

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS & IDI HEARING MINUTES
MAY 14, 2014**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Elementary School on Wednesday, May 14, 2014. The Vice-Chairman called the meeting to order at 4:00PM.

Present were:

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

Approval of Minutes

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to approve the BOS meeting minutes for April 23, 2014. 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 Volunteer Fire Company Incident Report for April 2014.

Correspondence

Mr. Pennington acknowledged the receipt of a letter from Joelle Lubar, liaison between the Memorial Library of Nazareth and Vicinity and the Township wherein the Library Board authorized seeking out an additional representative between the two entities.

After a brief discussion regarding the “desirable skills” outlined in the library’s letter, the Board and Township Manager recognized the difficulty in finding an additional volunteer let alone one with those skills. The position will be announced on the township website.

Subdivision and Land Development

Brown-Daub Fiat – Revised Final Land Development – Resolution #LNT-10-14 –Mr. Kortze reviewed his May 9th letter recommending approval subsequent to the items as outlined, being adequately addressed.

A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve Resolution #LNT-10-14. The motion carried.

Supervisors’ Comments

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

Mr. Green attended a meet and greet held at the library to meet the new Director. Mr. Green also read a summary outlining the history of the Ambulance Corps property transactions and services. He and Mr. Boucher meet with CRPD Chief Seiple on May 9th to get an update on their operations.

As a follow up to Mr. Green’s comments regarding ambulance service, Solicitor Asteak advised receipt of the deed today from the Bethlehem Township Volunteer Fire Company to the Hecktown Ambulance building. Solicitor Asteak stated the deed would be recorded in a day or two and advised the Manager to address insurance coverage.

Ryan Hoff was acknowledged and thanked for being instrumental in solidifying this deal.

Manager's Report

EOP Plan - Resolution #LNT-09-14 – Mr. Tenges reported that Township has reviewed the Emergency Operations Plan and although there are some things we might want to modify it is certainly appropriate to adopt it as is this evening.

A motion was moved by Mr. Boucher and was seconded by Mr. Kucsan to approve Resolution #LNT-09-14. The motion carried.

Time Extension Report – Mr. Tenges reported the Township accepted a time extension from Estates at Deer Crossing until August 31, 2014.

Police Report – Mr. Tenges reported the Township has received the report from the consultant and copies will be in the hands of Board members shortly. Mr. Tenges suggested an announcement be made for the June 11, 2014 meeting of an open discussion on this matter.

Solicitor Asteak commented individuals would be given the opportunity to address the Board on the decision at that time.

PPL Electric Upgrade Grant – Mr. Tenges reported the Township received a grant in the amount of \$23,325.00, essentially a 100% match to upgrade all facilities external lighting to LED.

Clean up Day – Mr. Tenges reported another successful clean up day. The report has not yet been compiled however preliminary data looks like attendance numbers may be slightly lower and out of pocket expense to the Township slightly more than \$1000.00.

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

Solicitor's Report

Floodplain Ordinance Amendment – Solicitor Asteak reported it's been beyond the 30 days since the Ordinance was sent out and reviewed by both the Lower Nazareth and Lehigh Valley Planning Commissions and it appears to be relatively non-controversial.

A motion was moved by Mr. Green and was seconded by Mr. Kucsan authorizing Solicitor Asteak to advertise for consideration to adopt at the June 11, 2014 meeting. 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 May 14, 2014. The motion carried.

Courtesy of the Floor

Chief Seiple, CRPD, queried the Board on whether a decision regarding the police matter would be made at the June 11, 2014 meeting and requested a copy of the report prior to the decision making to provide some additional information and comments. Mr. Pennington acknowledged the Township is committed to the June 30th date however could not be certain whether a decision would be reached at the June 11th meetings or whether it would continue to the second meeting in June. Mr. Tenges advised out of courtesy, the Board will be given a copy of the report first to look over and comment then a copy would be given to Chief Seiple.

Marty McEnrue, 318 Peachtree Lane, asked whether citizens have a right to vote on the Township starting its own police department. Mr. McEnrue stated his opposition to a new police force and in his opinion the majority of township residents are also against it. Mr. McEnrue also questioned what could be done to remove a current

Supervisor from the Board. Solicitor Asteak responded the public vote determines who sits on the Board, and to perform those types of decision making functions.

******Recess from 4:22pm – 5:08pm******

Continuation: IDI Conditional Use Hearing CU2013-02

Solicitor Asteak re-opened the hearing with a brief synopsis of the last meeting and reminded everyone of the ground rules: (1) Redundant comments and questions will not be permitted. (2) Only those with a direct interest will be allowed to comment. (3) Be considerate, quiet (no commenting aloud & silence cell phones), and be respectful.

