

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
July 25, 2007**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting on Wednesday July 25, 2007. The Chairman called the meeting to order at 6:15p.m.

Present were:

Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Robert S. Kucsan	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
Patrick J. Murphy	-	Supervisor	Lori B. Seese	-	Zoning Administrator
			Kelly J. Sullivan	-	Office Clerk
			Gary Asteak	-	Solicitor
			Albert Kortze, P.E.	-	Engineer

Absent were:

Eric E. Nagle	-	Vice Chairman
Ricky T. Johnson	-	Supervisor

Approval of Minutes

Motion to approve the meeting minutes from June 13, 2007 was moved by Mr. Murphy and was seconded by Mr. Kucsan. The motion carried unanimously.

Correspondence

There was nothing under correspondence.

Reports

The Chairman acknowledged the receipt of the Hecktown Volunteer Fire Company Incident Report for June 2007, the Zoning Administrator's Report for June 2007, and the Financial Report for April and May 2007.

Subdivision/Land Development

Regency Center – Conditional Use – Time Extension – A letter was received from Tamer Ahmed of Fitzpatrick, Lentz & Bubba, granting a time extension through August 31, 2007. Motion to accept the time extension was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Opus East Lot 3 – Conditional Use – Time Extension – A letter was received from Erich Schock of Fitzpatrick, Lentz & Bubba, granting a time extension through August 22, 2007. Motion to accept the time extension was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Halteman Farm – Preliminary Major Subdivision – Time Extension – A letter was received from Joseph Piperato of Benner and Piperato, granting a time extension through October 31, 2007. Motion to accept the time extension was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Country Club Road Business Park – Improvements Agreement – Motion to authorize execution of the improvements agreement, once the agreement meets the satisfaction of Mr. Tenges and Mr. Asteak and upon the receipt of the letter of credit, was moved by Mr. Murphy and seconded Mr. Kucsan. The motion carried.

Saturn of Route 33 – Improvements Agreement – Motion to authorize execution of the improvements agreement, once the agreement meets the satisfaction of Mr. Tenges and Mr. Asteak and upon the receipt of the letter of credit, was moved by Mr. Kucsan and seconded Mr. Murphy. The motion carried.

**Board of Supervisors Minutes
July 25, 2007**

Supervisor's Comments

Dr. Dilsaver and Mr. Murphy had no comments.

Mr. Kucsan attended the Colonial Regional Police Department meeting on Monday.

Manager's Report

Capital Purchases:

Purchase of Support Vehicles – Motion to authorize Mr. Tenges to purchase 2 vehicles, not to exceed \$40,000 each was moved by Mr. Murphy and seconded Mr. Kucsan. The motion carried.

Purchase of Milling Machine – Mr. Tenges recommended the purchase of Forks Township's share of the 2001 Bartmill Model 160C Milling Machine. The purchase price for their share is \$45,000. The funds will come from the Municipal Capital Reserve Account. Motion to purchase Forks Township's share for \$45,000 was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Palmer Sewer Agreement – Authorization to Execute – Motion to authorize execution of the agreement was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Rental Disclosure Ordinance – This ordinance would require landlords to supply a list of tenants to the Township on a semi-annual basis. Motion to authorize the solicitor to move forward with this ordinance and advertise it for adoption, was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Engineer's Report

DP Partners / Logisticenter – Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending the letter of credit be reduced by \$263,709.60 to a new balance of \$362,485.98. Motion to reduce the letter of credit per Mr. Kortze's recommendation was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

DP Partners / Logisticenter Parking Lot – Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending the letter of credit be reduced by \$247,830.00 to a new balance of \$36,372.00. Motion to reduce the letter of credit per Mr. Kortze's recommendation was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Trio Farms – Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending the letter of credit be reduced by \$598,257.00 to a new balance of \$2,023,560.20. Motion to reduce the letter of credit per Mr. Kortze's recommendation was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Solicitor's Report

Mr. Asteak had no comments.

New Business

Henry Yeska – Ag. Security Program – The property is located in Upper Nazareth so Mr. Tenges recommended billing Upper Nazareth Township or the property owner for costs associated with this process. Motion to accept the application and move forward with processing was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Old Business

248 Brodhead Road (CRPD): The following agreements were before the Board for authorization to execute once minor details have been resolved. It was acknowledged that Bath should be permitted to buy in up to 33.3%. The agreements are also dependent on the outcome of the declaratory judgment.

Sale and Purchase Agreement – Authorization to Execute – Motion to authorize the agreement for execution was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried.

Property Operating and Maintenance Agreement – Authorization to Execute – Motion to authorize the agreement for execution was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Payment of the Bills

Motion to approve the bills dated July 25, 2007 was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried.

Courtesy of the Floor- Not Related to the Conditional Use Hearing

There were no comments under courtesy of the floor.

THE BOARD TOOK A 5 MINUTE RECESS PRIOR TO STARTING THE HEARING.

Conditional Use Hearing – Industrial Developments International (IDI) -

A complete transcript of tonight's hearing will be available for review at the Township Office.

The Hearing began at 7:12PM

Mr. Asteak stated that, after tonight, the hearing would be continued on September 26th so long as the room is available. Public notice of the meeting's date and location will be advertised.

Mr. Marles stated that the sound witness would not be testifying today, as planned. He would be testifying at the hearing in September. The lighting witness is scheduled to testify, however he was not present at the opening of the hearing. (and ultimately never showed) The traffic witness, Preston W. Hitchens, Jr. was present to testify. He is a transportation engineer with RETTEW Associates.

In developing the traffic study, he reviewed Lower Nazareth Township's Zoning Ordinance and reviewed the Traffic Impact Studies of Hecktown Business Park and Easton Hospital. In January, they studied Hecktown Road, Easton/Nazareth Highway, Northwood Avenue, and Newburg Road. Manual counts were conducted during AM and PM peak times along with 24-hour automatic counts. In addition, they considered crash data from PADOT for the years 2001-2005. The traffic study looks at existing conditions, future conditions without additional building, future conditions with IDI, and future conditions with IDI, including proposed improvements. IDI plans on spending close to \$3 million in improvements, which is in addition to improvements planned by Easton Hospital and Hecktown Business Park.

Mr. Bruno questioned the difference between distribution and warehousing and how that difference would affect truck traffic. He also questioned how they can anticipate traffic without knowing the tenants of the proposed warehouse. Mr. Bruno also discussed the number of employees and where they would be traveling from. Finally he inquired the route trucks would take if a portion of Route 33 were closed, like it recently was due to a sinkhole.

Ms. Ferretti inquired about the number of parking spaces versus the anticipated AM/PM peak count. She also inquired about the closing on Route 33 and how that would affect anticipated traffic patterns. The question of where trucks would re-fuel was also posed.

Discussion was held regarding the individual intersections and the impact IDI would have on those intersections.

Mr. Kucsan inquired as to whether the new connector road would be public or private. He also commented on the current conditions at the intersection of Northwood Avenue and Route 248.

THE BOARD TOOK A BRIEF RECESS FROM 9:17PM - 9:30PM.

The floor was open to questions from the residents. Numerous residents voiced concern about the increased traffic and its impact on their community; specifically traffic congestion, traffic patterns and accidents.

Courtesy of the Floor

There were no comments under courtesy of the floor.

Adjournment

Motion to adjourn the meeting was moved by Mr. Murphy and seconded by Mr. Kucsan. The meeting was adjourned at 10:30PM.

Respectfully submitted,



Tammi Dravec
Assistant Secretary/Treasurer

tmd