
REGULAR SEMI-MONTHLY MEETING
June 24, 2014

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, Walbert and Tanczos, Engineer Kevin Chimics, 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. 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 June 10, 2014. Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert abstain, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Tanczos, the Board approved the List of Bills and Transfers dated June 24, 2014 as presented by the Township Secretary/ Assistant Treasurer; and to enter the signed List of Bills by the Township 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

Dr. Rami Salloum, Resident and Business Owner of the Township was present to express his concerns regarding his previous plan submission, associated fees and the development process.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis stated that he attended the Colonial Regional Police Commission meeting last night and updated the Board on Lower Nazareth's rescinding their withdrawal.

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; however noted that the Library Book Mobile added additional stops on a Saturday in the Township and will update more after the next Library meeting.

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

Mr. Salvesen – Road District #3 had nothing to report.

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

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

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

There were no items on the agenda.

PLANNING & ZONING

There were no items on the agenda.

ADMINISTRATION

Public Meeting – Adoption of Proposed Ordinance for the Cable Franchise Agreement between Hanover Township and Service Electric Cable TV, Inc.

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

Mr. Diacogiannis noted that this was just bringing the prior agreement current.

Mr. Nagle moved that the Board approve to adopt the following Ordinance adopting the Cable Franchise Agreement with Service Electric Cable TV, Inc.

ORDINANCE NO. 2014-7

AN ORDINANCE OF THE TOWNSHIP OF HANOVER, NORTHAMPTON COUNTY, PENNSYLVANIA, GRANTING TO SERVICE ELECTRIC CABLE T.V., INC., A NON-EXCLUSIVE FRANCHISE TO ERECT, INSTALL, MAINTAIN AND OPERATE CABLE SERVICE IN, UNDER, OVER, ALONG, ACROSS AND UPON THE STREETS, SIDEWALKS, ALLEYS, BRIDGES, ROADS, HIGHWAYS AND OTHER PUBLIC PLACES IN THE TOWNSHIP OF HANOVER AND SUBSEQUENT ANNEXATIONS THERETO INCLUDING IN CONNECTION THEREWITH THE RIGHT AND PERMISSION TO ERECT, INSTALL, AND MAINTAIN POLES AND TO INSTALL, ATTACH AND MAINTAIN WIRES, CABLES, APPLIANCES AND OTHER FACILITIES TO SUCH POLES AND TO EXISTING UTILITY POLES FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION OF CABLE SERVICE; TO PROVIDE RECEPTION SERVICE FOR THE SAME TO THE MEMBERS OF THE PUBLIC DESIRING SUCH SERVICE IN THE TOWNSHIP OF HANOVER, AND FOR OTHER PURPOSES FOR A PERIOD OF YEARS, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE SAID FRANCHISE; PROVIDING FOR TOWNSHIP REGULATION AND USE OF THE SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS.

Mr. Salvesen seconded the motion.

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

Appointment of Assistant Recreation Director

Mr. Nagle moved that the Board approve to appoint Nichole E. Hamburg as Assistant Recreation Director at an annual salary of \$33,000.00 per year; \$1,269.23 bi-weekly.

Appointment is effective July 7, 2014 subject to a background check. Position is non-exempt.

Mr. Salvesen seconded the motion.

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

PUBLIC WORKS

Village View Park Payment Recommendation Number 7

Mr. Salvesen moved that the Board approve, as recommended by Hanover Engineering's letter dated June 20, 2014, to release payment recommendation number 7 in the amount of \$255,322.60 to Livengood Excavators, Inc. in regards to the Village View Park Phase 1 construction.

Mr. Nagle seconded the motion.

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

DEVELOPMENTS

HCC2 Lot 5 – Extension Request

Mr. Tanczos moved that the Board approve to grant the Developer of HCC2 Lot 5 a ninety (90) day extension to September 30, 2014 to complete the Improvements; 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.

