
REGULAR SEMI-MONTHLY MEETING

February 27, 2024

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

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

The Pledge of Allegiance was performed.

Ms. Lymanstall noted that the 2023 Return of Taxes was added under Administration and Lehigh Valley Greenways Mini-Grant Program was removed.

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.

Upon motion of Mr. Prendeville seconded by Mr. Diacogiannis, the Board approved the minutes from the meeting of the Board of Supervisors dated January 23, 2024.

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

Upon motion of Mr. Prendeville, seconded by Mr. Diacogiannis, the Board approved the list of bills and transfers dated February 27, 2024.

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

COURTESY OF THE FLOOR

Jay Finnigan, 4208 Maria Lane, updated the Board on Armed Services Park. Land dedicated to the Township by Jaindl Land Company October 2, 2008. In August 2008, Hanover Township applied for a grant from Monroe County through the Gaming Act for \$250,249.00.

In June 2010, the Township received approval for \$77,203.00 from the Commonwealth Finance Authority who administered the Monroe County Program. The bid was awarded for the construction of the park on August 24, 2010. The park was dedicated June 14, 2011. Anyone who was there will remember it was a hot, humid day and just to the East and North of us there were damaging thunderstorms. Vince Milite had promised him it wouldn't rain! And it didn't!

Our speakers were Robert DeSousa, State Director for Senator Toomey and an Iraq War Veteran who served in the Pennsylvania Army National Guard for 28 years. In the Guard, he held numerous positions of leadership, including as State Judge Advocate, where he provided counsel to the Adjutant General of Pennsylvania and senior staff. Attorney Joseph Zator, West Point graduate, a 10-year Army Veteran. Attorney Zator was involved as counsel to the Jaindl Land Company. Major General Gerry who is still a Hanover resident who had a 43-year distinguished military career. Colonel Wendall Phillips, a resident of Traditions of Hanover, a WWII veteran who was a POW 2 times provided the Invocation & Benediction. Musician 1st Class Dan Deysher played Taps, before passing he had performed taps at over 3,500 military funerals.

We had color guards from the Colonial Regional Police (all military veterans) and United States Marine Corps – Allentown Logistics group. The Veterans of Foreign Wars – Northampton provided a color and honor guard.

In the summer of 2016 John Diacogiannis, Don Smith, a township resident and affectionally known as the admiral met with Congressman Charlie Dent to begin the process to obtain a piece of military surplus as a static display at the park. We made formal application in October of 2016 and were required to submit paperwork every three years to indicate we were still interested.

Finally, on Wednesday, January 3, 2024 at 1:05 PM, the Township was informed that we could receive the M102 Howitzer currently located at VFW Post 2856 in Livingston, NJ. With the help of Rinker Excavating, the M102 Howitzer was moved to Armed Services Park on Wednesday, February 21, 2024.

Our fine Public Works Department installed the concrete pad it now sits on and hoisted it into place.

Tom Torok, 6359 Valor Drive, would like the Township to provide live music for senior citizens.

Karen Howard, 1520 Chaucer Lane, would like to thank the Public Works Department for helping the Township out with snow removal and cleaning up the roadways from debris.

REPORT OF THE CHAIR

Ms. Lawless was absent.

REPORT OF THE VICE CHAIR

Ms. Versteeg noted for the record Executive sessions were held January 31, February 8, and February 20 regarding personnel matters related to the filing of the Township Manager position. Ms. Versteeg also shared that she was nominated by Northampton County Executive Lamont McClure to be a commissioner to the Lehigh Valley Planning Commission, which was accepted. Ms. Versteeg attended her first LVPC meeting. Presented was a climate action plan that will be submitted to the DEP for consideration and a possible awarded grant money to put forth efforts in it. The plan can be found on the LVPC website under the environment menu option.

SUPERVISOR'S COMMENTS

Mr. Diacogiannis – Road District #1, had nothing to report. Mr. Diacogiannis reported that Armed Forces Day celebration will be May 18, 2024, at 10:00am. Mr. Diacogiannis explained music in the parks is a part of other events, such as the carnival. Mr. Limpar and the Public Works Department set up the Howitzer at Armed Services Park.

Ms. Versteeg - Road District #2, had nothing to report. Ms. Versteeg thanked Public Works for the snow removal.

Mr. Gross– Road District #3, had nothing to report. Mr. Gross complimented Public Works.

Ms. Lawless – Road District #4, was absent.

