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## **REGULAR SEMI-MONTHLY MEETING**

### **August 24, 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 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 Ms. Lawless, the Board approved the minutes from the meeting of the Board of Supervisors dated July 27, 2021.

Mr. Nagle aye, Ms. Lawless abstain, 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 August 24, 2021.

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

#### COURTESY OF THE FLOOR

Mr. Michael Anthony of Greenfield Rd. inquired if there is a plan for paving in the Point North Development.

Mr. Milite advised there is a plan schedule for the entire Township.

#### REPORT OF THE CHAIRMAN

#### REPORT OF THE VICE CHAIR

Mr. Prendeville stated he, the Chairman, the Treasurer, and the Secretary had the quarterly pension review with PNC, and the Township continues to be in good standing.

#### 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. Mr. Warren voiced his concern for the news of the possible warehouse development at the Dutch Springs location. He stated we should be reaching out to Harrisburg to express our concerns.

Ms. Lawless – Road District #4, had nothing to report. Ms. Lawless expressed the need to reach out to the Representatives about our concerns and for funding to deal with the increased warehouse traffic.

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

## STAFF REPORTS

Mr. Kocher – Engineer – had nothing to report.

Mr. Broughal – Solicitor – Mr. Broughal reviewed the changes to the Sunshine Act changes.

There was brief discussion on the possibilities for a true hybrid meeting.

Mr. DeGeorge – Recreation Director – Mr. DeGeorge updated on the success of the summer programs. He discussed fall programming, special events, locker rooms, aerobic schedule, and left-over possessions in the lockers. Preschool registration for winter session will open in a couple weeks. October 7<sup>th</sup> Bingo will resume. There was discussion about staffing.

Telly Diacogiannis commended Mr. DeGeorge and Mr. Lindsey on how well they have been doing. Mr. Diacogiannis asked if there would be extended hours into the evening. Mr. Diacogiannis expressed his concern with members not cleaning the equipment after use and requested that reminders be made to the members.

Mr. Milite – Public Works Director – Mr. Milite advised the public works employees have been working overnights to complete line/traffic markings on the road.

Mr. Finnigan – Township Manager – had nothing to report.

## APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

### **Planning Commission**

Mr. Prendeville moved the Board accept with regret the resignation of Paul Pugielli from the Planning Commission Board effective August 24, 2021.

Ms. Lawless seconded the motion.

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

### **Vacancy Board**

Mr. Prendeville moved the Board appoint Mr. Glenn Walbert as the Chairman of the Vacancy Board effective August 24, 2021. This appointment will be valid until further action by the Board is taken.

Ms. Lawless seconded the motion.

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

### **Special Events Committee**

Mr. Prendeville moved the Board appoints Keranie Whipple & Sandra Rezac to the Special events Committee both with a term ending January 1, 2022.

Ms. Lawless seconded the motion.

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

## PLANNING & ZONING – Ms. Lawless

### **Conditional Use Hearing – 90 Highland Ave.**

#### **PUBLIC HEARING**

Ms. Lawless noted for the record a court stenographer is present to record all testimony, and the secretary has received proof of publication.

The applicant is seeking a conditional use permit for a use including food service stores and retail shops pursuant to sections 185-35.D.(11) and 185-54.E(5)(b). The applicant is seeking relief to construct a WAWA store in the PIBD zoning district; food service stores and retail shops are permitted as a conditional use with approval by the Board of Supervisors.

Ms. Lawless moved the Board accept the continuance of the hearing for 90 Highland Ave. to September 14, 2021, at 7:00 pm.

Mr. Nagle seconded the motion.

