
REGULAR SEMI-MONTHLY MEETING

March 12, 2024

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, was called to order by Chair Susan Lawless at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, PA, 18017 at 7:00 P.M.

Present were Supervisors Diacogiannis, Prendeville, Gross, Versteeg, Township Engineer Brien Kocher, and Township Solicitor James Broughal.

The Pledge of Allegiance was performed.

Upon motion of Mr. Prendeville, seconded by Mr. Diacogiannis, the Board approved the agenda.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Upon motion of Mr. Prendeville seconded by Mr. Diacogiannis, the Board approved the minutes from the meeting of the Board of Supervisors dated February 27, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless abstained due to being absent.

Upon motion of Mr. Prendeville, seconded by Mr. Diacogiannis, the Board approved the list of bills and transfers dated March 12, 2024.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

COURTESY OF THE FLOOR

Ravi Shah, 1245 Ciara Drive, expressed his concerns to the Board regarding the Community Utilities vs. the City of Bethlehem water rates. Mr. Broughal explained that Hanover Township does not set the water rates and that Westgate Water is a separate entity from City of Bethlehem. Water rates are controlled by the Public Utility Commission. Ms. Lawless stated the Board had written a letter to the PUC regarding the rate increase. The Board has limited power over the status of the company. Mr. Diacogiannis explained that Westgate Water was granted rights to that territory and to sell the water. It's up to the PUC. The Board recommended Mr. Shah to contact the PUC.

REPORT OF THE CHAIR

Ms. Lawless noted for the record that an executive session was held at 6:00pm prior to the meeting to discuss litigation matters and potential litigation matters. Ms. Lawless noted for the record that Friday, January 19, 2024, she, and Mr. Diacogiannis met with Ed Konjoyan of Majestic and Representative, Joe Uliana, to discuss the status of the development on the LNAA owned property within the Airport Highway Flight Path District. Ms. Lawless explained no formal plans were presented and no further dates are presently on the calendar regarding the project. Ms. Lawless wished to those who observe, a Ramadan Mubarak, easy fasting.

REPORT OF THE VICE CHAIR

Ms. Versteeg had nothing to report.

SUPERVISOR'S COMMENTS

Mr. Diacogiannis – Road District #1, had nothing to report.

Ms. Versteeg - Road District #2, had nothing to report.

Mr. Gross– Road District #3, had nothing to report.

Ms. Lawless – Road District #4, had nothing to report. Ms. Lawless has been working with Mr. Limpar on an application with the Conversation District for a mini grant for a swale outside the Public Works Department. The swale is very muddy, and the grant would put natural vegetation and natural grasses in the swale as part of the naturalization plan to increase the quality of the water that flows into the Monocacy.

Mr. Prendeville – Road District #5, had nothing to report.

APPOINTMENTS AND RESIGNATIONS – Mr. Diacogiannis

PLANNING & ZONING – Ms. Versteeg

Zoning Variance – 90 Highland Avenue & 3865 Adler Place

Applicant for 90 Highland LLC, requests relief from the ordinance regarding parking lots within 100 feet to the boundary of any other district. Does the Board want to send representation to the Zoning Hearing Board meeting Thursday, March 28, 2024?

Chris McLean, Filtzpatrick Lentz & Bubba, on behalf of the applicant of 90 Highland, LLC, explained there is the medical office building on the northwest corner of the proposed site, the WAWA, southwest corner, and then the existing office on Adler to the east. Mr. McLean explained there was a zoning variance that allowed for a seven-foot encroachment into a hundred-foot setback for a canopy that covered some of the access patient drop-off. Mr. McLean discussed with the tenant for the medical office building about covering the twenty-four feet patient drop-off area for patient comfortability. As a result, it extended the canopy from ninety-three feet away from the property line to about seventy/seventy-one feet from the property line. Mr. McLean explained that the building itself is still five feet beyond the setback and one hundred five feet from the property line.

Ms. Versteeg asked if the owner of the property behind the medical office building was okay with the variance and if he was contacted. Mr. McLean did not have an answer to those questions. Ms. Versteeg asked what kind of medical office building it is. Mr. McLean answered that it is a standard medical office building for one of the local hospitals.

Ms. Lawless asked if the applicant gets the variance for the covered driveway, would another building down the road morph into a building in the setback. Mr. McLean stated they would have no issue with any documentation needed to present to the Zoning Hearing Board for that type of condition for an accessory canopy and not for the principal building itself. Mr. Broughal explained they're going to be presenting a plan and if the plan changes, the variance goes away. The applicant can't keep the variance if they're going to change the plan that was presented to the Zoning Hearing Board.

