

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
AUGUST 21, 2013**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday August 21, 2013. The Vice Chairman called the meeting to order at 6:30 PM.

Present were:

James S. Pennington	- Vice Chairman	Albert Kortze	- Engineer
Robert S. Kucsan	- Supervisor	Steven Mills (for Gary Asteak)	- Solicitor
Gerald R. Green	- Supervisor	Timm A. Tenges	- Manager, Secretary/Treasurer
Martin J. Boucher	- Supervisor	Lori B. Seese	- Zoning Administrator
		Eric A. Albert	- Office Coordinator

Absent was:

Eric E. Nagle - Chairman

Approval of Minutes

A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve the meeting minutes for July 10, 2013. Mr. Pennington abstained. 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 Statement for June & July 2013, also the Hecktown Volunteer Fire Company Incident Report for July 2013 and the Planning and Zoning Administrator's Report for July 2013.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

Subdivision of First Park 33 Preliminary/Final Subdivision – Waiver Requests

Mr. Kortze reviewed his August 5, 2013 letter addressing the waivers requests. Mr. Kortze stated that the developer would like Section 421, the minimum plan scale of 1" = 50' and allow a scale of 1" = 60' for the Subdivision Plan. The smaller scale allows the entire subdivision parcel to be shown on a single plan sheet. They also asked that the section 774.32.e, the section of SALDO which requires that all detention basins have a minimum bottom slope of 1.0. The Applicant is requesting that the Township grant this waiver to allow flat bottom ponds for storm water infiltration purposes. The Applicant has also asked for a waiver on Section 782.21 and 782.22 – Utility Easements. These sections require easements outside of the right-of-way of roads and along the side and rear property lines. Applicant state that all utilities required for future development of the three subdivided parcels is shown on the plans and that utility easements, along with tree protection, buffer yard and drainage easements are shown on the plans where required.. The applicant requests waiver from the above referenced sections to define additional utility easements areas. The final request was for Section 749.2 – Sidewalks. Applicant requests a deferral from requirements to provide sidewalk along Rt. 248 frontage of proposed lot 1 and 3, and along the north side of Eastgate Boulevard along the frontage of Lot 3. They felt that if the Township gives consideration to granting a deferral for some portion of sidewalk that would not directly serve

the planned development on Lot 2, Mr. Kortze stated that any deferral should contain conditions/guarantees that sidewalk will be completed within a specified period of time. Mr. Kortze stated he was fine with all three of the waivers and the one deferral. A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve Waiver Requests as well as the one deferral. The motion passed.

Subdivision of First Park 33 Preliminary/Final Subdivision- Resolution # LNT-16-13 – The developer has proposed a plan for a three lot subdivision of a 58.89 acre tract on the west side of Route 248 in the vicinity of Route 33.

Attorney Eric Schock was in attendance, whose firm's client; Mandy Partners owns land adjacent to this property and asked if the Supervisors would consider requiring an easement for access to an adjoining tract with terms to be negotiated at a later time.

Attorney Elizabeth Witmer representing First Industrial stated that the developer has a problem with this request for an easement due to the fact that the adjacent property is not land locked and has yet to be developed.

Mr. Tenges spoke on the matter and said that he had been in discussion with both parties for the entire period. Mr. Tenges felt that the township is neutral in their position and that this is an issue that the two parties should settle between themselves. This opinion was reflected by the board and did not feel they needed to grant an easement at this time and that it is a matter that should be resolved between the two parties directly.

Mr. Kortze reviewed his August 5th letter recommending Conditional Preliminary/Final Approval. A motion was moved by Mr. Kucsan and seconded by Mr. Green to grant Conditional Preliminary/Final Approval. The motion carried.

Lot 2 in First Park 33 Preliminary/Final Land Development- waiver Requests – Mr. Kortze discussed his August 5th letter discussing the requested waivers, specifically reiterating the points discussed earlier where the developer asked for a waiver relating to the minimum plan scale as well as a waiver to allow for the use of a flat bottom pond for the use of storm water infiltration. Mr. Kortze recommended approving the sought after waivers.