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

### **310 Stoke Park Road – Conditional Use Motion**

Ms. Lawless moved that the Conditional Use request of Miss Jeanne’s School of Dance Arts, Inc., for the property located at 310 Stoke Park Road, pursuant to the Application for Conditional Use dated May 14, 2021, be approved with the following conditions:

1. The Applicant satisfactorily address all comments contained in the Hanover Engineering correspondence dated June 2, 2021.
2. That the Applicant agree that the Hanover Township Zoning Officer shall have the right to restrict hours of operation of the Conditional Use should parking and traffic flow become an issue as determined by the Hanover Township Zoning Officer.
3. That the Applicant comply with any other terms and conditions of previously approved Conditional Uses for 310 Stoke Park Road should they apply in the determination of the Hanover Township Zoning Officer.

Mr. Nagle seconded the motion.

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

### **Zoning Hearing Board - 2720 Jacksonville Road**

The petitioners propose to use the existing structures on the property for purposes of offices for a property management company and a real estate sales office replacing the existing use of the premises as a plumbing and heating showroom offices and equipment and material storage. The petitioners request an interpretation that the proposed new use is a continuation of the existing non-conforming use or otherwise request a use variance.

The Board will not be sending representation.

### **Zoning Hearing Board – 4502 Virginia Drive**

The petitioners propose a covered patio addition to their home and require a variance from the sections of the ordinance regulating the setback as it relates to patios, the area of the patio that can extend into the required rear yard and the requirements that patios be uncovered.

The Board will not be sending representation.

### **4749 Kathi Drive – Hold Harmless – Fence**

Ms. Lawless moved the Board authorize the Chairman to sign the Hold Harmless Indemnification agreement between Hanover Township and John R. Novak III and Sandra L. Novak for the installation of a fifty-four-inch-high aluminum fence on the property located at 4749 Kathi Drive. The proposed structure will encroach into the twenty-foot drainage and utility easement in the rear yard and the ten-foot drainage and utility easement in the side yards located on the premises.

Mr. Nagle seconded the motion.

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

### **1370 Sycamore Ave. – Geothermal**

Ms. Lawless moved the Board approve the location presented for installation of a geothermal heating system at 1370 Sycamore Ave.

Mr. Nagle seconded the motion.

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

### **ADMINISTRATION – Mr. Warren**

#### **Proclamation – Daniel Solomon Caine – Eagle Award**

Mr. Warren moved the Board adopt proclamation 2021 – 7, honoring Daniel Solomon Caine on the achievement of his eagle award. The Board of Supervisors proclaim Thursday, August 26, 2021, as Daniel Solomon Caine Day in Hanover Township.

Mr. Prendeville seconded the motion.

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

#### **Proclamation – Robert Anthony James – Eagle Award**

Mr. Warren moved the Board adopt proclamation 2021 – 8, honoring Robert Anthony James on the achievement of his eagle award. The Board of Supervisors proclaim Friday, November 26, 2021, as Robert Anthony James Day in Hanover Township.

Mr. Prendeville seconded the motion.

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

#### **American Rescue Plan – Public Comment**

The board requested the American Rescue Fund memo be made available on the Township website. There was discussion on how to receive public input.

Discussion on the American Rescue Fund money will be discussed during the budget workshop meetings.

Mr. Michael Anthony suggested the Board have Supervisors present at the events to be able to hear comments from the residents.

Mr. Fina stated the Board should be making decisions on behalf of the residents, not asking the residents to make the decisions.

#### **Proposed Ordinance – Fireworks Ordinance**

Mr. Warren moved the Board adopt Ordinance 21 – 5, amending Chapter 82 Fireworks; section 82-11; consumer fireworks; condition of use and section 82-12 enforcement; violations and penalties of the code of ordinances and repealing all ordinances inconsistent therewith.

Mr. Prendeville seconded the motion.

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

#### **Main Deck Productions Contract – Fall Festival**

Mr. Warren moved the Board authorize the Chairman to sign the Main Deck Productions contract for their performance at the Fall Festival.

Mr. Prendeville seconded the motion.

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

### **Stormwater Management Ordinance – Authorization to Advertise**

Mr. Warren moved the Board authorize the Solicitor’s office to advertise the proposed Stormwater Management ordinance. The proposed ordinance amends chapter 152 stormwater management; article VIII stormwater BMP operation and maintenance plan requirements; section 152-24.1 responsibilities for operation and management of BMP’s of the code of ordinances.

