

**NEW HANOVER TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
AUGUST 8, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, August 8, 2011 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Ralph Fluharty, Andrew Kelly, Douglas Muller 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 7:10 PM and led in a Salute to the Flag.

**ANNOUNCEMENTS – Martin Dyas**

Mr. 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.

**SWEARING IN CEREMONY** - District Justice Maurice Saylor was present and administered the oath of office for two police officers who will be employed on a part-time basis by the Township. Officers Michael J. Salvo and David J. Fugelo were sworn in and welcomed into the Township's Police Department by Chief McKeon, their fellow police officers and by the Board.

**UPCOMING TOWNSHIP MEETING – announced by Eileen Pogany**

August 10	Technology Committee	6:00pm
August 10	Planning Commission	6:30pm
August 16	Environmental Advisory Board - Deep Creek Nature Center	6:30pm
August 17	Sewer Authority Board –at treatment facility	6:30pm
August 22	Budget Meeting – Board of Supervisory	6:00pm
September 7	Recreation Committee	7:00pm
September 12	Next Regular Meeting of the BOS	6:30pm

**PRESENTATION OF CURRENT BILLS**

**Bill List #14 Dated 07/25/11**

General Fund 01	\$ 50,469.69
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 24,719.05
Sewer Capital Fund 10	\$ 2,917.60
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 1,538.39
Escrow Fund 41	\$ 10,066.69
Recreation Fund 96	<u>\$ 5,998.14</u>

**TOTAL** \$ 95,709.56

Ralph Fluharty **moved** to approve Bill List # 14 and advance the treasurer the monies for utilities and payroll for coming month. Douglas Muller **seconded** the motion and it **carried 5-0**.

**Bill List #15 Dated 08/08/11**

General Fund 01	\$ 12,947.83
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 14,356.50
Sewer Capital Fund 10	\$ 920.60
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 2,569.92
Escrow Fund 41	\$ 6,917.00
Recreation Fund 96	\$ <u>1,817.32</u>
<b>TOTAL</b>	<b>\$ 39,529.17</b>

David Brown **moved** to approve Bill List #15. Martin Dyas **seconded** the motion and it **carried 5-0**.

**MINUTES** - Douglas Muller **moved** to approve the meeting minutes of the July 11, 2011 work session and regular meeting. Andrew Kelly **seconded** the motion and it **carried 4-0** with Martin Dyas abstaining since he had not attended the meeting.

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

New Hanover Authority vs. Giamo – Mr. Bauer explained that this case involves Anthony Giamo, Thomas Flood and Nicholas Conti and is a result of a condemnation procedure of property along Buchert Road needed to extend the public wastewater line to the Rolling Meadows subdivision. The Board of View will determine the fair compensation for the property needed and the fee will be paid by the developer of Rolling Meadows, Nicholas Conti.

Gibraltar Rock I Court Case update – Mr. Bauer stated that no decision has been rendered by Judge Albright on this case. He added that, with regard to the Gibraltar Rock III case, Mr. Harris has requested and been granted a 30 day extension in which to file his brief following which the Township will file their brief.

**MANAGER'S REPORT** – Edward Wagner

*Kingston Hill II* – Mr. Wagner stated that the second scheduled meeting with residents of Kingston Hill II was cancelled and that the attorney for the residents will forward a letter and agreement for the Homeowners Association to the involved residents. It is estimated that the Homeowners Association fee will be \$100 to \$125 per year and that the fees collected are to be used to maintain stormwater basins and common areas.. All streets and hydrants will be offered for dedication to the Township.

*Airport Property – Swamp Pike* – cleanup is proceeding on this site with two tanks having been removed this past week. Materials will be tested for asbestos content.

*New Hanover Square Bridge Repair* – The bridge deck has been poured and the concrete will need to be given fourteen days to cure; it is hopeful that the detour will be lifted prior to the school year. The school district is being kept informed.

*Speed Limit Sign – N. Charlotte Street between Mock Road and Rt. 73* signs have not been erected reducing the speed limit to 40 MPH.

*Board of Supervisors Budget Meeting* – The Board will meet August 22 to discuss the revenue allocation portion of the 2012 budget.

*Hickory Park Swimming Pool* – The swimming pool is operating smoothly and the Montgomery County Health Department has granted a license to operate the concession stand which is valid until July 30, 2012.

*Township Department Head Meeting* – Monthly department head meeting has been scheduled for August 11, 2011.

*Legislative Bills* – update was given on the first six months of the General Assembly. Mr. Wagner reviewed the bills that were passed as well as the pending bills.

**BUSINESS FOR DISCUSSION OR ACTION:**

N.H.T.P.C. No. 772 Payne, Schaffer Road – Mr. Payne was present seeking consideration for preliminary/final plan approval and adoption of Resolution 24-11. Mr. Bauer stated that Schaeffer Road created a natural subdivision of the two parcels but that the plan was reviewed to determine an appropriate location for a home on Lot 2 at some time in the future. Approvals for driveway location will need to be obtained and the sightline determined to be adequate. An additional note will need to be added to the plan and the Resolution 24-11 enumerates conditions of approval. Planning Module will be submitted following final plan approval. Douglas Muller **moved** for adoption of Resolution 24-11. The motion was **seconded** by Andrew Kelly and **carried 5-0**.

**BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS** – Andrew Kelly **moved** to grant waiver of the time limits as follows:

N.H.T.P.C. #665	Zavitsanos	122 lots	8/24/11
N.H.T.P.C. #730	Bart Golf Club	135 lots	8/26/11
N.H.T.P.C. #765	Ethan Good	Commercial	8/9/11
N.H.T.P.C. #767	Murianka	2 lots	8/3/11

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

**NEW BUSINESS**

Mid-Year Budget Adjustments – Ralph Fluharty **moved** to accept budget adjustments as shown on the worksheet. The police budget will provide for the purchase of a 2012 Tahoe at the 2011 price. Andrew Kelly **seconded** the motion and it **carried 5-0**.

Request for Proposal – Andrew Kelly **moved** to solicit proposals for the Township’s engineering services. Douglas Muller **seconded** the motion and it **carried 4-1** with Ralph Fluharty voting negatively.

Opening Burning Ban – Martin Dyas **moved** to accept the recommendations of the two Fire Chiefs to issue a burn ban for 30 days and to give the township manager the authority to cancel the ban on burning upon the recommendations of the Fire Chiefs if conditions change during the 30 days and for adoption of Resolution 25-11. David Brown **seconded** the motion and it **carried 5-0**.

Upper Pottsgrove Township – Mr. Wagner explained that he had received a letter from Upper Pottsgrove Township’s Chairman Taylor regarding usage of the open space tax monies for development purposes explaining that Upper Pottsgrove was rich with open space but did not have funds available to maintain the areas or to make capital improvements to the open space areas. Mr. Taylor is seeking support to use funds from the Upper Pottsgrove’s open space funds to add improvements and park facilities. The Board was opposed to the use of using open space tax monies for maintenance and capital improvements and asked that Mr. Wagner respond to Chairman Taylor advising of their position.

Emergency Management Plan – David Brown stated that an updated copy of the Township’s plan had been distributed to the Board of Supervisors but that they had not had time to review the plan and asked that adoption of the plan be included on the Board’s next agenda.

## **OLD BUSINESS**

FROM THE FLOOR – None

EXECUTIVE SESSION – The Board adjourned to an executive session at 8:07pm and stated that they did not expect any action to take place upon reconvening.

Reconvened Regular meeting at 8:58pm. No action was taken.

## **ADJOURNMENT**

The meeting was declared adjourned at 8:58pm.

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Edward Wagner, Township Secretary/Manager