

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
JUNE 13, 2012**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday June 13, 2012. The Vice-Chairman called the meeting to order at 6:30 PM.

Present were:

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

Absent was:

Eric E. Nagle - Chairman

**Approval of Minutes**

A motion was moved by Mr. Green and was seconded by Mr. Pennington to approve the meeting minutes for May 23, 2012. The motion carried.

**Conditional Use Hearing**

First Industrial Pennsylvania, L.P. – First Park 33 – Solicitor Asteak opened the hearing and gave a brief introduction. He reported that the applicant has requested the hearing be continued until June 27, 2012. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to accept the continuance. The motion carried.

Solicitor Asteak commented that anyone who was present for the hearing has been hereby notified that this hearing will be continued until June 27, 2012. He then asked those present to state their names for the record. Present were Paul Sapienza & Joann Bowen, 584 Country Club Road, and Marwan Bassil, 3883 Hollo Road.

**Reports**

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

Mr. Kucsan acknowledged the receipt of the Hecktown Volunteer Fire Company Incident Report May 2012, the Hecktown Volunteer Ambulance Corps Financial Summary for the 1<sup>st</sup> Quarter of 2012, and the Zoning Administrator's Report for May 2012.

**Correspondence**

There were no items to discuss under Correspondence.

**Subdivision and Land Development**

Colt's Run South Minor Subdivision – Withdraw Plan – The Board was in receipt of a letter, dated May 25<sup>th</sup>, from Mr. DelSerro requesting to withdraw his Colt's Run South Minor Subdivision Plan. A motion was moved by Mr. Boucher and was seconded by Mr. Green to accept Mr. DelSerro's request to withdraw his plan. The motion carried.

Walker Preliminary/Final Subdivision – Request for Waivers – Present were Mr. and Mrs. Walker, their Attorney James Zulick, and Engineer Terry deGroot.

There was some discussion regarding the waiver requested. If, in the future, the Walkers seek to build on these lots, the Board can revisit the necessity of a wetlands investigation.

Sections 401 & 501 – The applicant is requesting a combined preliminary/final subdivision plan submission. Neither Mr. Kortze nor the Planning Commission had issues granting this waiver. A motion was moved by Mr. Pennington & Mr. Boucher to grant this waiver. The motion carried.

Section 425.1a – This section requires the delineation of all wetland area on the subject development. Neither Mr. Kortze nor the Planning Commission had issues granting this waiver. A motion was moved by Mr. Green & Mr. Boucher to grant this waiver. The motion carried.

Section 794 – This section requires the submission of Karst Features study. The applicant is requesting a waiver from this requirement as part of the subdivision approval. Neither Mr. Kortze nor the Planning Commission had issues granting this waiver. A motion was moved by Mr. Pennington & Mr. Boucher to grant this waiver. The motion carried.

Walker Preliminary/Final Subdivision – Resolution #LNT-15-12 – Mr. Kortze reviewed his letter recommending Preliminary/Final approval. A motion was moved by Mr. Green and was seconded by Mr. Pennington to approve Resolution #LNT-15-12. The motion carried.

#### **Supervisors' Comments**

Mr. Green and Mr. Kucsan had no comments.

Mr. Pennington attended the CRPC and the COG meeting.

Mr. Boucher attended the Hecktown Volunteer Fire Company Meeting.

#### **Manager's Report**

Time Extension Report – Mr. Tenges reported on the time extension received from 298 Keystone. The applicant granted the township a time extension through June 30, 2013.

2012 Road Rehabilitation Bid Results – Mr. Tenges reported on the bid results. He commented that one of the requirements of the bid was that all parties are to attend the pre-bid conference. The paving parties for the two lowest bidders did not attend. Mr. Tenges recommended that all bids be tossed out and for the project to be re-bid.

Mr. Tenges stated that he is looking into an alternative. The bid would be for the equipment, which would come with experienced operators. He would have to crunch numbers but this may be a less expensive alternative.

A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to reject all bids. The motion carried.

A motion was moved by Mr. Green and was seconded by Mr. Pennington to have Mr. Tenges rebid the project whichever way he deems appropriate. The motion carried.

Werner Road – Mr. Tenges reported that trucks are turning around on Werner Road. The road, which spans between Upper and Lower Nazareth Townships, is not equip to handles large trucks. We have received complaints and reported property damage.

Mr. Tenges is asking for authorization to send a letter to Upper Nazareth Township, requesting that they share 50% of the cost of an engineering study to limit truck traffic. This would give police the ability to manage this situation.

