

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
May 9, 2018**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday May 9, 2018. The Chairman called the meeting to order at 6:45 PM.

Present were:

James S. Pennington	-	Chairman	Gary Asteak	-	Solicitor
Martin J. Boucher	-	Vice Chairman	Albert Kortze	-	Engineer
Robert J. Hoyer	-	Supervisor	Lori A. Stauffer	-	Manager
Robert S. Kucsan	-	Supervisor	Lori B. Seese	-	Zoning Administrator
Amy L. Templeton	-	Supervisor	Tammi Dravec	-	Secretary/Treasurer

** The Chairman reported the Board held an executive session prior to tonight's meeting to discuss legal matters**

Approval of Minutes

A motion was moved by Mr. Kucsan and was seconded by Mr. Boucher to approve the April 11th meeting minutes. Mr. Hoyer abstained. The motion carried.

A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to approve the April 19th meeting minutes. Mr. Hoyer abstained. The motion carried.

A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to approve the April 25th meeting minutes. Mr. Hoyer abstained. The motion carried.

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

Mr. Pennington acknowledged the receipt of the Financial Report for March 2018 and Hecktown Fire Report for April 2018.

Correspondence – There was no discussion under Correspondence.

Subdivision and Land Development

Tru / Home2 Hotel – Subdivision & Land Development Plans: The applicant's engineer, Paul Szewczak, from Liberty Engineering made a brief presentation. Mr. Szewczak indicated the subdivision is 8 acres and the land development is on 5 acres of that subdivision. Mr. Kortze discussed his review letters.

Resolution #LNT-22-18 – Tru / Home2 Hotel – Preliminary/Final Subdivision – A motion was moved by Mr. Hoyer and was seconded by Mr. Kucsan to approve resolution #LNT-22-18. The motion carried.

Resolution #LNT-23-18 – Tru / Home2 Hotel – Preliminary/Final Land Development – Mr. Pennington asked the timeline for this project and Mr. Hoyer asked when it would be completed. Mr. Szewczak stated they hope to start construction this summer and be finished within one year. Mr. Hoyer inquired on public sewer to which Mr. Szewczak confirmed. Mr. Pennington asked about traffic impact on the traffic signals. Mr. Kortze indicated that the light at Route 248 and Eastgate Blvd / ProLogis Parkway was designed for a larger use than the hotel. In addition, CarMax will be including the hotel's traffic count in their study for the light at Route 248 & Route 33 by WaWa. Mr. Hoyer wanted to know when a light at Route 248 and Hollo Road would be addressed. Mr. Kortze said it was discussed in the past however PADOT was not in favor due to sight issues

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April 11, 2018**

at that intersection. Mr. Pennington asked Ms. Stauffer to put a traffic signal at Hollo Road on our list of items to investigate/address. A motion was moved by Ms. Templeton and was seconded by Mr. Boucher to approve resolution #LNT-23-18. The motion carried.

Supervisors' Comments

Supervisor Appointment – Liaison to Emergency Services- Ambulance – A motion was moved by Mr. Kucsan and was seconded by Ms. Templeton to appoint Mr. Hoyer. The motion carried. Mr. Hoyer mentioned that his daughter works part-time for Bethlehem Township Fire Company as a paramedic and inquired if that would be a conflict to him holding the position. Solicitor Asteak stated we could investigate but for now it would be fine.

Mr. Boucher, Ms. Templeton, and Mr. Kucsan had no comments. Mr. Hoyer noted that AAA is celebrating their 100th anniversary this year. Mr. Pennington stated that, along with Mr. Boucher, he attended the CRPC meeting.

Manager's Report

Hartman Road Extension – Ms. Stauffer gave a brief history on the approval for this extension discussing benefits including ingress and egress, access for emergency services, and improved road maintenance. The cost for the installation of this extension would be \$22,655 and would be completed by Township Public Works Staff. Mr. Pennington noted that Ms. Stauffer met with numerous concerned residents on Monday evening.

Kate Muller, 4367 Saratoga Drive, stated she had a petition with 75 signatures asking the Board to not install the extension and abandon the project altogether.

Mike Lemke, 4363 Saratoga Drive, read a statement on behalf of the neighborhood stating their concerns and belief that the extension is not necessary.