LVIP IV Lot 12 Site Development Plan – Extension Request

Mr. Tanczos moved that the Board approve to grant the Developer of LVIP IV Lot 12 Land Development an extension to July 29, 2015 for completion of the improvements.

Mr. Walbert seconded the motion.

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

LVIP IV Lot 12 – Modified Site Plan Conditional Approval

Mr. Tanczos moved that the Board approve, as recommended by the Township Engineer, to adopt the terms and conditions relative to the Modified Site Plan for LVIP IV Lot 12, prepared and provided to the Developer/Owner for signature and the Township Secretary is to notify the Developer/Owner of the Board's action relative to this matter.

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated June 20, 2014 to the satisfaction of the Township Engineer, prior to recording.
2. A note shall be added to the Plan(s) identifying all waivers and/or deferrals granted by the Township and the meeting date of the Board of Supervisors action.

3. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security, satisfactory to the Township Solicitor. (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 98-2, 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 98-2, Sections 152-10.M, 152-24.1 and 152-24.3).
 - c. 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 98-2, Section 152-24.5).
4. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security, satisfactory to the Township Solicitor. (SALDO Section 159-30.D.(6)).
5. The Developer/Owner shall not be required to provide an Open Space Contribution, as this requirement was previously satisfied by LVIP, Inc. (SALDO Section 159-16).
6. The Developer/Owner shall not be required to provide a Tapping, Connection or Customer Facilities Fee, as the sanitary sewer does not utilize any facilities constructed or paid for by the Township. (Ordinance 05-06, Section 140-13).
7. The Developer/Owner shall not be required to provide a Traffic Impact Fee, as the Board of Supervisors, at their meeting of June 16, 1992, waived additional Traffic Impact Fees for the new development in LVIP IV. (Impact Fee Ordinance 91-12, Resolution 07-10).
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 LVIP, Inc. (Stormwater Management Ordinance 98-2, Section 152-12.B).

9. The Developer/Owner shall pay all current fees, including any outstanding plans and appeals account charges. (SALDO Section 159-36.J).
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 Modified Site Plan approval, and the Record Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the conditional Modified Site Plan approval shall be considered void, and the application for the Modified Site Plan approval shall be considered void and withdrawn.

Mr. Tanczos further moved that the granting of conditional approval of this Modified Site Plan recognizes that the Township is agreeing to the following on the Modified Site Plan:

- A. That the Board of Supervisors waives the requirement of the Preliminary and Record Land Development Plan review and approval process and allows a Modified Site Plan submission with review by the Township Engineer and approval by the Board of Supervisors. (SALDO Sections 159-33 and 159-34).

Mr. Walbert seconded the motion.

It was noted that the Developer has agreed with and signed the conditions.

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

Traditions of America at Bridle Path – Phase 4 Land Development Record Plan Conditional Approval

Mr. Tanczos moved that the Board approve, as recommended by the Township Engineer, to adopt the terms and conditions relative to Phase 4 Land Development Record Plan of Traditions of America at Bridle Path, prepared and provided to the Developer/Owner for signature and the Township Secretary is to notify the Developer/Owner of the Board's action relative to this matter.

