
REGULAR SEMI-MONTHLY MEETING

January 9, 2024

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

Present were Supervisors Diacogiannis, Prendeville, Gross, Versteeg, Township Engineer Brien Kocher, and Township Solicitor James Broughal.

The Pledge of Allegiance was performed.

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

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Upon motion of Mr. Prendeville seconded by Mr. Diacogiannis, the Board approved the minutes from the meeting of the Board of Supervisors dated December 19, 2023, and the Board of Supervisors Reorganization meeting dated January 2, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Upon motion of Prendeville, seconded by Mr. Diacogiannis, the Board approved the list of bills and transfers dated January 9, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Ms. Lawless reported there was an Executive Session regarding personnel matters on January 2, 2024, after the Reorganization meeting.

COURTESY OF THE FLOOR

Glynis Daniels, 1280 Gaspar Avenue, is looking for information on the Township's plan to extend the storm drains along Gaspar Avenue. Ms. Lawless stated the Township was in receipt of a substantial grant and the Township will add money received from the ARPA funds, along with money saved for many years with hopes of getting engineering plans back out to bid. Mr. Kocher stated he is working on a schedule for rebid and depending on the grant paperwork, if all goes well, he anticipates construction over the summer.

REPORT OF THE CHAIR

Ms. Lawless noted that there was an Executive Session regarding personnel on January 2, 2024, and wanted to remind everyone who contributes to the quarterly newsletter that articles are due to Ms. Lymanstall by Friday, January 12.

REPORT OF THE VICE CHAIR

Ms. Versteeg shared that today is National Law Enforcement Appreciation Day. Local Police and Law Enforcement around the Country put their lives on the line for us in hopes of helping to promote community safety. It's a great day to show appreciation to local Law Enforcement and by doing that you can wear blue, send a card to CRPD, or thank an officer.

SUPERVISOR'S COMMENTS

Mr. Diacogiannis – Road District #1, informed the Board and Staff that Brown and Brown, Insurance Broker for Hanover Township asked to participate in a program to formulate a joint purchase program which Municipalities in Pennsylvania can get together and buy property and liability insurance. Mr. Diacogiannis stated Hanover Township is using similar programs for the employee healthcare program and workers' compensation. It's been very successful for several years.

Ms. Versteeg - Road District #2, had nothing to report.

Mr. Gross– 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. Mr. Prendeville asked for a moment of silence for Mr. Milite on the one year anniversary of his passing.

APPOINTMENTS AND RESIGNATIONS – Mr. Diacogiannis

Actuary Appointment

Mr. Diacogiannis moved the Board approve to re-appoint Foster & Foster Consulting Actuaries, Inc. to act as the Township Actuary and the Approved Actuary under the Municipal Pension Plan Funding Standard and Recovery Act, as amended for the 2024 Fiscal year.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Reappointment of Brian Dillman – Zoning Hearing Board

Mr. Diacogiannis moved the Board approve to re-appoint Brian Dillman of 1361 Woodland Circle to the Zoning Hearing Board effective January 9, 2024, with a term end date of January 5, 2027.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

PLANNING & ZONING – Ms. Versteeg

Ordinance 24-01 - NazCOG Amendment to Subdivision and Land Development

Ms. Versteeg moved the Board authorize the Solicitor's office to adopt 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.

No vote taken. Ms. Versteeg amended her motion to move the Board adopt 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. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Zoning Variance – 1214 Alyssa Place

Applicant at 1214 Alyssa Place, Bethlehem, PA 18017 is requesting relief from the prior Zoning Hearing Board decision regarding the Dewire Estates Subdivision for maximum lot cover and the Woodland Ordinance to construct a single-family dwelling. Does the Board want to send representation to the Zoning Hearing Board meeting scheduled for Thursday, January 25, 2024?

Ms. Versteeg explained that the subdivision was heavily wooded with a 22% maximum impervious surface imposed on the lots with 35% minimum woodland coverage. The development has a 2,800 square foot minimum requirement for any home put on the plots. Residents come in and ask for variances due to this.

The applicant at 1214 Alyssa Place is building a single floor, single level home which would go over the impervious coverage by 25.2% but will maintain the 35% woodland coverage.

