

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
June 19, 2012**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Tuesday, June 19, 2012 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty and Andrew Kelly. Martin Dyas and David Brown were absent. Also present were Township Manager Edward Wagner, Solicitor Paul Bauer and Administrative Assistant Eileen Pogany. Vice Chairman Douglas Muller called the meeting to order at 7:05pm and led in a Salute to the Flag.

ANNOUNCEMENTS – Douglas Muller announced that the following items are available on the counter in the rear of the meeting room: attendance sign-in forms for the official record of who is in attendance, agendas for the public, a notebook containing meeting procedures, a notebook containing approved minutes from prior meetings, and a notebook containing prior meeting bill lists. He added that the Board of Supervisors will give an opportunity for public comment prior to any official action, that non-agenda items from the floor will be addressed after all business items are completed, and that one person speaks at a time with a five minute time limit at the discretion of the Vice Chairperson. He determined that no one was taping the meeting.

PUBLIC HEARING – Paul Bauer presided over the public hearing on the proposed amending sections for Chapter 22 SALDO, New Hanover Township Subdivision and Land Development Ordinance and Chapter 27 of the New Hanover Township Zoning Ordinance. Legal notices and copies of the proposed amendments have been published in accordance with requirements in the *Town and Country* newspaper; copies have been available to the public at the township office. Copies have also been provided to the Township Planning Commission members and to the Montgomery County Planning Commission for review and comment; response letters supported the adoption of the ordinance amendments. The amendments provide for some changes, clarifications and amendments to the ordinances and primarily concern the TC/TN Districts. No comments were received from the Board of Supervisors or the residents and the hearing was closed at 7:09 PM.

Regular meeting of the Board of Supervisors resumed at 7:10 PM.

Ralph Fluharty **moved** to adopt *Ordinance No. 12-02*, amendments to Chapter 27, New Hanover Township Zoning Ordinance as proposed. Andrew Kelly **seconded** the motion and it **carried 3-0**.

Douglas Muller **moved** to adopt *Ordinance 12-03*, amendments to Chapter 22, of the New Hanover Township Subdivision/Land Development Ordinance. Motion was **seconded** by Andrew Kelly and **carried 3-0**.

ANNOUNCEMENT

Eileen Pogany announced that the July 9th meeting of the Board of Supervisors will take place at the New Hanover Township Schoolhouse which is located at 3189 Reifsnnyder Road. Work session will begin at 6:30 PM followed by the regular meeting at 7:00 PM.

UPCOMING TOWNSHIP MEETING – Eileen Pogany

June 19	Environmental Advisory Board	7:00pm
July 9	Next Regular Meeting of the BOS	6:30pm/7:00pm

PRESENTATION OF CURRENT BILLS

Bill List #10 Dated 05/29/12

General Fund 01	\$ 29,294.31
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 28,498.17
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 2,114.17
Escrow Fund 41	\$ 20,815.04
Recreation Fund 96	<u>\$ 6,127.58</u>
TOTAL	\$ 86,849.27

Ralph Fluharty **moved** to approve the bills as listed in Bill List #10. Douglas Muller **seconded** the motion and it **carried 3-0**.

Bill List #11 Dated 06/19/12

General Fund 01	\$ 59,921.30
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 29,234.38
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 2,210.48
Escrow Fund 41	\$ 10,054.83
Recreation Fund 96	<u>\$ 9,873.43</u>
TOTAL	\$111,294.42

Andrew Kelly **moved** to approve the bills as listed in bill list #11 and also to advance the treasurer the monies for utilities and payroll for coming month. Ralph Fluharty **seconded** the motion and it **carried 3-0**.

Minutes - Andrew Kelly **moved** to approve the May 14, 2012 work session and regular meeting minutes. Douglas Muller **seconded** the motion and it **carried 3-0**.

SOLICITOR’S REPORT – Garner and Bauer, Paul Bauer, Esq.

Gibraltar Rock Court Case – Mr. Bauer reported that he has not received an update on this case from Commonwealth Court but that he expects a response shortly. The matter will continue to be an agenda item until a response is received.

THP Objection to Claims – objections to certain claims of New Hanover Township have been filed by THP; the Township has filed an objection and expects a hearing will be scheduled.

MANAGER’S REPORT – Edward Wagner

Mr. Wagner reported that he attended the Association of Pennsylvania Municipal Management Conference on May 22-24 at the Lancaster Marriott and received a certificate for completing 20 credit hours of instruction under the Professional Development Program.

Kingston Hill II Home Owner’s Association – In August 2005 THP prepared a Declaration of Planned Community (Original Declaration). The document was signed by the property owners at that time but was not recorded. In early 2011 it was discovered that THP failed to record the original declaration. On May 8, 2012 the law offices of Fox Rothschild recorded the original declaration against all 144 lots within the Kingston Hill II project and scheduled a meeting to discuss the future operations of the association to be held at the Hope Community Church. Yearly dues are expected to be set at \$100. per lot.

