

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
April 11, 2012**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday April 11, 2012. The Chairman called the meeting to order at 6:30 PM.

Present were:

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

Approval of Minutes

A motion was moved by Mr. Pennington and was seconded by Mr. Kucsan to approve the meeting minutes for March 28, 2012. The motion carried.

Reports

All reports are available to review at the Township Office and on our website.

Mr. Nagle acknowledged the receipt of the Planning & Zoning Administrator's Report for March 2012.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

Snyder's-Lance Land Development Improvements Agreement – Authorization to Execute – A motion was moved by Mr. Green and was seconded by Mr. Boucher to authorize execution of this agreement. The motion carried.

Estates at Deer Crossing – Sidewalk Waiver Request – James Faust and Larry Turoscy were present. Mr. Kortze reviewed his April 11th letter. There was a discussion on SNOUT systems and their maintenance.

Mr. Kucsan believes the sidewalks are needed so children have a safe place to walk to the bus. Mr. Faust believes people won't shovel the sidewalks in winter and kids will be in the streets anyway.

Mr. Turoscy stated that if they don't get the waiver he doesn't know what they will do; perhaps ask for a waiver for paver sidewalks. He commented that paver sidewalk act like grass; allowing water to pass through.

There was discussion about another option, pervious concrete, which looks acts like pavers but does not hold up as well as traditional sidewalks/concrete. Mr. Turoscy stated they used pavers in a development at 8th & Eaton Avenue.

Mr. Nagle stated he was not inclined to grant the waiver but was interested in alternatives to traditional sidewalks.

Mr. Tenges stated he would like to see the pavers. Therefore they would take a road trip and report back to the Board. The waiver request was tabled until the May 2nd meeting.

Supervisors' Comments

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

Mr. Pennington stated that he is concerned about the loss of earned income tax dollars from the Neighborhood Improvement Zone (NIZ) and thinks Lower Nazareth should join in the lawsuit as an intervener.

Solicitor Asteak stated that as an intervener we are saying "we support" the lawsuit. We file a petition to intervene however the heavy burden still remains with Hanover and Bethlehem Townships. There would only be a modest cost to us.

Mr. Nagle was also upset about the loss, but questioned spending taxpayers' money to join the fight.

A motion was moved by Mr. Pennington and was seconded by Mr. Kucsan to authorize Solicitor Asteak to file the petition to intervene. Mr. Kucsan, Mr. Pennington, Mr. Green, and Mr. Boucher voted for, Mr. Nagle voted against. The motion carried.

Mr. Green commented that the "H" on the Hollo Road street sign is missing.

Manager's Report

Time Extension Report – Mr. Tenges reported that the applicant for the Brown Daub Fiat Conditional Use has granted the Township an extension until July 27, 2012.

Christian Springs Road Update – Mr. Tenges commented that he has made several attempts to contact International Speedway Corp (ISC) regarding the Easement Agreement; he has received no response. He asked the Board to authorize the Solicitor to send a letter to ISC's Attorney informing them that if they fail to respond we will proceed with eminent domain. A motion was moved by Mr. Nagle and was seconded by Mr. Pennington. The motion carried.

Engineer's Report

Grading Plan Review – 712 Concord Road – Mr. Kortze reviewed his April 9th letter. In his letter he stated that a report by J. Valentine, a soil scientist/biologist, concluded that regulated wetlands are not present on this property. However, since this area was disturbed last summer, the Board may wish to seek a jurisdictional wetlands determination from the Army Corps of Engineers. Mr. Kortze commented that this would be at no cost to the property owner.

Mr. Nagle made a motion and Mr. Pennington seconded the motion that we require a jurisdictional wetlands determination by the Army Corps of Engineers.

Christopher Zajacek and Pamela Burzynski were present; Mr. Zajacek sold this property to Mr. and Mrs. Burzynski. Mr. Zajacek respectfully requested that no additional testing be required; that it was unfair to the property owner. The property was disturbed by Nazareth Borough Municipal Authority (NBMA) and Easton Suburban Water Authority (ESWA) during last summer's sewer installation and water improvements.

Mr. Nagle asked what we were facing if we didn't require the additional testing. Mr. Pennington didn't see the harm in getting a second opinion. Mr. Boucher questioned when the most recent testing had been completed.

