

---

**REGULAR SEMI-MONTHLY MEETING  
November 26, 2013**

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, was called to order by Chairman, John N. Diacogiannis at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, PA, 18017 at 7:00 P.M.

Present were Supervisors Salvesen, Nagle, Tanczos, and Walbert, Jim Milot for Engineer Brien Kocher, Wendy Nicolosi for Solicitor Broughal, Public Works Director Vince Milite and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the Agenda; with an addition of an Executive Session for Legal Matters and the deletion of contractor agreements under administration.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the minutes, from the meeting of the Board of Supervisors dated November 12, 2013.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the List of Bills and Transfers dated November 26, 2013 as presented by the Township Secretary/Assistant Treasurer; and to enter the signed List of Bills by the Secretary/Assistant Treasurer and the Board of Supervisors as an attachment to the minutes.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

**COURTESY OF THE FLOOR**

It was noted for the record that no one wished to offer any comment.

**REPORT OF THE CHAIRMAN**

Mr. Diacogiannis had nothing to report.

**REPORT OF THE VICE-CHAIRMAN**

Mr. Walbert had nothing to report.

**SUPERVISOR'S COMMENTS & ROAD REPORTS**

Mr. Nagle – Road District #1 had nothing to report, commented on the Jacksonville Road detour.

Mr. Walbert – Road District #2 had nothing to report.

Mr. Salvesen – Road District #3, had nothing to report, commented on the number of calls he received on the Leaf pick-up and stated Public Works did a great job.

Mr. Tanczos – Road District #4 had nothing to report.

Mr. Diacogiannis – Road District #5 had nothing to report.

#### APPOINTMENTS & RESIGNATIONS

#### PLANNING & ZONING

#### **Public Hearing – Transportation Capital Improvements Plan 2011-2017 to update the Hanover Township Act 209 Traffic Impact Fee Ordinance**

Mr. Walbert closed the regular meeting and opened the Public Hearing. It was noted for the record that the hearing had been duly advertised and the Secretary received proof of publication. A Court Stenographer was present to record all testimony. After everyone who wished to speak, had spoken, the public hearing was closed and the regular meeting was re-opened.

#### **Public Meeting – Adoption of Ordinance 2013-4, Amending Ordinance 02-01, Chapter 172, Providing for the Regulation of Stopping, Standing and Parking Vehicles on Claire Street**

Mr. Walbert moved that the Board approve Ordinance 2013-4:

#### **ORDINANCE 2013 – 4**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE 02-01, CHAPTER 172, PROVIDING FOR THE REGULATION OF STOPPING, STANDING AND PARKING VEHICLES ON CLAIRE STREET, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

Mr. Nagle seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

#### ADMINISTRATION

#### **Resolution 2013-16, Adopting Amendment #1 to the Hanover Township Non-Uniformed Employees Money Purchase Pension Plan.**

Mr. Nagle moved that the Board approve Resolution 2013-16 and authorize the Chairman and Secretary to sign the Amendment.

#### **HANOVER TOWNSHIP- NORTHAMPTON COUNTY RESOLUTION 2013-16**

**AMENDMENT #1  
TO THE  
HANOVER TOWNSHIP NON-UNIFORMED EMPLOYEES  
MONEY PURCHASE PLAN**

WHEREAS, effective January 1, 2007, Hanover Township (hereinafter referred to as “Employer”) established a Pension Plan for its Employees; and

WHEREAS, the Employer now desires to further amend said Plan to clarify the required participation of the Pension Plan by means of mandatory employee contributions.

NOW, THEREFORE, in consideration of the foregoing premises, the following pages of said Plan are revised, or added, as the case may be, to reflect the amendment, or addition, of the following sections:

<u>PAGE</u>	<u>SECTION</u>	<u>EFFECTIVE DATE</u>
III (1)	3.2	01/01/2007

Said pages, as revised and amended, are attached hereto and made part hereof.

All other provisions of the Plan shall remain in full force and effect.

