

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
September 28, 2011**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday September 28, 2011. The Chairman called the meeting to order at 6:30 PM.

Present were:

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

Absent was:

Ricky T. Johnson - Supervisor

Approval of Minutes

Mr. Kucsan requested a correction be made to his comments under Supervisor's Comments. He provided clarification on the process for raising a supervisor's salary. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to approve the meeting minutes, as amended, for August 10, 2011. Mr. Nagle abstained. The motion carried.

A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to approve the meeting minutes for August 24, 2011. Mr. Pennington abstained. The motion carried.

Reports

All reports are available to review at the Township Office or on our website.

Mr. Nagle acknowledged the receipt of the Financial Statement for July 2011, the Planning and Zoning Administrator's Report for August 2011, and the Hecktown Volunteer Fire Company's Incident Reports for July and August 2011.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

Fast Lane Towing – Zoning Appeal Fee Waiver Request – Attorney Margle briefed the Board on the history of Fast Lane towing, including their Zoning Appeal. Attorney Margle stated that in order to be placed on the October Zoning Hearing Board agenda they had to pay the \$1,000.00 application fee; which is to be refunded if the board votes to waive the fee.

Solicitor Asteak believed that the Board waived the fee at the May 25th meeting.

Mrs. Seese stated that the Zoning Hearing Board (ZHB) believes that the applicant is requesting more than an interpretation; they actually need a variance.

Attorney Margle stated they are simply asking for an interpretation.

Solicitor Asteak replied that if it is an interpretation then it is just a continuation of the original hearing. If, the ZHB decides they need a variance, they can apply and pay the fee.

A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to waive the appeal application fee. The motion carried.

Supervisors' Comments

Mr. Kucsan & Mr. Boucher had no comments.

Mr. Pennington reported that he attended the CRPC meeting on Monday evening and the COG meeting on Tuesday evening. He also reported that the County has a Household Hazardous Waste event on October 8th.

Mr. Nagle reported that he attended the CRPC meeting. They got a second look at the 2012 budget. They also accepted Officer Benner's resignation, hired a new officer, and talked about replacing Rex, the K-9 dog, as he is getting up in years.

Mr. Nagle also stated he had received emails from residents and inquired about the status of the projects on Christian Springs Road.

Mr. Tenges reported that there were several incorrect statements in a recent newspaper article and wanted to set the record straight. He reported that the Township watered the road, which cut down on dust, for a month. At that point, the Township began a major road project on Hanoverville Road and relied on the Authority to do the watering.

Mr. Tenges also discussed issues with the article in regards to grading, road paving, and drainage improvements.

Roy White, Manager of Easton Suburban Water Authority (ESWA), spoke about the work they completed on Christian Springs and James Drive. He stated that it typically is their practice to notify residents when they plan to do a project. However, in this case, they didn't intend to work on James Drive until they got out in the field. Mr. White apologized for any inconvenience.

Mr. Kortze reported on the dumping on and grading of Lot 1. A survey crew was sent out to ensure that it was returned to its original grade. Mr. Tenges noted that he verbally abused the contractor over the dumping on this lot. The lot has always been and will be always be wet. The only way to develop this lot is to submit a wetlands study and grading plan.

Carlton Glantz, 4359 Christian Springs Road, commented on the lack of communication and wants proof of the watering that the Township claimed took place. He stated that he has videos of the poor conditions. Mr. Tenges reported that the Township has a log of the dates watering took place.

Dave Goerlich, 4342 Christian Springs Road, inquired who is responsible for the Christian Springs Road Sewer Extension. Mr. Tenges and Solicitor Asteak answered, Nazareth Borough Municipal Authority. Mr. Goerlich reported poor conditions. Both Mr. Tenges and Solicitor Asteak stated that the Township was aware of the conditions but unfortunately this happens when work is done. Solicitor Asteak stated that projects take time and if you want it done right you just need to be patient.

Robert Rutan, 4288 Christian Springs Road, started off by expressing his displeasure at the Board's lack of response to his son's letter inviting them to his Eagle Scout event.

He complained about the drainage on Christian Springs Road and was upset that his driveway repeatedly floods. Mr. Rutan would like to see a plan to show where the water is going to go when the Township improves the drainage.

Mr. Kortze discussed drainage and the flood plains along Christian Springs Road.

Joseph Calantoni, 4294 Christian Springs Road, was also concerned about flooding on his property.

