

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
NOVEMBER 28, 2016**

A work session of the New Hanover Township Board of Supervisors was held on Monday, November 28, 2016 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Philip Agliano, Andrew Kelly, Marie Livelsberger, Charles Garner Jr. and Kurt Zebrowski. Township Manager Gregory Prowant, Solicitor Andrew Bellwoar, Engineer Dennis Leh, and Eileen Pogany were also in attendance. Chairman Philip Agliano called the meeting to order at 6:30 PM.

REVIEW AGENDA – There were no corrections to the agenda and one additional item to be added accepting dedication of Lot 19 in the Briar Ridge Subdivision - Resolution 36-16.

REVIEW BILL LIST - there were no comments by the Board of Supervisors.

PRESENTATION OF PLAQUES – Mr. Steve Volpi of the Freedom of Liberty Scouting organization recognized the Board of Supervisors and also the Fire Company for working with the scouting organization and assisting Scouts to fulfill requirements for badges and toward earning Eagle Scout status adding that the involvement builds character and promotes citizenship. Philip Agliano stated that the Township is always willing to have scouts do projects in the Township.

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING
NOVEMBER 28, 2016**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, November 28, 2016 at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Chairman Philip Agliano, Andrew Kelly, Charles Garner Jr., Marie Livelsberger and Kurt Zebrowski. Township Manager Gregory Prowant, Solicitor Andrew Bellwoar, Engineer Dennis Leh and Eileen Pogany were also in attendance. Chairman Philip Agliano called the meeting to order at 6:35 PM and led in a Salute to the Flag.

ANNOUNCEMENTS – Chairman Philip Agliano 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 they would be taping the meeting. Mr. Agliano thanked the public for their attendance.

UPCOMING TOWNSHIP MEETINGS – announced by Eileen Pogany

Dec. 07	Recreation Committee – Recreation Center	6:30 pm
Dec. 14	Planning Commission	6:30 pm
Dec. 19	Board of Supervisors (proposed)	6:30 pm
Dec. 21	Sewer Authority – 2990 Fagleysville Road	6:30 pm
Jan. 05	Zoning Hearing – Gibraltar Rock	6:30 pm

Mr. Agliano announced that the DEP has scheduled a public hearing for Tuesday, December 6, 2016 beginning at 7:00 PM regarding the DEP actions and responses relative to the Hoff VC HSCA site in New Hanover Township. Public Hearing is to take place at the Boyertown Jr. High School east, 2020 Big Road, Gilbertsville, PA 19525.

PRESENTATION OF CURRENT BILLS

Bill List #18 – dated November 22, 2016

01 General Fund	\$ 198,800.82
03 Fire Tax Fund	\$ 4,405.24
04 Open Space	\$ 0.00
08 Sewer Operating Fund	\$ 58,213.09
10 Sewer Capital Fund	\$ 5,210.00
13 Trans. Impact Fund	\$ 560.00
19 Capital Fund	\$ 851.74
35 State Liquid Fuels Fund	\$ 13,072.40
40 Escrow Fund	\$ 47,970.38
96 Recreation Fund	\$ <u>12,755.77</u>
Total	\$ 341,839.44
Recreation Director Reimburse	\$ <u>193.52</u>
Balance Minus Reimbursement	\$ 341,645.92

Charles Garner Jr. **moved** to approve payment of bill list No. 18 dated November 22, 2016 in the amount of \$341,645.92 and advance the treasurer the monies for utilities and payroll for the coming month. Marie Livelsberger **seconded** the motion and it **carried 5-0**.

Marie Livelsberger **moved** to approve reimbursement for the Recreation Director in the amount of \$193.52. Motion was **seconded** by Kurt Zebrowski and **carried 4-0** with Charles Garner Jr. abstaining for the vote.

MINUTES - Action to approve the following work session and regular meeting minutes:

September 26, 2016: Kurt Zebrowski **moved** to rescind the motion to approve the minutes of the September 26, 2016 meeting made on October 24, 2016 which incorrectly stated that no ambulance service is available in New Hanover Township. Marie Livelsberger **seconded** the motion and it **carried 5-0**. Marie Livelsberger **moved** to approve the September 26, 2016 meeting minutes with a correction to state that there is no ambulance service based in New Hanover Township. Kurt Zebrowski **seconded** the motion and it **carried 5-0**.

October 24, 2016 Work Session and Regular Meeting Minutes - Charles Garner Jr. **moved** to approve the minutes of the October 24 meeting; motion was **seconded** by Kurt Zebrowski and **carried 5-0**.

