

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
January 22, 2025**

The Lower Nazareth Township Board of Supervisors held a public meeting on Wednesday, January 22, 2025, Vice-Chairman Boucher called the meeting to order at 7:09PM.

Present were:

Martin J. Boucher	-	Vice-Chairman	Gary Asteak	-	Solicitor
Stephen A. Brown	-	Supervisor	Justin Coyle	-	Engineer
Nancy A. Teague	-	Supervisor	Lori A. Stauffer	-	Manager
Amy L. Templeton	-	Supervisor	Tammi Dravec	-	Secretary/Treasurer
			Lori Seese	-	Planning/Zoning Administrator

**The Board met in executive session on January 16th to discuss real estate negotiations. No action was taken. Additionally, prior to this evening's meeting an executive session was held to discuss real estate negotiations and pending litigation. No action was taken **

Agenda Amendment and Approval

Ms. Stauffer requested to add 2025 Livable Landscapes Grant Application Resolution under her reports.

Supervisor Teague made a motion to approve the amended agenda. Supervisor Brown seconded. Motion passed.

Approval of Minutes

The meeting minutes of January 6th were submitted for review and approval. Supervisor Brown made a motion to approve the minutes as presented. Supervisor Teague seconded. Motion passed.

Reports

The Financial Report for November 2024 and December 2004, and the Hecktown Volunteer Fire Co Incident Report for December 2024 were presented.

Supervisor's Comments

Open Space Preservation – Supervisor Brown reported that the EAC met last Monday and continues to review the various properties on the Township's official map to prioritize which properties would be most ideal for development rights acquisition.

Parks and Recreation – Supervisor Templeton noted that the Recreation Committee held a meeting earlier this month to wrap up 2024 and create a plan for 2025 events. She reported that we received the remaining \$100,000 of the DCNR grant. Newburg Park Tree Planting will take place this spring as we

need to close on the grant by November. The splashpad will open for the season at the end of May and remain open through Labor Day.

Library News – Supervisor Teague had nothing to report.

CRPC – Vice-Chairman Boucher noted that the first meeting is next Monday so he will report at the February meeting.

Georgetown Road & Newburg Road Intersection – Ms. Stauffer reviewed PADOT’s letter regarding the multi-way stop request. They have determined that the intersection does not meet the requirements set forth in the MUTCD to justify a four-way stop; however, they believe the intersection will benefit from the installation of additional warning signs on both Georgetown Road and Newburg Road. PADOT has requested the Township grant permission to install the signs. Supervisor Templeton made a motion to install signage as depicted on the letter and map dated January 8th and to authorize the Township Manager to sign the letter on the Township’s behalf. Supervisor Brown seconded. Motion passed.

Nazareth Area School District – Supervisor Brown reported that along with Supervisor Teague, Chairman Pennington, and Township Manager Stauffer, he attended a meeting last week at the school district. Supervisor Brown reported they are planning to build a new elementary school in Lower Nazareth Township, and they discussed three potential locations. The Board has several concerns including the school district selecting parcels that are not zoned for a public school. The new school is estimated to have a cost of \$70 million and the school board is proposing a tax increase over the next five years to pay for the construction.

The LNT Board has taken exhaustive efforts to preserve open space and farmland within the community. Board members also expressed concerns that the school board seems to feel they can pre-empt our zoning ordinance. Additionally, the presentation the school board made included erroneous information on future housing numbers.

Supervisor Brown feels we should reach out to the school to encourage them to investigate lands that are zoned for a school as well as provide them with correct housing information. Supervisor Teague noted that she is not comfortable in rezoning land for the school. Supervisor Brown made a motion to have Manager Stauffer draft a letter to Nazareth Area School District sharing the Board’s concerns. Supervisor Teague seconded. Motion passed.

Agricultural Security Committee – There are two openings on the Agricultural Security Committee. The Agricultural Security Committee shall consist of three active farmers, one citizen residing within the municipality, and one member of the governing body who shall act as chairman. Supervisor Brown made a motion to appoint Martin Boucher as the supervisor on the committee. Supervisor Teague seconded. Motion passed. Robert Hoyer noted that he has reached out to others and will follow up on their interest in serving on the committee.