The Board does not wish to send representation.

Jaindl Land Company – Highland Avenue Proposed Amendment to Allow Limited-Service Hotel

Erich Schock, Esq. of Fitzpatrick Lentz & Bubba, Jeff Bevin, P.E. from Bohler Engineering, and Nicole Gallo, P.E., representatives of Jaindl were present on behalf of Jaindl Land Company.

Attorney Schock presented the Limited-Service Hotel to the Board. A Limited-Service Hotel is not allowed in a PIBD district. The particular use is in the PORR and after reviewing the location and restrictions that the ordinance places on the Limited-Service Hotel, Attorney Schock stated his firm crafted an ordinance that allows just the particular use but in the PIBD district on the same terms as the PORR. Mr. Bevin explained the restrictions would place the hotel along an arterial roadway within 750 feet of the arterial, which is 512. It would be the only one in the PIBD district and adjacent to a signaled intersection. It creates five lots along the 512 corridor, two at Highland Avenue, two at Brodhead Road, and one at Southland Drive which would meet the criteria for the Limited-Use Hotel. Mr. Bevin said they are all currently developed.

Ms. Lawless asked Attorney Schock for an overview of what Limited-Service means. Attorney Schock explained Limited-Service puts certain restrictions on how the hotel can operate, which is the following: intended for providing lodging to business visitors in employment districts. Bars, restaurants, lounges, auditoriums, meetings, rooms, and bankrupt rooms are not permitted. There is no need for those amenities. Limited-Service Hotels are intended to serve business visitors. Ms. Versteeg asked for elaboration on business visitors. Ms. Gallo explained that there are no conference rooms. The users would utilize the hotel for a week or for a couple of meetings and then fly out. The users will not be there for a month or multiple weeks. Ms. Lawless asked if marketing studies have been completed for this demand. Ms. Gallo showed the members of the Board and audience the renderings and explained they are working with Hyatt, which is a national franchise. Hyatt has done their own studies, and the franchise departments review regions that need hotels. They evaluate where it makes sense to place them. Hyatt is interested in getting kids into the valley. The proposed building is a Hyatt studio. The rooms have a small kitchenette, a sink, microwave, and a small fridge.

Ms. Versteeg shared her concerns about another hotel in the Township and the type of business the hotels attract. Ms. Gallo said they wouldn't know who would be using the hotel, but hotel management would actively manage. Problems can't be prevented.

Members of the audience questioned the location of the hotel. The proposed hotel would be on the southeast corner, next to Adler and Highland Avenue. The hotel would have 120 rooms and would be three stories. George Gemmel, 1410 Princeton Drive, asked if tractor trailers will be parked overnight. Attorney Schock answered no. Mr. Gemmel asked if traveling contractors with their equipment will be permitted to stay and park their equipment. Ms. Gallo answered there is no intention of having those types of vehicles on the premises. Attorney Schock explained there is no way to stop someone who can pay the rate of the hotel from staying. Kevin Lee, 4232 Greenfield Road, questioned the way the hotel would control who parks in their lot and stays overnight.

Ms. Lawless stated the text amendment hasn't been seen by the Planning Commission nor has it been vetted by our Solicitor. Ms. Lawless asked if Attorney Schock understood that the text amendment needs to go through those channels. Attorney Schock agreed that it needs to go through the Planning Commission. Ms. Lawless would like to see more protection against the hotel morphing into an extended stay.

Mr. Broughal explains that the representatives are not looking for a vote but if there are three people on the Board that will not vote for this type of hotel, please let them know now. Ms. Lawless thanked Mr. Broughal and would like to take a vote.

Kevin Lee, 4232 Greenfield Road, would like to challenge the Board and the developer. There is a big challenge with Arcadia Development proposing a warehouse where there is an existing hotel. Mr. Lee asked the Board to negotiate with the developer of Arcadia and Jaindl to solve the warehouse and hotel problem. Mr. Broughal stated that is contract zoning and that the Board can't tell them to negotiate. Jennifer Levins, 1370 Gaspar Avenue, doesn't understand how the hotel is viable. Ms. Levins questioned why the Township has ordinances that developers could change.

