

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
February 9, 2022**

The Lower Nazareth Township Board of Supervisors held a hybrid meeting on Wednesday, February 9, 2022. Chairman James Pennington called the meeting to order at 7:00 PM.

Present were:

James Pennington	-	Chairman	Gary Asteak, Esq.	-	Solicitor
Martin Boucher	-	Vice-Chairman	Albert Kortze	-	Engineer
Stephen A. Brown	-	Supervisor	Lori A. Stauffer	-	Manager
Robert J. Hoyer	-	Supervisor	Tammi Dravec	-	Secretary/Treasurer
Amy L. Templeton	-	Supervisor	Lori Seese	-	Planning/Zoning Administrator

**The Board held an executive session prior to this evening's meeting to discuss legal issues **

Agenda Amendment and Approval

Ms. Stauffer requested to add a resolution to authorize application to a grant program under her reports. Mr. Pennington requested to add recognition of Officer Kovach who will be retiring next month.

A motion was moved by Mr. Hoyer and was seconded by Mr. Boucher to approve the amended February 9th meeting agenda. The motion carried unanimously.

CRPD Recognition – Mr. Pennington presented a proclamation to Officer Kovach. Officer Kovach joined Colonial Regional Police Department on February 10, 1997. He has served for 25 years as a Colonial Regional Police Officer. Officer Kovach will retire on March 3, 2022. The week of March 7th will be Officer Kovach week in Lower Nazareth Township.

Conditional Use Hearing – CU2021-02 Franklin BioScience – Decision

Solicitor Asteak reviewed the Order and Opinion. A motion was moved by Mr. Brown and was seconded by Mr. Boucher to approve the Opinion and Order. The motion carried unanimously.

Approval of Minutes

A motion was moved by Ms. Templeton and was seconded by Mr. Boucher to approve the January 26th meeting minutes. The motion carried unanimously.

Reports (*Reports are available to review at the Township Office and on our website.*)

Mr. Pennington acknowledged the receipt of the January 2022 Hecktown Fire Incident Report.

Supervisor's Comments

Multi-Municipal Plan Update – Mr. Pennington noted there is a NAZCOG meeting next week. He reported we are closer to having a draft ready for review.

Open Space Preservation – Mr. Hoyer reported that the EAC meets February 14th at 7pm.

Parks & Recreation – Ms. Templeton had nothing to report under Parks and Recreation. She did want to thank you the Public Works Staff for their efforts with the Township Line Road closure during the storm last Thursday into Friday. Thank you!

Ms. Templeton also reported that she, along with Ms. Stauffer and Jeff Shepard met with the library. The library discussed their renovation plans. The project is estimated to cost \$2.9 million dollars but will not be paid from general operating funds. The project will be completed in 8 phases. Funding will come from grants, fund raisers, and donations.

Mr. Brown had no comments.

Mr. Boucher had no comments.

Subdivision & Land Development

LVTC III – Presentation – 4733 Hanoverville Road/Dutch Springs site

Present in person were Attorney Catherine Durso, Matthew Nunn, Trammell Crow Company, John Wichner, McMahon Transportation Engineers and Planners (Traffic Engineer), and Mike Jeitner, Bohler Engineering (Civil Engineer).

Mr. Nunn discussed the latest proposal which includes keeping the quarry active. They received a proposal to continue to use lake for diving by a local diving group, Dive, LLC.

The applicant noted they have received required variances from both Bethlehem and Lower Nazareth Townships.

Mr. Jeitner discussed the two-building proposal. There will be three lots; Building A will be on lot one, Building B will be on lot two, and the diving will be on lot 3. Total area is roughly 100 acres. One building will be located in Lower Nazareth and the other in Bethlehem Township. Access will be along Hanoverville Road. Access for diving facility will also be off Hanoverville Road. In addition, they will be providing a bike path along Hanoverville Road.

The applicant Proposing to connect to sewer through BT. Intermunicipal Agreement with BT and LNT.

