

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
JULY 13, 2015**

A work session of the New Hanover Township Board of Supervisors was held on Monday July 13, 2015 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, David Brown, Ralph Fluharty, Andrew Kelly, and Philip Agliano. Township Manager Kevin Tobias, Solicitor Paul Bauer, Engineer David Leh and Eileen Pogany were also in attendance. Chairman Douglas Muller called the meeting to order at 6:50 PM and announced that there had been an executive meeting prior to convening the meeting and that no decisions had been made.

Review of Agenda – no comments.

Review of Bill List – no comments.

Work session meeting adjourned to regular meeting session at 6:55 PM.

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
JULY 13, 2015**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday July 13, 2015 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 Kevin Tobias, Township Solicitor Paul Bauer, Engineer David Leh and Eileen Pogany. Chairman Douglas Muller called the meeting to order at 7:00 PM and led in a Salute to the Flag.

ANNOUNCEMENTS – Chairman Douglas 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

July	15	Sewer Authority – 2990 Fagleysville Road	6:30pm
July	27	Board of Supervisors – Historic Schoolhouse	6:30pm
August	5	Recreation Commission	6:30pm
August	6	Zoning Hearing Board – Gibraltar Rock IV (cont.)	6:30pm
August	12	Planning Commission	6:30pm
August	17	Open Space Committee	6:30pm
August	18	Environmental Advisory Board	6:30pm

PRESENTATION OF CURRENT BILLS

Bill List #13–dated 07/10/15

General Fund 01	\$	98,749.31
Fire Tax Fund 03	\$	160,169.17
Sewer Operating Fund 08	\$	25,889.79
Sewer Capital Fund 10	\$	0.00
Trans. Impact Fund 13	\$	0.00
Capital Fund 19	\$	102,475.41
State Liquid Fuels Fund 35	\$	29.46
Escrow Fund 41	\$	16,941.01
Recreation Fund 96	\$	<u>9,510.40</u>
Total	\$	413,774.55

David Brown **moved** to approve payment of bill list #13 dated 07/10/15 in the amount \$413,774.55 and advance the treasurer the monies for utilities and payroll for the coming month. Andrew Kelly **seconded** the motion and it **carried 5-0**.

MINUTES – Ralph Fluharty **moved** to approve the June 22, 2015 Work Session and Regular Meeting Minutes. Douglas Muller **seconded** the motion and it **carried 5-0**.

DEPARTMENT REPORTS:

Finance Department – Cynthia O'Donnell was not present and provided a written report.

Code Enforcement – Jim Wozniak reported that permits had been issued for thirty-nine new homes and that a concrete pad has been poured with installation of the generator scheduled for next week. He added that he had no budget adjustments.

Police Department – Sergeant William Moyer reported that the police department had responded to 351 calls for service and assisted in 13 incidents, had 19 accidents with 7 reportables, conducted 12 criminal investigations with 3 arrests. Vehicle maintenance is ongoing.

Public Works Department – Dennis Flynn reported that he is working on having public water supplied to the public works buildings and administrative offices, is working on updating the sign inventory, mowed along roadsides and in Township parks, and cleaned ditches and storm drains. Budget adjustments have been completed.

Recreation Department – Connie Garner reported on the upcoming blood drive on July 24th and asked that residents consider giving blood and signing up, stated that there is space available for the Baltimore Harbor trip on July 25 at a cost of \$35.00 per person, encourage people to vote for community park to better the Township's chance of receiving money toward park improvements, stated that a budget adjustment was needed due to pool chemical costs. She advised that she has been contacted by folks interested in lifting off hot air balloons from Community Park and asked if the Supervisors were in favor of allowing the activity. Andrew Kelly asked that Mrs. Garner collect information with regard to liability risk and insurance coverage and provide that information to the Board of Supervisors next month. Mrs. Garner asked for permission to allow for ropes to be attached to the hickory Park pool, lengthwise during swimming lessons, and was given permission to do so. She also stated that a Scout working on his Eagle Scout designation is interested in installing tetherball equipment at Hickory Park and was given an approval for this project.

