

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
April 13, 2016**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday April 13, 2016. 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
Robert S. Kucsan	-	Supervisor	Timm A. Tenges	-	Manager, Secretary/Treasurer
Martin J. Boucher	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
			Lori B. Seese	-	Zoning Administrator

Absent were:

Eric E. Nagle - Supervisor

***Mr. Pennington reported that the Board held an executive session prior to tonight's meeting to discuss possible litigation ***

Solicitor Asteak reported that if anyone present was attending due to interest in the LVHN re-zoning that it is not on the agenda and he is not sure when it will be on agenda. He stated that there are ongoing discussions with LVHN.

Subdivision and Land Development

Joseph I – Anchor Health Network – Preliminary/Final Land Development – Resolution #LNT-11-16 – 95% of this project lies in Palmer Township. Only the parking lot portion, the remaining 5%, lies within Lower Nazareth Township. Mr. Kortze reviewed his April 12th letter. If secured by Palmer, security (a letter of credit) will not be required with Lower Nazareth Township. A motion was moved by Mr. Green and was seconded by Mr. Kucsan to approve resolution #LNT-11-16. The motion carried.

4067 Jandy Blvd (Nazareth Rehab PT) – Preliminary Subdivision and Land Development – David Bray, Jena Engineering and Erick Schoch were present. Mr. Kortze reviewed his April 11th letter. A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to grant preliminary subdivision approval. The motion carried.

Conditional Use Hearing – CU2016-01 CarMax Auto SuperStores, LLC

6:50pm –7:58pm

Solicitor Asteak re-opened the hearing by reviewing the application. James Kratz represents CarMax Auto Superstores. Jake Hertz, from Centerpoint Integrated Solutions, provided testimony. He discussed the application, property zoning, and described the plan in detail along with a rendering of the property. Mr. Kratz and Mr. Hertz reviewed the zoning ordinance and how the project complies. Mr. Hertz mentioned they don't comply with our lighting requirement and stated that they will be asking to install 26' light poles instead of 20', which is the maximum height permitted. Mr. Hertz stated that if granted conditional use, they will be submitting a land development plan in June. All comments in Mr. Kortze's February 16th letter have been addressed or will be at the land development stage.

Mr. Green inquired about a fire suppression system. Mr. Hertz stated not sure it is a requirement with an underground tank; but if it is a building code requirement they will comply.

Mr. Pennington asked about the wholesale auctions. Mr. Hertz stated that they are auctioned to other dealers, not the public. Mr. Hertz stated they will have limited service options.

Because the auction aspect is in addition to the typical auto dealer use, Solicitor Asteak followed up with additional questions about the wholesale auctions. Mr. Hertz stated that auctions are held every couple of weeks in the early morning prior to normal business hours. Auctions last for about 1-2 hours with 100+ vehicles. Buyers must be a license dealer and pre-qualified with CarMax. Purchased vehicles need to be removed from the property within 48 hours.

Solicitor Asteak spoke of lighting and dark sky compliance. Mr. Hertz stated that as part of their conditional use application they provided a lighting plan, specifically pages 12 & 13. He added that even with the taller light poles they will still be dark sky compliant.

Travis Gerould, 463 School House Road, ask Mr. Hertz to clarify that the auction aspect of this plan is only in phase 2.

Robert Hoyer, 365 Country Club Road, asked if the Planning Commission approval was unanimous. Solicitor Asteak replied the vote was 3-2; with Mr. Bickert and Ms. Crook voting nay. Mr. Hoyer also inquired if the traffic study takes the auctions into account? Mr. Hertz replied that it did. Mr. Hoyer questioned whether operations would ever be 24/7? Mr. Hertz replied that could potentially happen in the future. Mr. Hoyer wanted Mr. Hertz to define the reconditioning work to be done onsite. Mr. Hertz stated when a car is brought in it is cleaned, detailed, and all maintenance is brought up to the current mileage. Maintenance includes belts, hoses, fluid, tires, and minor paint work. Lastly Mr. Hoyer wanted to clarify that as an adjoining land owner to the west; it is not vacant land, but agricultural, productive land.

Bert Smalley, 4335 King George Drive, asked for clarification about the additional ingress from Route 248. It will only be a right-in, right-out.

Pat Denny, 2718 Cresmont Avenue, asked why here, who are their customers, where are they from? Mr. Denny had concerns of customers from New Jersey traveling through Palmer Township to access this site.