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated June 20, 2014 to the satisfaction of the Township Engineer prior to recording the Record Land Development Plan.
2. The Developer/Owner shall enter into an Improvements Agreement with the Township and provide appropriate security. (SALDO Section 159-30D.(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, signed by the landowner, acknowledging that the stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township. (Stormwater Section 152-24.5).
3. The Developer/Owner shall enter into a Maintenance Agreement with the Township and provide appropriate security. (SALDO Section 159-30D.(6)).
 4. The Developer/Owner shall provide a plan containing the Uniform Parcel Identifier Number for each dwelling unit in Phase IV. (SALDO Section 159-30.E.(8)).
 5. The Developer/Owner shall provide an Open Space Contribution of \$280,800.00 for Phase IV (54 Units x 0.04 acres/unit x \$130,000.00/acre). (SALDO Section 159-16).
 6. The Developer/Owner shall provide a Tapping Fee of \$67,809.42 (\$1,255.73 per unit x 54 Units), a Connection Fee of \$21,465.00 (\$397.50 per unit x 54 Units), and a Customer Facilities Fee of \$17,820.00 (\$330.00 per unit x 54 Units). These fees are payable at the time the Building Permit is applied for on each building. (Sewers Section 140-13).
 7. The Developer/Owner shall not be required to provide a Traffic Impact Fee to the Township, as the estimated value of proposed improvements at the Jacksonville Road/Bridle Path Road intersection exceeds the total Impact Fee of \$26,460.00 for the entire project (\$294.00 per PM Peak Hour Trip X 90 PM Peak Hour Trips). (Chapter 102 Impact Fees, Resolution 07-10).
 8. The Developer/Owner shall not be required to provide a Storm Sewer Interceptor Improvements value to the Township, as the estimated value of proposed improvements to the storm sewer interceptor system exceeds the total Storm Sewer Interceptor Improvements value of \$140,128.50 for the entire project (\$12.50 per linear foot of street x 11,210.28 feet). (SMO 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 and/or Engineer. (SALDO Section 159-34B).
 11. The Developer/Owner shall meet all conditions of the Preliminary and Record Plan approvals, and the 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 and Record Plan approvals shall be considered void, and the application for the Preliminary and Record Plan approvals shall be considered void and withdrawn.

Mr. Tanczos further moved that the granting of conditional 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 concrete curb be installed along the private, interior streets and allow Granite block curb as proposed in lieu of concrete curb. (SALDO Section 67-4)
- B. That the Board of Supervisors waives the requirement that fencing be four-foot high chain link and allow four and one-half (4½) foot high split rail vinyl fence with vinyl coated mesh as proposed around the retention ponds. (SALDO Section 67-13)
- C. That the Board of Supervisors waives the requirement that all stormwater detention facilities provide a minimum freeboard of one (1.0) foot above the maximum pool elevation associated with the 2- through 25- year runoff events, and a freeboard of one-half (0.5) foot be provided above the maximum pool elevation of the 100-year runoff event and allow a nine (9) inch freeboard as provided for the 25-year storm and a one and two tenths (1.20) inch freeboard as provided for the 100-year storm in the underground detention facility in Jacksonville Road. (SMO Section 152-9.H)
- D. That the Board of Supervisors waives the requirement that the maximum depth of detained runoff shall be twenty-four (24) inches for a 10-year storm event and allow the depth in Retention Pond 2 as 32.64 inches, an increase of 8.64 inches. A fence is proposed around the pond. (SMO Section 152-10.I.(6)(a))
- E. That the Board of Supervisors waives the requirement that the maximum depth of detained runoff shall be thirty-six (36) inches for a 100-year storm event and allow the depth in Retention Pond 2 as 44.88 inches, an increase of 8.88 inches. A fence is proposed around the pond. (SMO Section 152-10.I.(6)(b))
- F. That the Board of Supervisors waives the requirement that interior slopes of a basin shall not be steeper than a ratio of 4:1 horizontal to vertical and allow the area below the permanent water elevation to have a five (5) foot wide bench with an 5H:1V slope with the remaining side slopes to be 3H:1V. A fence is proposed around the pond. (SMO Section 152-10.I.(6)(c))
- G. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of a pond shall be two (2) percent toward the outlet structure and allow flat bottoms as proposed for the wet ponds. (SMO Section 152-10.I.(10))
- H. That the Board of Supervisors waives the requirement that the storm sewer conveyance system for a residential area be designed for the 100-year storm and

allow storm sewer structures DMH1003, DMH1004, and CB1006 to surcharge during the 100-year storm event. (SMO Section 152-10.K.(1))