Mike Cunningham, 4315 Christian Springs Road, says he has a pond in his front yard.

Chris Sandone, 4358 King George Drive, inquired if stormwater from Christian Springs Road could be into the storm drainage system near his driveway. Mr. Kortze stated that would not be possible because the elevation change is too great.

Ted Pastula, 739 James Drive, had concern over the ponding at the bus stop located at Christian Springs Road and James Drive. Mr. Tenges stated that they would look into that situation as well.

Dave Rassmussen, 4348 Christian Springs Road, complained about water flowing into his front yard, ruining his landscaping and muddying his driveway.

Kim Goerlich, 4342 Christian Springs Road, still had questions on grading and didn't understand why there wasn't a better drawing to depict where the water would flow. Mr. Tenges commented that you don't always need a drawing. There are existing drawings and they take shots out in the field.

Manager's Report

2012 Minimum Municipal Obligation (MMO) – A motion was moved by Mr. Pennington and was seconded by Mr. Kucsan to approve the 2012 MMO. The motion carried.

Public Works Equipment Purchase – Snowplow – Mr. Tenges briefed the Board on his intent to purchase a new snow plow for the new piece of equipment that was previously approved for purchase. The plow will be purchased through U.S. Municipal, using COSTARS pricing. A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to approve the purchase of this snow plow. The motion carried.

Time Extension Report – Mr. Tenges presented the time extension report. It included an extension granted to Mocha Abe through October 31, 2012 and to the Fields at Trio Farms through November 30, 2011.

Fall Clean-up Day – Mr. Tenges reported that Clean-Up Day will be Saturday October 15, 2011 from 7:00 AM to 1:00 PM. The rates are the same as last year.

COG Meeting – Mr. Tenges reported that he attended the COG meeting along with Mr. Pennington. At the meeting, Mr. Tenges was appointed to the Gaming Authority. He had been recommended by the COG for this appointment.

Re-lamping of Municipal Building – Mr. Tenges reported that all of the lighting in the Municipal Building was replaced, with more energy efficient lights, at a cost of \$5,351.80. We received a grant/refund from PPL in the amount of \$2,800.00. With an estimated annual savings of \$2,500.00, the balance would be recouped within a year. Moving forward the township will be saving \$2,500 a year!

Nazareth Speedway Property – The easement agreement was originally transmitted to International Speedway Corporation (ISC) on July 20, 2011. A follow-up letter was sent on August 8, 2011. To date, we have not received the agreement or any response from ISC. Therefore, Mr. Tenges requested the Board authorize Solicitor Asteak to begin the process of eminent domain. Also he requested, the board authorize an appraisal be completed on that property. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to authorize Solicitor

Asteak to begin the process. The motion carried. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to have the property appraised. The motion carried.

Christian Springs Road – Mr. Tenges thanked the staff for their support this past month. He also thanked the Board for their support and trust. Mr. Tenges stated that Mr. Kortze is a great resource in decision making.

Mr. Nagle commented that he feels the residents' frustration came from the lack of understanding and lack of communication. He suggested, for the future, forums/meetings for residents. Mr. Tenges stated that he felt his letter to the residents was thorough.

Mr. Pennington added that maybe the Township could provide updates every few months and utilize the website. Mr. Tenges responded that we are already using the website to provide information to our residents.

Claude Beck, 4256 Christian Springs Road, said he overheard that Tom Itterly told residents that he talked to Mr. Tenges about running a line but that Mr. Tenges said it would be too costly. Mr. Tenges reported that was untrue.

Engineer's Report

Eastgate / Seville Homes – Final Inspection / Escrow Release – Mr. Kortze reviewed his letter dated September 28, 2011 and recommended the release of the balance of the monies held in escrow for this project. A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to release the remaining escrow money. The motion carried.

Solicitor's Report

Sheka Masonry Mailbox Agreement – A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to approve this agreement. The motion carried.

Solicitor Asteak reminded the Board that the TCC Ordinance will be on the October 12th agenda.

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. Kucsan and seconded by Mr. Pennington to approve the bills dated September 28, 2011. The motion carried.

Courtesy of the Floor

Stan Brzoska, 4352 Madison Drive, and Warner Jones, 4255 Madison Drive, approached the Board for help with a recurring sinkhole issue within a detention pond that spans their properties.

Mr. Brzoska reported that he is currently fixing a 2nd sinkhole. He feels it should not be his responsibility because this detention pond services the whole neighborhood. This pond covers 3 acres of land and spans 3 properties. Mr. Brzoska also feels that it is not working properly.

