

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
October 17, 2024**

The Lower Nazareth Township Board of Supervisors held a special public meeting on Thursday, October 17, 2024, Chairman Pennington called the meeting to order at 7:00PM.

Present were:

James S. Pennington	-	Chairman	Gary Asteak	-	Solicitor
Martin J. Boucher	-	Vice-Chairman	Lori A. Stauffer	-	Manager
Stephen A. Brown	-	Supervisor			
Nancy A. Teague	-	Supervisor			
Amy Templeton	-	Supervisor			

**Executive Session**

Chairman Pennington announced an executive session was held on October 9, 2024, to discuss personnel and real estate transactions. No action was taken.

Chairman Pennington announced an executive session was held prior to this evening's meeting to discuss real estate transactions. No action was taken.

**Agenda Amendment and Approval**

Chairman Pennington announced tonight's meeting was duly advertised on October 14, 2024, in The Express Times / Lehigh Valley Live for solely for the items listed on tonight's agenda. No other business will be discussed or transacted other than what was advertised.

**Township Business**

- A. **Development Rights Acquisition (Monocacy Creek Estates)** – Chairman Pennington announced a residential subdivision plan was submitted by the property owner, which prompted the Board of Supervisors to invoke their rights under the Lower Nazareth Township Official Map. The Board of Supervisors sought an appraisal and received the recommendation of the Township Environmental Advisory Council along with a review letter from the Township Engineer. He stated the Township has been accumulating funds from the earned income tax that was passed in 2019 for situations such as this and the Township has been working towards the protection of the remaining natural and agricultural resources.

The Board noted that these parcels have traditionally been in active agricultural production up until this year. The properties also are subject to areas of wetlands and have areas of floodplain present.

S. Brown stated as the liaison between the Board of Supervisors and the EAC, he wanted to highlight their recommendation letter. He stated according to their recommendation letter, the properties that are part of the Monocacy Creek Estates plan rank high on their evaluation and are very worthy of consideration for preservation. The letter discusses the promotion of the five goals laid out in the Lower Nazareth Township Recreation, Parks, and Open Space plan and how the acquisition of development rights on these parcels would advance those goals.

S. Brown made a motion to authorize the Township Solicitor and the Township Manager to enter into negotiations with the property owner and / or his representatives for the purpose of purchasing development rights for properties bearing tax parcel ID numbers L6-11-5, L6-11-11, L6-18-2, L6-18-3, L6-18-4, and L6-18-6 representing a total of approximately 203 acres of agricultural and natural resources located on or along Steuben Road. N. Teague seconded. Motion passed (5-0).

A resident questioned what it means to purchase development rights on a property. Attorney Asteak explained the concept of development rights and how our Lower Nazareth Township Official Map assists the Board in preservation.

- B. Fee Simple Acquisition (Meadow Creek Estates)** – Chairman Pennington announced a residential subdivision plan was submitted by the property owner, which again prompted the Board of Supervisors to invoke their rights under the Lower Nazareth Township Official Map. The Board of Supervisors sought an appraisal and received the recommendation of the Township Environmental Advisory Council along with the review letter from the Township Engineer. The Board is seeking to acquire this approximately 16-acre parcel for the purpose of expanding Hahn’s Meadow Park in the future.

S. Brown again reviewed the letter of the Township Environmental Advisory Council that discussed the protection and preservation of this parcel would advance the five goals outlined in the Lower Nazareth Township Recreation, Parks and Open Space Plan. S. Brown noted that this property also was traditionally in agricultural production until this year and is also encumbered by the floodplain.

S. Brown made a motion to authorize the Township Solicitor and the Township Manager to enter into negotiations with the property owner and / or his representatives for the purpose of purchasing in fee simple the property bearing tax parcel ID number L7-8-2 representing approximately 16 acres of agricultural and natural resources located on Hanoverville Road. M. Boucher seconded the motion. Motion passed (5-0).

- C. Discussion / Authorization on Open Space EIT Borrowing** – Chairman Pennington noted that while the Board has been raising funds in the Open Space Earned Income Tax account, the Township finds itself in a position where it appears to be in the best interest of the Township to borrow funding for these real estate transactions. He announced the Township is seeking to borrow \$2.5 million. Attorney Asteak explained the nuances of municipal borrowing.

N. Teague stated its important to inform the public that the funding to make the loan payments will come from the Open Space Earned Income Tax fund. She stated the Township brings in approximately \$700,000 annually to this account and the payments for this loan represent half of the annual revenue. She stated with these opportunities in front of the Township now, the Board finds it prudent to leverage future Open Space revenues. Chairman Pennington stated he wants the public to know the borrowing of these funds will not cause their real estate taxes to increase.

S. Brown stated this type of action is what the Board members promised the taxpayers they would accomplish back in 2019. A. Templeton stated the Board is not taking this lightly and this is a lot of land that they are trying to protect and preserve.

Robert Hoyer questioned what happens when the next property comes along. Chairman Pennington stated the Board is not completely depleting the account. There will be some funding, and the Township will continue to receive additional revenues.

Jim Faust questioned how much is in the Open Space EIT account. Ms. Stauffer stated there is approximately \$3.1 million.

Claude Beck questioned what if the property owner doesn't accept the offer? Attorney Asteak stated that is a discussion for a future meeting.

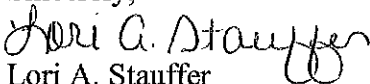
A resident inquired if the offer on these properties is \$2.5 million. Another resident stated she feels the preservation of these properties is a great idea and a good direction for the Township.

S. Brown made a motion to authorize the Township Manager to proceed with obtaining a formal proposal from People's Security Trust Bank for the borrowing of \$2.5 million for a period of 10-years with payments to be made from the Open Space Earned Income Tax account and authorize the Township Solicitor to prepare the necessary ordinances and submission to the Pennsylvania Department of Community and Economic Development under the Local Government Unit Debt Act.

**Courtesy of the Floor** – None

**Adjournment** – The meeting was adjourned at 7:28 p.m. by Chairman Pennington

Sincerely,

  
Lori A. Stauffer

Township Manager