After a discussion the Board voted on the motion. Mr. Boucher and Mr. Pennington voted for, and Mr. Kucsan, Mr. Nagle, and Mr. Pennington voted against. The motion to require additional testing failed. A review by the Army Corp of Engineers is *not* required.

Solicitor's Report

Real Estate Agreement of Sale – “Trinity Triangle” – Solicitor Asteak reviewed the Agreement of Sale for the purchase of the “triangle” currently owned by Trinity Evangelical Lutheran Church on Nazareth Pike. A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to execute the agreement of sale.

Solicitor Asteak asked that the Board authorize the Township Engineer to do a survey of that parcel. A motion was moved by Mr. Pennington and was seconded by Mr. Green. The motion carried.

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. Boucher and was seconded by Mr. Pennington to approve payment of the bills dated April 11, 2012. The motion carried.


Courtesy of the Floor

No items were discussed under Courtesy of the Floor.

Adjournment

The meeting adjourned at 7:40pm.

Respectfully submitted by,


Tammi Dravec
Assistant Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
April 11, 2012**

| <u>Num</u> | <u>Name</u> | <u>Memo</u> | <u>Amount</u> |
|---|---|---|---------------|
| <u>GENERAL FUND CHECKING ACCOUNT</u> | | | |
| 12432 | Hecktown Volunteer Fire Company | Fire Company Loan | \$ 965.26 |
| 12433 | Volunteer Companies Loan Fund | Fire Company Loan | \$ 965.26 |
| 12434 | Colonial Regional Police Department | Police Contract Payment | \$ 86,944.36 |
| 12435 | PA Municipal Health Insurance Cooperati | Employee Health Insurance | \$ 17,574.37 |
| 12436 | Volunteer Companies Loan Fund | Fire Company Loan | \$ 1,011.77 |
| 12437 | Convergent Communications | Telephone Maintenance | \$ 1,976.00 |
| 12438 | Kelly Kresge | Local Services Tax Refund | \$ 52.00 |
| 12439 | ISOBunkers, LLC | Equipment Motor Fuel | \$ 83.48 |
| 12440 | Nextel Communications | Fire Company Wireless | \$ 475.98 |
| 12441 | Fire Apparatus Services | Fire Company Equipment Maintenance | \$ 1,225.53 |
| 12442 | PPL, Inc. | Fire Company Electricity | \$ 460.96 |
| 12443 | Horwith Freightliner | Fire Company Equipment Maintenance | \$ 15.34 |
| 12444 | BWP-Carquest Auto Parts | Equipment Parts/Supplies | \$ 2,561.38 |
| 12445 | Brown & Brown of Lehigh Valley | Summer Park Program Insurance | \$ 500.00 |
| 12446 | Service Tire Truck Centers | Tool/Equipment Repairs | \$ 293.22 |
| 12447 | Weiwei Qi | Real Estate Tax Refund | \$ 642.59 |
| 12448 | Fellheimer & Eichen LLP | Legal Services | \$ 377.50 |
| 12449 | Home Depot | Facilities Maintenance | \$ 308.99 |
| 12450 | Met-Ed | Traffic Signal Electricity | \$ 117.65 |
| 12451 | U.S. Municipal Supply, Inc. | Traffic Signs | \$ 1,810.43 |
| 12452 | Reliable Sign & Striping, Inc. | Traffic Signs | \$ 5,904.74 |
| 12453 | Wilson Products | Equipment Parts/Supplies | \$ 168.50 |
| 12454 | Martin Stone Quarries, Inc | Park Supplies | \$ 620.42 |
| 12455 | PPL, Inc. | Traffic Signal/St Light/Municipal/PW/Park Ele | \$ 901.24 |
| 12456 | PA One Call System, Inc. | Monthly Fax Activity | \$ 43.56 |
| 12457 | Nextel Communications | Municipal/Public Works Wireless | \$ 334.07 |
| 12458 | AT&T | Municipal/Public Works Long Distance | \$ 88.32 |
| 12459 | Northampton County Seed Company, Inc. | Park Facilities Maintenance | \$ 212.00 |
| 12460 | Interstate Battery of Allentown | Equipment Parts/Supplies | \$ 104.95 |
| 12461 | Brown-Daub Ford | Equipment Parts/Supplies | \$ 16.58 |
| 12462 | STS Tire & Auto Centers | Equipment Repairs | \$ 63.55 |