A motion was moved by Mr. Boucher and was seconded by Mr. Green to authorize Mr. Tenges to send a letter to Upper Nazareth Township. The motion carried.

Earned Income Tax Collection – Mr. Tenges stated that we need to make a decision on whether we wish to continue collecting 2011 earned income taxes (EIT) and prior year delinquents. He feels it would be in our best interest to do so, but the school district must agree in order for us to do so.

A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to establish our position on continuing to collect 2011 EIT and prior year delinquents. The motion carried.

Park Maintenance – Mr. Tenges reported that they have installed a new bench which was purchased by the Lions Club. The Township is looking into replacing park benches with the same style because they are very nice.

In addition, they are working with the Lions Club on purchasing a flag pole for one of our sports fields.

AAA Real Estate Tax Appeal – Solicitor Asteak reported that the reassessment from \$546,000 to \$478,000 has been approved by Nazareth Area School District (NASD) and that we typically accept an assessment change if the school district does.

A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to follow the lead of NASD and accept the new tax assessment. The motion carried.

Health Insurance Refund Check – Mr. Tenges reported that we received a \$19,839.00 refund check for our health insurance.

### Engineer's Report

Everson Tesla – Security Reduction and Commencement of Maintenance Period – Mr. Kortze reviewed his letter recommending a reduction in security and the commencement of the 18-month maintenance period. A motion was moved by Mr. Green and was seconded by Mr. Boucher to reduce security and commence the maintenance period. The motion carried.

National Realty – Panera Bread – Security Reduction and Commencement of Maintenance Period – Mr. Kortze reviewed his letter recommending a reduction in security and the commencement of the 18-month maintenance period. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to reduce security and commence the maintenance period. The motion carried.

Ashley Development – Fields of Trio Farms – Security Reduction – Mr. Kortze reviewed his letter recommending a reduction in security. A motion was moved by Mr. Green and was seconded by Mr. Boucher to reduce security. The motion carried.

Ashley Development – Fields of Trio Farms – Greinar Road – Commencement of Maintenance Period – Mr. Kortze reviewed his letter recommending the commencement of the 18-month maintenance period for Greinar Road. A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to commence the maintenance period. The motion carried.

### **Solicitor's Report**

Neighborhood Improvement Zone (NIZ) – Solicitor Asteak reported that the City of Allentown finally released numbers being withheld from each municipality. Lower Nazareth Township's amount is roughly \$10,000 annually.

Trinity Church Property – Solicitor Asteak reported that he will be meeting with Mr. Kortze and Mr. Tenges briefly after the meeting to review the survey. It is not a simple triangular property.

DeBonis – Solicitor Asteak reported that he filed the declaration of taking and filed the motion to stay the implementation of the court order to remove the pipe.

623 Selvaggio Drive Property – Solicitor Asteak said there was nothing new to 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 moved by Mr. Boucher and was seconded by Mr. Green to approve payment of the bills dated June 13, 2012. The motion carried.

### **Courtesy of the Floor**

Greg Naumovich of Everson Tesla was concerned about the speed that vehicles are moving on Greinar Road since it is now a through road. He is concerned about his employees who cross the street on foot and travel by vehicle on this road. Mr. Naumovich is considering expanding the business to some property across the street and thinks there should be a crosswalk. Mr. Tenges stated that the speed is a police matter but he would be willing to meet with Mr. Naumovich. He also noted that a portion of Greinar Road does not belong to the Township which means speed isn't ordinance and cannot be enforced. Mr. Pennington stated he would speak with CRPD at the next CRPC meeting.

Laurie Ehasz, Hanoverville Road, commented on the tractor trailers crossing the bridge and traveling on Hanoverville Road. She stated that she called the police but was told not to call them for every instance that they are aware of the situation and that it takes the officer time to get there and by the time they do the offending truck is gone.

Ms. Ehasz has kept a log of trucks traveling...her list includes 34 trucks in one month, which is not even all of them. She also has a petition signed by many of her neighbors that all agree that something needs to be done.

Mr. Pennington reported that he spoke with Chief Seiple and was assured that the officers would be more vigilant. He will mention it again and will take the petition to him.

Mr. Green reported that he also spoke with Chief Seiple and was told that they are issuing tickets.

Mr. Tenges stated Judge Barner believes that the sign for the weight restriction needs to be relocated in order to provide more advanced warning. The bridge is a county bridge and the County will not move the sign because it is placed according to the Manual on Uniform Traffic Control Devices (MUTCD).