Mr. Pennington explained that cul-de-sacs and dead-end roads, like Hartman Road, take public works crews longer to clear in storms and are more difficult to access with large equipment. Mr. Pennington noted that the extension would give emergency services an additional road to access homes in an emergency. He also noted that it is the Township's plan for connectivity. The new subdivision Sterling Crossing will connect to another existing subdivision through Stephanie Drive. The Township does not want "pockets" or "islands."

Andrew Bassett, 4371 Saratoga Drive, noted drainage issues. Mr. Pennington stated the Township is aware but felt that would be addressed when the road was repaved. Mr. Kortze agreed that with more imperious cover the Township would have to do something to move the water; but noted that any grading issues should be addressed by the developer.

Scott Killino, 382 Hartman Road, stated the road was recently repaved and the drainage was not addressed. He also feels that Hartman Road exits too close to a busy intersection to add any additional traffic.

Artun Aksade, 4346 Saratoga Drive, questioned the cost of the project versus its benefit.

Kelly Noble, 398 Hartman Road, stated she gets all the water on her property and it has increased since the development of Saratoga farms.

Mr. Hoyer questioned the Townships liability of this decision. He reported he completed his own study and thinks the connection would be quicker with less turns for emergency vehicles.

Ms. Templeton also drove the area. In addition, she spoke with emergency personnel who stated they would use Hecktown Road to Saddle Drive with or without the Hartman extension. Ms. Templeton did not see a compelling argument either way. She thought perhaps installing the extension and gating it for emergency access only.

Ted Furman, 4304 Saratoga Drive, asked why now. Mr. Pennington noted there are different opinions.

Ryan Sowell, 4312 Saratoga Drive, noted that he was unaware of this approved extension and would take legal action if this extension was installed.

Mr. Pennington stated that developers will tell you, and not you, what they want. Residents need to ask the questions.

Mike Petruska, 4379 Saratoga Drive, stated that by signing the petition the residents accept the risk of emergency services possibly taking longer to reach them.

Pam Fehnel, 4362 Saratoga Drive, noted that they recently needed an ambulance at their home and noted their response was very quick.

Lindsay Peer, 4307 Saratoga Drive, wants to support an emergency interconnection. She questioned the private road sign at Sterling Crossing. Mr. Pennington explained that the road is a private road until turned over to the Township by the developer. Once the road belongs to the Township it will no longer be a private road.

The Board decided to take some time to think before deciding on the extension. It will be discussed at our May 23rd meeting.

**** The Board took a brief recess to allow residents wanting to leave to exit the meeting room ****

Review of Upper Nazareth Township Official Map – The Board was given a proposed official map of Upper Nazareth Township. Ms. Stauffer noted that it includes a proposed overlapping bike/walking path that could connect to our proposed walking path. She noted that connectivity of trails is big when applying for grants. Solicitor Asteak commented that a great deal of thought went into the map and connecting with neighboring municipalities. This will be discussed at Upper Nazareth's meeting the first Wednesday of next month.

Resolution #LNT-21-18 – Grant Fund Greenways Trails, and Recreation – Ms. Stauffer stated this grant would cover 50% of the cost of the walking path and nature stations at the park on Newburg Road. Previously we applied for the other 50% through DCNR. A motion was moved by Mr. Hoyer and was seconded by Ms. Templeton to approve Resolution #LNT-21-18. The motion carried.

Resolution #LNT-24-18 – Adoption of Personnel Policy – Ms. Stauffer presented the Board with amended personnel policy that has been reviewed by our Human Resource Attorney, Mr. Heimbach. The existing policy was last amended in 2011. She noted that this update brings our policy more in line with State and Federal laws. A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve resolution #LNT-24-18. Mr. Hoyer had numerous comments regarding the proposed personnel policy.

Regarding employees sleeping while on duty, as in Public Works crews taking a break from snowplowing, Mr. Hoyer believes that directive should come from the Chairman or Vice-Chairman in addition to the RoadMaster and Township Manager. The Board agreed.

Regarding the language “inappropriate use of computers” Mr. Hoyer thought that should be clarified. Ms. Stauffer stated she did not want it to be too specific thus possibly leaving out an instance of inappropriate usage. The Board agreed with Ms. Stauffer.

Regarding access to personnel records, Mr. Hoyer discussed removing Board of Supervisor access and suggested Ms. Stauffer speak with Mr. Heimbach.

