

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
March 24, 2010**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday March 24, 2010. The Chairman called the meeting to order at 6:45 PM.

Present were:

Eric E. Nagle	-	Chairman	Gary Asteak	-	Solicitor
Ricky T. Johnson	-	Supervisor	Lori B. Seese	-	Zoning Administrator
James S. Pennington	-	Supervisor	Timm A. Tenges	-	Manager, Secretary/Treasurer
Martin J. Boucher	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
Albert Kortze, P.E.	-	Engineer			

Absent was:

Robert S. Kucsan - Vice Chairman

Approval of Minutes

A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to approve the meeting minutes for March 10, 2010. The motion carried.

Reports

There were no items to discuss under Reports.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

Lowe's Home Centers, Inc. – Waiver Requests – Mr. Kortze reviewed his letter dated March 19th recommending granting the requested waivers. The applicant sought relief from the following sections: 421, 424.4, 424.7, 774.32b, and 794.48. A motion was moved by Mr. Johnson and was seconded by Mr. Boucher to approve the aforementioned waivers. The motion carried.

Lowe's Home Centers, Inc. – Preliminary/Final Land Development – Resolution #LNT-09-10 – Attorney Gavin stated that the Conditional Use appeal has been withdrawn; however the appeal to the Zoning Hearing Board is still pending.

Attorney Gavin stated that the appeal of the zoning hearing board's decision is merely on the way the decision is written. The two issues are on outside storage and display and parking.

Solicitor Asteak stated he couldn't quarrel over the applicant wanting clarification, but was inclined to defer final action until the zoning hearing board appeal and any other issues are resolved.

Mr. Tenges commented that the developer suggested an alternative to the post development traffic analysis. Mr. Tenges said that the developer's idea to post funds to mitigate any deficiencies may be workable. Mr. Tenges and Mr. Kortze will meet with Lowe's representatives to discuss the concept which will be memorialized at final land development approval.

There is still an issue with Target regarding the cross access easement. Mr. Tenges firmly believes that it is necessary and that the Board could exercise eminent domain, if Target doesn't comply.

A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to authorize the solicitor to explore condemnation of the easement, if needed, at the expense of the developer.

The Board deferred their decision until their April 14th meeting.

Ashley Development – Trio Farms – Letter of Credit Reduction – Richard Brooks of Ashley Development was present. Mr. Kortze reviewed his March 24th letter recommending the reduction in the letter of credit to \$318,599.28. This amount is for the completion of Gremer Road and for site security.

This letter of credit from Wachovia (Wells Fargo) will be replaced with a new letter of credit from Bancorp Corp Bank. Mr. Tenges noted that the current LOC will not be released until we have the new LOC in hand.

Mr. Tenges' only concern is the safety of the road and on the property. Solicitor Asteak stated that no building permits would be issued for the site and asked Mr. Brooks his timeframe for completing these improvements. Mr. Brooks believes they will be complete within the year.

Solicitor Asteak stated that an amendment to the subdivision improvements agreement would also be required.

A motion was moved by Mr. Johnson and was seconded by Mr. Pennington to reduce the letter of credit and execute an amendment to the improvements agreement. The motion carried.

Supervisors' Comments

Mr. Pennington attended a training session for new supervisors. He also attended the COG meeting where Deb Hunter, the Gaming Commissioner was present.

Mr. Nagle, along with Mr. Kucsan attended the Colonial Regional Police Commission meeting.

Mr. Johnson had no comments.

Mr. Boucher attended the second training session for new supervisors. He also attended the re-scheduled Hecktown Volunteer Ambulance Corps meeting.

Mr. Boucher inquired about limiting the areas people can smoke on township property; especially near the baseball fields. Mr. Tenges stated the Board could adopt a smoking policy that would ban smoking except in designated areas. After some further discussion, the Board decided they would think about the permitted smoking areas and discuss it at the next meeting.

Manager's Report

2009 Annual Report Memorial Library of Nazareth & Vicinity / Information – Mr. Tenges acknowledged the receipt of this information.

Tax Collection Committee (TCC) – Mr. Tenges attended the TCC meeting and was appointed to develop an RFP for TC Services. Mr. Tenges and other individuals involved in this process will have their first meeting tomorrow.

Zoning Hearing Board meeting (Trio Farms project) – Mr. Tenges attended last night's zoning hearing board meeting. An opinion will be rendered on Friday at 5:30pm.

Engineer's Report

There were no items to discuss under Engineer's Report.

Solicitor's Report

DeBonis Litigation – Mr. and Mrs. DeBonis have filed a separate action seeking removal of the underground storm sewer pipe. Solicitor Asteak has already spoken with Mr. Tenges and Mr. Kortze regarding this matter and will put in an appearance at the hearing.

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. Pennington and seconded by Mr. Boucher to approve the bills dated March 24, 2010. The motion carried.

