

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
May 7, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday May 7, 2008. The Chairman called the meeting to order at 7:33PM.

Present were:

Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Eric E. Nagle	-	Vice Chairman	Lori B. Seese	-	Zoning Administrator
Ricky T. Johnson	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
Patrick J. Murphy	-	Supervisor	Albert Kortze, P.E.	-	Engineer
			Gary Asteak	-	Solicitor

Absent was:

Robert S. Kucsan, Supervisor

Approval of Minutes

A motion was moved by Mr. Nagle and seconded by Mr. Murphy to approve the meeting minutes for April 23, 2008. Mr. Johnson abstained. The motion carried.

Conditional Use Hearing – CU2008-02 Phillips & Phillips

Present was the applicant Blaine Phillips, Attorney Mark Sigmon and the engineer Paul Szewczak from Liberty Engineering.

The applicant intends to continue the warehouse and distribution uses for the previous property owner. In addition they are seeking conditional use approval for an auto repair garage and the use of fuel pumps at 3747 Hecktown Road. Solicitor Asteak stated that the public hearing has been advertised and adjacent property owners have been notified. An aerial photo, a plot plan, and various photographs were presented to the Board for review.

The 3-bay garage will only service vehicles owned by the applicant and that work will be performed inside the garage. It is believed that there were previously fuel pumps on the property. The applicant is also asking to place a fuel island on the rear of the property on the western side of the maintenance building. The island would contain one pump with a 20,000 gallon underground tank.

There would be parking available for up to 55 tractor trailers. The parking lots are located in front of the building and off to the side and can hold 450-475 cars; however the expected employee count is only 75-200.

The property already has an extensive line of deciduous and evergreen trees. However there is a 50-foot power line easement that runs parallel to the property line and there is only one spot in that area where trees can be planted. The area, shown on the plot plan, depicts 8 large pine trees.

Mr. Phillips gave an explanation of the photographs presented to the Board. The photographs show the fencing and buffering that is currently in place and the trucks that are currently stored at the facility.

Mr. Phillips stated that the maintenance done at this garage would be minor; oil changes, replacing light bulbs or brakes, changing tires, etc. When asked by Mr. Murphy if any body work would be done, Mr. Phillips replied that there is no paint shop and that type of work would be done elsewhere.

When asked the number of deliveries he expects in a given week, Mr. Phillips estimated about 3 or 4 loads would come into the facility, and then they would ship the product to grocery stores in dry vans.

Dr. Dilsaver asked how many mechanics would be on staff and Mr. Phillips replied that there would likely be two, but only one at a time. In addition there may be light maintenance or general handymen for snowplowing and yard work.

Mr. Tenges inquired if the facility was air conditioned because pneumatic tools are loud and if the work is being done at 2am and the garage doors are open people may complain about the noise.

Mr. Phillips said they are sensitive to the existing residents. They currently operate a facility at Township Line Road and Silver Crest Road where residents are about 100 feet away and they have not received any complaints.

In closing Attorney Sigmon noted that this proposal meets the standards in Section 118-D of the Zoning Ordinance and would cause no adverse effects on the neighborhood.

The conditional use hearing closed and would be continued to May 28th.

Reports

Dr. Dilsaver acknowledged the April 2008 Zoning Administrator's Report, the Financial Report for March 2008 and the Hecktown Volunteer Fire Company Incident Report for March and April 2008. He indicated the reports are available for review in the Township Office.

Correspondence

There were no comments under Correspondence.

Subdivision/Land Development

Dr. George Manja – Preliminary Land Development – Dr. Manja and his engineer Donald Frederickson were present. The proposed plan is for a medical facility on Nazareth Pike opposite the intersection of Daniels Road. The plan calls for a single driveway off of Route 191. Mr. Frederickson stated they have received the HOP from PADOT.

Mr. Kortze reviewed his letter dated May 5, 2008 and recommended preliminary approval.

Because it is a high traffic area, Mr. Tenges asked in Lafayette Ambassador Bank was queried to see if they would be interested in a shared driveway. Mr. Frederickson stated they had been asked, however they were not interested.

A motion was moved by Mr. Johnson and seconded by Mr. Nagle to grant Preliminary Approval. The motion carried.