Regarding Public Works Staff not having a lunch break. He felt that if Office Staff receives a lunch break so should Public Works. Mr. Pennington wondered if everyone needed a ½ hour for lunch. Ms. Stauffer stated that Mr. Tenges and Public Works agreed to work through lunch to continue working while on a job site and to shorten the days in the summer. Mr. Hoyer felt it was safer to give staff a break during the day. The Board agreed to requiring all staff to take a ½ hour for lunch.

Regarding paid time off for new employees during their probation period, Mr. Hoyer did not feel they should receive any paid time off during that period. The Board agreed.

After discussing these items, the Board tabled approval of the policy and would discuss it at a future meeting.

Resolution #LNT-25-18 – Funds Investment Policy – Ms. Stauffer presented the Board with a policy for investing our funds. A motion was moved by Mr. Hoyer and was seconded by Ms. Templeton to approve resolution #LNT-25-18. The motion carried.

Resolution #LNT-26-18 – Authorization to move funds into CD Investment – Ms. Stauffer proposed investing \$500,000.00 from our Traffic Impact Fund and \$500,000.00 from our Open Space Fund in certificate of deposits at Merchants Bank. The funds would be invested for a 13-month period at a rate of 1.5% APR with no penalty for early withdrawal. Mr. Pennington stated the Township should request a letter confirming the funds are secure since it is above \$250,000. Solicitor Asteak also wanted a letter ensuring there would be no penalty if the Township were to call in the CD prior to the end of the 13-month period. A motion was moved by Mr. Boucher and was seconded by Mr. Hoyer to approve resolution #LNT-26-18. The motion carried.

Appointments to Planning Commission and Zoning Hearing Board – A motion was moved by Mr. Hoyer and was seconded by Mr. Boucher to appoint Travis Gerould to the Planning Commission. The motion carried. A motion was moved by Mr. Hoyer and was seconded by Ms. Templeton to appoint Robert Stocklas to an alternate position on the Zoning Hearing Board. The motion carried.

Ordinance Proposals – Ms. Stauffer proposed two ordinances to gauge the Board’s interest before investing time in drafting the ordinances. The first is a property maintenance ordinance to be used as a tool for the Zoning Officer for complaints of properties with garbage, junk, and in disrepair. Solicitor Asteak believes our nuisance ordinance would cover those types of complaints; however, Ms. Stauffer feels that does not always fit. Mr. Pennington suggested we place this on the back burner and for now give Solicitor Asteak a list of complaints and where you feel authority for those issues is lacking. Secondly, Ms. Stauffer proposed a short-term rental ordinance. We currently have some of these, “Air B&Bs” which are causing numerous complaints within Trio Fields. Ms. Stauffer explained the ordinance would require permits and allow access to the property. Solicitor Asteak said we could amend the zoning ordinance to include these requirements.

Engineer’s Report

Nazareth PT / Jandy Blvd – Letter of Credit Reduction / Commence Maintenance – Mr. Kortze review his letter recommending the letter of credit be reduced in the amount of \$110,795.08, leaving a balance of \$10,072.28. A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to reduce the letter of credit per Mr. Kortze’s

letter. The motion carried. A motion was moved by Mr. Hoyer and was seconded by Mr. Boucher to commence the 18-month maintenance period. The motion carried.

ORE -- Letter of Credit Reduction – Mr. Kortze review his letter recommending the letter of credit be reduced in the amount of \$103,991.53, leaving a balance of \$71,570.85. A motion was moved by Mr. Kucsan and was seconded by Ms. Templeton to reduce the letter of credit per Mr. Korte’s letter. The motion carried.

Solicitor’s Report

LVHN – Improvements Agreement – Authorization to Execute – A letter of credit has been received. A motion was moved by Mr. Boucher and was seconded by Ms. Templeton authorizing execution of this agreement. The motion carried.

Trio Fields Phase 6A – Improvements Agreement – A letter of credit has been received. A motion was moved by Mr. Kucsan and was seconded by Mr. Hoyer authorizing execution of this agreement. The motion carried.

CarMax – Improvements Agreement – A motion was moved by Mr. Hoyer and was seconded by Mr. Kucsan authorizing execution of this agreement upon receipt of a letter of credit. The motion carried.

Liberty Property Trust – A motion was moved by Ms. Templeton and was seconded by Mr. Kucsan to authorize Ms. Stauffer and Solicitor Asteak to obtain appraisals to facilitate a settlement to litigation. The motion carried.

