

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
June 12, 2019**

The Lower Nazareth Township Board of Supervisors held their regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday June 12, 2019. The Chairman called the meeting to order at 6:50 PM.

Present were:

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

*\*\*\* The Board held an executive session prior to tonight's meeting for litigation discussion \*\*\**

**Conditional Use Hearing – CU2019-02 – Jaindl 248 Warehouse**

Solicitor Asteak opened the conditional use hearing with a brief description of the application. The proposed use is the land development and construction of two warehouses. The property location is Easton-Nazareth Hwy/Route 248, specifically Tax Map Parcel #K8-7-1. The property is zoned Light Industrial Campus (LI).

Present for the hearing and giving testimony was Attorney Joseph Zator; David Jaindl, Jaindl Land Company; Kirk Johnson, Watson Land Company; and Rick Roseberry, Maser Engineering. Attorney Zator noted that this proposed project is a joint venture between Jaindl and Watson Land Company.

Mr. Jaindl testified that they intend to develop two warehouses on this property. He discussed the CCR (code, covenants, and restrictions) deed restrictions, they will impose that go beyond the Township's minimum.

Mr. Roseberry noted that they have been before the Township's Planning Commission and they recommended approval and received a letter from the Lehigh Valley Planning Commission (LVPC) recommending that it's a project consistent with the county's comprehensive plan.

Mr. Roseberry discussed the property's location and surrounding properties. The plan is to divide the existing 61.495-acre lot into a 17.3-acre and 43.89-acre lot with a warehouse on each lot. Mr. Roseberry then discussed access and traffic circulation and volume. The driveway to the property will be built to public road standards in an attempt in the future to connect Route 248 to Route 191. If this were to happen the developer intends to dedicate the roadway to the Township.

Mr. Hoyer expressed concern about traffic at Route 248 and Hollo Road. Turning onto Route 248 from Hollo Road is already difficult and will only get worse with this development. He stated that he does not care if PennDOT says it's not warranted; he wants a traffic light at that intersection and that it be made a condition of approval. Solicitor Asteak asked the applicant if PennDOT said a traffic signal could be installed would they agree to install one? Mr. Jaindl agreed to have his traffic engineer re-evaluate the intersection and speak with PennDOT.

Mr. Johnson discussed tenants and fire suppression. He stated they will comply with township, state, and federal regulations pertaining to smoke, dust, odor, air pollutants, noise, vibration, light, glare, electronic disturbances, water, and chemical pollutants.

Mr. Matthew Mikol, 3966 Hollo Road, was very upset about this proposed development. One concern is his fear that this project will cause his nearby property, which is preserve farmland, to be devalued. His other concern is the intersection of Route 248 and Hollo Road. He asked that the Board put off a decision until Mr. Jaindl has the intersection re-evaluated.

Solicitor Asteak closed the hearing at 8:20pm.

*\*\* These minutes are only a brief summation of the actual hearing. A transcript of the hearing is available for review at the Township Office. \*\*\**

Mr. Pennington stated that the Board would defer a decision so the Board can review all the information.

Ms. Stauffer asked the applicant to provide a time extension for their land development plan through July 31<sup>st</sup>. Attorney Zator and Mr. Jaindl said they would send a letter.

#### **Approval of Minutes**

A motion was moved by Mr. Hoyer and was seconded by Mr. Boucher to approve the May 22<sup>nd</sup> meeting minutes. Mr. Smalley 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 Hecktown Fire Incident Report for May 2019.

#### **Correspondence**

There was no discussion under Correspondence.

#### **Subdivision and Land Development**

Trio Farms Phase 7 — Ms. Stauffer reported that at the previous meeting the Board approve Resolution #LNT-12-19 for the Trio Farms Phase 7 project. The applicant is required to accept the terms within the resolution within 5 days. The applicant instead altered the language in the resolution. Ms. Stauffer stated the applicant is requesting earth movement prior to the conditions being met and recording of the plan. Solicitor Asteak stated he will ask the applicant to sign off on the original resolution, sign an indemnification agreement, and post security prior to earth movement. A motion was moved by Mr. Smalley and was seconded by Mr. Hoyer to approve the indemnification agreement. The motion carried.

