

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
APRIL 25, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, April 25, 2011 at the New Hanover Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Ralph Fluharty, and Andrew Kelly. David Brown arrived at 7:22pm. Douglas Muller was absent. Also present were Township Manager Edward Wagner, Solicitor Paul Bauer and Administrative Assistant Eileen Pogany. Martin Dyas called the meeting to order at 7:08PM and led in a Salute to the Flag.

ANNOUNCEMENTS – Martin Dyas

Martin Dyas requested that everyone present sign the sign-in form for the official record of attendance and stated that copies of the agenda are available on the counter in the rear of the room as well as are notebooks containing the meeting procedures, prior month's bill lists, and approved minutes from prior meetings. He stated that the Board of Supervisors will give an opportunity for public comment prior to any official action, advised that non-agenda items from the floor will be addressed after all business items are completed and that one person may speak at a time with a five minute time limit at the discretion of the Chair. No one from the floor responded when asked if anyone was taping the meeting.

UPCOMING TOWNSHIP MEETINGS – Announced by Eileen Pogany

May 4	Joint Meeting of Environmental Board and Recreation Committee	7:00pm
May 9	Next Regular Meeting of the Board of Supervisors	6:30pm/7:00pm

PRESENTATION OF CURRENT BILLS

Bill List #8	Dated 04/25/11	
	General Fund 01	\$ 49,688.04
	Fire Tax Fund 03	\$ 0.00
	Sewer Operating Fund 08	\$ 28,201.44
	Sewer Capital Fund 10	\$ 1,034.00
	Trans. Impact Fund 13	\$ 0.00
	Capital Fund 19	\$ 42,531.73
	State Liquid Fuels Fund 35	\$ 2,832.51
	Escrow Fund 41	\$ 117.00
	Recreation Fund 96	\$ 1,295.86
	TOTAL	\$125,700.58

Andrew Kelly **moved** to approve the bills and advance the treasurer the monies for utilities and payroll for the coming month. Ralph Fluharty **seconded** the motion and it **carried 3-0**.

Minutes

March 28, 2011 Regular meeting minutes - action deferred due to absence of supervisors.

April 11, 2011 Work Session and Regular meeting minutes - Ralph Fluharty **moved** to approve the minutes of the April 11, 2011 meetings. Martin Dyas **seconded** the motion and it **carried 3-0**.

SOLICITOR'S REPORT – Paul Bauer stated that Gibraltar Rock has filed an appeal, that transcripts of testimony have been provided to the court and a decision will be rendered by Judge Corso.

MANAGER'S REPORT – Edward Wagner
Regional Police Study – meetings have begun the Chief McKeon and others to begin a Peer to Peer Study for the Police Department.

Douglass Township Meeting – meetings have been held with Fred Zeigler, Peter Hiriak, Jay Smith and Edward Wagner to discuss working together to purchase a tub grinder and share services to provide a recycling center for yard wastes for New Hanover and Douglass Township residents.

BUSINESS FOR DISCUSSION OR ACTION:

David Brown arrived at 7:22pm.

N.H.T.P.C. No. 652 Rolling Meadows, 65 Units, Moyer Road – John Aston and Nick Conti were present to discuss consideration for final plan approval and adoption of Resolution 15-11. Questions were raised regarding the open space dedication and fees in lieu of recreation. Action was deferred until outstanding issues have been resolved; a staff meeting will be scheduled. The consensus of the Board was that the applicant provides open space or a fee in lieu of and that they provide a tot lot for Layfield Park rather than on the Rolling Meadows site. The applicant and Sewer Authority have worked out an agreement for the payment of sewer EDU's. DEP requires Board of Supervisors approval prior to planning module approval. The plan will appear on the May 9 agenda.

NEW BUSINESS

Boyertown Soccer Club - previously entered into a five year lease agreement which was subsequently renewed for an additional five years. The agreement has been updated with Andrew Kelly making a **motion** to sign a lease agreement for an additional five years. David Brown **seconded** the motion and it **carried 4-0**.

Police Department SOP – Chief McKeon provided a draft copy of a Standard Operating Procedure manual as well as a draft Code of Conduct. The Solicitor and Board are in the process of reviewing the proposed documents. Chief McKeon stated that his goal is to move toward more professionalism in the department and to have the police department receive accreditation. He added that insurance costs will decrease once accreditation is achieved and that at some point he believes all police departments will be required to be accredited. Chief McKeon stated that the Code of Conduct was written with the help of professionals and does not conflict with the SOP codes; he added that it is a living document and may be changed at any time and that certain items may need to be suspended temporarily. David Brown applauded the Chief's efforts and **moved** to adopt the Code of Conduct. Andrew Kelly **seconded** the motion and it **carried 3-0** with Martin Dyas abstaining.

OLD BUSINESS - None

FROM THE FLOOR

Pam Garlick of 3067 Middle Creek Road spoke on behalf of thirteen families asking if the Board of Supervisors had received a copy of the information provided to the New Hanover Authority members explaining the serious hardship she and her neighbors are being asked to endure. She stated that she is facing retirement, has debt, a thirty-year mortgage, and is pleading for the Township's help for payment of the public sewer extension in her neighborhood. She stated that she is aware that other Townships have offered assistance in covering costs and asked the Supervisors to keep the plight of the residents affected in mind and work with them. The residents acknowledge that failing septic systems exist but are asking for help with paying for the sewer lateral extension. The Township Authority members have reviewed e-mails and letters and listened to the concerns of the affected residents and have offered a five year no-interest loan. The Authority is also **considering** offering a 10 year payment/loan, the terms of which have not been decided upon. The Authority has advised no grant monies are available at this time. Kenneth Garlick of 3067 Middle Creek Road stated that he is aware of the Township's recent purchase of open space at a cost of three million dollars and asked if the money could have been used to help fund the sewer extension; Mr. Garlick was advised that monies used the purchase open space are specifically designated to be used for purchase of open space and that an additional .15% earned income tax was approved by referendum on the ballot to be designated for open space purchase. Mary Walther asked about the Township showing a surplus on their financial statement and Mr. Wagner explained that the Township's budget is divided into various funds and that the surplus was in the Township's Capital Improvement Fund and cannot be used elsewhere. The residents asked that they be notified of any changes or if there is anything additional they could do to help themselves. In response to a question regarding the Township receiving federal funds for the sewer system, the residents were advised that funds were received many years ago when the spray irrigation system was replaced with a treatment facility. Kimberly Mihalko of 3027 Middle Creek Road asked how the real estate tax money collected from the Windlestrae development is being used and was advised that Township real estate tax is minimal and that the larger portion of real estate taxes paid in New Hanover are paid to the Boyertown Area School District. Beatrice Johnson of 3058 Middle Creek Road also asked for assistance with regard to the sewer installation.

Jeanette Moll of Colflesh Road stated that the Township road crew dug a three foot deep ditch along her neighbor's property and that it directs water across her front yard. She also stated that the ditch is dangerous for traffic since the road is very narrow and cars need to yield to oncoming traffic and could get stuck in the ditch. Mr. Wagner stated that he would meet with her at her property at 1:00 pm on April 25th.

The meeting adjourned for Executive/Personnel Session at 8:30 PM

EXECUTIVE SESSION – Personnel/Litigation

The regular meeting reconvened at 9:45 PM, no action was taken.

ADJOURNMENT – The meeting was adjourned at 9:46 PM.