The Board does not wish to send representation.

Jennifer Levins, 1370 Gaspar Avenue, asked if this was pertaining to a building being constructed. Ms. Versteeg answered that the property is where the WAWA, medical office building, and third building is located. The building will be constructed outside the variance requirement. It is only pertaining to the portico.

Glynnis Daniels, 1280 Gaspar Avenue, asked if there was a place where the plans could be reviewed by the public. Ms. Versteeg answered that many plans are proprietary, and copies cannot be distributed or posted. Residents can reach out to Tracy Luisser, Building Code Officer, to make an appointment and come in to review the plans.

Section 185-38 Regulations applicable to AFHBD Aircraft Flightpath Highway Business District – Review of Planning Commission Language Change Proposal

Discussion upon the Board of the AFHBD Zoning Ordinance change by the Hanover Township Planning Commission.

Ms. Versteeg explained the Planning Commission had a chance to review the proposed amendment and they had a grammatical wording adjustment. Mr. Broughal explained the change does not require a readvertisement unless the ordinance has changed. Mr. Broughal stated letters were sent out in January to the Hanover Township Planning Commission and the Lehigh Valley Planning Commission and by law, they have thirty days to review. Mr. Broughal can't schedule a hearing until after thirty days and has not heard back from the Lehigh Valley Planning Commission. Mr. Broughal asked the Board if they would like him to advertise for the first meeting in April for the public hearing. Once advertised, the ordinance can't be changed unless it's a similar change. Ms. Versteeg stated the LVPC has reviewed the major portion of the ordinance and recommended to accept the comprehensive planning commission's recommendation to accept the minor change. Mr. Broughal will proceed with the advertisement.

Overview of Airport Flightpath District Zoning (Hanover Engineering Estimate) – DISCUSSION

Ms. Versteeg explained Hanover Engineering Associates proposed to begin the process of reviewing Township Ordinances to bring them into conformity with the current comprehensive plan which will begin the AFHBD district.

Ms. Lawless explained this topic was raised at the end of last year and the Township needs to undertake a review of all zoning to bring it into conformity with the new comprehensive plan. Hanover Engineering put together a proposal to review this project. Mr. Kocher explained it makes sense to start with this district. Mr. Kocher explained the Planning Commission will handle the bulk of the work. The proposal gives the Board an idea on how often they should meet and review and share concerns/ideas. It is a three-to-four-month process. It depends on the structure of the people working on it and who the Board wants to work on it. Ms. Lawless explains the concept is a work in progress and that it is prudent to start. Ms. Lawless would like to start the process once the Township has a Manager in April. Ms. Versteeg agreed. Ms. Lawless asked what the amount would be for the project. Ms. Versteeg answered an estimate of \$19,000-\$20,000 for the district to be reviewed.

Ms. Versteeg moved the Board to approve the Hanover Township proposed work program for the AFHBD amendments with further details of the project to be discussed in the future and to not exceed \$20,000.

Mr. Gross seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

DEVELOPMENTS – Mr. Prendeville

90 Highland Avenue – Confirmations of Agreements

Mr. Prendeville moved the Board to authorize the execution of certain confirmations of agreements affecting the property located at 90 Highland Avenue, in the Township of Hanover, Northampton County, and having Northampton County tax parcel id #M6 15 10X 0124:

1. Confirmation of Agreement, which is attached hereto as **EXHIBIT "A"**, indicating that all zoning conditions, restrictions, and provisions of an Agreement with John W. Pharo, Robert S. Pharo, Donald N. Pharo and Richard L. Pharo, individually, and acting on behalf of Eastupland Company, and any Amendments thereto, affecting the Property, are no longer applicable.
2. Confirmation of Agreement, which is attached hereto as **EXHIBIT "B"**, indicating that any and all improvements required by a certain Subdivision Improvements Agreement with Este Corporation and

any Amendments thereto, affecting the Property, have been satisfactorily completed and any security relating to such improvements has been released.

3. Confirmation of Agreement, which is attached hereto as **EXHIBIT “C”**, indicating that any and all improvements required by a certain Site Plan Improvements Agreement with Keystone Savings Association, affecting the Property, have been satisfactorily completed and the Letter of Credit has been released.

Ms. Versteeg seconded the motion.

