

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
September 22, 2010**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday September 22, 2010. The Chairman called the meeting to order at 6:30 PM.

Present were:

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

Absent was:

Robert S. Kucsan	- Vice Chairman
Martin J. Boucher	- Supervisor
Tammi Dravec	- Assistant Secretary/Treasurer

Approval of Minutes

A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to approve the meeting minutes for July 14, 2010. The motion carried.

Approval of the meeting minutes from June 21, 2010 and August 4, 2010 were deferred to the next meeting due to a lack of quorum from those meetings.

Liquor License Transfer Hearing

Buffalo Wild Wings – Resolution #LNT-16-10 – The hearing began at 6:37pm. Solicitor Asteak provided a review of the application and the approval procedures. Legal notice was advertised on September 1st and September 8th. The applicant's representative was Philip Goodenough, Regional Manager of Buffalo Wild Wings.

Mr. Goodenough provided background on the restaurant including the atmosphere and menu items. It is a family restaurant known for beer, sports, and wings. They plan to hire 65-75 employees. The restaurant will seat about 298 people and will be open Monday-Thursday 11:00am to 1:00am, Friday and Saturday 11:00am to 2:00am, and Sunday 11:00am to midnight. They recently opened their 700th restaurant and hope to open this location in March 2011.

Mr. Goodenough stated that their sales are about 80% food and 20% alcohol. He reviewed the training for alcohol service. Mr. Goodenough noted that the liquor license is coming from Greco's Pizza in Bethlehem, PA.

The hearing concluded at 6:47pm.

Solicitor Asteak explained the considerations for the Board to review. Mr. Goodenough added that they are very community oriented and like to give back to the community. Their closest location is in Delaware, and within Pennsylvania, Pittsburgh.

A motion was moved by Mr. Johnson and was seconded by Mr. Pennington to approve resolution #LNT-16-10. The motion carried.

Reports

Reports are available for review at the Township Office and are posted on the Township's website.

Mr. Nagle acknowledged the receipt of the Financial Statement for July 2010, the Planning & Zoning Administrator's Report for August 2010, the Hecktown Volunteer Fire Company Incident Report for August 2010 and the Hecktown Volunteer Ambulance Corps Incident Report for June, July, and August 2010.

Correspondence

The township received notice, from the county, that Henry Yeska intends to sell his property at 2880 Blossom Hill Road in Nazareth. Mr. Tenges asked the Board to concur that they have no issue with the sale of this 146 acres of agricultural security land. The Board had no concerns.

Subdivision and Land Development

Henry Yeska- Preliminary/Final Lot Line Adjustment – Resolution #LNT-17-10 – The applicant was not present. Mr. Kortze reviewed the proposed lot line adjustment, along with his September 15th letter. A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to approve resolution #LNT-17-10. The motion carried.

DHD Ventures Retail Center – Revised Preliminary/Final Land Development – Resolution #LNT-18-10 – Present were: Susan Meadows, DHD Ventures; Attorney Jim Preston; and Mark Bahnick. The applicant had no issue with the Conditional Use Order and Opinion and had no additional comments. Mr. Kortze reviewed his September 15th letter.

Mr. Tenges inquired whether the traffic calculations included the entire site. Mr. Kortze confirmed that it did. Mr. Tenges noted item #4 of the resolution and stated that a meeting was scheduled for October 4th to discuss.

A motion was moved by Mr. Johnson and was seconded Mr. Pennington to approve resolution #LNT-18-10. The motion carried.

Premier Land Development – Zoning Map Amendment –

Present were Joseph Piperato and Charles Tuskes. Mr. Piperato reviewed the history of the "Frey Tract", the previous zoning, their proposal for re-zoning, and reasons to support re-zoning.

The applicant could develop 38 lots by-right. By changing the zoning to LDR, it would allow for an additional 13-15 lots. The developer is offering an additional \$2,000.00 per lot, at the time of building permit application, to offset the additional traffic concerns.

The applicant intends to move the plan through land development with the intention of getting the approvals out of the way. The Board had no issue with the proposal.

Supervisors' Comments

Mr. Pennington reported that the NAZCOG meeting had been cancelled.

Mr. Johnson commented on the road project and it looks great.