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

APPOINTMENTS AND RESIGNATIONS – Mr. Diacogiannis PLANNING & ZONING – Mr. Prendeville

Advertise Airport Flightpath District Correction Ordinance

Mr. Prendeville moved the Board to authorize the Solicitor's office to advertise the ordinance to amend Chapter 185 Zoning; Article VIII Employment Districts; 185-38 Regulations applicable to AFHBD Aircraft Flightpath Highway Business District; Subsection E, Conditional Uses, to amend certain conditional uses within the AFHBD Zoning District; and Article XIV Zoning Hearing Board; 185-54 Conditional Uses; Subsection E Specific Standards for Conditional Uses, to amend certain specific standards; and repealing all ordinances or parts of ordinances inconsistent herewith.

Mr. Gross seconded the motion.

Mr. Diacogiannis asked when the public hearing would be advertised. Mr. Broughal stated the ordinance will be advertised for April 9, 2024.

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

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

Mr. Prendeville moved the Board to authorize the Solicitor's office to prepare the zoning ordinance amendment for adoption. The zoning ordinance to amend Chapter 185 of the codified code of the Township of Hanover to provide for the Amendment of Chapter 185, Section 185-35.D By adding a limited service hotel and motel establishment as a use permitted by conditional use in the PIBD District and for the Amendment of Section 185-54.E.(9) of the codified code of the Township of Hanover to establish criteria for said use; Repealing all Ordinances or parts of Ordinances inconsistent herewith; providing a severability clause; and providing an effective date.

Ms. Versteeg requested clarification if the motion was correct or if the motion should be that it goes to the Hanover Township Planning Commission and LVPC first. Mr. Kocher explained that it was already completed as part of the advertising process and to set the hearing date far enough out to receive comments and review the comments at the hearing. Mr. Broughal answered that they will send the Hanover Township Planning Commission and LVPC the proposed ordinance before the public hearing is set up, that way if comments come back and the Board wants to take action to revise it, there is opportunity to do so. If there are no comments, Mr. Broughal will bring it back to the Board to see what date is acceptable to the Board for the public hearing. The Board does not have to vote yay or nay at the public hearing, but the process has begun.

Mr. Diacogiannis seconded the motion.

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

90 Highland, LLC/90 Highland Avenue Road Improvements

Applicant is present to discuss easements that the Applicant needs from certain property owners along the west side of Route 512 to install its required roadway improvements. Jaindl Land Company is requesting the assistance of the Township for the improvement of Route 512 in the area as the applicant has not received responses from two owners out of six owners.

Present were Chris McLean, Fitzpatrick Lents & Bubba, on behalf of Jaindl, Nicole Gallo, and Jeff Vivian, Engineer to assist with questions.

Mr. McLean explained they have made multiple attempts to contact property owners in the vicinity of 90 Highland to acquire the necessary easements. Mr. McLean identified seven properties owned by six owners and they have acquired the rights from three of the property owners. The fourth property is currently being worked out to be resolved soon, but there are two properties without success. They have sent out certified letters and knocked on doors. The property involves a temporary construction easement of about 675 sq. ft. and a permanent traffic signal easement for the mast arm, which is about 146 sq. ft. The properties immediately to the North of that property are owned by CZM. They tried certified letters and knocked on doors without success to acquire rights for an 852 sq. ft. temporary construction easement and a mast arm signed easement area of 62 sq. ft.

Mr. McLean is asking for the Board's assistance in acquiring the rights.

Mr. Broughal explained that the Township and Jaindl Land Company as part of the development, Jaindl Land Company agreed to do certain improvements on Route 512 because of the increased traffic. Jaindl Land Company is near the end of that obligation but is now stuck. Mr. Broughal stated that there are two requirements that the Township has, the power of the domain and that whatever is acquired ends up in public

domain. The Township can assist as long as the property ends up in the public domain whether with PENNDOT or the Township. Mr. Broughal explained to the Board that there is nothing illegal about it and it's the Board's decision. Jaindl Land Company would enter into an Identification Agreement with the Township to agree to pay all the costs associated. Mr. Diacogiannis asked Mr. Broughal to explain the power of domain. Mr. Broughal explained he will do a service by order of court. The court will order them to do it by publication as long as the Board wants to exercise that power of domain.

Mr. McLean explained they are only talking about permanent rights for the eight square feet for a traffic signal easement, a mast arm, and the sign that's going to overhead Route 512. The terms of permanent rights taken are very limited. The construction easement they require is ten ft. wide for the entire front of the properties. Mr. Kocher explained they are adding a southbound right turn lane at the PNC bank and traffic signal improvements.