IN WITNESS WHEREOF, the Employers has caused this Amendment to be executed this 26<sup>th</sup> day of November 2013.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

#### **Appointment of Auditor for 2014**

Mr. Nagle moved that the Board authorize the Township Solicitor to advertise that it is the Township’s intent to appoint Todd J. Bushta, CPA from Gneiding, DeSanctis, Blizzard & Company, LLP as the 2014 Township Auditor at the cost of \$10,000.00.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

#### **CRPC Ratification**

Mr. Nagle moved that the Board of Supervisors ratify the vote cast by the Hanover Township Colonial Regional Police Commission members authorizing Hanover’s share of the 2014 Colonial Regional Police Budget of \$1,642,732.94; and to notify the CRPD of the Board’s action.

Mr. Diacogiannis noted that the CRPD budget includes 1 additional officer.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

#### **DEVELOPMENTS**

##### **Note for the Record – Freshpet Building Expansion Extension**

Mr. Tanczos noted for the record that Freshpet has granted the Township a 90 day extension to March 18, 2014 to review and approve the Building Expansion project.

**Hanover Township Retirement Residence – Sterling Heights – Landscaping Status**

Mr. Tanczos moved to authorize the Secretary to notify the Developer of Hanover Township Retirement Residence that based on the inspection performed by Hanover Engineering Associates, Inc. in their letter dated November 15, 2013; that the Developer complete any additional work and submit utility “As-built” plans/information, emergency generator noise certification, and any other documentation required by the Developer’s agreement; and to request a final inspection of all improvements.

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

**LVCC II Lots 5 – 6, Triumph Acute Care Hospital – Extension**

Mr. Tanczos moved that the Board approve to grant the Developer an extension of one (1) year to December 18, 2014 for the Conditional Approval for LVCC II Lots 5-6, Triumph Acute Care Hospital, and to notify the Developer of the Board’s action.

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

**Hanover Highlands Lot 2 – Hanover Township Retirement Residence – Extension**

Mr. Tanczos moved that the Board approve to grant the Developer a 60 day extension to February 16, 2014 in order to complete project improvements.

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

**Northgate Business Center II Lot 3**

Attorney Joseph Piperato, Mike Jeitner from Bohler Engineering and Michael Dunn were present to clarify 3 items in Hanover Engineering Associates letter dated November 26, 2013.

It was noted that the Developer agreed with the conditions.

Mr. Walbert moved that the Board approves the Preliminary/Record Land Development Plan of Northgate Business Center II, Lot 3, 4482 Innovation Way, dated as last revised September 19, 2013, upon the following conditions:

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated September 20, 2013 to the satisfaction of the Township Engineer, prior to recording.
2. 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 Section 152-10E)

- 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 Sections 152-10M and 152-24.3)
  - C. The Improvements Agreement shall include a statement that a BMP Operations and Maintenance Plan (Post Construction Stormwater Management Plan) shall be recorded, listing the person(s) responsible for operations and maintenance, including the existing off-site storm sewer conveyance system across Northgate II, Lot 4, signed by the landowner. (Stormwater Section 152-24.5)
  - D. The Improvements Agreement shall include a statement that the Developer/Owner acknowledges and agrees that it shall provide appropriate security in the amount equal to 30% of the cost of traffic signal improvements, including Prevailing Wage requirements, at the intersection of Innovation Way and Airport Road. This percentage is based upon the total acreage of the three (3) undeveloped lots totaling 24 acres in relationship to the acreage of Lot 3 totaling 7.053 acres. The security provided by the Developer/Owner shall be based on an estimate prepared by Barry Isett Associates and finally approved by the Township Engineer. The security posted by the Developer/Owner shall be separate from the security provided by the Developer/Owner for the land development improvements. The term of the security shall be for a period of ten (10) years from the date of final certificate of occupancy. In the event that the improvements are not constructed within the ten (10) year term, the security shall be released to the Developer/Owner of Lot 3 and any obligation for the improvements shall terminate.
- 3. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30.D.(6))
  - 4. The Developer/Owner shall provide appropriate security in the amount equal to 50% of the cost of the Innovation Way extension, including Prevailing Wage requirements. The security provided by the Developer/Owner shall be based on an estimate prepared by Bohler Engineering and finally approved by the Township Engineer. The security posted by the Developer/Owner shall be separate from the security provided by the Developer/Owner for the land development improvements. The term of the security shall be for a period of ten (10) years from the date of final certificate of occupancy. In the event that the improvements are not constructed within the ten (10) year term, the security shall be released to the Developer/Owner of Lot 3 and any obligation for the improvements shall terminate.
  - 5. The Developer/Owner shall not be required to provide an Open Space Contribution to the Township, as this requirement was previously satisfied by the Northgate Business Center II Subdivision. (SALDO Section 159-16.D)

