

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
November 16, 2011**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday November 16, 2011. The Chairman called the meeting to order at 6:30 PM.

Present were:

Eric E. Nagle	-	Chairman	Gary Asteak	-	Solicitor
Martin J. Boucher	-	Supervisor	Albert Kortze	-	Engineer
James S. Pennington	-	Supervisor	Timm A. Tenges	-	Manager, Secretary/Treasurer
			Lori B. Seese	-	Zoning Administrator
			Tammi Dravec	-	Assistant Secretary/Treasurer

Absent were:

Robert S. Kucsan	-	Vice Chairman
Ricky T. Johnson	-	Supervisor

**** Mr. Nagle reported that there was an executive session on November 9th to discuss real estate matters. Solicitor Asteak commented that the Township has received appraisals for two properties which the Township is interested in purchasing. He requested authorization for Mr. Tenges and Solicitor Asteak to enter into an agreement to purchase these properties. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher. The motion carried*

*When asked to reveal which properties; Solicitor Asteak commented that that would compromise the deal and that we are at within our rights to withhold that information at this time. He added that prior to the actual purchase the properties would be revealed and there would be a hearing. ****

Approval of Minutes

Approval of the meeting minutes for October 26, 2011 was tabled to the lack of a quorum from that meeting.

Reports

All reports are available to review at the Township Office or on our website.

The Chairman acknowledged the receipt of the Financial Statement for September 2011, the Hecktown Volunteer Ambulance Corps Incident Reports for August, September and October 2011, and the Hecktown Volunteer Fire Co Incident Report for October 2011.

Correspondence

Palmer Township Comprehensive Plan Amendment – Mr. Tenges commented that Palmer Township forwarded their proposed Comprehensive Plan changes. Board members can forward any comments to Mr. Tenges.

Subdivision and Land Development

There were no items to discuss under Subdivision and Land Development.

Supervisors' Comments

Mr. Boucher and Mr. Pennington had no comments.

Mr. Nagle attended the Hecktown Volunteer Ambulance Corps' (HVAC) 50th Anniversary Dinner. The Township presented HVAC with a plaque recognizing their 50 years of service.

Mr. Nagle also congratulated Mr. Green on winning the election.

Engineer's Report

Trio Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending a \$263,210.00 reduction. A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to reduce the letter of credit. The motion carried.

ProLogis Park 33 – Letter of Credit Reduction & Commence Maintenance Period – Mr. Kortze reviewed his letter recommending a \$171,085.20 reduction and to commence the 18-month maintenance period. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to reduce the letter of credit and commence the maintenance period. The motion carried.

Mr. Tenges asked to comment on an article about the intersection of Route 248 and ProLogis Parkway. The article discussed the through lane that goes nowhere. He noted that this is a PADOT permitted intersection; Lower Nazareth Township has no control. When last spoken to, PADOT was not willing to correct the situation.

Solicitor's Report

Northampton Crossings (Panera Bread) – Improvements Agreement – Authorization to Execute – A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to authorize execution of this agreement. The motion carried. Solicitor Asteak requested a copy of the executed agreement and security.

Rasmussen Zoning Issue – Solicitor Asteak reported that in response to a drainage complaint by Mr. Barnhardt, 732 James Drive, an investigation revealed that the grading on Mr. Rasmussen's property, at 4348 Christian Springs Road, had been altered. A letter was sent informing the Rasmussen's to remove the landscaping berm by September 30th or face legal action. While they have made contact with Mr. Kortze and Solicitor Asteak, to date, the berm has not been removed. Solicitor Asteak asked authorization to take legal action. The Rasmussens' will be given one more opportunity to comply before facing legal action.

Mr. Rasmussen was present and stated that he made no changes to the grading and only extended an existing tree line.

Solicitor Asteak reviewed the subdivision plan and noted the restrictions. Mr. Kortze explained the drainage for that area.

Mr. Rasmussen stated that he already gets water in his back yard and does not want to take on more water. He does not feel it should be his responsibility to take on water from his neighbor's property. Mr. Rasmussen also stated that the water is not flowing as it should; which is why it lays on Mr. Barnhardt's property. He added that Mr. Barnhardt's property sinks.

Mr. Pennington commented that it is like a river in his back yard when it rains and the water sits for some time until it dries out. People cannot block the natural flow of water. The Board would be remiss if they allowed residents to do so. Mr. Boucher agreed and commented that Mr. Rasmussen lives in a poor drainage area.

Mr. Rasmussen asked that someone come out and actually look at his property before taking him to court.