Mr. Prendeville makes a motion to authorize the Solicitor to prepare the Indemnification Agreement with the developer Jaindl Land Company and to authorize the Solicitor to prepare the Resolution of Condemnation for easement rights and land along Route 512.

Mr. Diacogiannis seconded the motion.

Dale Traupman, 2612 Pioneer Road, asked if the Township has to attempt to contact the landowner. Mr. Broughal answered he will do that because they will have to represent to the court that they made an effort to contact the owners.

Jennifer Levins, 1370 Gaspar Avenue, had similar concerns. Ms. Levins shared her concerns regarding documentation or proof that Jaindl Land Company made an attempt to reach the owners. Mr. Prendeville answered that Mr. Broughal's office will be taking care of the matter.

Glynnis Daniels, 1280 Gaspar Avenue, shared her concerns regarding pedestrian safety along Route 512.

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

DEVELOPMENTS – Mr. Prendeville

90 Highland LLC – Indemnification Agreement

Mr. Prendeville moved the Board to authorize the Chair and Secretary to execute the Indemnification Agreement with 90 Highland, LLC, a Pennsylvania limited liability company, 3150 Coffeetown Rd., Orefield, PA. The agreement allows 90 Highland LLC to commence site work. 90 Highland LLC is in compliance with Township Ordinances and Policies and has posted the appropriate security.

Mr. Diacogiannis seconded the motion.

Mr. Broughal explains the Indemnification Agreement allows the developer to do site work. The Indemnification Agreement is put in place to pay for the services of the Township Engineer to go out and make sure that the site work is being done in accordance with the Township.

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

Hanover Senior Living – Development Plan Extension

Mr. Prendeville moved the Board grant the developer of Hanover Senior Living an extension to June 18, 2024, to complete the irrigation spray field work associated with the improvements, per the developer's letter dated January 23, 2024.

Mr. Diacogiannis seconded the motion.

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

Advanced Health Care – Improvements Inspection

Mr. Prendeville moved the Board accept the improvements, close-out project, and release the remaining security for the project Advanced Health Care, 3370 Highpoint Blvd, based upon the satisfactory completion of the conditions set forth in the Hanover Engineering letter dated February 8, 2024.

Mr. Diacogiannis seconded the motion.

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

Note for the Record – 4000-4030 Airport Lot Consolidation and Land Development – Extension Request

Mr. Prendeville noted for the record, 4000-4030 Airport Road is granting the Board an extension to May 30, 2024, for the following deadlines:

- Northgate 1-2 lot Subdivision – Improvements Deadline
- Northgate 1 Land Development – MPC Deadline
- Northgate 1 Lot Consolidation Plan – Record Plans Conditions Deadline
- 4000-4030 Airport Road Lot Consolidation & Land Development – MPC Deadline

ADMINISTRATION – Mr. Gross

PNC Pension Presentation

Terry McMahon, Senior Investment Advisor with PNC and colleague Paul Kamor were present to discuss the PNC pension.

Resolution - Zoning Officer Salary Adjustment

Mr. Gross moved the Board to adopt Resolution 2024-10 - Compensation for Zoning Officer/Building Code Official rescinding previous Resolution 2024-7, effective January 23, 2024. Ms. Luisser's compensation will be \$48,000.00 (\$1,846.15 bi-weekly) per year, payable bi-weekly from the General Fund of the Township.

Mr. Prendeville seconded the motion.

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

Code Enforcement Officer Appointment

Mr. Gross moved the Board to appoint Mr. Limpar as Code Enforcement Officer to enforce the following Chapters of Code of the Township of Hanover:

Chapter 111 - Littering

Chapter 124 - Parks and Recreation

Chapter 172-26 - Snow and Ice Emergency

Chapter 172-27 - Vehicle Restrictions on Snow Emergency Routes

Chapter 172-28 - Snow and Ice not to be Placed on Highway

Chapter 172-29 - Unattended Vehicles Prohibited During Emergency

Chapter 172-30 - Notice of Violation Form

This appointment is effective February 27, 2024. Mr. Limpar is authorized to institute civil proceedings as a means of enforcement when acting as a Code Enforcement Officer.

Mr. Prendeville seconded the motion.

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

Note for the Record – Organizational Chart

Mr. Gross noted for the record that the Township Secretary provided the Board with the updated Organization Chart on February 27, 2024, and it has been posted on the Township's website.