Mr. Kratz called Corey Chase, as his next witness. Mr. Chase discussed the traffic study. Mr. Kortze asked for clarification and that the right in / right out alleviates the impact to the Eastgate Blvd / Route 248 intersection. He inquired about deceleration and acceleration lanes; which will be installed.

Pat Denny, 2718 Cresmont Avenue, repeated his earlier question about the increase in traffic through Palmer Township. Mr. Chase stated that being from New Jersey he would travel Route 78 to Route 33 and exit on Route 248.

Mr. Chase stated that he is a licensed professional engineer in the Commonwealth of Pennsylvania, along with seven other states and is a Project Manager at Atlantic Traffic and Design Engineers, where he has worked for the past 13 years.

There was no public comment

Solicitor Asteak closed the record. Mr. Pennington stated that no action will be taken tonight. We will review the transcript and make a decision at our second meeting in May.

Brief 5-minute recess

Conditional Use Hearing – CU2015-02 FGC Hecktown, LLC (Greek Development)

8:05pm – 8:58pm

Solicitor Asteak re-opened the hearing by reviewing the application and history of previous hearings. Tim Charlesworth and Fidel Gonzalez were present. Due to setback requirements, the building will be shifting 10 feet closer to the berm. Sight lines are only affected when viewing from second floor window.

Ginger Bucsher, 2731 Newburg Road, everyone has second floors so how won't this be offensive?

Pat Denny, 2718 Cresmont Avenue, asked how much less sunlight will people have.

Ethan Berkov, 2705 Cresmont Avenue, inquired about the angle of elevation which would help to determine loss of sunlight.

Mr. Charlesworth recalled Edward Potenta, who reported that there would be no effects on sound by moving the building.

Ginger Bucsher, 2731 Newburg Road, asked for clarification on sound. Mr. Potenta didn't say no sound would be heard but it would be within compliance and should not disturb you inside your home at night.

Solicitor Asteak closed the record.

Public Comments:

Diane Halasz, 3002 Windsor Street, had numerous safety and health concerns.

Paul Adolf, 2716 Van Buren Road, commented that you wouldn't allow this next to your residents, and asked the Board to please consider other residents.

Ethan Berkov, 2705 Cresmont Avenue, noted that the closer these projects are to residential neighborhoods the more cautious you should be when making a He stated that we need to make roads safe for everyone, including those walking and biking and added that he hopes a limit on hours could possible.

Richard Tucker, 3105 Hecktown Road, stated that he built his home in 1973 when the land was not zoned light industrial. Now he sees numerous trucks every day pass his home.

Ginger Buscher, 2731 Newburg Road, commented that this is a 40 year established neighborhood. These developers do not live here and will not ensure conditions are met. No amount of money will be worth the effects on our lives...established lives. Residents have lived here and raised families; they shouldn't have to leave because of this development. Ms. Buscher noted that between IDI and Greek there will be 1 million square feet of warehouse space and asked the Board to protect residents and require a reasonable buffer; 100 feet is insufficient. She also requested green space, limited hours, and 2 stories instead of 4. Lastly she commented that she finds it disturbing that outsiders come in to convince the Board this project with not negatively affect residents.

Pat Denny, 2718 Cresmont Avenue, clarified that 61 decibels is the max allowable limit. He asked the Board to look at the law/requirements to allow development and make residents happier.

Rob Ross, 3034 Hecktown Road, stated that he has lived here his entire life and asked the Board to look at the long term effects on their decision.

Mr. Pennington stated a decision would be made at the May 25th meeting.

***Brief recess ***

Approval of Minutes

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to approve the minutes from the March 23rd 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 Hecktown Fire Company Incident Report for March 2016.

Correspondence

LVPC Grant Application – LVPC has requested support for a bicycle and pedestrian plan for the Lehigh Valley. A motion was moved by Mr. Kucsan and seconded by Mr. Boucher to support the grant application. The motion carried.

Supervisors' Comments

Mr. Kucsan commented that he received his newsletter and thinks it is great! It is thorough and contains lots of important information on the Township.

Mr. Pennington, Mr. Green, and Mr. Boucher had no comments.

