

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
OCTOBER 13, 2014**

A work session of the New Hanover Township Board of Supervisors was held on Monday, October 13, 2014 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly, Philip Agliano and David Brown arriving at approximately 630pm. Township Manager Michael McGann, Solicitor Paul Bauer and Eileen Pogany were also in attendance. Chairman Douglas Muller called the meeting to order at 6:10pm.

Master Plan for Parks and Recreation – presentation by Adam Supplee AICP
Mr. Supplee stated that the recreation master plan prepared in 2006 included background information including geology and existing features and that it was amended in 2010 adding the Wassmer and Parestis tracts. Updating of master plans should take into consideration Township demands, surrounding communities and regional needs being careful not to include improvements which may interfere with desired/needed improvements in the future. Mr. Supplee suggested that long range planning is best and that a master plan showing the Township overall along with master plans for individual parks may be the best approach. Douglas Muller asked for an example of how plans could get “tripped up” and was cited an instance where a community considered selling a property but later needed the property for access. He advised that ample parking needs to be provided if tournaments are planned and that trends, population demands and providing for activities for the older population is important. Douglas Muller asked about timing needed to complete a plan and was told that 4 to 6 months for design of site specific parks may be adequate but it depends upon whether grant applications have been made (DCNR recently has not been awarding grants for design) and on the number of meetings and timing of meetings for review of progress being made; overall master plan could take two years to construct. Planning should include surveying sports/recreation organizations in the surrounding region to determine what is needed and development of parks should be at the same pace as development of residences. Douglas Muller asked about providing utilities and Adam Supplee stated that the master plan will identify what is needed and where it should be located; it was noted that artificial turf has a life of 15-20 years and needs continual maintenance. Adam stated that a centralized park with non-vehicular access is desirable; trailways need to be connected.

Ralph Fluharty mentioned that the Wassmer Tract is central, that there are two organizations interested in developing fields and that the Township needs to get a plan together. Douglas Muller stated that the Windlestrae tract is good for football, was put together quickly, and that there are deficiencies in its development. It was noted that the Wassmer tract is not “big” in terms of regional needs, that the Township needs to rely on Mr. Supplee to determine the best use and that the Wassmer Tract may need to be the first of individual site master plans.

Douglas Muller requested that a formal proposal be presented to the Board of Supervisors for preparation of a master plan which includes time frames at a fast-forward pace (possibly meeting every two weeks with Township representatives), and includes providing a fee for preparation of a grant application. Mr. Supplee agreed to have a proposal for the Board’s meeting on Monday, October 20, 2014 and estimated a fee range of \$40,000 to \$70,000 for a

master plan of the entire Township; multiple steps for park planning include concept, design development and construction. Mr. Supplee will also present a proposal for a master plan to include Wassmer, New Hanover Recreation Center and Layfield Park for the meeting scheduled for October 20th.

The Board adjourned to Executive Session at 6:53 PM to discuss personnel matters; no vote is expected.

REGULAR MEETING

OCTOBER 13, 2014

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, October 13, 2014 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly, David Brown 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 7:37pm 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.

PUBLIC HEARING – Public hearing and action on Ordinance #14-01 amending Chapter 26 of the New Hanover Township Code with regard to the public water system of the Township was deferred to await DEP comments. Date for public hearing will be determined at the October 20 budget meeting.

ANNOUNCEMENTS - Township office will be closed November 4, 2014 for Election Day.

UPCOMING TOWNSHIP MEETING – announced by Eileen Pogany

Oct.	15	Sewer Authority at WWTP	6:30pm
Oct.	20	Board of Supervisors Budget Meeting	6:00pm
Nov.	03	Board of Supervisors Budget Meeting	6:00pm
Nov.	05	Recreation Committee	7:00pm
Nov.	10	Board of Supervisors	6:30pm
Nov.	12	Planning Commission	6:30pm

Solicitor Bauer added that a Zoning Hearing is scheduled to take place October 23, 2014 to request zoning relief to allow for a tractor trailer parking/storage in a residential area. David Brown **moved** that Mr. Bauer represent the Township opposing granting of the relief requested. Philip Agliano **seconded** the motion and it **carried 5-0**.