6. The Developer/Owner shall provide a Tapping Fee in the amount of \$16,170.00 (\$5.39/GPD x 3,000 GPD), a Connection Fee of \$397.50, and a Customer Facilities Fee of \$330.00 prior to Building Permit issuance for this Land Development. (Sewers Section 140-13)
7. The Developer/Owner shall provide a Traffic Impact Fee in the amount of \$44,688.00 (\$294.00/PM Peak Hour Trip x 152 PM Peak Hour Trips) prior to any Building Permit issuance for this Land Development. (Impact Fee Ordinance 91-12, Resolution 97-11).
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 construction of stormwater management facilities for the Northgate Business Center II Subdivision. (Stormwater Section 152-12.B.(2))
9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36J).
10. 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)
11. The Developer/Owner shall meet all conditions of the Preliminary/Record Plan approvals, 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 the Preliminary/Record Plan approval shall be considered void and withdrawn.

The granting of conditional Preliminary/Record approval of this plan recognizes that the Township is agreeing to the following on the Land Development Plan:

- A. That the Board of Supervisors waives the requirement that the side clearance be clear of all structures to allow construction of a stormwater management facility (Rain Garden #2) within the setback. (SALDO Section 159-15.A)
- B. That the Board of Supervisors waives the requirement to locate all existing features within two hundred feet (200') of any part of the land to be developed to allow the existing information shown on the plans. (SALDO Sections 159-29.C.(1) and 159-30.C.(3))
- C. That the Board of Supervisors waives the requirement that the rain garden outlet pipe arrangement provides complete outletting of all detained water to allow ponding and treatment of runoff to meet PennDEP water quality requirements. (SMO Section 152-10.I.(3))

- D. That the Board of Supervisors waives the requirement to provide access ramps of 10:1, ten (10) feet wide in the rain gardens to allow the grading shown on the plans. (SMO Section 152-10.I.(8))
- E. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of the rain gardens be two percent (2%) toward the outlet structure to allow a flat bottom with underdrains to meet PennDEP water quality requirements. (SMO Section 152-10.I.(10))
- F. That the Board of Supervisors waives the requirement to provide a 3” thick binder course pavement section in the parking lot to allow a 2 ½” thick binder course pavement section, subject to completion of a geotechnical report supporting this request satisfactory to the Township Engineer. (Construction Standards Section 67-3.H.(3)(b))
- G. That the Board of Supervisors defers the requirement to provide architectural elevations and building floorplans until building permit submission. (Zoning Ordinance Section 185-22.C.(1)(e))
- H. That the Board of Supervisors defers the requirement to extend Innovation Way to the western property line and provide curb, sidewalks and utility (water and sewer) extensions. (SALDO Sections 159-8, 159-13 and 159-17.C.(4))

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

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

#### PUBLIC WORKS

It was noted that there were no items on the agenda.

#### COURTESY OF THE FLOOR

It was noted that no one wished to offer any comment.

#### STAFF REPORTS

Mr. Milot had nothing to report.

Attorney Nicolosi had nothing to report.

Mr. Milite reported that Public Works Crew has done a tremendous job with the leaf pick-up; they have worked late hours last week and this past weekend and will be out after Thanksgiving.

Mr. Finnigan reported on the following:

- We received both checks relative to the EIT Settlement
- Distributed the Fire Company report

- Advised the Board that the Server at the Community Center needs to be replaced; unfortunately it was not budgeted and will cost approximately \$10,000
- Updated the Board on meeting with TOA Bridle Path regarding impervious coverage
- Discussed a request from the Shade Tree Advisory Board to have a certified arborist to inspect, prune, crown cleaning and thinning and girdling root inspection and removal. Mr. Salvesen stated he met with the Shade Tree Committee and advised them to get a quote and submit it to the Township. After a discussion the Board agreed to not grant the request because it was not budgeted, the Township purchased certain equipment so Public Works can prune the trees and we already a \$10,000 expense coming out of the budget that was not budgeted.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved adjournment at 7:50 P.M. and opened the Executive Session to discuss legal matters.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

The Executive Session concluded at 8:10 P.M.

Lori A. Stranzl  
Township Secretary/Assistant Treasurer