#### **Supervisors' Comments**

Mr. Pennington reported that the COG is discussing the possibility of members collectively joining an emergency services notification system program, like Nixel, in order to save money. Once proposal was \$2,000/annually per municipality. Township Supervisors were interested in getting more information. Mr. Pennington also reported on COG members collectively forming a property maintenance board of appeals. Mr. Hoyer stated concern of a property maintenance code going beyond dealing with excessive

junk on a property to going after property owners for design styles. Finally, Mr. Pennington commented that the Multi Municipal Comp Plan update continues moving forward.

Ms. Templeton had no comments.

Mr. Boucher had no comments.

Mr. Hoyer stated an ordinance will need to be drafted to implement the Open Space Program. He hopes by late July / early August will begin accepting names of individuals to sit on the committee. Mr. Hoyer said the additional EIT tax will be implemented in the fall of 2020. Ms. Stauffer commented that she will call voter registration for election results so we can proceed with drafting the ordinance.

Mr. Smalley reported that he attended the Open Space meeting with Gilmore & Associates as well as the Hecktown Fire Company monthly meeting.

### **Engineer's Report**

O.R.E. Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending the reduction in security. A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to reduce the letter of credit. The motion carried.

### **Solicitor's Report**

Township Auditor Vacancy – The Board of Supervisors acknowledged the receipt of Jake Towne's resignation from the Board of Auditor's, effective July 4<sup>th</sup>. Solicitor Asteak declared the position vacant. A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to authorize the Township Manager to begin the search for an individual to finish out the term. The motion carried.

### **Manager's Report**

Christian Springs Road Update – Ms. Stauffer commented that after the last meeting a resident reached out to hear and threatened to sue the township in rumble strips were installed on Christian Springs Road. She stated that she cannot put the Township in this position; therefore, rumble strips will not be installed as previously reported.

Official Map Ordinance – Ms. Stauffer shared a proposal from Gilmore & Associates for our Official Map Ordinance project at a cost of \$8,480.00. Ms. Stauffer noted that the Township has applied for a \$4,200 grant towards this project. A motion was moved by Mr. Hoyer and was seconded by Ms. Templeton to contract with Gilmore & Associates to produce the official map for the Township effective July 1, 2019. The motion carried.

Certificates of Deposit Renewal – Resolution #LNT-17-19 – Ms. Stauffer reported that our certificates of deposits at Merchant's Bank will mature on June 25<sup>th</sup>. She proposed to transfer those funds to Lafayette Ambassador Bank into certificates of deposits at a higher interest rate. A motion was moved by Mr. Hoyer and was seconded by Mr. Boucher to approve Resolution #LNT-17-19 to invest funds in certificates of deposits at Lafayette Ambassador Bank. The motion carried.

### **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. Boucher and was seconded by Ms. Templeton to approve payment of the bills dated June 12<sup>th</sup>. The motion carried.

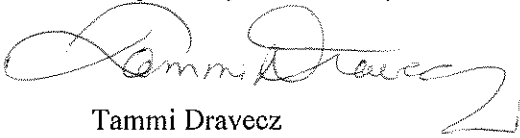
**Courtesy of the Floor**

Jeff Shepherd, 4485 Whitetail Drive, was happy with the installation of speed radar devices throughout the township.

**Adjournment**

The meeting adjourned at 8:55PM.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Tammi Dravec", with a large flourish at the end.

