

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
February 27, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday February 27, 2008. The Chairman called the meeting to order at 7:30PM.

Present were:

Dr. Alan Dilsaver	- Chairman	Timm A. Tenges	- Manager, Secretary/Treasurer
Ricky T. Johnson	- Supervisor	Lori B. Seese	- Zoning Administrator
Robert S. Kucsan	- Supervisor	Tammi Dravec	- Assistant Secretary/Treasurer
Patrick J. Murphy	- Supervisor	Kelly J. Sullivan	- Office Clerk
Gary Asteak	- Solicitor	Albert Kortze, P.E.	- Engineer

Absent was:

Eric E. Nagle, Vice Chairman

Approval of Minutes

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve the meeting minutes from January 23, 2008. Mr. Murphy abstained. The motion carried.

Conditional Use Hearing – Decision

Solicitor Asteak reviewed the draft opinion and order that was prepared by Mr. Tenges, Mr. Kortze and himself. He read allowed the twenty-five pages that summarized the hearing and conditions to be imposed on the applicant. Those conditions are related to traffic, site lighting, noise, stormwater management, landscaping / screening, and environmental issues. After some discussion and clarification on the proposed conditions, a motion was moved by Mr. Kucsan and seconded by Mr. Johnson to grant IDI Conditional Use Approval with the conditions stated in the opinion and order. The motion carried.

Reports

Dr. Dilsaver acknowledged the receipt of the December 2007 & January 2008 Financial Statements and the January 2008 Zoning Administrator's Report.

Correspondence

There were no comments under Correspondence.

Subdivision/Land Development

Green Acres – Waiver Requests –

SALDO Section 425.81 – Water Service – After a brief discussion a motion was moved by Mr. Johnson and seconded by Mr. Kucsan to grant a waiver from SALDO section 425.81. The motion carried.

SALDO Section 741.6 – Improvements and Road Widening – After a brief discussion, a motion was moved by Mr. Murphy and seconded by Mr. Johnson to a deviation from the waiver and require an 80 foot section of road to be widened by 6 feet. The motion carried.

Green Acres – Preliminary/Final Land Development – Resolution #LNT-06-08 – Mr. Kortze reviewed his letter dated February 26, 2008 recommending preliminary/final approval. A motion was moved by Mr. Murphy and seconded by Mr. Kucsan to approve Resolution #LNT-06-08. The motion carried.

**Board of Supervisors Minutes
February 27, 2008**

Opus East – Phase II – Final Land Development – Resolution #LNT-07-08 – Present were Tim Charlesworth of Fitzpatrick, Lentz and Bubba and Jill Geist of Pany and Lentz Engineering. Mr. Kortze reviewed his letter dated February 26, 2008 and did not recommend final approval until the Intermunicipal Agreements, as required by the Conditional Use Opinion and Order are executed. Mr. Charlesworth questioned the language in the Opinion and Order and believed that the agreements were not a condition for final approval but for approval of the Conditional Use Opinion and Order. Mr. Charlesworth also indicated that the applicant would like permission to commence sitework. Mr. Tenges and the Board were not in favor allowing the applicant to begin any sitework. After a brief discussion, a motion was moved by Mr. Murphy and seconded by Mr. Kucsan to approve Resolution #LNT-07-08; however no work shall commence at this time. The motion carried.

Supervisor's Comments

Mr. Kucsan attended the Colonial Regional Police Commission meeting at which the current litigation was discussed. He also stated that he toured the new facility.

Dr. Dilsaver also had an opportunity to tour the new facility.

Dr. Dilsaver stated that in response to the dissatisfaction with the additional fee for non-residents participating in recreation programs, he would like to entertain a motion to charge a flat fee per family instead of on a per child basis. After some discussion a motion was moved by Mr. Murphy and seconded by Mr. Johnson to adjust the fee to a \$20 family fee for non-residents. The motion carried.

Mr. Johnson had no comments.

Mr. Murphy presented a sample resolution prohibiting firearms in a municipal building or vehicle and thought the township should adopt a similar resolution. Mr. Kucsan disagreed as he felt the prohibition would preclude him from exercising his right to carry a firearm. Mr. Murphy stated that no one is permitted to carry a gun in the courthouse. Mr. Kucsan did not see the need for the rule. Mr. Kucsan expressed a concern for the policy as it will diminish his capacity to provide personal protection. Resident Robert Hoyer inquired how the township would enforce such a rule. Dr. Dilsaver responded that it would be difficult to do so. After more discussion, a motion was moved by Mr. Murphy and seconded by Dr. Dilsaver to authorize the solicitor to prepare the language for the Board's review. Mr. Murphy and Dr. Dilsaver voted yes, Mr. Kucsan and Mr. Johnson voted no. The motion failed.

