

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
December 14, 2016**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday December 14, 2016. The Chairman called the meeting to order at 6:30 PM.

Present were:

James S. Pennington	-	Chairman	Keith Lawler	-	(for 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	-	Assistant Secretary/Treasurer
Martin J. Boucher	-	Supervisor	Lori B. Seese	-	Zoning Administration

**Approval of Minutes**

A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve the minutes from the November 16<sup>th</sup> Board of Supervisors meeting. The motion carried.

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

Mr. Pennington acknowledged the receipt of the Zoning Administrator's Report for November 2016, and the Hecktown Volunteer Fire Company Incident Report for November 2016 and the Financial Report for October 2016.

**Correspondence**

School Choice Proclamation – Mr. Pennington stated that the Board will take note of National School Choice Week but feels that this is a school board issue, for municipal government.

**Subdivision and Land Development**

Meixsell Minor Subdivision Waiver Request – Present was Tom Elliot, Attorney and Jim Milot, Engineer. The applicant was requesting a waiver from the additional right-of-way dedication and cartway widening requirements in SALDO Section 741.6. Mr. Lawler stated that Mr. Kortze had no issues with granting the waiver. Solicitor Asteak also had no issues. A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to grant the waiver. The motion carried.

Preliminary/Final Meixsell Minor Subdivision – Resolution #LNT-24-16 – The submitted plan depicts a lot line adjustment between two properties located on Christian Springs Road. The intent is to convey a twenty-five (25) foot strip of land from one lot to the other. A motion was moved by Mr. Nagle and was seconded by Mr. Kucsan to approve Resolution #LNT-24-16. The motion carried.

Revised Final Land Development – Vinart Realty – Resolution #LNT-25-16 – Ron Corkery, Attorney spoke on behalf of the applicant. He noted that the changes included shifting building slightly, reducing the parking from 566 to 547 spaces, and adding a body shop. These changes only slightly increase the impervious cover from 60.43% to 61.89%. It was noted that the detention pond was designed to handle 70%. Mrs. Seese stated that the resolution refers back to the original approval resolution which includes a traffic signal maintenance agreement. A motion was moved by Mr. Nagle and was seconded by Mr. Green to approve Resolution #LNT-25-16. The motion carried.

Devi Adult Day Care Services – Zoning Map/Text Amendment – Country Club Road Business Park – Hiren Patel stated that he is looking to open a Adult Day Care facility. The hours would be 6:30am – 5:30pm and would be serviced by community based transportation.

Mrs. Seese stated there are several uses in zoning ordinance for seniors but not particularly for day care. This is not a permitted use therefore Mr. Patel would like to add this as a permitted use in the LI zone.

Mr. Pennington stated that the Board is looking for sample language. Mr. Patel currently has a facility in Middletown Township. He was asked to provide our Board with Middletown's portion of the ordinance that speaks to senior day cares. Solicitor Asteak wanted Mr. Patel to better define what services he will provide and that the Board will need to look at the entire LI zone to see if it is appropriate.

Mr. Patel noted that it would be a secure environment with an RN on site to administer medications. The seniors would eat breakfast and lunch (all catered), participate in group activities, and be provided with any needed therapies. This program is not a senior center, and only for those seniors that cannot be left alone. The staff ratio is 5:1. Most seniors would stay about 6 hours a day; some 8-9 hours. Lastly he noted that it would be a state licensed facility.

Mr. Green inquired how many people would attend this program. Mr. Patel stated the maximum capacity would be 75-80 people.

Jeff Shepherd, 4485 Whitetail Drive, stated that the Board should take time to look at what is already occurring within Lower Nazareth. He added that they should also look at potential traffic issues as well.

Solicitor Asteak stated that according to the comprehensive plan the senior population is increasing in this area. He believes this would fit in well but we need to define it carefully.

Mr. Pennington requested that Mr. Patel provide the Board with as much information as possible so they can review and make a decision.

