

**NEW HANOVER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
DECEMBER 12, 2011**

The regular monthly meeting of the New Hanover Township Board of Supervisors was held on Monday, December 12, 2011 at the New Hanover Township Municipal Building, 2943 N. Charlotte Street, Gilbertsville, PA 19525. Present were Supervisors Martin Dyas, Ralph Fluharty, Douglas Muller, 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 7:17 PM and led in a Salute to the Flag.

ANNOUNCEMENTS – Martin Dyas

Mr. Dyas thanked everyone for attending the meeting 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.

ANNOUNCEMENT – Martin Dyas

Township Offices will be closed at 12:00pm on Friday, December 23rd and reopen on Tuesday, December 27th.

UPCOMING TOWNSHIP MEETING – announced by Eileen Pogany

December 14	Planning Commission	6:30pm
December 20	Environmental Advisory Board-cancelled	7:00pm
December 21	Sewer Authority Board at the WTTP	6:30pm
January 3	Next Regular Meeting of the BOS	6:30pm

PRESENTATION OF CURRENT BILLS

Bill List #22 Dated 11/28/11

General Fund 01	\$ 69,663.11
Fire Tax Fund 03	\$ 0.00
Sewer Operating Fund 08	\$ 5,546.52
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 4,214.99
Escrow Fund 41	\$ 3,495.00
Recreation Fund 96	\$ 2,088.09
TOTAL	\$ 85,007.71

Ralph Fluharty **moved** to approve payment of the bills listed in Bill List No. 22. David Brown **seconded** the motion and it **carried 5-0**.

Bill List #23 Dated 12/12/11

General Fund 01	\$ 21,813.81
Fire Tax Fund 03	\$ 67,807.16
Sewer Operating Fund 08	\$ 25,370.51
Sewer Capital Fund 10	\$ 0.00
Trans. Impact Fund 13	\$ 0.00
Capital Fund 19	\$ 0.00
State Liquid Fuels Fund 35	\$ 4,750.43
Escrow Fund 41	\$ 6,087.50
Recreation Fund 96	\$ 3,566.36
TOTAL	\$129,395.77

Douglas Muller **moved** to approve payment of the bills listed in Bill List No. 23 and advance the treasurer the monies for utilities and payroll for coming month. David Brown **seconded** the motion and it **carried 5-0**.

Minutes – Martin Dyas **moved** to approve the November 14, 2011 work session and regular meeting minutes. David Brown **seconded** the motion and it **carried 4-0** with Andrew Kelly abstaining due to his absence at the meetings.

Ralph Fluharty **moved** to approve the minutes of the budget meetings of August 22, September 19, October 17 and November 7, 2011. Douglas Muller **seconded** the motion and it **carried 5-0**.

SOLICITOR’S REPORT – Garner and Bauer

Gibraltar Rock I Court Case update - Mr. Bauer reported that Judge Albright partially affirmed and partially reversed the decision of the Township’s Zoning Hearing Board. Gibraltar Rock has filed an appeal of that decision. He further updated the Board saying that all three Gibraltar Rock cases are currently in Commonwealth Court and that the court process is likely to take one year to 18 months.

Gibraltar Rock is expected to present revised land development plans to the Township’s Planning Commission for their December 14, 2011 meeting. There is no update on Bill 898 which is in committee. Senator Mensch is opposing the bill which could sit in committee for a year and could possibly be reintroduced at a later time.

Celeste Bish stated that Senator Mensch advised that Senator Tomlinson is currently rewriting the bill and asked if the Township is appealing the decision of Judge Albright in the Gibraltar Rock case. She was advised that the Board of Supervisors will discuss whether to file an appeal in executive session.

MANAGER’S REPORT – Edward Wagner

Former Airport Property – Debris has been cleared and fencing will be installed to prevent further illegal dumping on the site. The small well found in the building has been capped, and an additional tree has been removed.

Speed Reduction Request on Big and Layfield Roads – New speed limit signs along portions of Layfield and Big Roads will be installed by the end of the year. He advised that the master traffic ordinance for Township roads is being revised and that the speed limit can be adjusted according to the recommendation of Chief McKeon who is proposing reductions on 24 roadways.

Kingston Hill Phase III –One West Bank is making progress in establishing the Home Owners' Association for Phase III.

New State Laws- On November 4, Governor Corbett signed HB 278 into law, the first bid-limit increase in 21 years. The bill raises the minimum purchase amount that requires the advertisement of bids from \$10,000 to \$18,500. The Department of Labor and Industry is being required to adjust these amounts annually based on the Consumer Price Index.

He also advised that the Governor signed a bill into law which makes texting while driving a primary offense effective March 8, 2012. Chief McKeon stated that the law will be difficult to enforce.

VIST Insurance - Richard Holland, Vice President of Human Resources Consulting Services for VIST Insurance is providing an added free service by reviewing the Township's non-uniform employee handbook and will offer suggestions and possible deletions and/or additions to certain sections in the handbook in order to keep the Township's policies in compliance with state and federal laws.

Hickory Park – Township has received a \$200,000 grant award for improvements/replacement of the restroom facilities at Hickory Park. The Township is required to expend the funds by September 2012.

BUSINESS FOR DISCUSSION OR ACTION - NONE

BUSINESS FOR ACTION ON 90 DAY TIME LIMITATION WAIVERS

Ralph Fluharty **moved** to grant extensions on the 90-day time limitation for review of plan Nos. N.H.T.P.C. 709 and 714 as follows:

N.H.T.P.C. #709	Trotter's Gait	54 units	12/16/11
N.H.T.P.C. #714	James Carroll	3 lots – Phase II	12/16/11

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

NEW BUSINESS

Master Traffic Ordinance –Douglas Muller **moved** to advertise the Master Traffic Ordinance for adoption at the January 3rd meeting. Andrew Kelly **seconded** the motion and it **carried 5-0**.

Resolution 32-11 – Ralph Fluharty **moved** to designate Township Manager Edward Wagner as the agent for the Tropical Storm Lee disaster with PEMA. Martin Dyas **seconded** the motion and it **carried 5-0**.

Resolution 33-11 – Douglas Muller **moved** to designate Township Manager Edward Wagner as the agent for the Hurricane Irene disaster with PEMA. Martin Dyas **seconded** the motion and it **carried 5-0**.

2012 Township's Budget – Ralph Fluharty **moved** to adopt Resolution 34-11 adopting the 2012 township budget in accordance with the Second Class Township Code. No written or oral public comments were received during the 20-day comment period. Budget expenditures have been reduced so that no tax increase will be imposed for 2012 (summary of funds and changes after November 14, 2011 is attached). It was noted that there has been no tax increase in approximately 13 years. Douglas Muller **seconded** the motion and it **carried 5-0**.

OLD BUSINESS

FROM THE FLOOR – Douglas Muller mentioned a tree resting on the wires on Hill Road. Mr. Wagner stated that he would be checking on it with the Public Works Department.

Regular meeting adjourned to Executive Session at 7:43 PM.

EXECUTIVE SESSION

Regular Meeting Resumed at 8:34 PM

Douglas Muller **moved** to file an appeal in Commonwealth Court from the Decision of Judge Kent Albright regarding the Gibraltar Rock Inc. Land Use Appeal No 07-16658. Andrew Kelly **seconded** the motion and it **carried 4-0** with Ralph Fluharty abstaining.

ADJOURNMENT - the meeting was declared adjourned at 8:35 PM.

Edward Wagner, Township Manager/Secretary