Subdivision and Land Development

3913 Hollo Road Subdivision – Plan Withdrawal – Manager Stauffer shared a letter from Ludlow Construction’s engineer Terry DeGroot withdrawing the 3913 Hollo Road Subdivision Plan. Supervisor Teague made a motion to acknowledge receipt of the letter and accept withdrawal of the subdivision application. Supervisor Brown seconded. Motion passed.

Jaindl Project – David Jaindl appeared to make a presentation on his three proposed subdivision projects: Silvercrest, Monocacy Creek, and Meadow Park Estates. Mr. Jaindl stated he is going to continue negotiations with the Township on the purchase of the Meadow Park Estates property. He feels the parties can reach an agreement. He wanted to turn everyone’s attention to the proposal he has created that would allow him to develop a portion of the Monocacy Creek property and the Silvercrest property while preserving lands within each of the proposed developments. Mr. Jaindl reviewed his proposal, which would be as follows:

The proposal for **Estates at Silvercrest** with the concept and following details:

- The 107.6 acres of property in yellow is identified for preservation, which will forego 30 dwelling units – 29 dwelling units in the Lower Nazareth AG District and 1 dwelling unit in the Upper Nazareth AC District.
- Develop 204.9 acres west of the stream for 103 dwelling units (blue shade and no shade designate a different entity of Ownership). Of the 103 dwelling units, 96 are in Lower Nazareth Township (193.5 acres) and 7 are in Upper Nazareth Township (11.4 acres).
- Develop 35.6 acres east of the stream in the Upper Nazareth AC District (only) for 6 dwelling units (5 on the cul-de-sac and 1 on Silvercrest Road).
- Stormwater controls (basins and spray irrigation) that serve residential development occupy the yellow preserved area because we assumed that the conservation easement language will allow non-vertical construction.

The proposal for **Monocacy Creek Estates** with the concept and following details:

- The entire 92.2-acre property in yellow (north of Steuben Rd.) and 29.3-acre property in light yellow (south of Steuben Rd.) totaling 121.5 are identified for preservation, which will forego 39 dwelling units in the AG District and 2 dwelling units in the LDR District.
- The properties (not shaded in color) contain 82.4 acres in the LDR District and will be developed for 61 dwelling units (31 dwelling units north and 30 dwelling units south of Steuben Road).
- Stormwater controls (basins and spray irrigation) that serve residential development occupy the yellow preserved area because we assumed that the conservation easement language will allow non-vertical construction.

Estates at Silvercrest

	Current Plans		Proposed Plans - Partial Sale of Development Rights/Preservation		
	Total Acres - LNT	Acreage Developed	Buildable Lots - LNT	Acreage Developed	Buildable Lots - LNT
301.1	301.1	125	193.5	96	107.6

Monocacy Creek Estates

	Current Plans		Proposed Plans - Partial Sale of Development Rights/Preservation		
	Total Acres - LNT	Acreage Developed	Buildable Lots - LNT	Acreage Developed	Buildable Lots - LNT
203.9	203.9	102	82.4	61	121.5

Vice-Chairman Boucher stated the Township wants to keep the Steuben Road property open. He suggested making Silvercrest a 55+ gated community to eliminate the impact on the school district. Jaindl noted utility concerns, specifically, running public sewer and water. Supervisor Teague stated that we went after Monocacy because we want to preserve large areas of farmable land. This proposed land would not be farmable, and she wants to spend money on usable land. She inquired what benefit is splitting the developments versus conserving one and developing the other.

Supervisor Teague asked Engineer Coyle about the lands; the type/quality of land we would be preserving. Engineer Coyle noted the land is very wet and marshy, affecting agricultural capacity. Jaindl argued and stated the land is farmable. Supervisor Teague wants everyone to understand the different options. She is concerned that we are paying a premium for undevelopable land. Jaindl noted that the appraisal takes that into account.