### **Contract – CDBG Grant**

Mr. Warren moved the Board authorize the Chairman to sign the contract between Hanover Township Northampton County and Northampton County for participation in the Community Development Block Grants program.

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 from PNC for Hanover Township retirement plan.

Mr. Prendeville seconded the motion.

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

### **Certified Public Accountant Services Agreement**

Mr. Warren moved the Board authorize the Chairman to sign the Certified Public Accountant agreement with Todd J. Bushta, CPA, appointing Mr. Todd J. Bushta as the certified public accountant to examine the accounts of the Township, pursuant to the provisions of the Code, for the 2021 Fiscal Year.

Mr. Prendeville seconded the motion.

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

### **License Agreement**

Mr. Warren moved the Board authorize the Chairman to sign the license agreement between Hanover Township and Amazing Athletes of Lehigh Valley, for use of the gymnasium within the Hanover Township Community Center.

Mr. Prendeville seconded the motion.

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

### **Budget Workshop – Advertisement**

Mr. Warren moved the Board authorize the secretary to advertise budget workshop meetings to be held on September 21, 2021, and October 19, 2021.

Mr. Prendeville seconded the motion.

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

### **PUBLIC WORKS – Mr. Prendeville**

#### **Pool**

Mr. Prendeville advised BKP is progressing on schedule. Mr. Prendeville stated there were 1834 responses to the Pool Survey. 95% of the people that responded stated they want a community pool. There was a strong attendance at the community forum.

## **Firetruck**

Mr. Prendeville noted for the record on August 19<sup>th</sup> at 11:00 am the 3 co-star proposals for a 2,000-gallon pumper tanker were opened. Present were Mr. Diacogiannis, Chairman, Mr. Josh Peters, Assistant Fire Chief, Mr. Scott VanWhy, Fire Chief attended virtually, and Mr. Finnigan, Township Manager. The three proposals were received from Glick Fire Equipment, Campbell Supply Company, and Horrocks. The proposals are attached.

## DEVELOPMENTS – Mr. Nagle

### **Hanover Corporate Center II – 583 Trip Improvements**

Mr. Nagle moved the Board grant the developer of Hanover Corporate Center II – 583 Trip improvements an extension to August 31, 2022, to complete the improvements, per the developer request letter dated August 5, 2021.

Ms. Lawless seconded the motion.

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

### **4098 Bath Pike – Security Reduction**

Mr. Nagle moved the Board, per the recommendation of Hanover Engineering's letter dated August 17, 2021, does not accept the improvements for 4098 Bath Pike. Based on the completion of the improvements and remaining punchlist items, I move the Board grant the developer a reduction in the required security in the amount of \$53,662.73, resulting in a security balance of \$11,858.00. The reduction is conditioned up on the following:

1. The developer acknowledges the security provided for all improvements will remain in force at a minimum of \$11,858.00 for the remaining work, plus contingencies.
2. 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 Corporate Center II Lots 6 & 7**

Mr. Nagle moved the Board grant the developer of Hanover Corporate Center II Lots 6 & 7 an extension to June 30, 2023, to complete the improvements, per the request letter from the developer dated August 10, 2021.

Ms. Lawless seconded the motion.

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

### **Freshpet – Pre-Treatment Sewage – Improvements Deadline**

Mr. Nagle moved the Board grant the developer of Freshpet Pre-Treatment Sewage Plant an extension to December 5, 2021, to complete the improvements, per the developer request letter dated August 19, 2021.

Ms. Lawless seconded the motion.

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

**90 Highland Ave – MPC Deadline**

Mr. Nagle noted for the record the developer of 90 Highland Ave. has granted the Township an extension to November 30, 2021, to review the plan, per their letter dated August 17, 2021.

COURTESY OF THE FLOOR

Upon motion of Mr. Prendeville the Board adjourned at 9:02 PM.

Elizabeth D. Ritter  
Township Secretary