**Adjournment**

A motion was moved by Mr. Green and was seconded by Mr. Boucher to adjourn the meeting. The meeting adjourned at 7:45pm.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Tammi Dravecz", with a long horizontal flourish extending to the right.

Tammi Dravecz  
Assistant Secretary/Treasurer

**Lower Nazareth Township  
Bills To Be Approved  
June 13, 2012**

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<b><u>GENERAL FUND CHECKING ACCOUNT</u></b>			
12563	Capital Blue Cross	Employee Health Insurance	\$ 2,073.41
12564	Qquest Software Systems	Maintenance Agreement	\$ 379.00
12565	Harris	MSL Code Software Maintenance	\$ 1,773.40
12566	Met-Ed	Traffic Signal Electricity	\$ 265.64
12567	The Express Times	Advertisements	\$ 743.60
12568	AT&T	Municipal/Public Works Long Distance	\$ 53.94
12569	Verizon	Municipal / Public Works Telephone	\$ 608.71
12570	Edwards Business Systems	Copier Maintenance	\$ 374.78
12571	NFPA	Fire Company Subscription Renewal	\$ 300.00
12572	ISOBunkers, LLC	Equipment Motor Fuel	\$ 411.41
12573	Lori Peck, OCR	Stenographer	\$ 130.00
12574	Safeguard Business Systems	Office Supplies	\$ 119.70
12575	Bursich Associates, Inc.	Act 537 Plan Update	\$ 1,639.50
12576	R.S. Security & Communications	Fire Company Service Call	\$ 100.00
12577	Easton Suburban Water Authority	Fire Company Water	\$ 56.16
12578	Verizon	Fire Company Telephone	\$ 218.12
12579	PrintConcepts	Spring Newsletter	\$ 2,000.57
12580	The Home News	Personnel Advertisement	\$ 21.30
12581	The Gehringer Corporation	Fire Company Building Maintenance	\$ 348.88
12582	ExxonMobil	Fire Company Equipment Motor Fuel	\$ 825.59
12583	Keystone Municipal Insurance	Workers Comp Insurance	\$ 7,869.00
12584	Nazareth Key	Advertisement	\$ 140.94
12585	PA One Call System, Inc.	Monthly Fax Activity	\$ 66.00
12586	Fogels Fuel Service	Municipal Heating Fuel	\$ 2,672.62
12587	Schwab's Screenprinting	Summer Park Program	\$ 206.75

**Lower Nazareth Township**  
**Bills To Be Approved**  
June 13, 2012

**GENERAL FUND CHECKING ACCOUNT CONTINUED**

12588	Flamm Walton PC	Personnel Legal Services	\$	69.00
12589	Nextel Communications	Municipal/Public Works Wireless	\$	334.07
12590	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$	1,395.06
12591	PPL, Inc.	Selvaggio Drive Electricity	\$	205.09
12592	Hecktown Volunteer Fire Company	Fire Company Loan	\$	965.26
12593	Volunteer Companies Loan Fund	Fire Company Loan	\$	965.26
12594	Colonial Regional Police Department	Police Contract Payment	\$	86,944.36
12595	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$	17,574.37
12596	Volunteer Companies Loan Fund	Fire Company Loan	\$	1,011.77
12597	Brown-Daub of Lehigh Valley, Inc.	Zoning Appeal Refund	\$	1,000.00
12598	Fox Brothers	Alarm Permit Refund	\$	10.00
12599	Diana Wallbillich	Summer Park Program Supplies	\$	216.55
12600	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$	6,857.63
12601	PPL, Inc.	Fire Company Electricity	\$	416.67
12602	Nextel Communications	Fire Company Wireless	\$	424.74
12603	McGee Uniform	Fire Police Supplies	\$	1,025.00
12604	LMS Designs and Signs	Equipment Parts/Supplies	\$	220.00
12605	Allentown Steel Fab Co., Inc.	Equipment Parts/Supplies	\$	198.00
12606	All-Phase Electric Supply Co.	Capital Construction/Facility Maintenance	\$	463.01
12607	Home Depot	Miscellaneous Maintenance	\$	213.66
12608	Green Pond Nursery, Inc.	Miscellaneous Maintenance	\$	182.00
12609	Staples Business Advantage	Office/Zoning/Tax Office Supplies	\$	154.37
12610	Reliable Sign & Striping, Inc.	Equipment Parts/Supplies	\$	16.82
12611	CCC Heavy Duty Truck Parts Company	Equipment Parts/Supplies	\$	91.00
12612	Kimball Midwest	Public Works Supplies	\$	171.51
12613	Valley Industrial Rubber Products	Equipment Parts/Supplies	\$	41.89