Supervisor Templeton feels like one preserved site makes more sense than two sites. Supervisor Brown suggested pushing the development at Silvercrest to the west side and have conservation on the east side. He suggested Mr. Jaindl take a look at developing one acre lots and bringing in public water, which would preserve the floodplain area and still provide Mr. Jaindl with a good yield on the number of homes.

Supervisor Teague inquired if Jaindl would consider preserving all of Silvercrest and let Monocacy be developed. Solicitor Asteak noted this was a good discussion and we will revisit and continue the discussion later. He thanked Mr. Jaindl for appearing and discussing his plans in a public forum.

Rondel – Colts Run South & Preserve at Green Pond – Attorney Piperato, Engineer Lew Rauch, and Ron DelSerro attend. Attorney Piperato gave a presentation on the history of discussions on these projects, including his submitted plans titled Colt’s Run South, Colt’s Run South II, Estates at Green Pond and Preserve at Green Pond. He also provided an overview of the preservation negotiations that Mr. Delserro engaged in with the Township. Attorney Piperato noted that Mr. Delserro has spent approximately \$500,000 on engineering for this work.

Mr. DelSerro stated his preference would be to do the Preserve at Green Pond plan instead of the Colt's Run South II plan. He further stated he understands the Township's currently engaged in an open space negotiation with Mr. Jandl, which has depleted much of the Open Space EIT account. He is willing to work with the Township on the payment to him for a conservation easement. He feels the preserved plan is in the best interest of the township.

As part of his development of either the Colt's Run South II or the Preserve at Green Pond plan, Mr. Delsarro needs to provide public sewer, which requires sewer capacity. The sewer capacity needs to be purchased from the Township as the proposed public sewer will be conveyed through Bethlehem Township. He is requesting the Board to consider selling him the capacity he needs. The request for capacity is as follows:

Colt's Run South II - 297 single family homes x 250 gallons of capacity = 74,250 gallons
Preserve at Green Pond – 202 single family homes x 250 gallons of capacity = 50,500 gallons

Mr. Delsarro stated if the township needed to extend sewer in the future, it would be more costly to the Township to run the line down Butztown Rd and install and upgrade pump station than if he brings the sewer to this development, including installing and upgrading pump stations. This would eliminate nearly \$2.5 million in future costs to the Township.

The Board will place this matter on a future agenda in order to ruminate over the information provided.

Hecktown Road Business Park – Lot 6 & 7 – Kervan Properties LLC – An email received on January 21st from the applicant requested these matters be tabled until the February 12th meeting.

Pooler Escrow Refund Request – Ms. Stauffer reviewed the request for a reduction in funds held in escrow as well as the Township's normal protocol including the escrow agreement signed by Mr. Pooler. Supervisor Teague inquired if he was withdrawing plans, which he is not. Supervisor Brown stated this request is out of the norm and does not think we should approve. Supervisor Templeton made a motion to deny the request. Supervisor Teague seconded. Motion passed.

Fehnel Ag Security –

Resolution #LNT-06-25 - Application #1 for the following parcels: L6-9-5, L6-9-3, and L6-11-7 – The Township received an application for the modification of the Township's Agricultural Security Area to amend the ASA area by adding a total of 192 acres owned by Paul R. Fehnel Et Al. The application was reviewed by the Township Planning Commission and the Township Ag Security Committee. Both the Planning Commission and Ag Security Committee unanimously passed a motion to recommend the Board of Supervisors approve the application. Supervisor Teague made a motion to approve Resolution #LNT-06-25, a resolution authorizing the amendment of the Lower Nazareth Township Agricultural Security Area to include 192 acres owned by Paul R. Fehnel Et Al. Supervisor Brown seconded. Motion passed.

Resolution #LNT-07-25 - Application #2 for the following parcels: L6-9-6, L6-9-6A, and L6-9-2A –

The Township received an application for the modification of the Township's Agricultural Security Area to amend the ASA area by adding a total of 95.12 acres owned by Paul R. and Rosaleen Fehnel. The application was reviewed by the Township Planning Commission and the Township Ag Security Committee. Both the Planning Commission and Ag Security Committee unanimously passed a motion to recommend the Board of Supervisors approve the application.

