

UPPER HANOVER TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES

TUESDAY, JULY 12, 2022

Board of Supervisors Chairman Steven R. Rothenberger called the meeting to order at 7:00 PM at the Upper Hanover Township Building, 1704 Pillsbury Road, East Greenville, PA and led in the salute to the flag. Present for the meeting were Vice-Chairman Ben Fiorito, Assistant Secretary Dorothy Diehl, Supervisor Stefan Laessig and Supervisor Timothy Woodward. Also present were Township Solicitor Joseph Bresnan, Esquire, Township Engineer John Weber, Township Manager Anne Klepfer and Road Department Supervisor Jayme Benfield.

Citizen Comments (non-agenda items)

There were no public comments on non-agenda matters.

Approval of the Minutes

Stefan Laessig **moved** to approve the June 14, 2022, Meeting Minutes. Mr. Woodward **seconded** the motion, and the minutes **were approved 5-0**.

Monthly Invoices

Mr. Woodward **moved**, and Mrs. Diehl **seconded** to approve the July 12, 2022, Bills List for Payment, and the previous monthly bills for payment. The motion **carried 5-0**.

Monthly Reports

Treasurer's Report – The Treasurer's Report was entered into the Record.

State Police Report – There were a total of 133 incidents, 126 Police Incidents and 7 Traffic Stops.

Building Inspector Report – The Building Inspector's Report was entered into the Record.

Fire Marshal's Report – The Fire Marshal's reports were entered into the Record.

Road Report – Mr. Benfield provided the highlights of his report. AMS completed Ultra-Thin Micro Bond application to E. Buck Road, and he and his crew have almost completed roadside mowing once through the township.

Public Hearings

- A. **Public Hearing** for ASA Application of James & Sherry Scheick. Two parcels, 6.99 acres located at 1013 Hosensack Road, Palm, PA 18070 and 12.00 acres located at 1008 Stoudt Road, Palm, PA 18070. Resolution No. 2022-37. **The hearing was opened on the record, having previously been opened June 14, 2022 and continued. Present were Mr. and Mrs. Scheick. Ben Fiorito moved to approve the Scheick application for inclusion in the Upper Hanover Township Agricultural Security Area. The motion was seconded by Mrs. Diehl and was approved 5-0. Mr. and Mrs. Scheick agreed to arrange a meeting with the Township Code Enforcement consultant to inspect the properties.**

- B. **Public Hearing** for Conditional Use Approval Community Bible Fellowship Church. This hearing was opened on the Record and continued until August 9, 2022 at 7:00 PM. There will be no additional advertising, postings or notifications.

- C. **Public Hearing for Consideration of Zoning Amendment Ordinance No. 2022-03:** An Ordinance of Upper Hanover Township amending the Zoning Ordinance by amending the definition of “Dwelling Types, Multifamily Building,” by removing the limitation of six dwelling units; amending Section 500-1602, permitted uses in the Village Commercial/Residential Zoning District, by removing the previously repealed language regarding residential conversions; by adding various retail establishments as permitted uses; by adding multifamily buildings as a permitted use, subject to additional criteria, including repealer and severance clauses; effective five days after adoption. The hearing was opened on the record being recorded by a court reporter. There were no questions from the Board of Supervisors. There was no question from the public. Stefan Laessig **moved** to adopt Ordinance No. 2022-03. Mr. Woodward **seconded** the motion. The motion was **approved unanimously**.

Planning and Zoning – Mr. Bresnan

- A. **Michael Mullen**, 2159 Hock Road, Dimensional Variance from the required front yard setback for a residential garage which will encroach 30’ into the required 50’ front yard. The Board took no position or action to intervene.
- B. **Kurt B. and Paula D. Young ZHB Application**, 3778 Layfield Road, Dimensional Variance from the required front yard setback for a residential garage which will encroach 4’ into the required 50’ front yard. The Board took no position or action to intervene.

Committee Reports

- A. Budget and Finance Committee – Mr. Fiorito
 - 1. Investment Policy & 2022 Investment Strategy. Mr. Fiorito reported that four CD’s mature in July and will be cashed out and reinvested, most likely with PLGIT, although he continues to monitor CD and Money Market rates at local banks.
- B. Personnel Committee – Mrs. Diehl and Mr. Woodward
 - 1. Mrs. Diehl stated how thrilled the Board is to have Mr. Benfield on board and complemented him on making a quick impact on the operations of the Road Department.
- C. Open Space, Parks and Recreation Committee – Mr. Laessig
 - 1. The fish habitat and streambank restoration project bids came in about \$30,000 higher than budgeted. Trout Unlimited will rebid the project in January and work on identifying additional sources of funding for the project.
- D. Regional Planning and Planning Committee – Mr. Rothenberger entered the report provided by William Kalb into the record and noted that there will be no meeting in July.
- E. Sewer and Water Committee – Mr. Fiorito reported the developer of the Wentz tract is in negotiations with The Upper Hanover Authority to extend public sewer and implement the Township’s Act 537 Plan.