Mr. Wichner and Attorney Durso discussed coordinating efforts with Petrucci on widening of Hanoverville.

Mr. Kortze discussed previous coordination between Trammel Crowe and ProLogis on the other end of Hanoverville Road. Coordinated efforts allows for the improvements to be made and only repave road once. He reviewed his February 4th letter including his comments on the 10 requested waivers.

Waivers A-E – Solicitor Asteak stated since they are technical drafting waivers they can be approved together. A motion was moved by Ms. Templeton and was seconded by Mr. Boucher to grant waivers A-E. The motion carried unanimously.

- A. SALDO Section 421 (Appendix C B.2)
- B. SALDO Section 424.7 (Appendix C C.4)
- C. SALDO Section 424.7 (Appendix C G.5)
- D. SALDO Section 400
- E. SALDO Section 731.3

Waiver F - SALDO Section 749.1. Mr. Hoyer inquired about the bike path versus curbing and sidewalk. Mr. Jeitner stated given the pedestrian activity a bike path makes sense. A motion was moved by Ms. Templeton and was seconded by Mr. Hoyer to grant waiver F. The motion carried unanimously.

Waivers G-I – Solicitor Asteak stated since they are storm drainage waivers they can be approved together. A motion was moved by Ms. Templeton and was seconded by Mr. Hoyer to grant waivers G-I. The motion carried unanimously.

G. SALDO Section 774.32.b

H. SALDO Section 774.32.e

I. SALDO Section 774.32.f

Waiver J – SALDO Section 733.33 - A motion was moved by Mr. Brown and was seconded by Mr. Boucher to grant waiver J. The motion carried unanimously.

Mr. Pennington was concerned about trucks drivers using GPS and wanting to take the shortest route. However the bridge over Monocacy has weight restriction and the Route 191 and Hanoverville intersection is not constructed for trucks traffic. He asked for the applicant's thoughts to help keep traffic where it should be and not in areas prohibited to truck traffic. Attorney Durso noted her discussions with Solicitor Asteak on providing additional payments to Lower Nazareth.

Mr. Wichner discussed additional signage including PADOT approved solar power lighted signs on the property indicating no right turn.

Mr. Pennington discussed the need for sufficient onsite and overnight parking. Mr. Wichner and Mr. Jeitner showed the staging and storage areas on the site plan.

Mr. Pennington inquired about the placement of the guard shack. Mr. Jeitner showed there is room available for two, in the event there are two tenants. There is also room available for a guard shack for scuba operations as well.

Mr. Pennington inquired about a snow clearing tools for trucks. Mr. Nunn stated that would be tenant driven but they could look into that. Mr. Pennington stated they should have an agreement with tenants.

Mr. Pennington inquired about LANTA/bus service on site for employees that do not have a vehicle. Attorney Durso stated that is up to LANTA if they would want to expand service. JP Brodhead has service. Solicitor Asteak stated that perhaps the Township could approach LANTA. Mr. Nunn stated that the bridge may be an issue for buses. Ms. Seese stated that she recently spoke with Ms. Wood from LANTA and there is currently no plans to expand service because of the bridge.

Mr. Boucher wanted to ensure that Hecktown Fire would maintain access to quarry/lake.

Solicitor Asteak inquired about restroom facilities for drivers? Mr. Nunn stated that is tenant driven. Solicitor Asteak thought they should consider provisions in the lease to allow for access to drivers to use facilities in building.

Mr. Brown inquired on the process for someone wanting to use diving facility. A representative from Dive, LLC stated this will be more of a training facility and limited to professionals/trained individuals. He also noted that access would be with timed tickets.

Mr. Pennington stated the Board would defer their decision to the March 9th meeting. Solicitor Asteak is unavailable for our next meeting on February 23rd.

Attorney Durso asked for authorization for Solicitor Asteak to draft letter to communicate to Bethlehem Township and Bethlehem Township Municipal Authority about sewer allocation and intermunicipal agreements.

A motion was moved by Mr. Boucher and was seconded by Ms. Templeton to authorization the communication. The motion carried unanimously.