Waste Water Treatment – Gregg Rapp was not present and provided a written report.

Manager's Report – Kevin Tobias stated that he has drafted a Social Media Policy and asked for comments from the Board. He provided a copy of the 2008 Anti-Nepotism Policy for review with the intent of updating the Township's policy. Requested that the Board review the mid-year budget adjustments and be prepared to take action at the July 27th meeting. Stated that he is working with Andrew Kelly on computer infrastructure upgrades and provided 3 proposals with the hope of a decision to be reached prior to the August meeting. A meeting with Mr. and Mrs. Cedano of Rosenberry Road has been rescheduled.

90 DAY TIME LIMITATION WAIVERS – Douglas Muller **moved** to grant waiver requests to N.H.T.P.C. Nos. 709, 665, and 714 as shown below. Ralph Fluharty **seconded** the motion and it **carried 5-0**.

N.H.T.P.C.#709	Trotters Gait	54 Lots	7-31-2015
N.H.T.P.C. #665	Zavitsanos	144 Lots	8-4-2015
N.H.T.P.C. #714	James Carroll	3 Lots	8-4-2015

SOLICITOR'S REPORT – Bauer & Associates, LLC – Mr. Paul Bauer stated that two litigation matters were discussed in executive session and that no action was taken.

ENGINEER'S REPORT - Gilmore and Associates – David Leh reported that they are reviewing a preliminary proposal for a 52 home development titled 2481 Romig Road which will include a realignment of Romig Road. A preliminary submission for land development plan along Rt. 663 South of Swamp Pike is also being reviewed and includes an 8,500 square foot daycare facility. The Zavitsanos tract is being revised by the Metropolitan Group.

BUSINESS FOR DISCUSSION OR ACTION:

- Release of Fire Escrow Tax Funds 2015 – Ralph Fluharty **moved** to distribute \$157,414.17 to the fire company. David Brown **seconded** the motion and it **carried 4-0** with Philip Agliano abstaining due to his association with the fire company.
- Philip Agliano **moved** to adopt **Resolution No. 17-15** Establishing Access to PennDot Business Partner Identification. Douglas Muller **seconded** the motion and it **carried 5-0**.
- Montgomery County Purchase of Radio for Upgrade of 911 System – Sergeant Moyer reported that county-wide radio upgrade is necessary and that the Township must commit by August 1 to be included in a five year finance package being offered by the County. He stated that the Police Department has established a fund to be used toward the \$50,000 purchase price and has \$13,000 designated thus far; they hope to continue adding to the fund to reach the goal without requiring a huge layout of funds in any one year. David Brown **moved** to authorize the purchase of units and participate in the County Finance Package; motion was **seconded** by Philip Agliano and **carried 5-0**.
- Ordinance for Unemployment Compensation Trust - Andrew Kelly **moved** to authorize the advertising of the proposed ordinance for the Unemployment Compensation Trust. David Brown **seconded** the motion and it **carried 5-0**.
- Resolution for McGee Tract Final Approval – Jason Korczak from Bohler Engineering was present requesting final plan approval and stating that the plan had received Planning Commission recommendation for final approval adding that the plan has been modified to provide a thru access road into the adjoining park/recreation area. Philip Agliano **moved** to adopt **Resolution No. 18-15** approving the plan conditioned upon the applicant compliance and addressing all professional consultants. Andrew Kelly **seconded** the motion and it **carried 5-0**. Philip Agliano amended his motion to include the applicant revising the final plan to show the access roadway into the recreation area. Andrew Kelly **seconded** the motion and it **carried 5-0**. Connie Garner asked if recreation fees will be collected and she was told “yes”.

