

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES  
September 14, 2022**

The Lower Nazareth Township Board of Supervisors held a hybrid meeting on Wednesday, September 14, 2022, Chairman James Pennington called the meeting to order at 7:27 PM.

**Present were:**

James Pennington	-	Chairman	Gary Asteak, Esq.	-	Solicitor
Robert J. Hoyer	-	Supervisor	Albert Kortze	-	Engineer
Stephen A. Brown	-	Supervisor	Lori A. Stauffer	-	Manager
Amy L. Templeton	-	Supervisor	Tammi Dravec	-	Secretary/Treasurer
			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 the Newburg Park Lighting Contract under the Parks and Recreation Report. Mr. Hoyer made a motion to approve the amended the agenda. Mr. Brown seconded. Motion passed.

**Approval of Minutes**

The meeting minutes of August 10, 2022 were submitted for review and approval. Mr. Hoyer made a motion to approve the minutes as presented. Ms. Templeton seconded. Motion passed.

**Reports**

The Hecktown Fire Incident Report for August 2022 and the Financial Report for July 2022 were presented.

**Supervisor's Comments**

Property Maintenance Code Presentation – Barry Isett & Associates – Greg Kurtz and Ron Kimes from Barry Isett made a presentation to the Board on property maintenance code and the types of issues that can be addressed under the code.

Mr. Pennington inquired what percentage of municipalities have adopted a property maintenance code. While Mr. Kurtze stated 90% of their clients, they were under to the percentage of Pennsylvania municipalities.

Mr. Pennington confirmed that portions of the code can be adopted and not just the whole code. Mr. Kurtz stated that the portions can be adopted and enforced as the municipality sees fit.

Mr. Brown inquires what would happen if a tenant complained that their landlord shut of water/ power. Mr. Kurtze said the house could be condemned unsafe. Mr. Hoyer inquired who pays for services. Mr. Kurtz said a tenant has the legal right to permit entry on the property and the property owner would be responsible for any violations. The municipality would then pay Barry Isett an hourly rate for their services.

Mr. Pennington inquired whether they could use in house enforcement or a third party? Mr. Kurtz believed it would be more beneficial for third-party for a municipality with minimal issues. Barry Isett could come as needed when complaint received.

Mr. Brown was looking for data on similar sized municipalities and Mr. Kurtz said data would be more dependent on residents than size. Mr. Hoyer wondered if the violations are more residential or commercial? Mr. Kurtz stated it depends on municipality.

#### Open Space Preservation

Mr. Hoyer stated the EAC met on Monday and discussed plantings in Hahns Meadow Park as well as Surrey Glen and Newburg Parks.

#### Parks & Recreation

Newburg Park Pickleball Courts – Ms. Templeton stated that the Township received three (3) bids for pickleball courts at Newburg Park. The lowest bidder was Schlouch Incorporated at \$124,113.40. Mr. Brown made a motion to award the bid the Schlouch at a cost of \$124,113.40. Mr. Hoyer seconded. Motion passed.

Ms. Stauffer stated that the bids can on only slightly higher than estimate. Mr. Brown believes the courts will be well used.

Newburg Park Lighting – Ms. Templeton reported that we received three (3) quotes through COSTARS for lighting at Newburg Park. The areas for lighting include the entrance, parking lot, veterans memorial, and walking path up to the bathrooms. The proposal from Schaedler Yesco (installer would be G technology) is \$219,177 and would be paid from the Open Space Fund. Mr. Brown made a motion to approve the proposal for lighting at Newburg Park. Mr. Hoyer seconded. Motion passed.

Hahns Meadow Project – Ms. Templeton reported that costs to complete the project are above and beyond the grants received. Therefore, it would not be prudent to move forward with the project. She recommended the Board reverse their previous approval and reject all bids. Mr. Hoyer made a motion to reverse their previous motion and reject all bids. Mr. Brown seconded. Motion passed.

Ms. Templeton also asked the Board to direct the Township Manager to notify Northampton County that they are returning the Livable Landscape Grant for Hahns Meadow Park. Mr. Brown made a motion to authorize the Township Manager to notify the County. Mr. Hoyer seconded. Motion passed.

