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## **REGULAR SEMI-MONTHLY MEETING**

### **December 19, 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, Nagle, Engineer Brien Kocher, Solicitor James Broughal, and Manager Finnigan.

The Pledge of Allegiance was performed.

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

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

Upon motion of Mr. Nagle seconded by Mr. Prendeville, the Board approved the minutes from the meeting of the Board of Supervisors dated November 28, 2023.

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

Upon motion of Mr. Nagle, seconded by Mr. Prendeville, the Board approved the list of bills and transfers dated December 19, 2023.

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

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

Greg Hughes, 856 Merrivale Road, had a question relative to the process on the Zoning Hearing Board meeting on the Validity Challenge. Mr. Broughal answered a resident is challenging the validity of the zoning ordinance that allows the developer to put in a warehouse. If the zoning ordinance is found invalid, the development goes away.

John Finnigan, 4208 Maria Lane, "Mr. Chairman, Members of the Board of Supervisors, and those attending tonight's meeting. As I am about to close this chapter of my public service, I am reminded of the three individuals who instilled in me the foundation to serve others for the common good.

The first is my grandfather, William Carey, who served as a member of the Boston City Council and Massachusetts House of Representatives. He often took me to the State House in Boston while the House was in session and to many community events in his District. While a Democrat, today he would be considered a centrist. He worked tirelessly for his constituents, whether friend or foe.

The second was my father, John Finnigan, who never served in public office, but always volunteered to coach my brother, sister, and my sports teams. He always volunteered in our home parish while we were young, serving on many committees and boards. As we grew, he grew with us. Once we hit high school, he was on the school and athletic board. It culminated when he organized a group of parents to paint our school's gym as part of my sister's class gift, after securing all the material through donations.

Growing up in Massachusetts, President Kennedy's public service had a profound influence on my life and desire to serve others. I'll circle back to President Kennedy in my closing comments.

I want to that the Board of Supervisors, past and present, for the confidence they placed in me the last eighteen years allowing me the honor to serve as Township Manager. We've agreed on a lot of issues and disagreed on more than anyone will ever know. For the most part we were civil in our disagreements and presented a unified team in public.

Any personal success I achieved is a direct result of the Township employees past and present. We had mutual respect for each other, and I know in my heart they have always had my back and as a result our residents, business and visitors all benefited. They are second to none.

I've also had the privilege to work with many fine men and women professionals who have served the Township so well for many years. Jim Broughal and Brein Kocher have become trusted confidants, mentors and friends who have provided unparalleled knowledge and guidance to me professionally, and in some instances personally.

I would be remiss if I did not thank Mona, John, and James. They have and continue to be my biggest supporters. No one has supported me more than Mona. Thank you!

President John F. Kennedy once said "let us not be blind to our differences ... but let us also direct attention to our common interests and the means by which those differences can be resolved. And if we cannot end now our differences, at least we can help make the world safe for diversity. For in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's future. And we are all mortal."

Finally, there is much more to be accomplished. So let us resolve tonight to commit to putting aside our differences and focus on what brings us all together. By forsaking our differences, and building on our common belief that Hanover has a bright future, there is absolutely nothing we cannot accomplish working together for the common good. Thank you."

#### REPORT OF THE CHAIR

Mr. Diacogiannis made a note for record that prior to the meeting there was an executive session at 5:45pm with the Board of Supervisors regarding a contractual matter. Mr. Diacogiannis wished everyone a joyous holiday season.

REPORT OF THE VICE CHAIR – Mr. Nagle had nothing to report but thanked the citizens of the Township for the last 24 years, 6 years as auditor, and 18 years as a Township Supervisor.

#### SUPERVISOR'S COMMENTS

Mr. Diacogiannis – Road District #1, had nothing to report. Stafore Drive has been missed by the recycling company and hopes the recycling is removed tomorrow.

Mr. Nagle - Road District #2, nothing to report.

Mr. Check – Road District #3, had nothing to report. Thanked everyone for his time spent on the Board and Happy Holidays.

Ms. Lawless – Road District #4, had nothing to report. Ms. Lawless wished everyone a warm, happy holiday season.

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

## APPOINTMENTS AND RESIGNATIONS – Mr. Nagle

### PLANNING & ZONING – Ms. Lawless

#### **Ordinance 23-7 - NazCOG Amendment to Subdivision and Land Development**

Ms. Lawless move the Board authorize the Solicitor's office to advertise the proposed ordinance to amend Chapter 159 Subdivision and Land Development, Article II Interpretation and Article V Plan Requirements and repeal all ordinances or parts of ordinances inconsistent herewith.

