

UPPER HANOVER TOWNSHIP BOARD OF SUPERVISORS
JANUARY 10, 2023
Meeting Minutes

- I. The Meeting was called to order at 7:00 PM by Chairman Rothenberger who led in the Salute to the Flag
- II. Roll Call
 - Mr. Rothenberger, Chairman - *present*
 - Mr. Fiorito, Vice-Chairman and Assistant Treasurer - *present*
 - Mrs. Diehl, Assistant Secretary - *present*
 - Mr. Woodward - *present*
 - Mr. Laessig – *present*

Also present were Township Manager Anne Klepfer, Township Solicitor Joseph Bresnan, Township Engineer Peter Eisenbrown and Township Road Department Supervisor Jayme Benfield.

- III. Citizen Comments (Non-Agenda Items) – *None*

- IV. Approval of Minutes

- A. December 13, 2022, Regular Meeting Minutes
- B. January 3, 2023, Organizational Meeting Minutes

Motion to approve Meeting Minutes for 12/13/22 and 1/3/23 made by Ben Fiorito and seconded by Dottie Diehl. Motion carried 5-0.

- V. Monthly Invoices

- A. Previously Paid Bills Authorization
- B. Approval of Monthly Bills to be Paid.

Motion by Tim Woodward to approve Previously Paid Bills and January Bills List. Motion seconded by Dottie Diehl and approved 5-0.

- VI. Monthly Reports

- A. Treasurer's Report – Mrs. Klepfer
- B. State Police Report – Mrs. Klepfer
- C. Building Inspector Report – Mrs. Klepfer
- D. Fire Marshal Report – Mr. Shade
- E. Road Report – Mr. Benfield

All monthly reports were accepted and entered into the record. The Treasurer reported a Fund Balance of \$15,103,941.41. State Police reported 117 Police Incidents and 7 Traffic Stops for a total of 124 reported incidents.

VII. Public Hearings – Mr. Bresnan

- A. **Ordinance 2023-01:** An Ordinance Repealing Codified Ordinance 500-305(D) and 500-305(E), which established a registration requirement for rental properties and a penalty for failure to register; effective upon adoption, including a repealer clause.

*The rezoning Public Hearing began at 7:05 pm. Robin Hansel, a court reporter, was present to record the transcript. Solicitor Bresnan summarized the ordinance amendment, entered the Ordinance and Proof of Publication into evidence and opened the floor for Public Comment. There were no public comments. Dottie Diehl **moved** to adopt Ordinance No. 2023-01. The motion was **seconded** by Stefan Laessig and **approved 5-0**.*

VIII. Special Business

- A. **Resolution No. 2023-06:** Recognizing George Long for 15 years of service on the Vacancy Board.

***Motion** by Tim Woodward to adopt Resolution 2023-06; **second** by Dottie Diehl and **approved 5-0**. Steven Rothenberger presented a framed copy of the Resolution to Mr. Long as a token of the Board's appreciation for his service.*

- B. **Resolution No. 2023-07:** Recognizing Trevor Smith for 10 years of service on The Upper Hanover Authority Board. ***Motion** by Tim Woodward to adopt Resolution 2023-07; **second** by Dottie Diehl and **approved 5-0**. Steven Rothenberger presented a framed copy of the Resolution to Mr. Smith's wife Cynthia in his absence.*

IX. Planning & Zoning Matters

- A. **Kraussdale Road Industrial Project ZHB Application:** 249,760 sf of Light Industrial Building/Distribution/Office: Applied for two variances, (1) building height more than maximum 40' no greater than 50' and (2) allow parking, loading and driveway between building and residential property line.

The Board reviewed this application with the applicant and representatives. Present were attorney Kellie McGowan, Applicant Jerry Gorski and Ben Barland, a civil engineer for the project.

The first variance is desired because the current standards for racking systems require additional building height; the second variance is needed because 3.5 out of 4 sides of the property borders residentially zoned land and our ordinance prohibits the location of parking and load facilities between the building and residentially zoned land.

The Board of Supervisors unanimously agreed to take no position on the application and to permit the Zoning Hearing Board to hear the application without input from the Board.

- B. **802 Gravel Pike Partners, LLC Acorn Lofts Land Development.** Planning Commission recommended preliminary plan approval conditioned upon approval of the waivers requested in the December 30, 2022, Revised Waiver Request Letter from Horizon Engineers and the LTL Waiver Recommendation Letter dated January 6, 2023; and Subject to compliance with the December 23, 2022, LTL Review Letter and the December 30, 2022, McMahon Associates Review Letter.

Stefan Laessig **moved** to approve the waivers included in the LTL Waiver Recommendation Letter dated January 6, 2023, and reviewed by the Township Solicitor. The motion was **seconded** by Tim Woodward and **approved 5-0**.

The Applicant also asked for consideration of preliminary plan approval. Chairman Rothenberger asked for a motion to grant preliminary plan approval to 802 Gravel Pike Partners, LLC Acorn Lofts Land Development.

