

UPPER HANOVER TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES

Tuesday, October 11, 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.

Mr. Rothenberger announced that a Personnel Meeting was held October 9, 2022 and that another Personnel Meeting will be conducted in Executive Session at the conclusion of this public meeting.

He also indicated that there is a business item to add to the agenda. Mrs. Diehl **moved** to add Electric Generation Contract to the Meeting Agenda under New Business. The motion was **seconded** by Mr. Woodward and **unanimously approved**.

Citizen Comments (non-agenda items)

Middle School 18 Month Maintenance Period - Melanie Cunningham from the School Board was present to question the board about the inspection notice she received directing the school district to repair damage to curbing and other public improvements. She expressed her opinion that it feels like the Township is penalizing the school district or treating them unfairly. She also questioned the timing of the end of the 18 months maintenance period noting that the school has been occupied for three years. The Township's Engineer explained that the 18-month maintenance period on public improvements starts when the improvements are all completed, and the applicant requests a final inspection. This is true for all development. The Board reminded her that that the school was occupied long before the completion of all the public improvements at the request of the School District and by special approval by the Township. The items for repair noted in the letter to the School District are typical and were identified during a walk through with a School representative.

Wasser Road Residents – Mr. Charles Nonnenman of Wasser Road was spokesperson for several residents of Wasser Road, Kraussdale and Warner School Roads. He said that residents are tired of tractor trailer trucks ignoring the Road Restriction (No Truck Traffic) signs and Bridge Weight Limit Signs for Wasser Road. Many of the drivers end up stuck in ditches or unable to navigate bends in the road. They have determined that many of the trucks are going to Blommer Chocolate Factory. They asked if the Township could contact Blommer Chocolate Factory and ask them to notify transport companies doing business there to please obey the road restrictions and use designated truck routes. The Weight Limit Sign for Wasser Road Bridge needs to be inspected.

Complaint against 1109 Church Road – Neighbors of 1109 Church Road from 1107 and 1105 Church Road were present to complain about loose dogs, disturbances related to calling the dogs back, a non-code compliant pool and trash blowing into neighboring yards from 1109 Church Road.

It was determined that there are also Code Violations at 1107 Church Road and that the Township's Code Enforcement Officer visited both properties and found violations at each. Notices will be sent to

the property owners. The Board asked the owner of 1107 if he was prepared to bring his property into compliance by removing the excess animals and not returning them or obtaining others. He indicated he would need until November 5, 2022, to bring the property into compliance.

Special Business

Upper Perkiomen Library – Jeanne Cove made a presentation to the Board of Supervisors about the Library’s programming successes and thanked the board for prior year contributions. She asked that the Board continue to fund the library at the same or greater levels.

Hendricks Road Closure Request – Bill Briegel of Keystone Custom Homes and Bob Stewartz of Barwis Construction appeared before the Board asking for permission to close the road for 90 days.

Residents present opposing the closure of the road for any portion of time were Mary Kershner, Rob Rydzewski, Scott Conner and Andrew Curtis.

At issue is the fact that the Township Ordinance requires the developer to keep the roads open at all times and the developer’s assertion that he cannot implement the approved Utility Location Plan without closing the Road down.

A compromise was eventually agreed to by **4-1 vote** with Mr. Woodward opposed **by motion** of Stefan Laessig and **second** by Mr. Fiorito.

- Hendricks Road shall be closed between the hours of 7 am and 5 pm (no later than 6 pm by ordinance) Monday through Friday for 60 days.
- The Roadway shall be temporarily restored with blacktop, stone and plated as necessary after hours and on weekends and remain open for local traffic during non-construction hours.
- After Sixty days, one lane of traffic will be opened to local traffic while the remainder of the construction is completed.
- The Start Date will likely be in November but in any case, will be no later than January 15th, 2023.
- Notifications will be sent to affected residents, the school district, the busing company, and all Montgomery County EMS (Fire Companies, Ambulance Companies) and the Pennsylvania State Police.

Approval of the Minutes

Ben Fiorito **moved to approve** the September 13, 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 October 11, 2022, Bills List for Payment, and the previous paid monthly bills subsequent to the last Bills List. The motion **carried 5-0**.

Monthly Reports – All monthly Reports were entered into the Record

- **Treasurer’s Report** – The Treasurer’s Report was entered into the Record.
- **State Police Report** – There were a total of 121 incidents, 120 Police Incidents and 1 Traffic Stop.

- **Building Inspector Report** – The Building Inspector’s Report was entered into the Record.
- **Fire Marshal Report** – The Fire Marshal’s reports were entered into the Record.
- **Road Report** – The Road Supervisor’s Report was entered into the Record.

Public Hearings - None

Planning and Zoning

- A. **FIBA ZHB Application for 1645 State Street**, Dimensional Variances to add an employee parking lot in the front yard abutting a residential use. The FIBA Plant Manager was present and reviewed the plan with the Board of Supervisors. He said he believed FIBA would be amenable to providing a lighting plan for the parking lot as well as planting a new buffer to replace the mature trees that will need to be removed for the parking lot. The Board asked Solicitor Bresnan to draft a letter to the Zoning Hearing Board asking that the applicant comply with the zoning requirements for lighting, landscaping and stormwater management as outlined in the September 27, 2022, letter from LTL Consultants.
- B. **Thomas and Joan Ward of 2008 Woodbridge Lane** – Application to the ZHB for a dimensional variance for an existing Shed. Mr. Ward reviewed his application with the Board. The Board took no position on the application and defers to the Zoning Hearing Board without comment.