Solicitor Asteak attempted to explain the responsibility of the pond.

Mr. Jones stated that they would like the water routed elsewhere.

Mr. Kortze attempted to explain the development and stormwater drainage.
Mr. Brzoska became very upset.

Solicitor Asteak stated that every property in this area is subject to sinkholes; it is just the way it is.

There was a lengthy discussion.

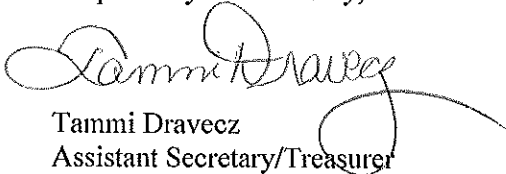
Mr. Kortze reported that the pond was approved in 1985 according to the rules in place at that time. There are new rules in place. The property owner can hire an engineer to investigate and possibly improve the performance of the pond; but it would all be at the owner's expense.

Jerry Green, 3954 Mikol Lane, suggested that Mr. Tenges and Mr. Kortze take down the residents' names and address their issues. Also to use the website to keep residents informed.

Adjournment

A motion was moved by Mr. Pennington and seconded by Mr. Boucher to adjourn the meeting at 8:50PM.

Respectfully submitted by,



Tammi Dravec
Assistant Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
September 28, 2011**

Num	Name	Memo	Amount
<u>GENERAL FUND CHECKING ACCOUNT</u>			
11926	NCATO	County Convention	\$ 55.00
11927	Mr. John	Temporary Restrooms	\$ 456.75
11928	ISOBunkers, LLC	Equipment Motor Fuel	\$ 898.54
11929	PA League of Cities & Municipalities	PELRAS Membership Renewal	\$ 450.00
11930	Flamm Walton PC	Legal Services	\$ 105.00
11931	Edwards Business Systems	Copier Maintenance	\$ 237.72
11932	Selective Insurance Company of America	Liability Insurance	\$ 57.00
11933	Met-Ed	Street Light / Traffic Signal Electricity	\$ 300.41
11934	Verizon	Municipal Office / Public Works Local Telephone	\$ 600.29
11935	Nextel Communications	Municipal Office / Public Works Wireless	\$ 324.27
11936	PPL, Inc.	Municipal/PW/Park/Traffic/St Light/Fire Co El	\$ 2,432.49
11937	AT&T	Municipal Office / Public Works Long Distance	\$ 53.72
11938	Fire Engineering	Subscription Renewal	\$ 21.00
11939	BWP-Carquest Auto Parts	Fire Company Equipment Parts/Supplies	\$ 9.45
11940	Eastern Autoparts Warehouse	Fire Company Equipment Parts/Supplies	\$ 349.19
11941	Keystone Volunteer Insurance Group	Fire Company Insurance	\$ 4,934.00
11942	ExxonMobil	Fire Company Equipment Motor Fuel	\$ 935.55
11943	Micro Fleet Services, Inc.	Fire Police Equipment Parts/Repair	\$ 148.00
11944	Nextel Communications	Fire Company Wireless	\$ 463.90
11945	Technology Reflections, Inc	Fire Company Website Service	\$ 1,234.40
11946	ServiceMaster By RTC	Fire Company Building Maintenance	\$ 1,152.00
11947	PA One Call System, Inc.	Monthly Fax Activity	\$ 42.24
11948	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
PAID ONLINE	Chase Card Services	Equipment Motor Fuel/Repair/Conference	\$ 3,556.81
11949	LNT Petty Cash	Replenish Petty Cash	\$ 59.00
11950	Enter.net	Website/Internet Services	\$ 450.00
11951	ISOBunkers, LLC	Equipment Motor Fuel	\$ 2,019.57
11952	Sam's Club	Public Works Supplies	\$ 35.82
11953	Home Depot	Construction/Rebuilding	\$ 2,952.35