Mr. Nagle attended the CRPC meeting with Mr. Kucsan. He reported that Mr. Tenges will provide a presentation later regarding the proposed 2011 CRPC Budget.

Manager's Report

Time Extension Report – Mr. Tenges presented the time extension report. A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to accept the time extensions. The motion carried.

Zoning Hearing Board Appointment – Resolution #LNT-20-10 – Mr. Tenges noted that Rick Gangewere has agreed to fill the full member seat left vacant by Mr. Clearie’s resignation. A motion was moved by Mr. Johnson and was seconded by Mr. Pennington to approve resolution #LNT-20-10. The motion carried.

Open Space Initiative Grant Application – Resolution #LNT-19-10 – Mr. Tenges reviewed the resolution. Lower Nazareth has to match whatever the county gives us. We can get reimbursed for work we do in kind. They are using the FEMA rate schedule to cost out the equipment schedule. Mr. Tenges provided a presentation of what the funds will be used for at the municipal property on Gremar Road. A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to approve resolution #LNT-19-10. The motion carried.

Employee Pension – 2011 Minimum Municipal Obligation (MMO) – A motion was moved by Mr. Johnson and was seconded by Mr. Pennington to approve the 2011 MMO. The motion carried.

Embassy Bank Grand Opening – Mr. Tenges reported that he attended the grand opening event with Mr. Pennington.

Easton Suburban Water Authority (ESWA) – Mr. Tenges stated that the township received notice that ESWA is raising their water rates.

Colonial Regional Police Services – Mr. Tenges reviewed the history of the fee calculation. When we had per capita, it was a 30/30/40 split between per capita, incidents, and assessed valuation. When per capita went away, we agreed to a 50/50 split between incidents and assessed valuation. It is now apparent that the formula is flawed.

Mr. Nagle stated that he needs direction from the Board. CRPD needs to cut costs and Lower Nazareth Township cannot afford the \$130,000.00 increase and may need to consider not approving this proposed budget. The formula needs to include population.

A motion was made by Mr. Johnson and was seconded by Mr. Pennington for Mr. Nagle to report back to CRPC that “The proposed increase is unacceptable and every effort should be made to reduce the increased expenses for the department as a whole. Our particular assessed costs are definitely unacceptable and we need to re-evaluate the formulation as it relates to the distribution of costs for the respected municipalities. This puts the approval of the budget in jeopardy.” The motion carried.

Engineer’s Report

Hidden Oaks – Phase 2 & 3 – Maintenance Period Extension – Mr. Kortze reviewed his letter dated September 22, 2010 and recommended extending the maintenance period through the end of October. A motion was moved by Mr. Pennington and was seconded by Mr. Johnson to extend the maintenance period through the end of October. The motion carried.

Solicitor’s Report

There were no items to discuss under Solicitor’s Report.

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. Johnson and seconded by Mr. Pennington to approve the bills dated September 22, 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 8:05PM.

Respectfully transcribed by,

A handwritten signature in cursive script, appearing to read "Tammi Dravec".

Tammi M. Dravec
Asst. Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
Septemebr 22, 2010**