ANNOUNCEMENTS – Philip Agliano announced that Jamie Gwynn has been chosen to serve as Township Manager with a start date of December 5, 2016. Mr. Agliano welcomed Mr. Gwynn to the staff and stated that he had been chosen among several other candidates and that his selection was unanimous. Mr. Gwynn stated that he is looking forward to, and is grateful for the opportunity to serve as Township Manager.

DEPARTMENT REPORTS:

FINANCE DEPARTMENT – Kaleena Breitbarth reported that reimbursement for the Storm Jonas expenditures has been received from PEMA in the amount of approximately \$23,000., that there was an expenditure of \$19,000 for roof repair, and that the miscellaneous expense of \$62,573. was for the condemnation of the Farrell property. The finance department has not gotten a response on the cost of obtaining a detailed audit report.

CODE ENFORCEMENT - Jim Wozniak reported that building permits are being issued for three active developments.

614 Mock Road - Mr. Wozniak stated that he has received correspondence seeking Township approval regarding discharge of treated wastewater to the dry ditch along the road and in front of a property at 614 Mock Road and along the frontage of three other properties. Mr. Agliano stated that since this method has already been approved by the DEP, the Township has no authority and there were no additional comments of the Board of Supervisors.

Process for consolidating two parcels into one – Mr. Wozniak suggested that the Board consider simplifying the procedure for lot line changes, annexations, and joining properties separated by a roadway. A change may require adoption of an ordinance and Mr. Wozniak was directed to work with Manager Jamie Gwynn.

On Site Wastewater Systems – Mr. Wozniak explained that the Township's current ordinance requires that 50% of the cost of alternate systems be collected by the Township as escrow in the event of a property owner not addressing a malfunction or system failure. He suggested the requirement be reduced to \$5,000 initially and possibly reduced at a later time and Charles Garner Jr. suggested he work with the Manager Jamie Gwynn and Solicitor Andy Bellwoar and also to include discussion of other ordinances needing change.

POLICE DEPARTMENT - Chief McKeon – Chief Kevin McKeon reported that his department responded to 358 calls for service, had 11 assists to other departments and received assists in 5 instances, responded to 19 accidents, 12 of which were non-reportable, 37 criminal investigations, continue with traffic control and vehicle maintenance.

Public Works Department – Dennis Flynn asked for a Board decision to either continue fixing or permission to advertise the 2004 grader and the 2003 truck No.1 on munici bid stating that repairs are very expensive; he added that he is hoping to purchase a new truck in 2018 (need to order in 2017 for delivery in 2018) and suggests that a grader be rented as needed. He estimated that he would expect approximately \$95,000 from the sale of the two items. Philip Agliano **moved** to authorize Public Works to advertise and sell the 2003 grader and 2001 truck. Andrew Kelly **seconded** the motion. Charles Garner Jr. asked what the urgency for selling now rather than waiting and Mr. Flynn stated that the inspections will expire in December 2016 and that the vehicles are worth more with valid inspections. The motion **carried 5-0**. He provided a 12 year plan for equipment purchases and asked that it be discussed at a later time.

RECREATION DEPARTMENT – Connie Garner stated that the Recreation Committee will not be meeting in December and that giving Tuesday and Thankful Thursday netted food donations and contributions of approximately \$6,000. Events scheduled for December include: a coloring contest, a gingerbread house contest, an oatmeal and chocolate chip cookie contest, breakfast with Santa, and a blood drive. An event on May 20, 2017 is planned at Hickory Park and will include Sly Fox Brewing Company attending with a truck conditioned upon their obtaining all licenses and permits. Celeste Bish of Finn Road inquired as to who will be judging the contests.

NEW HANOVER SEWER AUTHORITY- Greg Rapp stated that a written report had been submitted that he has met with Hanover Woods excavator who has completed repairs with a few minor issues remaining and long term will need to enter into a flushing program. He added that there are three areas in the Windlestrae development needing repairs and that there are pipes needing to be lined as well as a long term flushing program established. Developer can now move forward with paving. Charles Garner Jr. asked if the Authority minutes would explain the remedy and was told that minutes include the details.

SOLICITOR'S REPORT– Andrew Bellwoar (Siana, Bellwoar & McAndrew) - Mr. Bellwoar reported on the traffic signal easements at the intersection of Swamp Pike and Fagleysville Road. He reported that two easements had been granted, one easement has been offered at fair market value of \$770 and the fourth property owner, Kratz, has been unresponsive to all attempted contacts. Charles Garner Jr. **moved** to approve the purchase of easement with Mr. LaRocca at a cost of \$770; motion was **seconded** by Marie Livelsberger and **carried 5-0**. Kurt Zebrowski **moved** to authorize Solicitor Bellwoar to move forward with the condemnation of the Kratz property; motion was **seconded** by Charles Garner Jr. Susan Kreiner of 2478 Swamp Pike asked what types of contacts had attempted to be made for the Kratz family and was told that both written and telephone contacts had been attempted several times. Charles Garner Jr. commented about the importance of safety and that he does not take condemnation by eminent domain lightly asking if the easement was absolutely necessary. The motion **carried 5-0**. Mr. Bellwoar stated that Resolution 36-16 has been prepared for dedication of open space Lot 19 in the Briar Ridge subdivision. **Motion to adopt Resolution 36-16** was made by Andrew Kelly, **seconded** by Marie Livelsberger and **carried 5-0**.

