

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING
MAY 12, 2014**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, May 12, 2014 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, David Brown, Ralph Fluharty, Andrew Kelly and Philip Agliano. Also present were Township Manager Michael McGann, Township Solicitor Paul Bauer and Eileen Pogany. Chairman Douglas Muller called the meeting to order at 7:00pm and led in a Salute to the Flag.

ANNOUNCEMENTS –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.

ANNOUNCEMENTS – None

UPCOMING TOWNSHIP MEETING – announced by Eileen Pogany

May 21	Sewer Authority at WWTP	6:30pm
May 22	Zoning Hearing – David Rinehart	6:30pm
June 04	Recreation Committee	7:00pm
June 09	Board of Supervisors	6:30pm

PRESENTATION OF CURRENT BILLS

Bill List # 9 –dated 4/28 /14

General Fund 01	\$149,915.59
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 67,619.51
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 4,424.18
Escrow Fund 41	\$ 14,800.06
Recreation Fund 96	<u>\$ 1,646.98</u>

Total	\$238,406.32
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Ralph Fluharty **moved** to ratify payment of bill list #9 in the amount of \$238,406.32. Andrew Kelly **seconded** the motion and it **carried 5-0**.

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Bill List # 10 –dated 5/09/14

General Fund 01	\$ 40,737.63
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 23,859.34
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 400.00
Capital Fund 19	\$ 14,348.50
State Liquid Fuels Fund 35	\$ 16,644.54
Escrow Fund 41	\$ 10,229.90
Recreation Fund 96	\$ <u>3,985.59</u>

Total \$110,205.50

David Brown **moved** to approve payment of bill list #10 and advance the treasurer the monies for utilities and payroll for the coming month. Philip Agliano **seconded** the motion and it **carried 5-0**.

Minutes - Action to approve the following meeting minutes:

April 14, 2014–Work Session – Ralph Fluharty **moved** to approve the April 14, 2014 work session minutes, **seconded** by Douglas Muller and **carried 4-0** with Andrew Kelly abstaining since he had not been in attendance.

April 14, 2014–Regular Meeting Minutes – Philip Agliano **moved** to approve the April 14, 2014 regular meeting minutes, **seconded** by David Brown and **carried 4-0** with Andrew Kelly abstaining since he had not been in attendance.

September 23, 2013–Budget Meeting Minutes - David Brown **moved** to approve the minutes of the September 23, 2013 meeting, Andrew Kelly **seconded** the motion and it **carried 4-0** with Philip Agliano abstaining since he had not been in attendance.

November 18, 2013–Budget Meeting Minutes – Andrew Kelly **moved** to approve the November 18, 2013 meeting, **seconded** by Doug Muller and **carried 4-0** with Philip Agliano abstaining since he had not been in attendance.

SOLICITOR’S REPORT –Bauer & Associates, LLC

Uniform Construction Code – Solicitor Bauer stated that he has provided a draft ordinance for amending the construction code and will continue to review the issues with Code Enforcement Officer, James Wozniak.

Dotterer Road Property Condemnation–15 feet wide permanent storm water easement.

Township has experienced problems acquiring certain easements along Dotterer Road. If an easement cannot be obtained, the Township may file condemnation proceedings.

BUSINESS FOR DISCUSSION OR ACTION:

Minister Creek Interceptor – John Brady of Entech Engineering, Inc. was present to discuss the interceptor improvements needed. He advised that their projection showed the line to be at capacity but that they have no way to measure precisely. He stated that the developer is responsible for upgrading the line and that they have requested the Township to allow them to

connect 100 EDU's, and following that, to phase the improvements by replacing five (5) sections of line for each additional twenty (20) EDU's. Paul Bauer stated that the escrow for the interceptor line improvements must be sufficient to complete the entire project and in the event the developer does not complete the work, the escrow must be calculated for wages to be paid at prevailing wage rates. He added that the interceptor work must be continuous, if development of the project is interrupted, interceptor line construction must continue and is to be completed with one year.

90 DAY TIME LIMITATION WAIVERS – Andrew Kelly **moved** to grant waiver of the 90-day time limit for review for the following:

N.H.T.P.C. # 665	Zavitsanos-Metro	122 lots	8/18/2014
N.H.T.P.C. # 709	Trotters Gait Plan	54 Units	8/18/2014
N.H.T.P.C. # 714	James Carroll	3 lots	8/18/2014
N.H.T.P.C. # 730	Bart Golf	135 lots	9/06/2014

David Brown **seconded** the motion and it **carried 5-0**.

Resolution No. 19-14 Fun-E-Farm Planning Module – Douglas Muller **moved** to approve the revision to the Township's Official Sewage Facilities Plan and forward to PA DEP for review and approval. Andrew Kelly **seconded** the motion and it **carried 5-0**.