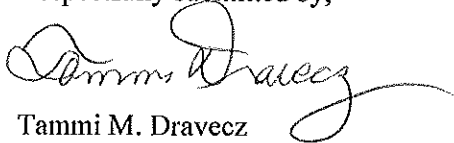
Courtesy of the Floor

There were no items to discuss under Courtesy of the Floor.

Adjournment

A motion was moved by Mr. Pennington and seconded by Mr. Johnson to adjourn the meeting at 7:45PM.

Respectfully submitted by,



Tammi M. Dravec
Asst. Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
March 24, 2010**

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<u>GENERAL FUND CHECKING ACCOUNT</u>			
10616	Integra One	Software Maintenance Renewal	\$ 134.00
10617	United States Postal Service	Postage	\$ 1,000.00
10618	Brown & Brown of Lehigh Valley	Tax Collector Bond Renewal	\$ 345.00
10619	The Express Times	ZHB Advertisement	\$ 269.80
10620	Mr. John	Temporary Restrooms	\$ 50.00
10621	Brown & Brown of Lehigh Valley	Summer Park Program Insurance	\$ 500.00
10622	Palmer Township Board of Supervisors	Advertisement	\$ 70.00
10623	Staples Credit Plan	Fire Company Office Supplies	\$ 26.18
10624	BWP-Carquest Auto Parts	Fire Company Equipment Supplies	\$ 41.22
10625	PPL, Inc.	Fire Company Electricity	\$ 1,063.58
10626	Valley Industrial Rubber Products	Public Works Tools/Equipment	\$ 27.87
10627	Associated Fire Equipment Co., Inc.	Municipal/Public Works Fire Extinguishers	\$ 1,488.05
10628	First Regional Compost Authority	2nd Qtr Membership Fee	\$ 4,664.55
10629	Flurer's Auto Body	Public Works Equipment Maintenance	\$ 50.00
10630	BWP-Carquest Auto Parts	Public Works Equipment Parts/Supplies	\$ 115.42
10631	Keystone Emergency Vehicles, Inc.	Public Works Equipment Parts/Supplies	\$ 91.60
10632	J.J. Keller & Associates, Inc.	Public Works Office Supplies	\$ 75.70
10633	Service Tire Truck Centers	Public Works Equipment Parts/Supplies	\$ 746.79
10634	Hecktown Glass & Window	Public Works Equipment Parts/Supplies	\$ 21.23
10635	PPL, Inc.	Park/Traffic/Street Light Electricity	\$ 227.20
10636	Northern Tool & Equipment Co.	Public Works Tools/Equipment	\$ 564.69
10637	The Express Times	Park Fuel	\$ 352.19
10638	ISOBunkers, LLC	Equipment Motor Fuel	\$ 407.25
10639	Schall's Brakes & Repairs, Inc.	Public Works Equipment Parts/Supplies	\$ 47.99
10640	AT&T	Municipal/Public Works Long Distance	\$ 55.75
10641	Nextel Communications	Fire Company Wireless Service	\$ 396.54
10642	Herceg Hauling	Trash Removal	\$ 132.00
10643	Knowles LP Gas	Fire Company Heating Fuel	\$ 594.54
10644	McGee Uniform	Fire Police Uniforms/Supplies	\$ 308.00
10645	The Express Times	Subscription Renewal	\$ 59.80
10646	Edwards Business Systems	Copier Maintenance	\$ 88.00
10647	Eastern Industries, Inc.	Public Works Paving/Patching Material	\$ 774.46

**Lower Nazareth Township
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GENERAL FUND CHECKING ACCOUNT CONTINUED

10648	Medical Life Insurance Company	Employee Life Insurance	\$ 1,399.20
10649	Enter.net	Computer Services	\$ 450.00
10650	Signal Service, Inc.	Annual Service Contract/Maintenance	\$ 2,925.00
10651	Walmart Community BRC	Municipal Building Maintenance	\$ 9.88
10652	France Anderson Basile and Company, P.C.	Audit Services	\$ 2,410.00
<i>Total General Fund Checking Account...</i>			<u>\$ 21,983.48</u>

PAYROLL ACCOUNT

March 26, 2010 \$ 26,728.70

MASTER ESCROW CHECKING ACCOUNT

1686	Northampton County Recorder of Deeds	Plan Recording	\$ 35.00
1687	County of Northampton	Parcel ID	\$ 5.00
1688	Met-Ed	Traffic Signal Electricity	\$ 85.89
1689	Signal Service, Inc.	Traffic Signal Maintenance contract/Maintenance	\$ 3,136.04
1690	Telco, Inc.	Traffic Signal Maintenance	\$ 297.50
1691	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,480.39
1692	Asteak Law Offices	Legal Services	\$ 1,006.25
<i>Total Master Escrow Account...</i>			<u>\$ 6,046.07</u>