**Lower Nazareth Township
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April 11, 2012**

GENERAL FUND CHECKING ACCOUNT CONTINUED

| | | | |
|---|---|---|----------------------|
| 12463 | The Express Times | Zoning Hearing Advertisement | \$ 317.40 |
| 12464 | Palmer Township Board of Supervisors | MS4 Advertisement | \$ 51.78 |
| 12465 | France Anderson Basile and Company, P.C | Audit Services | \$ 1,680.00 |
| 12466 | Keystone Municipal Insurance | Workers Comp Insurance | \$ 7,745.00 |
| 12467 | Bursich Associates, Inc. | Act 537 Plan Update | \$ 402.18 |
| 12468 | Larry Kline | Expense Reimbursement | \$ 74.70 |
| 12469 | ExxonMobil | Fire Company Equipment Motor Fuel | \$ 655.06 |
| 12470 | Easton Suburban Water Authority | Fire Company Water | \$ 328.21 |
| 12471 | Home Depot | Fire Company Supplies | \$ 274.16 |
| 12472 | Memorial Library of Nazareth & Vicinity | 1st Quarter Library Service | \$ 21,250.00 |
| 12473 | Easton Suburban Water Authority | Water Hydrant Assessment | \$ 13,530.00 |
| 12474 | Pitney Bowes | Postage Meter | \$ 199.00 |
| 12475 | Easton Area Joint Sewer Authority | Operating & Capital Operating Expenses/Debt | \$ 1,077.11 |
| 12476 | Lori Peck, OCR | Stenographer | \$ 195.00 |
| 12477 | Ealer Electric Supply Company | Facilities Maintenance | \$ 58.79 |
| 12478 | Enter.net | Website/Internet Services | \$ 450.00 |
| 12479 | Kimball Midwest | Public Works Supplies | \$ 178.00 |
| 12480 | Suburban Propane | Park Fuel | \$ 181.93 |
| 12481 | Chase Card Services | Conference/Equipment Motor Fuel/Maintenanc | \$ 755.24 |
| 12482 | Keystone Consulting Engineers | Engineering & Inspection Services | \$ 4,167.50 |
| Total General Fund Checking Account... | | | \$ 180,391.06 |

PAYROLL ACCOUNT

April 5, 2012

\$ 28,829.77

RECYCLING/REFUSE ACCOUNT

| | | | |
|------|---------------------------------|---------------|---------------------|
| 1129 | A.B. Martin Roofing Supply, LLC | Pole Building | \$ 13,540.98 |
|------|---------------------------------|---------------|---------------------|

**Lower Nazareth Township
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CHRISTIAN SPRINGS ROAD ACCOUNT

| | | | |
|-----|-------------------------------|----------------------|-------------|
| 509 | Keystone Consulting Engineers | Engineering Services | \$ 2,800.00 |
|-----|-------------------------------|----------------------|-------------|

OPEN SPACE ACCOUNT

| | | | |
|-----|---------------------------------|---------------|-------------|
| 618 | A.B. Martin Roofing Supply, LLC | Pole Building | \$ 4,513.66 |
|-----|---------------------------------|---------------|-------------|

MASTER ESCROW CHECKING ACCOUNT (KNBT)

| | | | |
|------|-------------------------------------|--|-------------|
| 1932 | Asteak Law Offices | Legal Services | \$ 218.75 |
| 1933 | Keystone Consulting Engineers, Inc. | Engineering & Inspection Services | \$ 3,099.50 |
| | | <i>Total Master Escrow Checking Account...</i> | \$ 3,318.25 |

MASTER ESCROW CHECKING ACCOUNT (LAB)

| | | | |
|------|-------------------------------------|--|-------------|
| 1018 | Teresa Aurand | Escrow Refund | \$ 525.08 |
| 1019 | Met-Ed | Traffic Signal Electricity | \$ 258.93 |
| 1020 | Asteak Law Offices | Legal Services | \$ 743.75 |
| 1021 | Keystone Consulting Engineers, Inc. | Engineering & Inspection Services | \$ 1,322.00 |
| | | <i>Total Master Escrow Checking Account...</i> | \$ 2,849.76 |