

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
December 17, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday December 17, 2008. The 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**

A motion was moved by Mr. Nagle and seconded by Mr. Johnson to approve the meeting minutes for December 3, 2008. The motion carried.

**Reports**

Dr. Dilsaver acknowledged the receipt of the Financial Statement for November 2008. This report is 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**

The Board members all wished everyone Happy Holidays and best wishes for a Happy New Year.

In addition, Mr. Kucsan voiced concern over a Morning Call article titled "Northampton sees green opportunity in open space fund." County council proposed putting money from the open space fund into an emergency account to boost their pension fund. Mr. Kucsan was upset because 32,000 Northampton County residents voted to use the money to create parks, bike paths, and trails. County Council believes, given the current financial crisis, residents would understand. Mr. Kucsan, however, does not and would like to send a letter expressing his displeasure. A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to draft a letter to County Council. ~~The motion carried.~~

*The Board discussed the matter further and no action was taken. TMD 1/15/09*

**Manager's Report**

**Project Time Extension Report**

Mr. Tenges reported that a time extension was accepted for the Brown Daub Chevy Conditional Use application through March 11, 2009.

**Supplemental Appropriations – Resolution #LNT-40-08**

**Board of Supervisors Minutes  
December 17, 2008**

Due to excess revenues, the 2008 budget should be amended and funds should be appropriated as follows; \$300,000 to the Municipal Capital Reserve Account, of which \$90,000.00 is designated as equipment replacement, and \$200,000.00 to the Sewer-Traffic Signal Capital Reserve Account. A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to approve Resolution #LNT-40-08. The motion carried.

#### Open Records Policy – Resolution #LNT-41-08

In order to comply with Act 3 of 2008, the township needs to amend our current open records policy. A motion was moved by Mr. Nagle and seconded by Mr. Johnson to approve Resolution #LNT-41-08. The motion carried.

#### Appointment of Open Records Officer

The Open Records Officer should be the Township Secretary; therefore a motion was moved by Mr. Kucsan and seconded by Mr. Nagle to appoint Mr. Tenges as the Open Records Officer. The motion carried.

#### Colt's Run Maintenance Period

*Discussion of this matter was deferred until Solicitor Asteak arrived.*

Mr. Kortze recommended releasing the letter of credit as long as the following conditions are met: \$1,800.00 must be posted to secure outstanding improvements and the developer provides documentation that the sinkhole will be repaired per the consultant's report and to Township specifications.

Solicitor Asteak stated they are not ready to accept the roads tonight because they do not have the deed back from the developer. We should be ready to accept the roads at our next meeting. After some discussion, Solicitor Asteak recommended that the Board approve Mr. Kortze's recommendation, release the letter of credit upon receipt of the \$1,800.00 security and documentation from the developer. A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to accept Solicitor Asteak's recommendation. The motion carried.

#### Engineer's Report

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

#### Sikh Temple - Letter of Credit Reduction

Mr. Tenges reviewed Mr. Kortze's letter dated December 8<sup>th</sup> recommending a \$16,468.50 reduction in this letter of credit. The remaining balance would be \$330.00. The applicant has agreed to use escrow funds as security in order for the letter of credit to be released. A motion was moved by Mr. Nagle and seconded by Mr. Johnson to release the letter of credit and hold \$330.00 in escrow until improvements are completed. The motion carried.

*Solicitor Asteak and Mr. Kortze arrived (8:05PM)*

Mr. Kortze thanked everyone for another enjoyable year and wished everyone a Merry Christmas and Happy New Year.

#### Solicitor's Report

##### Temporary Signs / Sign Blight

Solicitor Asteak believes the zoning ordinance addresses this issue. He recommends that if a Township Official sees a violation and an address is available a notice of zoning violation should be issued, if not the township has the right to remove them. If a sign is on private property, the owner should be sent an enforcement letter. If a sign appears on a utility pole in the township's right-of-way, it may be removed.

Solicitor Asteak wished everyone a Happy and Healthy New Year.

**Old Business**

There were no items to discuss under Old Business.

**New Business**

There were no items to discuss under New Business.

**Payment of the Bills**

A motion was made by Mr. Nagle and seconded by Mr. Kucsan to approve the bills dated December 17, 2008. The motion carried unanimously.


**Courtesy of the Floor**

Joseph Greene, 4645 Fir Drive, inquired the date of the next meeting. The Reorganization meeting will be Monday January 5, 2009 at 7:30PM. The tentative dates for January are the 14<sup>th</sup> and the 28<sup>th</sup>. The meeting calendar will be approved at Reorganization.

**Adjournment**

A motion was moved by Mr. Johnson and seconded by Dr. Dilsaver to adjourn the meeting at 8:22PM.

Respectfully submitted,

  
Tammi M. Dravecz  
Asst. Secretary/Treasurer