

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
October 22, 2014**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday October 22, 2014. The Chairman called the meeting to order at 6:30 PM.

Present were:

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

Approval of Minutes

A motion was moved by Mr. Boucher and was seconded by Mr. Nagle to approve the minutes from the October 8th Board of Supervisors meeting. The motion carried.

Conditional Use Hearing – Order and Opinion

A motion was moved by Mr. Greene and was seconded by Mr. Kucsan to approve the Order and Opinion. Mr. Boucher still believes this project is too big for the Township and cannot go along with the approval. Mr. Kucsan, Mr. Nagle, Mr. Pennington, and Mr. Greene voted yes; Boucher voted nay. The motion carried.

Solicitor Asteak read the executive summary of the Order and Opinion.

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

Mr. Pennington acknowledged the receipt of the Hecktown Volunteer Fire Company Incident Report for September 2014.

*** BRIEF RECESS ***

Correspondence

NAZCOG – LVPC Implementation Report Proposal – A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve paying Lower Nazareth's portion for this review. Mr. Nagle asked what happens if it is determined a municipality is not compliant. Mr. Pennington/Solicitor Asteak responded that the purpose is just to determine, not enforce compliance. Solicitor Asteak stated this study is long overdue; it should be completed annually.

PennEast Proposed Pipeline – Mr. Hotz was present to discuss his letter regarding the proposed pipeline. Mr. Pennington stated that the Township has very limited if any authority over these agencies. Solicitor Asteak stated that our only involvement will be to offer input. FERC has ultimate power.

Mr. Hotz requested a hearing so residents can express concerns, for the Board to invite PennEast to attend that meeting, and lastly, to pass a resolution and intervene with the proposed pipeline project. Then the Township could submit those comments and concerns to FERC.

Mr. Kucsan noted that he lives on Newburg Road and stated that the proposed pipeline will be coming through his property.

An individual that attended the meeting on Monday evening stated that she learned a lot. She realizes that the pipeline will be built; but hopes it will shift to another town.

Mrs. Mineo understands that there are many steps to this project and noted that, at this time, they do not have eminent domain.

Subdivision and Land Development

There were no items to discuss under Subdivision & Land Development.

Supervisors' Comments

Mr. Kucsan had no comments.

Mr. Boucher attended the CRPD meeting on Monday and noted that the switch to Benecon had been approved which helped to reduce the 2015 Budget. The 2015 Budget was approved and Lower Nazareth's contribution will increase roughly \$60,000. Mr. Boucher also noted that an officer will be retiring and they will need to conduct new applicant testing.

Mr. Green wanted the residents to know that even though the Board approved the IDI project, they are still concerned about the residents' well-being and noted that the conditions are there to protect them.

Mr. Pennington also attended the CRPD meeting and noted that the overall budget increased by about 1%.

Mr. Nagle was still unhappy with the 2015 CRPD budget and Lower Nazareth's contribution; which as he sees it is actually \$300,000 more in 2015 than if we had left CRPD. He noted that there is still a disparity in the rate per resident and feels we are subsidizing the other communities. Versus a per resident rate, Mr. Boucher looks at the percent of incidents and the percent we contribute to the budget.

Manager's Report

Open Records Training – Mr. Tenges noted that he attended an Open Records training seminar in Harrisburg today.

2015 Budget – Mr. Tenges noted that the 2015 draft budget has been distributed to Board. They will need to authorize advertisement of the budget at their November 12th meeting.

Engineer's Report

Trio Fields – Phase I – Letter of Credit Reduction – Mr. Kortze reviewed his October 21st letter. A motion was moved by Mr. Green and seconded by Mr. Boucher to reduce the letter of credit by \$22,480.43. The motion carried.

Trio Fields – Phase II – Letter of Credit Reduction – Mr. Kortze reviewed his October 21st letter. A motion was moved by Mr. Green and seconded by Mr. Boucher to reduce the letter of credit by \$29,101.60. The motion carried

Trio Fields – Phase IV – Letter of Credit Reduction – Mr. Kortze reviewed his October 20th letter. A motion was moved by Mr. Kucsan and seconded by Mr. Green to reduce the letter of credit by \$140,608.88. 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. Boucher to approve payment of the bills dated October 22, 2014. The motion carried.

Courtesy of the Floor

Mr. Mineo commented that the PennEast project is proposed to pass through predominantly on open space / ag land...preserved land. This is problematic and troubles him because he feels that the land is being used for a commercial purpose. He would like to get them to locate in existing easements.

Mr. Kucsan doesn't see how that is a problem on farmland and felt it would not affect use of the land. However Mr. Mineo stated that, in fact, crop yields are greatly affected for quite some time after the earth is disturbed.

Mr. Hotz continued to voice his opposition to the pipeline and noted concerns over pipeline safety, noting numerous accidents including 4 just this year. Mr. Nagle thinks the Township should step up for the residents.

**** RECESS 7:20PM UNTIL 7:30pm****

Curative Amendment Hearing – Stone Post Meadows –

Solicitor Asteak reopened the hearing with a brief recap. The hearing will continue on November 12th at 7:30pm, following our regular BOS meeting.

Recall that James Preston represents K&S Development; Karl Kline represents AAA; Donald Miles, represents Robert and Beverly Hoyer (Buzas Greenhouse) and Ronca (Wind-Drift); and Kate Durso represents Woodmont Properties.

