

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
MAY 8, 2013**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday May 8, 2013. The Vice-Chairman called the meeting to order at 6:35 PM.

Present were:

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

Absent was:

Eric E. Nagle, Chairman
Martin J. Boucher, Supervisor

Approval of Minutes

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to approve the meeting minutes for April 10, 2013. The motion carried.

Reports (*Reports are available to review at the Township Office and on our website.*)

Mr. Pennington acknowledged the receipt of the Financial Report for March 2013 and the Planning & Zoning Administrator's Report for February/March/April 2013.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

SALDO Waiver Request – Charles Hammel, 4536 Meadow Drive – Mr. Hammel would like to install a fence on his property that would fall within an easement. Instead of the required 15 feet he requested to build his fence 7.5 feet within the easement.

The Board was agreeable to the waiver so long as Mr. Hammel agrees to remove the fence, at his expense, if access to the easement is needed. They also wanted to ensure that future owners of the property are required to do the same. In order to do this, Mr. Hammel would have to enter into an agreement with the Township, which would be recorded so all future property owners would be aware of the conditions. Mr. Hammel would establish an escrow account, with the Township, in order to pay for Solicitor Asteak's time to develop and record this agreement. Mr. Hammel had no issue with these conditions. A motion was moved by Mr. Green and was seconded by Mr. Kucsan to grant the waiver so long as Mr. Hammel agrees to the terms discussed. The motion carried.

Supervisors' Comments

Mr. Kucsan and Mr. Green had no comments.

Mr. Pennington attended the PSATS Conference in Hershey and found it very informative.

Manager's Report

Time Extension Report – Mr. Tenges reported that the Township accepted two time extensions; Estates at Deer Crossing through November 30, 2013 and Brown Daub Fiat Conditional Use through July 27, 2013 .

Clean-Up Day – Mr. Tenges reminded everyone that Clean-Up Day is this Saturday, May 11th. This is one week earlier than previous years. The date was changed so it did not conflict with Yard Waste collection which is the third Saturday of the month.

Speedway Property Acquisition – Mr. Tenges reported that we recently closed on the portion of the Speedway property required to complete the drainage improvements on Christian Springs Road. The Township hopes to begin the final phase of this project in about two weeks.

Engineer's Report

Trio Farms – Fields at Trio Phase I – Security Reduction – Mr. Kortze reviewed his letter recommending a \$28,193.55 reduction in security. A motion was moved by Mr. Kucsan and was seconded by Mr. Green to grant the reduction. The motion carried.

Trio Farms – Fields at Trio Phase II – Security Reduction – Mr. Kortze reviewed his letter recommending a \$27,849.80 reduction in security. A motion was moved by Mr. Green and was seconded by Mr. Kucsan to grant the reduction. 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 moved by Mr. Kucsan and was seconded by Mr. Green to approve payment of the bills dated May 8, 2013. The motion carried.

Courtesy of the Floor

Michael Vonelli, 4498 Stephanie Drive, voiced concerns over the conditions at the new group home at 4504 Stephanie Drive.

Michael Cahoon, 4505 Stephanie Drive, also voiced concern.

Jeffrey Hofschild, 293 Sarah Beth Lane, asked how it happened without any concern for the residents.

Mr. Pennington asked Solicitor Asteak to explain the situation. Solicitor Asteak stated that the Lower Nazareth Township Zoning Ordinance defines family as "...up to 5 persons living in a dwelling (including any staff present during any one shift) in a 'group home' but shall not include a 'criminal treatment center'." The residents at 4504 Stephanie Drive are autistic and are not criminals or "returning citizens".

Solicitor Asteak also noted that the Federal Fair Housing Act prohibits discrimination on the basis of a handicap. The Act affords no protections to individuals with or without disabilities who present a direct threat to the persons

or property of others; however it prohibits local zoning and land use laws to treat those with disabilities any differently than any other group of unrelated persons without disabilities. Therefore, Lower Nazareth Township does not have the authority to prohibit this group home.

Mr. Vonelli asked what could be done about the lost property value. Solicitor Asteak commented that this is no different than if his neighbor had painted his house pink. If the residents or the employees are creating a nuisance then residents are urged to call the police just as they would for any disruptive neighbor. Solicitor Asteak reported that he would be reaching out to the Police Chief for reports.

Mr. Tenges stated that the Township has copies of reports and they were all patient care issues. The handcuffs on the individual were for his safety.

The discussion continued and included discussion of the caretakers' poor behavior which includes speeding, foul language, drinking, smoking, and loud music. Residents also complained about the number of cars parked in the driveway and along the road.

Mr. Vonelli stated that his family does not feel safe and feel like prisoners in their own home. He stated that the Township's website states that the Township "has the ultimate responsibility for public safety..." therefore the Township must do something about this situation.

Christopher Vent, 4506 Kimberly Court, stated that his daughter is afraid to walk the family dog near the house and now walks in the other direction. He also believes they are running a business out of that house and questioned whether the employees, who look like hoodlums rather professionals, are even certified.

William Keany, 4499 Kimberly Court, also questioned who the caretakers were and why two of them couldn't control one gentleman.