ProLogis – Zoning Map/Text Amendment – Township Line Road – Present to discuss this proposal were Bill Bumber, ProLogis; Attorney Tim Siegfried; Rik Longacre, Schlouch; and Peter Terry, Traffic Engineer. The applicant is requesting to a zoning map and text amendment in order to construct a warehouse on Township Line Road.

Mr. Pennington inquired if the applicant had spoken with Hanover Township? Mr. Longacre stated they had not and were starting with Lower Nazareth. It was noted that Township Line Road would be reconstructed like Hanoverville Road. Mr. Tenges stated that the water and sewer lines were designed and built to include this property.

Mr. Tenges noted that if the Board is inclined to move forward there will still be a conditional use process where we would be able to get what we want for our residents.

Solicitor Asteak asked for the rational for text amendment. Mr. Tenges stated the limitation to location of expressway is a limiting factor that still allows them to construct in that location.

Mr. Pennington inquired why Lower Nazareth needs another warehouse. Mr. Bumber stated that the Lehigh Valley is the epicenter for distribution. He noted that this area has the best labor pool for these jobs. Mr. Bumber stated that Stitch Fix, located in a warehouse on Hanoverville Road, has over 400 employees and that these are sought after jobs.

Jeff Shepherd, 4485 Whitetail Drive, inquired on the environmental impact. Mr. Bumber noted that ProLogis manages their facilities and feels the impacts would be minimal.

Mr. Pennington stated that the Board needs time to process this information before they take any action.

\*\*\* *The Board took a brief 2-minutes recess* \*\*\*

### **Supervisors' Comments**

Mr. Kucsan had no comments.

Mr. Nagle, Mr. Green, and Mr. Boucher wished everyone a Merry Christmas and Happy Hanukkah.

Mr. Pennington stated the he attended the CRPC meeting. The received a grant for body cameras and will receive training before they are implemented. He also stated that CRPD is working with WalMart and Walmart is trying to handle incidents internally therefore making less calls to CRPD. Mr. Tenges stated that he would like a follow up.

### **Manager's Report**

Miracle League Contribution – Mr. Tenges wanted to discuss our annual contribution to the Miracle League. Mr. Pennington stated that program is growing and has many more participants than when it started; therefore he suggested that we increase the contribution to \$1,250. Mr. Tenges stated that these funds come from our recreation allocation. Mr. Pennington stated that our community has children with disabilities who participate in this program and feels that is the appropriate use of those funds. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to increase our annual contribution to \$1,250. An individual attending the meeting noted that a child of a good friend participates in the program and thanked the Board for their efforts.

Time Extension Report – Mr. Tenges reviewed the report which included a time extension through June 30, 2017 for the Louise Moore Park Maintenance Building.

2017 Millage Rate – Resolution #LNT-26-16 – A motion was moved by Mr. Nagle and was seconded by Mr. Green to approve Resolution #LNT-26-16. The motion carried.

2017 General Fund Budget – A motion was moved by Mr. Nagle and was seconded by Mr. Kucsan to approve the 2017 General Fund Budget. The motion carried.

2016 Unencumbered Funds – Resolution #LNT-27-16 – A motion was moved by Mr. Kucsan and was seconded by Mr. Nagle to approve Resolution #LNT-27-16. The motion carried.

Destruction of Municipal Records – Resolution #LNT-28-16 – A motion was moved by Mr. Boucher and was seconded by Mr. Nagle to approve Resolution #LNT-28-16. The motion carried.

Leaf Collection – Mr. Tenges noted that curbside leaf collecting is continuing and will conclude on Thursday December 22<sup>nd</sup>.

Planning Commission & Zoning Hearing Board Vacancies – Mr. Tenges made note of various vacancies and, along with asking the press to publish the openings, asked the Board to have any interested parties send a letter of intent prior to January's reorganization meeting.

