

**NEW HANOVER TOWNSHIP**

**BOARD OF SUPERVISORS**

**Pre Session Meeting**

**NOVEMBER 11, 2013**

**Review of Agenda** – Agenda was review with no comment.

Board of Supervisors adjourned at 6:45pm to conduct an executive session and stated that no decisions were expected.

**REGULAR MEETING**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, November 11, 2013 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Ralph Fluharty, Andrew Kelly and David Brown. Douglas Muller was absent. Also present were Township Solicitor Paul Bauer and Eileen Pogany. Chairman Dyas called the meeting to order at 7:20pm and led in a Salute to the Flag.

ANNOUNCEMENTS –Chairman Dyas 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. Emanuel O’Toole stated that he would be taping the meeting.

**UPCOMING TOWNSHIP MEETINGS** – announced by Eileen Pogany

Nov. 13	Planning Commission	6:30pm
Nov. 18	Open Space Committee	6:30pm
Nov. 18	Budget /Special Meeting	6.00pm
Nov. 19	Environmental Advisory Board	7:00pm
Nov. 20	Sewer Authority @ WWTP	6:30pm
Nov. 21	Zoning Hearing	6:30pm
Dec. 04	Recreation Committee	7:00pm
Dec. 09	Next Regular Meeting of the BOS	6:30pm

Martin Dyas added that a Council of Governments meeting will be held at the Township building on Tuesday, November 12, 2013 and is attended by representatives of various adjoining and nearby communities.

**PRESENTATION OF CURRENT BILLS**

**Bill List #20 –dated 10/28/13**

General Fund 01	\$118,727.37
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 24,735.87
Sewer Capital Fund 10	\$ 0.00

Trans. Impact Fund 13	\$ 0.00
Capital Fund Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 30,809.36
Escrow Fund 41	\$ 93,534.12
Recreation Fund 96	<u>\$ 3,804.24</u>
Total	\$271,610.96

Ralph Fluharty **moved** to approve payment of bills in bill list No.20 in the amount of \$271,610.96. Andrew Kelly **seconded** the motion and it **carried 4-0**.

**Bill List #21 Dated 11/11/13**

General Fund 01	\$ 22,882.92
Fire Tax Fund 03	\$ 2,755.00
Sewer Operating Fund 08	\$ 11,049.38
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 27,909.31
Escrow Fund 41	\$ 0.00
Recreation Fund 96	<u>\$ 617.36</u>
<b>TOTAL</b>	<b>\$ 65,213.97</b>

David Brown **moved** to approve payment of bills in bill list No.21 in the amount of \$65,213.97 and advance the treasurer the monies for utilities and payroll for coming month. Andrew Kelly **seconded** the motion and it **carried 4-0**.

**Minutes -**

Andrew Kelly **moved** to approve the minutes of the **October 14, 2013** Pre-Session and Regular Meetings. David Brown **seconded** the motion and it **carried 3-0** with Martin Dyas abstaining since he had not been in attendance.

Andrew Kelly **moved** to approve the minutes of the October 21, 2013 Budget Meeting. Ralph Fluharty **seconded** the motion and it **carried 3-0** with David Brown abstaining since he had not been in attendance.

Ralph Fluharty **moved** to approve the November 4, 2013 Budget Meeting minutes, **seconded** by Andrew Kelly and **carried 4-0**.

**REPORTS**

**SOLICITOR'S REPORT – Bauer & Associates, LLC**

1. Cable Franchise Renewal – Andrew Kelly **moved** to enact Ordinance 13-04 as advertised. Ralph Fluharty **seconded** the motion and it **carried 4-0**.
2. Ordinances 13-02 and 13-03 – due to numbering discrepancy, matter will be revisited next Board of Supervisors meeting.
3. Ralph Fluharty **moved** to authorize advertising of Ordinance No. 13-05 - Mandatory Hook-up for the Water Extension in the Hoff VC area.
4. David Brown authorized Solicitor Bauer to prepare an agreement with regard to expenditures for mulch grinding by Hetrick Gardens. Andrew Kelly **seconded** the motion and it **carried 4-0**.

**CODE ENFORCEMENT REPORT** – Mr. James Wozniak reported inspections and permit reviews totaled 152. He added that he had attended 3 staff meetings, met with 8 residents and 4 developers/contractors, investigated 3 storm water complaints, investigated 1 property maintenance complaint and reviewed Engineer Gilmore's weekly inspection reports. Addressed various administrative activities and attended two training webinars.

**POLICE REPORT** – Chief McKeon reported that the department had responded to 360 calls, performed traffic enforcement activities, investigated 24 criminal complaints, made 11 arrests, 4 juvenile arrests, 18 assists to other townships, miles traveled by police vehicles totaled 8,279 and spent \$641 on vehicle maintenance.

**PUBLIC WORKS REPORT** - Public Works Director Jay Smith reported that routine maintenance is being performed along roadways using the boom mower, equipment is being prepared for winter roadway maintenance and snow clearing, department is continuing to patch potholes, shoulder work is being performed, a sign was reinstalled on Rhoads Road and that he attended a meeting regarding Hanover Woods. In response to Supervisor Kelly's question, Mr. Smith reported that he is continuing to work on his 2014 budget requests.

**SEWER AUTHORITY REPORT** – Mr. Michael McGann reported that preventive maintenance is being completed, DEP held its surprise semi-annual inspection and gave a clean report, 3<sup>rd</sup> round of effluent testing has been done with 1 more testing needing to be done, installed and calibrated O<sub>2</sub> sensors, scheduled a meeting with the Engineers and plan on installing a new pump at a pump station.

