

**NEW HANOVER TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
DECEMBER 18, 2013**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Wednesday, December 18, 2013 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Douglas Muller, Ralph Fluharty (arriving at 8:50AM), Andrew Kelly and David Brown. Also present were Township Solicitor Paul Bauer and Eileen Pogany. Chairman Dyas called the meeting to order at 7:00pm 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. Allison Czapp, Town and Country reporter, stated that she would be taping the meeting.

Martin Dyas stated that this evening is his last meeting as Chairman and member of the Board of Supervisors and that he has served 11 years in this capacity in addition to a tenure on the Planning Commission and will be passing the gavel along to the new Chairperson.

**ANNOUNCEMENT**

Township Offices will be closed on Tuesday, December 24 at Noon and Wednesday, December 25 for the Christmas holiday.

Steven Aston-Recognition for thirty years of service in Public Works Department. Martin Dyas presented Mr. Aston with a gift from the Township recognizing his years of service with the Township, wishing him well and stating that the Township is sorry to see him leave. Mr. Aston thanked the Board and stated that his future plans have not been determined at this time.

**UPCOMING TOWNSHIP MEETING** – Eileen Pogany announced:

December 23, 2013	BOS Executive & Pre Agenda Meeting	cancelled
January 06, 2014	BOS Organization and Regular Meeting	6:30pm/7:00pm

**PRESENTATION OF CURRENT BILLS**

**Bill List #22 Dated 11/25/13**

General Fund 01	\$ 37,409.38
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 21,257.07
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00

NEW HANOVER TOWNSHIP  
Board of Supervisors  
Regular Monthly Meeting

December 18, 2013

Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 3,179.29
Escrow Fund 41	\$ 16,252.29
Recreation Fund 96	<u>\$ 2,600.60</u>
<b>TOTAL</b>	<b>\$ 80,698.63</b>

Douglas Muller **moved** to approve payment of the bills in Bill List No. 22 totaling \$80,698.63. Andrew Kelly **seconded** the motion and it **carried 4-0**.

**Bill List #23 Dated 12/09/13**

General Fund 01	\$ 17,866.99
Fire Tax Fund 03	\$ 2,755.00
Sewer Operating Fund 08	\$ 16,408.92
Sewer Capital Fund 10	\$ 28,160.46
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 1,604.59
Escrow Fund 41	\$ 2,552.70
Recreation Fund 96	<u>\$ 1,236.60</u>
<b>TOTAL</b>	<b>\$ 70,585.26</b>

David Brown **moved** to approve payment of the bills in Bill List No. 23 totaling \$70,585.26. Douglas Muller **seconded** the motion and it **carried 4-0**.

**Bill List #24 Dated 12/23/13**

General Fund 01	\$ 34,670.09
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 22,049.86
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 22,873.18
Escrow Fund 41	\$ 30,655.00
Recreation Fund 96	<u>\$ 4,446.43</u>
<b>TOTAL</b>	<b>\$114,694.56</b>

Andrew Kelly **moved** to approve the bills in Bill List No. 24 totaling \$114,694.56 and advance the treasurer the monies for utilities and payroll for coming month. David Brown **seconded** the motion and it **carried 4-0**.

**Minutes** - Andrew Kelly **moved** to approve the November 11, 2013 regular meeting minutes; motion was **seconded** by David Brown and **carried 3-0** with Douglas Muller abstaining since he had not attended the meeting.

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

Resolution 28-13 – Douglas Muller **moved** to adopt Resolution 28013 rescinding the Salary

Cap Resolution #53-09 allowing assurance that employee salaries are in line.

Ordinances 13-02 and 13-03 – clarification of numbering discrepancy - in progress.

Ordinance No. 13-05 - Mandatory Hook-up for the Water Extension in the Hoff VC area – changes have recently been approved by DEP and the Ordinance will be advertised for adoption at the January 6, 2014 meeting.