Supervisor Brown made a motion to approve Resolution #LNT-07-25, a resolution authorizing the amendment of the Lower Nazareth Township Agricultural Security Area to include 95.12 acres owned by Paul R. and Rosaleen Fehnel. Supervisor Templeton seconded. Motion passed.

Solicitor's Report

Nazareth Area School District vs. Northampton County Revenue Appeals Board – Solicitor Asteak noted that this tax assessment appeal is for three parcels. Typically, he is authorized to intervene but to let NASD lead the battle. Solicitor Asteak noted that Lower Nazareth is not taking an active role.

Open Space Financing – Solicitor Asteak reported that settlement for the \$2.5million loan for land preservation is scheduled for Friday. Supervisor Brown made a motion to authorize the execution of the certificate. Supervisor Teague seconded. Motion passed.

Kay-Trio Letters of Credit Notice of Non-Renewal – On January 2nd the Township received notice from BanCorp that they will not be renewing the numerous letters of credit issued for the Fields at Trio Farms project. The letters of credit expire on different dates through 2025.

Engineer Justin Coyle provided a report on the numerous outstanding items and noted that the Board and Solicitor need to decide the next steps, including pulling the letters of credit. He outlined to the Board what it would entail to pull the letters of credit. Essentially, the Board would take the funding from the letters of credit and place the outstanding items out for public bid. The hope would be that enough funding exists to complete the work. Solicitor Asteak reached out to Attorney Preston to schedule a meeting to discuss how we will address this issue.

Supervisor Templeton inquired why the bank will not be renewing the security. Engineer Coyle noted it is probably due to the length of time and lack of activity. He would like the Solicitor to draft a letter requiring a construction schedule but will follow his lead with a meeting.

This matter will be added to future agendas for the Board to keep abreast of what is transpiring.

Legal Advertising Newspaper – Solicitor Asteak reported that The Express Times has been the newspaper for our legal advertising that met the requirements of the law. Unfortunately, as of February 2nd, The Express Times will be no longer issuing a printed publication; therefore, the Township needs to select a different printed publication for legal advertisements. Solicitor Asteak submitted a legal memorandum to the Board, which outlines his recommendation to use The Home News publication for the Township's legal advertisements. He noted that we could use Morning Call; however, the expense of advertising would cost more money.

Engineer's Report

Engineer Coyle provided his monthly report.

Manager's Report

SIND LLC Zoning Appeal ZA2025-02 – Solicitor Authorization – Ms. Stauffer reported the Township is in receipt of a zoning hearing board appeal where the applicant is appealing the decision of the zoning officer determining the conditional use approval granted for the property earlier in 2024 had expired.

Ms. Stauffer reviewed the history of the property leading up to the zoning officer's decision and the subsequent appeal. The conditional use approval is good for nine months and since no action was taken, the zoning officer determined the conditional use approval is null and void. The new zoning ordinance does not allow the sales and storage of heavy-duty equipment as a permitted or conditional use. The applicant wishes now to act on the approval, so he is appealing the determination. Alternatively, if the zoning hearing board agrees with the zoning officer, the applicant is seeking a special exception.

Supervisor Brown made a motion to authorize Solicitor Asteak's appearance to support and defend the zoning officer's position and to oppose the request for special exception. Supervisor Teague seconded. Motion passed.

Acknowledge Receipt of Ag Security Application – Ms. Stauffer noted that we are in receipt of an additional agricultural security application for the modification of the existing Township Agricultural Security Area by adding an additional 31 acres owned by James and Lucieine Hosford. The property is located on Georgetown Road with a Tax Parcel ID of L6-11-6. Supervisor Teague made a motion to acknowledge receipt of the application and authorize staff to move forward with the procedures as outlined in Act 43. Supervisor Brown seconded. Motion passed.

Time Extension Report – Ms. Stauffer provided the report for time extensions accepted through today.