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<u>GENERAL FUND CHECKING ACCOUNT</u>			
11016	Nextel Communications	Public Works / Municipal Office Wireless	\$ 388.23
11017	Suburban Propane	Park Fuel	\$ 240.01
11018	AT&T	Municipal Office / Public Works Long Distanc	\$ 56.25
11019	Eastern Industries, Inc.	Public Works Supplies	\$ 588.00
11020	PA One Call System, Inc.	Monthly Fax Activity	\$ 43.20
11021	PSATS CDL Program	Employee Drug Testing	\$ 30.00
11022	Staples Business Advantage	Office Supplies	\$ 87.83
11023	Tractor Supply Credit Plan	Public Works Equipment Parts/Supplies	\$ 30.42
11024	PPL, Inc.	Park/Traffic Signal/Street Light/Office/Public	\$ 1,604.49
11025	Deer Park	Municipal Bottled Water	\$ 10.53
11026	Fire Engineering	Fire Company Subscription Renewal	\$ 21.00
11027	NFPA	Membership Renewal	\$ 300.00
11028	Grainger Parts	Fire Company Equipment Parts/Supplies	\$ 421.57
11029	Fire One	Fire Company Performance & Service Testing	\$ 1,160.00
11030	McGee Uniform	Fire Company Uniform/Supplies	\$ 42.50
11031	Valley Wide Signs & Graphics	Fire Company Supplies	\$ 50.88
11032	Nextel Communications	Fire Company Wireless	\$ 337.47
11033	Eastern Autoparts Warehouse	Fire Company Equipumt Parts/Supplies	\$ 69.71
11034	PPL, Inc.	Fire Company Electricity	\$ 728.70
11035	ExxonMobil	Fire CompanyEquipment Motor Fuel	\$ 600.82
11036	Horwith Freightliner	Fire Company Equipment Parts/Supplies	\$ 1.98
11037	United States Postal Service	Postage	\$ 500.00
11038	PEITOAC	Membership Dues & Conference	\$ 210.00
11039	ISOBunkers, LLC	Equipment Motor Fuel	\$ 1,393.65
11040	Edwards Business Systems	Copier Maintenance	\$ 88.00
11041	Mr. John	Temporary Restrooms	\$ 591.37
11042	Easton Suburban Water Authority	Municipal Water	\$ 320.46
11043	Keystone Consulting Engineers, Inc.	Engineering Services	\$ 130.00
11044	NCATO	2010 County Convention	\$ 440.00
11045	Sherwin-Williams	Public Works Equipment Purchase	\$ 5,078.00
11046	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
11047	Eastern Industries, Inc.	Aggregate Supplies	\$ 106.43

**Lower Nazareth Township
Bills To Be Approved
Septemebr 22, 2010**

GENERAL FUND CHECKING ACCOUNT CONTINUED

11048	Grainger Parts	Public Works Supplies	\$ 85.55
11049	CCC Heavy Duty Truck Parts Company	Public Works Equipment Parts/Supplies	\$ 187.56
11050	Valley Industrial Rubber Products	Public Works Equipment Parts/Supplies	\$ 317.84
11051	Rahns Trucking Inc.	Aggregate Delivery	\$ 675.00
11052	Rahns Construction Material Co.	Aggregate Supplies	\$ 1,780.80
11053	Brandi N. Werner	Local Services Tax Refund	\$ 51.00
11054	William Kocher	Flagger Training Reimbursment	\$ 26.10
11055	Wallbillich, Diana L	Summer Park Expenses	\$ 114.76
11056	U.S. Municipal Supply, Inc.	Public Works Equipment Parts/Supplies	\$ 284.53
11057	Guardian Fire Equipment	Fire Company Equipment Parts/Service	\$ 916.22
11058	Edwards Business Systems	Copier Maintenance	\$ 251.46
11059	Highway Materials, Inc.	Public Works Construction/Rebuilding	\$ 8,499.79
11060	Micro Fleet Services, Inc.	Fire Company Parts/ Supplies	\$ 89.00
11061	Staples Credit Plan	Fire Company Supplies	\$ 17.00
11062	East Penn Sanitation, Inc.	Trash Removal	\$ 42.00
11063	Met-Ed	Street Light Installation	\$ 1,774.35
11064	Sherwin-Williams	Pavement Marking Supplies	\$ 233.46
11065	Herceg Hauling	Trash Removal	\$ 250.00
11066	Staples Business Advantage	Municipal Office/Public Works Supplies	\$ 149.26
11067	Old Dominion Brush	Public Works Equipment Parts/Supplies	\$ 1,139.80
11068	Bath Supply Co., Inc.	Public Works Equipment Parts/Supplies	\$ 50.43
11069	Selective Insurance Company of America	Workers Comp Insurance	\$ 3,171.00
11070	Keystone Consulting Engineers, Inc.	Engineering Services	\$ 14,907.12
11071	Met-Ed	Traffic Signal / Street Light Electricity	\$ 234.77
11072	ISOBunkers, LLC	Public Works Equipment Motor Fuel	\$ 876.05
11073	Lori Peck, OCR	Stenographer	\$ 485.00
11074	Fire Pump Systems	Fire Company Testing	\$ 3,431.60
11075	Emergency Services Marketing Corp., Inc.	Fire Company Responder Service	\$ 26.85
11076	Easton Suburban Water Authority	Fire Company Water	\$ 55.21
11077	Verizon	Municipal Office/Public Works Telephone	\$ 532.83
11078	Verizon	Fire Company Telephone	\$ 192.97
11079	Colonial Regional Police Department	Police Contract Payment	\$ 83,779.89
11080	Keystone Nazareth Bank & Trust	Land Loan Payment	\$ 1,095.15

