

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
December 3, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday December 3, 2008. The Vice-Chairman called the meeting to order at 7:30 PM.

Present were:

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

Absent was:

Patrick J. Murphy, Supervisor

**Approval of Minutes**

Approval of the minutes was tabled, until Dr. Dilsaver arrived, due to a lack of a quorum from that meeting.

After Dr. Dilsaver's arrival, a motion was moved by Mr. Nagle and seconded by Mr. Kucsan to approve the meeting minutes for November 19, 2008. Mr. Johnson abstained. The motion carried.

**Reports**

Mr. Nagle acknowledged the receipt of the Zoning Administrator's Report for November 2008 and the Hecktown Volunteer Fire Company Incident Report for November 2008. Both reports are available for review at the Township Office.

**Correspondence**

There were no items to discuss under Correspondence.

**Subdivision and Land Development**

There were no items to discuss under Subdivision and Land Development.

**Supervisor's Comments**

Mr. Kucsan and Mr. Nagle attended the Colonial Regional Police Commission meeting on Monday night, but had no news to report.

Mr. Johnson had no comment.

**Manager's Report**

**2009 Millage - Resolution #LNT-38-08**

A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to adopt Resolution #LNT-38-08, establishing the 2009 millage rate at 4.15 mills. The motion carried.

### 2009 General Township Budget

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to adopt the 2009 General Township Budget. The motion carried.

### Lower Nazareth Commons - Traffic Impact Fee Reduction Request

A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to adopt Resolution #LNT-39-08, reducing Lower Nazareth Common's Traffic Impact Fee to \$513 per peak PM hour trip or \$401,166.00. The motion carried.

### Engineer's Report

*In Mr. Kortze's absence Mr. Tenges spoke to the following issues.*

### Lower Nazareth Realty Partners - Letter of Credit Reduction

Mr. Nagle reviewed Mr. Kortze's letter dated December 1, 2008 which recommended reducing the letter of credit from \$231,698.38 to \$110,222.74.

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to authorize a \$121,475.56 reduction in the Lower Nazareth Realty Partners letter of credit. The motion carried.

### Foxwood Farms Maintenance Period

Mr. Tenges recommended extending the maintenance period due to outstanding issues at the site.

A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to extend the maintenance period for 6 months from the current expiration date of December 26th. The motion carried.

*Solicitor Asteak arrived*

### Colt's Run Maintenance Period

Mr. Tenges recommended extending the maintenance period due to outstanding issues at the site.

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to extend the maintenance period for 6 months from December 24th. The motion carried.

### Solicitor's Report

Solicitor Asteak and Mr. Tenges had a brief discussion on a letter from Mr. Pierce regarding the Nazareth Borough Municipal Authority and Knox boxes. Mr. Tenges stated that previously they wanted the Borough police and fire department to be the primary responders to calls. He is not sure if the township agreed to this or not, so Mrs. Seese will review the file. Solicitor Asteak is not concerned with who their primary responder is, only that if a facility is in Lower Nazareth Township that there is a know box in place. Mr. Tenges and Solicitor Asteak will deal with this letter administratively.

*Dr. Dilsaver and Mr. Kortze arrived*

Mr. Tenges inquired Solicitor Asteak on the status of his request to vacate land and change the name of the stub of Hanoverville Road. Solicitor Asteak stated that he needs legal descriptions of lands currently owned and then the township will need to adopt an ordinance to vacate those lands.

Mr. Kucsan inquired Solicitor Asteak on the status of his complaint about sign blight. Solicitor Asteak stated he needs to figure out how to deal with it. Mr. Kucsan asked if the township could just write an ordinance. Mr. Tenges stated that we have a sign ordinance; which they are violating; however it is difficult to police and the township cannot remove the sign(s). Solicitor Asteak added that it is difficult to track the violators down.

**Board of Supervisors Minutes  
December 3, 2008**

**Old Business**

There were no items to discuss under Old Business.

**New Business**

There were no items to discuss under Old Business.

**Payment of the Bills**

A motion was made by Mr. Nagle and seconded by Mr. Johnson to approve the bills dated December 3, 2008. The motion carried unanimously.


**Courtesy of the Floor**

Joseph Greene, 4645 Fir Drive, inquired if the hearing at East Allen, Solicitor Asteak spoke of at the last meeting, was held. Solicitor Asteak stated that the applicant requested a continuance so the hearing was continued to a future date, which is yet to be determined. Mr. Greene also inquired about the IDI hearing held last week in court. Solicitor Asteak stated that he and Mr. Tenges attended on behalf of Lower Nazareth Township, Renee Ferretti attended on behalf of some of the Palmer Township residents, and Charles Bruno attended on behalf of Palmer Township. A determination is not expected for at least month.

**Adjournment**

A motion was moved by Mr. Johnson and seconded by Dr. Dilsaver to adjourn the meeting at 8:10PM.

Respectfully submitted,

  
Tammi M. Dravec  
Asst. Secretary/Treasurer