**Lower Nazareth Township
Bills To Be Approved
September 28, 2011**

GENERAL FUND CHECKING ACCOUNT CONTINUED

11954	The Express Times	Zoning Hearing Advertisement	\$ 528.20
11955	Berks Products	Construction/Rebuilding	\$ 8,001.50
11956	Herceg Hauling	Trash Removal	\$ 250.00
11957	Eastern Industries, Inc.	Paving/Patching /Aggregate/Construction	\$ 3,231.06
11958	Sherwin-Williams	Tool/Equipment Repairs	\$ 1,006.20
11959	Traffic Services, Sales & Rentals, Inc.	Construction/Rebuilding Project	\$ 3,280.00
11960	Valley Industrial Rubber Products	Equipment Parts/Supplies	\$ 57.00
11961	J.J. Keller & Associates, Inc.	Public Works Supplies	\$ 110.90
11962	Exeter Supply Co., Inc.	Construction/Rebuilding	\$ 1,030.00
11963	Master Supply Line	Park Supplies	\$ 153.30
11964	France Anderson Basile and Company, P.C	Audit Services	\$ 2,285.00
11965	PA State Association of Boroughs	Webinar	\$ 75.00
11966	J. Smith's Automotive, Inc.	Public Works Equipment Repair	\$ 29.00
11967	All-Phase Electric Supply Co.	Miscellaneous Maintenance	\$ 96.36
11968	Deer Park	Municipal Bottled Water	\$ 19.18
11969	Interstate Battery of Allentown	Equipment Parts/Repairs	\$ 79.95
11970	Verizon	Municipal Office / Public Works Telephone	\$ 603.50
11971	Medical Life Insurance Company	Employee Life Insurance	\$ 1,216.80
11972	Bursich Associates, Inc.	Act 537	\$ 1,457.06
11973	BWP-Carquest Auto Parts	Equipment Parts/Supplies	\$ 107.26
11974	Deer Country Farm & Lawn, Inc.	Equipment Parts/Supplies	\$ 133.77
11975	Service Tire Truck Centers	Tool/Equipment Repairs	\$ 93.64
11976	Met-Ed	Traffic Signal/Street Light Electricity	\$ 223.40
11977	Staples Business Advantage	EIT/Office/Zoning Supplies	\$ 562.97
11978	Edwards Business Systems	Copier Maintenance/Supplies	\$ 514.18
11979	Keystone Consulting Engineers, Inc.	Engineering / Inspection Services	\$ 2,528.50
11980	Brown- Daub Chevrolet-Oldsmobile-Volv	Equipment Parts/Supplies	\$ 32.06
11981	U.S. Municipal Supply, Inc.	Equipment Parts/Supplies	\$ 62.78
11982	Verizon	Fire Company Telephone	\$ 422.98
11983	Easton Suburban Water Authority	Fire Company Water	\$ 121.48

**Lower Nazareth Township
Bills To Be Approved
September 28, 2011**

GENERAL FUND CHECKING ACCOUNT CONTINUED

11984	R.S. Security & Communications	Fire Company Equipment Maintenance	\$ 278.00
11985	Highway Materials, Inc.	Construction/Rebuilding	\$ 4,210.03
11986	The Express-Times	Legal Advertisement	\$ 963.40
<i>Total General Fund Checking Account...</i>			\$ 59,064.19

PAYROLL ACCOUNT

September 9, 2011	\$ 29,189.10	
September 23, 2011	\$ 27,246.62	
<i>Total Payroll Account...</i>		\$ 56,435.72

DEVELOPMENT & INSPECTION ACCOUNT

1686	West Side Hammer Electric	Building Permit Refund	\$ 50.00
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CAPITAL RESERVE ACCOUNT

748	Virginia Business Systems	Copier Lease	\$ 379.95
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REFUSE / RECYCLING ACCOUNT

1109	Mr. John	Temporary Restroom	\$ 152.25
1110	First Regional Compost Authority	4th Quarter Payment	\$ 4,664.55
<i>Total Refuse/Recycling Account...</i>			\$ 4,816.80

**Lower Nazareth Township
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September 28, 2011**

CHRISTIAN SPRINGS ROAD IMPROVEMENT ACCOUNT

501	Exeter Supply Co., Inc.	Pipe/Drainage Materials	\$ 6,348.80
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MASTER ESCROW CHECKING ACCOUNT

1870	Met-Ed	Traffic Signal Electricity	\$ 270.04
1871	Phillips Feed & Pet Supply	Escrow Refund	\$ 2,444.90
1872	Keystone Consulting Engineers	Engineering / Inspection Services	\$ 516.25
1873	Keystone Consulting Engineers, Inc.	Engineering / Inspection Services	\$ 45,051.01
1874	Asteak Law Offices	Legal Services	\$ 1,737.25
1875	Richard Smith	Escrow Refund	\$ 525.04
<i>Total Master Escrow Account...</i>			\$ 50,544.49