

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
September 24, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday September 24, 2008. The Vice Chairman called the meeting to order at 7:35 PM.

Present were:

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

Absent was:

Patrick J. Murphy, Supervisor

**Approval of Minutes**

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve the meeting minutes for September 10, 2008. The motion carried.

**Reports**

Mr. Nagle acknowledged the receipt of the Lower Nazareth Township Financial Statement for August 2008 and the Zoning Administrator's Report for August 2008. Both reports are available for review at the Township Office.

**Correspondence**

There were no items to discuss under Correspondence.

**Subdivision and Land Development**

Dr. George Manja - Final Land Development - Resolution #LNT-28-08 - Mr. Tenges stated he was not satisfied with the options provided for the realignment of Route 191 and Daniels Road (Route 946); however so as to not hold up Dr. Manja's project he agreed that the plan could be approved so long as the applicant understands that in the event that Route 191 and Route 946 are realigned, it may be necessary for the driveway to be relocated. This is already a difficult intersection as it stands today and this project will only add to the congestion. Mr. Tenges stated that the Township is not happy with the situation but the driveway is permitted by PADOT.

Mr. Kortze reviewed his September 5<sup>th</sup> letter noting outstanding items such as Open Space fees, Traffic Impact fees, and an Improvements Agreement.

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve Resolution #LNT-28-08. The motion carried.

**Supervisor's Comments**

Mr. Nagle and Mr. Johnson had no comments.

Dr. Dilsaver also attended the Open House on the 19<sup>th</sup>.

Mr. Kucsan attended Colonial Regional Police Department's Open House on Friday September 19<sup>th</sup> and the 248 Brodhead Road Operating Committee meeting on September 23<sup>rd</sup>.

### **Manager's Report**

Employee Pension - 2009 Minimum Municipal Obligation (MMO) - A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to approve the 2009 MMO. The motion carried.

Mr. Tenges stated that a Draft 2009 Budget should be available for the November 5<sup>th</sup> meeting.

Mr. Tenges stated that he has a conflict for the October 8<sup>th</sup> Meeting and requests that it be cancelled. A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to cancel the October 8<sup>th</sup> meeting. The motion carried.

Municipal Building Maintenance - Mr. Tenges is working on attaining quotes for the front porch repair. The quotes received do not include replacement of the black railing; however he would like to update the railing to match the front of the building. Mr. Tenges requested authorization to spend up to \$7,400.00 to repair the steps and replace the railing. The contract would be awarded to the company with the lowest quote. A motion was moved by Mr. Nagle and seconded by Mr. Johnson to authorize Mr. Tenges to award the contract to company with the lowest quote up to \$7,400.00. The motion carried.

Fall Clean-up Day will be held at East Penn Transfer Station on Saturday October 18<sup>th</sup> from 7am - 1pm. The pricing is the same as the Spring Clean-Up Day.

Act 537 Plan Update - Mr. Tenges stated he will be meeting with our Act 537 Consultant next week. Nazareth Borough is waiting on an answer on our anticipated needs. The amount the Township will request will be based on the analysis of the land use plan relative to the comprehensive plan. The Township may be asking for 500,000 to 800,000 gallons per day with the caveat that this reservation is at no cost to the Township and they get back their investment when the areas are developed and user fees are collected.

Mr. Tenges is preparing to discuss this with the Board at the October 22<sup>nd</sup> meeting.

Northampton County Joint Council of Governments Meeting - Mr. Tenges attended this meeting on Tuesday September 23<sup>rd</sup>. One topic of discussion was emergency management; something he would like to take a more accurate role in. While at a conference in Shippensburg, Mr. Tenges toured Dairy Township's Emergency Operations Center. It is a very nice center and shows that there is room for improvement all around. Multi-Municipal Emergency Operation Centers are being discussed to combine efforts and have a more efficient center.

Recycling Coordinator for Northampton County is Tom Dittmar who spoke at the meeting. Two upcoming County sponsored recycling events: E-cycling on October 4<sup>th</sup> at Nazareth Middle School and Household Hazardous Waste on October 11<sup>th</sup> at Northampton County Community College.

Mr. Tenges stated that the Township will be running a CFL recycling program for residents.

The 2008 County Convention will be held on Friday October 3<sup>rd</sup> and the Eastonian.

Private Property Issues - Mr. Tenges brought two complaints to the Board for their opinion on the direction the staff should take.

- (1) A gentleman would like to replace his driveway, but not according to the standards set in the SALDO because his neighbors did not follow those standards. He either wants us to allow him to install his driveway the way he wants or force his neighbors to fix their driveways. After some discussion, it was decided that he could request the Board for a waiver from this SALDO requirement.
- (2) A resident placed a pool, deck and shed over an inlet and installed pipes so water drain to the rear of his property causing a sinkhole on his neighbor's property. These "improvements" have been

in place for many years however it was only recently that the neighbor filed a complaint. After some discussion Solicitor Asteak stated that it is a civil matter and the neighbor who filed the complaint can sue his neighbor.

Mr. Tenges asked what the township can do to manage who does business in the township and to insure they comply with ordinances. He requested that Solicitor Asteak provide the Board with a model contractor licensing ordinance and include trash collection and recycling.

### **Engineer's Report**

Hanover Corporate Center - Traditions of America - Request for Release of Letter of Credit - Mr. Kortze reviewed his letter dated September 24<sup>th</sup>. The security for the stormwater basin was posted by Jaindl Land Company and is currently \$60,423.00. According to an August 18<sup>th</sup> letter from Traditions of America, they are now responsible for the repair and maintenance of the stormwater basin. Based upon Mr. Kortze's inspection the amount of security required from the Condominium Association would be \$52,267.50. The Township should retain that security until the sedimentation basin is converted to a stormwater pond.

Solicitor Asteak inquired whether there would be a maintenance period once the basin was converted. There was some discussion but it was decided that a maintenance period was not required. However, there will need to be an improvements agreement with Traditions of America.

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan for the transfer of the responsibility upon the establishment of an improvements agreement and the posting of security

### **Solicitor's Report**

Solicitor Asteak attended Colonial Regional's Open House and was impressed with the facilities.

### **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 made by Mr. Johnson and seconded by Mr. Nagle to approve the bills dated September 24, 2008. The motion carried unanimously.

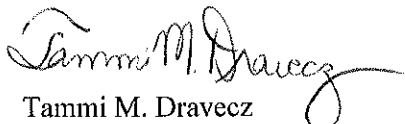
### **Courtesy of the Floor**

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

### **Adjournment**

The meeting was adjourned at 8:40PM.

Respectfully submitted,

  
Tammi M. Dravec  
Asst. Secretary/Treasurer