Deanna Roberts, Program Director at Resource for Human Development, stated that this is a licensed program with highly trained employees who are subject to background checks. Some of the police activity involved one of the individuals living in the home who did not handle the move as well as they had hoped.

Ms. Roberts was appalled by the reports of the caretakers and stated that this behavior by the employees is unacceptable. She stated that the residents have legitimate concerns and that they are working on addressing those concerns. Ms. Roberts gave each resident present a business card and asked that they contact her directly with any issues they are having with the group home or the employees working at the home.

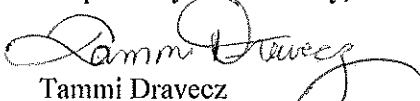
Mr. Pennington stated that Solicitor Asteak would follow up with Colonial Regional Police Department. The Township needs to gather information to see what we can do with the constraints we have. He reminded residents to contact the police if needed.

The Board of Supervisors will follow up on this at their June 12th meeting.

Adjournment

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to adjourn the meeting. The meeting adjourned at 7:36pm.

Respectfully submitted by,



Tammi Dravec
Assistant Secretary/Treasurer

Board of Supervisors Minutes
May 8, 2013

**Lower Nazareth Township
Bills To Be Approved
May 8, 2013**

Num	Name	Memo	Amount
<u>GENERAL FUND CHECKING ACCOUNT</u>			
13398	Capital Reserve Fund	Reallocation of Funds	\$ 300,000.00
13399	Capital Reserve Sewer Signals	Reallocation of Funds	\$ 50,000.00
to print	Highway Reconstruction/Rehabilitation	Reallocation of Funds	\$ 300,000.00
to print	Capital Reserve - Equipment Replacement	Reallocation of Funds	\$ 100,000.00
13400	Lucas Ackerman	Zoning Permit Refund	\$ 50.00
13401	Verizon	Municipal / Public Works Telephone	\$ 564.54
13402	Katherine Fox-Haney	Local Services Tax Refund	\$ 156.00
13403	Bonnie Buskirk	Local Services Tax Refund	\$ 51.84
13404	Megan Kraft	Local Services Tax Refund	\$ 48.00
13405	Alexander Walsh	Local Services Tax Refund	\$ 28.00
13406	Deborah L Statler	Local Services Tax Refund	\$ 52.00
13407	Lori Seese	PSATS Conference	\$ 121.51
13408	The Express Times	Advertisement	\$ 156.10
13409	The Express Times	Advertisements	\$ 864.20
13410	George J. Kratzer, Inc.	Park Septic Tank	\$ 600.00
13411	The Home News	Advertisements	\$ 69.54
13412	Verizon Wireless	Fire Company Wireless	\$ 748.06
13413	Verizon Wireless	Municipal/Public Works Wireless	\$ 368.46
13414	State Worker's Insurance Fund	Workers Compensation	\$ 1,272.00
13415	Toshiba Business Solutions	Copier Maintenance	\$ 23.48
13416	Deer Park	Municipal Bottled Water	\$ 19.42
13417	PAPCO	Equipment Motor Fuel	\$ 1,863.31
13418	Staples Credit Plan	Fire Co Collection Supplies	\$ 10.97
13419	Mr. John	Temporary Restrooms	\$ 292.85

**Lower Nazareth Township
Bills To Be Approved
May 8, 2013**

GENERAL FUND CHECKING ACCOUNT CONT.

13420	Edwards Business Systems	Copier/Equipment Maintenance	\$ 417.76
13421	BWP-Carquest Auto Parts	Equipment Parts/Supplies	\$ 76.63
13422	Deer Country Farm & Lawn, Inc.	Public Works Equipment	\$ 450.00
13423	Service Tire Truck Centers	Tool/Equipment Repairs	\$ 322.86
13424	Harold's R.V. Center	Public Works Equipment Parts/Supplies	\$ 167.79
13425	Safeguard Business Systems	Office Supplies/ Newsletter	\$ 2,908.76
13426	Fogels Fuel Service	Municipal Heating Fuel Maintenance	\$ 299.95
13427	PA Unemployment Compensation Fund	Unemployment Compensation	\$ 22.95
13428	Convergent Communications	Telephone Maintenance	\$ 1,976.00
13429	Brown & Brown of Lehigh Valley	Summer Park Program Insurance	\$ 500.00
13430	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
13431	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
13432	Colonial Regional Police Department	Police Contract Payment	\$ 89,830.78
13433	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 17,823.86
13434	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
13435	Met-Ed	Traffic Signal Electricity	\$ 286.17
13436	Bruce's Mower Service	Fire Company Equipment Maintenance	\$ 110.39
13437	Verizon	Fire Company Telephone	\$ 224.50
13438	Easton Suburban Water Authority	Fire Company Water	\$ 57.16
13439	Kansas State Bank	Fire Company Loan Payment	\$ 66,807.08
13440	Mansfield Oil Company	Equipment Motor Fuel	\$ 185.83
13441	The Home News	Advertisements	\$ 229.00
13442	Stewart-Amos Equipment Co.	Street Sweeping	\$ 8,950.00
13443	Reliable Sign & Striping, Inc.	Traffic Signs	\$ 1,554.60
13444	Highway Materials, Inc.	Pavement Maintenance Supplies	\$ 1,800.00
13445	Bath Supply Co., Inc.	Municipal Building Maintenance	\$ 275.65