IntermixIT – Statement of Work Agreement and Labor Fee

Mr. Gross moved the Board to authorize the Chair and Secretary to sign the Statement of Work Agreement with IntermixIT for the labor of replacing and setup of the computers. The cost of labor is a one-time fee of \$4,095.00. I further authorize the Secretary to pay the cost of labor through the General Fund account.

Mr. Prendeville seconded the motion.

Mr. Prendeville asked if the fee was budgeted. Ms. Lymanstall answered it was budgeted for and the labor cost was sent after the quote of the computers were sent.

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

Telco, Inc – Cost Estimate for Mast Arm Pole on Highland Damaged due to MVA

Mr. Gross moved the Board to authorize the Chair to sign the cost estimate from Telco, Inc. to replace the Mast Arm Pole on Highland Avenue damaged from a MVA. This estimate has been filed with the insurance company to cover the costs.

Mr. Prendeville seconded the motion.

Mr. Limpar explained it was a hit and run. CRPD did everything they could to find the dump truck responsible for the damage but was unsuccessful.

Note for the Record – Pool Change Order #11

Mr. Gross noted for the record on December 22, 2023, a change order was signed by the Township Manager for the municipal pool. The change order is to present pricing to substantiate the claim for additional time and costs associated with the inability of public utility to timely deliver power to the project due to supply chain shortages of necessary equipment. The time period of 15 working days to plaster, fill, start pool, and conduct training cannot commence until outside temperatures are consistently above freezing for a sustained period of time and there is no risk of water freezing. Heim Construction anticipates commencement April 24, 2024, and completing the project by May 15, 2024. The amount of \$19,511.35 decreased to \$19,373.36.

2023 Return of Taxes

Mr. Gross moved the Board to authorize the Vice Chair and Secretary to sign the Return of Taxes for 2023 affidavit and send it to the County of Northampton Tax Claim Bureau.

Mr. Prendeville seconded the motion.

The amount sent to the Northampton Tax Claim Bureau for 2023 is \$89,534.36.

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

PUBLIC WORKS – Mr. Diacogiannis

Mr. Diacogiannis had nothing to report.

COURTESY OF THE FLOOR

Jennifer Levins, 1370 Gaspar Avenue, questioned the February 13th agenda about the executive session. Ms. Versteeg explained the executive session has been rescheduled due to inclement weather.

Joe Ferenchak, 2745 Jacksonville Road, requested a flashing stop sign at the end of Bridle Path Road due to an incident of a driver going through the stop sign and ending up in his front yard. Mr. Limpar answered the stop sign has been ordered and will be installed as soon as we receive it. Mr. Ferenchak thanked Mr. Limpar for cleaning out the swale next to his house.

STAFF REPORTS

Engineer – Mr. Kocher had nothing to report.

Solicitor – Mr. Jim Broughal had nothing to report.

Recreation Director – Mr. Terenzio reported Hanover Hoops is wrapping up with the coaches vs parents basketball game on Sunday, March 3rd at 1:00pm. HTCC is starting a pickleball league and there are 40 players registered. Breakfast with the Easter Bunny registration is open and at 75% capacity. The event will be held Saturday, March 23rd from 9:00am-10:30am. The Hanover Township Carnival is scheduled for June 5th-June 8th with a DJ on Thursday and Saturday afternoon as well as live music on Friday and Saturday. The grand opening of the pool will be Saturday, June 8th from 12:00pm-4:00pm. Lifeguard interviews have been conducted and the plan is to hire about 40 lifeguards. The pool manager will get certified to become a lifeguard instructor so that lifeguard training can be performed in-house. Registration is open for the Third Annual Golf Tournament, which will be held Friday, May 3rd at Whitetail Golf Course. Arbor Day is scheduled for Saturday, April 27th. Summer camp registration is open and will be held for six weeks from June 10th through July 19th.

Public Works Director – Mr. Limpar thanked the Public Works Department for their hard work with the snowstorms. Mr. Limpar also thanked everyone involved with the help of the installation of the Howitzer. Mr. Limpar explained crack sealing within the roads will begin soon and Public Works will start park clean up. Yard waste will resume in April.

Ms. Versteeg noted the next Board of Supervisor's meeting will be March 12, 2024, at 7:00pm.

Upon motion of Mr. Prendeville the Board adjourned at 8:09pm.

Kimberly R. Lymanstall
Secretary