Mr. Broughal explained that two of the agreements go back fifty years. The law says if you have a land development or subdivision that requires public improvements, the developer must enter into an agreement and must post security to make sure the improvements are done. The improvements as they are, are constructed and then inspected by the Township Engineer. The law requires the Township to release portions of the improvement security as they go along. At the end, when the developer is finished, the Township must satisfy or release the LOC. This is a matter of cleanup.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Hanover Corporate Center II – Lots 6 & 7 Lot Consolidation & Land Development Extension

Mr. Prendeville moved the Board grant the developer of Hanover Corporate Center II – Lots 6 & 7, an extension to January 19, 2026, regarding the improvements deadline, per the Solicitor’s letter dated March 1, 2024.

Mr. Diacogiannis seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Jaindl - Hanover Corporate Center II – Remaining Traffic/Roadways Improvements Extension

Mr. Prendeville moved the Board grant the developer of Hanover Corporate Center II, an extension to March 30, 2025, to complete the roadway improvements, per the Solicitor’s letter dated March 8, 2024.

Mr. Diacogiannis seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

ADMINISTRATION – Mr. Gross

Appointment & Reappointment – Special Events Committee

Mr. Gross moved the Board to appoint Michelle Suarez as a member of the Special Events Committee, with a term date of January 1, 2027. I further move the Board to re-appoint Telly Diacogiannis as a member of the Special Events Committee, with a term date of January 1, 2027.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

FRICTION Band – Agreement

Mr. Gross moved the Board to authorize the Chair to execute the agreement with FRICTION to perform at the Hanover Township Carnival Friday, June 7, 2024, from 6:30pm-9:30pm for a fee of \$400.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Shake, Rattle & Soul Band - Agreement

Mr. Gross moved the Board to authorize the Chair to execute the agreement with Shake, Rattle & Soul to perform at the Hanover Township Carnival Friday, June 8, 2024, from 6:30pm-9:30pm for a fee of \$400.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Proclamation – Arbor Day 2024

Mr. Gross moved the Board to adopt Proclamation 2024-1 to proclaim Arbor Day in Hanover Township as April 27, 2024.

Mr. Prendeville seconded the motion.

Ms. Versteeg would like to address the Proclamation due to not receiving the Tree City status or designation. Ms. Versteeg asked if Hanover Township would be getting an approval this year.

Jay Finnigan, 4208 Maria Lane, explained he has been in contact with the State Forrester and there have been some setbacks, but he will continue reaching out until someone can be of assistance. Mr. Finnigan also reached out to Senator Miller's office who will assist as well. Ms. Versteeg asked if we could use last year's Proclamation because it reads the same as this year's. Mr. Finnigan answered the Forrester's office has last year's Proclamation, it is required with the application. Mr. Finnigan stated the Proclamation can be updated as soon as it occurs, and a second Proclamation could supersede the first Proclamation.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

Proclamation – Armed Forces Day 2024

Mr. Gross moved the Board to adopt Proclamation 2024-2 to proclaim Armed Forces Day in Hanover Township as May 18, 2024.

Mr. Prendeville seconded the motion.

Mr. Prendeville asked if there was a speaker lined up for Armed Forces Day. Ms. Lawless answered she will be calling a speaker, and that Mr. Finnigan is also assisting in the planning of the event. It is in progress.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

PUBLIC WORKS – Mr. Diacogiannis

Chaucer Lane/Lord Byron Storm Sewer Bid Award

Mr. Diacogiannis what day the bids were opened. Mr. Limpar answered the bids were opened Wednesday, March 6. Mr. Diacogiannis stated they were reviewed by Mr. Limpar and Mr. Kocher, and he is pleased by the results that were received. Hanover Township is going with the lowest bidder.

Mr. Diacogiannis moved the Board to award the Chaucer Lane/Lord Byron Storm Sewer extension contract to Kobalt Construction, Inc, 216 PA-196, Tobyhanna, PA 18466, in the amount of \$1,195,586.09, which includes contingencies of \$72,200.00.

I further move to return all bid bonds with the exception of the second lowest bidder, Ankiewicz Enterprises, Inc., 301 E. Main St, Tamaqua, PA 18252. Their bid was in the amount of \$1,288,200.00, which includes \$71,920.00 in contingencies.

Mr. Gross seconded the motion.

Mr. Kocher noted that the amount is not exact. There are contingency items such as how many water services are going to be hit on the way and may need to be relocated, as well as sewer laterals that may need to be relocated. It is not known until the work is performed. An estimate is based on the past and quantities will fluctuate the exact amount. Mr. Diacogiannis asked when the anticipated start date will occur. Mr. Kocher explained Kobalt Construction, Inc is awaiting on the Board and he will contact them. The project needs to be done by the end of July because it's in the contract.

Mr. Broughal confirmed that the legal end has been reviewed.