Solicitor Asteak state he would provide Attorney Durso with the approval resolution sent prior to the meeting for their review.

3758 Hollo Road Subdivision – Resolution #LNT-10-22

Sue Kandil, of Penn Technology Consulting gave a brief presentation on the proposed subdivision. Mr. Kortze reviewed his Feb 2nd letter. He recommended approving the deferral of road widening until the future development of lots 1 & 2. He told the applicant to reach out to Chris Noll about septic testing on the site.

Mr. Hoyer inquired about the deferral. Mr. Kortze once the owner of the property returns with a plan then the road widening would be required. Depending on what the plan is will determines the required width.

A motion was moved by Ms. Templeton and was seconded by Mr. Brown to approve the Resolution #LNT-10-22. The motion carried unanimously.

Solicitor's Report

Authorization to Execute Sales Agreement with Notaro –Solicitor Asteak noted that we possess a signed agreement. A motion was moved by Ms. Templeton and was seconded by Mr. Boucher to authorize execution of sales agreement with Notaro. The motion carried unanimously.

Authorization to Execute Sales Agreement with Fulton Bank – Solicitor Asteak noted that we have reached an agreement and it is currently with Fulton for execution. A motion was moved by Ms. Templeton and was seconded by Mr. Boucher to authorize execution of sales agreement with Fulton Bank. The motion carried unanimously.

Authorization to File Subdivisions for Notaro and Fulton Bank Properties PC and LVPC review and waive fees – A motion was moved by Ms. Templeton and was seconded by Mr. Brown to authorize filing of subdivision plans for Notaro and Fulton Bank Properties. The motion carried unanimously.

Engineer's Report

Mr. Kortze reported he has submitted the subdivision plans to LVPC.

Manager's Report

Time Extension Report – Ms. Stauffer noted that the Township accepted a time extension for Keystone Foods through June 22, 2022.

Commonwealth Financing Authority – Local Share Account – Grant Application – Resolution #LNT-11-22 – Ms. Stauffer proposed applying for a grant to the Commonwealth Financing Authority for the replacement of stormwater pipe on Butztown Road and pavement overaly from the intersection of Route 191 and the township line. The cost estimate for the project is \$570,382.75.

She asked authorization to apply for the grant and to designate Mr. Pennington and herself as the officials to execute all documents and agreements between the Township and Commonwealth Financing Authority. JP and LAS resp for signing documents commonwealth financing authority

A motion was moved by Mr. Brown and was seconded by Ms. Templeton to approve the Resolution #LNT-11-22. The motion carried unanimously.

Payment of the Bills

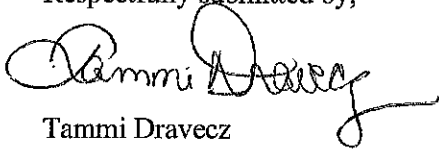
A motion was moved by Ms. Templeton and was seconded by Mr. Hoyer to approve payment of the bills dated February 9th.

Courtesy of the Floor

Jeff Shepard thanked the Board for the markers placed on the fire hydrants. He also questioned whether the sidewalk could be extended to the park entrance along Greinar Road. Ms. Stauffer stated that this could be done.

Adjournment – The meeting adjourned at 8:30PM.