Dogs Day Out - To date we have 30 vendors, but no food vendors have committed. Ms. Stauffer asked the Board if they have connections, please reach out to see if they would be interested.

#### Subdivision and Land Development

Fence Waiver – Dalvin Tejada - 4289 Beech Drive – The applicant is requesting a waiver for a privacy fence. Ms. Seese noted the fence would be entirely with drainage utility easement on his property. Mr. Brown made a motion to grant the waiver. Ms. Templeton seconded. Motion passed.

Fence Waiver – Anthony Dotta - 238 Presidential Drive – The applicant is requesting a waiver for a privacy fence. Ms. Seese noted the fence would be entirely with drainage utility easement on his

property. Mr. Kortze noted that they should find the limits of septic system and rope it off, so it is not driven on during installation. Mr. Hoyer made a motion to grant the waiver. Ms. Templeton seconded. Motion passed.

LVTC III Stormwater Operation & Maintenance Agreement – Authorization to Execute – Mr. Brown made a motion to authorize execution of the agreement. Ms. Templeton seconded. Motion passed.

LVTC III Improvements Agreement – Authorization to Execute – Solicitor Asteak noted a requirement by Bethlehem Township is missing from the record plan and must be resolved prior to recording. He asked the Board for authorization to execute this agreement once this is resolved. Mr. Hoyer made a motion to authorize execution of the agreement once the issue with the record plan has been corrected. Ms. Templeton seconded. Motion passed.

Caliber Collision Improvements Agreement – Authorization to Execute – Mr. Hoyer made a motion to authorize execution of the agreement. Ms. Templeton seconded. Motion passed.

Inn at Evergreen Farms – Miklos Zoning Map/Text Amendment Proposal – Present was Mark Bahnick, Van Cleef Engineering Associates; Julie Von Spreckelsen, Eastburn and Gray; and the applicant Mr. and Mrs. Miklos

Mr. Bahnick gave a presentation on the proposed project. They have been working with Township Staff over past two years on concepts for this property which is 105 acres. The land is located along Nazareth Pike/Route 191 and between Gradwohl Switch and Newburg Roads/ The proposal sites a farm to table restaurant with overnight accommodations in a farm setting. Indoor and outdoor event venues. Garden area, livestock pasture, corn mazes, pumpkin patches, evergreen tree farm and more. In addition, along Route 191 would be two 24-unit garden apartment buildings.

The site would be serviced by public water and on lot septic, unless sewer would become available. Ms. Stauffer noted that in conversations with NBMA, to bring public sewer would require a daisy chain of pumps and that is not their desire. To bring sewer from the Bethlehem direction would require every homeowner along the way to connect. Mr. Bahnick noted that are ok with on lot septic.

Mr. Bahnick noted that an 85-acre conservation easement would be given to the Township. A drip irrigation system would be within easement. Solicitor Asteak informed Mr. Bahnick that he will need to elaborate on what a drip irrigation system looks like, operates, and its impacts on the conservation easement.

Mr. Hoyer confirmed with the applicant that the conservation easement would also include animal area. He also confirmed with Solicitor Asteak that the plan will go to the Planning Commission for review.

Attorney Von Spreckelsen stated applications have been submitted but wanted the Board's input. Solicitor Asteak said they must improve application and be clearer.

Ms. Stauffer said in discussion with Attorney Piperato it was discussed that the applicant subdivides off the apartments to avoid two principal uses on one property. Mr. Bahnick agreed. Solicitor Asteak stated

it complicates things and the septic would be on the neighboring property. Mr. Hoyer said it can all be worked out; Solicitor Asteak agreed.

Mr. Hoyer noted that he likes the general concept of this project.

### **Solicitor's Report**

Clemis Property – Solicitor Asteak stated we have an executed agreement of sale, completing all four corners of intersection. The only hitch is there is a tenant and Mr. Clemis wants to give them a 120-day notice. Solicitor Asteak will be requesting a copy of the lease and notice. Ms. Stauffer said the 120 days isn't an issue and it will take that time for subdivision process. Ms. Templeton made a motion to authorize execution of the agreement. Mr. Hoyer seconded. Motion passed.

Solicitor Asteak stated he is now working on the property at the Route 191/946 intersection.