Manager's Report

Mr. Tenges attended the COG meeting on Tuesday night. He stated that they are contemplating changing their name; one possibility would be Mid-County. Mr. Tenges also reported that Northampton County Emergency Management representatives were also in attendance at that meeting and discussed the future department goals and initiatives.

Mr. Tenges reported that he is formulating a migration plan for Township communication systems from the current VHF system to a UHF system compatible with the Northampton County system. He is currently seeking quotes for 500 mHz radios and a UHF repeated frequency from the FCC in the name of Lower Nazareth Township.

Mr. Tenges stated that he is working with our pension consultant to make some long overdue changes and will report back to the Board when he has more information.

Mr. Tenges wanted to get the Board's opinion on using Traffic Impact Fee monies to develop a transportation plan to use as a model for future development. He would like the area of Route 946, Route 191, Newburg Road and Daniels Road to be studied. Mr. Tenges would like to create a Request for Proposal (RFP) and see the anticipated costs. The Board was in favor of the idea, so Mr. Tenges stated he would speak with Mr. Kortze and discuss the topic again at a future meeting.

Emergency Plan – Final Adoption – Resolution #LNT-05-08 – A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve Resolution #LNT-05-08. The motion carried.

NBMA Act 537 Update Request – Mr. Tenges received a letter from Attorney Pierce requesting a meeting between Lower Nazareth Township and the Nazareth Borough Municipal Authority. Mr. Tenges would like to attend along with Mr. Kortze, Solicitor Asteak, and the township's Act 537 consultant. Any Board members who would like to attend are welcome to and should let Mr. Tenges know so he can schedule the meeting accordingly. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to grant authority for these people to attend the meeting. The motion carried.

Engineer's Report

Rondel Development – Letter of Credit Reduction Request – Mr. Kortze reviewed his letter date February 27, 2008, recommending a \$21,642.50 reduction in the letter of credit from a current balance of \$86,553.68 to \$64,911.18. A motion was moved by Mr. Murphy and was seconded by Mr. Johnson to reduce the letter of credit by \$21,642.50. The motion carried.

Lower Nazareth Crossings – Letter of Credit Reduction Request – Mr. Kortze reviewed his letter date February 26, 2008, recommending an \$118,918.14 reduction in the letter of credit from a current balance of \$443,711.28 to \$324,793.14. A motion was moved by Mr. Johnson was seconded by Mr. Kucsan to reduce the letter of credit by \$118,918.14. The motion carried.

Solicitor's Report

Solicitor Asteak reported that Bath conditional approved the police budget.

The Board had a copy of the lease for the new police building which has already been approved by Hanover Township. The police plan to begin their move on March 15th. Once we own a portion of the building Hanover will present us with an assignment making us a part of the lease agreement as co-owners of the new building. Mr. Tenges questioned what would happen to the lease if Hanover Township is forced out and it is only Bath Borough and Lower Nazareth Township. Would Colonial Regional still be bound to the lease? Solicitor Asteak said he did not know the answer but would look in to it. A motion was moved by Mr. Kucsan and seconded by Mr. Johnson to authorize our representative to vote in favor of executing the lease, once the details are worked out. The motion carried.

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to authorize Mr. Tenges to close on the new police building and disperse funds as agreed to in the Agreement of Sale. The motion carried. Mr. Tenges noted that the Township would pay its share of the building from funds in our Capital Reserve-Sewer/Signals Account. The Township will apply for financing, but since that takes time, they would be borrowing the money from the reserve account and replace it own the funding is received.

Old Business

There were no comments under Old Business.

New Business

Library Board of Directors – Appointment of LNT Representative – Dr. Dilsaver reviewed the letter sent by the Memorial Library informing the Board of Supervisors that Tara Capecci, the current representative to the Library Board of Directors would be finishing her term on February 26, 2008. The letter also stated that they had contacted Lower Nazareth Township resident Laurie Jordan to replace Ms. Capecci and said Ms. Jordan would contact the township to let them know of her interest in the position. Dr. Dilsaver reviewed the letter from Laurie Jordan. A motion was moved by Dr. Dilsaver and was seconded by Mr. Johnson to appoint Ms. Jordan and Lower Nazareth Township's representative to the Library Board of Directors. The motion carried.

Dr. Dilsaver asked that a letter be sent to Ms. Capecci thanking her for her years of service to the Township.

**Board of Supervisors Minutes
February 27, 2008**

Payment of the Bills

A motion was made by Mr. Kucsan and seconded by Mr. Johnson to approve the bills dated February 27, 2008. The motion carried unanimously.

Courtesy of the Floor

Adjournment

A motion to adjourn was moved by Mr. Johnson and seconded by Mr. Murphy. The meeting was adjourned at 10:04PM.

Respectfully submitted,



Tammi M. Dravecz
Asst. Secretary/Treasurer