Ms. Lawless would like to take a poll. Mr. Prendeville has no objection to the property development. Mr. Diacogiannis has no comment. Ms. Lawless states she is polling for the concept. Ms. Versteeg can't guarantee she would vote yes with changes but will consider and look at changes to address some of the concerns mentioned. Mr. Gross is open with review from staff.

Ms. Versteeg moved to authorize Township staff to work with Jaindl Land Company on the wording and terminology of the ordinance and to bring it back to the Board of Supervisors for further review.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

DEVELOPMENTS – Mr. Prendeville

Arcadia Development Corporation Industrial Development – MPC Deadline

Mr. Prendeville requested to table the idea on Arcadia back in December and asked to remove the table to read the motion. Mr. Broughal corrected the motion to a note for the record and explained to the Board that the motion is incorrect. The developer of Arcadia granted the Township until March 31, 2024, to act and render a decision on the plan in their letter dated December 21, 2023.

Mr. Prendeville noted for the record, Arcadia Development Corporation Industrial Development is granted an extension to March 31, 2024, regarding the MPC deadline, per the developer's letter dated December 21, 2023.

Mr. Broughal reiterated to the Board that they do not have to wait until March 31, 2024, to make a decision. The Board can make a decision at any time.

Jaindl Wawa/MOB/Bank – 90 Highland Avenue – Recording Deadline

Mr. Prendeville moved the Board grant the developer of Jaindl Land Company – 90 Highland Avenue – Proposed Commercial Development an extension to August 8, 2024, regarding the recording deadline, per the developer's letter dated January 2, 2024.

Mr. Diacogiannis seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

ADMINISTRATION – Mr. Gross

Report of the Library Representative

Telly Diacogiannis had nothing to report.

Note for the record – Organizational Chart

Mr. Gross noted for the record that that Township Secretary provided the Board an updated Organizational Chart dated January 9, 2024, and it has been posted on the Township's website.

Adoption of Hanover Township's Emergency Operation Plan

Mr. Gross moved to authorize the Board of Supervisors to adopt Resolution 24-6 and the accompanying Promulgation concerning the Township's Emergency Operations Plan. Mr. Gross further move, that the Board of Supervisors, Township Emergency Management Coordinator and Secretary execute the appropriate documents for submission to the County of Northampton.

Mr. Diacogiannis seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Authorization to Advertise Chaucer Lane and Lord Byron Drive Storm Sewer Extension Project

Mr. Gross moved the Board to authorize the Township Engineer to advertise the bid documents for Chaucer Lane and Lord Byron Drive Storm sewer extension project.

Mr. Prendeville seconded the motion.

Mr. Kocher explained that as soon as the grant paperwork is signed and staff informs him of any grant restrictions to be followed by the contractors he will proceed, the specs are ready. Mr. Kocher states it's appropriate for the Board to authorize Hanover Engineering to proceed with the project. Ms. Bucko states she did not receive a response from the grant coordinator yet on any restrictions/requirements.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Intermix IT – Computer/Laptop Purchase

Mr. Gross moved the Board to authorize the Township Secretary to execute the purchase agreement for 8 PCs, 7 VGA Adaptors, 1 Laptop, and Dell Support Warranty from Intermix IT.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Building Permit #23-0088 – Refund Request

Mr. Gross moved the Board to authorize the Township Treasurer to remit a partial refund of \$300.00 to Audrey Maurer of 205 Bella Vista Drive, building permit #23-0088, in accordance with Chapter 65 – Construction Codes 65-3; F. 109.6.

Mr. Prendeville seconded the motion.

Ms. Versteeg explained that the homeowner's pool was damaged before they could install it, so Ms. Maurer decided to pull the permit. The Board questioned if the permit has expired in the 6-month range. The permit did not expire. Mr. Broughal explained the ordinance states you can refund anytime the permit has been issued but if it is closed out, you have 6 months to do so.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

The Army Donation Program Office

Mr. Gross moved the Board authorize the Chair or Public Works Director to execute any legal documents relative to the Army Donation Program Office (ADPO) as it relates to the acquisition of the M102 Howitzer currently at the VFW Post 2856 in Livingston, NJ for display at Armed Services Park. The acceptance will be as follows: "On behalf of Hanover Township – Northampton County, Bethlehem, PA we are able to meet the requirements for static display as specified in the US Army TACOM Static Display offer dated January 3, 2024 and accept the US Army TACOM offer of the M102 Towed Howitzer, Serial Number 790."

