
REGULAR SEMI-MONTHLY MEETING

February 14, 2017

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, Prendeville, Tanczos, Engineer Brien Kocher, Solicitor Jim Broughal, Township Manager John Finnigan and Public Works Director Vincent Milite.

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. Prendeville aye, Mr. Tanczos 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 January 24, 2017.

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

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the list of bills and transfers dated February 14, 2017.

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

COURTESY OF THE FLOOR

REPORT OF THE CHAIRMAN

REPORT OF THE VICE-CHAIRMAN

SUPERVISOR'S COMMENTS

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

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

PLANNING & ZONING

Conditional Use Hearing – Lehigh Valley Academy Expansion

It is noted for the record that the hearing has been duly advertised and the Secretary has received proof of publication. A Court Stenographer is present to record all testimony.

Proposed Ordinance – Parking of Vehicles in the Front Yard – Public Meeting

Mr. Tanczos moved the Board approves to adopt Ordinance 17 – 3 amending Chapter 172, Vehicles and Traffic, by providing for regulations for the parking of vehicles in the front yard of any lot.

Mr. Salvesen requested the Board include the right for a citizen petition for relief in the ordinance.

Mr. Broughal advised that the Board always has a right to grant a waiver on any non-zoning ordinance.

Mr. Prendeville seconded the motion.

Mr. Salvesen no, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye

Authorization to Advertise – Proposed Ordinance – Turkey Hill Liquor License Transfer

Mr. Tanczos moved the Board authorize the Solicitor to advertise the Proposed Ordinance Approving the Transfer of restaurant liquor license No. R-15327 into Hanover Township, Northampton County, Pennsylvania, pursuant to the Pennsylvania Liquor Code.

Mr. Prendeville seconded the motion.

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

Zoning Hearing Board – Variance Request – 2114 Schoenersville Road

The Board decided not to send representation to the Zoning Hearing Board for the Variance Request of Giacomo Sgroi, regarding the installation of a walk-up window, and the installation of a second sign at 2114 Schoenersville Road.

Authorization to Advertise – Proposed Ordinance – Distillery – Winery

Mr. Tanczos moved the Board authorize the Solicitor to advertise the Proposed Ordinance Providing for the establishment of distillery, limited distillery, winery and limited winery uses in certain zoning districts of the Township.

Mr. Prendeville seconded the motion.

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

ADMINISTRATION

Application for Certificate of Compliance to Operate a Child Care Center – Signature

Mr. Prendeville moved the Board authorize the Chairman to sign the Application for Certificate of Compliance to Operate a Child Care Center, including the swimming/wading disclosure and firearm disclosure.

Mr. Tanczos seconded the motion.

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

Use Agreement – Ballistic Vests and Components by Colonial Regional Police Department

Mr. Prendeville moved the Board authorize the Chairman and Secretary to sign the Use Agreement, allowing the use of Ballistic Vest and components by Colonial Regional Police Department.

Mr. Tanczos seconded the motion.

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

Embassy Bank – Customer Agreement Amendment

Mr. Prendeville moved the Board authorize the Chairman to sign the Amendment to Customer Agreement with Embassy Bank, increasing the daily deposit amount via remote deposit capture to 1,000 checks from 300.

Mr. Tanczos seconded the motion.

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

Resolution 2017- 7 – Volunteer Fire Company Billing Rates

Mr. Prendeville moved the Board adopt Resolution 2017-7 establishing updated reimbursement rates for certain emergency responses incurred by volunteer fire company of the Township.

Mr. Tanczos seconded the motion.

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

Shake, Rattle & Soul Contract – Hanover Carnival

Mr. Prendeville moved the Board authorize the Chairman to sign the Shake, Rattle & Soul contract for their performance at the Hanover Carnival.

Mr. Tanczos seconded the motion.

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

Kistler O'Brien Service Agreement – Facility Location

Mr. Prendeville moved the Board authorize the Chairman to sign the service agreement with Kistler O'Brien, for classroom fire training.

Mr. Tanczos seconded the motion.

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

PUBLIC WORKS

Quote for Purchase of John Deere Utility Tractor and John Deere Backhoe

Mr. Nagle moved the Board accept the quote through CoStars from Deer Country, in the amount of \$53,983.21 for the purchase of 1 John Deere 5100M Utility Tractor for \$52,982.51 and 1 John Deere 595 Backhoe \$12,000.00, with the trade in allowance of \$11,000.00 for the 1997 John Deere 5500. It is noted this purchase is included in the budget and the vendor is a member of Co-Stars.

Mr. Salvesen seconded the motion.

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

Brodhead Rd. & Commerce Dr. (West) Signal – Payment 2

Mr. Nagle moved, per the recommendation of Hanover Engineering Associates letter dated February 8, 2017, to approve Payment Application 2 in the amount of one hundred one thousand, six hundred fifty-four dollars and twelve cents (\$101,654.12) to Telco, Inc. for work performed on Brodhead Rd. & Commerce Dr. (west) signal.

Mr. Salvesen seconded the motion.

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

Village View Park Phase 2 – Retainage Release

Mr. Nagle moved that the Board approve retainage release, in the amount of \$66,058.30 to Vollers Excavating & Construction, Inc., per Hanover Engineering's letter dated February 8, 2017. It is noted the developer has provided as built plans and twenty-four month Maintenance Bond, per the request of payment recommendation 7 that was approved at the November 22, 2016 Board meeting.

Mr. Salvesen seconded the motion.

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

Quote for Purchase of Digital Sign for Armed Services Park – KC Sign & Awnings

Mr. Nagle moved the Board accept the quote through CoStars from KC Sign & Awnings in the amount of \$28,400.00 for the purchase of 1 custom fabricated double sided sign with electronic message center, to be installed at Armed Services Park, and to authorize the Chairman to sign the quote. It is noted this purchase is included in the budget and the vendor is a member of Co-Satrs.