Wireless Ordinance – Solicitor Asteak reported that he is close to a final draft of the ordinance.

RonDel Development – Solicitor Asteak reported that Ms. Fuisz has engaged council and there will be a meeting of the lawyers. He will report back at a future meeting.

Old Business - There was no discussion under Old Business.

New Business - There was no discussion under New Business.

Payment of the Bills

A motion was moved by Mr. Hoyer and was seconded by Ms. Templeton to approve payment of the bills dated May 9th. The motion carried.

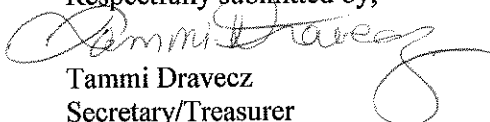
Courtesy of the Floor

Bert Smalley, 4335 King George Drive, requested an update to the sewer installation and roadway improvements in his neighborhood. Mr. Kortze reported that Keystone Consulting Engineers completed a survey and submitted it to the sewer authority. Ms. Stauffer estimated that the work would be completed in 2019-2020.

Travis Gerould, 463 Schoolhouse Road, questioned why the special meeting for May 15th was cancelled. Solicitor Asteak stated that Mr. Jaindl requested the meeting be cancelled.

Adjournment – The meeting adjourned at 8:27 PM.

Respectfully submitted by,


Tammi Dravec
Secretary/Treasurer

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**Lower Nazareth Township
Bills To Be Approved
May 9, 2018**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
18076	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 1,902.91
18077	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 1,546.00
18078	Edgar W Geiger, Jr.	Local Services Tax Refund	\$ 52.00
18079	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 584.75
18080	Edwards Business Systems	Copier Maintenance	\$ 469.56
18081	Enter.net	Website Hosting	\$ 192.00
18082	Edwards Business Systems	Copier Maintenance	\$ 535.83
18083	ReadyRefresh by Nestle	Municipal Bottled Water	\$ 20.45
18084	City of Bethlehem	Hydrant Assessment	\$ 161.76
18085	PA Unemployment Compensation Fund	Unemployment Compensation	\$ 827.54
18086	Suburban Propane	Park Fuel	\$ 252.45
18087	Palmer Township Board of Supervisors	MS4 Advertisement	\$ 42.50
18088	Grainger Parts	Fire Company Parts/Supplies	\$ 1,524.00
18089	Verizon Wireless	Fire Company Wireless	\$ 138.56
18090	Verizon Wireless	Fire Company Wireless	\$ 379.34
18091	Service Electric Telephone Co.	Fire Company Telephone	\$ 43.47
18092	Service Electric Cable TV Inc	Fire Company Internet	\$ 48.64
18093	Bergey's, Inc	Fire Company Equipment Repairs	\$ 3,155.89
18094	Integra One	Computer Services/Software Maintenance	\$ 81.00
18095	Lower Nazareth Township General Fund	Replenish Petty Cash	\$ 133.43
18096	Colonial Intermediate Unit 20	Office Supplies	\$ 198.83
18097	Advanced Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 642.58
18098	PSATS CDL Program	CDL Drug Testing	\$ 120.00
18099	TransEdge Truck Centers	Public Works Equipment Parts/Supplies	\$ 304.04

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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
18100	Martin Stone Quarries, Inc	Park Supplies	\$ 1,939.07
18101	Staples Business Advantage	Office Supplies	\$ 149.16
18102	George J. Kratzer, Inc.	Park Septic Tanks	\$ 400.00
18103	All-Phase Electric Supply Co.	Pubic Works Equipment Purchase/ Fire Co Eq	\$ 5,136.69
18104	Bath Supply Co., Inc.	Park Facilities Maintenance	\$ 1,651.00
18105	U.S. Municipal Supply, Inc.	Public Works Equipment Parts/Supplies	\$ 3,611.06
18106	Kensol Airways	Park Facilities Maintenance	\$ 225.00
18107	Chase Card Services	Office Supplies/Software Maintenance/Trainin	\$ 11,638.93
18108	Home Depot	Public Works Shop Tools/Equipment/Supplies	\$ 360.18
18109	U.S. Municipal Supply, Inc.	Public Works Equipment Parts/Supplies	\$ 489.40
18110	Integra One	Computer Services/Software Maintenance	\$ 1,674.09
18111	Met-Ed	Traffic Signal / Street Light Electricity	\$ 318.83
18112	Lehigh Fuels, LLC	Equipment Motor Fuel	\$ 608.54
18113	Safeguard Business Systems	Office Supplies	\$ 76.34
18114	Interstate Battery of Allentown	Public Works Equipment Parts/Supplies	\$ 46.95
18115	Bethlehem Township Volunteer Fire Co.	Ambulance Services	\$ 30,000.00
18116	RCN	Internet & Telephone Services	\$ 805.14
18117	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 179.00
18118	The Key	Advertisements	\$ 1,138.05
18119	Easton Suburban Water Authority	Municipal Bldg Water	\$ 53.28
18120	<i>VOIDED</i>		
18121	The Morning Call	Subscription Renewal	\$ 114.00
18122	EMC Insurance Companies	Township Insurance	\$ 5,720.30
18123	Stotz & Fatzinger Office Supply	Zoning Supplies	\$ 82.00
18124	A & S HVAC, Inc.	Fire Company Maintenance	\$ 455.00