Hetrick Gardens – mulch grinding agreement is being drafted with input from Public Works Director Jay Smith. No funding was provided for grinding during 2013; the agreement is expected to be in place for 2014.

Traffic signal updates – Rt. 663 & Swamp Pike and other Act 209 Improvements - Sandy Koza of McMahon Assoc was present stating that a left turn signal at the intersection of Swamp Pike and Rt. 663 is proposed to be installed which will be equipped with battery backup, preemption device and LED lights the cost of which will be covered with Act 209 funds. It was noted that the Wynstone project may necessitate additional intersection improvements but that this improvement is needed now and that it may be years until additional improvements take place. Ms. Koza also stated that other intersections have been identified as needing traffic signals and that each project involves 5 steps; Task 1 involves performing a traffic count and a review of data from police departments and will be at a cost of \$1,150 for each of the intersection sites. Task 1 has already been completed for the intersection of Swamp Pike and Rt. 663. Gregory Maskery, 2522 Jane Lane, asked when the study had been performed and Ms. Koza stated that it had been completed in October 2013.

David Brown **moved** to authorize warrants for the intersection improvements at Swamp Pike and Rt. 663 to be submitted to Penn DOT for approval to include a left turn signal, battery backup, preemption device and LED lights. Andrew Kelly **seconded** the motion and it **carried 4-0**.

Douglas Muller **moved** to proceed with Task 1 at the intersection of Swamp Pike and Sanatoga Road at a cost of \$1,150.; motion was **seconded** by David Brown and **carried 4-0**.

Douglas Muller **moved** to proceed with Task 1 at the intersection of N. Charlotte Street and Rt. 73/ Big Road, at a cost of \$1,150.; motion was **seconded** by David Brown and **carried 4-0**.

Douglas Muller **moved** to authorize Paul Bauer and Ms. Koza to prepare a minor amendment to the Township's Act 209 Ordinance to change the improvement at the intersection originally identified as Middle Creek Road and Rt. 73/Big Road to the intersection of Swamp Pike and Middle Creek Road. David Brown **seconded** the motion and it **carried 4-0**.

Douglas Muller **moved** to proceed with Task 1 at the intersection of Swamp Pike and Middle Creek Road at a cost of \$1,150.; motion was **seconded** by David Brown and **carried 4-0**.

Ms. Koza advised that permits issued may require renewing each year until the construction is completed. Mr. Bauer stated that he will provide a Capital Improvements schedule to the Board.

Ms. Koza also advised the Board that PA DOT has updated their signal specifications and that the Township's specifications should be updated since the updated specifications will be

required for the new projects. Douglas Muller **moved** to authorize Ms. Koza to proceed with preparing documentation for updating the Township's signal specifications. Andrew Kelly **seconded** the motion and it **carried 4-0**.

Boyertown Area School Board Election – letter has been prepared for the Board of Supervisors supporting the keeping the current three-region setup for election. Donna Hoffman stated that she had served on the school board and believes that due to the diverse population in the 100 square mile district, it would be best served if elections would be at large.

Traffic Planning & Design–Wynstone project – Staff meeting tentatively scheduled for 9:00 AM January 7, 2014. David Brown stated that he wants to be assured that if development is to take place in phases, each phase is able to stand alone.

Introduction of Cynthia O'Donnell – Mr. Bauer introduced and welcomed Ms. O'Donnell who is on staff as Finance Director and stated that she has a wealth of experience in municipal finance. Ms. O'Donnell stated that she is interested in investing a portion of Township funds currently invested through Pligit to a company she has worked with previously, Great Eastern Management, which provides good service and a higher rate of interest on investments. She added that any investing with this company would not exceed the maximum amount insured by the FDIC.