New Hanover Volunteer Fire and Rescue – David Brown **moved** to appoint **Jesse Beale and Chelsey Sipe** as Fire Police. Motion was **seconded** by Philip Agliano and **carried 5-0**.

Met-Ed Annexation – Michael Tulio explained that the annexation plan was approved by the Board of Supervisors on July 8, 2013 but that Met-Ed has never signed off on the plan. Met-Ed has requested that the plan be revised to remove the building setback line and also the right-of-way line. Both Metropolitan Development Co. and Solicitor Bauer have requested information from Met-Ed and have not received anything to date. The developer has attempted to work with Met-Ed and is unable to move forward until an agreement can be reached. Mr. Bauer suggested that the developer prepare a revised plan showing the removal of the lines as requested by Met-Ed and also a plan showing what was originally approved for comparison purposes by the Board of Supervisors to be discussed at the June 9 Board of Supervisors meeting. A second entrance into the Zavitsanos development is needed and that changes proposed by Met-Ed would require record plan approval, a revised resolution and could create a non-conforming lot.

Revised Signal Permit for Intersection of North Charlotte Street and Swamp Pike – Michael McGann announced that PennDOT has approved the Township's request for upgraded signal. McMahan Assoc. have been authorized to prepare bid specifications.

Recreation Department – Connie Garner reported that the fishing derby went very well and that the pool is being prepared for its opening May 24th. She added that she has completed a plan for the Bradley Fox Memorial Park which will include commercial grade equipment and installation for approximately \$29,000. Home Depot was not able to honor their original commitment but has agreed to provide fence, trees, bushes and a gazebo. She stated that she has combined recreation funds from Rosenberry Ridge and Renninger Property developments to cover costs of equipment and installation. Solicitor Bauer asked if the Police Department has

made an effort to raise funds, stated that there has been much money already spent on developing this park and is concerned that the project is being rushed and thinks additional means of acquiring funds should be researched. He questioned the proximity of the Rosenberry Ridge and Renninger developments to the Anthony Gambone/Windlestrae Park and suggested that the park be developed in phases.

Public Works Department—Road Paving Cost update – Jay Smith provided a comparison of paving costs recently quoted in a nearby community with his estimates of costs for a comparable project in the New Hanover Township. Mr. Smith's conclusion was that a similar project could be completed at a cost lower than having the project outsourced. Board members were concerned that Mr. Smith had not included all costs in his estimate such as calculating using prevailing wage rates, taking into account any culvert/pipe replacement, signage and line painting. Mr. Smith was asked why the Township roadways are in poor condition and it was noted that the past winter season had been harsh but that the prior year had little snowfall. Mr. Muller asked that Mr. Smith obtain three (3) quotes from outside sources on a specified roadway project for comparison, and stipulated that the quotes should include **everything** needed for the entire job and be itemized. Mr. Fluharty stated that he would like the paving projects to move forward and it was noted that four (4) roads are slated for paving during 2014.

Comments from the Floor

David Beamer, 3373 New Hanover Square Road stated that he is disappointed in not having received all the information he requested in his right-to-know request and is interested in receiving copies of monthly reports from the Police Department. He is interested in organizing a citizen's group/Police Review Board, and believes it is critical for citizens in the community to be involved. He stated that tax dollars support the police department and he believes the police need to be reviewed and be accountable. He is concerned that someone will get hurt due to "what is going on". Mr. Beamer was advised that Township complaint forms for the Police Department are readily available at the Township office, on the website, and in the Police Department and that the Township does not see a need for a citizens review board since complaint forms are not being submitted to the Township and that Mr. Beamer's complaint was the only complaint this year. Mr. Beamer stated that if a citizens group were formed a review sheet would be created asking residents who have had contact with an Officer how they were treated, i.e. honestly, fairly, justly. It was noted that Mr. Beamer's prior complaint had gone to the County detectives and was determined to be unfounded; the District Attorney had also been contacted. Chairman Muller asked that Chief McKeon provide any/all written complaints to the Board of Supervisors along with the number of police interactions with the public. Solicitor Bauer advised Mr. Beamer that all right-to-know requests should be specific and that the right-to-know officer will determine what information is exempt; he added that if Mr. Beamer thinks the Township did not fulfill his request, an appeal could be filed.

Mr. Greg Maskery stated that he has noticed changes in the meeting format in the past two meetings and is interested in having department head present their reports. He was advised that written reports are submitted to the Township Manager and Board of Supervisors. Chairman Muller suggested reports could be presented during work session meeting.

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Executive Session – Meeting adjourned to executive/personnel session at 8:48 PM.

Regular Session Resumed at 10:17 PM - Andrew Kelly **moved** to authorize the hiring of the attached list of summer helpers. Ralph Fluharty **seconded** the motion and it **carried 5-0**.

Adjourn – meeting was declared adjourned at 10:20 PM.

Michael McGann, Township Secretary/Manager