Mr. Tenges wished everyone Merry Christmas and Happy New Year.

**Engineer's Report**

Colt's Ridge End of Maintenance Period & Security Release – Mr. Lawler stated that Mr. Kortze's letter recommends the release of security upon receipt of the Deed of Dedication. Solicitor Asteak noted that the document was received earlier today and therefore we are prepares to release the security. A motion was moved by Mr. Nagle and was seconded by Mr. Green to release the remaining security. The motion carried.

**Solicitor's Report**

Colt's Ridge – Road Acceptance – Resolution #LNT-29-16 – A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve Resolution #LNT-29-16. The motion carried.

K&S Appeal – Solicitor Asteak stated that the Commonwealth Court has affirmed the Board's decision.

Liberty Properties – Solicitor Asteak noted that the Commonwealth Court appealed partially in our favor and has remanded the case back to Common Pleas an Evidentiary Hearing.

IDI – Solicitor Asteak stated that after nearly 10 years of hearings and appeals the property will be developed as a medical campus instead of warehouses. He noted that we are receiving a lot of cooperation with the hospital's developers including numerous roadway and bridge improvements.

Comprehensive Plan Review – Solicitor Asteak stated that all municipalities have agreed to review the plan; however the Borough of Nazareth is not participating in review. He believes they were misinformed and thinks someone need to explain and that they need to play well with others. Mr. Pennington stated that he did talk to LVPC and someone will be reaching out to the Borough.

Solicitor Asteak thanks the Board for another year serving the township. He also wished everyone Happy Holidays and Happy New Year.

**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**

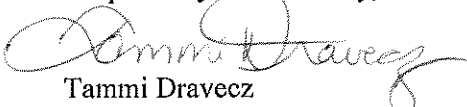
A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve payment of the bills dated December 14, 2016. The motion carried.

**Courtesy of the Floor**

Mr. Pennington noted that the County will be having numerous recycling events in 2017. Information will be posted to our website when it becomes available.

**Adjournment** – The meeting adjourned at 8:15PM.

Respectfully submitted by,



Tammi Dravec  
Assistant Secretary/Treasurer

**Board of Supervisors Minutes  
December 14, 2016**

**Lower Nazareth Township**  
**Bills To Be Approved**  
December 14, 2016

**GENERAL FUND CHECKING ACCOUNT**

Num	Name	Memo	Amount
paid online	Home Depot	Public Works /Municipal Bldg Supplies	\$ 44.21
16741	Ardsley Auto Tag Service, Inc.	Public Works Equipment	\$ 90.00
16742	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 1,285.00
16743	Integra One	Computer Services	\$ 562.50
16744	Lehigh Fuels, LLC	Equipment Motor Fuel	\$ 2,082.20
16745	Edwards Business Systems	Copier Supplies	\$ 60.84
16746	Edwards Business Systems	Copier Maintenance	\$ 349.25
16747	Edwards Business Systems	Copier Maintenance	\$ 73.75
16748	Edwards Business Systems	Copier & Equipment Maintenance	\$ 1,121.11
16749	The Morning Call	Subscription Renewal	\$ 79.92
16750	Liberty Propane Inc.	Municipal Building Propane	\$ 720.51
16751	Stotz & Fatzinger Office Supply	Office Supplies	\$ 27.64
16752	Staples Business Advantage	Office Supplies	\$ 103.96
16753	A&A Sales Associates, LLC	Public Works Supplies	\$ 303.95
16754	Service Tire Truck Centers	Public Works Equipment Parts/Supplies	\$ 395.98
16755	The Express Times	Subscription Renewal	\$ 130.00
16756	EMC Insurance Companies	Township Insurance	\$ 5,487.84
16757	Easton Suburban Water Authority	Municipal Bldg Water	\$ 43.21
16758	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 648.13
16759	Nazareth Area Chamber of Commerce	Meeting	\$ 18.00
16760	Asteak Law Offices	Legal Services	\$ 4,956.25
16761	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 616.72
16762	PPL, Inc.	Municipal Drive Electricity	\$ 733.97
16763	Met-Ed	Traffic Signal / Street Light Electricity	\$ 271.56
16764	Faust Auto Sales	Fire Police Equipment Maintenance	\$ 167.89