Lower Nazareth Commons (Regency) – Revised Final Land Development & Lot Line Adjustment – Resolution #LNT-12-08 – Attorney Tim Charlesworth, a representative from Bohler Engineering, and various representatives from Regency were present.

Mr. Kortze reviewed his letter dated May 7, 2008 and recommended revised final approval.

A motion was moved by Mr. Nagle and seconded by Mr. Johnson to approve Resolution #LNT-12-08 granting Final Approval. The motion carried.

Supervisor's Comments

Mr. Nagle, along with Mr. Kucsan attended the COG meeting in Stockertown on April 29th. The discussion of changing the COG's name was tabled. Mr. Nagle also attended the CRPD meeting with Mr. Kucsan. They received a DCED grant for furniture and equipment in the amount of \$67,400. Mr. Nagle stated that they received a letter from Bath in regards to CRPD's lease with them. CRPD vacated the building in March, but Bath is looking for lease payments for the remainder of the year and says they will pursue legal action. However it is our opinion that the lease ended December 31, 2007. In addition, Mr. Nagle reported that Chief Seiple requested a flagpole in front of their new building.

Dr. Dilsaver, Mr. Johnson, and Mr. Murphy had no comments.

Manager's Report

Steuben Road – At Grade Warning Signals – A motion was moved by Mr. Nagle and was seconded by Mr. Murphy to authorize Mr. Tenges to execute the letter from PADOT for the at-grade warning signals at Steuben Road. The motion carried.

Pension Plan Revision – Mr. Tenges presented the Board with some changes to the current pension plan. The changes included a lower retirement age, an early retirement option, and a higher percentage rate.

After a brief discussion, a motion was moved by Mr. Nagle and was seconded by Mr. Murphy to approve Resolution #LNT-13-08 and make the pension plan revision. The motion carried.

Microsurfacing Bid Results – Mr. Tenges presented the Board with the results from the Microsurfacing bid. Two bids were received: Asphalt Paving Systems at \$2.84/sq yd for a total of \$86,052.00 and E.J. Breneman at \$2.15 /sq yd for a total of \$65,145.00. E.J. Breneman has successfully completed projects for Lower Nazareth Township, therefore Mr. Tenges recommended the Board award the Microsurfacing Project to them. Mr. Tenges stated that payment for this project will come from the State Liquid Fuel Fund.

A motion was moved by Mr. Murphy and seconded by Mr. Johnson to award the Microsurfacing Project to E.J. Breneman. The motion carried.

Daniels Road Complaint – Mr. Tenges asked Solicitor Asteak for his opinion on a complaint from a resident on Daniels Road. The resident claims that her neighbor is diverting water from his property to hers. Mr. Tenges wanted to know if this was the Township's concern or a private matter between neighbors. Solicitor Asteak replied that it is a private matter.

LNT CRPD Crime Watch – Mr. Tenges attended the Crime Watch meeting the other night and stated there was a good turn-out and a lot of enthusiasm. Mr. Tenges believes that Mr. Fresco should be acknowledged for all of his hard work. In addition, Mr. Fresco is looking to post signs in the watch areas.

Engineer's Report

There were no comments under Engineer's Report.

Solicitor's Report

A motion was moved by Mr. Johnson and was seconded by Mr. Murphy to approve Resolution #LNT-14-08 the Deed of Dedication for Jordan Court. The motion carried.

A motion was moved by Mr. Johnson and was seconded by Mr. Nagle to release the security held in escrow for Jordan's Place. The motion carried.

Old Business

There were no comments under Old Business.

New Business

There were no comments under New Business.

Payment of the Bills

A motion was made by Mr. Murphy and seconded by Mr. Nagle to approve the bills dated May 7, 2008. The motion carried unanimously.

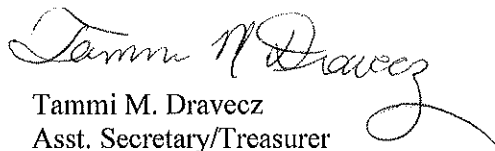
Courtesy of the Floor

There were no comments under Courtesy of the Floor.

Adjournment

A motion to adjourn was moved by Mr. Murphy and seconded by Mr. Johnson. The meeting was adjourned at 9:12PM.

Respectfully submitted,


Tammi M. Dravecz
Asst. Secretary/Treasurer