HVFC Use Capital Funds for Training Equipment – Ms. Stauffer reported that the fire company received a grant in the amount of \$75,000 for training equipment. The total cost of the equipment is \$94,075. She requested the Board authorize the use of fire company capital reserve funds to cover the difference of \$19,075. Supervisor Templeton made a motion to authorize the use of fire company capital reserve funds in the amount of \$19,075 to cover the difference. Supervisor Brown seconded. Motion passed.

Livable Landscape Grant Application – Resolution #LNT-08-25 – Manager Stauffer reported that she needs authorization to apply for the Livable Landscape grant in the amount of \$300,000 for property on Hanoverville Road. Supervisor Brown made a motion to adopt Resolution #LNT-08-25 to apply for the Livable Landscape grant. Supervisor Templeton seconded. Motion passed.

Payment of the Bills

Supervisor Templeton made a motion to pay the bills as presented. Supervisor Teague seconded. Motion passed.

Courtesy of the Floor

Sherri Bourneuf, 4682 Stafford Avenue, asked for an explanation for the tax increase.

Manager Stauffer spoke of various efforts to effectively reduce spending including changing employee health insurance and keeping staffing levels since 2018. We run a lean ship and have not had a major tax increase in 20 years, but the cost of running the township continues to increase. Vice-Chairman Boucher noted this year the CRPD budget increased by \$143,000.

Supervisor Brown noted that the tax increase affects them as well, but it is a small increase, and we rarely increase taxes. We want to maintain a high level of service to our residents. He noted that Lower Nazareth has the 4th lowest property tax in Northampton County while providing a high level of services to the community. We need to meet obligations to our residents in order to maintain the public health, safety, and welfare. He added that this tax increase has nothing to do with preservation as that comes from our Open Space EIT Fund.

Supervisor Teague noted this was not an easy decision; however, it is the Township's obligation to provide the constituents with services.

Robert Hoyer, 365 Country Club Road, inquired what the parcels are that the school is interested in. Supervisor Teague noted there is information on the district's website and Facebook. The district is looking for resident input. He said Jaindl was hard to follow but he would rather see Silvercrest developed and the other preserved.

Doug Durham of 4682 Stafford Avenue inquired if the Jaindl developments were considered for the tax base. Manager Stauffer stated that construction of homes in any municipality is a deficit. The cost of providing services, emergency, public works, police, and other resident services, is not covered 100% by taxes from those homes. He then inquired about commercial development. Supervisor Teague stated we are not closed to development, but it should benefit residents, we are trying to protect residents.

Mr. Durham questioned warehouse proliferation in the Township. Vice-Chairman Boucher noted that the Township has fought warehouse proliferation. In 2015, the Township denied a warehouse. The developer appealed and the Township won in Northampton County; however, on appeal to Commonwealth Court, the developer won. The court determined that the warehouse goes in. He further explained if a property is zoned for a particular use, the Township can't say no to it. He also stated that the Township is currently engaged in three different warehouse appeals.

Adjournment - The meeting adjourned at 9:05pm.

