

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
September 10, 2014**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday September 10, 2014. 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
Eric E. Nagle	- Supervisor	Eric A. Albert	- Municipal Office Coordinator
Martin J. Boucher	- Supervisor	Lori B. Seese	- Zoning Administrator

Absent were:

Tammi Dravec, Asst. Secretary/Treasurer

Approval of Minutes

Board of Supervisors meeting from July 9, 2014: A motion to approve the meeting minutes was made by Mr. Nagle and seconded by Mr. Green. Mr. Kucsan abstained. The motion carried.

Stone Post Curative Amendment from July 10, 2014: A motion to approve the minutes was made by Mr. Boucher and seconded by Mr. Nagle. Mr. Kucsan abstained. The motion carried.

Board of Supervisors – IDI Conditional Use Hearing from August 11, 2014: A motion to approve the minutes was made by Mr. Nagle and seconded by Mr. Boucher. The motion carried.

Board of Supervisors meeting from August 20, 2014: A motion to approve the minutes was made by Mr. Green and seconded by Mr. Kucsan. Mr. Boucher and Mr. Nagle 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 July 2014.

Mr. Pennington also acknowledged the receipt of the Hecktown Vol. Fire Company Incident Report for July & August 2014.

Subdivision and Land Development

Sterling Crossing – Holding Tank Agreement – Mr. Kortze stated that Sterling Crossing has asked for permission to install a temporary holding tank to accompany the temporary sales trailer. This temporary holding tank will be removed once a permanent home is built. Mr. Kortze said that this is a common request and sees no problem with it, and asked for permission from the Board to have Mr. Asteak prepare and agreement stating that a temporary holding tank may be installed but must be removed once the permanent structure is built. A motion was made by Mr. Boucher and seconded by Mr. Kucsan to have the solicitor draft the agreement. The motion passed.

Supervisors' Comments

Mr. Boucher stated that he attended the September Fire Company meeting and the August Police Commission Meeting. He stated that a draft 2015 Budget was presented to the Police Commission.

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Mr. Kucsan stated that he attended the Library Board meeting and that a mistake was made on the draft budget. The draft budget had accidentally doubled the contribution for Lower Nazareth Township and that they were in the process of fixing that mistake.

Mr. Nagle asked if any dollar amounts were given on the draft budget for the Police Commission. He was told by Mr. Boucher that he would report back once some initial changes were made and he had the most current figures.

Mr. Pennington stated that he attended the Gaming Authority Meeting and that Lower Nazareth Township had given a proposal for a grant that was being reviewed by the Authority.

Mr. Green had no comments.

Manager's Report

2015 Minimum Municipal Obligation (MMO) – Mr. Tenges stated that he would like the Board to approve the 2015 MMO. Mr. Tenges stated that the Board must make this commitment for the 2015 General Fund Budget. A motion was made by Mr. Green and seconded by Mr. Kucsan. The motion carried.

Mr. Tenges also stated that he attended the Library Budget meeting and that the library will be making the necessary changes to reflect the correct contribution for the township.

Engineer's Report

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

Solicitor's Report

There are two items that the board will need to discuss in an executive session following the meeting.

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. Nagle to approve payment of the bills dated September 10, 2014. The motion carried.

Courtesy of the Floor

There were no items to discuss under Courtesy of the Floor.

The Board took a recess at 6:45 to hold a brief executive session, and will resume the Conditional Use Hearing for IDI at 7:00.

Conditional Use Hearing – Industrial Developments International (IDI) CU#2013-02

Mr. Pennington called the meeting back to order at 7:00 and turned the hearing over to Solicitor Asteak.

Mr. Asteak said that they would be resuming tonight for the final session of the IDI Conditional Use Hearing. Mr. Asteak also stated that all supervisors have signed off that all have read all of the legal briefs thus far and are up to date with all testimony.

Mr. Sheer was the first to give his closing arguments regarding the proposed warehouse. Mr. Sheer started by thanking the Board of Supervisors for their patience in listening to testimony over the last ten months and went on to state all of the reasons that he feels that this project does not adhere to the zoning that is already established and should not be allowed in this location. He went on to say if it is allowed it should be allowed with specific restrictions.