Manager's Report

2016 Winter Storm Jonas – Federal Declaration for Snow Assistance – Resolution #LNT-12-16 – Mr. Tenges reported that the township has the ability to recoup up to 70% of storm expenses, which total around \$39,000, from the January snow storm. This resolution appoints Mr. Tenges as the applicant's agent. A motion was moved by Mr. Green and seconded by Mr. Boucher to approve Resolution #LNT-12-16. The motion carried.

Spring Newsletters – Mr. Tenges reported that newsletters are out in mail and should be received shortly.

Electronics Recycling Event – Mr. Tenges reminded everyone that the Multi-Municipal Electronics Recycling Event is this Saturday April 16th.

Township Clean-Up Day – Mr. Tenges reported that the Spring Clean-Up Day is May 14th. An advertisement ran in the Nazareth Key this week and will run again the week of the event.

Street Sweeping & Curbside Organic Waste Pick-up – Mr. Tenges also reported that street sweeping will wrap up this week. Curbside organic waste pick-up will begin on April 25th and run for two weeks.

Traffic Signal (TS) Improvements – Mr. Tenges is working on the ad for bids for the TS Improvements. He will be putting it out for bid in next couple weeks.

Summer Park Registration – Registration for the Summer Park Program opens on Monday April 18th.

Board of Supervisors Minutes
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Engineer's Report

There were no items to discuss under Engineer's Report.

Solicitor's Report

Phillips Feed – Improvements Agreement – Authorization to Execute – A motion was moved by Mr. Kucsan and seconded by Mr. Boucher to auth execution. The motion carried.

Uniform Traffic Regulation Ordinance #218-04-16 – A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve Ordinance #218-04-16. 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. Kucsan to approve payment of the bills dated April 13, 2016. The motion carried.

Courtesy of the Floor

Marcia Styles, 670 Lexington Road, asked what the process or procedure is for studying the collective impacts of all of these projects. Mr. Pennington and Mr. Kortze stated that we look at existing projects when new ones are presented. Mr. Green stated when a project is presented to the Board we need to look at what we can and cannot do legally. We would love cornfields throughout the township but we can't just deny a plan just to keep the cornfields. Mr. Pennington added that we cannot exclude and need to allow for each type of zoning.

Travis Gerould, 463 School House Road, inquired what power Lehigh Valley Hospital has in their request for re-zoning. Mr. Tenges stated they do not have any power and that the Board of Supervisors will decide; they can just say no.

Adjournment

The meeting adjourned at 9:19 PM.

Respectfully submitted by,



Tammi Dravec
Assistant Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
April 13, 2016**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
16136	USPS	Newsletter Postage	\$ 784.04
16137	Altam Manufacturing	Equipment Purchase	\$ 2,340.23
16138	Colonial Regional Police Department	Police Contract Payment	\$ 102,853.82
16139	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
16140	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 18,873.19
16141	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
16142	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
16143	Home Depot	Equipment Parts/Supplies/Facilities Maintenanc	\$ 647.28
16144	Integra One	Data Processing Equipment / Computer Service	\$ 673.58
16145	Grainger Parts	Public Works Shop Tools/Equipment	\$ 236.17
16146	Lehigh Fuels, LLC	Equipment Motor Fuel	\$ 349.50
16147	VOIDED	VOIDED	
16148	U.S. Municipal Supply, Inc.	Traffic Signs	\$ 1,031.00
16149	Valley Industrial Rubber Products	Public Works Equipment Parts/Supplies	\$ 38.46
16150	Associated Fasteners, Inc.	Public Works Equipment Parts/Supplies	\$ 30.07
16151	All-Phase Electric Supply Co.	Pubic Works Equipment Parts/Supplies	\$ 42.00
16152	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 275.80
16153	Five Star International LLC	Public Works Equipment Parts/Supplies/Repair	\$ 1,408.48
16154	Associated Fire Equipment Co., Inc.	Park / Municipal Facilities Maintenance	\$ 1,962.15
16155	Associated Fire Equipment Co., Inc.	Equipment Parts/Supplies	\$ 52.75
16156	Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies/Repair	\$ 560.09
16157	Plasterer Equipment Co., Inc.	Equipment Parts/Supplies	\$ 2.87
16158	Tommy's Small Engine Repair	Public Works Equipment Repair	\$ 151.00
16159	Staples Business Advantage	Capital Purchase/Office	\$ 3,458.00
16160	Harold's R.V. Center	Public Works Equipment Parts/Supplies	\$ 261.05