ENGINEER'S REPORT – Gilmore and Associates-David Leh, PE

Mr. Leh reported that King Hill II and IV are being completed with the addition of lights and trees and should be ready for adoption of roadways in December. Hanover Woods Development, Dotterer Road, is being repaved and is expected to be ready for dedication in December. He stated that review of the revised New Hanover Town Center plan is taking place and that they are expecting to address the Planning Commission at the meeting of December 14. He advised that he has received a proposal for a wetland delineation map of the 66 acre Wassmer Tract requested by the Montgomery County Conservation Service. Charles Garner Jr. stated that the tract has already been grubbed and cleared and is wondering why the organizations expecting to lease use of the property are not required to have the study performed at their expense. It was noted that mapping is only valid for five years and that the mapping done previously is twenty-five years old and that new wetland areas have developed over the years. Connie Garner advised that Richard Zuber is planning on presenting a land development plan, in stages, at some point but that there is currently no agreement for use of the property. Kurt Zebrowski suggested that the Township wait until it knows when the property will be developed and Charles Garner Jr. stated that the Township should have a concrete plan in place prior to proceeding. DEP is asking that a permit be obtained for the pipes existing on the site and are expected to be issuing a letter to the Township. Mr. Leh stated that he and Dennis Flynn will be meeting with the Conservation District and expect that the DEP will be satisfied providing they see evidence that the Township is working toward resolving the issues. No decision was made regarding performing a wetland study; the matter was tabled.

Charles Garner Jr. stated that the Board of Supervisors have not seen a preview of the revised New Hanover Town Center plan and that there are three new supervisors on the Board, two of which are not familiar with either the prior submission nor what has been discussed in staff meetings and before the Planning Commission. He stated that the plan is a large unusual development and has regional affects. Kurt Zebrowski stated that he had been present at Planning Commission when an overview had been presented and agreed that the Board of Supervisors should be given a presentation also. Chairman Agliano asked that Manager Jamie Gwynn follow up to assure the Supervisors are given a presentation.

INTERIM MANAGER'S REPORT – Gregory Prowant

Codification of Codes – Mr. Prowant reported that he has provided a listing of openings and renewals for members of Boards and Commissions to be effective January 1, 2017 and suggested that current members be contacted to see if they are willing to be reappointed. Draft copy of the Codification of Codes has been received by the Township along with an explanation of the process to follow for adoption. Once the procedure has been followed and the code adopted, it will be posted on the Township's website as a searchable document and a hard copy will be made available at the Township office for review. Cost of yearly license is \$1,700.

Election and Voting Issues - Complaints have been received regarding crowding at the polling place located at Lutheran Church, Lutheran Road this year. Mr. Prowant suggested that the process to remedy this situation, possibly requiring redistricting, be started now since it is a difficult and lengthy process. Susan Kreiner of 2478 Swamp Pike thanked all the kind persons who helped at this location this past election and added that there were no accommodations for older folks and children. She stated that she contacted Jackie Anderson at the voter registration office who advised that the Township can make the change. He informed her that the Township

can petition the county and assist in the complicated process but that the County ultimately makes the decision. Chairman Agliano thanked Ms. Kreiner for the letter and stated that the Township will make an effort to fix the problem. Jamie Gwynn stated he will speak to Representative Marcy Toepel in a few weeks. Charles Garner Jr. stated that voting is important and that resolving this issue should be made a high priority and may require redistricting.

Appointment of Census Enumerator – Andrew Kelly **moved** to confirm Cindy Bauman as census enumerator for 2016 per the request of the Boyertown School District. Marie Livelsberger **seconded** the motion and it **carried 5-0**.

BUSINESS FOR DISCUSSION OR ACTION:

Proposed Ordinance – Local Services Tax being proposed since its intent would be to help finance costs for emergency services and would be assessed on persons employed in New Hanover Township only. Charles Garner Jr. stated that he thinks the Township currently has funds and does not want to support an additional tax if there has not been a game plan in place prior to adoption. Marie Livelsberger stated that she would be willing to consider it at a later time. There were no motions nor action. Celeste Bish of Finn Road asked if it would affect only persons employed within the Township and was told “yes”. Edward Swagzdis of Buchert Road asked if the tax would be applied if persons both lived and worked in the Township and was told “yes”.