- I. That the Board of Supervisors waives the requirement that storm drains be designed to produce a maximum velocity of 15.0 feet per second and allow the pipe velocity in four (4) storm sewer pipe runs as proposed to exceed the maximum allowable velocity of 15.0 feet per second. The full flow pipe velocities range from 16.07 to 31.86 feet per second; however, the actual-flow pipe velocities range from 8.56 to 8.63 feet per second. (SMO Section 152-11.B)
- J. That the Board of Supervisors waives the requirement that local roadways have a minimum centerline radius of one hundred fifty (150) feet and a minimum tangent of seventy-five (75) feet be provided between a curve and street intersection and allow three (3) private, interior roadway intersections to have a 90° bend. (SALDO Section 159-11.M.(2))
- K. That the Board of Supervisors waives the requirement that Bridle Path Road have a minimum centerline radius of three hundred (300) feet and allow Bridle Path Road to have a one hundred fifty (150) foot centerline radius near the Jacksonville Road intersection. (SALDO Section 159-11.M.(2))
- L. That the Board of Supervisors waives the requirement that the centerline of a driveway at the point of access to a street shall not be located closer than seventy-five (75) feet to a local street intersection and allow ten (10) driveways to be closer than seventy-five (75) feet from a street intersection. (SALDO Section 159-15.I.(4)(a)[3])
- M. That the Board of Supervisors waives the requirement that the location and species of trees four (4) inches or more in trunk diameter at a height of four and one half (4½) feet above the original grade be identified and allow the trees on Lot 2, other than in an area of disturbance, to not be identified. The trees along the Bridle Path Road frontage for both Lots 1 and 2 must be identified. (SALDO Section 159-29.C.(3))
- N. That the Board of Supervisors defers the requirement that sidewalks be installed along the south side of Bridle Path Road, between the St. Francis Academy driveway and the Monocacy Creek bridge, until such time as requested by the Board of Supervisors. (SALDO Section 159-13.C.(1))

Mr. Walbert seconded the motion.

It was noted that the Developer has agreed with and signed the conditions.

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

Traditions of America at Bridle Path – Phase 1 Security Release Request for Off-Site Traffic Improvements

Mr. Tanczos moved that the Board, as recommended by Hanover Engineering's letter dated June 23, 2014, approve to grant the Developer a reduction of the required security in the amount of \$607,101.28, resulting in a balance of \$282,544.05, as indicated on the Off-Site Improvements spread sheet, conditioned upon the following:

1. That the Developer acknowledges that the security provided by Arch Insurance Company will remain in force and at a minimum of \$282,544.05 for the work remaining, plus contingencies.
2. That the Developer adheres to Township Policy 25 (payment of Plans and Appeals Accounts).

Mr. Tanczos further moved that the Township Secretary notifies 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.

COURTESY OF THE FLOOR

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

STAFF REPORTS

Mr. Chimics had nothing to report.

Mr. Broughal had nothing to report.

Mr. Milite noted that the 2014 Overlay Project is almost done; they are finishing up the sealing along the curb line. Also, we are half way done with the line-striping and will be finishing up tomorrow.

Mr. Finnigan reported that he and Mr. Diacogiannis attended a seminar at Lafayette College on the "New Normal in Policing"; very informative.

Mr. Finnigan distributed an updated Policy 23 based on the recent new hires.

Mr. Finnigan stated the Board may have to come out of the executive session and take Board action.

Mr. Diacogiannis closed the regular meeting at 7:29 P.M. and opened the Executive Session for Litigation and Contract Negotiations.

Mr. Diacogiannis closed the Executive Session at 7:55 P.M. and re-opened the regular meeting.

Upon motion of Mr. Tanczos, seconded by Mr. Walbert, the Board approved to accept Lower Nazareth's letter from their Solicitor, Gary Asteak dated June 12, 2014, rescinding their withdrawal from the Colonial Regional Police Commission conditioned upon Lower Nazareth being current on their 2014 monthly budget payments by June 30, 2014.

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

Upon motion of Mr. Tanczos, seconded by Mr. Walbert, the Board approved adjournment at 7:58 P.M.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Lori A. Stranzl
Township Secretary