Mr. Marles spoke for the applicant and stated that the burden of proof is to be shown by the objectors to show that the applicant has been negligent in its findings and that they feel that the objectors have tried to bring many issues to the proceedings but did not have any factual accounts brought by recognized experts and have not shown and true reason why this project should not be granted approval. Mr. Marles stated that the objectors have used a method of throwing as many objections as they could at the Board in hopes that something would stick. He stated that through the use of expert testimony that IDI has shown that they will be compliant with all of the zoning rules which are set before them and that many of the issues that have been brought up will be addressed at a later time when they are in the land development stage. Mr. Marles concluded that they will be happy to address any concerns the Board has and his client is willing to work on any issues that may arise from this project.

Mr. Asteak began to discuss the issue of all of the exhibits that have been submitted thus far and was told by all council that they had already discussed this and was fine with accepting all of the exhibits and didn't feel there was a need to approve each one individually.

Mr. Asteak stated that the Board of Supervisors has 45 days to hand down a decision on this Conditional Use Hearing, and would have that decision by the October 22, 2014 Board of Supervisor meeting.

Adjournment

A motion to adjourn the meeting was moved by Mr. Green and seconded by Mr. Kucsan. The meeting adjourned at 8:20 PM.

Respectfully submitted by,

Eric Albert

Eric Albert
Municipal Office Coordinator

**Lower Nazareth Township
Bills To Be Approved
September 10, 2014**

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<u>GENERAL FUND CHECKING ACCOUNT</u>			
14636	State Worker's Insurance Fund	Workers Compensation	\$ 1,476.00
14637	Edwards Business Systems	Copier Maintenance	\$ 336.32
14638	Verizon	Municipal Office Telephone	\$ 461.33
14639	Verizon	Public Works Telephone	\$ 159.09
14640	The Morning Call	Subscription Renewal	\$ 79.92
14641	AT&T	Municipal/Public Works Long Distance	\$ 71.94
14642	Lori Peck, OCR	Stenographer	\$ 550.00
14643	Mansfield Oil Company	Equipment Motor Fuel	\$ 1,187.91
14644	PAPCO	Equipment Motor Fuel	\$ 504.37
14645	Easton Suburban Water Authority	Municipal Bldg Water	\$ 135.33
14646	Verizon Wireless	Fire Company Wireless	\$ 459.50
14647	Service Electric Telephone Co.	Fire Company Telephone	\$ 40.21
14648	Service Electric Cable TV Inc	Fire Company Internet	\$ 43.24
14649	Kistler O'Brien	Fire Company Equipment Maintenance	\$ 289.00
14650	Fire Pump Systems	Fire Company Equipment Maintenance	\$ 1,494.00
14651	Staples Credit Plan	Fire Co Collection Supplies	\$ 18.18
14652	PPL, Inc.	Fire Company Electricity	\$ 606.59
14653	Deer Park	Municipal Bottled Water	\$ 27.91
14654	Integra One	Computer Services	\$ 625.00
14655	Advanced Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 1,258.62
14656	Giles & Ransome, Inc.	Equipment Parts/Supplies	\$ 288.15
14657	Service Tire Truck Centers	Public Works Equipment Parts/Supplies	\$ 249.81
14658	Master Supply Line	Municipal Bldg/Park Supplies	\$ 361.44
14659	Whitehall Turf Equipment	Equipment Parts/Supplies	\$ 191.59
14660	Stotz & Fatzinger Office Supply	Office/Zoning/Tax Office Supplies	\$ 127.96

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GENERAL FUND CHECKING ACCOUNT CONTINUED

14661	Tommy's Small Engine Repair	Equipment Parts/Supplies	\$	32.95
14662	Montage Enterprises, Inc.	Equipment Parts/Supplies	\$	117.00
14663	Lillian Zito	Local Services Tax Refund	\$	18.00
14664	Trinity Evangelical Lutheran Church	Real Estate Tax Refund	\$	29.91
14665	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$	1,227.00
14666	Diana Wallbillich	Summer Park Program	\$	89.44
14667	Asteak Law Offices	Legal Services	\$	3,643.25
14668	Met-Ed	Traffic Signal Electricity	\$	244.43
14669	Fire Apparatus Services	Fire Company Equipment Maintenance	\$	361.00
14670	Easton Suburban Water Authority	Fire Company Water	\$	60.15
14671	Kistler O'Brien	Fire Company Equipment Maintenance	\$	658.75
14672	Pioneer Products, Inc.	Fire Company Supplies	\$	264.32
14673	Easton Suburban Water Authority	Municipal Bldg Water	\$	32.06
14674	Karen A. Mengel, RPR, CSR	Stenographer	\$	95.00
14675	East Penn Sanitation, Inc.	Municipal Trash Removal	\$	42.15
14676	The Express Times	Advertisement	\$	307.90
14677	Hecktown Volunteer Fire Company	Fire Company Loan	\$	965.26
14678	Volunteer Companies Loan Fund	Fire Company Loan	\$	965.26
14679	Colonial Regional Police Department	Police Contract Payment	\$	93,537.58
14680	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$	17,842.41
14681	Volunteer Companies Loan Fund	Fire Company Loan	\$	1,011.77
14682	NCATO	County Convention	\$	495.00
14683	PPL, Inc.	Fire Company Electricity	\$	571.55
14684	Horwith Freightliner	Fire Company Equipment Maintenance	\$	105.00
14685	Technology Reflections, Inc	Fire Company Web Service	\$	1,234.40
14686	ExxonMobil	Fire Company Fuel	\$	836.49

