

**NEW HANOVER TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
JULY 11, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, July 11, 2011 at the New Hanover Historical School House, 3189 Reifsnyder Road, Gilbertsville, PA 19525. Present were Supervisors Douglas Muller, Ralph Fluharty, Andrew Kelly and David Brown. Martin Dyas was absent. Also present were Township Manager Edward Wagner, Solicitor Paul Bauer and Administrative Assistant Eileen Pogany. Vice Chairman Douglas Muller called the meeting to order at 7:00pm and led in a Salute to the Flag.

**ANNOUNCEMENTS – Douglas Muller**

Douglas Muller 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 SCHEDULED TOWNSHIP MEETINGS – announced by Eileen Pogany**

July 13	Planning Commission	6:30pm
July 19	Environmental Advisory Board	6:30pm
July 20	Sewer Authority Board at Municipal Building	6:30pm
August 3	Recreation Committee	7:00pm
August 8	Next Regular Meeting of the BOS	6:30pm

**PRESENTATION OF CURRENT BILLS**

**Bill List #12 Dated 06/27/11**

General Fund 01	\$ 48,277.07
Fire Tax Fund 03	\$ 14,831.32
Sewer Operating Fund 08	\$ 9,187.78
Sewer Capital Fund 10	\$ 233,659.15
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 1,450.38
Escrow Fund 41	\$ 6,188.26
Recreation Fund 96	<u>\$ 5,210.31</u>
<b>TOTAL</b>	<b>\$ 318,804.27</b>

Ralph Fluharty **moved** to approve Bill List #12. David Brown **seconded** the motion and it **carried 4-0**.

**Bill List #13 Dated 07/11/11**

General Fund 01	\$ 43,912.59
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 16,261.35
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 1,317.90

Escrow Fund 41	\$ 130.00
Recreation Fund 96	\$ 2,773.69
<b>TOTAL</b>	<b>\$ 64,395.53</b>

Andrew Kelly **moved** to approve Bill List #13 and advance the treasurer the monies for utilities and payroll for coming month. David Brown **seconded** the motion and it **carried 4-0**.

**Minutes** – David Brown **moved** to approve the meeting minutes of the June 13, 2011 Work Session and Regular meeting minutes subject to the correction to state the Emergency Medical Personnel were recognized rather than Emergency Management Personnel in the life saving incident. Douglas Muller **seconded** the motion and it **carried 4-0**.

**SOLICITOR’S REPORT** – Garner and Bauer

Gibraltar Rock - Court Case update Mr. Bauer reported that Attorney Robert Brant had submitted a summary of the ongoing court cases. He stated that oral argument had been heard last week and that he thinks the Township arguments were well received. Oral arguments were offered on behalf of the Township by attorneys Bauer, Skypala, Keenan and Brant. Gibraltar Rock was represented by attorney Steven Harris. There are currently three court cases pending in County court.

**MANAGER’S REPORT** – Edward Wagner

*Kingston Hill II* – the scheduled July 12 meeting with residents of the development regarding establishing a homeowners’ association was cancelled and will be rescheduled. It is necessary that a homeowners’ association be formed in order for Rouse Chamberlin to purchase and developed lots which were vacation by THP.

*New Hanover Airport Property (former) – Swamp Pike* – property has been vacated and arrangements have been made to demolish the buildings and clean the site. Wells Fargo, owner of certain portions of the lot, has made arrangement for Rouse Chamberlin to perform the clean-up.

*Wassmer Tract* – tract of property formerly proposed for a mixed residential development by the Gambone Group has recently been acquired by the Township. Township has received tax exemption status for school real estate taxes effective July 1, 2011.

*New Hanover Square Road Bridge Improvements* – construction began Wednesday, July 5 and is expected to be completed by the start of the school year in September. Detour signage has been installed and no complaints have been received.

*Speed Reduction to 40 MPH on N. Charlotte Street* between Mock Road and Rt. 73. Due to recent accidents along this stretch of roadway, a request was made to have the speed limit reduced. David Brown asked that PennDOT be thanked for their cooperation.

*Hickory Park Pool* – 45 family memberships have been purchased to date and swimming lessons are being given. The Township’s first Movie Under the Stars event went well and was successful.

*Monthly Department Head Meeting* – conducted the monthly meeting of Township department heads.

*Hickory Park Pool Manual* – currently being revised.

**BUSINESS FOR DISCUSSION OR ACTION:**

N.H.T.P.C. No. 738 Yothers 4 lots, Houseman Road – Mr. Yothers was present seeking final plan approval and requesting adoption of Resolution 18-11. It was noted that the project received preliminary approval in 2008 and that the large lot will be retained by Mr. Yothers and the remaining three will be offered for sale and development. Mr. Yothers requested that the dry hydrant and traffic impact fees be remitted at the time of sale of the lots rather than being due prior to recording of the plan. Douglas Muller **moved** to approve the plan in final form and adopt Resolution 18-11 conditioned upon an amendment being added to require traffic impact and dry hydrant fees, approximately \$2,250 per lot) be collected at the time of sale of the lots and no later than 24 months from adoption of the resolution. Ralph Fluharty **seconded** the motion and it **carried 4-0**.