**Lower Nazareth Township
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GENERAL FUND CHECKING ACCOUNT CONT.

13446	Tommy's Small Engine Repair	Public Works Equipment/Supplies	\$ 177.85
13447	U.S. Municipal Supply, Inc.	Equipment Parts/Supplies	\$ 770.43
13448	Service Tire Truck Centers	Tool/Equipment Repairs	\$ 39.94
13449	Suburban Propane	Public Works Heating Fuel	\$ 1,175.64
13450	Keystone Consulting Engineers, Inc.	Engineering & Inspeicton Services	\$ 1,336.00
13451	Chase Card Services	Conference, Website, Capital Construction, Mt	\$ 8,238.14
13452	All-Phase Electric Supply Co	Park Facilities Maintenance	\$ 97.30
13453	Krause Enterprises	Pipe & Drainage Supplied	\$ 197.00
13454	PA One Call System, Inc.	Monthly Fax Activity	\$ 49.40
13455	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,508.96
13456	PPL, Inc.	Municipal Drive Electricity	\$ 568.74
13457	Liberty Propane Inc.	Municipal Building Propane	\$ 262.45
13458	Berks Products	Aggregate Supplies	\$ 521.00
13459	Lori Peck, OCR	Stenographer	\$ 135.00
13460	Nazareth Key	Advertisements	\$ 1,146.96
13461	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 65.95
13462	Staples Credit Plan	Data Processing Equipment	\$ 151.48
13463	BWP-Carquest Auto Parts	Public Works Equipment Parts/Supplies	\$ 85.87
13464	ExxonMobil	Fire Company Fuel	\$ 556.89
13465	PPL, Inc.	Fire Company Electricity	\$ 684.01
		<i>Total General Fund Checking Account...</i>	<u><u>\$ 973,349.30</u></u>

STATE LIQUID FUELS ACCOUNT

530	A-1 Traffic Control Products	Line Striping	<u><u>\$ 15,800.81</u></u>
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**Lower Nazareth Township
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PAYROLL ACCOUNT

April 19, 2013		\$ 29,306.15
May 3, 2013		\$ 29,384.61
	<i>Total Payroll Account...</i>	<u>\$ 58,690.76</u>

CAPITAL RESERVE - CAPITAL PURCHASES ACCOUNT

776	Midtown Abstract, Inc.	Capital Purchases - Land	\$ 9,783.69
777	Artefact, Inc.	Municipal Building Maintenance	\$ 2,975.00
778	Michael Richline, Gen Contractor	Municipal Building Maintenance	\$ 7,400.00
779	Chase Card Services	Capital Construction	\$ 94.48
780	Hendershot Door Systems Inc	Capital Construction	\$ 1,078.00
781	Rumsey Electric	Capital Construction	\$ 9,823.72
		<i>Total Capital Reserve Account...</i>	<u>\$ 31,154.89</u>

OPEN SPACE ACCOUNT

633	Exeter Supply Co., Inc.	Capital Construction	\$ 331.55
634	Monarch Precast Concrete Corporation	Capital Construction	\$ 275.00
		<i>Total Open Space Account...</i>	<u>\$ 606.55</u>

RECYCLING/REFUSE ACCOUNT

1173	Mr. John	Temporary Restroom	\$ 151.90
1174	Exeter Supply Co., Inc.	Capital Construction	\$ 994.67
1175	Monarch Precast Concrete Corporation	Capital Construction	\$ 825.00
		<i>Total Refuse/Recycling Account...</i>	<u>\$ 1,146.57</u>

**Lower Nazareth Township
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DEVELOPMENT & INSPECTION ACCOUNT

1733	James Necker Architect	Building Permit Refund	<u>\$ 210.00</u>
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MASTER ESCROW CHECKING (KNBT)

1969	Lower Nazareth Township	Escrow Transfer to LAB	\$ 5,415.73
1970	Northampton Hospital Corporation	Escrow Refund	\$ 2,521.66
<i>Total Master Escrow Checking Account...</i>			<u>\$ 7,937.39</u>

MASTER ESCROW CHECKING (LAB)

1146	Keith & Roberta Herman	Partial Security Release	\$ 1,963.00
1147	Asteak Law Offices	Legal Services	\$ 175.00
1148	Keystone Consulting Engineers	Engineering & Inspection Services	\$ 4,071.89
1149	Signal Service Inc.	Traffic Signal Maintenance	\$ 132.18
1150	Keystone Consulting Engineers	Engineering & Inspection Services	\$ 11,973.15
1151	Met-Ed	Traffic Signal Electricity	\$ 86.52
1152	Pam Burzynski	Escrow Refund	\$ 2.61
1153	MaryEllen Jenzer	Escrow Refund	\$ 438.55
<i>Total Master Escrow Checking Account...</i>			<u>\$ 18,842.90</u>