Mary Denick of 2705 N. Charlotte Street interrupted the meeting to ask that the microphones be used since the public is not able to hear the presentations. Mr. Paul Bauer summarized the McGee Tract presentation. Mr. Gerald Sherwood of 2523 Big Road also complained about the public not being able to hear the meeting proceedings.

- **Resolution 19-15**– Township Purchasing Policy was adopted by motion of Ralph Fluharty, **seconded** by Douglas Muller and **carried 5-0**.
- Resolution 43-08 relative to Employees on Board and Commissions was provided to the Supervisors for review and suggested updates. The matter was tabled to allow time for review and discussion.
- Resolution for 2888 Fagleysville Road (DePallo) Preliminary/Final 2 lot Subdivision Plan - Victor DePallo was present explaining that four waiver requests have been submitted and that he and his client believe that installation of sidewalks along the frontage of the two lots is imprudent since it would create a 400 foot island of sidewalk on the side of the street where sidewalk is provided on the opposite side of the street. He stated that most roadways in the township do not have curbing and sidewalks and had requested that the Township Engineer visit the property and assess the site and also assess the possibilities for extending the improvements further along the roadway. Mr. David Leh

reported that if the improvements were to be extended along the street adjacent to this site, a utility pole would need to be relocated, a tree would need to be **removed**, and easements across private property would need to be secured. Mr. DePallo stated that he has spoken to the adjoining neighbors who have stated that they believe the 400 foot island would be unsightly and would interrupt the flow of stormwater and are not in favor of having the sidewalk installed. Douglas Muller stated that he would be in favor of a fee in lieu of and the applicant is in agreement with paying a fee in lieu of. No decisions were made and Andrew Kelly **moved** to approve a 90-day waiver of the time limit for a decision for the plan N.H.T.P.C. 786. The motion was **seconded** by David Brown and **carried 5-0**.

- Sterling Tract (Rabbit Run Subdivision) Maintenance Letter of Credit Release – David Brown **moved** to release the letter of credit to Paul W. Moyer & Sons, Inc. Motion was **seconded** by Philip Agliano and **carried 5-0**. It was noted that there is a small amount outstanding which had not been billed, Donna Hoffman was present assuring payment.

COMMENTS FROM THE FLOOR

- Ross Snook – Gibraltar Rock Quarry Groundwater – Mr., Snook was present stating that he is an experienced geologist who has worked in the industry drilling wells, has involvement in hazardous waste cleanup sites in Hatfield Township and several other sites. Mr. Snook provided handouts to the Board and to the public in attendance at the meeting explaining the geology and rock formation in the area of the proposed Gibraltar Rock Quarry. He explained his concerns regarding the Hoff VC site currently listed as a hazardous waste site and being investigated by the DEP. He asserts that if Gibraltar Rock is permitted to quarry prior to the cleanup of the Hoff VC site, that the groundwater in the Township will become contaminated. He explained that fracturing of the rock will allow contaminated water to migrate outside the limits of the quarry area and contaminate everything it touches. He stated that numerous contaminants are present and that certain cleanup processes release pollutants into the ambient air. Douglas Muller thanked Mr. Snook for his research and sharing his knowledge and apologized to Mr. Snook for not having scheduled a time to speak to him previously and asked that a time be scheduled for both he and Ralph Fluharty to meet with him in the near future. Mr. Snook asserted that the hazardous wastes site should be remediated prior to allowing any quarry activities since fracturing the rock will create fissures for water to flow through.

The Board of Supervisors were asked to rescind the preliminary plan approval for the Gibraltar Rock proposal. Douglas Muller stated that the Township must apply pressure to the DEP and EPA and asked if the DVRBC is involved in the process. Lois Pettigrew also thanked Mr. Snook on behalf of the Township residents and residents of nearby communities.

Mrs. Celeste Bish, 2504 Finn Road, asked about the status of the renewal of the mining permit; an update was not available.

ADJOURN – Andrew Kelly **moved** for adjournment at 9:10 PM and the meeting was declared adjourned.

Kevin Tobias, Township Manager/Secretary