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GENERAL FUND CHECKING ACCOUNT CONTINUED

14687	PA One Call System, Inc.	Monthly Fax Activity	\$ 53.30
14688	PPL, Inc.	Municipal Drive Electricity	\$ 911.81
14689	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 1,364.65
14690	AT&T	Municipal/Public Works Long Distance	\$ 62.32
14691	Nazareth Ford Inc.	Equipment Parts/Supplies	\$ 101.74
14692	Advanced Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 96.80
14693	Five Star International LLC	Public Works Equipment Repair	\$ 378.66
14694	PAPCO	Equipment Motor Fuel	\$ 764.56
14695	Blooming Glen Quarry	Fire Company Building Supplies	\$ 1,411.04
14696	Chase Card Services	Public Works Supplies/Conference/Website	\$ 475.26
14697	Sam's Club	Office/Public Works/Park Supplies	\$ 539.75
<i>Total General Fund Checking...</i>			<u>\$ 141,991.33</u>

MASTER ESCROW CHECKING (LAB)

1326	NRS Landscape, Excavate, & Tree Service	Septic System Repair	\$ 2,500.00
1327	LN Recreation Association	Key Returns	\$ 50.00
1328	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 2,694.83
1329	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 8,274.63
1330	Kay Builders, Inc.	Escrow Refund	\$ 2,000.00
1331	Asteak Law Offices	Legal Services	\$ 3,150.00
1332	Sterling Oaks, LLP	Security Release	\$ 800.00
1333	Lower Nazareth Township	Establish EscrowAccount	\$ 11,147.37
1334	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 10,271.26
1335	Lower Nazareth Township	Building Permit	\$ 360.00
1336	Asteak Law Offices	Legal Services	\$ 1,925.00

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MASTER ESCROW CHECKING (LAB) CONTINUED

1337	Met-Ed	Traffic Signal Electricity	\$	56.80
1338	Signal Service, Inc.	Traffic Signal Maintenance	\$	1,021.25
1339	Andrea Steber	Escrow Refund	\$	7.56
1340	Patrick Murphy	Escrow Refund	\$	560.03
<i>Total Master Escrow Checking Account...</i>			\$	44,818.73

RECYCLING/REFUSE ACCOUNT

1203	First Regional Compost Authority	4th Quarter 2014 Payment	\$	4,681.05
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CAPITAL RESERVE ACCOUNT

846	Building Specialties	Capital Construction	\$	54.86
847	All Phase Electric Supply Co	Capital Construction	\$	159.04
848	Sherwin-Williams	Capital Construction	\$	259.37
849	Faust Heating & A/C Co., Inc.	Municipal Building Maintenance	\$	4,224.00
850	Reynolds Business Systems, Inc.	Capital Purchase	\$	26,630.78
851	Timm Tenges, Tax Collector	NASD Real Estate Taxes	\$	10,639.26
852	LNT Real Estate Tax Collector	Real Estate Property Tax	\$	428.20
853	Building Specialties	Capital Construction	\$	258.00
854	The Home Depot	Capital Construction	\$	462.47
<i>Total Capital Reserve Account...</i>			\$	43,115.98

PAYROLL ACCOUNT

September 5, 2014	\$	32,425.00
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DEVELOPMENT & INSPECTION ACCOUNT

1779	A&B Sunroom & Remodeling	Building Permit Refund	\$	204.00
1780	Everson Tesla, Inc.	Building Permit Refund	\$	214.00
		<i>Total Development & Inspection Account...</i>	\$	<u>418.00</u>

HIGHWAY REHABILITATION / RECONSTRUCTION ACCOUNT

BANK CHECK 331330	Geo-Technology Associates, Inc.	Engineering Services	\$	<u>3,800.00</u>
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