

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
August 6, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday August 6, 2008. The Chairman called the meeting to order at 7:45 PM.

Present were:

Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Robert S. Kucsan	-	Supervisor	Lori B. Seese	-	Zoning Administrator
Ricky T. Johnson	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
Gary Asteak	-	Solicitor			

Absent was:

Eric E. Nagle, Vice Chairman
Patrick J. Murphy, Supervisor

Arrived late:

Albert Kortze, P.E., Engineer

Approval of Minutes

Approval of the June 25, 2008 & July 16, 2008 meeting minutes were tabled due to lack of a quorum.

Reports

Dr. Dilsaver acknowledged the receipt of the Hecktown Volunteer Fire Company's Incident Report for July 2008, Lower Nazareth Township Financial Statement for June 2008 and Zoning Administrator Report for June & July 2008. All of the reports are available for review at the Township Office.

Correspondence

Dr. Dilsaver read a letter from Gregory Davis of Saul Ewing, which states that First Industrial Pennsylvania is withdrawing their Conditional Use and Land Development applications for First Park 33. Therefore, the Conditional Use Hearing scheduled for this evening has been cancelled.

Subdivision/Land Development

Arneg - Preliminary/Final Subdivision - Resolution #LNT-23-08 - Paul McNemar of Alfred Benesch gave a short presentation of the Subdivision Plan. Mr. Tenges explained that the note on the plan provides for the ultimate extension of Lonat Drive through this property. The extended road will connect to Hollo Road or points east of Lonat Drive. A note on the plan reflects that the owner of Lot 2 would be responsible for this extension. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to approve Resolution #LNT-23-08. The motion carried.

Arneg Subdivision - Sewage Facilities Planning Module - Resolution #LNT-24-08 - A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve Resolution #LNT-24-08. The motion carried.

Lower Nazareth Commons - Revised Final Land Development Condominium Documents - Resolution #LNT-25-08 - Mr. Tenges stated that the document before the Board this evening is not the final version. Details were being worked out between the applicant and the Township; therefore they could not have that final version prepared in time for tonight's meeting. Mr. Tenges suggested the Board approve the resolution with the caveat that the final language of the document incorporates the comments of himself, Solicitor Asteak, and Mr. Kortze.

**Board of Supervisors Minutes
August 6, 2008**

A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to approve Resolution #LNT-25-08 with the amendment to comment #8 allowing for the documents to be modified in order to include the language approved by Solicitor Asteak, Mr. Kortze and Mr. Tenges. The motion carried.

Opus Lot 3 - Revised Final Land Development - Resolution #LNT-26-08 - Present was Stephen Pany, Erich Schock, and Kimberly Meincke. Mr. Pany gave a brief presentation on the previously approved plan that now has been slightly amended to allow for on-site septic. Employee parking and the driveway to buildings 4 & 5 were modified. Mr. Kortze reviewed his August 6th letter. A motion was moved by Mr. Johnson and seconded to Mr. Kucsan to approve Resolution #LNT-26-08. The motion carried.

Supervisor's Comments

Mr. Kucsan reported that, along with Mr. Nagle, he attended a brief COG meeting. He also attended the meeting and reported that the new furniture has arrived. In addition, they are working on a new contract with the police officers, and on the budget. Mr. Kucsan also stated that the Open House for the new CRPD Building with probably be held in September.

Manager's Report

Project Time Extension Report – Mr. Tenges acknowledged the report in the Board's folders listing the time extensions accepted since the last meeting.

Official Map of Hanover Township – Mr. Tenges asked if the Board had reviewed the map they were given at the previous meeting and if there were any comments. The Board had no comments. Mr. Tenges stated that he would relay that message to Mr. Finnigan.

Township Road Projects – In light of the fact that the construction window is rapidly approaching and we do not have a contract, work on this project will not take place until next year. We will continue to work on the bid documents, put the contract out for bid and have it awarded so that work can begin in spring. The estimated cost of this project is \$750,000. The process is that the top layer will be milled off and given to the Township to keep; this is good material that can be reused and Mr. Tenges has an idea that he will discuss later. The next layer is also milled off and then mixed with other materials to create the stabilized base for the new road. Lastly, the road is paved.

Mr. Tenges would like to retain services of SEM Materials to provide technical support and inspection services for this project - to ensure we get what we ask for in the bid document. This service is provided at an hourly rate with a cap at \$5,000.00. Mr. Tenges would like authorization to retain their services. The load bearing capacity of the current roads is 1,000lbs/square foot; which is why the roads are in such poor condition. Once this project is complete the capacity will be 30,000lbs/square foot. A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to authorize Mr. Tenges to retain the services of SEM Materials. The motion carried.