Mr. Prendeville seconded the motion.

Mr. Diacogiannis thanked Mr. Jay Finnigan who championed this from the beginning and gave credit to Mr. Vince Milite who was instrumental in getting all of the Board's thoughts together.

Ms. Lawless asked Mr. Limpar what the schedule looked like on getting the site ready. Mr. Limpar stated the Public Works Department will have to pour a pad and it can be done in house.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Fire Company Vehicle Repair Request for Funding - Discussion

The Hanover Township Fire Company is requesting assistance from the Board in paying for repairs to one of their vehicles. Chief Scott Van Why explained to the Board that HTVFC has a 2014 Rescue Truck with a few engine issues. The truck has a leak out of the head gasket which needs to be replaced along with a leak in the front cover of the motor, and a knock sensor needs to be replaced for a total of \$11,800. Chief Van Why states Horwith could potentially find other issues with the vehicle which could lead to the price of \$11,800 to be higher. Chief Van Why states that the trucks are owned by Hanover Township, but HTVFC is expected to pay for the maintenance. HTVFC pays for general maintenance, but this is a major overhaul of a motor and HTVFC did not budget for something this big. Mr. Diacogiannis asked when the last time something major like this happened. Mr. VanWhy answered two or three years ago when an engine had a radiator leak. Mr. Diacogiannis explained the Township has never assisted HTVFC with repairs to vehicles because it is not in the agreement with Hanover Township. Chief Van Why would like to revisit the agreement due to the rate of maintenance and being a volunteer fire department, it's difficult to pay the repair bills. Mr. Diacogiannis reiterates the fire company is responsible for taking care of their vehicles. Ms. Lawless asked about the fire tax fund. We use the funds to purchase equipment but asked if it could be used for maintenance. Mr. Diacogiannis stated the way the Township set the funding up, it's the funding mechanism for the trucks and it could be changed but that is not how the Township has been doing it. Ms. Lawless would like to consider changes because we can't bankrupt the fire department. Ms. Lawless would like to be open-minded to changes.

George Gemmel, 1410 Princeton Drive, suggests to the fire department to set up a maintenance fund to allocate money towards repairs for vehicles. Kevin Lee, 4232 Greenfield Road, questioned where the money would need to come from to pay for the repair. Chief Van Why explains the process of how their bills are paid by the Township. Chief Van Why stated they apply for grants as much as they can and was just awarded \$20,000 which paid for new fire equipment for the trucks and volunteers. Ms. Versteeg stated there are volunteer opportunities to assist with grant writing and grant findings. Chief Van Why stated HTVFC is open to anyone who would like to help them. Ms. Lawless stated the money can be taken from the allocation to pay for the repairs and if HTVFC runs into any issues, Hanover Township can supplement the allocation down the road when we get a new Township Manager.

Chief Van Why would like to revisit the budget later. Mr. Diacogiannis stated HTVFC needs to set up funds for their needs for next year's allocation. There is a possibility of raising the fire tax and will be discussed when a Township Manager is hired.

Joan Steinberg questioned when the last time the fire tax was raised was 18 years. Mr. Diacogiannis stated it has been the same since day one, in 16 years, it has never been raised. Ms. Steinberg questioned the fire company paying for insurance on vehicles they don't own. Mr. Broughal answered that every Township follows the same procedure. A volunteer fire company doesn't have a million dollars to go out and buy a firetruck. Township's will go out and buy the trucks and enter into a risk use agreement with the fire company. The fire company agrees to use the vehicles, pay the insurance, and maintain the vehicles, which is the agreement between the Township and the fire company. Ms. Lawless explains to Chief Van Why to use

the allocation to pay the repair bill until a Township Manager is hired. Once a Township Manager is hired, they can revisit the allocation and the agreements.

