

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
March 28, 2007**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday March 28, 2007. The Vice Chairman called the meeting to order at 7:30p.m.

Present were:

*Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Eric E. Nagle	-	Vice Chairman	Tammi Dravec	-	Assistant Secretary/Treasurer
Robert S. Kucsan	-	Supervisor	Lori B. Seese	-	Zoning Administrator
Patrick J. Murphy	-	Supervisor	Gary Asteak	-	Solicitor
			Albert Kortze, P.E.	-	Engineer

Absent was:

Ricky T. Johnson - Supervisor

*Dr. Dilsaver arrived late.

Approval of Minutes

Motion to approve the meeting minutes from March 14, 2007 was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried unanimously.

There were no comments under **Correspondence**.

Reports

Mr. Nagle acknowledged the receipt of the Financial Report for February 2007.

Subdivision/Land Development

Opus East, Lot 3 Phase II – Conditional Use Appeal – Time Extension – Mr. Nagle reviewed the letter sent by Erich Schock of Fitzpatrick Lentz and Bubba. Motion to accept the time extension was moved by Mr. Kucsan and seconded by Mr. Murphy. The motion carried unanimously.

Dr. Dilsaver arrived

Sunoco Preliminary/Final Land Development – Resolution #LNT-12-07 – Present were Erich Schock of Fitzpatrick Lentz and Bubba, Clayton McCane of Sunoco, and Glenn Phillips and Victor Antonio of Core States Engineering. Mr. Kortze reviewed his letter recommending preliminary/final approval provided his comments are addressed. Dr. Dilsaver asked the applicant to present the plans. Motion to grant approval for Resolution # LNT-12-07 was moved by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

Supervisor's Comments

Mr. Kucsan attended the CRPD meeting on Monday night. He also attended the COG meeting on Tuesday night. He presented the Board with the Nazareth Area Multimunicipal Comprehensive plan Intermunicipal Cooperative Implementation Agreement. The agreement was approved at a previous Board of Supervisors meeting. Once executed, the secretary will forward the agreement onto Chapman Borough for execution.

Mr. Kucsan reported that our annual COG dues, in the amount of \$250.00 are due.

Mr. Kucsan commented on his disapproval of forming a Cement Valley COG that would join with the Lehigh Valley. He questioned why the school district needs to be involved. The school district is interested in information for planning purposes, which Mr. Tenges commented is already available to them.

Mr. Nagle also attended the CRPD meeting on Monday night. He reported that 360 applications for new officer testing were sent out, 166 applicants took the test and 95 passed. Of those that passed, 60 would be moving on to the physical agility tests. The CRPD received a grant for Mobile Data Terminals (MDT). The computers, which will be installed in the vehicles, have been received and were demonstrated at the CRPD meeting. Mr. Nagle also reported the sale of the old ambulance for \$4,000 and the successful lawsuit of officers from the former Nazareth Police for their pension benefits.

Mr. Nagle attended a meeting with Mr. Tenges at Hanover Township to discuss the new CRPD headquarters.

Dr. Dilsaver and Mr. Murphy had no comments.

Manager's Report

Colonial Regional Police Department – New Building – Mr. Tenges, Dr. Dilsaver, and Mr. Asteak were invited to a meeting at Hanover Township. Dr. Dilsaver was unable to attend; Mr. Nagle attended the meeting in his absence. A draft of the sales and purchase agreement was reviewed. Bath was not invited to the meeting, even though they are part of the agreement being discussed.

Mr. Tenges would like an explanation of item 'b' on page 2, believes the Board has already agreed to 'c' and does not think 'd' should be part of the agreement.

Mr. Nagle commented that Hanover wants it resolved by June 1st.

Mr. Kucsan had a problem with Bath not being invited to the meeting and said it appears Hanover is trying to get Bath to quit.

Dr. Dilsaver agreed that item 'd' is unacceptable and should be eliminated from the agreement. He also commented that the wording in #17 needs to be amended. Currently it says "...Any changes, alterations, extensions or deletions shall be in writing and executed by *both* parties..." Dr. Dilsaver believes "both" should be changed to "all".

Mr. Kucsan thought the Board should convey its comments to Hanover Township and Bath Borough.

Mr. Nagle moved to authorize Mr. Asteak to send a letter to Hanover Township and Bath Borough explaining the Board's concern over items 'b-d' on page 2 and item #17. The motion was seconded by Mr. Kucsan. The motion carried unanimously.

Faust – Stipulation – The stipulation resolves outstanding issues. Once executed, it will be forwarded to the Zoning Hearing Board. Motion to execute the stipulation was moved by Mr. Kucsan and seconded by Mr. Nagle. Dr. Dilsaver abstained. The motion carried.

Hanoverville Road Parking – Mr. Kortze has prepared supporting documents on parking restrictions on Hanoverville Road. Mr. Tenges has asked Mr. Asteak to prepare an ordinance with the maximum allowable fines. The developer has agreed to post signs.

Miscellaneous Matter(s) – Mr. Tenges attended the CRPD meeting and a bi-monthly meeting with the Fire Officers.

Engineer's Report

Mr. Kortze commented that he has finished with his parking restriction studies on Hanoverville Road and will begin working on weight preclusions on a number of Township roads.

Solicitor's Report

ProLogis Park 33 – Building 1 – Improvements Agreement - Motion to authorize execution of the ProLogis Park 33 Building 1 Subdivision and Land Development Improvements Agreement upon receipt of the Letter of Credit was moved by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

Act 167 Stormwater Management - The Bushkill and Monocacy Creek Ordinances have many changes. New ordinances will need to be prepared. Mr. Asteak is not sure they will be ready for adoption by the April 25th deadline.

Radogna Case - Regarding the Radogna case, Mr. Radogna filed an appeal in the Superior Court. Mr. Asteak filed a brief and upon receipt of Mr. Asteak's brief, the Superior Court recognized that it was filed in the wrong court and transferred the case to the Commonwealth Court. Mr. Asteak will keep the Board posted on the case. Mr. Tenges stated that no where has he seen that if Mr. Radogna is found guilty that he has to comply and file his taxes. Mr. Tenges said our intent is to make him file his taxes.

There were no comments under **Old Business.**

There were no comments under **New Business.**

There were no comments under **Courtesy of the Floor.**


Payment of the Bills

Motion to approve the bills dated March 28, 2007 was moved by Mr. Nagle and seconded by Mr. Murphy. The motion carried.

Adjournment

Motion to adjourn the meeting was moved by Mr. Murphy and seconded by Mr. Nagle. The meeting was adjourned at 8:27PM.

Respectfully submitted,


Tammi Dravec
Assistant Secretary/Treasurer

tmd