## **DEPARTMENT HEAD REPORTS**

**CODE ENFORCEMENT REPORT-** Mr. James Wozniak reported that he had processed and issued 183 permits, performed 131 inspections, attended 18 meetings, addressed 2 complaints, attended 2 webinar training sessions, and reviewed Gilmore and Associates inspection reports and time sheets. David Brown asked that a count of all new homes constructed during 2013 be researched and asked that the possibility of electronic filing of building applications be investigated. Mr. Brown also asked that the listing of rental units in the Township be updated. Mr. Bauer suggested that there may be a possibility of having land development plans submitted electronically.

**POLICE REPORT** – Chief McKeon reported that the department had 331 calls for service, 19 assists, 25 accidents, 21 criminal cases with 4 arrests, 6952 miles traveled on police vehicles by the officers with only routine maintenance needed.

Mr. David Beamer of 3373 New Hanover Square Road requested a police report and was told it could be provided after meeting time. He also stated he is interested in starting an accountability organization and asked Chief McKeon to head up a review board. Mr. Beamer stated that he would also like to create an customer satisfaction survey with respect to police activities and was advised that the Township has made a complaint form available at the Township and police offices as well as on both the Township's and Police Department's websites for addressing any concerns or complaints with regard to police activities. Mr. Beamer admitted to having personal issues with the police department.

**PUBLIC WORKS REPORT** – Jay Smith reported that his department has been doing routine maintenance, sorting, refacing and replacing roadway signs, patch paving, cleaning ditches, clearing roadways of snow, spreading salt and maintaining/repairing equipment used during snow clearing. David Brown asked if the Township's salt supply is adequate and was told that a

shipment is expected this week and that next year's weather will determine if budgeted amounts will be adequate for 2014.

SEWER REPORT – Michael McGann reported that the sewer department is doing their own billing and that he has been researching options for utility software upgrades. Sewer payments are no longer being accepted at the Township building but can be made at the bank, treatment facility, or left in the drop box. Possibility of accepting electronic payment is being investigated. He added that he has two candidates which may be suitable for the operator position and will schedule interviews; he was directed to give the Board an opportunity to meet any candidate recommended for the position prior to them being offered the position. He stated that a pump was replaced at the Samantha Way pump station, that he attended training for NPDES reviews, and attended a staff meeting regarding the Wynstone project.

RECREATION REPORT – Connie Garner reported that rentals at the recreation center are going very well, that she and Chief McKeon are working with Home Depot on construction items for the Brad Fox memorial park, planning for Spring events is underway and that she is working with the YMCA which may be interested in renting space at the recreation center and also may be interested in installing playground equipment at the recreation center.

Mr. Bauer thanked all Township department heads for working together and stated that operations are going extremely well.

Ralph Fluharty arrived 8:50 PM.

**BUSINESS FOR DISCUSSION OR ACTION:**

Fire Department merger update presented by Deputy Fire Chief William Moyer. David Brown stated that the Emergency Services Board had completed a revised draft of the by-laws at their meeting of November 20, 2013. Bill Moyer stated that a MOU, non-binding Memorandum of Understanding, is also being prepared to address issues related to the assets, real estate and liabilities of each company and hoping for a merger consolidation plan by mid January 2014. The steering committee will have equal representation for implementation of agreements. Deputy Chief Moyer stated that they are interested in the success of the social organization at Sassamansville moving forward and hope that the fire companies can be operating as one company by mid January, that the by-laws will be adopted by the Board of Supervisors at the recommendation of the Emergency Services Board and will be used as a base line to establish the corporation.

Emanuel O'Toole disagreed stating that Sassamansville Fire Company wants to be reinstated.

Solicitor Paul Bauer stated that he wants the Township to distribute fire tax monies out of the township and wants the fire company to get a Federal identification number and open a bank account requiring signatures from each fire company; bonding is also required. Emanuel O'Toole stated that he believes the money belongs to Sassamansville; Solicitor Bauer stated that the money needs to be used pay all debts and then it needs to go into the account set up for the consolidated fire company and stated that the Steering Committee needs to work out issues.