A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve the waivers request. The motion carried.

Lot 2 in First Park 33 Preliminary/Final Land Development – Resolution #LNT-17-13 – The intent of this plan is construction of two distribution warehouse with a cumulative area of 584,750 s.f. on Lot 2 of the First Park 33 three-lot subdivision. Mr. Kortze read from his letter dated August 5th and voiced his concern for class 5 injection wells that are purposed for the movement of storm water, due to the fact they are relatively new and require maintenance for their mechanical parts. Mr. Green as well as Mr. Boucher voiced their concerns with this means of disposal of storm water into wells. The developer stated that these wells will be installed with an E.P.A. permit which will require continued maintenance of the system. Mr. Kortze also interjected that these class 5 injection wells are recognized by D.E.P. and the E.P.A. and are classified as a viable option. After further discussion a motion was made for Resolution #LNT-17-13 by Mr. Kucsan and seconded by Mr. Boucher. Mr. Green voted no the motion carried 3 – 1.

Keystone Real Estate Management –(Milham) – Preliminary Subdivision – The applicant is proposing to acquire an 18+/- acre parcel from the adjoining property owner to the east. The lot will be combined with the existing dealership property to create a 35.25 acre parcel, shown as lot 1. Lot #2 of this subdivision will be retained by the current owner of record.

Mr. Kortze reviewed his August 16th letter recommending Preliminary approval. A motion was moved by Mr. Green and was seconded by Mr. Boucher for preliminary approval. The motion carried.

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Keystone Real Estate Management – (Milham) – Preliminary Land Development The submitted material depicts the expansion of an existing automobile dealership located on the north side of Hecktown Road and east of PA Route 33. The Applicant intends to construct a new dealership, a body shop and a car wash to the north and east of the existing building. Mr. Kortze reviewed his August 16th, letter and stated that he recommends approval of the Preliminary Land Development. A motion was moved by Mr. Green and seconded by Mr. Boucher for Preliminary Land Development. The motion carried.

Saratoga Farms – Zoning Map Amendment – This amendment will change the zoning in this proposed subdivision from Agricultural to Low Density Residential. The main reason for this change is so that the lots can be built on 1 acre lots instead of 1.5 acre lots that are required within an agricultural zone. A motion for the zoning map amendment was made by Mr. Green and seconded by Mr. Boucher. The motion carried.

Supervisors' Comments

Mr. Kucsan, Mr. Green, and Mr. Boucher had no comments.

Mr. Pennington stated he attended the Police Commission Meeting.

Manager's Report

Time Extension Report – Mr. Tenges reported that the Township accepted two time extensions; the first is for Brown Daub Fiat and will extend until 10/27/2013. The second extension is for IDI's conditional use and is indefinite.

Mr. Tenges also state that work was being done to re-tool the web site over the next few months.

Mr. Tenges also reported that he was recently elected the President of the Pennsylvania Association of Municipal Administrators.

Engineer's Report

Fields at Trio Farms Phase I – Letter of Credit Reduction – Mr. Kortze reviewed his August 16th letter and recommended that the Letter of Credit be reduced from \$274,024.63 to \$268,055.20. A motion was made by Mr. Boucher to authorize the reduction and was seconded by Mr. Kucsan. The motion carried.

Fields at Trio Farms Phase II – Letter of Credit Reduction – Mr. Kortze reviewed his August 16th letter and recommended that the Letter of Credit be reduced from \$346,492.30 to \$146,732.30. A motion was made by Mr. Green to authorize the reduction and was seconded by Mr. Kucsan. The motion carried.

Solicitor's Report

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

Old Business

4504 Stephanie Drive – Mr. Pennington stated that attorney Asteak has been researching how other municipalities handle group homes and will be meeting with the Supervisors in the near future to discuss his findings.

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. Kucsan to approve payment of the bills dated

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August 21, 2013. The motion carried.