**Lower Nazareth Township  
Bills To Be Approved  
December 14, 2016**

**GENERAL FUND CHECKING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
16765	McGee Uniform	Fire Police Supplies	\$ 160.00
16766	Sam's Club MC/SYNCB	Fire Company Supplies	\$ 455.01
16767	Service Electric Cable TV Inc	Fire Company Internet	\$ 44.35
16768	Service Electric Telephone Co.	Fire Company Telephone	\$ 43.49
16769	Easton Suburban Water Authority	Fire Company Water	\$ 63.13
16770	PPL, Inc.	Fire Company Electricity	\$ 488.10
16771	Jack Williams Tire Company, Inc.	Fire Company Vehicle Maintenance	\$ 2,266.51
16772	The Key	Fire Company Advertisement	\$ 317.10
16773	ExxonMobil	Fire Company Fuel	\$ 220.84
16774	Fogels Fuel Service	Fire Company Fuel	\$ 517.87
16775	The Key	Advertisements	\$ 339.84
16776	PA One Call System, Inc.	Monthly Fax Activity	\$ 36.90
16777	Toshiba Business Solutions	Copier Maintenance	\$ 12.78
16778	NJ Advance Media	Advertisements	\$ 767.20
16779	Karen A. Mengel, RPR, CSR	Stenographer	\$ 85.00
16780	Trach Plumbing & Heating	Facilities Maintenance	\$ 150.00
16781	Five Star International LLC	Public Works Equipment Parts/Supplies	\$ 170.97
16782	Safeguard Business Systems	Office Supplies	\$ 76.61
16783	Alcom Printing Group Inc.	Office Supplies	\$ 370.00
16784	U.S. Municipal Supply, Inc.	Traffic Sign Supplies	\$ 298.01
16785	Star Buick GMC	Public Works Equipment Parts/Supplies	\$ 387.59
16786	Tractor Supply Credit Plan	Public Works Supplies/Equipment Parts	\$ 22.28
16787	Chase Card Services	Equipment Maintenance	\$ 2,334.45
16788	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
16789	Colonial Regional Police Department	Police Contract Payment	\$ 102,853.82

**Lower Nazareth Township  
Bills To Be Approved  
December 14, 2016**

**GENERAL FUND CHECKING ACCOUNT**

Num	Name	Memo	Amount
16790	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 19,580.57
16791	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
16792	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,416.00
16793	Sam's Club	Public Works/Municipal Bldg Supplies	\$ 288.05
16794	Liberty Propane Inc.	Public Works Propane	\$ 295.50
16795	Suburban Propane	Public Works Fuel	\$ 721.70
16796	Suburban Propane	Park Fuel	\$ 128.42
16797	Verizon Wireless	Municipal/Public Works Wireless	\$ 377.77
16798	RCN	Internet & Telephone Services	\$ 803.25
16799	Security Service Company, Inc.	Security System Monitoring	\$ 232.35
16800	Keystone Municipal Insurance	Workers Comp Insurance	\$ 4,704.25
16801	April Cordts	ZHB Legal Services	\$ 2,427.56
16802	Fire Capital Reserve	2016 Budget Allocation	\$ 40,965.93
16803	The Miracle League of Northampton Cour	Contribution	\$ 1,250.00
16804	Lower Nazareth Township	2016 LNRA Budget Allocation	\$ 16,948.53
<i>Total General Fund Checking...</i>			<b><u><u>\$ 224,973.15</u></u></b>

**PAYROLL ACCOUNT**

November 25, 2016	\$ 32,642.42
December 9, 2016	\$ 33,680.10
<i>Total Payroll...</i>	<b><u><u>\$ 66,322.52</u></u></b>