PRESENTATION OF CURRENT BILLS

Bill List # 19 – dated 09/18/14

General Fund 01	\$ 26,659.07
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 7,109.83
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund Fund 19	\$ 78,004.84
State Liquid Fuels Fund 35	\$ 37,040.53
Escrow Fund 41	\$ 16,136.05
Recreation Fund 96	<u>\$ 2,463.15</u>
Total	\$ 167,413.47

Ralph Fluharty **moved** to ratify payment of bill list #19 in the amount of \$167,413.47; motion was **seconded** by Andrew Kelly and **carried 5-0**.

Bill List # 20 – dated 10/10/14

General Fund 01	\$ 968,454.55
Fire Tax Fund 03	\$ 2,755.00
Sewer Operating Fund 08	\$ 41,150.53
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 28,466.90
Escrow Fund 41	\$ 168.75
Recreation Fund 96	<u>\$ 13,883.69</u>
Total	\$ 1,054,879.42

Philip Agliano **moved** to approve payment of bill list #20 in the amount of \$1,054,879.42 and advance the treasurer the monies for utilities and payroll for the coming month. Andrew Kelly **seconded** the motion and it **carried 5-0**.

MEETING MINUTE Approvals

September 08, 2014— Douglas Muller **moved** to approve the minutes of the September 8 work session; motion was **seconded** by Ralph Fluharty and **carried 4-0** with David Brown abstaining since he had not been in attendance.

September 08, 2014 – **Motion** to approve the regular meeting minutes of September 8 was made by Andrew Kelly and **seconded** by Ralph Fluharty. The motion **carried 4-0** with David Brown abstaining since he had not been in attendance.

September 22, 2014 – Quarterly and Budget Meeting – **Motion** for approval of minutes for the September 22 meeting was made by David Brown, **seconded** by Douglas Muller and **carried 5-0**.

DEPARTMENT REPORTS:

Finance Department – Cindy O'Donnell reported that the General Fund balance is ahead of last year's and that two additional months' of earned income tax monies are not included. Annual dividend from the TV franchise item is \$50,000 over budget and the PSATS unemployment fund is showing an excess of \$2,240.00. She reported that Rodney Reynolds has all the information he needs and expects to have financial statements prepared by the close of the month.

Code Enforcement – Jim Wozniak reported that twenty-nine building permits had been issued during September, seven of which were new residences. He added that two zoning hearings are scheduled for October 23, one is for a diminimus variance with regard to building set-back and the other applicant is seeking a variance to allow him to bring his tractor trailer to his home and is asking for a continuance until his attorney is available. Mr. Wozniak is asking for a stay to disallow the applicant from bringing his tractor-trailer home until the hearing has been held and a decision rendered.

Police Department – Chief Kevin McKeon reported that his department has answered 286 calls for service, assisted with twelve incidents as backup, had eleven accidents seven of which were non-reportable, vehicles traveled 6,682 miles with low maintenance expenditures. Chief McKeon stated there were **no** citizen complaints during the month.

Recreation Department – Connie Garner thanked Philip Agliano for inviting her to participate in the Fire Prevention activities at the fire house. She stated that twelve hundred fire hats were distributed to children at the event and that she distributed fliers with regard to the Safe House activity at the New Hanover Recreation Center on October 28. She stated that planning for the Safe House is going well and that a fire truck and police car will be on hand with Chief McKeon reading stories to the children. She is hoping to schedule a movie night in November and Santa in December.

Public Works Department – Brian Lee reported patching, ditch maintenance, vegetation control, mowing shoulders providing sightlines, maintenance on traffic signals, had line painting completed, completed the Kulp Road paving project and assisted Upper Frederick on their two roads. The department will continue patching, working on drainage issues, cleaning ditches and grading gravel roads, trimming trees and continue maintenance on trucks and equipment.