**RECREATION REPORT** – Connie Garner reported that she is organizing a 5K run in the spring of 2014, that she is reviewing and updating/renewing lease agreements for park areas, that she is working with the office of Paul Moyer with respect to the construction of a pavilion at the Layfield park, that a birthday party had been held at the recreation center and that Boyertown Soccer Club is interested in training at the recreation center, planning is underway for a craft show and a yard sale to be held on the grounds of the New Hanover Fire Company and that she will be inserting flyers of information to be mailed along with the quarterly sewer billing early 2014.

## **STATUS REPORT**

**Traffic signal update** – Rt. 663 & Swamp Pike – deferred since Ms. Sandy Koza of McMahon Traffic Engineers was not present.

**Boyertown Area School Board Election** - Ruth Baker was present asking the Board of Supervisors to support keeping the current three-region setup for election as it currently is, without at-large seats and stated that this position is being supported by numerous surrounding communities. Andrew Kelly **moved** to authorize Paul Bauer to prepare a letter in support of the districting as recommended by Mrs. Baker. David Brown **seconded** the motion and it **carried 4-0**. Mrs. Linda Curry, from the floor, thanked the Board for their support.

## **BUSINESS FOR DISCUSSION OR ACTION**

**Montgomery View**, former Renninger development. John Kennedy was present explaining that issues have arisen and that they are seeking minor relief to address them. They are asking to drop the garages one step to elevate a drainage problem and also asking for a waiver relating to

maximum driveway slopes. Mr. Bauer advised that Township Planner Adam Supplee and Engineer Leh have reviewed the requests and have no problems with the granting of the requests. Andrew Kelly **moved** to grant the additional two waiver requests. David Brown **seconded** the motion and it **carried 4-0**. Colored photographs of the townhome exteriors were provided for the supervisors showing enhanced esthetics and giving customers the choice between brick and vinyl siding to replace where concrete stucco was previously used and also showing one large garage door to replace two separate doors.

**Wynstone Development** – Ben Goldthorp was present providing a revised sketch of a previous proposal for the Board of Supervisors information. He advised that the property has been purchased by Select Properties and that it was reintroduced at staff meetings, following establishing an escrow, at which Planning Commission member Philip Agliano and Supervisor Andrew Kelly had been in attendance. They are hoping to maintain the infrastructure planning as it was previously shown, have addressed the residential planning and will need to look further into the commercial planning. The site covers 200 acres and 760 residential homes are expected to be constructed along with 300,000 square feet of commercial development. The Supervisors are interested in having the commercial developed in order to lessen the tax burden on the residents of the Township

**BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS** – Andrew Kelly **moved** to grant extensions of the time limit for N.H.T.P.C. Nos. 665, 709, and 714 as follows:

N.H.T.P.C. #665	Zavitsanos	122 lots	11/26/2013
N.H.T.P.C. #709	Trotters Gait	54 lots	11/26/2013
N.H.T.P.C. # 714	James Carroll	Ph II 3 lots	11/26/2013

Motion was **seconded** by David Brown and **carried 4-0**.

## NEW BUSINESS

Zoning Hearing Application – Acevedo – Holbrook Lane - variance as to minimum set back distance requirements from side and rear property lines for a swimming pool. Supervisors agreed that Township representation is not warranted for this Zoning Hearing.

Sassamansville Fire Company Fire Police – David Brown **moved** to approve the appointment of Christy Clauser to serve as fire police personnel. Ralph Fluharty **seconded** the motion and it **carried 4-0**

## OTHER BUSINESS

**David Beemer** of 3373 New Hanover Square Road, Gilbertsville, PA stated that he has had an unsatisfactory encounter with the Township's police department and that he would like to suggest establishing a Citizens Police Review Board to provide non-binding interaction with the Board of Supervisors. Solicitor Paul Bauer advised that the Township has a complaint process which works well. Mr. Beemer stated that he would like the Township to have a world class police department and believes a review board could be beneficial. He was advised to submit a proposal to the township for inclusion on the agenda. Edward Sagzdis of 424 Buchert Road requested to have the complaint form and instructions for filing a complaint posted to the website; he was advised that it will appear on the website on both the township and police website.

Emanuel O'Toole, Assistant Fire Chief of Sassamansville Fire Company, addressed the Board of Supervisors with regard to issues concerning the merger of the fire companies. David Brown

advised that Sassamansville had been given money to operate the company and that budget requests should be submitted. Mr. O'Toole was concerned about the meetings of the Emergency Services Board and was told that by-laws have not been agreed upon and that are several outstanding issues. Mr. O' Toole was concerned that companies who have successfully merger are asked to attend the meeting and that companies whose merger was not successful have not been invited to provide comment about their experience. Mr. O'Toole stated that Sassamansville is will to merge assets with the exception of the real estate which would be offered at a future time. David Brown asked that a meeting be advertised for November 20, 2013 at 7:00pm for the Emergency Services Board and stated that members of the Board of Supervisors may be in attendance.

**Linda Curry**, mentioned that posting of agendas and minutes is not up to date on the Township's website.

### **Adjourn to executive session – 8:37pm**

#### **Executive Session – Personnel Matters**

**Reconvened Regular Meeting – 9:10 pm** Andrew Kelly **moved** to authorize the hiring of Officer David Fugelo to full time status effective January 4, 2014, David Brown **seconded** the motion with no questions being asked, the motion **carried 3-0**.

### **ADJOURNMENT**

Motion to adjourn was made by Andrew Kelly and the meeting was declared adjourned at 9:15pm.

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