**LOWER NAZARETH SEWER DEPARTMENT ACCOUNT**

Num	Name	Memo	Amount
912	PPL Electric Utilities	Main Meter Electricity	\$ 22.94

**Lower Nazareth Township  
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December 14, 2016**

**CAPITAL RESERVE EQUIPMENT REPLACEMENT ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1003	Lower Moreland Township	Capital Purchase	\$ 15,000.00
1004	Lafayette Ambassador Bank	Lease Payment	\$ 29,216.76
		<i>Total Equipment Replacement Account...</i>	<b>\$ 44,216.76</b>

**FIRE CAPITAL RESERVE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
0131	Commonwealth of Pennsylvania	Loan Payment	<b>\$ 92,909.14</b>

**CAPITAL RESERVE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
0962	Bath Supply Co., Inc.	Capital Construction	\$ 32.74
0963	Design Floors, Inc.	Capital Construction	\$ 1,529.40
0964	Staples Advantage	Capital Purchase	\$ 168.96
0965	Home Depot Credit Services	Capital Construction	\$ 320.34
0966	Sam's Club	Capital Construction	\$ 209.96
		<i>Total Capital Reserve Account...</i>	<b>\$ 2,261.40</b>

**MASTER ESCROW CHECKING (LAB)**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1677	Jason Perillo	Key Refunds	\$ 50.00
1678	Carlo Fennell	Key Refund	\$ 25.00
1679	Scott Wagner	Key Refunds	\$ 50.00
1680	Lower Nazareth Township General Fund	Submission Fee	\$ 420.00
1681	PENNDOT	Construction Inspection	\$ 4,939.12
1682	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 45,263.38



**Lower Nazareth Township  
Bills To Be Approved  
December 14, 2016**

**MASTER ESCROW CHECKING (LAB)**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1683	Kay Builders, Inc.	Escrow Refund	\$ 2,000.00
1684	Premier Land Company	Escrow Refund	\$ 6,175.00
1685	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 23,371.75
1686	Asteak Law Offices	Legal Services	\$ 4,068.75
1687	PENNDOT	Construction Inspection	\$ 1,633.36
1688	Nick Funari	Escrow Refund	\$ 50.00
1689	Kay Builders, Inc.	Escrow Refunds	\$ 4,000.00
1690	Met-Ed	Traffic Signal Electricity	\$ 167.78
1691	Laura Chiles	Escrow Refund	\$ 4.50
1692	Shubhabrata Chaudhuri	Escrow Refund	\$ 2.58
1693	Joseph Boligitz	Escrow Refund	\$ 150.00
1694	Lower Nazareth Capital Reserve Fund	Selvaggio Rental Escrow Closeout	\$ 136,811.67
<i>Total Master Escrow Checking...</i>			<b>\$ 229,182.89</b>

**REFUSE / RECYCLING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1237	Hicks Portable Toilets	Temporary Restroom	\$ 75.00

**OPEN SPACE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
0642	Gaver Industries, Inc.	Park Construction	\$ 162,033.72

**STATE LIQUID FUELS ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
551	Mt. Carmel Stabilization Group, Inc.	2016 FDR Project	\$ 136,449.85

**Lower Nazareth Township  
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December 14, 2016**

**HIGHWAY RECONSTRUCTION / REHABILITATION**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1036	Highway Materials, Inc.	Construction / Rebuilding	\$ 2,024.84

**DEVELOPMENT & INSPECTION ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1844	DCED	Training Contribution - 3rd Quarter 2016	\$ 240.00
1845	CodeMaster Inspection Services	Building Inspection Services	\$ 10,690.00
1846	Lower Nazareth Township	Administrative Fee	\$ 7,400.00
<i>Total Development &amp; Inspection...</i>			<b>\$ 18,330.00</b>