Respectfully submitted by,



Tammi Dravec
Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
January 22, 2025**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
ACH	Flores247	Employee Health Benefits	\$ 190.68
ACH	Met-Ed	Electricity	\$ 130.35
ACH	Met-Ed	Electricity	\$ 208.49
ACH	Met-Ed	Electricity	\$ 1,449.22
ACH	Innovative Designs & Publishing	Advertisements	\$ 128.50
ACH	Flores247	Employee Health Benefits	\$ 287.00
ACH	Highmark Blue Shield	Employee Health Benefits	\$ 1,008.58
31274	All-Phase Electric Supply Co.	Facilities Maintenance	\$ 115.40
31275	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 1,237.50
31276	Integra One	Computer Services	\$ 1,105.23
31277	Horwith Trucks Inc.	Public Works Equipment Parts/Supplies	\$ 5,469.39
31278	Ascendance Trucks Pennsylvania, LLC	Public Works Equipment Parts/Supplies	\$ 54.68
31279	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park	\$ 1,715.59
31280	NJ Advance Media	Advertisements	\$ 593.68
31281	PA One Call System, Inc.	Monthly Activity	\$ 31.98
31282	Nazareth Area Council of Government	Nixle Emergency Services - 2025	\$ 2,696.94
31283	CKS Services	Legal Documents	\$ 70.28
31284	Phillips Feed Services Inc	Local Services Tax Refund	\$ 10.00
31285	J. Smith's Automotive, Inc.	Equipment Repairs	\$ 55.40
31286	Hendershot Door Systems, Inc.	Facilities Maintenance	\$ 140.00
31287	General Highway Products, Inc.	Traffic Signal Supplies	\$ 530.00
31288	Sunoco, LLC	Equipment Motor Fuel	\$ 2,649.06
31289	R.J. Walker Co.	Municipal Building Maintenance	\$ 79.68
31290	Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies	\$ 821.72
31291	ACR Products, Inc.	Public Works Equipment Parts/Supplies/Re	\$ 815.62
31292	Brown & Brown of Lehigh Valley	Treasurer Bond	\$ 750.00
31293	Verizon Wireless	Municipal/Public Works Wireless	\$ 556.18
31294	Broughal & DeVito, LLP	Legal Services	\$ 6,055.00
31295	City of Bethlehem	Hydrant Assessment	\$ 156.54
31296	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 480.12
31297	Security Service Company, Inc.	Splash Park Security System Monitoring	\$ 120.00
31298	NJ Advance Media	Advertisement	\$ 217.89

**Lower Nazareth Township
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January 22, 2025**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
31299	Suburban Propane	Park Fuel	\$ 415.18
31300	Suburban Propane	Public Works Fuel	\$ 1,185.05
31301	American Rock Salt Company LLC	Winter Maintenance	\$ 41,201.42
31302	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 7,726.00
<i>Total General Fund Checking Account ...</i>			\$ 80,458.35

PAYROLL ACCOUNT

Num	Name	Memo	Amount
	January 10, 2025		\$ 48,525.17
	January 24, 2025		\$ 51,184.43
<i>Total Payroll Account ...</i>			\$ 99,709.60

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
1329	Fogels Fuel Service	Municipal Building Capital Purchase	\$ 10,950.00
1330	Carroll Engineering Corporation	Engineering Services	\$ 5,457.00
<i>Total Capital Reserve Account ...</i>			\$ 16,407.00

LNT SEWER ACCOUNT

Num	Name	Memo	Amount
2019	PPL Electric Utilities	Main Meter Electricity	\$ 24.51

OPEN SPACE EIT ACCOUNT

Num	Name	Memo	Amount
2009	Midtown Abstract	Title Searches	\$ 750.00

TRAFFIC IMPACT ACCOUNT

Num	Name	Memo	Amount
2022	Carroll Engineering Corporation	Engineering Services	\$ 44,494.50

**Lower Nazareth Township
Bills To Be Approved
January 22, 2025**

DEVELOPMENT & INSPECTION ACCOUNT

Num	Name	Memo	Amount
3062	Barry Isett & Associates, Inc.	Building Inspection Services	<u>\$ 24,585.77</u>

MASTER ESCROW ACCOUNT

Num	Name	Memo	Amount
ACH	Met-Ed	Traffic Signal Electricity	\$ 226.63
4165	Carroll Engineering Corporation	Engineering Services	\$ 11,403.50
4166	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 736.00
4167	PPL Electric Utilities	Traffic Signal Electricity	\$ 179.59
4168	Adam Anthony	Key Return	\$ 25.00
4169	Cityline Construction	Escrow Refund	\$ 160.00
4170	Carroll Engineering Corporation	Engineering Services	\$ 2,125.00
4171	<i>voided</i>		
<i>Total Master Escrow Account ...</i>			<u>\$ 14,855.72</u>

ARPA ACCOUNT

Num	Name	Memo	Amount
109	Stryker Sales, LLC	Ambulance Equipment	\$ 60,364.75
110	Stryker Sales, LLC	Ambulance Equipment	\$ 5,087.00
<i>Total ARPA Account ...</i>			<u>\$ 65,451.75</u>