Tammi Dravec  
Secretary/Treasurer

**Lower Nazareth Township**  
**Bills To Be Approved**  
June 12, 2019

**GENERAL FUND CHECKING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
19192	Sam's Club	Membership Renewal	\$ 200.00
19193	<i>VOIDED</i>		\$ -
19194	<i>VOIDED</i>		\$ -
19195	NJ Advance Media	Advertisement	\$ 117.95
19196	Edwards Business Systems	Copier Maintenance	\$ 411.10
19197	Edwards Business Systems	Copier Maintenance	\$ 513.29
19198	Wex Bank	Fire Company	\$ 420.81
19199	Service Electric Telephone Co.	Fire Company Telephone	\$ 44.54
19200	Service Electric Cable TV Inc	Fire Company Internet	\$ 56.64
19201	Verizon Wireless	Fire Company Wireless	\$ 379.76
19202	Verizon Wireless	Fire Company Wireless	\$ 138.56
19203	Fogels Fuel Service	Fire Company Fuel	\$ 755.91
19204	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 2,192.00
19205	Philadelphia Insurance Companies	Summer Park Program Insurance	\$ 495.00
19206	Allstate Septic Systems	Temporary Restrooms	\$ 225.00
19207	Integra One	Computer Services/Software Maintenance	\$ 81.00
19208	Easton Suburban Water Authority	Municipal Bldg Water	\$ 52.83
19209	Easton Suburban Water Authority	Municipal Bldg Water	\$ 75.00
19210	PAPCO	Equipment Motor Fuel	\$ 839.78
19211	Mansfield Oil Company	Equipment Motor Fuel	\$ 1,161.64
19212	Integra One	Computer Services/Software Maintenance	\$ 1,037.66
19213	Staples Business Advantage	Office Supplies	\$ 528.16
19214	W.B. Mason Company, Inc.	Office Supplies	\$ 279.90
19215	Lower Nazareth Township	Building Permit	\$ 315.00
19216	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,013.29
19217	PPL, Inc.	Municipal Drive Electricity	\$ 950.32

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<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
19218	RCN	Internet & Telephone Services	\$ 804.47
19219	Keystone Municipal Insurance	Workers Comp Insurance	\$ 5,341.75
19220	Met-Ed	Traffic Signal / Street Light Electricity	\$ 287.44
19221	The Key	Advertisements	\$ 640.80
19222	NJ Advance Media	Advertisements	\$ 353.90
19223	Integra One	Computer Services/Software Maintenance	\$ 343.75
19224	Schwab's Screenprinting	Summer Park Program	\$ 239.25
19225	Karen A. Mengel, RPR, CSR	Stenographer	\$ 160.00
19226	Sam's Club MC/SYNCB	Fire Company Supplies	\$ 380.12
19227	Eastern Autoparts Warehouse	Fire Company Equipment Parts/Supplies	\$ 606.95
19228	Easton Suburban Water Authority	Fire Company Water	\$ 73.62
19229	Rush Uniform Inc.	Fire Company Uniform Supplies	\$ 78.95
19230	Reynolds Business Systems, Inc.	Equipment Maintenance Agreement	\$ 464.00
19231	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,840.00
19232	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 28,216.32
19233	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 1,011.77
19234	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
19235	Colonial Regional Police Department	Police Contract Payment	\$ 123,656.83
19236	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
19237	Tractor Supply Credit Plan	Public Works Supplies	\$ 552.90
19238	New Enterprise Stone & Lime Co., Inc.	Paving/Patching Material	\$ 91.64
19239	PAPCO	Equipment Motor Fuel	\$ 737.14
19240	Mansfield Oil Company	Equipment Motor Fuel	\$ 3,494.77
19241	Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies	\$ 42.59
19242	Foley, Incorporated	PW Equipment Parts/Supplies	\$ 415.31
19243	Krause Enterprises	Public Works Supplies	\$ 218.00