Respectfully submitted by,



Tammi Dravec
Secretary/Treasurer

Lower Nazareth Township
Bills To Be Approved
February 9, 2022

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
21818	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 2,296.76
21829	Easton Suburban Water Authority	Municipal Bldg Water	\$ 53.28
21830	Keystone Municipal Insurance	Workers Comp Insurance	\$ 5,132.00
21831	Met-Ed	Traffic Signal / Street Light Electricity	\$ 366.20
21832	PAPCO	Equipment Motor Fuel	\$ 532.75
21833	Suburban Propane	Public Works Fuel	\$ 1,820.01
21834	Suburban Propane	Park Fuel	\$ 543.79
21835	Hendershot Door Systems, Inc.	Facilities Maintenance	\$ 130.00
21836	PSATS CDL Program	CDL Drug Testing	\$ 120.00
21837	NJ Advance Media	Advertisement	\$ 422.10
21838	Government Forms and Supplies	Office Supplies	\$ 43.53
21839	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 4,073.00
21840	Fraser Advanced Info Systems	Copier Supplies	\$ 14.97
21841	Integra One	Computer Services/Software Maintenance	\$ 81.00
21842	Integra One	Computer Services/Software Maintenance	\$ 625.00
21843	Karen A. Mengel, RPR, CSR	Stenographer	\$ 225.00
21844	Moira Evans	Stenographer	\$ 95.00
21845	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 542.00
21846	American Rock Salt Company LLC	Winter Maintenance	\$ 19,445.20
21847	Linda Griffin	Mailbox Reimbursement	\$ 25.00
21848	Commonwealth of Pennsylvania	UCC Certification Renewal	\$ 9.70
21849	U.S. Municipal Supply, Inc.	Public Works Signs	\$ 1,261.05
21850	Tractor Supply Credit Plan	Public Works Equipment Parts/Supplies	\$ 149.99
21851	American Rock Salt Company LLC	Winter Maintenance	\$ 18,162.97
21852	Suburban Propane	Park Fuel	\$ 284.08
21853	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 455.86
21854	Liberty Propane Inc.	Municipal Building Propane	\$ 2,833.72
21855	PA One Call System, Inc.	Monthly Activity	\$ 21.12
21856	RCN	Internet & Telephone Services	\$ 813.59
21857	Broughal & DeVito, LLP	Legal Services	\$ 3,793.71
21858	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park El	\$ 824.66

Lower Nazareth Township
Bills To Be Approved
 February 9, 2022

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
21859	PPL, Inc.	Municipal Drive Electricity	\$ 864.85
21860	NJ Advance Media	Advertisement	\$ 635.40
21861	Karen A. Mengel, RPR, CSR	Stenographer	\$ 225.00
21862	PAPCO	Equipment Motor Fuel	\$ 2,098.11
21863	ACR Products, Inc.	Public Works Equipment Parts/Supplies/Repai	\$ 93.68
21864	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 1,462.50
21865	Karen A. Mengel, RPR, CSR	Stenographer	\$ 437.50
21866	Chase Card Services	Supplies/Software Maintenance/Postage	\$ 1,680.45
<i>Total General Fund Checking Account...</i>			<u><u>\$ 72,694.53</u></u>

PAYROLL ACCOUNT

Num	Name	Memo	Amount
	February 11, 2022		<u><u>\$ 44,294.00</u></u>

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
1232	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 1,357.39
1233	Chase Card Services	Facility Maintenance	\$ 6,147.00
<i>Total Capital Reserve Account...</i>			<u><u>\$ 7,504.39</u></u>

OPEN SPACE ACCOUNT

Num	Name	Memo	Amount
1579	Bruce George Paving & Excavating, Inc.	Park Construction	<u><u>\$ 103,910.33</u></u>

REFUSE/RECYCLING ACCOUNT

Num	Name	Memo	Amount
1647	Allstate Septic Systems, LP	Temporary Restroom	<u><u>\$ 115.00</u></u>

Lower Nazareth Township
Bills To Be Approved
February 9, 2022

DEVELOPMENT & INSPECTION ACCOUNT

Num	Name	Memo	Amount
2056	Delgado Food Services, Inc.	Building Permit Overpayment	<u>\$ 570.00</u>

MASTER ESCROW ACCOUNT

Num	Name	Memo	Amount
2839	Met-Ed	Traffic Signal Electricity	\$ 341.62
2840	Asteak Law Offices	Legal Services	\$ 950.00
2841	Keystone Consulting Engineers, Inc.	Engineering & Consulting Services	\$ 7,404.00
2842	Barry Bourquin	Escrow Refund	<u>\$ 2,287.61</u>
<i>Total Master Escrow Account...</i>			<u><u>\$ 10,983.23</u></u>