

**NEW HANOVER TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
OCTOBER 10, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, October 10, 2011 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Ralph Fluharty, Douglas Muller and David Brown. Andrew Kelly 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 7:00 PM and led in a Salute to the Flag.

**ANNOUNCEMENTS – Martin Dyas**

Mr. Dyas thanked everyone for attending the meeting on a beautiful evening and requested that everyone present sign the sign-in form for the official record of attendance. He 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.

Mr. Dyas advised that a brief executive session had been held prior to the meeting and that no action will be taken.

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

|             |                                 |        |
|-------------|---------------------------------|--------|
| October 12  | Planning Commission - cancelled | 6:30pm |
| October 17  | Budget Meeting                  | 6:00pm |
| October 19  | Sewer Authority Board           | 6:30pm |
| November 2  | Recreation Committee            | 7:00pm |
| November 9  | Planning Commission             | 6:30pm |
| November 14 | Next Regular Meeting of the BOS | 6:30pm |

**PRESENTATION OF CURRENT BILLS**

**Bill List #18 Dated 09/26/11**

|                            |                     |
|----------------------------|---------------------|
| General Fund 01            | \$ 39,117.02        |
| Fire Tax Fund 03           | \$ 0.00             |
| Sewer Operating Fund 08    | \$ 21,492.55        |
| Sewer Capital Fund 10      | \$125,992.88        |
| Trans. Impact Fund 13      | \$ 0.00             |
| Capital Fund 19            | \$ 0.00             |
| State Liquid Fuels Fund 35 | \$ 2,545.46         |
| Escrow Fund 41             | \$ 1,307.20         |
| Recreation Fund 96         | \$ 7,363.41         |
| <b>TOTAL</b>               | <b>\$197,818.52</b> |

Ralph Fluharty **moved** to approve the bills included in Bill List #18 in the amount of \$197,818.52. Motion was **seconded** by Douglas Muller and **carried 4-0**.

**Bill List #19 Dated 10/10/11**

|                            |                     |
|----------------------------|---------------------|
| General Fund 01            | \$319,291.96        |
| Fire Tax Fund 03           | \$ 0.00             |
| Sewer Operating Fund 08    | \$ 59,655.50        |
| Sewer Capital Fund 10      | \$ 56.25            |
| Trans. Impact Fund 13      | \$ 0.00             |
| Capital Fund 19            | \$ 0.00             |
| State Liquid Fuels Fund 35 | \$ 45,763.85        |
| Escrow Fund 41             | \$ 7,715.00         |
| Recreation Fund 96         | \$ 10,364.07        |
| <b>TOTAL</b>               | <b>\$442,846.63</b> |

David Brown **moved** to approve the bills included in bill List #19 and advance the treasurer the monies for utilities and payroll for coming month. Martin Dyas **seconded** the motion and it **carried 4-0**.

**Minutes** - Douglas Muller **moved** to approve the minutes of the September 12, 2011 regular meeting. David Brown **seconded** the motion and it **carried 4-0**.

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

Upper Pottsgrove Open Space Request – Mr. Bauer stated that Upper Pottsgrove Chairman Elwood Taylor is lobbying for a change in the open space law to allow for use of monies for maintenance and is asking for support for the change. Mr. Bauer explained that Upper Pottsgrove was aggressive in purchasing land but is in need of funding to maintain open space areas. He added that supporting this bill would not change what is existing but would add an option statewide to allow open space monies to be used for maintenance. The Supervisors engaged in a discussion regarding adding the option to the existing law. Ralph Fluharty stated that the New Hanover Township had provided a ballot question to increase earned income tax in order to fund open space purchases only. Mr. Bauer reminded the Board that if the law were amended to allow funds to be used for maintenance, it would be up to individual communities if they chose to do so. It was also noted that Upper Pottsgrove is simply asking for a letter of support and that it is typical for communities to ask for support from their neighboring communities.

Gibraltar Rock I Court Case – no decision has been rendered in Court of Common Pleas. It was noted that Senate Bill 898 is in the appropriations committee and that Senator Tomlinson is the primary sponsorer and has multiple quarries in his district.

**MANAGER'S REPORT** – Edward Wagner

*Former Airport Property* – Asbestos is being removed from the building. Demolition of the buildings and clean-up of debris will follow along with trimming of vegetation.

*Speed Reduction Request on Big Road* – Penn DOT has agreed to reduce the speed limit along Rt. 73, Big Road beginning at Hickory Park and extending to Smith Road in Douglass Township from 55mph to 45mph in an attempt to reduce accidents. PennDOT will be installing signage at their earliest opportunity and have been very busy tending to hurricane Irene related matters.

*2012 Budget Calendar* - Will be holding the third of four public budget meetings on October 17th.