Mr. Check seconded the motion.

Ms. Lawless asked if the ordinance is to start the process to coordinating our ordinances on the multi-municipal comprehensive plan? Mr. Kocher answered that the ordinance is pertaining to distributing plans to other municipalities that are development regionals.

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

### DEVELOPMENTS – Mr. Check

#### **Lehigh Valley Flex Center – Improvements Deadline Extension**

Mr. Check move the Board grant the developer of Lehigh Valley Flex Center an extension to July 12, 2024, regarding the improvements deadline, per the developer's e-mail dated December 8, 2023.

Mr. Nagle seconded the motion.

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

#### **Hindu Temple Society - MPC Extension**

Mr. Check move the Board grant the developer of Hindu Temple Society an extension to April 10, 2024, regarding the MPC deadline, per the developer's letter dated December 11, 2023.

Mr. Nagle seconded the motion.

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

#### **Hanover Senior Living – Improvements Deadline Extension**

Mr. Check move the Board grant the developer of Hanover Senior Living an extension to February 28, 2024, to complete the punch list work associated with the improvements, per the developer's letter dated December 12, 2023.

Mr. Nagle seconded the motion.

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

#### **Schoenersville Site, Medical Office Building – Improvements Inspection**

Mr. Check move the Board accept the improvements, close-out the project, and release the remaining security for the project Schoenersville Site, LLC – Medical Office Building, 2201 Schoenersville Road, based upon the satisfactory completion of the conditions set forth in the Hanover Engineering letter dated December 13, 2023.

Ms. Lawless asked if the final amount is released once they comply to the Hanover Engineering letter? Mr. Kocher stated they don't get the security until the completion of the conditions. Once its verified, the security is released.

Mr. Nagle seconded the motion.

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

### **Dewire Estates 2010 – Improvements Deadline Extension**

Mr. Check move the Board grant the owner of Dewire Estates 2010 an extension to December 31, 2024, regarding the improvements deadline, per the owner's letter dated December 14, 2023.

Mr. Nagle seconded the motion.

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

### **LVCC Lot 12, Holiday Inn Express – Restaurant Pad Landscaping Deferral Extension**

Mr. Check move the Board grant the developer of LVCC Lot 12 – Holiday Inn Express an extension to December 31, 2028, regarding the landscaping for the restaurant pad site, per the developer letter dated December 14, 2023. The owner agrees to the two conditions outlined in the Hanover Engineering Associates letter dated November 7, 2011.

1. That the Developer maintains the Performance Bond (No. B-9107271), enforce, in the amount of \$9,930.00 for deferred landscaping for the "Restaurant Pad Site."
2. That the Developer adheres to Township Policy #25 (Payment of Plans and Appeals Accounts).

Mr. Diacogiannis asked why there is a need for an extension that long? Mr. Kocher stated they haven't built the restaurant pad so the landscaping is not taking place. Mr. Kocher stated he would rather the extension be pushed out that way their bond is in place.

Mr. Nagle seconded the motion.

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

### **Northgate 1 2-Lot Subdivision Improvements Extension**

Mr. Check move the Board to grant the developer of Northgate 1 2-Lot Subdivision an extension to March 1, 2024, regarding the improvements deadline, per the developer letter dated December 15, 2023.

Mr. Nagle seconded the motion.

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

### **Northgate 1 Land Development Plan MPC Extension**

Mr. Check move the Board grant the developer of Northgate 1 Land Development Plan an extension to March 1, 2024, regarding the MPC deadline, per the developer's letter dated December 15, 2023.

Mr. Nagle seconded the motion.

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

### **Northgate 1 Lot Consolidation Plan Record Plans Conditions Extension**

Mr. Check move the Board to grant the developer of Northgate 1 Lot Consolidation Plan an extension to March 1, 2024, regarding the record plans conditions deadline, per the developer's letter dated December 15, 2023.

Mr. Nagle seconded the motion.

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

### **4000-4030 Airport Road Lot Consolidation and Land Development MPC Extension**

Mr. Check move the Board grant the developer of 4000-4030 Airport Road an extension to March 1, 2024, regarding the MPC deadline, per the developer's letter dated December 15, 2023.

Mr. Prendeville seconded the motion.