2017 Budget – A preliminary 2017 Budget has been prepared which includes several additional employees and with no tax increase. Church Garner Jr. **moved** to approve the preliminary 2017 budget; motion was **seconded** by Andrew Kelly. It was noted that \$403,123.11 is being taken from the general fund surplus and that the cost of the additional new hires is eating into the budget. Jamie Gwynn stated that he doesn’t want to draw down on the general fund but acknowledges that the Township is growing and may need additional staff. Unusual expenses during 2016 included additional paving projects, Gibraltar Rock and attorney fees. Chairman Agliano called for a vote and the budget and the preliminary budget was **approved 5-0**.

TCG Investment Advisory Agreement (Univest) – Marie Livelsberger **moved** to hire Univest as pension advisor and approve the contract with the condition incorporated in Paragraph 7. Andrew Kelly **seconded** the motion and it **carried 5-0**.

Release of Escrow, Girls Scouts of Eastern Pa. – Marie Livelsberger **moved** to release a \$2,000 escrow held in relation to a storm water management project which was not completed. Charles Garner Jr. **seconded** the motion and it **carried 5-0**.

Resolution Hanover Woods - Motion to approve a Request for Dedication of Public Improvements including Garnet Drive was deferred to the December, 2016 meeting.

Resolution Kingston Hill II, IV - Motion to approve a request for Release #4 in the amount of \$158,378.96 for public improvements for Kingston Hill II and IV was made by Charles Garner Jr., **seconded** by Marie Livelsberger and carried 50.

Escrow Releases for Windlestrae - Andrew Kelly **moved** to approve the following releases:

- Phase II Release #11
- Phase III Release #11
- Phase IV Release #8
- Phase V Release #9
- Phase VII Release #8
- Phase VIII Release #5
- Phases I & IX Release #5

Kurt Zebrowski **seconded** the motion and it **carried 5-0**.

BUSINESS FOR ACTION ON EXTENDED 90 DAY TIME LIMITATION WAIVER

Applicant waives the 90 day time limitation which will continue in full force until either a decision is rendered on the application or a written request is made to discontinue the extension.

N.H.T.P.C. No.714 James Carroll 3 Lots Exp. 12-26-16

Andrew Kelly **moved** to approve the request for extension; motion was **seconded** by Philip Agliano and **carried 5-0**.

CORRESPONDANCE

Yacono, 2486 Rhoads Road - Zoning Hearing Board Decision – granted for operation of a woodworking shop as accessory use and not to become commercial.

Resignation–Scott Rath – Charles Garner, Jr. **moved** to accept the letter of resignation by Scott Rath from the Planning Commission. Andrew Kelly **seconded** the motion and it **carried 5-0**.

1795 Swamp Pike - offered for purchase of 1795 Swamp Pike, Gilbertsville, PA for open space. Township manager was asked to consult with Planning Commission and Township advisory boards to see if there is an interest in the parcel and if interested, to obtain an appraisal.

Reifsnyder Road offer to donate a 5 acre parcel adjacent to the Township's Swamp Creek Park for open space. Andrew Kelly suggested the property owner be contacted and advised that the Township is interested and will be **consulting** with the Planning Commission and Township's advisory boards.

COMMENTS FROM THE FLOOR

Celeste Bish – asked why the meetings are no longer covered by a reporter from the Town and Country newspaper and was advised that a reporter was present.

Ralph Fluharty of 2120 Little Road inquired about the update on the Hoff VC site and the DEP monthly reports and was advised that the DEP is hosting a public hearing on December 6, 2016 at the Boyertown Junior High East School beginning at 7:00 PM.

Auditor vacancy – inquired about the vacancy on the Board of Auditors and was told that the vacancy should have been filled within the 30 days of the resignation. Filling the auditor position will be an election item.

SUPERVISOR COMMENTS

Marie Livelsberger thanked Gregory Prowant for the outstanding service he provided to the Township and welcomed Jamie Gwynn as manager for the Township.

Charles Garner Jr. welcomed Jamie Gwynn and thanked Gregory Prowant for a job well done and for his guidance, experience and professional representation and wished him the best on his upcoming move. He added that he would not be available to attend the proposed December 19 meeting and offered a few dates which he would be able to attend. Meeting date of December 29 beginning at 6:30pm was determined to be the date for the Board of Supervisors meeting. Mr. Garner also thanked all for their kind words and well wishes with regard to his recent surgery.

Andrew Kelly also welcomed Jamie Gwynn and thanked Gregory Prowant for his services.

EXECUTIVE SESSION – None

ADJOURN – Andrew Kelly **moved** to adjourn at 8:50 PM.

Andrew Kelly, Township Secretary