*Monthly Department Head Meeting* – October department head meeting took place on Wednesday, October 5th at 9:00am. Department heads discussed eliminating or easing the Swamp Creek flooding which takes place frequently in the vicinity of 2036 Swamp Pike. Arrangements have been made for the County to mill and overlay Swamp Pike and for the Township to install swales to carry the water away from the roadway. Easement agreements have been signed by two property owners for access onto their property to install drainage swales.

*Educational Seminars* – Attended the Fall MCATO Conference on September 30, 2011. An array of topics were discussed; the proposal to begin imposing tolls on Rt. 422 is dead.

*TriCounty Area Chamber of Commerce Legislative Coffee October 7* - program attended by Chief McKeon and myself which provided an opportunity to converse with local, county and federal officials regarding issues that may impact our community.

*Fall Manager's meeting on Friday, October 14<sup>th</sup>* – the main topic of discussion will be how the state budget affects municipalities like New Hanover Township.

Mr. Dyas inquired about the condition of the former Brusch property on Romig Road and was advised that the buildings have been boarded up and secured and the grass has been trimmed. He added that the Gaugler property is scheduled for cleanup and properties with similar situations will be addressed.

**BUSINESS FOR DISCUSSION OR ACTION – None**

**BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS** – Mr. Bauer explained that a 90 day period is typically not enough time for the review and revisions necessary for plan approval and that it is advantageous to the Township and developer to allow for additional time to prepare plans for approval. Douglas Muller **moved** to approve the time limit waiver requests for plans N.H.T.P.C. Nos. 563, 754, 765, 767, and 771 as follows:

|                  |                |            |          |
|------------------|----------------|------------|----------|
| N.H.T.P.C #563   | McGee          | 40 lots    | 10/9/11  |
| N.H.T.P.C. #754  | Breinig        | 2 lots     | 10/19/11 |
| N.H.T.P.C. # 765 | Ethan Good     | Commercial | 11/7/11  |
| N.H.T.P.C. # 767 | Murianka       | 2 lots     | 11/1/11  |
| N.H.T.P.C. #771  | Gibraltar Rock | Commercial | 10/26/11 |

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

**NEW BUSINESS**

Master Casting Agreement – Martin Dyas **moved** to adopt Resolution 28-11 providing for a three year agreement with PennDOT for any adjustment incorporated utility facilities. Douglas Muller **seconded** the motion and it **carried 4-0**.

Resolution 29-11 – Douglas Muller **moved** to adopt Resolution 29-11 approving a 12 month timeline extension for N.H.T.P.C. #710 Renninger Tract expiring on 10/25/11. David Brown **seconded** the motion and it **carried 4-0**.

Resolution 30-11 – Ralph Fluharty **moved** for adoption of Resolution 30-11 granting a 12 month timeline extension for N.H.T.P.C. #723 Hephner Tract expiring on 10/25/11. David Brown **seconded** the motion and it **carried 4-0**.

Fall Road Inspection – Mr. Wagner agreed to consult with Jay Smith for possible dates for fall road inspection and to provide options to the Board so that an inspection can be scheduled.

## **OLD BUSINESS**

FROM THE FLOOR – Mr. Raymond Strickland, Sassamansville Fire Company Chief, addressed the Board stating that he believed the fire study was intended to benefit both fire companies and asked if the two companies could address the comments individually and continue to operate as separate fire companies. He suggested that each company be given a time frame in which to work which would be the same for each company. David Brown stated that he was disappointed that many persons had not read the study which contained 3 prioritized resolutions and a total of 21 resolutions; he added that the 3 prioritized resolutions have not been resolved. Mr. Brown stated that he wants to keep it positive and wants to reenergize efforts and move forward. He mentioned that this is Fire Prevention Week and that both fire companies will be having community events this week. He added that both companies do an excellent job with fire prevention and that the best response is when no response is required.

David Raab provided documentation regarding relief and tax monies and stated that he believed there has been a misunderstanding. Mr. Raab presented the Board with a copy of his records and asked each Board member to review them; he also asked that the minutes reflect any corrections. He stated that the documented reports would indicate that three findings have been corrected that that the remaining three cannot be corrected until the next audit is performed.

EXECUTIVE SESSION – The regular meeting was adjourned at 7:45 and the Board convened an executive session.

Reconvened the regular meeting at 8:30pm. The Board authorized Edward Wagner to schedule a meeting with representatives of the New Hanover and Sassamansville Fire Companies to discuss how they can comply with the three recommendations which include Level of Service, Operational Procedures, and Training. Ed Wagner informed the board members that the meeting will take place either Wednesday or Thursday of this week. Both companies will need to meet and submit a report on these recommendations to the township Manager no later than Friday, November 11 at 12 noon. Representatives of each fire company will be asked to present a report at the next Board of Supervisors meeting on November 14.

ADJOURNMENT – meeting was declared adjourned at 8:58pm.

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Edward Wagner, Township Manager/Secretary