N.H.T.P.C. No. 652 Rolling Meadows 63 Units, Moyer Road – Mr. John Aston and Mr. Nick Conti were present seeking final plan approval and adoption of Resolution 19-11. The Board was advised that Planning Commission recommended approval in July 1, 2010. Mr. Conti has purchased 40 EDU’s and has reached an agreement with the Township for purchasing sufficient EDU’s for the entire development. The project consists of 39 single family homes and 23 townhomes. An agreement has been made for improvements to a Township park in lieu of payment of Recreation Fees and Recreation Infrastructure fees; a homeowners association will be established. Andrew Kelly **moved** to adopt Resolution 19-11 granting final plan approval. Motion was **seconded** by Ralph Fluharty and **carried 4-0**.

**BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS** – Andrew Kelly **moved** to grant 90-day waiver of time limitations for plan numbers N.H.T.P.C. 563, 754, and 771 as follows:

N.H.T.P.C. #563	McGee	40 Units	7/11/2011
N.H.T.P.C. #754	Breinig	2 Lots	7/21/2011
N.H.T.P.C. #771	Gibraltar Rock	Commercial	7/28/2011

David Brown **seconded** the motion and it **carried 4-0**.

**NEW BUSINESS**

Resolution 20-11 – Andrew Kelly **moved** to grant a timeline extension for N.H.T.P.C. #668 Gaugler Commercial to expire July 12, 2012. Douglas Muller **seconded** the motion and it **carried 4-0**.

Resolution 21-11 – Ralph Fluharty **moved** to grant a timeline extension for N.H.T.P.C. #656 Gaugler Residential to expire July 12, 2012. David Brown **seconded** the motion and it **carried 4-0**.

Resolution 22-11 – Andrew Kelly **moved** to grant a timeline extension for N.H.T.P.C. #677 D’Amico to expire July 12, 2012. David Brown **seconded** the motion and it **carried 4-0**. Preliminary approval was granted on March 27, 2006.

Police Radios – Police Chief McKeon was present explaining that the police radios currently being used are fourteen years old and that the County Commissioners Hoeffel and Matthews are seeking support to implement a new digital radio system which will require purchase of new equipment at a cost of \$7,000 per unit and \$70,000 to outfit the police department. Radios currently being used in the department are not compatible with a digital system and the Commissioners are seeking 80% commitment from the county municipalities to participate or the project may be delayed two years. The

Township could opt to lease the equipment which would be at a cost of \$850 per unit (need ten units) annually over a ten year period. David Brown stated that the police need to be protected and he and Chief McKeon support upgrading the system. The Township needs to decide if they will support going into an upgraded system and whether they are interested in purchasing outright and financing it or whether they are interested in leasing equipment. If the Township is to provide finances; it needs to begin budgeting.

## **OLD BUSINESS**

FROM THE FLOOR – Celeste Bish asked if the Township had received a copy of Attorney Steve Harris's additional arguments presented before Judge Albright asserting that the Brant rule was incorrect and that his argument was not included in the brief. Paul Bauer replied that a copy of Mr. Harris's arguments has been received and added that he believed the Judge was leaning in the Township's direction.

The meeting recessed to executive session at 8:10pm.

## **EXECUTIVE SESSION – Personnel/Litigation**

The meeting reconvened at 8:20pm.

Police Chief Kevin McKeon made a presentation to the Board regarding his mid-year budget adjustments. He presented two plans as followed:

**Plan A** includes purchasing a new four wheel drive vehicle in December and returning \$13,067 back into the general fund.

**Plan B** includes putting \$18,000 in a major equipment purchase line item for the purchase of a new police four wheel drive vehicle in 2012 and returning \$29,067 back into the general fund.

All Board members agreed that Plan A would be best suited for the Township and the police department. Chief McKeon informed board members that he will plan on purchasing the vehicle in mid-December and convert Car#6 into a Chief of Police vehicle. The Chevy Impala, which had been donated to the Township by Kulp Car Rental, will then be offered for sale.

Supervisor Muller mentioned that the \$13,067 surplus expected in the 2011 police department budget should be placed in a capital purchase line item for the new police radios that are proposed by the County Commissioners. All board members agreed with Supervisor Muller's suggestion.

Supervisor Muller suggested, to his fellow board members, that a RFP (Request for Proposal) for engineering services for the Township be on the August 8 meeting agenda for the Board's consideration. Mr. Wagner agreed to include the item.

## **ADJOURNMENT**

The meeting adjourned at 8:55pm