**Lower Nazareth Township
Bills To Be Approved
Septemebr 22, 2010**

GENERAL FUND CHECKING ACCOUNT CONTINUED

11081	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
11082	Capital Blue Cross	Employee Health Insurance	\$ 16,067.78
11083	PA Department of Labor & Industry - B	Boiler Inspection	\$ 62.00
11084	First Regional Compost Authority	Membership Fee	\$ 4,664.55
11085	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
PAID ONLINE	Chase Card Services	Equipment Motor FuelConference/Public Worl	\$ 1,441.84
11086	E.J. Brenneman, L.P.	Microsurfacing Road Project	\$ 39,496.83
11087	Associated Fasteners, Inc.	Public Works Equipment Parts/Supplies	\$ 14.00
11088	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,584.00
11089	PA League of Cities & Municipalities	PELRAS Membership Annual Dues	\$ 450.00
11090	PA One Call System, Inc.	Monthly Fax Activity	\$ 58.05
11091	Ikon Office Solutions	Copier Maintenance	\$ 492.77
11092	AT&T	Municipal Office/Public Works Long Distance	\$ 53.95
11093	PPL, Inc.	Electric Service	\$ 1,623.43
11094	U.S. Municipal Supply, Inc.	Public Works Equipment Parts/Supplies	\$ 12.26
11095	Staples Business Advantage	Public Works Office Supplies	\$ 79.61
11096	Sharkan Supply Co.	Public Works Equipment Parts/Supplies	\$ 129.58
11097	John Deere Landscapes / LESCO	Public Works Equipment/Parts/Supplies	\$ 1,101.69
11098	Tractor Supply Credit Plan	Public Works Equipment Parts/Supplies	\$ 214.96
11099	BWP-Carquest Auto Parts	Public Works Equipment/Parts/Supplies	\$ 843.35
11100	Service Tire Truck Centers	Public Works Equipment Parts/Supplies	\$ 296.70
11101	CCC Heavy Duty Truck Parts Company	Public Works Equipment Parts/Supplies	\$ 32.08
11102	Sherwin-Williams	Public Works Equipment Parts/Supplies	\$ 178.85
11103	Home Depot	Public Works Shop Tools/Supplies/Park Maint	\$ 137.82
11104	Highway Materials, Inc.	Pavement Maintenance	\$ 157.62
11105	Pavement Depot of Maryland	Puublic Works Equipment	\$ 2,650.00
11106	Nextel Communications	Public Works / Municipal Office Wireless	\$ 404.85
11107	Associated Fire Equipment Co., Inc.	Park Facilities Maintenance	\$ 113.75
11108	Integra One	Replenish Retainer	\$ 500.00
11109	Master Supply Line	Park/Public Works Supplies	\$ 223.83
11110	Municipal Emergency Services	Fire Company Equipment Parts/Supplies	\$ 452.15
11111	Bath Supply Co., Inc.	Public Works / Park Equipment Parts/Supplies	\$ 228.98
11112	Fehnel Farms Inc.	Public Works Supplies	\$ 20.00