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<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
19244	Service Tire Truck Centers	Public Works Equipment Repair	\$ 553.92
19245	Northampton County Seed Company, Inc.	Parks Facilities Maintenance	\$ 116.00
19246	Whitehall Turf Equipment	Public Works Equipment Parts/Supplies	\$ 404.45
19247	Bath Supply Co., Inc.	Parks Facilities Maintenance	\$ 297.11
19248	PA One Call System, Inc.	Monthly Activity	\$ 56.98
19249	Verizon Wireless	Municipal/Public Works Wireless	\$ 293.15
19250	Security Service Company, Inc.	Security System Monitoring	\$ 314.34
19251	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 420.50
19252	Home Depot	Public Works Supplies	\$ 25.05
19253	Chase Card Services	Supplies/Recreation	\$ 810.30
<i>Total General Fund Checking...</i>			<b><u><u>\$ 187,606.24</u></u></b>

**OPEN SPACE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1025	Exeter Supply, Inc.	Capital Construction	\$ 55.94
1026	Foley, Inc.	Equipment Rental	\$ 19,771.88
<i>Total Open Space Account...</i>			<b><u><u>\$ 19,827.82</u></u></b>

**REFUSE / RECYCLING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1364	AllState Septic Systems, LLP	Temporary Restrooms	\$ 115.00
1365	First Regional Compost Authority	3rd Quarter Payment	\$ 5,216.82
1366	East Penn Sanitation	Clean Up Day	\$ 5,162.00
<i>Total Refuse/Recycling Account...</i>			<b><u><u>\$ 10,493.82</u></u></b>

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**CAPITAL RESERVE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1106	Dutchman Contracting, LLC	Capital Construction	\$ 97,646.62
1107	Sherwin-Williams	Capital Construction	\$ 803.00
1108	All Phase Electric Supply Co	Capital Construction	\$ 497.72
1109	Alliance architecture, LLC	Architectural Services	\$ 490.00
1110	Structural Metal Fabricators, Inc.	Vehicle Equipment	\$ 11,881.00
1111	Home Depot Credit Services	Capital Construction	\$ 840.11
1112	General Supply Co.	Capital Construction	\$ 950.00
1113	MRP Electric, Inc.	Capital Construction	\$ 8,784.41
1114	Chase Card Services	Capital Construction	\$ 2,136.64
<i>Total Capital Reserve Account...</i>			<b>\$ 124,029.50</b>

**DEVELOPMENT & INSPECTION ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1921	KMG Signs	Building Permit Refund	\$ 165.00
1922	Thomas & Joyce Curran	Building Permit Refund	\$ 150.00
<i>Total Development &amp; Inspection Account...</i>			<b>\$ 315.00</b>

**HIGHWAY RECONSTRUCTION/REHABILITATION ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1254	Lower Nazareth Township	Unencumbered Funds	<b>\$ 150,000.00</b>

**SEWER DEPARTMENT ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
951	The Meter Guy, LLC	Sewer Meter Maintenance	\$ 982.48
952	PPL Electric Utilities	Main Meter Electricity	\$ 27.58
<i>Total Sewer Department Account...</i>			<b>\$ 1,010.06</b>



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**CAPITAL RESERVE EQUIPMENT REPLACEMENT ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1253	DC Lighting & Accessories, LLC	Capital Equipment	<b>\$ 4,045.00</b>

**PAYROLL ACCOUNT**

June 7, 2019

**\$ 50,271.33**

**MASTER ESCROW ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
2033	Dutchman Contracting, LLC	Capital Construction	\$ 17,181.38
2034	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 29,081.25
2035	PPL Electric Utilities	Traffic Signal Electricity	\$ 160.92
2036	Met-Ed	Traffic Signal Electricity	\$ 258.09
2037	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 3,980.25
2038	Asteak Law Offices	Legal Services	\$ 475.00
2039	David Siegfried	Key Return	\$ 25.00
2040	Sterling Crossing, LLC	Escrow Refunds	\$ 8,022.00
2041	Kay Builders, Inc.	Escrow Refund	\$ 6,000.00
<i>Total Master Escrow Account...</i>			<b>\$ 65,183.89</b>