Hickory Park Restroom Grant – Archaeological dig requirement has been waived. Upon receiving approval from Terry McMullen of Montgomery County, the project will be bid on Pennbid with hopes of beginning construction early September. Ed stated that he would like to start the project after the annual Fall Frolic event which will take place on Saturday, September 15th.

Upcoming Recreation Programs – announced the scheduled “Movie Nights in the Park” which will take place at Hickory Park on June 23, July 21 and August 18. All movies will begin at dusk and are offered free to the public through sponsorships. Hope Community Church will provide free popcorn and refreshments for all movie goers.

Swimming lessons will be offered this summer at Hickory Park Pool. There will be two skill levels to choose from and will be ten sessions, 45-minutes in length at a cost of \$25 for pool members and \$35 for non-pool members.

Monthly Department Head Meeting –Took place on June 5th at 9:00am.

BUSINESS FOR DISCUSSION OR ACTION: NONE

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS:

Andrew Kelly **moved** to approve the waiver of time limit requests as listed:

N.H.T.P.C #563	McGee	40 lots	7/2/2012
N.H.T.P.C. #665	Zavitsanos	122 lots	6/12/2012
N.H.T.P.C. #709	Trotter Gait	54 Units	6/11/2012
N.H.T.P.C. #714	James Carroll Phase II	3 lots	6/11/2012
N.H.T.P.C. #754	Breinig	2 lots	7/12/2012
N.H.T.P.C. # 771	Gibraltar Rock	Commercial	6/8/2012

Ralph Fluharty **seconded** the motion and it **carried 3-0**.

NEW BUSINESS

Junk Yard License Renewal – Ralph Fluharty **moved** to renew the junk yard license of William I. Horner, 3071 Fagleysville Road, Gilbertsville, PA 19525. Andrew Kelly **seconded** the motion and it **carried 3-0**.

Part-time Finance Clerk– Douglas Muller **moved** to hire Margaret Paludi as part time finance clerk retroactive May 21, 2012. Ralph Fluharty **seconded** the motion and it **carried 3-0**.

Full Time Police Officer –Chief McKeon stated that both Officers Salvo and Fugal are excellent officers but that his budget allows for promoting one officer to full-time status. He stated that he has received favorable comments regarding Officer Michael Salvo from residents and other police officers and recommends promoting Michael Salvo to full-time status effective June 23, 2012. Douglas Muller **moved** to promote Officer Salvo to full time duty effective June 23, 1012. Andrew Kelly **seconded** the motion and it **carried 3-0**. Officer Salvo will be sworn in at the Board's July 9th meeting.

OLD BUSINESS

FROM THE FLOOR

Karen Place addressed the Board saying that she had been employed as a Part-time Sewer Clerk at the Township's sewage treatment facility for four years and that she announced her resignation to Mr. Wagner following a meeting on May 9th with him regarding the seasonal employment of her son Kain. She apologized for her outburst at that time, asked to be reinstated and stated that she is committed to performing in a professional manner if reinstated. She further added that her action of resigning her position was poor judgment and deeply regrets her decision. Douglas Muller stated that he appreciated her coming forward but that the Board of Supervisors cannot discuss personnel issues in a public meeting unless she waived confidentiality of personnel issues on the record which would allow the Board to ask questions of her, during the public meeting, regarding her employment and this matter. Her husband, Keith Place, asked if she could request a meeting with the Board in Executive session after which Mrs. Place agreed to waive her right to confidentiality. Douglas Muller stated that he understands her point of view and hopes she understands the Board's point of view and that the Board had accepted her resignation. Mrs. Place was asked to submit her resume for the position and Michael McGann will be asked to make a non-bias recommendation for the best qualified person to fill the position to the Board of Supervisors.

Raymond Strickland, Chief Sassamansville Fire Company, provided an update of the company's efforts to implement the recommendations of Dr. Jenoway's study and also includes his company's goals.

The Board was advised that Robert Thomas would like to step aside as Emergency Management Coordinator but that he intends to continue to be involved in the team. Douglas Muller asked if the position of Fire Marshall could include the Emergency Management position. Philip Agliano stated that it could but that the job description would need to be upgraded; he added that the two persons he's submitted as Fire Marshall candidates would be suitable for the position if not selected as Fire Marshall but would need additional training. William Moyer agrees with Mr. Agliano that candidates will need additional training.

PUBLIC COMMENT ON NON-AGENDA ITEMS – None

Regular meeting adjourned to Executive session at 7:40 PM with an announcement being made that there could possibly be a decision upon reconvening the regular meeting.

EXECUTIVE SESSION

Regular meeting reconvened at 8:00 PM with Andrew Kelly making a **motion** to allow for a 6% grade driveway grade on properties to be developed by Kingston Hill Realty LP. Douglas Muller **seconded** the motion and it **carried 3-0**. Ed informed the board that we will issue a letter to the applicant regarding the waiver.

ADJOURNMENT – the meeting was declared adjourned at 8:03 PM.

Edward Wagner, Secretary/Manager