- F. Bridge and Road Committee – Mr. Fiorito and Mr. Rothenberger
 - 1. Nothing new to report.
- G. Public Safety Committee—Mrs. Diehl and Mr. Woodward reported that a merger of EMS Operations of Trappe Fire Co. #1 into Harleysville Area Emergency Medical Services has resulted in rebranding as “Freedom Valley Medical Rescue” but there will be no change in services.

Township Engineer’s Report – Mr. Weber

- A. Ott’s Road Bridge Bid – The pre-construction meeting was held. The ductile iron pipe cannot be obtained due to supply change reasons. Mr. Weber has approved plastic pipe as a substitution and got the Authority to approve the substitution. The Board asked if this change order will result in a deduction to the contract? Mr. Weber will look into that.
- B. Glennwood Chase Subdivision: A Pre-Construction Meeting is Scheduled for next week. Mr. Fiorito and Mr. Laessig were selected to represent the township on the required walk-through of the open space with the developer.

Township Manager Report – Mrs. Klepfer

- A. **Resolution No. 2022-40:** A Resolution Authorizing Application to the Commonwealth Finance Authority (CFA) for a Multi-Modal Grant for the Saint Paul’s Church Road Bridge project. Ben Fiorito **moved** to adopt Resolution No. 2022-40. Mrs. Diehl **seconded** the motion which was **approved 5-0**.
- B. **Safety Equipment Purchases** – Stefan Laessig **moved** to approve the Global Industrial quote for \$3,764.35 for specified safety equipment. The motion was **seconded** by Tim Woodward and **approved 5-0**. Stefan Laessig **moved** to purchase 2 AED units and 1 wall-mounted box. Tim Woodward **seconded** the motion which was **approved 4-0-1**. Mrs. Diehl voted against the motion because she was in favor of purchasing three AED Units, one for each building and one to keep in a truck.
- C. **Line Painting Bids** – Stefan Lassig **moved** to authorize obtaining bids for the annual line painting contract. Tim Woodward **seconded** the motion, and it was **approved 5-0**.

Township Solicitor’s Report

- A. Upper Hanover Township v Richard Kolb et al [Powderbourne Sportsman’s Club, Inc.] Settlement Agreement.

The settlement sets forth concessions and procedures for preventing shooting residue from entering private properties adjacent to the Gun Club shooting range. It has been executed by the lawful representative of Richard Kolb et al.

Neighboring Property owner Alan Gryshuk of 2111 Ridge Way, East Greenville, PA 18041 provided a history of the expansion of the gun club, his legal action against the club and the difficulties getting the gun club to abide by anything they agreed to. He reviewed the proposed settlement agreement with the Board and pointed out that the minute the Board signs the agreement the club would be in violation of the agreement because they have not yet planted the bamboo or similar vegetation that the agreement states was to be completed already.

Neighboring property owner Mrs. Clearly also shared her family's history of pellets landing on her property and the lack of accountability for their actions. There have been lead pellets landing on her property.

The Board of Supervisors were disturbed to find out that the bamboo plantings still have not been completed. Solicitor Bresnan advised them that the best way to achieve compliance is to execute the agreement which would enable him to give thirty days' notice to the gun club that they are in contempt of the agreement and to avoid litigation they need to achieve compliance.

Tim Woodward **moved** to approve the Settlement Agreement and authorized Chairman Rothenberger to sign it on behalf of the Board of Supervisors, and authorized Solicitor Bresnan to issue a notice to the Gun Club that they are in violation of the agreement with regard to the planting of the bamboo buffer. The motion was **seconded** by Mr. Fiorito and **approved 5-0**.


New Business

Tim Woodward asked Mr. Weber and Mr. Bresnan what the status of the 1107 Church Road complaint is. Mr. Bresnan advised that it's an ongoing matter.

Meeting Announcement & Adjournment

- A. Next Meeting is August 9, 2022
- B. Adjournment – Dottie Diehl **moved** to adjourn at 8:52 PM. Tim Woodward **seconded** the motion, and the meeting was adjourned.

Respectfully submitted,



Anne W. Klepfer

Township Secretary