

HANOVER TOWNSHIP, LEHIGH COUNTY
REGULAR COUNCIL MEETING

March 2, 2022
7:30 P.M.

Present: Councilmen Heimbecker, Lawlor, Paulus; J. Jackson Eaton, III, Esquire;
Al Kortze, P.E.; Melissa A. Wehr; Vicky Roth

Absent: 2

Attendance: 7

Opening of Bids: 1. Bid No. 2022-02 Chestnut Grove Basketball Court Rehab

There are four bids submitted through Penn Bid as follows:

S&G Asphalt Inc. Services 10% Bid Bond Bid - \$91,155.45
3340 Old Post Rd.
Slatington, PA 18080

JNS Paving and Excavating Corp.
172 New Galena Rd.
Line Lexington, PA 18932 10% Bid Bond Bid - \$89,535.00

Construction Masters Services LLC 10% Bid Bond Bid - \$73,646.50
P.O. Box 1063
Reading, PA 19607

Charles D. Herman Inc. 10% Bid Bond Bid - \$70,303.15
3601 E. Columbia Street
Whitehall, PA 18052

Motion: I move the Bid 2022-02 the Chestnut Grove Basketball Court Reconstruction be awarded to Charles D. Herman, Inc. in the amount of \$70,303.15, subject to the review of the Township Engineer and the Township Manager.

Paulus, Lawlor: Moved and Seconded
Heimbecker, Lawlor, Paulus: Aye Unan.

Courtesy of the Floor: None.

Approval of Minutes: February 16, 2022 Regular Council Meeting

Motion: I move that the February 16, 2022 Regular Council Meeting Minutes be amended to the Attorney's request.

Paulus, Lawlor: Moved and Seconded
Heimbecker, Lawlor, Paulus: Aye Unan.

Reports:

1. Melissa A. Wehr
Township Manager

1. A Zoning Hearing Board Agenda for the month of March was provided to the Board.
2. February 20 through February 26 was National Engineer's Week. The Township Manager thanked the Township Engineer for all he does for Hanover Township.

2. Al Kortze, P.E.
Township Engineer

1. The Township Engineer has one item related to Primo which is under New Business on the Agenda this evening.

A Council member asked the Township Engineer to say a few words regarding sinkhole at Tacoma Street. He said they feel this is happening due to the age of the water line that is in that area. As everyone will recall, approximately one year ago, the water line going up Troxell Street was replaced. They only replaced some services that were noncopper in Sherwood, Taft and Tacoma Streets. As was mentioned at a previous meeting, they had meetings with the City of Bethlehem Water Department and expressed their extreme concern regarding the number of breaks and leaks that have occurred out there. The Township Engineer said he stressed the Township would like to have them replaced. It is up to the City of Bethlehem to replace the water line. The Township Engineer is hopeful for stabilization in that area. One home was damaged significantly. The property owner is replacing the sidewalk. A discussion ensued.

3. J. Jackson Eaton, III, Esquire
Township Attorney

Under the new rules on Agendas and Minutes, the Township Attorney mentioned that under the Manager's Report, item 4 on the February 16, 2022 Regular Council Meeting Minutes, was the issue whether the Township would send someone to the Zoning Hearing Board and Council eventually did nothing. The last line on the Minutes reads, "Council was in agreement with the Zoning Hearing Board's decision and no action will be taken at this meeting." The Attorney said Council cannot be in agreement on anything unless there was a vote. He suggested that it be changed to, "Council took no action."

The Township Attorney's other items are on the Agenda.

Unfinished Business: None.

New Business:

1. Authorization for the Manager to Release the Maintenance Security for Primo Produce LP., 2100 Hoover Ave., Allentown, PA 18109 in the amount of \$58,144.50 (Vote)

The Township Engineer said this was the project that went on for a couple of years which was an expansion to their warehouse facility. There were a number of public improvements which were completed approximately 18-19 months ago. The only amount that the Township was holding was the \$58,144.50 for the Maintenance. Maintenance period is over. We did a final inspection and are satisfied that all the improvements are in place and functioning the way they are supposed to. I recommend approval.

Motion: I move for the Authorization for the Manager to Release the Maintenance Security for Primo Produce LP., 2100 Hoover Ave., Allentown, PA 18109 in the amount of \$58,144.50 as recommended by the Township Engineer.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Paulus:

Aye

Unan.

2. Resolution No. 2022-27, A Resolution to amend Han-Le-Co Purchasing Policy to Provide for Appropriations of Grants, Contributions or Matching Funds (Vote)

The Township Attorney said he distributed this to Council earlier today. At the last meeting, there was a motion to clarify the matching fund appropriation for Hanover Township in the 2021 Budget. After Council made its decision regarding same, there were questions concerning dealing with this issue going forward. The Township Attorney was looking for a way to do this. The most appropriate thing is the existing Purchasing Policy which really gave rise to the questions which does not deal specifically with grants or contributions or deal specifically with matching funds. It seemed the best place to put any clarification on a permanent basis would be in that policy. This clearly defines what those are in that if it is a grant or contribution that is a budget matter which is considered each year. As with any other budget line item, when the funds are available, they can be paid out. If it is a matching appropriation, the Manager does have to get evidence that the funds have been raised. At that point, it can go either of two ways. If it is a matching fund, contribution or grant, the monies would be paid out. If it were just a General Fund matching appropriation; one, they would have to show that they made their match and; two, if it is for something specific, then there would be requirements just like any other purchase. In looking at this and looking over the old Purchasing Policy, the Township Manager suggested there might be some other changes beyond what originally was discussed as a resolution. One of those, which the Fire Company mentioned on occasion, is they are referred to as a Department and not as Fire Company, which they are independent and not really a department of the Township. This is a change she suggested we consider. It is not part of this draft because of the timing. Also, there is an annual report of the previous calendar year's expenditures that the Fire Company is supposed to provide, which is supposed to be handed in September under the Policy. She is suggesting it be moved up to August 1. The intention is to help provide input for the coming year's Budget which is prepared in August.

The Township Attorney's suggestion is that it is not considered this evening and put off until the next meeting which will give everyone a chance to look through this draft since it was a matter of some importance. Council members agreed.

Motion: I move that we table Resolution No. 2022-27, A Resolution to amend Han-Le-Co Purchasing Policy to Provide for Appropriations of Grants, Contributions or Matching Funds as recommended by the Township Attorney.

Heimbecker, Lawlor: Moved and Seconded

Heimbecker, Lawlor, Paulus:

Aye

Unan.

Courtesy of the Floor: None.

Adjournment:

The meeting was adjourned at 7:48 P.M.

Respectfully submitted,

Melissa A. Wehr
Township Manager