**Lower Nazareth Township  
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June 13, 2012**

**GENERAL FUND CHECKING ACCOUNT CONTINUED**

12614	Tommy's Small Engine Repair	Tool/Equipment Repairs	\$ 126.00
12615	Northampton County Seed Company, Inc.	Park Facilities Maintenance/PW Supplies	\$ 482.00
PAID ONLINE	Chase Card Services	Equipment Motor Fuel/Conference/Crime Wat	\$ 5,494.88
12616	Tractor Supply Credit Plan	Public Works Equipment Parts/Supplies	\$ 438.04
12617	A&A Sales Associates, LLC	Public Works Supplies	\$ 493.75
12618	A.B. Martin Roofing Supply, LLC	Capital Construction	\$ 423.25
12619	CCP Industries, Inc.	Public Works Suuplies	\$ 230.80
12620	Highway Materials, Inc.	Paving/Patching Material	\$ 189.25
12621	BWP - Carquest Auto Parts	Equipment Parts/Supplies	\$ 63.61
12622	Mansfield Oil Company	Equipment Motor Fuel	\$ 705.67
12623	Bonnie Buskirk	Local Services Tax Refund	\$ 30.24
12624	Alexander Cook	Local Services Tax Refund	\$ 12.00
12625	Dolores Hartman	Local Services Tax Refund	\$ 52.00
12626	Daniel Honohan	Local Services Tax Refund	\$ 36.00
12627	Nicole Kocher	Local Services Tax Refund	\$ 21.00
12628	Megan Kraft	Local Services Tax Refund	\$ 86.00
12629	Sarah Sullivan	Local Services Tax Refund	\$ 12.00
<i><b>Total General Fund Checking Account...</b></i>			<b><u><u>\$ 153,462.60</u></u></b>

**RECYCLING/REFUSE ACCOUNT**

1141	East Penn Sanitation, Inc.	Clean-Up Day Disposal	\$ 3,463.25
1142	First Regional Compost Authority	FRCA Membership	\$ 5,176.05
1143	Service Tire Truck Centers	Equipment Parts/Supplies	\$ 1,142.75
<i><b>Total Recycling/Refuse Account...</b></i>			<b><u><u>\$ 9,782.05</u></u></b>



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**DEVELOPMENT & INSPECTION ACCOUNT**

1706	Barry Isett & Associates, Inc.	Building Inspection Services	\$ 3,222.00
1707	CodeMaster Inspection Services, Inc.	Building Inspection Services	\$ 15,838.00
<i>Total Dev. &amp; Inspection Account...</i>			<u><u>\$ 19,060.00</u></u>

**MASTER ESCROW CHECKING ACCOUNT (KNBT)**

1943	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 13,227.50
1944	Asteak Law Offices	Legal Services	\$ 306.25
<i>Total Master Escrow Checking Account...</i>			<u><u>\$ 13,533.75</u></u>

**MASTER ESCROW CHECKING ACCOUNT (LAB)**

1034	Lower Nazareth Recreation Association	Lighting Key Refund	\$ 25.00
1035	Met-Ed	Traffic Signal Electricity	\$ 190.12
1036	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 7,911.01
1037	Kay Builders, Inc.	Grading Escrow Refund	\$ 4,000.00
1038	Asteak Law Offices	Legal Services	\$ 1,225.00
1039	Fellheimer & Eichen LLP	Legal Services	\$ 6,297.64
<i>Total Master Escrow Checking Account...</i>			<u><u>\$ 19,648.77</u></u>

**CAPITAL RESERVE ACCOUNT**

760	Levan Machine & Tool Equipment	Equipment Purchase	<u><u>\$ 1,517.90</u></u>
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**PAYROLL ACCOUNT**

	June 1, 2012	\$ 32,711.81
	June 15, 2012	\$ 28,699.41
<i>Total Payroll Account...</i>		<u><u>\$ 61,411.22</u></u>

Lower Nazareth Township  
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OPEN SPACE ACCOUNT

626	Lower Nazareth Township General Fund	Refund GF - Equipment Parts/Supplies	\$	556.50
627	A.B. Martin Roofing Supply, LLC	Capital Purchases	\$	298.90
		<i>Total Open Space Account...</i>	\$	<u>855.40</u>