had nothing to report.
Mr. Finnigan – Township Manager – had nothing to report.

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Upon motion of Mr. Nagle the Board adjourned at 9:40 pm.

Elizabeth D. Ritter
Township Secretary