Mr. Kortze commented that he can go out and take grade shots. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to authorize Mr. Kortze to go out and take grade shots. The motion carried.

Claude Beck, 4256 Christian Springs Road, stated that when that, years ago, when that area was farm fields the water always ponded; they couldn't even farm that portion of the field.

Dave Goerlich, 4342 Christian Springs Road, stated that he has been harassed for months by Mr. Barnhardt at both his home and place of employment. Mr. Goerlich also stated that he wants proof that the water from James Drive flows a certain way. He noted that this whole situation is not going away and he is willing to spend every dime he has to make this right.

Manager's Report

Time Extension Report – Mr. Tenges reported that the Township has accepted a time extension for Griffin Land Revised Final Land Development. The extension runs through February 6, 2012.

Authorization to advertise use of CPA to perform 2011 Audit – A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to authorize the advertisement of the use of a CPA for the 2011 Audit. The motion carried.

2012 Draft Budget – Mr. Tenges reported that he is proposing that tax levels remain the same and we reduce spending by 4% in order to balance the budget. A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to authorize the advertisement of the 2012 Draft Budget. The motion carried.

Destruction of Municipal Records – Resolution #LNT-25-11 – A motion was moved by Mr. Boucher and was seconded by Mr. Pennington to approve Resolution#LNT-25-11. The motion carried.

Advanced Life Support (ALS) Provider – A motion was moved by Mr. Pennington and was seconded by Mr. Boucher to authorize that Bethlehem Township be the primary ALS provider for Lower Nazareth Township. The motion carried.

Hecktown Volunteer Fire Company's 50th Anniversary – Mr. Tenges commented that along with Mr. Nagle and Mr. Kucsan, he attended the anniversary dinner.

Yard Waste Collection – Mr. Tenges reported that the Township extended the yard waste collection hours following the recent snow storm.

Emergency Generators – Mr. Tenges reported that we were applying for a 75/25 grant for emergency generators for the Municipal Building and the Public Works Facility. The grant would cover 75% of the cost and the Township would only pay 25%.

Nazareth Speedway Easement Agreement – Mr. Tenges reported that we are still waiting for the executed agreement. In addition, he met a property owner on Christian Springs Road and he is amenable to the work slated for the "S" curve.

Road Rehabilitation Project Update – The project is complete and the Township is currently working on the replacement curbing on Circle Drive. Mr. Tenges also reported that next year's project cut-off will be earlier ; this year the Township ran into issues with falling leaves.

Old Business

There were no items to discuss under Old Business.

**Board of Supervisors Minutes
November 16, 2011**

New Business

There were no items to discuss under New Business.

Payment of the Bills

A motion was made by Mr. Boucher and seconded by Mr. Pennington to approve the bills dated November 16, 2011. The motion carried.

Courtesy of the Floor

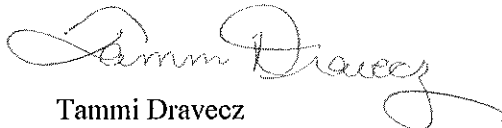
Claude Beck commented that, along with harassing others in the neighborhood, Mr. Barnhardt has harassed him at both his home and place of employment.

Dave Rasmussen commented that he has a swimming pool in his backyard and that the trees are in place for privacy. If he is taken to court and is forced to remove the tree line he will erect a fence.

Adjournment

A motion was moved by Mr. Boucher and seconded by Mr. Pennington to adjourn the meeting at 7:37PM.