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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
16161	Cumberland Truck Parts	Public Works Tools/Equipment/Supplies	\$ 3,158.04
16162	Staples Credit Plan	Office Supplies	\$ 60.56
16163	RCN	Internet & Telephone Services	\$ 803.69
16164	Met-Ed	Traffic Signal / Street Light Electricity	\$ 278.54
16165	Pitney Bowes	Postage Meter	\$ 189.50
16166	Easton Suburban Water Authority	Municipal Bldg Sprinkler	\$ 231.00
16167	Easton Suburban Water Authority	Hydrant Assessment	\$ 17,640.00
16168	Memorial Library of Nazareth & Vicinity	Library Service	\$ 23,015.55
16169	Easton Suburban Water Authority	Municipal Bldg Water	\$ 35.91
16170	NJ Advance Media	Advertisement	\$ 327.60
16171	Lori Peck, OCR	Stenographer	\$ 555.00
16172	Medical Life Insurance Company	Employee Life Insurance	\$ 2,520.59
16173	PAMA	2016 Membership Dues	\$ 280.00
16174	EMC Insurance Companies	Township Insurance	\$ 5,030.83
16175	Sam's Club MC/SYNCB	Fire Company Supplies	\$ 1,280.35
16176	ExxonMobil	Fire Company Fuel	\$ 175.13
16177	Fogels Fuel Service	Fire Company Fuel	\$ 655.16
16178	Easton Suburban Water Authority	Fire Company Water	\$ 63.13
16179	Easton Suburban Water Authority	Fire Company Water	\$ 299.00
16180	Chase Card Services	Tools/Equipment/Office/Maintenance	\$ 930.90
16181	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 4,699.00
16182	Keystone Municipal Insurance	Workers Comp Insurance	\$ 4,531.00
16183	France Anderson Basile and Company, P.C	Auditing Services	\$ 1,980.00
16185	Northampton County Seed Company, Inc.	Public Works Supplies/Shops Tools/Equipmen	\$ 455.00
16186	LMS Designs and Signs	Fire Company Supplies	\$ 49.00

**Lower Nazareth Township
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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
16187	Fire Apparatus Services	Fire Company Equipment Maintenance	\$ 1,150.27
16188	PPL, Inc.	Fire Company Electricity	\$ 574.56
16189	Liberty Propane Inc.	Municipal Building Propane	\$ 910.03
16190	Verizon Wireless	Municipal/Public Works Wireless	\$ 395.68
16191	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,196.12
16192	PPL, Inc.	Municipal Drive Electricity	\$ 862.21
16193	Faust Heating & A/C Co., Inc.	Ambulance Facilities Maintenance	\$ 437.47
16194	Enter.net	Website/Internet Services	\$ 450.00
16195	LNT Petty Cash	Replenish Petty Cash	\$ 55.95
<i>Total General Fund Checking...</i>			\$ 214,250.59

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
940	Interport Maintenance Co., Inc.	Capital Purchase	\$ 2,600.00
941	Bath Supply Co., Inc.	Shop Tools & Equipment	\$ 265.31
942	Boyko's Petroleum Service, Inc.	Shop Tools & Equipment	\$ 152.00
943	Home Depot Credit Services	Capital Construction	\$ 148.44
<i>Total Capital Reserve Account...</i>			\$ 3,165.75

OPEN SPACE ACCOUNT

Num	Name	Memo	Amount
637	Keystone Consulting Engineers	Engineering & Inspection Services	\$ 724.38

CAPITAL SEWER-SIGNALS ACCOUNT

Num	Name	Memo	Amount
532	Signal Service, Inc.	Traffic Signal Maintenance	\$ 2,259.56

**Lower Nazareth Township
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PAYROLL ACCOUNT

April 1, 2016	\$ 33,421.18
April 15, 2016	\$ 33,405.84
<i>Total Payroll Account...</i>	\$ 66,827.02

MASTER ESCROW CHECKING (LAB)

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
1580	Met-Ed	Traffic Signal Electricity	\$ 225.06
1581	Signal Service, Inc.	Traffic Signal Maintenance	\$ 840.60
1582	Asteak Law Offices	Legal Services	\$ 2,476.25
1583	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 70,401.93
<i>Total LAB Master Escrow Account...</i>			\$ 73,943.84