

NEW HANOVER TOWNSHIP

BOARD OF SUPERVISORS

REGULAR MEETING

OCTOBER 14, 2013

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, October 14, 2013 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly and David Brown. Martin Dyas was absent. Also present were Township Solicitor Paul Bauer and Eileen Pogany. Vice Chairman Douglas Muller called the meeting to order at 7:00pm and led in a Salute to the Flag.

ANNOUNCEMENTS – Vice Chairman 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 Chairperson. No one stated that they were taping the meeting.

UPCOMING TOWNSHIP MEETING – announced by Eileen Pogany

Oct. 15	Environmental Advisory Board	7:00pm
Oct. 21	BOS Budget Meeting	6:30pm
Oct. 23	Sewer Authority @ WWTP	6:30pm
Nov. 06	Recreation Committee	7:00pm
Nov. 11	Next Regular Meeting of the BOS	6:30pm
Nov. 13	Planning Commission	6:30pm

PRESENTATION OF CURRENT BILLS

Bill List #18 –dated 9/23/13

General Fund 01	\$ 22,671.76
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 33,921.37
Sewer Capital Fund 10	\$ 17,797.50
Trans. Impact Fund 13	\$ 0.00
Capital Fund Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 41,276.93
Escrow Fund 41	\$ 17,664.34
Recreation Fund 96	<u>\$ 11,253.87</u>
Total	\$144,585.77

Ralph Fluharty **moved** to approve payment of Bill List # 18. Motion was **seconded** by Andrew Kelly and **carried 4-0**.

Bill List #19 Dated 10/14/13

General Fund 01	\$292,771.88
Fire Tax Fund 03	\$ 11,730.81
Sewer Operating Fund 08	\$ 68,313.86
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 59,465.35
Escrow Fund 41	\$ 19,351.08
Recreation Fund 96	\$ <u>19,519.05</u>
TOTAL	\$471,152.03

Andrew Kelly **moved** to approve payment of Bill List #19 and advance the treasurer the monies for utilities and payroll for coming month. David Brown **seconded** the motion and it **carried 4-0**.

Minutes – Douglas Muller **moved** to approve the meeting minutes of the September 09, 2013 regular meeting. Ralph Fluharty **seconded** the motion and it **carried 4-0**.

REPORTS

SOLICITOR'S REPORT – Bauer & Associates, LLC

1. Cable Franchise Renewal – Township's current agreement expires in 2012 and a 15 year contract is being negotiated which would offer a \$25,000 grant enticement and in addition to quarterly payments. The Federal Communications Commission mandates certain provisions. Possible uses for grant monies include a computer server and accounting equipment. Andrew Kelly **moved** to renew the cable franchise; motion was **seconded** by David Brown and **carried 4-0**.
2. Police Contract Negotiation – contract negotiated between himself, Douglas Muller and police officer representatives. Provisions of the 3-year contract include an increase in the police officers' contributions to pension plan and to health care premiums. The contract has been signed by all officers with the exception of one who was not available and who is expected to sign. Douglas Muller asked Chief McKeon to thank the officers for their co-operation and **moved** to approve the contract for years 2014 through 2016. Andrew Kelly **seconded** the motion and it **carried 4-0**.
3. DEP Hoff VC – Water Extension Agreement with Superior Water Company will be funded by a DEP grant for two million dollars to hook-in residential properties in the area of the contaminated wells. Superior Water Company is sole procurement and is not subject to prevailing wage. Agreement is being reviewed and minor changes are expected. Board of Supervisors deferred action until a revised draft of the agreement is available and may take action at their meeting of October 21, 2013.
4. Discussion – Metropolitan Development Group request to refund escrow monies for Kingston Hill. Developer is requesting a refund of the \$50,000 escrow required by the Township in April of 2012 since they have since established a relationship with the Township and have established a bond for site improvements in the amount of \$450,000. The \$450,000 amount was calculated by developer and reviewed by the Township engineer and also includes an additional 10% above the expected actual cost along and an escalator clause. Andrew Kelly **moved** to refund the \$50,000 to Metropolitan Development Group; **seconded** by David Brown and **carried 4-0**.

CODE ENFORCEMENT REPORT – Mr. James Wozniak reported inspections and permit reviews totaled 177. He added that he had attended 2 staff meetings, met with 9 residents/contractors, investigated 2 storm water complaints, issued 2 citations and reviewed Engineer Gilmore's weekly inspection reports. He reported on the monitoring of residential trash collection services and also on the results of the inquiries sent in 2011 to owners of rental properties.

POLICE REPORT – Chief McKeon reported that the department had responded to 369 calls, had 21 criminal complaints, 12 assists to other townships, totaled 7,571 miles traveled by police vehicles and spent \$133 on vehicle maintenance.

PUBLIC WORKS REPORT – Jay Smith reported that the department is engaging in maintenance of roadways including sealing cracks, patch paving, shoulder repairs, and tree removal. As well as successfully seeding the sewer pump station property at Burton Drive. He added that Hetrick Gardens is collecting large amounts of composting materials which need to be ground up requiring expenditure of funds and that there is no written agreement as to how the expense for the grinding is to be divided between Hetrick Gardens and New Hanover Township. Mr. Smith stated that Christmas trees are chipped by the Public Works Department.

Douglas Muller **moved** to authorize Solicitor Bauer to create an agreement with regard to sharing the grinding expense between New Hanover and Hetrick Gardens and to include language with regard to cost for purchasing of ground mulch. Andrew Kelly **seconded** the motion and it **carried 4-0**. Solicitor Bauer mentioned that department heads should have the authority to spend monies which have been budgeted. Mr. Smith also commented about rust problems on his fleet equipment and added that he would like to establish a fleet maintenance/capitalization plan.

