

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
MAY 9, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, May 9, 2011 at the New Hanover Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Douglas Muller, Ralph Fluharty, Andrew Kelly and David Brown. Also present were Township Manager Edward Wagner, Solicitor Paul Bauer and Administrative Assistant Eileen Pogany. Martin Dyas called the meeting to order at 7:20pm 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 MEETING – announced by Eileen Pogany

May 11	Technology Committee	6:00pm
May 11	Planning Commission - cancelled	6:30pm
May 16	Open Space Board	6:30pm
May 18	Sewer Authority Board-at Township Bldg.	6:30pm
June 1	Recreation Committee	7:00pm
June 8	Planning Commission	6:30pm
June 13	Next Regular Meeting of the BOS	6:30pm/7:00pm

PRESENTATION OF CURRENT BILLS

Bill List #9 Dated 05/09/11

General Fund 01	\$ 145,791.71
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 48,199.83
Sewer Capital Fund 10	\$ 75,125.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 4,600.00
State Liquid Fuels Fund 35	\$ 2,501.36
Escrow Fund 41	\$ -8,690.25
Recreation Fund 96	\$ 1,756.27
TOTAL	\$ 269,283.92

Andrew Kelly **moved** to approve the bills and advance the treasurer the monies for utilities and payroll for coming month. Motion was **seconded** by Ralph Fluharty and **carried 5-0**.

Minutes

March 28, 2011 Regular Meeting – Douglas Muller **moved** to approve the minutes, **seconded** by Ralph Fluharty and **carried 4-0** with Martin Dyas abstaining since he was not in attendance.

April 25, 2011 Work Session and Regular Meeting Minutes - Ralph Fluharty **moved** to approve the minutes, **seconded** by Martin Dyas and **carried 4-0** with Douglas Muller abstaining since he had not been in attendance.

SOLICITOR’S REPORT – Garner and Bauer – Mr. Paul Bauer

Police Standard Operating Procedure (SOP) – Mr. Bauer reported that he has reviewed the draft document prepared by Chief McKeon and believes it is in a posture to be adopted by the Board of Supervisors. The SOP is a living document which can be revised at any time as needed; any and all revisions must be approved and adopted by the Board of Supervisors.

Senate Bill 898 – Mr. Bauer explained that Mr. Wagner and the Township’s consultants have become aware of a bill which is before the Pennsylvania General Assembly which, if it becomes law, would preempt the regulation of surface mining from all local ordinances and enactments and would apply to any pending subdivision and land development plan. In addition, it amends Section 13 of the Noncoal Surface Mining Conservation and Reclamation Act with regard to temporary cessation of operations. Mr. Bauer explained that the bill was introduced on March 25 and that it is on a fast track toward possible adoption. The bill was introduced by Senator Tomlinson of Bucks County who is reported to have received large contributions toward his campaign by a quarry applicant; campaign finance reports are available on the website for public access. Mr. Bauer stated that, if passed, this bill would grant preemption to all quarry applications including the township’s nine year litigation with Gibraltar Rock and that he prepared and read a press release to be published on behalf of the Township, expressing its disappointment in the proposed of the bill. He also prepared Resolution 15-11 opposing Senate Bill 898 for the Supervisors consideration. The Township is hopeful Senator Mensch will oppose the bill and has scheduled a meeting with him on May 19. The Township urges all residents opposing the bill to contact their elected officials. Bill Bushnell, District Chief of Staff for Representative Toepel was in attendance and advised that Representative Toepel was not able to be present, is opposed to the bill and favors local officials making decisions which affect their community. He advised that even though it appears the bill is being “fast-tracked” it could hit a “speed bump” which would slow down the process and stated that it is incumbent upon the residents in the state to contact their representatives. Mr. Bauer stated that the bill appears to target a specific issue and that the Township is being portrayed as being anti-business which it is not; he encouraged Township residents to pressure Senator Mensch to oppose the bill. Celeste Bish asked how this bill, if it becomes law, would affect the Environmental Hearing Board and Mr. Bauer stated that it would supersede those regulations. Douglas Muller **moved** to adopt **Resolution 15-11** opposing Senate Bill 898, Ralph Fluharty **seconded** the motion and it **carried 5-0**. Celeste Bish requested a signed copy of the resolution and it was suggested that Lower Milford Township may want to adopt a similar resolution since they also have a quarry application pending.

MANAGER'S REPORT - Edward Wagner

New Hanover Square Bridge Project – Mr. Wagner reported that this project is scheduled to begin June 20th and be completed by Labor Day weekend so that school bus traffic is not affected. He added that the bridge on New Hanover Square Road over the Swamp Creek has also been determined insufficient and will be scheduled for replacement. Police will be monitoring traffic to assure detour routes are being used and people are not using non-designated roadways as shortcuts during bridge repairs.

Community Yard Sale – May 14th - Preparations are being made and the event is scheduled for 8:00am to 12 noon Saturday with a rain date of Sunday, May 15. Reservations are being accepted for vendor spaces; tables will be located to the rear of the swimming pool on the gravel portion of the park.

BUSINESS FOR DISCUSSION OR ACTION - None

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS – Andrew Kelly **moved** to grant waivers of the 90-day time limitations as follows:

N.H.T.P.C. #652	Rolling Meadows	68 units	5/30/11
N.H.T.P.C. #665	Zavitsanos	122 lots	5/26/11
N.H.T.P.C. #730	Bart Golf Club	135 lots	5/28/11
N.H.T.P.C. #772	Payne	2 lots	6/6/11

David Brown **seconded** the motion and it **carried 5-0**.

NEW BUSINESS

Zoning Ordinance Amendment - Section 21-602 Removal of Snow and Ice from Sidewalks – Douglas Muller **moved** to authorize advertising a public hearing for July 11th to consider amending the ordinance to allow the Township to hire a contractor to clear sidewalks and bill the property owner for the cost in situations where the property owner has not cleared the walk within the time frame required by ordinance. Andrew Kelly **seconded** the motion and it **carried 4-0**.

Police Department SOP– Douglas Muller **moved** to approve the updated Standard Operating Procedures as recommended by Chief McKeon. Andrew Kelly **seconded** the motion and it **carried 4-0** with Martin Dyas abstaining since his son is an officer in the police department.

Hickory Park Concession Stand – Mr. Wagner reported that arrangements have been confirmed for the operation of the concession stand for the summer season 2011.

OLD BUSINESS

Regional Police Study – Edward Wagner reported that the involved parties have met recently and are making process.

FROM THE FLOOR

Jeanette Moll thanked Mr. Wagner and the Township's Public Works Department for visiting her property and correcting a drainage problem; she stated that they did an excellent job to eliminate a deep ditch and water drainage across her property.

Regular meeting adjourned to executive session at 8:00 pm with the public being advised there would be a possibility of a vote on a personnel matter.

EXECUTIVE SESSION – Personnel/Litigation

Regular meeting reconvened at 9:22pm with no action taken.

ADJOURNMENT – meeting was declared adjourned at 9:25pm.

Edward Wagner, Township Manager/Secretary