Courtesy of the Floor

Doris Burritt, 3323 Newburg Rd., wanted to speak about the blinking light on Georgetown Rd, and asked the Supervisors if anything can be done to try and make that intersection safer. She stated that she has seen many accidents, as well as many near misses and wondered if it would be possible to place a sign for the upcoming blinking light could be installed.

Doug Walker, 659 Georgetown Rd., also wanted to reiterate the danger at this intersection. Mr. Walker stated he didn't know what could be done for this intersection but pleaded with the supervisors to do whatever they could to make this intersection safer for this community.

Mr. Tenges, said that the township can look at the traffic signal warrants. Mr. Tenges said the township can start here because an intersection must meet certain criteria for a traffic signal.

Mr. Pennington, said that the township would start with this and report back next month on its findings.

Michael Vonelli, 4498 Stephanie Drive, reiterated his concerns regarding the activities at 4504 Stephanie Drive, and wanted to show his displeasure that more has not been done yet.

Adjournment

A motion was moved by Mr. Boucher and was seconded by Mr. Green to adjourn the meeting. The meeting adjourned at 8:22pm.

Respectfully submitted by,

Eric Albert

Eric Albert
Municipal Office Operations Coordinator

**Lower Nazareth Township
Bills To Be Approved
August 21, 2013**

Name	Memo	Amount
<u>GENERAL FUND CHECKING ACCOUNT</u>		
PAMA	Conference	\$ 210.00
United States Treasury	Employee Health Insurance	\$ 38.00
Home Depot	Park Facilities Maintenance / Shop Tools/Equip	\$ 192.20
<i>VOIDED</i>	<i>VOIDED</i>	
Tractor Supply Credit Plan	Shop Tools/Equipment/Public Works Supplies	\$ 155.92
G C Electric Co., Inc.	Park Lighting	\$ 1,221.28
Deer Park	Municipal Bottled Water	\$ 19.34
Diana Wallbillich	Summer Park Program	\$ 190.58
Edwards Business Systems	Copier Maintenance	\$ 88.00
Mansfield Oil Company	Equipment Motor Fuel	\$ 146.15
PAPCO	Equipment Motor Fuel	\$ 746.18
PPL, Inc.	Municipal Drive Electricity	\$ 501.57
PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,530.57
Liberty Propane Inc.	Municipal Building Propane	\$ 37.08
Verizon Wireless	Municipal/Public Works Wireless	\$ 368.35
AT&T	Municipal/Public Works Long Distance	\$ 52.58
Staples Credit Plan	Fire Co Collection Supplies	\$ 34.58
Verizon Wireless	Fire Company Wireless	\$ 432.07
Service Electric Telephone Co.	Fire Company Telephone	\$ 92.56
PPL, Inc.	Fire Company Electricity	\$ 480.26
Chase Card Services	Conference/Office & Building Supplies	\$ 810.61
<i>VOIDED</i>	<i>VOIDED</i>	
Highway Materials, Inc.	Paving/Patching Material/Park Facilities Maint	\$ 112.41

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GENERAL FUND CHECKING ACCOUNT CONTINUED

Staples Business Advantage	Office /Tax Office/Zoning Supplies	\$ 335.57
Berks Products	Aggregate Supplies	\$ 679.50
S&D Bodyline	Traffic Signs	\$ 1,520.52
U.S. Municipal Supply, Inc.	Traffic Signs	\$ 639.19
Northampton County Seed Company, Inc.	Public Works Supplies	\$ 186.00
Tommy's Small Engine Repair	Tool/Equipment Repairs	\$ 168.00
BWP-Carquest Auto Parts	Equipment Parts/Supplies	\$ 28.99
Sam's Club	Municipal Building/ Public Works Supplies	\$ 452.89
PAMA	Conference	\$ 210.00
State Worker's Insurance Fund	Workers Compensation	\$ 1,479.00
Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 3,332.00
Security Service Company, Inc.	Security System Monitoring	\$ 254.99
The Express Times	Advertisements	\$ 426.05
Edwards Business Systems	Copier Maintenance & Supplies	\$ 376.58
Verizon	Municipal / Public Works Telephone	\$ 586.10
Mr. John	Temporary Restrooms	\$ 367.85
Karen Border	Local Service Tax Refund	\$ 46.00
Mansfield Oil Company	Equipment Motor Fuel	\$ 577.03
Kistler O'Brien	Fire Company Equipment Maintenance	\$ 393.38
Service Electric Telephone Co.	Fire Company Telephone	\$ 71.83
Toshiba Business Solutions	Copier Maintenance	\$ 13.10
Commonwealth of Pennsylvania	Pesticide License Renewal	\$ 10.00
Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26