Nick Noel introduced co-council Charles Elliot, supplemented the record with some photographs of water and sinkholes from the last torrential rains, and questioned several witnesses. Exhibits O-31 through O-36 was entered into the record.

Blake Marles continued with rebuttal testimony by calling Lori B. Seese, Planning and Zoning Administrator, Lower Nazareth Township and querying her on the authenticity of records supplied to him in a formal records request. Mr. Elliot question whether any noise complaints were received on Keystone Foods or Phillips Feed. Lori Seese responded in the negative. Mr. Sheer and Mr. Vargo had no questions.

Blake Marles called his next witness, Raymond C. Geiger, Jr. Real Property Appraiser/Consultant/Broker. Mr. Geiger spoke to his report titled "A Report on Value Impact of Proposed IDI Warehouse Project on Surrounding Residential Neighborhood," completed date March 3, 2014 and referred to it as a "4-prong" report. Exhibits A-37 through A-38 was entered into the record.

Mr. Noel and Mr. Sheer questioned Mr. Geiger. Mr. Vargo had no questions.

Supervisor Rick E. Nagle arrived at 6:23pm

Public question and answer of Mr. Geiger followed.

******Brief break from 6:27pm – 6:40pm******

Public question and answer of Mr. Geiger continued.

Blake Marles called his next witness, William C. Kaufell, Director of Acoustical and Air Quality Services, Skelly and Loy. Mr. Kaufell spoke to his report titled "Sound Level Assessment IDI Warehouse Facility – Brown Tract Lower Nazareth Township, Northampton County, Pennsylvania," dated October 30, 2013.

Mr. Noel and Mr. Elliot questioned Mr. Kaufell regarding his qualifications. Mr. Vargo had no questions.

Testimony of Mr. Kaufell continued. Exhibits A-30 through A-40 was entered into the record.


Cross examination of Mr. Kaufell by Mr. Elliot followed. Exhibits OM-5 through OM-9 was enter into the record. Mr. Vargo and Mr. Noel questioned Mr. Kaufell followed by Mr. Marles.

Public question and answer of Mr. Kaufell followed.

Adjournment

The hearing concluded at 9:03pm and would continue on June 9th at 5:00pm.

Respectfully submitted by,


Kelly J. Sullivan
Office Clerk

**Board of Supervisors Minutes
May 14, 2014**

**Lower Nazareth Township
Bills To Be Approved
May 14, 2014**

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<u>GENERAL FUND CHECKING ACCOUNT</u>			
14325	State Worker's Insurance Fund	Workers Compensation	\$ 1,476.00
14326	PA Unemployment Compensation Fund	Unemployment Compensation	\$ 12.70
14327	PAPCO	Equipment Motor Fuel	\$ 2,852.34
14328	Mansfield Oil Company	Equipment Motor Fuel	\$ 156.76
14329	Edwards Business Systems	Copier Maintenance	\$ 402.84
14330	Valley Industrial Rubber Products	Equipment Parts/Supplies	\$ 78.45
14331	J. Smith's Automotive, Inc.	Equipment Repairs	\$ 16.40
14332	Sam's Club	Municipal Building/Public Works Supplies	\$ 165.56
14333	Kimball Midwest	Public Works Supplies	\$ 79.08
14334	Stewart-Amos Equipment Co.	Street Sweeping	\$ 10,969.62
14335	Cumberland Truck Parts	Public Works Equipment Parts/Supplies	\$ 111.99
14336	Commonwealth of Pennsylvania	Public Works Supplies	\$ 19.25
14337	George J. Kratzer, Inc.	Park Septic Tank	\$ 390.00
14338	International Salt Co., LLC	Winter Maintenance	\$ 6,496.62
14339	Giles & Ransome, Inc.	Equipment Parts/Supplies/Repairs	\$ 783.28
14340	Easton Suburban Water Authority	Municipal Bldg Water	\$ 32.06
14341	EMC Insurance Companies	Township Insurance	\$ 15,582.84
14342	Verizon	Municipal Office Telephone	\$ 441.15
14343	Verizon	Public Works Telephone	\$ 161.49
14344	The Express Times	Advertisement	\$ 194.05
14345	The Express Times	Zoning Hearing Advertisement	\$ 314.80
14346	Met-Ed	Traffic Signal Electricity	\$ 203.50
14347	Fogels Fuel Service	Municipal Heating Fuel Maintenance	\$ 299.95
14348	Fogels Fuel Service	Municipal Heating Fuel	\$ 3,529.18
14349	Liberty Property Limited Partnership	Real Estate Tax Refund	\$ 99.18