SEWER REPORT – No report - Director McGann is vacationing and the Authority Monthly Meeting has been rescheduled for October 23, 2013.

RECREATION REPORT – Connie Garner reported that Fall Frolic 2013 had gone very well and that an estimated 2500 attendees had enjoyed the activities and food provided. The event was staffed with approximately 50 volunteers, some of which were Key Club members, National Honor Society members, church members, and Township employees; she stated that an expanded program is being planned for Frolic 2014. She stated that facilities at the New Hanover Township Recreation Center are being rented and that the Township's Children's winter program will take place at the Recreation Center. Additional events planned for 2014 include a craft show, a yard sale, an egg hunt, 5K race, fishing derby and opening of the swimming pool.

Douglas Muller thanked all department head for their efforts through the Township's transition without a Township manager. Chief McKeon stated that Solicitor Bauer is doing a good job with assisting during the transition period.

STATUS REPORT

1. Mastercard – Bank of America –Andrew Kelly **moved** to approve renewal of the Master Card issued to New Hanover Township and to authorize Patricia Bellows and Connie Garner as employees authorized to discuss matters regarding the account. David Brown **seconded** the motion and it **carried 4-0**.

2. Department Head meetings - Solicitor Bauer stated that department head meetings have taken on a new style which he expects will be beneficial to them. He stated that meetings will be scheduled every other Thursday at 8:30am and will be attended by a member of the Board of Supervisors; department head meetings are not public meetings.
3. Wynstone Development – Solicitor Bauer advised the Board that Edward Mullin has requested to meet with staff to determine if the Board of Supervisors are interested in a development similar to what was submitted in the initial Wynstone plan. Mr. Mullin is willing to provide escrow fund to reimburse the Township for expenses associated with the meeting. Douglas Muller suggested that one member of the Board be assigned to represent the Board on this project. David Brown commented that a development of this type would provide conveniences to Township residents and Andrew Kelly agreed that it is a critical project for the Township.

BUSINESS FOR DISCUSSION OR ACTION - None

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS - None

OLD BUSINESS - None

NEW BUSINESS –

Right to Know Officer – Ralph Fluharty **moved** to adopt **Resolution 24-13** appointing Connie Garner as the designated Right-to-Know Officer. David Brown **seconded** the motion and it **carried 4-0**.

Authorization for Destruction of Township Records – Andrew Kelly **moved** to adopt **Resolution 23-13**, authorizing destruction of Right to Know Requests processed prior to September 11, 2011. Douglas Muller **seconded** the motion and it **carried 4-0**.

Escrow Release - Country Meadows - Paul W. Moyer & Sons, Inc. – Township Engineer David Leh has recommended escrow release No. 1 in the amount of \$559,226.86. David Brown **moved** to authorize the release based on the recommendation of Mr. Leh of Gilmore Engineers. Andrew Kelly **seconded** the motion and it **carried 4-0**.

Exemption Request – Trash and Recycling-3036 Lutheran Road – Ralph Fluharty **moved** to exempt the resident located at 3036 Lutheran Road based upon the information submitted to the Township. David Brown **seconded** the motion and a discussion ensued resulting in Ralph Fluharty **withdrawing** his motion. Code Enforcement Officer James Wozniak will be asked to confirm the conditions outlined in the request.

Fireman's Relief Fund – distribution required within 60 days. David Brown stated that at present, the Township has one fire company and **moved** to disburse the funds to New Hanover Fire Company. Andrew Kelly **seconded** the motion and it **carried 4-0**. Philip Agliano stated that Fireman's Relief Fund money distribution is determined by the Auditor General's office and that Sassamansville Fire Company can petition for their percentage of distribution. Ralph Fluharty asked to know how the funds were spent by the New Hanover Fire Company.

Emanuel O'Toole, Jr. Deputy Fire Chief of Sassamansville Fire Company stated that Sassamansville has provided all the information requested by the Township and that the review of the by-laws is almost complete. He requested that Sassamansville be reinstated as a fire company since he is concerned that morale is low, firefighters are becoming discouraged, and

are leaving the company. Mr. O'Toole was advised that a meeting of the ESB, Emergency Services Board, will be scheduled when the review of by-laws has been completed and that David Brown will act as the arbitrator for any items in dispute. Mr. O'Toole requested that Sassamansville be recognized but was advised that there will be one fire company in New Hanover and that the New Hanover Fire Company has not been legally organized as of yet.

PUBLIC COMMENT-

Ruth Baker –School Board Election Method Changes – Ms. Baker explained that the Boyertown Area School Board voted to change the school board election methods starting in spring of 2013. The Berks County Court of Common Pleas has been petitioned to intervene in this change since it is believed that the representation is more balanced between Montgomery and Berks Counties with the prior election methods and keeping elections local. Resolutions supporting the effort to keep districting as it was have been adopted by numerous surrounding communities. Douglas Muller stated that he supported the effort to keep elections local. Linda Curry and John Matthews, former school board members, along with Edward Swagzdis stated that they also support the local representation.

Adjourned to executive session at 9:07 PM with an announcement being made that there may be action taken upon reconvening.

Executive Session

Reconvened Regular Meeting at 9:43PM

Audit – Andrew Kelly **moved** to authorize the expenditure of funds to hire the Township auditor to complete the audit. Ralph Fluharty **seconded** the motion and it **unanimously carried**.

ADJOURNMENT – David Brown **moved** to adjourn at 10:00PM and the meeting was declared adjourned.
