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## **REGULAR SEMI-MONTHLY MEETING**

### **April 25, 2023**

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 Prendeville, Lawless, Check, Engineer Brien Kocher, Solicitor Jim Broughal, Recreation Director Terenzio, Manager Finnigan and Treasurer Beth Bucko.

The Pledge of Allegiance was performed.

Upon motion of Mr. Prendeville, seconded by Ms. Lawless, the Board approved the agenda.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

Upon motion of Mr. Prendeville seconded by Ms. Lawless, the Board approved the minutes from the meeting of the Board of Supervisors dated April 11, 2023.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

Upon motion of Mr. Prendeville seconded by Mr. Check, the Board approved the list of bills and transfers dated April 25, 2023.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

Mr. Diacogiannis noted for the record that preceding this meeting there was an Executive Session related to contracts. There will be another Executive Session following this meeting related to contracts.

#### **COURTESY OF THE FLOOR**

No one offered comments.

#### **REPORT OF THE CHAIR**

Mr. Diacogiannis reported that the PSATS Conference was well attended by Board members and staff.

#### **REPORT OF THE VICE CHAIR**

Mr. Nagle was absent.

#### **SUPERVISOR'S COMMENTS**

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

Mr. Nagle – Road District #2, was absent.

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

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

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

#### **APPOINTMENTS AND RESIGNATIONS – Mr. Nagle** **PLANNING & ZONING – Ms. Lawless**

## ADMINISTRATION – Mr. Prendeville

### **Auditor's Report**

Mr. Todd Bushta presented the Audited Financial Statement from 2022.

### **Note for the record – Change Order #2**

Noted for the record on April 11, 2023, change order #2 was signed by the Township Manager for the municipal pool to provide temporary power to nine site/parking lot light. The nine lights are currently fed from a circuit in the panel in the existing pump house. This circuit will be cut when the pump house is demolished. Temporary power to lights will be from the panel in the existing bath house. The increase will be \$3,533.19.

### **Note for the record – Change Order #3**

Noted for the record on April 11, 2023, change order #3 was signed by the Township Manager for the municipal pool to install temporary power to the public works pole barn and the old bath house. Power to both is currently provided from the existing pump house and will be cut to demolish the pump house. The increase will be \$17,558.84.

### **Proclamation – Anna P. Lazewski**

Mr. Prendeville moved the Board to Adopt Proclamation 2023-3 applauding and recognizing Anna P. Lazewski on her Gold Award and the Board of Supervisors congratulates her for her dedication and devotion in preserving the finest virtues of American life. The Board of Supervisors proclaims Monday, May 22, 2023, as Anna P. Lazewski Day in Hanover Township.

Ms. Lawless seconded the motion.

Mr. Prendeville aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

## DEVELOPMENTS – Mr. Check

### **Freshpet Plant #2 Addition – Improvements Deadline Extension**

Mr. Check moved the Board to grant the developer of Freshpet Plant #2 Addition an extension to October 28, 2023, regarding the improvement's deadline, per the developer letter dated April 17, 2023.

Ms. Lawless seconded the motion.

Mr. Prendeville aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

### **6292 Hanoverville Road – Subdivision Plan**

Mr. Check moved the Board to approve the Preliminary/Record Subdivision Plan of 6292 Hanoverville Road, dated as last revised February 22, 2023, upon the following conditions:

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated April 20, 2023 to the satisfaction of the Township Engineer prior to Plan recording.
2. The Developer/Owner shall prepare all necessary easements and agreements, satisfactory to the Township Engineer and/or Solicitor, and provide executed copies to the Township.
3. A note shall be added to the Plan(s) identifying all Subdivision and Land Development Ordinance waivers and deferrals, along with any conditions, time limits, and the meeting date of the Board of Supervisors actions.

4. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(5))
5. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))
6. The Developer/Owner shall pay a residential Tapping Fee (\$1,860.06), Connection Fee (\$472.50) and Customer Facilities Fee (\$330.00) at the time of building permit issuance. (Sewers Section 140-13)
7. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J)
8. 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)
9. 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. Check further moved; the granting of conditional Preliminary/Record Plan approval recognizes the Township as agreeing to the following on the Subdivision Plan:

1. The Board of Supervisors defers the requirement to widen the Jacksonville Road cartway to a minimum 17-foot half cartway width with curb for a period of two (2) years from the date of Plan recording. (SALDO Sections 159-10.H and 159-11.C and J)
2. The Board of Supervisors defers the requirement to install sidewalks along the Jacksonville Road frontage for a period of two (2) years from the date of Plan recording. (SALDO Section 159-13.B)
3. The Board of Supervisors waives the requirement that the lot depth shall vary between one (1) and 2 ½ times the lot width and allows a lot depth greater than 2 ½ times the lot width. (SALDO Section 159-15.B.(3))
4. The Board of Supervisors waives the requirement to meet the Township recreational and open space area requirements. (SALDO Section 159-16.D)
5. The Board of Supervisors defers the requirement to plant street trees along the Jacksonville Road frontage for a period of two (2) years from the date of Plan recording. (SALDO Section 159-17.C.(4))
6. The Board of Supervisors defers the requirement to plant replacement trees for five (5) trees previously removed from the site without a valid permit/approval for a period of two (2) years from the date of Plan recording. (SALDO Section 159-17.F.(2))
7. The Board of Supervisors waives the requirement to identify the widths of all existing streets within 200 feet of any part of the property. (SALDO Section 159-29.C.(1))

8. The Board of Supervisors defers the requirement to provide a soil erosion control plan and narrative for the proposed construction associated with the sanitary sewer extension and water lateral for a period of two (2) years from the date of Plan recording. (SALDO Section 159-29.E.(6))
9. The Board of Supervisors waives the requirement to obtain Preliminary Plan approval prior to submission of a Record Plan and allows a combined Preliminary/Record Plan submission. (SALDO Section 159-34)

Mr. Check further moved that the Township Secretary be authorized to notify the Developer of the Board's action.