**Lower Nazareth Township
Bills To Be Approved
Septemebr 22, 2010**

GENERAL FUND CHECKING ACCOUNT CONTINUED

11113	Staples Business Advantage	Municipal/EIT/Public Works Supplies	\$ 89.22
11114	Sam's Club	Municipal Building/Public Works Supplies	\$ 164.01
11115	ISOBunkers, LLC	Public Works Equipment Motor Fuel	\$ 614.12
11116	Selective Insurance Company of America	Workers Compensation	\$ 3,128.00
11117	Deer Park	Municipal Bottled Water	\$ 18.78
11118	Edwards Business Systems	Copier Maintenance	\$ 88.00
11119	The Express Times	Legal Advertisement	\$ 263.00
11120	Mr. John	Temporary Restrooms	\$ 463.10
11121	Keystone Volunteer Insurance Group	Fire Company Insurance	\$ 4,626.00
11122	Nextel Communications	Fire Company Wireless	\$ 351.02
11123	Horwith Freightliner	Fire Company Equipment Maintenance	\$ 90.00
11124	IAFC Membership	Membership Renewal	\$ 229.00
11125	Eastern Autoparts Warehouse	Fire Company Vehicle Maintenance	\$ 720.02
11126	Witmer Public Safety Group	Fire Company Equipment Parts/Supplies	\$ 678.00
11127	PPL, Inc.	Fire Company Electricity	\$ 669.58
11128	ExxonMobil	Fire Company Equipment Motor Fuel	\$ 113.50
11129	Technology Reflections, Inc	Fire Company Web Service Renewal	\$ 1,234.40
11130	Alert-All Corp	Fire Company Equipment Parts/Supplies	\$ 1,180.32
11131	Herceg Hauling	Trash Removal	\$ 250.00
11132	ESRI, Inc.	Arcview Maintenance Agreement	\$ 700.00
11133	Brown & Brown of Lehigh Valley	Insurance Renewal	\$ 507.00
11134	Pitney Bowes Purchase Power	Postage	\$ 518.99
11135	PSATS CDL Program	Employee Drug Testing	\$ 30.00
		<i>Total General Fund Checking Account...</i>	<u>\$ 234,851.48</u>

STATE LIQUID FUELS ACCOUNT

524	A-1 Traffic Control Products, LLC	Line Painting	\$ 12,555.26
525	E.J. Breneman	2010 Microsurfacing Project	\$ 95,000.00
		<i>Total State Liquid Fuels Account...</i>	<u>\$ 107,555.26</u>

**Lower Nazareth Township
Bills To Be Approved
Septemebr 22, 2010**

PAYROLL ACCOUNT

August 13, 2010	\$	27,967.16
August 27, 2010	\$	24,774.76
September 10, 2010	\$	26,180.98
September 24, 2010	\$	27,497.31
<i>Total Payroll Account...</i>		\$ 106,420.21

MASTER ESCROW CHECKING ACCOUNT

1734	Met-Ed	Traffic Signal Electricity	\$	121.61
1735	Keystone Consulting Engineers, Inc.	Engineering Services	\$	7,186.96
1736	Atul K. Amin, M.D., P.C.	Escrow Refund	\$	535.28
1737	Met-Ed	Traffic Signal Electricity	\$	119.17
1738	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$	39,033.08
1739	Sterling Oaks, LLP	Escrow Refund	\$	6,225.50
1740	Met-Ed	Traffic Signal Electricity	\$	118.62
1741	Signal Service, Inc.	Traffic Signal Maintenance	\$	512.00
1742	James Meixsell	Escrow Refund	\$	3.08
1743	The Estate of Hedwig B. Barnet	Escrow Refund	\$	125.04
1744	Jaindl Land Company	Escrow Refund	\$	297.77
1745	Dan Violet	Escrow Refund	\$	265.18
1746	Michael Petruska	Escrow Refund	\$	118.81
<i>Total Master Escrow Account...</i>				\$ 54,662.10

DEVELOPMENT & INSPECTION ACCOUNT

1652	CodeMaster Inspection Services, Inc.	Building Inspection Services	\$	7,289.00
1653	CodeMaster Inspection Services, Inc.	Building Inspection Services	\$	18,989.00
<i>Total Development & Inspection Account...</i>				\$ 26,278.00

OPEN SPACE ACCOUNT

593	Keystone Nazareth Bank & Trust	Land Loan Payment	\$	3,696.08
-----	--------------------------------	-------------------	----	----------

Lower Nazareth Township

Bills To Be Approved

Septemebr 22, 2010

CAPITAL RESERVE ACCOUNT

726	Virginia Business Systems	Copier Lease	\$	379.95
727	U.S. Municipal Supply, Inc.	Public Works Equipment Purchase	\$	10,516.00
728	VOID - Pavement Depot of Maryland	Public Works Equipment Purchase	\$	9,950.00
729	LNT General Fund	Public Works Equipment Purchase	\$	9,950.00
730	Virginia Business Systems	Copier Lease	\$	379.95
				<hr/>
				<i>Total Capital Reserve Account...</i>
			\$	<u>21,225.90</u>