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

ADMINISTRATION – Mr. Prendeville

**Colonial Regional Police Commission 2024 Budget**

Mr. Prendeville move that the Board approve the 2024 Hanover Township Allocation of a maximum of \$2,488,135 towards the operation of the CRPD in compliance with Article V, Section B of the Colonial Regional Police Commission Articles of Agreement and to send a letter to the Commission informing them of the Board's actions.

Ms. Lawless seconded the motion.

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

**Authorize to Advertise Actuary for 2024**

Mr. Prendeville move the Board approve to authorize the Township Solicitor to advertise that it is the Township's intent to appoint Foster and Foster as the 2024 Township Actuary.

Ms. Lawless seconded the motion.

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

**Authorize to Advertise 2024 Meetings**

Mr. Prendeville move the Board authorize the Secretary to advertise the 2024 meeting dates.

Ms. Lawless seconded the motion.

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

**Resolution - 2024 Fee Schedule**

Mr. Prendeville move the Board adopt Resolution 23-35 adopting the 2024 Fee Schedule.

Ms. Lawless seconded the motion.

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

**Resolution - Adoption of the 2024 General Fund, Capital Reserve, State Fund, and Recreation Budget**

Mr. Prendeville move the Board adopt Resolution 23-36 adopting the 2024 General Fund, Capital Reserve, State Fund, and Recreation budgets.

Ms. Lawless seconded the motion.

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

**Authorize to Advertise the Adoption of the 2024 Budget**

Mr. Prendeville move the Board authorize the Secretary to advertise the adoption of the 2024 Budget.

Ms. Lawless seconded the motion.

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

**Resolution - Approval of 2024 Tax Rate**

Mr. Prendeville move the Board adopt Resolution 23-37 setting the 2024 Tax Rate.

Ms. Lawless seconded the motion.

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

## **Resolution - Approval of 2024 Tax Rate for 611 Taxes**

Mr. Prendeville move the Board adopt Resolution 23-38 setting the 2024 Tax Rate for Act 611 Taxes.

Ms. Lawless seconded the motion.

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

Mr. Diacogiannis clarified that the motions that were heard were all administrative and are done during the last meeting of the year. These motions were discussed prior to the meeting.

## **DocStar – Agreement**

Mr. Prendeville move the Board approve the agreement with DocStar for purchase of the building code and zoning software program, setup, migration, transfer/training, setup workflow, and create forms for \$7,000.00. The 1<sup>st</sup> year annual fee of \$5,124.60 is billed after files are transferred and when we establish a ready date, subject to approval of the Township Solicitor and Township Manager.

Ms. Lawless seconded the motion.

Ms. Lawless commended Tracy and Yvonne for the hard work they put in making sure the transfer and system will be ready to be up and running before Yvonne's retirement. Ms. Kutz stated that the software is a good tool and is not a permit software. She used it in the past for many years and she can track everything in the program and she is not losing data.

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

## **Barry Isetts & Associates, Inc – Agreement**

Mr. Prendeville move the Board to authorize the Chairman to execute the agreement with Barry Isetts & Associates, Inc. and Hanover Township for a professional services agreement effective January 1, 2024.

Ms. Lawless seconded the motion.

Ms. Lawless asked what professional services are provided? Ms. Kutz explained Barry Isett does the Township's PA UCC plan reviews, building inspections, and offered to assist with other things by an hourly fee schedule, if needed.

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

## **KeyCodes Inspection Agency/Keystone Electrical Inspectors, Inc – Agreement**

Mr. Prendeville move the Board to authorize the Chairman to execute the agreement with KeyCodes Inspection Agency/Keystone Electrical Inspectors, Inc and Hanover Township for a professional services agreement effective January 1, 2024.

Ms. Lawless seconded the motion.

Ms. Kutz explained that KeyCodes is the Township's primary third party agents to examine PA UCC plans and building inspections. They will also assist in picking up any non-PA UCC inspections for property rentals and resales in the future. Any other services are offered at an hourly rate.

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

### **Resignation of Office Support Associate**

Mr. Prendeville move to accept the resignation of Sierra Franco, Office Support Associate effective January 12, 2024.

Ms. Lawless seconded the motion.

Mr. Diacogiannis wishes Ms. Franco well as she pursues further education, and she was a great asset to the Township.

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

### **Proclamation 2023-9 – Barry Check**

Hanover Township applauds and recognizes Barry Check for his efforts in making, assisting, and keeping Hanover Township the premier Township to Live, Work, and Play in the entire Lehigh Valley. The Board of Supervisors proclaims the week of January 15, 2024, as Barry Check Week in Hanover Township.