Mr. Miles recalled Mr. Tenges to discuss the Curative Amendment process.

Mr. Miles called Linda Crook, Township Resident and Planning Commission (PC) Chair. She discussed the PC disapproval of the project; citing the impacts to the township and her belief that this spot zoning. Mr. Preston and Mr. Kline cross-examined Ms. Crook. Ms. Durso had no questions. Mr. Nagle and Solicitor Asteak questioned Ms. Crook.

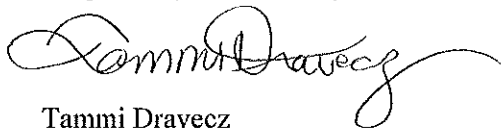
Mr. Miles called Tara Capecci Township Resident and Planning Commission (PC) Secretary. She echoed Ms. Crook's concerns. Mr. Preston cross-examined Ms. Capecci. Ms. Durso and Mr. Kline had no questions.

Mr. Miles called Terry DeGroot. Mr. Preston questioned who Mr. DeGroot was working for; he responded Wind-Drift. They reviewed various exhibits discussing zoning and permitted land uses.

Adjournment

The meeting adjourned at 8:55 PM.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Tammi Dravecz". The signature is written in black ink and is positioned above the printed name and title.

Tammi Dravecz
Assistant Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
October 22, 2014**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
14767	Migu	Newsletter Postage	\$ 749.66
14768	Migu	Fall Newsletter	\$ 2,701.00
14769	ExxonMobil	Fire Company Fuel	\$ 357.44
14770	Easton Suburban Water Authority	Fire Company Water	\$ 275.00
14771	Easton Suburban Water Authority	Fire Company Water	\$ 56.75
14772	PPL, Inc.	Fire Company Electricity	\$ 543.31
14773	Advanced Auto Parts Professional	Fire Co Equipment Parts/Supplies	\$ 39.99
14774	Keystone Volunteer Insurance Group	Fire Company Insurance	\$ 5,801.00
14775	Santander Leasing LLC	Fire Company Lease Payment	\$ 49,239.72
14776	Eric Albert	Clean-Up Day Supplies	\$ 116.83
14777	Chase Card Services	Office Supplies/Zoning Postage	\$ 224.05
14778	Northampton County Advisory Committee	Continuing Education	\$ 40.00
14779	The Morning Call	Subscription Renewal	\$ 79.92
14780	Deer Park	Municipal Bottled Water	\$ 19.62
14781	PAPCO	Equipment Motor Fuel	\$ 1,553.91
14782	Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies	\$ 317.64
14783	Edwards Business Systems	Copier Maintenance	\$ 88.00
14784	Verizon Wireless	Municipal/Public Works Wireless	\$ 385.48
14785	Lori Peck, OCR	Stenographer	\$ 490.00
14786	AT&T	Municipal/Public Works Long Distance	\$ 60.88
14787	Kimball Midwest	Public Works Supplies	\$ 246.72
14788	Highway Materials, Inc.	Pavement Maintenance Supplies	\$ 2,100.00
14789	Stotz & Fatzinger Office Supply	Office/Zoning Supplies	\$ 159.80
14790	Advanced Auto Parts Professional	Public Works Parts/Supplies	\$ 48.51
14791	PA Unemployment Compensation Fund	Unemployment Compensation	\$ 325.48

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GENERAL FUND CHECKING ACCOUNT CONTINUED

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
14792	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 10,427.26
14793	Asteak Law Offices	Legal Services	\$ 4,493.75
<i>Total General Fund Checking...</i>			<u>\$ 80,941.72</u>

CAPITAL RESERVE ACCOUNT

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
859	Sam's Club	Capital Purchases	\$ 819.02
860	The Home Depot	Capital Construction	\$ 9,345.69
861	All-Phase Electric Supply Co	Capital Construction	\$ 704.08
862	All-State Fire Protection, Inc.	Capital Construction	\$ 1,100.00
<i>Total Capital Reserve Checking...</i>			<u>\$ 11,968.79</u>

HIGHWAY RECONSTRUCTION/REHABILITATION ACCOUNT

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1004	Eastern Industries, Inc.	2014 FDR - Paving Material	<u>\$ 99,184.40</u>

PAYROLL ACCOUNT

October 17, 2014	<u>\$ 34,976.00</u>
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RECYCLING/REFUSE ACCOUNT

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1206	A.B. Martin Roofing Supply, LLC	Capital Construction	<u>\$ 1,114.20</u>

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MASTER ESCROW CHECKING (LAB)

Num	Name	Memo	Amount
1359	County of Northampton	Parcel ID	\$ 235.00
1360	County of Northampton	Parcel ID	\$ 145.00
1361	County of Northampton	Parcel ID	\$ 10.00
1362	Northampton County Recorder of Deeds	Plan Recording	\$ 155.00
1363	Northampton County Recorder of Deeds	Plan Recording	\$ 155.00
1364	Northampton County Recorder of Deeds	Plan Recording	\$ 35.00
1365	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 12,184.51
1366	Asteak Law Offices	Legal Services	\$ 2,843.75
1367	Thomas Kilareski	Key Refund	\$ 25.00
1368	Estates at Deer Crossing	Escrow Refund	\$ 2.02
1369	Ron Ridenour	Escrow Refund	\$ 510.11
1370	David Talmadge	Escrow Refund	\$ 3.59
		<i>Total Master Escrow Checking Account...</i>	<u>\$ 16,303.98</u>