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GENERAL FUND CHECKING ACCOUNT CONTINUED

Colonial Regional Police Department	August - contract payment	\$ 89,830.78
PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 18,518.08
Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
Home Depot	Fire Company Supplies	\$ 184.06
Easton Suburban Water Authority	Fire Company Water	\$ 66.46
Kistler O'Brien	Fire Company Equipment Maintenance	\$ 240.00
ExxonMobil	Fire Company Fuel	\$ 503.85
PPL, Inc.	Fire Company Electricity	\$ 660.42
PPL, Inc.	Municipal Drive Electricity	\$ 614.34
PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,279.53
Met-Ed	Traffic Signal Electricity	\$ 247.18
The Morning Call	Subscription Renewal	\$ 55.92
Eastern Industries, Inc.	Aggregate Supplies	\$ 2,517.90
Mansfield Oil Company	Equipment Motor Fuel	\$ 694.13
Lori Peck, OCR	Stenographer	\$ 195.00
Diana Wallbillich	Summer Park Program	\$ 83.16
PA Unemployment Compensation Fund	Unemployment Compensation	\$ 143.74
Asteak Law Offices	Legal Services	\$ 3,028.50
East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 229.84
Service Tire Truck Centers	Tool/Equipment Repairs	\$ 212.84
Leiser's, Inc.	Public Works Equipment Rental	\$ 242.00
PA One Call System, Inc.	Monthly Fax Activity	\$ 48.10
U.S. Municipal Supply, Inc.	Equipment Parts/Supplies	\$ 840.77

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GENERAL FUND CHECKING ACCOUNT CONTINUED

BWP-Carquest Auto Parts	Equipment Parts/Supplies	\$ 180.53
Home Depot	Public Works Supplies	\$ 23.34
Tractor Supply Credit Plan	Public Works Supplies	\$ 233.92
Chase Card Services	Postage/Office Supplies	\$ 183.03
Edwards Business Systems	Copier Maintenance	\$ 88.00
PAPCO	Equipment Motor Fuel	\$ 1,946.18
Eastern Industries, Inc.	Aggregate Supplies	\$ 1,523.51
Sam's Club	Municipal Building/Public Works Supplies	\$ 140.90
The Express Times	Advertisements	\$ 76.75
AT&T	Municipal/Public Works Long Distance	\$ 55.80
Verizon Wireless	Municipal/Public Works Wireless	\$ 368.84
Mr. John	Temporary Restrooms	\$ 232.33
Fire Pump Systems	Fire Company Equipment Maintenance	\$ 4,771.20
Seal-Coaters	Fire Company Maintenance	\$ 3,625.00
John Sobrinski	Zoning Permit Refund	\$ 50.00
Deer Park	Municipal Bottled Water	\$ 19.34
Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 839.00
Christopher Templeton	Septic Permit Refund	\$ 50.00
Mansfield Oil Company	Equipment Motor Fuel	\$ 1,041.23
Kimball Midwest	Public Works Supplies	\$ 385.63
Pitney Bowes	Postage Meter Tape	\$ 38.22
Sherwin-Williams	Park Supplies	\$ 269.80
Printex	Zoning Supplies	\$ 87.00
Verizon Wireless	Fire Company Wireless	\$ 485.92
Horwith Freightliner	Fire Company Equipment Maintenance	\$ 320.56