Sewer Department – Michael McGann stated that routine maintenance is being performed on all equipment, that the digester has been cleaned out, that no violations were found during DEP inspection, that the dewatering test did not measure up to anticipated results but that the solids improved. He stated that the permit for the plant has not been received, that they are operating on an expired permit and expect to receive a valid permit very soon.

SOLICITOR'S REPORT –Bauer & Associates, LLC

Mr. Bauer mentioned the zoning hearing scheduled for October 23 and will be representing the Township at the hearing opposing a variance to allow for the tractor-trailer.

He added that an executive session will be held following the board's regular meeting to discuss a litigation matter with regard to Gibraltar Rock and that a vote may be taken following the executive session.

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS – recommended for approval by the Planning Commission: Andrew Kelly **moved** to grant 90-day time limit waivers to N.H.T.P.C. Nos. 714 and 786 as listed below:

N.H.T.P.C. #714	James Carroll	3 lots	11-14-2014
N.H.T.P.C. #786	DePallo	2 lots	11-9-2014

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

BUSINESS FOR DISCUSSION OR ACTION:

Escrow Release – N.H.T.P.C. #700 McSurdy Tract, David McSurdy – Philip Agliano **moved** to approve release request No. 5 in the amount of \$19,133.40 as recommended by Gilmore and Associates review letter dated October 6, 2014. Douglas Muller **seconded** the motion and it **carried 5-0**.

Escrow Release – N.H.T.P.C. #775 Hanover Woods, Metropolitan Development Group – Andrew Kelly **moved** to approve release request No. 2 in the amount of \$281,396.91 as recommended by Gilmore and Associates review letter dated October 6, 2014. David Brown **seconded** the motion and it **carried 5-0**.

NEW BUSINESS - None

COMMENTS FROM THE FLOOR

Arthur Silverman of 541 Bow Lane stated that he has lived in the Township for fourteen years and that double yellow lines have been painted on the roadway in front of his home. He stated that he feels the lines have created a hazard for him and that he has almost been hit twice, that it has created a hassle for visitors, devalues his property and believes it is disconcerting that no advance notice was provided to the residents along the street. Chief McKeon stated that the Township has received complaints with regard to speeding and that creating the traffic lane should slow vehicles. No Parking signs are expected to be installed tomorrow where the white stakes are situated and that this situation follows the Township's master plan and should have a traffic calming effect and provide a safer roadway. Mr. Silverman suggested that a Stop sign would add a measure of safety if installed at the intersection. Paul Bauer advised that the Township cannot install a Stop sign without a traffic study and added that he will review the Master Traffic Ordinance of 2012. Philip Agliano stated that complaints have been filed by residents at other locations as the master traffic ordinance is being implemented and no parking signs installed. Douglas Muller asked that Chief McKeon and Michael McGann meet with Mr. Silverman on site at Bow Lane and also asked that in the future, residents be notified prior to changes being made with regard to parking along their frontage and roadway.

Charles Garner of 2441 Wagner Road asked why no manager's report is given during recent meetings as it was by prior managers. Douglas Muller asked Manager McGann to prepare a

Manager's Report for future regular monthly meetings. Mr. Garner referred to the solicitor's report and asked what type of action may be taken following the executive session; Paul Bauer stated that it would be a decision as to whether the Township will appeal the declaratory judgment with regard to the Gibraltar Rock case. Mr. Garner referred to a discussion at the September meeting to relocate his wife's office to the New Hanover Recreation Center and is concerned that she is called to the facility at any time during the daytime, nighttime and weekend and stated that he has serious concerns regarding her safety when she is alone.

The Board adjourned to executive session at 8:25 PM.

EXECUTIVE SESSION – Litigation and Personnel

The regular meeting was reconvened at 8:55 PM.

Philip Agliano **moved** to authorize special council, Brant & Associates, to file an appeal of Judge Branca's Decision entered on October 3, 2014 in the matter of Gibraltar Rock, Inc. and Sahara Sand, Inc. v. New Hanover Township Docket No. 3013-03847. David Brown **seconded** the motion and it **carried 5-0**.

ADJOURNMENT

Chairman Muller declared the meeting adjourned at 9:00 PM.

Michael McGann, Township Manager/Secretary