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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
18125	Sam's Club MC/SYNCB	Fire Company Supplies	\$ 343.93
18126	Easton Suburban Water Authority	Fire Company Water	\$ 74.01
18127	Easton Suburban Water Authority	Fire Company Water	\$ 3.95
18128	Eric Mitcheltree	Real Estate Collection	\$ 10.00
18129	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 9,526.63
18130	Asteak Law Offices	Legal Services	\$ 11,493.75
18131	Colonial Regional Police Department	Police Contract Payment	\$ 113,440.06
18132	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 1,011.77
18133	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
18134	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
18135	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 23,414.27
18136	NJ Advance Media	Advertisements	\$ 188.50
18137	Liberty Propane Inc.	Municipal Building Propane	\$ 1,995.75
18138	Flamm Walton PC	Personnel Legal Services	\$ 688.50
18139	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,150.42
18140	PPL, Inc.	Municipal Drive Electricity	\$ 809.14
18141	PA One Call System, Inc.	Monthly Activity	\$ 44.00
18142	ExxonMobil	Fire Company Fuel	\$ 574.94
18143	Fogels Fuel Service	Fire Company Fuel	\$ 1,423.42
18144	PPL, Inc.	Fire Company Electricity	\$ 413.08
<i>Total General Fund Checking...</i>			\$ 248,812.69

HIGHWAY RECONSTRUCTION / REHABILITATION ACCOUNT

Num	Name	Memo	Amount
1050	Keystone Consulting Engineers	Engineering & Inspection Services	\$ 647.75

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DEVELOPMENT & INSPECTION ACCOUNT

Num	Name	Memo	Amount
1887	Lower Nazareth Township GF	Sewer Connection	\$ 170.00
1888	Lower Nazareth Township - NS	Sewer Connection	\$ 115.00
1889	CodeMaster Inspection Services, Inc.	Building Inspection Services	\$ 35,676.50
<i>Total Development & Inspection Account...</i>			\$ 35,961.50

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
1034	Beth-Hanover Supply Co., Inc.	Capital Construction	\$ 3,245.63
1035	Bath Supply Co., Inc.	Capital Construction	\$ 123.67
1036	Dykes Lumber Co.	Capital Construction	\$ 225.36
1037	Sherwin-Williams	Capital Construction	\$ 27.48
1038	Easton Area Glass	Capital Construction	\$ 200.00
1039	Chase Card Services	Capital Construction	\$ 2,846.97
1040	Home Depot Credit Services	Capital Construction	\$ 1,466.11
<i>Total Capital Reserve Account...</i>			\$ 3,594.66

PAYROLL ACCOUNT

April 27, 2018	\$ 41,765.51
May 11, 2018	\$ 38,150.52
<i>Total Payroll Account...</i>	
	\$ 79,916.03

CAPITAL RESERVE EQUIPMENT REPLACEMENT ACCOUNT

Num	Name	Memo	Amount
1011	Koch 33 Ford	Equipment Purchase	\$ 31,261.00

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MASTER ESCROW CHECKING (LAB)

Num	Name	Memo	Amount
1876	Met-Ed	Traffic Signal Electricity	\$ 157.83
1877	PPL Electric Utilities	Traffic Signal Electricity	\$ 75.02
1878	Signal Service, Inc.	Traffic Signal Maintenance	\$ 531.30
1879	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 40,016.27
		<i>Total Master Escrow Checking Account...</i>	\$ 40,780.42