**Lower Nazareth Township
Bills To Be Approved
May 14, 2014**

GENERAL FUND CHECKING ACCOUNT CONTINUED

14350	Advanced Auto Parts Professional	Equipment Parts/Supplies	\$ 154.68
14351	Asteak Law Offices	Legal Services	\$ 43.75
14352	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 438.00
14353	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
14354	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
14355	Colonial Regional Police Department	Police Contract Payment	\$ 89,830.78
14356	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 17,842.41
14357	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
14358	Lower Nazareth Township General Fund	Clean-Up Day	\$ 200.00
14359	The Express Times	Advertisement	\$ 13.80
14360	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,312.45
14361	PPL, Inc.	Municipal Drive Electricity	\$ 744.99
14362	Verizon Wireless	Municipal/Public Works Wireless	\$ 370.01
14363	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 7,538.88
14364	Liberty Propane Inc.	Municipal Building Propane	\$ 563.46
14365	Lori Peck, OCR	Stenographer	\$ 45.00
14366	Nazareth Key	Advertisements	\$ 1,062.06
14367	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 63.24
14368	PA One Call System, Inc.	Monthly Fax Activity	\$ 59.80
14369	Certified Laboratories	Public Works Equipment Parts/Supplies	\$ 178.17
14370	Tractor Supply Credit Plan	Public Works Equipment Parts/Supplies	\$ 137.88
14371	Advanced Auto Parts Professional	Public Works Supplies	\$ 20.79
14372	ExxonMobil	Fire Company Fuel	\$ 421.73
14373	Easton Suburban Water Authority	Fire Company Water	\$ 56.75
14374	Fogels Fuel Service	Fire Company Fuel	\$ 1,220.56
14375	Guy Connelly	Local Services Tax Refund	\$ 52.00

**Lower Nazareth Township
Bills To Be Approved
May 14, 2014**

GENERAL FUND CHECKING ACCOUNT CONTINUED

14376	Home Depot	Public Works and Park Parts/Supplies	\$ 553.84
14377	Chase Card Services	Continuing Education/Misc Shop Tools/Equipm	\$ 4,466.63
14378	G C Electric Co., Inc.	Park Facilities Maintenance	\$ 156.50
14379	Megan Kraft	Local Services Tax Refund	\$ 34.00
14380	Forks Township	VOIDED	\$ -
14381	Sam's Club	Membership Renewal	\$ 225.00
14382	Eric Albert	Clean-Up Day	\$ 143.96
14383	Forks Township	Equipment Purchase	\$ 30,000.00
<i>Total General Fund Checking...</i>			<u><u>\$ 175,762.50</u></u>

MASTER ESCROW CHECKING (LAB)

1286	Nazareth Area School District	Facility Use	\$ 150.00
1287	Met-Ed	Traffic Signal Electricity	\$ 191.39
1288	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 17,312.13
1289	Asteak Law Offices	Legal Services	\$ 2,581.25
1290	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 1,968.19
1291	Cornerstone Church	Escrow Refund	\$ 9,267.18
1292	Pyramid Properties	Escrow Refund	\$ 520.19
1293	John Flanagan	Escrow Refund	\$ 510.02
1294	Estate of Lelia Klinger	Escrow Refund	\$ 2.54
<i>Total Master Escrow Checking Account...</i>			<u><u>\$ 32,502.89</u></u>

PAYROLL ACCOUNT

May 2, 2014	\$ 32,334.83
May 16, 2014	\$ 32,482.33
<i>Total Payroll Account...</i>	
<u><u>\$ 64,817.16</u></u>	

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DEVELOPMENT & INSPECTION ACCOUNT

1773	CodeMaster Inspection Services, Inc.	Building Inspection Services	\$ 16,310.00
		<i>Total Development & Inspection Account...</i>	<u>\$ 16,310.00</u>

CAPITAL RESERVE ACCOUNT

826	All Phase Electric Supply Co	Capital Construction	\$ 445.97
827	Building Specialties	Capital Construction	\$ 277.74
828	The Home Depot	Capital Construction	\$ 446.71
829	Roman Electrical Contractor LLC	Capital Construction	\$ 7,865.00
830	All Phase Electric Supply Co	Capital Construction	<u>\$ 12,645.00</u>
		<i>Total Capital Reserve Account...</i>	<u>\$ 21,680.42</u>