Ms. Lawless seconded the motion.

Mr. Prendeville aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

### **Farmhouse Village Hanover – Subdivision Plan**

Mr. Check moved the Board to approve the Preliminary/Record Farmhouse Village Hanover Subdivision Plan, dated as last revised March 10, 2023, upon the following conditions:

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated April 20, 2023 to the satisfaction of the Township Engineer prior to Plan recording.
2. The Developer/Owner shall prepare all necessary easements and agreements, satisfactory to the Township Engineer and/or Solicitor, and provide executed copies to the Township.
3. A note shall be added to the Plan(s) identifying all Subdivision and Land Development Ordinance and Stormwater Management Ordinance waivers and deferrals, along with any conditions and the meeting date of the Board of Supervisors actions.
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 enter into an Indemnification Agreement satisfactory to the Solicitor regarding waiver of Stormwater Management Ordinance Sections 152-10.I(4) and (9) and 152-10.I.(6)(d).
6. This plan may not be recorded until after the recording of the 6292 Hanoverville Road Minor Subdivision.
7. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))
8. The Developer/Owner shall pay a Township Recreation and Open Space Area fee in the amount of \$109,200.00 (\$130,000/acre X 0.04 acres/unit X 21 residential units). (SALDO Section 159-16.D)
9. The Developer/Owner shall pay Tapping (\$1,860.06 each lot), Connection (\$472.50 each lot) and Customer Facilities (\$330.00 each lot) Fees at the time of building permit issuance. (Sewers Section 140-13)
10. The Developer/Owner shall pay a Traffic Impact Fee in the amount of \$8,232.00 (\$343.00/PM peak hour trip X 24 trips). (Impact Fee Ordinance 91-12, Resolution 2013-20)
11. The Developer/Owner shall pay a Storm Sewer Interceptor Value of \$13,987.50 (\$12.50 per lineal foot of new streets X 1,119 lineal feet of new street). (Stormwater Management Ordinance Section 152-12.B.(2))
12. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J)
13. 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)
14. 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. Check further moved; the granting of conditional Preliminary/Record Plan approval recognizes the Township as agreeing to the following on the Subdivision Plan:

1. The Board of Supervisors waives the maximum 600-foot cul-de-sac length to allow a cul-de-sac length of 1,119 feet. (SALDO Section 159-11.D)
2. The Board of Supervisors waives the requirements to identify all existing features within 200 feet of any part of the property. (SALDO Section 159-29.C.(1)).

3. 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)
4. The Board of Supervisors waives the requirement to line the proposed infiltration basin with a synthetic impervious liner. (SMO Sections 152-10.I.(4) and (9))
5. The Board of Supervisors waives the requirement that the interior side slopes of the wetlands area not be steeper than a ratio of 4:1 horizontal to vertical. (SMO Section 152-10.I.(6)(c))
6. The Board of Supervisors waives the requirement that the water surface limit of the proposed infiltration basin and wet pond water surface limit be no closer than 100 feet to a residential building. (SMO Section 152-10.I.(6)(d))
7. The Board of Supervisors waives the requirement that the minimum slope of the bottom of the wet pond be 2% towards the outlet structure. (SMO Section 152-10.I.(10))

Mr. Check further moved that the Township Secretary be authorized to notify the Developer of the Board's action.

Ms. Lawless seconded the motion.

Mr. Prendeville aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

#### PUBLIC WORKS – Mr. Prendeville

##### **2023 Exmark 72" Lawnmowers – Budgeted**

Mr. Prendeville moved the Board to authorize the Chairman to approve the purchase of two 2023 Exmark 72" lawnmowers from Whitehall Turf Equipment, in the amount of \$30,612.40. It is noted for the record this is a budgeted purchase.

Mr. Check seconded the motion.

Mr. Prendeville, aye, Ms. Lawless aye, Mr. Check aye, Mr. Diacogiannis aye.

#### COURTESY OF THE FLOOR

No one offered comments.

#### STAFF REPORTS

**Engineer** – Mr. Kocher had nothing to report.

**Solicitor** – Mr. Broughal had nothing to report.

**Recreation Director** – Mr. Terenzio mentioned that Golf Tournament is coming up on May 12; we are up to 52 golfers. Mr. Terenzio organized a Pickleball Tournament on May 20; it will be indoors and capped at 40 players. Mr. Terenzio is preparing for Summer Camps.

**Public Works Director** – Mr. Limpar stated street sweeping has concluded; grass cutting will begin weekly. Mr. Limpar stated for Arbor Day a tree will be planted in memory of Vincent G. Milite at approximately 10:30 am on April 29, 2023. Mr. Limpar was gathering information at the PSATS Conference for new equipment, concentrating on a new street sweeper, and the long waits continue for ordered equipment to be delivered. Mr. Finnigan explained that the delay with the new trucks on order is our green color. Ms. Lawless asked what our next large purchase after the Street Sweeper would be - it would be the Yard Waste Truck which is approaching 20 years old.

Mr. Finnigan explained that our street sweeper has dual purpose is also used for DEP and MS4 compliance in cleaning storm sewers. By separating the equipment – one street sweeper is approximately \$250,000 - \$300,000 and storm sewer cleaner is approximately \$500,000.

**Township Manager** – Mr. Finnigan mentioned the Audited Financial Statements will be on the website in the morning.

Upon motion of Mr. Diacogiannis the Board adjourned at 7:40 p.m.

Executive Session – Contract Discussion.

Christina M. Thomas  
Secretary