### **Engineer's Report**

LVTC II – Letter of Credit Reduction – Mr. Kortze noted this is the first reduction and recommended the letter of credit be reduced from \$3,360,964.80 to \$1,085,816.10. Ms. Templeton made a motion to reduce the security per Mr. Kortze's recommendation. Mr. Hoyer seconded. Motion passed.

### **Manager's Report**

2023 Minimum Municipal Obligation – Defined Benefit – Mr. Brown made a motion to accept the 2023 MMO for the defined benefit plan. Ms. Templeton seconded. Motion passed.

2023 Minimum Municipal Obligation – Defined Contribution – Ms. Templeton made a motion to accept the 2023 MMO for the defined contribution plan. Mr. Hoyer seconded. Motion passed.

Northampton/Lehigh LSA Resolution #LNT-36-22 – Fire Co Radios - Ms. Stauffer requested approval to submit a grant application in the amount of \$124,331 grant for fire company radios. Mr. Hoyer made a motion to approve resolution #LNT-36-22. Mr. Brown seconded. Motion passed.

Senior Center Parking Lot - Payment Request #2 – Mr. Brown made a motion to make the final payment to Delaware Valley Paving. Ms. Templeton seconded. Motion passed.

Pooler Litigation – Ms. Stauffer reported that the Township is being sued by Peoples Property and Anne Marie LLC and asked that the Board authorize the services of Attorney James Preston to represent the Township. Mr. Hoyer made a motion to use the services of Attorney Preston. Ms. Templeton seconded. Motion passed.

### **Payment of the Bills**

Mr. Brown made a motion to pay the bills as presented. Ms. Templeton seconded. Motion passed.

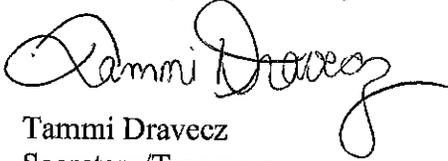
### **Courtesy of Floor**

Mr. Brown stated that 150 people attended Sunday's Cub Scout Open House. He thanked Lower Nazareth for the use of the building and Colonial Regional for fingerprinting.

Mr. Pennington spoke of Colonial Regional Citizens Police Academy that is currently in session.

**Adjournment** – The meeting adjourned at 8:45PM.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Tammi Dravecz". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Tammi Dravecz  
Secretary/Treasurer

**Lower Nazareth Township  
Bills To Be Approved  
September 14, 2022**

**GENERAL FUND CHECKING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
22386	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 420.12
22387	Allstate Septic Systems	Temporary Restroom	\$ 130.00
22388	PAPCO	Equipment Motor Fuel	\$ 2,756.35
22389	Advance Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 29.57
22390	Foley, Incorporated	Public Works Equipment Parts/Supplies	\$ 738.48
22391	Exeter Supply Co., Inc.	Pipe & Drainage Supplies	\$ 234.00
22392	Sam's Club	Public Works Supplies	\$ 336.08
22393	U.S. Municipal Supply, Inc.	Public Works Supplies & Park Signs	\$ 179.86
22394	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 11,590.00
22395	Commonwealth of Pennsylvania	NPDES Permit	\$ 2,500.00
22396	City of Bethlehem	Hydrant Assessment	\$ 156.54
22397	NJ Advance Media	Advertisements	\$ 512.40
22398	Verizon Wireless	Municipal/Public Works Wireless	\$ 552.55
22399	Green Pond Nursery, Inc.	Park Facilities Maintenance	\$ 117.50
22400	Northampton County Seed Company, Inc.	Park Facilities Maintenance	\$ 841.56
22401	ORE Rentals	Equipment Rental	\$ 330.00
22402	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 1,021.00
22403	Keystone Fire and Security	Fire Company Maintenance	\$ 327.00
22404	Verizon Wireless	Fire Company Wireless	\$ 108.57
22405	Verizon Wireless	Fire Company Wireless	\$ 330.96
22406	Service Electric Cable TV Inc	Fire Company Internet	\$ 126.28
22407	Wex Bank	Fire Company	\$ 1,142.30
22408	Fraser Advanced Info Systems	Fire Company Copier Lease/Maintenance	\$ 95.00
22409	Jeff Murray Electrical Contractor	Fire Company Maintenance	\$ 2,908.00
22410	Easton Suburban Water Authority	Municipal Bldg/Newburg Park Water	\$ 240.88
22411	Signal Service, Inc.	Traffic Signal Maintenance	\$ 71.25
22412	PAPCO	Equipment Motor Fuel	\$ 1,406.38
22413	Angelo & Fabiola Spinelli	Permit Refund	\$ 325.00
22414	Northampton County Seed Company, Inc.	Park Facilities Maintenance	\$ 288.74
22415	Pitney Bowes	Office Supplies	\$ 84.99
22416	Valley Tire of Nazareth	Public Works Equipment Parts/Supplies	\$ 880.00

