

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
January 26, 2011**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday January 26, 2011. The Chairman called the meeting to order at 6:30 PM.

Present were:

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

Absent was:

Ricky T. Johnson, Supervisor  
James S. Pennington, Supervisor

**Approval of Minutes**

Approval of the meeting minutes for January 12, 2011 was tabled due to the lack of a quorum.

**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 Report for December 2010, and the Hecktown Volunteer Ambulance Corps Incident Reports for November 2010 and December 2010.

**Correspondence**

There were no items to discuss under Correspondence.

**Subdivision and Land Development**

Trio Farms – Final Major Subdivision – Resolution #LNT-06-11 – Attorney James Preston; Mark Bahnick, Van Cleef Engineering; and Richard Brooks, Ashley Development were present. Mr. Kortze reviewed his letter dated January 24<sup>th</sup> and recommended final conditional approval.

As for the conditions in Mr.; Kortze's letter, Attorney Preston stated that open space areas A,B, and H will remain open, however Lot 322 may have future development; 54 units, at most. Attorney Preston believes conditions #2, and #3 are problematic because of the gas-line easement

Mr. Tenges stated that the applicant has offered the roads for dedication. In exchange, they are willing to rebuild Christian Spring Road in its entirety; which Mr. Tenges feels is a reasonable trade-off.

There was a lengthy discussion on the easements which a cross private property. There is a distinct possibility for sinkhole issues to which Mr. Tenges wanted to know who would be responsible for the repairs. Mr. Kortze and Solicitor Asteak provided comments, but Solicitor Asteak did not feel it was appropriate to make a formal opinion at this time.

Mr. Tenges also wanted to be sure the property owner is made aware of the use of the easement. Attorney Preston agreed to notify the owner. Mr. Kortze requested proof of that notification. Mr. Kortze also commented that they should have a geotech on site to deal with any issues immediately.

Mr. James Bernsaki inquired if there would be sewer availability to nearby properties. Mr. Bahnick said only for the Township property and the Elementary School. A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to approve Resolution #LNT-06-11. The motion carried.

Trio Farms – Final Major Subdivision Phase I – Resolution #LNT-07-11 – Mr. Kortze reviewed his January 24<sup>th</sup> letter recommending final approval. A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve Resolution #LNT-07-11. The motion carried.

Trio Farms – Chrin Condemnation – Resolution #LNT-08-11 – The Chrin Condemnation is no longer necessary. This resolution authorizes Solicitor Asteak to file the documents to relinquish the condemnation and return the land to Mr. Chrin. A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to approve Resolution #LNT-08-11. The motion carried.

### **Supervisors' Comments**

All Board Members commented on the great job the Public Works crew has been doing with storm clean-up. They commented that they have received good comments from residents.

Mr. Nagle attended the CRPC meeting on Monday evening. Glenn Walbert was appointed Chairman; Robert Fields, Vice-Chairman; and Eric Nagle, Secretary-Treasurer.

### **Manager's Report**

Destruction of Municipal Records – Resolution #LNT-09-11 – Mr. Tenges stated that this resolution would authorize the destruction of Earned Income Tax and Occupational Privilege Tax records for the year 2002. A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve resolution #LNT-09-11. The motion carried.

Open Space Initiative Grant – Mr. Tenges was happy to report that we have been awarded the \$123,974.00 grant.

### **Engineer's Report**

ProLogis Building #1 – Maintenance Period Expiration and Security Release – Mr. Kortze reviewed his letter dated January 24, 2011. Due to the fact that the maintenance period does not end until February 26<sup>th</sup>, the Board tabled this item until their February 23<sup>rd</sup> meeting.

ProLogis Subdivision – Mr. Kortze reported that he still has received no response to his letter regarding the outstanding items prior to the commencing the maintenance period.

### **Solicitor's Report**

Lower Nazareth Elementary School / Kenyon Energy – Nazareth Area School District has decided to discontinue their Zoning Hearing Board Appeal and litigation relative to the solar panels at Lower Nazareth Elementary School. They have decided to move their project to Upper Nazareth Township.

Solar Energy Ordinance – Authorization for Advertisement – Due to the absence of two Board members, the Board tabled this item until the next meeting.

### **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. Boucher and seconded by Mr. Kucsan to approve the bills dated January 26, 2011. The motion carried.

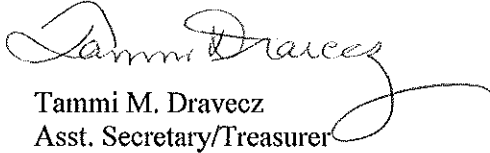
**Courtesy of the Floor**

James Bernaski and John Elston thanked the Board for sticking by the residents during the fight against the school district's plan to install solar panels at Lower Nazareth Elementary School.

**Adjournment**

A motion was moved by Mr. Boucher and seconded by Mr. Kucsan to adjourn the meeting at 7:25PM.

Respectfully submitted by,

  
Tammi M. Dravec  
Asst. Secretary/Treasurer

**Lower Nazareth Township  
Bills To Be Approved  
January 26, 2011**

Num	Name	Memo	Amount
<b><u>GENERAL FUND CHECKING ACCOUNT</u></b>			
11367	Capital Blue Cross	Employee Health Insurance	\$ 15,909.80
11368	Brown & Brown of Lehigh Valley	Public Official Liability Insurance	\$ 6,672.00
11369	Selective Insurance Company of America	Workers Compensation	\$ 3,127.00
11370	Deer Park	Municipal Office Water	\$ 18.86
11371	Herceg Hauling	Trash Removal	\$ 125.00
11372	Staples Business Advantage	Office Supplies	\$ 26.24
11373	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 455.63
11374	Flamm Walton PC	Legal Services	\$ 84.00
11375	ISOBunkers, LLC	Equipment Motor Fuel	\$ 1,289.85
11376	Eastern Industries, Inc.	Winter Maintenance	\$ 1,131.49
11377	International Salt Co., LLC	Winter Maintenance	\$ 7,350.05
11378	Knowles LP Gas	Fire Company Fuel	\$ 416.41
11379	H.T. Lyons Contractors & Engineers	Fire Company Equipment Repair	\$ 900.49
11380	Flurer's Auto Body	Fire Police Vehicle Maintenance	\$ 26.50
11381	Suburban Propane	Public Works/Park Heating Fuel	\$ 1,621.49
11382	Pitney Bowes Purchase Power	Postage	\$ 1,019.99
11383	Edwards Business Systems	Copier Maintenance	\$ 233.45
11384	The Express Times	Advertisements	\$ 138.40
11385	Verizon	Municipal Office/Public Works Telephone	\$ 598.74
11386	Met-Ed	Street Light Electricity	\$ 156.83
11387	Northampton County TCC	2011 TCC Administrative Fee	\$ 712.06
11388	Fogels Fuel Service	Municipal Building Heating Fuel	\$ 896.58
11389	PLCM - Manager Training	PELRAS Conference	\$ 440.00
<b><i>Total General Fund Checking Account...</i></b>			<b><u><u>\$ 43,350.86</u></u></b>

**PAYROLL ACCOUNT**

January 28, 2011

**\$ 26,917.00**

**Lower Nazareth Township  
Bills To Be Approved  
January 26, 2011**

**MASTER ESCROW CHECKING ACCOUNT**

1789	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$	1,389.00
1790	The Keith Corporation	Escrow Refund	\$	72.40
1791	Patrick Russamano	Escrow Refund	\$	473.25
1792	Sandra Mlodossich	Escrow Refund	\$	473.03
		<i>Total Master Escrow Account...</i>	<b>\$</b>	<b><u>2,407.68</u></b>