Mr. Salvesen seconded the motion.

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

DEVELOPMENTS

Farmhouse Mews – Extension Request – MPC Deadline

It is noted for the record the developer of Farmhouse Mews Subdivision has granted the Township an extension to June 24, 2017 to review the plan, per their letter dated February 8, 2017.

3355 High Point Daycare – Conditional Preliminary/Record Land Development Plan Approval

Mr. Salvesen moved the Board of Supervisors approves the Preliminary/Record Land Development Plan of 3355 High Point Daycare, dated as last revised January 10, 2017, upon the following conditions:

CONDITIONS

1. The Developer/Owner shall address all outstanding comments in the Hanover Engineering Associates, Inc. review letter dated February 8, 2017 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. Post-Construction Stormwater Management Control Summary, Geotechnical Report, Erosion and Sediment Pollution Control Narrative, Traffic Reports, etc.) and supporting documentation prior to Plan recording.
3. A note shall be added to the Plan(s) identifying all waivers and deferrals 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 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 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 98-2, Section 152-24.5)

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 not be required to provide an Open Space Contribution to the Township, as this requirement was previously satisfied by the Lehigh Valley Corporate Center Phase II Subdivision. (SALDO Section 159-16.D)
7. The Developer/Owner shall provide a Tapping Fee in the amount of \$10,125.00 (\$8.10/GPD x 1,250 GPD), a Connection Fee of \$472.50, and a Customer Facilities Fee of \$330.00 prior to Building Permit issuance for this Land Development. (Sewers Section 140-13)
8. 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
(2.01 Acres/64.4 Acres) X \$134,181.36 = \$4,187.96

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 949 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 \$4,187.96 plus \$53,851.00 (\$343.00 per PM Peak Hour Trip X 157 Trips) for a total Traffic Impact Fee of \$58,038.96. (Impact Fee Ordinance 91-12, Resolution 97-11)
9. 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 Lehigh Valley Corporate Center Phase II Subdivision. (Stormwater Section 152-12.B.(2))
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. Salvesen 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:

- A. That the Board of Supervisors accepts the proposal of a portion of a retaining wall in the side yard setback along the southern property line and a retaining wall in the rear yard setback along the western property line per Zoning Ordinance Section 185-14.G.
- B. That the Board of Supervisors waives the requirement to provide street trees at an average spacing of sixty-five (65) feet or less and two (2) to four (4) feet outside the street right-of-way, in a planting easement on private property, along High Point Boulevard, as the requirement was previously waived with the original Lehigh Valley Corporate Center Phase II Subdivision Plan, and the Applicant proposes to remove several existing trees along the High Point Boulevard frontage and replace them in kind in a similar location. (SALDO Section 159-17.C.(4))
- C. That the Board of Supervisors waives the minimum required setback distance of one hundred feet (100') from a building foundation to an upgradient infiltration facility and to allow the location of the proposed daycare foundation building indicated on the plans. (SMO Section 152-9.1.I.(4)(b))
- D. That the Board of Supervisors waives the requirement that the detention facility outlet arrangement provide complete outletting of all detained water, unless provisions for permanent ponding have been approved, and to allow the infiltration bed indicated on the plans to meet DEP and Township water quality requirements. (SMO Section 152-10.I.(3))
- E. That the Board of Supervisors waives the requirement that a detention facility be lined with a synthetic impervious liner and to allow the infiltration bed indicated on the plans to meet DEP and Township water quality requirements. (SMO Sections 152-10.I.(4) and (9))
- F. That the Board of Supervisors waives the requirement that the minimum slope of the bottom of a detention facility be 2% toward the outlet structure and to allow the infiltration bed at less than 2% as indicated on the plans to meet DEP and Township water quality requirements. (SMO Section 152-10.I.(10))

- G. That the Board of Supervisors waives the requirement that storm sewer pipes be Class III reinforced concrete pipe with “O” ring joints and to allow HDPE pipe for the storm sewer conveyance system and HDPE perforated pipe within the infiltration bed indicated on the plans. (SMO Section 152-11.G.(3) and Construction Standards Section 67-9.A.(1))
- H. That the Board of Supervisors waives the requirement that storm sewer pipes have a minimum diameter of fifteen (15) inches and to allow twelve (12) inch diameter pipes for the roof leaders and within the infiltration bed indicated on the plans. (SMO Section 152-11.G.(4))

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

Mr. Nagle seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye

APPOINTMENTS AND RESIGNATIONS – BOARDS, COMMISSIONS AND COMMITTEES

Mr. Nagle moved that the Board approve to appoint Jaime Paxton as the Hanover Township Library Alternate Delegate for the Bethlehem Public Library Board.

Mr. Salvesen seconded the motion.
Mr. Salvesen aye, Mr. Nagle aye, Mr. Prendeville aye, Mr. Tanczos aye, Mr. Diacogiannis aye

COURTESY OF THE FLOOR

STAFF REPORTS

- Mr. Kocher – Engineer – Nothing to report.
- Mr. Broughal – Solicitor – Nothing to report.
- Mr. Milite – Public Works Director – Mr. Milite reported on the snow storm. There was 7.1 inches of snow, man hours cost \$5,321.00, \$500.00 in fuel, and 80 tons of salt, the total cost of \$11,599.00 for the storm.
- Mr. Finnigan – Township Manager – Nothing to report.

Upon motion of Mr. Tanczos the Board approved adjournment at 8:25 PM.

Elizabeth D. Ritter
Township Secretary