Mr. Diacogiannis presented the proclamation to Mr. Check.

### **Proclamation 2023-10 – John D. Nagle**

Hanover Township applauds and recognizes John D. Nagle for his efforts in making, assisting, and keeping Hanover Township the premier Township to Live, Work, and Play in the entire Lehigh Valley. The Board of Supervisors proclaims the week of January 8, 2024, as John D. Nagle Week in Hanover Township.

Mr. Diacogiannis presented the proclamation to Mr. Nagle.

### **Proclamation 2023-11 – Yvonne D. Kutz**

Hanover Township applauds and recognizes Yvonne D. Kutz on her retirement and the Board of Supervisors congratulates her for her efforts in making, assisting, and keeping Hanover Township the premier Township to Live, Work, and Play in the entire Lehigh Valley. The Board of Supervisors proclaims the week of January 22, 2024, as Yvonne D. Kutz Week in Hanover Township.

Mr. Diacogiannis presented the proclamation to Ms. Kutz.

### **Proclamation 2023-12 – John J. Finnigan, Jr.**

Hanover Township applauds and recognizes John J. Finnigan, Jr. on his retirement and the Board of Supervisors congratulates him for his efforts in making, assisting, and keeping Hanover Township the premier Township to Live, Work, and Play in the entire Lehigh Valley. The Board of Supervisors proclaims the week of January 29, 2024, as Jay Finnigan Week in Hanover Township.

Mr. Diacogiannis presented the proclamation to Mr. Finnigan.

PUBLIC WORKS – Mr. Nagle had nothing to report.

### **COURTESY OF THE FLOOR**

Mona Finnigan, 4208 Maria Lane, thanked the Board members stepping down for their dedication, years of service, and hard work; it shows in the Township. To those staying on the Board, Ms. Finnigan wished them the best and Merry Christmas.

## STAFF REPORTS

**Engineer** – Mr. Kocher had nothing to report. Mr. Kocher stated it was a pleasure working with Mr. Check, thanked Mr. Nagle for all his years, and Ms. Kutz for her institutional knowledge and the ability to find things. Mr. Kocher also thanked Mr. Finnigan and enjoyed working with him.

**Solicitor** – Mr. Broughal had nothing to report. Mr. Broughal echoed Mr. Kocher's comments towards the members leaving the Board.

**Recreation Director** – Mr. Terenzio is absent. Mr. Finnigan read off Mr. Terenzio's report and stated the Tree Lighting and Breakfast with Santa brought out large crowds and were highly successful. Pool memberships are available for purchase at the Community Center and Hanover Hoops registration remains open until the end of the week. There is a large number of registrants in the six to eight age group but could use more registrants in the nine to eleven age group. 2023 saw several new changes and Mr. Terenzio looks forward to building on Hanover Township Community Center's programming in 2024.

**Public Works Director** – Mr. Limpar thanked everyone who was moving on and enjoyed working with them and thanked Mr. Finnigan for his guidance and direction. Leaf collection throughout the parks and neighborhoods have been completed. The leaf total approximately came to 7,000 cubic yards. The last couple of days have been eventful in the Township in which the pump station on Hanoverville Road went down. Henry Yeska and other companies came out to try to repair the station, but the grinder is not operational. The plans are to have it repaired by the end of the week. HTCC had a smell of gas on Friday night and the HVAC company came in to find the source. It was not a gas leak, it was a misfire of the HVAC unit, which was repaired. Luckily, during the big rainstorm, there was no flooding. Mr. Prendeville complimented Mr. Limpar on the remarkable job and applauded him.

**Township Manager** – Mr. Finnigan stated two new officers were sworn in at Colonial Regional Police Department, Officer Nigro and Officer McGuire. Mr. Finnigan stated that PPL did not show up to complete the power project for the pool due to the storm. The Township was notified in receipt of a grant of \$1+ million by the Commonwealth Financing Authority to fix the stormwater problem on Lord Byron and Chaucer and which would also eliminate the man made "speed bump" on Stoke Park Road. It is the biggest grant the Township ever received. Mr. Finnigan thanked everyone for the honor to serve and wished everyone Happy Holidays.

Upon motion of Mr. Nagle the Board adjourned at 7:54pm.

Kimberly R. Lymanstall  
Secretary