*Tim Woodward **moved** to adopt Resolution 2023-08 granting preliminary plan approval to 802 Gravel Pike Partners, LLC Acorn Lofts Land Development subject the January 6, 2023, LTL Waiver Recommendations, compliance with the LTL December 23, 2022, and McMahon Associates December 30, 2022, Review Letters and subject to the terms and conditions to be drafted in Resolution No. 2023-08 by the Township Solicitor. The motion was **seconded** by Stefan Laessig and **approved 5-0**.*

- X. *2023 Committee Appointments by Chairman (2023 Appointments):*
 - A. Budget and Finance Committee – (Mr. Fiorito)
 - B. Personnel Committee – (Mrs. Diehl and Mr. Woodward)
 - C. Open Space, Parks, and Recreation – (Mr. Laessig)
 - D. Regional Planning and Planning Committee – (Mr. Rothenberger)
 - E. Sewage and Water Committee – (Mr. Fiorito)
 - F. Bridge and Road Committee – (Mr. Rothenberger and Mr. Fiorito)
 - G. Public Safety Committee – (Mrs. Diehl and Mr. Woodward)
 - H. Regional Planning Commission PC Representative – (Mrs. Bastone; Mr. Young as Alternate)

*Tim Woodward **moved** to adopt the same slate as written for 2022 with the addition of Item H. above for 2023 Committee appointments. Motion **seconded** by Stefan Laessig and **approved 5-0**.*

- XI. Committee Reports
 - A. Budget & Finance: Mr. Fiorito informed the Board that 12-month CD rates have a better return than 18-month CD's currently and that the Finance Committee is renewing investment CD's for 12-month periods. Mrs. Klepfer reported that the fund balance projections for 2023 were on target or in excess of projections.
 - B. Personnel – No updates.
 - C. Open Space, Parks and Recreation
 - 1. Hunter DeBlock, Eagle Scout Candidate presented a check for \$4,686.87 representing the fundraising he completed for his exercise station project in Camelot Park. The equipment has been ordered and will be installed when the weather permits. *The Board thanked and congratulated Mr. DeBlock for his hard work.*
 - 2. MONTCO 2040 Grant Application for Pickleball. Mr. Laessig reported that the Park Board would like to apply for a Montco 2040 Grant to install Pickleball Courts in either Camelot Park or Macoby Park. They are meeting on the 4th Monday in January to sort out details. The Board was favorable to

this plan and will consider a Resolution authorizing the application at their February Board Meeting.

- D. Regional Planning and Planning Committee – *There was no meeting in December to report on.*
 - E. Sewage and Water Committee – *No report.*
 - F. Bridge and Road Committee – *No report.*
 - G. Public Safety Committee – *The annual Public Safety Contributions are in process.*
- XII. Township Engineer’s Report – Mr. Eisenbrown
- A. Otts Road Project Update and Payment Application #5 - \$272,718.53; **Motion to approve Payment Application #5 to Bi-State Construction by Dottie Diehl; second by Tim Woodward and approved 5-0.**
- XIII. Township Manager’s Report – Mrs. Klepfer
- A. PSATS Conference April 23-26 – *Mrs. Klepfer will be attending the conference.*
- XIV. Township Solicitor’s Report – *Nothing to report.*
- XV. Old Business
- A. Advisory Board Appointments – PC & Authority
 1. *Stefan Laessig moved to appoint Dale Young to a Planning Commission Term Ending 12/31/26; seconded by Tim Woodward and approved 5-0.*
 2. *Dottie moved to appoint Jon Warren to an unexpired term for Planning Commission alternate ending 12/31/24; seconded by Stefan Laessig and approved 5-0.*
 3. *Ben Fiorito moved to appoint Andrew Lechman to a term ending 12/31/27 on The Upper Hanover Authority Board; seconded by Tim Woodward and approved 5-0.*
 - B. Northgate Public Improvements – Update from Gilmore & Associates
Gilmore & Associates Engineer David Leh and Inspector Shawn Fahr were present to review the status of the unfinished phases of Northgate. They completed detailed punch lists of items that need to be completed or repaired prior to release of the Bond held by H&K for phases excepting Phases 1A, 1B, 1C and 2A. which were completed during Bankruptcy.

Tommy Letwinch, Director of Business for H&K introduced himself and advised that H&K was represented by himself as well as Steve Gooley and Austin Haines to assure the Township that they want to complete the Northgate Project and will honor their obligations to complete the public improvements. Although not the original developer for the project, they hold the bond as part of an agreement between H&K and the developer, T.H. Properties. T.H. Properties was not present at the meeting despite being asked to attend. The work will be completed by H&K at considerable out-of-pocket cost to H&K.

Mr. Letwinch advised the board that he just received Gilmore & Associates’ inspection reports and that his company will review them and get together with Gilmore to come up with a timeline to complete everything—hopefully by the end of the summer. They will provide a monthly update to Gilmore & the Township.

- C. Tax Collector – *Request to Deputize Tracey Kells was not entertained by the Board of Supervisors. The Township continues to have concerns that the residency requirement is not being met by Mr. Kells and as a result the Township continues to field complaints about Mr. Kells' lack of presence in the Township. Members of the audience called for the Board to take action to remove Mr. Kells from office. Solicitor Bresnan advised that the only way to do this is to convince the PA Legislature to take up the matter, and it is difficult to get them to agree to do that. Mr. Bresnan agreed to speak to the Township's State Representatives about the concerns and report back to the Board.*

- XVI. New Business
 - A. Valley View/Klinerd Road Sewer – Nothing to report since the Work Session.
 - C. Propane Proposals – *Authorization to solicit proposals: Authorization **motion** by Stefan Laessig; **second** by Tim Woodward and **approved 5-0.***
 - D. Lawn Care Proposals – *Authorization to solicit proposals: Authorization **motion** by Stefan Laessig; **second** by Tim Woodward and **approved 5-0.***
 - E. AMS Contract Extension Renewals – ***Motion** to accept 2023 Extensions to AMS Contracts for Double Bituminous Seal Coat and Polymer Modified Crack Sealant; Ultra-Thin Bonded Wearing Course; and Single Seal Coat followed by a Type II Slurry Seal process **made by** Dottie Diehl; **second** by Stefan Laessig and **approved 5-0.***

- XVII. Adjournment & Next Meeting Date
 - A. Next meeting is Tuesday, February 14, 2023
 - B. Adjournment: ***Motion** by Dottie Diehl; **Seconded** by Tim Woodward and **approved unanimously** at 8:40 PM.*

