

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES**

December 5, 2007

Upon completing an Executive Session, the Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting on Wednesday December 5, 2007. The Vice-Chairman called the meeting to order at 6:15 PM.

Present were:

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

Absent was: Dr. Alan Dilsaver, Chairman and Patrick J. Murphy, Supervisor

Mr. Asteak announced there was an executive session following the November 28th meeting and prior to tonight's meeting to discuss litigation.

Approval of Minutes

Motion to approve the meeting minutes from November 28, 2007 was moved by Mr. Johnson and seconded by Mr. Kucsan. The motion carried unanimously.

Reports

Mr. Nagle acknowledged the receipt of the Zoning Administrator's Report of November 2007 and the November 2007 Hecktown Volunteer Fire Company Incident Report.

Correspondence

There was no discussion under correspondence.

Subdivision/Land Development

There was no discussion under Subdivision/Land Development.

Supervisor's Comments

There was no discussion under Supervisor's Comments.

Manager's Report

2008 Millage – Resolution #LNT-34-07 – Motion to approve an increase in the Millage Rate for 2008 via Resolution #LNT-34-07 was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

2008 General Township Budget – Mr. Tenges stated that the 2008 Budget was advertised for the required 20 days and asked the Board if they were ready to move to adopt. Mr. Johnson moved to adopt the budget while Mr. Kucsan seconded the motion. The motion carried unanimously.

Supplemental Appropriations – Resolution #LNT-35-07 – Mr. Tenges asked the Board to approve an appropriation to the Lower Nazareth Township Capital Reserve Fund (Municipal) No.30, in the amount of \$400,000.00, of which \$90,000.00 is designated as equipment replacement monies; Lower Nazareth Township Sewer/ Traffic Signal Capital Reserve Fund, No. 18, in the amount of \$330,000.00; and a "one-time" special appropriation of \$70,000.00 to the Lower Nazareth Township Capital Reserve Fund-Fire #31,

specifically the Truck Fund portion. This appropriation is being made for the purpose of a down payment on a new pumper truck to replace the 1978 American LaFrance pumper. Mr. Kucsan motioned to approve said appropriations and seconded by Mr. Johnson. The motion carried unanimously.

Liquid Fuels Tax Fund Examination Report – Mr. Tenges acknowledged receipt of Liquid Fuels Tax Examination Report for Year End December 31, 2005.

Equipment Purchase – Mr. Tenges asked the Board to authorize the execution of all documents related to the purchases of two new Maintenance Support Vehicles. Approval to purchase these vehicles was granted at a prior meeting. A motion to approve authorization to execute was made by Mr. Johnson and seconded by Mr. Kucsan. The motion carried unanimously.

Engineer's Report

Dutch Springs - Mr. Kortze reviewed his letter dated December 3, 2007 recommending the release of the Maintenance Escrow in the amount of \$5,599.50 which would then close out this project.

Mr. Asteak stated that once the Grant of Right-of-Way is received then the Maintenance Escrow monies can be released. A motion to accept the public improvements and the release of Security after receiving the Grant of Right-of-Way was made by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

Colt's Run - Mr. Kortze reviewed his letter dated December 3, 2007 recommending a reduction from \$217,085.20 to \$86,553.68 and the commencement of the twelve month maintenance period.

Mr. Tenges wanted it noted on record that sink hole repairs were made at 4310 and 4304 Eisenhower Drive. If there are any additional sinkhole failures, the Township should retain the right to extend the maintenance period for this portion of the road.

Motion to approve the \$130,531.52 reduction and to commence with the maintenance period was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously .

Solicitor's Report

CRP Litigation with Bath Borough - Mr. Asteak announced that the Preliminary Injunction has been withdrawn and that Judge Garb will head any further mediation.

Old Business

There were no comments under Old Business.

New Business

Mr. Kucsan stated he has spoken to David Meixell of 3870 Newburg Road, Easton, PA 18045 regarding his interest in sitting on the Agricultural Security Area Committee. A motion to appoint Mr. Meixell to the Agricultural Security Area Committee was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

Payment of the Bills

Motion to approve the bills dated December 5, 2007 was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

Courtesy of the Floor

There were no comments under Courtesy of the Floor.

The Board recessed from 6:36 – 7:00PM.

Conditional Use Hearings

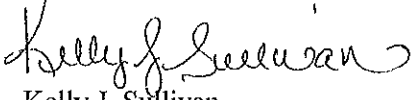
Industrial Developments International (IDI) – CU2007-02 – Continuation – The IDI Hearing commenced for the sole purpose of acknowledging a continuation due to scheduling conflicts of Attorneys Bruno and Marles to attend tonight's hearing.

The next meeting of the Board of Supervisor's will be held on December 19, 2007 at the Lower Nazareth Township Municipal Building at 306 Butztown Road. Regular business will commence at 6:00 PM and the IDI Conditional Use Hearing is scheduled for continuation at 7:00 PM

Adjournment

Motion to adjourn the meeting was moved by Mr. Kucsan and seconded by Mr. Johnson. The meeting was adjourned at 7:04 PM.

Respectfully submitted,



Kelly J. Sullivan
Clerk