Monica Beaky, 3625 Quincy Lane, asked what the project is. Mr. Kocher explained there wasn't a storm sewer installed north of the Lehigh Valley Corporate Center development. The storm sewer stopped south of Stoke Park Road. The project will extend the storm sewer south of Stoke Park Road at Harmor Lane and continue up to Chaucer Lane towards Lord Byron. This project will eliminate the dip of Stoke Park Road and eliminate the water that flows through. The sewer system was extended northward to a point. Ms. Lawless provided history regarding the bid.

Mr. Diacogiannis made a moved the Board to direct Hanover Engineering Associates to review the remaining storm water upgrade projects from the 2021 plan.

Mr. Prendeville seconded the motion.

Mr. Diacogiannis, aye, Mr. Prendeville, aye, Mr. Gross aye, Ms. Versteeg aye, Ms. Lawless aye.

COURTESY OF THE FLOOR

Telly Diacogiannis, library representative, 1370 Bonnie Avenue, attended the Bethlehem Public Library board meeting. Mr. Diacogiannis stated the Library Director said the activity at the library is very active. The book sale will be March 20th and 23rd. Residents can find more information on the library website. Residents will see different vehicles as the 'book mobile' because the book mobile truck is no longer drivable. There will be a fundraiser starting for the library to raise funds for a new book mobile and Mr. Diacogiannis would like to see residents get involved once more information is released.

Monica Beaky, 3625 Quincy Lane, is participating in a group called Trash Raiders Lehigh Valley. Mr. Prendeville applauded Ms. Beaky. Ms. Beaky organizes litter pickup around the Lehigh Valley. There is a Facebook page with about 175 people. The litter pickup is from twelve to two every Sunday from now until the end of May. Ms. Beaky stated if anyone is interested, she has grabbers, gloves, vests, bags, and a pack out.

George Gemmel, 1410 Princeton Drive, asked what the Solicitor was authorized to advertise. Ms. Versteeg answered Mr. Broughal is authorized to advertise the text amendment for the AFHBD. Ms. Lawless explained it is a minor text change. The language will be changed to be more consistent in certain sections of the ordinance's overall purpose. Mr. Gemmel asked once adopted if it's a public record. Mr. Broughal answered when subdivision land development plans are approved or conditionally approved, once all conditions have been met and the developer enters into the agreements and posts security, and records the plans at the courthouse, the public can go to the courthouse or the Township building to review. Mr. Gemmel asked if he could get copies of the plans. Mr. Broughal explained copies are not provided, but they can be reviewed at the Township building or down at the courthouse.

STAFF REPORTS

Engineer – Mr. Kocher had nothing to report.

Solicitor – Mr. Jim Broughal had nothing to report.

Recreation Director – Mr. Terenzio reported the Pickleball League has started. There are five teams. He provided them with shirts and the participants are excited to go outdoors. Breakfast with the Easter bunny is March 23, 2024, with 10 spots remaining to register. The Spring Martial Arts Tournament will be held April 13th at the Community Center. Entrants must have knowledge of the Shotokan style of karate. The Women Move for Health registration is open and will run from April 4th through June 6th. Arbor Day is April 27th from 11:00am-1:00pm at the Hanover Township Community Center with education tables and live music. The tree planting is to be held prior to the event at Hanover Elementary School. The annual golf tournament is May 3rd at Whitetail Golf Club. The goal is to have more than 75 registrants. Pool passes are selling at a steady rate and members are eager and excited for the June 8th grand opening. Ms. Lawless asked if the pickleball courts are still on schedule. Mr. Kocher answered their contract is up early April and that he will reach out to them to get a revised schedule. The winter prevented them from completing on schedule and they need more time to complete the project. Lifeguard applications are going well.

Public Works Director – Mr. Limpar reported he is having issues with the trucks that have been ordered for the Public Works Department. He is waiting for a date to receive the trucks but is working on contacting the sales manager. The pool fire suppression system, fryer, and griddle were installed. A valve needs to be installed and should be done in the upcoming weeks. The goal is to resume April 1st. The Public Works Department received a new excavator. Mr. Limpar stated that we received a partial payment from the insurance company for the sewer pumps and they will pay more once we receive the pumps. The old bathhouse is being demoed to become a Public Works garage to store plows and spreaders. The Public Works Department will begin crack sealing weather permitting and will prep the street sweeper. Yard Waste pickup begins April 1st.

Ms. Lawless noted the next Board of Supervisor's meeting will be March 26, 2024, at 7:00pm.

Upon motion of Mr. Prendeville the Board adjourned at 8:06pm.

Kimberly R. Lymanstall
Secretary