Mr. Tenges suggested that the material that is to be milled off the top of those roads be used to construct some of the road network and parking lots at our 90-acre site. He asked the Board to authorize Mr. Kortze to develop a plan to construct a portion of the property's roadways and parking lots. Mr. Tenges stated that the Road Department can prepare the road beds prior to the road reconstruction project so the milled material, an estimated amount of 2,400 cubic yards, can be delivered to the site. The final paving can be completed in the future. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to authorize Mr. Kortze to develop design of a road network for this property. The motion carried.

Backstops for Baseball – Mr. Tenges reviewed an email sent by Mr. Hinkle requesting backstops be installed for baseball practices. A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve the installation of the backstops. The motion carried.

Jaindl Blvd / Hanoverville Road – Mr. Tenges reported that Jaindl Boulevard has been completed. Jaindl Boulevard runs from Route 512 to Township Line Road. Hanoverville Road has shifted and now begins at Township Line Road directly across from Jaindl Boulevard. Mr. Tenges recommended renaming the small stretch of the road that runs from Township Line Road to Hanoverville Road; possibly Old Hanoverville Road.

Engineer's Report

Eastgate Subdivision / Seville Homes – Security was held for the development of five lots by Seville Homes in the Eastgate Subdivision. The last reduction in that security was in October 2004. The applicant never looked into commencing the maintenance period and now is requesting a refund of the remaining security. Mr. Kortze stated that, due to the amount of time since completion of the subdivision, he believes entering into a maintenance period at this point is unnecessary and that an inspection of the current conditions would be sufficient. Mr. Kortze will contact Mr. Tenges to discuss this matter.

Solicitor's Report

Tractor Supply - Improvements Agreement - Authorization to Execute – A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to authorize this document for execution upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

East Penn Sanitation - Improvements Agreement - Authorization to Execute – A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to authorize this document for execution upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

Lower Nazareth Commons - Improvements Agreement - Authorization to Execute – The document has not been drafted. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to authorize this document for execution upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

Essroc Storage Dome Land Development - Improvements Agreement - Authorization to Execute – A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to authorize this document for execution upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

CRPD Litigation with Bath Borough – Solicitor Asteak reported that the briefs have been filed with Commonwealth Court; no argument date has been scheduled yet.

Old Business

Nazareth Borough Skate Park – At the last meeting, *Jack Herbst*, from Nazareth Borough, requested a donation from the Township for new construction at the Nazareth Borough Skate Park. At that time the Board tabled the discussion until the next meeting when more Board members could be present. Mr. Tenges stated that because this is not in the 2008 Budget, the only funds available would be from the Open Space / Recreation Assessment Fund. Solicitor Asteak stated in order to use those funds; the Township needs to adopt a resolution that would make the Nazareth Borough Skate Park part of its Recreation Plan. In addition, the Township needs to enter into an agreement with Nazareth Borough that states these funds are for new construction at this facility only and that indemnifies and holds Lower Nazareth Township harmless. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to donate \$10,000.00 from our Recreation Assessment Fund to Nazareth Borough for the sole purpose of new construction at the Skate Park. The motion carried.

New Business

There were no items to discuss under New Business.

Payment of the Bills

A motion was made by Mr. Johnson and seconded by Mr. Kucsan to approve the bills dated August 6, 2008. The motion carried unanimously.

Courtesy of the Floor

Lewis Lengyl, 685 Daniels Road, provided the Board with pictures and complained about the weeds on Ashley Development's property which abuts the rear of his property. Mr. Lengyl stated that he has contacted the Township Office and Richard Brooks; however the weeds have still not been cut. Mr. Tenges stated that Ashley Development has been notified that the weeds need to be cut but Mrs. Seese will do a follow-up. He said that if they do not comply, the Township can take them to the Magistrate; however the Township has not had much success in the past because the Magistrate sympathized with the accused and did not rule in favor of the Township. Mr. Tenges stated he would contact Mr. Brooks tomorrow.

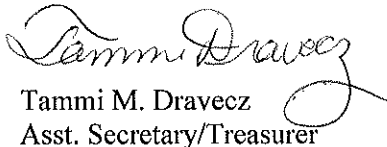
Mr. Lengyl also asked the condition of Christian Springs Road. He is aware that the Township will not repave the road in anticipation of it being ripped up to install sewer; however with the Ashley Development project at a stand-still, what can be done to improve the condition of the road? Mr. Tenges stated that the plan is to do remedial repairs until the time the sewer is installed.

Jack Herbst, from Nazareth Borough, thanked the Township for its generous donation to the Skate Park.

Adjournment

A motion to adjourn was moved by Mr. Johnson and seconded by Mr. Kucsan. The meeting was adjourned at 9:10PM.

Respectfully submitted,


Tammi M. Dravec
Asst. Secretary/Treasurer