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GENERAL FUND CHECKING ACCOUNT CONTINUED

Keystone Volunteer Insurance Group	Fire Company Insurance	\$ 5,572.00
Service Electric Telephone Co.	Fire Company Telephone	\$ 40.41
Service Electric Cable TV Inc	Fire Company Internet	\$ 43.24
Mike Kummer	Fire Company Service	\$ 950.00
State Worker's Insurance Fund	Workers Compensation	\$ 2,736.00
Service Tire Truck Centers	Tool/Equipment Repairs	\$ 237.32
Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies	\$ 569.72
Safeguard Business Systems	Office Supplies	\$ 67.12
Valley Industrial Rubber Products	Equipment Parts/Supplies	\$ 35.20
Independent Ag Equipment	Equipment Parts/Supplies	\$ 20.93
	<i>Total General Fund Checking Account...</i>	<u><u>\$ 170,301.72</u></u>

PAYROLL ACCOUNT

July 26, 2013	\$ 33,583.16
August 9, 2013	\$ 33,228.63
August 23, 2013	\$ 30,231.68
	<u><u>\$ 97,043.47</u></u>

CAPITAL RESERVE - CAPITAL PURCHASES ACCOUNT

Home Depot	Capital Construction	<u><u>\$ 485.17</u></u>
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MASTER ESCROW CHECKING (LAB)

Met-Ed	Traffic Signal Electricity	\$ 129.17
Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 39,322.19
Stephanie Babinski	Key Refund	\$ 25.00

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MASTER ESCROW CHECKING (LAB) CONTINUED

Jen Chobin	Key Return	\$ 25.00
VOIDED	VOIDED	\$ 1,608.00
Fun Affairs	Summer Park Program	\$ 875.00
James Clemis	Escrow Refund	\$ 426.07
Northampton County Recorder of Deeds	Plan Recording	\$ 125.00
County of Northampton	Parcel ID	\$ 5.00
Hidden Oaks IV, LLP	Escrow Refund	\$ 1,153.00
Kay Builders, Inc.	Escrow Refunds	\$ 15,000.00
Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 455.00
Kevin Rhodes	Key Return	\$ 25.00
Diana Wallbillich	Key Returns	\$ 50.00
Jeff Smith	Key Return	\$ 25.00
Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 230.00
Lloyd Kemmerer	Escrow Refund	\$ 520.00
Ruth Gable	Escrow Refund	\$ 426.02
County of Northampton	Parcel ID	\$ 5.00
Northampton County Recorder of Deeds	Plan Recording	\$ 65.00
Shawn Dally	Lighting Key Return	\$ 25.00
Shannon Snyder	Lighting Key Return	\$ 25.00
Brian Yost	Lighting Key Return	\$ 25.00
Met-Ed	Traffic Signal Electricity	\$ 49.16
Asteak Law Offices	Legal Services	\$ 2,128.50
Amy Templeton	Escrow Refund	\$ 750.04
Met-Ed	Traffic Signal Electricity	\$ 153.51
	<i>Total Master Escrow Checking Account...</i>	<u>\$ 62,042.66</u>

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RECYCLING/REFUSE ACCOUNT

Mr. John	Temporary Restrooms	\$	151.90
Mr. John	Temporary Restrooms	\$	151.55
	<i>Total Recycling/Refuse Account...</i>	\$	<u>303.45</u>

DEVELOPMENT & INSPECTION ACCOUNT

Hidden Oaks IV, LLP	Building Permit Refund	\$	172.00
Kay Builders, Inc.	Building Permit Refund	\$	123.80
Kuehne & Nagel, Inc.	Building Permit Refund	\$	2,975.84
Kister OBrien Fire Protection	Building Permit Refund	\$	36.00
Alfero Company, Inc.	Building Permit Refund	\$	10.00
CodeMaster Inspection Services	Building Inspection Services	\$	18,701.00
	<i>Total Development & Inspection Account...</i>	\$	<u>22,018.64</u>