Respectfully submitted by,



Tammi Dravecz
Assistant Secretary/Treasurer

Lower Nazareth Township
Bills To Be Approved
November 16, 2011

Num	Name	Memo	Amount
<u>GENERAL FUND CHECKING ACCOUNT</u>			
12065	The Home News	Subscription Renewal	\$ 18.00
12066	ISOBunkers, LLC	Equipment Motor Fuel	\$ 2,065.86
12067	Mr. John	Temporary Restrooms	\$ 452.55
12068	Met-Ed	Traffic Signal Electricity	\$ 140.89
12069	D&A Emergency Equipment	Equipment Parts/Supplies	\$ 629.60
12070	Easton Suburban Water Authority	Fire Company Water	\$ 54.89
12071	Verizon	Fire Company Telephone	\$ 206.35
12072	PPL, Inc.	Traffic Signal/St Light/Municipal/Park Electric	\$ 1,044.56
12073	PrintConcepts	Fall Newsletter	\$ 2,053.33
12074	Selective Insurance Company of America	Liability Insurance	\$ 13,206.00
12075	AT&T	Municipal/Public Works Long Distance	\$ 42.43
12076	Flamm Walton PC	Personnel Legal Services	\$ 84.00
12077	PA One Call System, Inc.	Monthly Fax Activity	\$ 43.52
12078	Suburban Propane	Park Heating Fuel	\$ 387.53
12079	Lori Peck, OCR	Stenographer	\$ 160.00
12080	Nazareth Key	Advertisements	\$ 416.34
12081	Commonwealth of Pennsylvania	Pesticide License Renewal	\$ 35.00
12082	Commonwealth of Pennsylvania	MS4 Permit	\$ 500.00
12083	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
12084	Ford Motor Credit Company	2008 Ford Trucks	\$ 8,448.37
12085	Chase Card Services	Equipment Motor Fuel/Office Supplies	\$ 357.22
12086	Asteak Law Offices	Legal Services	\$ 7,728.50
12087	U.S. Municipal Supply, Inc.	Equipment Parts/Supplies	\$ 62.78
12088	Brown-Daub Ford-Lincoln-Mercury	Equipment Repairs	\$ 171.27
12089	BWP-Carquest Auto Parts	Equipment Parts/Supplies	\$ 181.46
12090	LMS Designs and Signs	Equipment Parts/Supplies	\$ 95.00
12091	Flurer's Auto Body	Equipment Maintenance	\$ 105.00
12092	Printex	Office Supplies	\$ 156.00
12093	Bethlehem Pre-Cast, Inc.	Construction/Rebuilding	\$ 1,687.50
12094	Edwards Business Systems	Copier Maintenance	\$ 88.00
12095	Nextel Communications	Municipal/Public Works Wireless	\$ 324.71

**Lower Nazareth Township
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GENERAL FUND CHECKING ACCOUNT CONTINUED

12096	Deer Park	Municipal Bottled Water	\$ 27.39
12097	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 487.00
12098	Staples Business Advantage	Zoning, Municipal Bldg, Office Supplies	\$ 285.30
12099	Sam's Club	Public Works/Municipal Bldg Supplies	\$ 202.26
<i>Total General Fund Checking Account...</i>			<u><u>\$ 42,913.87</u></u>

PAYROLL ACCOUNT

November 4, 2011	\$ 26,312.35
November 18, 2011	\$ 26,261.98
<i>Total Payroll Account...</i>	<u><u>\$ 52,574.33</u></u>

DEVELOPMENT & INSPECTION ACCOUNT

1693	CodeMaster Inspection Services, Inc.	Building Inspection Services	<u><u>\$ 11,368.84</u></u>
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CAPITAL SEWER-SIGNAL ACCOUNT

521	Nazareth Borough Municipal Authority	Christian Springs Laterals - 3rd Installment	<u><u>\$ 10,295.00</u></u>
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NAZARETH SEWER CHECKING ACCOUNT

100	Nazareth Borough Municipal Authority	Christian Springs Laterals - 3rd Installment	<u><u>\$ 20,000.00</u></u>
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HOST FEE ACCOUNT

540	Lower Nazareth Township General Fund	Hanoverville Road Project	<u><u>\$ 35,483.72</u></u>
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**Lower Nazareth Township
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REFUSE / RECYCLING ACCOUNT

1114	East Penn Sanitation, Inc.	Fall Clean-Up Day	\$ 4,497.75
1115	Mr. John	Temporary Restroom	\$ 150.85
<i>Total Refuse/Recycling Account...</i>			<u>\$ 4,648.60</u>

CAPITAL RESERVE ACCOUNT

751	Banc of America Pub Captl Corp	2008 International Trucks	\$ 43,942.95
752	Ford Motor Credit Company	2008 Ford Trucks	\$ 8,448.37
753	Virginia Business Systems	Copier Lease	\$ 379.95
<i>Total Capital Reserve Account...</i>			<u>\$ 52,771.27</u>

MASTER ESCROW CHECKING ACCOUNT

1891	Lower Nazareth township General Fund	Lower Nazareth Commons - Parcel ID	\$ 30.00
1892	Mary Ellen Harris	Escrow Refund	\$ 525.13
1893	Dirk Chiles	Key Refund	\$ 25.00
1894	Met-Ed	Traffic Signal Electricity	\$ 324.00
1895	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,586.13
1896	Asteak Law Offices	Legal Services	\$ 787.50
1897	Brown-Daub of Lehigh Valley, Inc.	Escrow Refund	\$ 1,904.63
1898	Joseph Brune	Escrow Refund	\$ 525.02
1899	Kerry Bassett	Escrow Refund	\$ 2.07
<i>Total Master Escrow Account...</i>			<u>\$ 5,709.48</u>