PUBLIC WORKS – Mr. Diacogiannis

John Deere 60 P-Tier Compact Excavator Purchase – Budgeted

Mr. Diacogiannis moved the Board authorize the Chair or Public Works Director to sign the purchase order for the John Deere 60 P-Tier Compact Excavator from Deer Country Farm & Lawn, Inc., in the amount of \$99,377.68. It is noted for the record this is a budgeted purchase.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

TYMCO 600 (BAH) Street Sweeper Purchase – Budgeted

Mr. Diacogiannis moved the Board to authorize the Chair or Public Works Director to sign the purchase order for the TYMCO 600 (BAH) Street Sweeper from Golden Equipment Co., Inc., in the amount of \$363,800.00. It is noted for the record that this is a budgeted purchase.

Mr. Prendeville seconded the motion.

Kevin Lee, 4232 Greenfield Road, questioned the purchase of the street sweeper and compared it to the fire truck's repairs. Ms. Lawless explains that we have an asset schedule set and when things need to be replaced. The street sweeper far exceeded its life. We use vendors such as CoStars that have negotiated rates. Mr. Broughal explains CoStars, a program through the State where the State goes out to bid for you and Hanover Township can buy directly from CoStars. You can negotiate with the CoStars vendors to get a better price. Mr. Diacogiannis states both vehicle purchases are done through CoStars. George Gemmel, 1410 Princeton Drive, asked how old the current street sweeper is. Mr. Limpar stated 2005 or 2006. The street sweeper cost over \$15,000 to repair over the years. Mr. Diacogiannis reiterates the purchases are within the Township's budget.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

COURTESY OF THE FLOOR

STAFF REPORTS

Engineer – Mr. Kocher had nothing to report.

Solicitor – Mr. Broughal had nothing to report.

Recreation Director – Mr. Terenzio reported that the front desk staff at HTCC has been busy with renewing Silver Sneakers and Renew Active memberships. He would like to remind members to stop by the front desk to sign any new paperwork in January. Hanover Hoops kicks off Sunday, January 14. It will include skills evaluation followed by a draft. Games will begin on Sunday, January 21. A third classroom for Preschool has opened which includes hardworking staff. The numbers continue to grow at HTCC. Mr. Terenzio would like to thank Mr. Limpar and the Public Works Department for plowing and assisting with the snow removal. The parking lot was in great shape when he arrived at work Monday morning. Mr. Terenzio explained that HTCC will always make an effort to open despite the harsh weather conditions. Mr. Terenzio sent out his thanks and congratulations to Mr. Finnigan, Mr. Check, and Mr. Nagle for their years of service to the Township and for bringing him on board ten months ago. He also congratulated Ms. Lawless, Ms. Versteeg, and Mr. Gross on being sworn in recently.

Public Works Director – Mr. Limpar reported there was a failure at the pump station on Hanoverville Road. He received some quotes back from the vendors, the cost to replace the pump would be \$13,000. The

pumping station is currently running by the backup. The pump was damaged beyond repair and an insurance claim has been submitted to Brown and Brown. If Brown and Brown deny the claim, the Township will need to address the replacement. The grinder had a wiring issue and was able to be repaired. A quote of \$35,000 to replace the grinder was discussed. Ms. Lawless asked if the pumps and grinders were on the assets for Public Works. Mr. Limpar answered no. Ms. Lawless asked if there are any other pumping stations within the Township. Mr. Limpar answered this is the only one we have. Ms. Lawless suggested adding this equipment to the assets for future budgeting. Mr. Limpar stated the Public Works Department is currently out collecting Christmas trees and yard waste. Three quarters of the Township have been completed so far. The Public Works Department was out for over ten hours plowing the roads and taking care of the Township. Mr. Prendeville asked if Mr. Limpar had the ability to write tickets for snow emergencies. Mr. Limpar answered he does not and will look into getting the capability to write tickets. Mr. Limpar stated he is anticipating getting the excavator in March and the street sweeper in June or July. The trucks that were ordered two years ago, he has yet to receive an update on.

Ms. Lawless thanked the Public Works Department for working late and cleaning out storm drains. Mr. Prendeville expressed his gratitude to Dante for the good job performed.

Upon motion of Mr. Prendeville the Board adjourned at 8:45pm.

Kimberly R. Lymanstall
Secretary