

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
JANUARY 11, 2016**

A work session of the New Hanover Township Board of Supervisors was held on Monday, January 11, 2016 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly and Charles Garner Jr. Philip Agliano was absent. Township Manager Kevin Tobias, Solicitor Robert Brant, Engineer David Leh and Eileen Pogany were also in attendance. Chairman Douglas Muller called the meeting to order at 6:30 PM.

Review of Agenda – no comments

Review of Bill List – no comments

Work session meeting adjourned to litigation session at 6:32 PM.

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
JANUARY 11, 2016**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, January 11, 2016 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly, and Charles Garner Jr. Philip Agliano was absent. Also present were Township Solicitor Robert Brant, Engineer David Leh and Eileen Pogany. Chairman Douglas Muller called the meeting to order at 7:06 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.

ANNOUNCEMENT – Robert Brant announced that an executive session had been conducted from approximately 6:33 PM to 7:05 PM to discuss litigation regarding the renewal of the NPDES permit for Gibraltar Rock. The permit proposed for renewal will be published four times and the procedure provides for an opportunity for the Township to submit written comment, objections, a request for a public hearing or an informal conference. Thereafter, Chuck Garner Jr. **moved** to authorize the Township to submit written comment, objections, a request for a public hearing and an informal conference to be submitted to the DEP, Pottsville District Mining Office. Ralph Fluharty **seconded** the motion and it **carried 4-0**.

UPCOMING TOWNSHIP MEETING - announced by Eileen Pogany

Jan 13	Planning Commission	6:30pm
Jan 20	Sewer Authority at WWTP	6:30pm
Jan 25	Board of Supervisors	6:30pm

PRESENTATION OF CURRENT BILLS

Bill List #1 –dated 01-07-16

General Fund 01	\$ 40,093.62
Fire Tax Fund 03	\$ 2,755.00
Sewer Operating Fund 08	\$ 16,119.66
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 3,072.31
Escrow Fund 41	\$ 0.00
Recreation Fund 96	\$ <u>542.04</u>
Total	\$ 62,582.63

Ralph Fluharty **moved** to approve payment of bill list #01 in the amount of \$ 62,582.63 and advance the treasurer the monies for utilities and payroll for the coming month. Andrew Kelly **seconded** the motion and it **carried 4-0**.

MINUTES

December 28, 2015 - Andrew Kelly **moved** to approve the meeting minutes of the December 28, 2015 Work Session and Regular Meeting. Ralph Fluharty **seconded** the motion and it **carried 3-0** with Charles Garner Jr. abstaining since he had not been a Supervisor in December, 2015.

January 4, 2016 – Reorganization Meeting – Douglas Muller **moved** to approve the minutes. Charles Garner Jr. **seconded** the motion contingent upon a correction being made to his motion stating that Anastasia Meder be reappointed to serve an additional term of five (5) years by resolution. The motion **carried 4-0**.

DEPARTMENT REPORTS:

Finance Department – No report.

Code Enforcement – Kevin Tobias reported that permits were issued for three new homes and that the floodplain ordinance has been updated and submitted. Jim Wozniak was not in attendance.

Police Department – Chief Kevin McKeon's report included 410 calls for service, had 12 assists to other departments, had 21 traffic accidents 16 of which were non-reportable with 1 fatality, had 32 criminal investigations with 15 arrests, no citizen complaints for the month and also none for the year, reported mileage for police vehicles and continued vehicle maintenance.

Public Works Department – Dennis Flynn reported that his department has collected 106 Christmas trees thus far and that the numbers of trees is decreasing. Mr. Flynn asked that next year's program be changed to provide drop-off sites at two locations and with chipping being done at the close of the week. Mr. Flynn also asked permission to purchase equipment. Ralph Fluharty **moved** to grant permission for the purchase of four garage doors for the garage at an approximate cost of \$14,000. Motion was **seconded** by Douglas Muller and **carried 4-0**.

Recreation Department – Connie Garner reported that the recreation facility is rented for week-night evenings throughout the months of January and February plus Sunday afternoons and some Saturday afternoons, that a Kids Only Yard Sale is scheduled for January 30 from 9 AM to 1 PM, that a Princess Party is scheduled for February 13 from 11 AM to 12:30 PM, and that a craft show is scheduled for March 12 from 9:00 AM to 1:00 PM. She added that sometime in the future a "touch the truck" event will be scheduled for children with Township public works department participating and providing the equipment.

Manager's Report – Kevin Tobias reported that 2015 road improvements to Hoffmansville and Hill Road are complete including line painting, stated that a decision to issue a transfer of funds to pay down the open space loan would be made by January 31, am researching electronic document management and have budgeted for the cost and am working with the interim solicitor while beginning the search process and preparation of an RFP for a full time solicitor. A resolution is being prepared for increasing the sewer quarterly rates for \$125 to \$150 per quarter. Mr. Tobias asked for authorization to register and attend the PSATS convention April 17-20 and added that \$1,000 has been budgeted in 2016. Andrew Kelly **moved** to authorize Mr. Tobias attendance at the conference; **motion** was **seconded** by Charles Garner, Jr. and **carried 4-0**.

SOLICITOR'S REPORT – Robert Brant and Associates L.L.C – Mr. Brant stated that he is happy to serve, that the Township staff is easy to work with and that he is coordinating with Mr. Tobias and reviewing files.

ENGINEER'S REPORT – Gilmore and Associates – David Leh stated that he is reviewing the Saras final land development plan and also escrow release No. 3 for Country Meadows in the amount of \$162,615.89 which is being proposed for approval by the Board.

