

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
May 9, 2007**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday May 9, 2007. The 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
Ricky T. Johnson	-	Supervisor	Albert Kortze, P.E.	-	Engineer

Approval of Minutes

Motion to approve the meeting minutes from April 11, 2007 was moved by Mr. Nagle and seconded by Mr. Kucsan. Mr. Johnson abstained because he did not attend the April 11th meeting. The motion carried.

Conditional Use Hearing – Industrial Developments International (IDI)

Mr. Asteak opened the Conditional Use Hearing began with a brief description of the hearing process. Mr. Marles stated that due to the large turnout by residents they were willing to continue the hearing for 20-30 days so that a larger venue could be secured.

Mr. Asteak stated that the location and time of the hearing would be announced at the next Board of Supervisors meeting on May 23, 2007. The new hearing date will also be advertised after that meeting.

Motion to continue the hearing until May 23rd for the sole purpose of announcing the hearing's location and time was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried unanimously.

There were no comments under **Correspondence**.

Reports

Dr. Dilsaver acknowledged the receipt of the February, March, and April 2007 Zoning Administrator's Reports. He also acknowledged the Hecktown Volunteer Fire Company Incident Report for April 2007 and the Financial Statement for March 2007.

Subdivision/Land Development

Opus East Lot 3 Conditional Use – Time Extension – A letter submitted to the Board of Supervisors from Erich Schock of Fitzpatrick Lentz & Bubba, granted the Township a time extension through July 25, 2007. Motion to accept the time extension was moved by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Logisticenter East – Final – Resolution #LNT-13-07 – Blake Marles, James Mascaro, Steve Bailey, and Fidel Gonzalez Jr. were in attendance. Road improvements, such as traffic signals, turn lanes and the realignment of Keystone Drive have been proposed to ease traffic congestion. C&S has also made internal improvements and changed the truck entry to get truck off of Keystone Drive. Mr. Kortze reviewed his May 9th letter recommending final approval as long as his comments are addressed. Mr. Tenges reviewed Mr. Mascaro's email and suggested that the content of the email be part of the approval. Motion to approve Resolution #LNT-13-07 and make Mr. Mascaro's email part of that resolution was moved by Mr. Murphy and seconded by Mr. Johnson. The motion carried unanimously.

Stuart Schooley, 4655 Fir Drive, had a complaint about trash which he believes is coming from the food distributor. Mr. Tenges advised him that he has seen trash being removed on two occasions.

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Trio Farms Phase 1-1 Lot Line Adjustment – Revised Final – Resolution #LNT-15-07 – Wayne Doyle from Van Cleef Engineering was in attendance. Mr. Doyle explained that the townhouses are being narrowed from 32 feet to a width of 30 feet. There will be no additional units however the end units will have larger yards. Mr. Kortze reviewed his letter dated May 4, 2007. Motion to approve Resolution #LNT-15-07 was moved by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

ProLogis – First Industrial SR248 ROW – A representative from Attorney Margle's office and Terry Godar of Evans Engineering were in attendance.

Waiver Requests – The applicant requested waivers from the following sections of the SALDO: 421, 424.6, 424.7, 424.8, 424.9, 425.1, 425.2, 425.3, 425.4, 425.5, 425.7, 425.8, 425.9, 425.12, 425.14, 533.5, 533.6, 533.7, 533.11, and 534.1. The Planning Commission had no problems with the waivers requested neither did Mr. Kortze. Motion to grant all requested waivers listed above was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

Preliminary/Final – Resolution #LNT-17-07 – Mr. Kortze reviewed his letter dated May 9, 2007 recommending Preliminary/Final Approval. Motion to approve Resolution #LNT-17-07 was moved by Mr. Nagle and seconded by Mr. Murphy. The motion carried unanimously.

Supervisor's Comments

Mr. Kucsan, Mr. Johnson, Mr. Murphy, Dr. Dilsaver had no comments.

Mr. Nagle attended the April 30th Colonial Regional Police Commission meeting. He reported on the progress of hiring new officers, the purchase of trailers from FEMA, and pension assets.

Manager's Report

Lower Nazareth Realty Partners – Improvements Agreement – Authorization to Execute – Motion to authorize execution of this agreement after receipt of the Letter of Credit was moved by Mr. Murphy and seconded by Mr. Nagle. The motion carried unanimously.

Jandy Lot 11 / Wawa – Improvements Agreement – Authorization to Execute – Motion to authorize execution of this agreement after receipt of the Letter of Credit was moved by Mr. Kucsan and seconded by Mr. Nagle. The motion carried unanimously.

Jandy Blvd. – Maintenance Period – The maintenance period expires on May 10, 2007. Mr. Kortze has created a punch list of items to be resolved. Motion to authorize Mr. Kortze to forward the list to the developer and engineer and extend the maintenance period until these items can be resolved, was moved by Mr. Murphy and seconded by Mr. Johnson. The motion carried unanimously.

Capital Purchases – Mr. Tenges stated that the 1985 and the 1992 Dump Trucks need to be replaced. The Township would piggy back off the state contract. Mr. Tenges said the purchase price would be about \$100,553.00 each, which is less than budgeted. Motion to approve the purchase of these vehicles was moved by Mr. Murphy and seconded by Mr. Kucsan. The motion carried unanimously.

Trio Farms – Sewer Issue – In order to install the sewer, the developer will need to pass over private property. In light of current litigation over a similar situation, Mr. Tenges believes this issue should be looked at carefully. He said the Board should consider what should be required of the developer regarding the treatment of the property owners. Mr. Tenges asked Mr. Asteak to render an opinion. The Board may not even have to make a decision because Nazareth Borough Municipal Authority requires 30 foot easements and this is only a 10 foot easement. The developer will need to get approval from the Authority for the smaller easement. The issue was deferred until the next meeting so the Board had time to think about the issue and for Mr. Asteak to get some background information.

Engineer's Report

Country Club Road – Sewage Facilities Planning Module – Resolution #LNT-14-07 – Motion to approve Resolution #LNT-14-07 was moved by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

There were no comments under **Solicitor's Report.**

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

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

Courtesy of the Floor

James Pennington, 4450 Fieldstone Drive, commented about the poor condition of the roads in Newburg Manor and asked if there was a plan for repairing roads in the older developments. Mr. Tenges stated that he has asked the RoadMaster, Mr. Murphy, to prepare a strategy for resurfacing these roads and noted that the roads cannot just be repaved because it would affect driveway entrances and stormwater.

Noreen Reid, 4702 Oakwood Lane, asked if the Township was any closer to having a single hauler. Mr. Tenges stated he hopes to move forward in the near future but they were addressing criticisms of the program. Mrs. Reid feels a single hauler would be very beneficial to avoid daily trash pick-up.

Robert Stocklas, 539 Mountain View Road, commented that his neighbor's trash is picked up at 1AM and asked if the Township could do anything about the hours of operation for trash haulers. Mr. Tenges stated that if we had a contracted hauler the hours of operation would be part of the contract.


Payment of the Bills

Motion to approve the bills dated May 9, 2007 was moved by Mr. Nagle and seconded by Mr. Johnson. The motion carried.

Adjournment

Motion to adjourn the meeting was moved by Mr. Johnson and seconded by Mr. Murphy. The meeting was adjourned at 8:53PM.

Respectfully submitted,


Tammi Dravec
Assistant Secretary/Treasurer

tmd