Committee Reports

- A. Budget and Finance Committee – Mr. Fiorito
 1. Mr. Fiorito reported that the final installment of American Rescue Plan Funds was received; that the Township’s cash reserves are now fairly evenly distributed between PLGIT investments and the Univest Bank Money Market accounts. Mrs. Klepfer reported that the draft budget would be ready for the Board to pick up in advance of the October 25, 2022, Budget Workshop Meeting.
- B. Personnel Committee – Mrs. Diehl and Mr. Woodward – Chairman Rothenberger announced that a Personnel Meeting was held October 9, 2022, and that Mrs. Klepfer has recommended promoting Kristin Walcott to full-time Administrative Assistant. Tim Woodward **moved** to promote Kristin Walcott and Mrs. Diehl **seconded** the motion. The motion **carried 5-0**. The fulltime status will begin immediately or upon availability.
- C. Open Space, Parks and Recreation Committee – Mr. Laessig reported that the Park Board met with the Eagle Scout candidate about the exercise station project for Camelot Park. He has secured the funding and selected equipment and is nearly ready to begin his project.
- D. Regional Planning and Planning Committee – Mr. Rothenberger noted that Eric Jarrell from Montgomery County Planning Commission will be at the November 2nd Joint Meeting to review the Draft Future Land Use Plan for Upper Hanover Township as part of the Regional Comprehensive Plan Update.
- E. Sewer and Water Committee – Mr. Fiorito said that the Authority has a signed agreement with Audubon Land Development for the first phase of implementing the Township’s Act 537 Plan (providing plans, estimated costs and a timeline).
- F. Bridge and Road Committee – Mr. Fiorito and Mr. Rothenberger

1. Salt Shed Repairs – Mrs. Diehl **moved** to approve the quotation from GA Mutter Exteriors for \$21,297 with a 50% down payment. The motion was **seconded** by Stefan Laessig and approved by a **vote of 5-0**.
 2. Road Equipment Trailer – The trailer in question is currently housed at Marlborough Township and has been in their use for quite some time. In order to remove it from the Township’s Insurance UHT would like to sell it to Marlborough. The 2008 Pequea D.O. Trailer with ramps is currently insured with a replacement value of \$4,500 and Mrs. Klepfer saw similar ones listed for sale at \$5,000.00. By **motion** of Stefan Laessig and **second** by Tim Woodward, the Board **voted 5-0** to offer it to Marlborough Township for \$2,000.00.
- G. Public Safety Committee – Nothing to report.

Township Engineer’s Report – Mr. Weber

- A. Otts Road Bridge Project Update – Payment Request #2 in the amount of \$105,552 (\$100,800 in water-line work) **approved 5-0** by **motion** of Stefan Laessig and **seconded** by Mrs. Diehl in accordance with the LTL Recommendation Letter dated 10/7/2022.
- B. Otts Road Bridge Project Change Order #1 – By **motion** of Ben Fiorito and **second** by Tim Woodward, the Board **voted 5-0** to approve a Change Order in the amount of \$16,675.13 that was necessary when the water line needed to be relocated.
- C. **Resolution No. 2022-42** was tabled due to an incomplete submission from the applicant.
- D. Code Enforcement – Due to the owner of 1107 Church being present and agreeing to have his property brought into compliance by November 5th, the Board tabled authorization to file a Citation with District Court.

Township Manager Report – Mrs. Klepfer

- A. RFQ for Signal Maintenance Contract. This matter is deferred until November.

Township Solicitor’s Report – Mr. Bresnan reported that a frivolous lawsuit has been filed in Federal Court against the Township and has been referred to the Township’s Insurance Carrier for assignment of Counsel to represent the Township. Mr. Bresnan said if the carrier declines to appoint counsel, then he is prepared to defend the Township.

New Business

- A. Industrial Authority Resignation – Mr. Laessig **moved** to accept the resignation of Mr. George Bonekemper from the IDA with regrets. The motion was **seconded** by Mr. Fiorito and was **approved unanimously**. The Board also noted the announced retirement of Ed Stauffer and the untimely passing of Thomas Putera and acknowledged the need to recruit new volunteers to serve on the IDA.
- B. **Resolution No. 2022-46** Authorizing Application to the PennDOT Multi-Modal Grant Program for the St. Pauls’ Church Road Bridge Replacement Project and naming Anne Klepfer as the Township authorized representative was adopted by **motion** of Mrs. Diehl and **second** by Mr. Laessig as voted on **5-0 in favor**.
- C. Hough Associates Contract – Three Year Extension was approved by **motion** of Mr. Fiorito, **second** by Mr. Laessig and **approved 5-0**.

- D. Barbara Atkins CPA: Audit Engagement Letter for 2022 Audit – Retaining Ms. Atkins and approving the execution of the Engagement Letter was authorized by **motion** of Mr. Woodward and **second** by Mr. Laessig and by unanimous vote.
- E. Electric Generation Contract – Mr. Woodward **moved** to authorized approval of the contract with Free Point Energy for procurement of electricity pursuant to bids obtained by the Upper Hanover Authority. The motion was **seconded** by Mr. Laessig and **approved 5-0**.

Meeting Announcement & Adjournment

- A. Next Meeting is October 25, 2022, Budget Work Session at 6 PM; Joint Meeting with the Planning Commission November 2, 2022, at 7:00 PM and November 9, 2022, Business Meeting which begins at 7:00 PM.
- B. Recess – Mr. Woodward **moved** to Recess into Executive Session at 9:45 PM. Mrs. Diehl **seconded** the motion, and the meeting was Recessed to a Personnel Meeting.
- C. Adjournment – Mr. Woodward **moved** to reconvene the Regular Meeting and Adjourn the Regular Meeting at 10:18 PM. The motion was **seconded** by Mrs. Diehl and the meeting was **unanimously adjourned**.

Respectfully submitted,



Anne W. Klepfer

Township Secretary