BUSINESS FOR DISCUSSION OR ACTION:

Resolution No. 05-16 setting the wages and salary rates for all non-uniformed personnel effective January 1, 2016 was tabled and will be discussed in Personnel Session to follow the regular meeting.

Resolution No. 07-16 - amend and readopt Township Fee Schedule – Charles Garner Jr. asked for an explanation as to which fees will remain the same and which fees will be changed. Kevin Tobias responded by stating that changes occurred in item #2 the recreation table. Mr. Garner asked Solicitor Brant if he should be voting on this matter due to a possible conflict of interest. A vote was taken and Resolution No. 07-16 was adopted by **motion** of Andrew Kelly, **seconded** by Ralph Fluharty and **carried 3-1** with Charles Garner Jr. voting “no”.

Resolution No. 09-16 – ordaining and accepting Samantha Way and certain portions of St. Victoria Drive as part of the streets and roads of New Hanover Township was adopted by **motion** of Charles Garner Jr., **seconded** by Andrew Kelly and **carried 4-0**.

APPOINTMENTS

Motion to rescind motion appointing Andrew Kelly as Assistant Treasurer and appointing Cindy O'Donnell as Assistant Treasurer was made by Charles Garner Jr., **seconded** by Ralph Fluharty and **carried 4-0**.

Motion to appoint Andrew Kelly as Assistant Secretary was made by Douglas Muller, **seconded** by Charles Garner, Jr. and **carried 4-0**.

Motion to appoint Barbara Akins C.P.A. to perform 2015 township audit was made by Andrew Kelly, **seconded** by Charles Garner, Jr. and **carried 4-0**.

Motion to direct Township Manager Tobias to prepare Request for Proposals for legal services was made by Douglas Muller, **seconded** by Andrew Kelly and **carried 4-0**.

Escrow Release – N.H.T.P.C. # 748 Country Meadows – Andrew Kelly **moved** approve releasing \$162,615.89 as recommended by Gilmore & Associates. Charles Garner Jr. **seconded** the **motion** and it **carried 4-0**.

Christmas Tree Collection - discussion regarding suggestion of Dennis Flynn to discontinue collection of Christmas trees at curb side in 2017 and substitute by providing two drop-off locations in the Township and chipping trees collected once each week resulted in Charles Garner Jr. stating that a new procedure should be published well in advance.

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS

N.H.T.P.C. #709	Trotter's Gait	54 lots	01-23-2016
N.H.T.P.C. #714	James Carroll Ph II	3 lots	01-27-2016
N.H.T.P.C. #730	Bart Golf	135 lots	02-15-2016
N.H.T.P.C. #766	Woodfield	296 lots	02-01-2016
N.H.T.P.C. #771	Gibraltar Rock	Land Develop.	02/06/2016
N.H.T.P.C. #786	DePallo	2 lots	1-23-2016

Andrew Kelly moved to grant extensions of time for N.H.T.P.C. #709, #714, #730, #766, and #771. Charles Garner, Jr. **seconded** the **motion** and it **carried 4-0**.

Douglas Muller **moved** to deny N.H.T.P.C. #786 subject to receipt of a 90-day waiver request. Andrew Kelly **seconded** the **motion** and it **carried 4-0**.

CORRESPONDENCE

A letter of thanks for honoring Glenn Hull for his 50 years of service during the meeting of December 28, 2015 was received from Janice Hull.

Gilbertsville Area Community Ambulance Chief of Operations Report provided a breakdown of their operations during 2015.

Aqua Water Service – Mr. Tobias was asked to confirm with Aqua Water Service that they have notified emergency services of the change of ownership from Superior Water and he was also asked to notify New Hanover Township Police, Public Works Department, Sewer Authority and New Hanover Fire and Rescue.

OTHER BUSINESS

FDEV Subdivision N.H.T.P.C. #788 – Mark Koch was present representing this 4 lot subdivision of a property along North Charlotte Street commonly known as the Swann property and asking the Board of Supervisors again to grant a waiver of the bikeway requirement and accept an offer to pay the fee in lieu of which is offered to the Township for unrestricted use with the developer providing a graded area, as shown on the plan, for a future bike path and providing vinyl along the frontage of the property. Douglas Muller stated that he is in favor of granting the waiver. A Board was polled with Ralph Fluharty and Charles Garner, Jr. being in favor of granting the waiver request and Andrew Kelly stating he was not in favor and rather wants to see the bikeway installed. The developer will provide a copy of the written waiver request, as proposed, for preparation of appropriate documents and property deeds.

FROM THE FLOOR

Mr. William Miller of 325 Layfield Road asked who put in Hoffmansville Road and commented on the road improvements done during 2015 stating that the road won't last two years. He stated that there are puddles of water and complained that the roadway had been shredded and put back. Mr. Flynn responded by stating that core sampling had taken place and that the roadway is estimated to last twenty years. Mr. Miller also complained about the damage done and lack of restoration by Superior Water Company along Hoffmansville to Colflesh Roads. Kevin Tobias stated that he has been advised that Mr. Miller has "thrown persons off" his property. Property has been seeded several times and seeds have been washed away. Douglas Muller directed Manager Tobias, Dennis Flynn and representatives of the water company (Superior and/or Aqua or both) to meet and come up with a plan within one week to fix the problem.

The meeting adjourned to Executive/Personnel session at 8:00 PM

EXECUTIVE SESSSION

Chairman Muller called the Executive Session to order at 8:10 pm. After a brief discussion, the Executive Session adjourned at 8:35pm.

RECONVENED REGULAR MEETING - ADJOURNMENT

Board reconvened the regular meeting with no further action. Chairman Muller moved to adjourn the meeting at 8:37 pm.

Kevin Tobias, Township Manager/Secretary