David Brown **moved** to adopt the by-laws dated November 20, 2013 as agreed to by both parties acknowledging and applauding the fire companies for working together. Motion was **seconded** by Andrew Kelly and **carried 5-0**.

Mr. Edward Swagzdis, 425 Buchert Road, stated that it is time to put both fire companies back on the road. Bill Moyer stated that Sassamansville had never been taken off the road.

David Brown **moved** to release fire taxes for both 2012 and 2013 into the new bank account requiring signatures from both companies and further directed that all fire calls are to be dispatched to both fire companies. Andrew Kelly **seconded** the motion and it **carried 5-0**.

**BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS** – Waiver requests have been recommended by the Planning Commission. Douglas Muller **moved** to approve the waiver requests as listed to include N.H.T.P.C. Nos. 563, 730, 754, 767, and 778. David Brown **seconded** the motion and it **carried 5-0**.

N.H.T.P.C. #563	McGee	40 Lots	01-04-2014
N.H.T.P.C. #730	Bart Golf Course	135 lots	12-19-2013
N.H.T.P.C. #754	Breinig	2 lots	12-24-2013
N.H.T.P.C. # 767	Murianka	2 lots	12-31-2013
N.H.T.P.C. #778	2481 Romig Rd	52 lots	12-31-2013

## NEW BUSINESS

Resolution 27-13 adopting the 2014 township budget in accordance with the Second Class Township Code. No written or oral public comments were received during the 20 day comment period. Andrew Kelly **moved** to adopt Resolution 27-13, motion was **seconded** by Douglas Muller and **carried 5-0**.

Windlestrae Phase V –Escrow release No. 5 – Douglas Muller **moved** to grant escrow release No. 5 in the amount of \$109,894.47 as approved by Gilmore & Associates. David Brown **seconded** the motion and it **carried 5-0**.

Country Meadows - Escrow Release No. 2 – Ralph Fluharty **moved** to grant escrow release No. 2 in the amount of \$579,684.68 as approved by Gilmore & Associates. Douglas Muller **seconded** the motion and it **carried 5-0**.

Renninger Tract Phase A– Escrow Release No 3. David Brown **moved** to grant escrow release No. 3 in the amount of \$328,121.74.as approved by Gilmore & Associates. Douglas Muller **seconded** the motion and it **carried 5-0**.

Resolution No. 26-13 – David Brown **moved** to adopt Resolution No 26-13 accepting dedication of portion of Sterling Drive as offered by Paul Moyer & Sons, Inc. Douglas Muller **seconded** the motion and it **carried 5-0**. Andrew Kelly authorized the reduction of the letter of credit on the Sterling Tract for the Township subject to approval of Jim Brady and Gilmore Associates also for the authority subject to approval by Entech and Gilmore and Associates. David Brown **seconded** the motion and it **carried 5-0**.

NEW HANOVER TOWNSHIP  
Board of Supervisors  
Regular Monthly Meeting

December 18, 2013

Christmas Tree Pickup Schedule 2014 - Jan 2, 3, 6, 8, 10, 13, 15, and 17, 2014. Drop off at Twp. bldg. till Jan. 31

Fun-E-Farm – Applicant requesting staff meeting for discussion regarding fees on proposed land development plan and request that the Board of Supervisors be represented at the meeting; Mr. Bauer will schedule the meeting Andrew Kelly and Philip Agliano will attend as Supervisor representatives.

MARTIN DYAS concluding term as Chairman and member of Board of Supervisors - Vice Chairman thanked Mr. Dyas for his service to the Township stating that he will be missed and also that he had learned and benefited from serving along side of Chairman Dyas.

FROM THE FLOOR – Public comment on non-agenda items - none

EXECUTIVE SESSION – Supervisors recessed to convene a Personnel/Litigation session at 10:00 PM.

REGULAR MEETING RECONVENED – No action taken.

ADJOURNMENT - Douglas Muller moved to adjourn at 10:39PM and the meeting was declared adjourned.