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**GENERAL FUND CHECKING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
22417	Exeter Supply Co., Inc.	Park Maintenance	\$ 1,755.00
22418	J. Smith's Automotive, Inc.	Equipment Repairs	\$ 20.58
22419	Bath Supply Co., Inc.	Park Facilities Maintenance	\$ 150.71
22420	The Express Times	Subscription Renewal	\$ 33.88
22421	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 88.00
22422	Cumberland Truck Parts	Public Works Equipment Parts/Supplies	\$ 132.88
22423	NJ Advance Media	Advertisement	\$ 501.10
22424	Integra One	Computer Services/Software Maintenance	\$ 260.00
22425	Karen A. Mengel, RPR, CSR	Stenographer	\$ 160.00
22426	Interstate Battery of Allentown	Public Works Equipment Parts/Supplies	\$ 301.90
22427	Valley Industrial Rubber Products	Public Works Equipment Parts/Supplies	\$ 348.00
22428	ORE Rentals	Equipment Rental	\$ 189.00
22429	Home Depot	Public Works Supplies/Park Maintenance	\$ 1,704.25
22430	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 2,269.14
22431	Memorial Library of Nazareth & Vicinity	Library Service	\$ 6,906.25
22432	Colonial Regional Police Department	Police Contract Payment	\$ 151,287.58
22433	PA Municipal Health Insurance Cooperat	Employee Health Insurance	\$ 31,001.78
22434	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
22435	USPS	Newsletter Postage	\$ 965.26
22436	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,743.38
22437	RCN	Internet & Telephone Services	\$ 819.71
22438	Met-Ed	Traffic Signal / Street Light Electricity	\$ 378.64
22439	Met-Ed	Park Electricity	\$ 36.90
22440	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park	\$ 2,982.77
22441	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 202.75
22442	Carroll Engineering Corporation	Engineering Services	\$ 5,003.88
22443	PA One Call System, Inc.	Monthly Activity	\$ 46.20
22444	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 187.33
22445	New Enterprise Stone & Lime Co., Inc.	Paving/Patching Materials	\$ 84.05
22446	Allstate Septic Systems	Temporary Restrooms	\$ 245.00
22447	Liberty Propane Inc.	Municipal Building Propane	\$ 865.96

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**GENERAL FUND CHECKING ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
22448	PAPCO	Equipment Motor Fuel	\$ 2,227.63
22449	Emergency Systems Service Company	Ambulance Building Maintenance	\$ 2,600.00
22450	Fehnel Farms Inc.	Park Facilities Maintenance	\$ 180.00
22451	Highway Materials, Inc.	Paving/Patching Material	\$ 152.24
22452	R.J. Walker Co.	Park Maintenance	\$ 25.76
22453	Associated Fasteners, Inc.	Public Works Equipment Parts/Supplies	\$ 27.83
22454	Tractor Supply Credit Plan	Park Maintenance	\$ 342.97
22455	Chase Card Services		\$ 2,371.11
<b>Total General Fund Checking Account...</b>			<b>\$ 250,392.55</b>

**PAYROLL ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
	August 26, 2022		\$ 42,235.39
	September 9, 2022		\$ 40,214.29
<b>Total Payroll Account...</b>			<b>\$ 82,449.68</b>

**CAPITAL RESERVE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1259	Environmental Planning & Design	Professional Services	\$ 4,839.39

**DEVELOPMENT AND INSPECTION ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
2071	Chase Card Services	Training Contribution - 4th Quarter 2021	\$ 139.50
2072	Chase Card Services	Training Contribution - 1st Quarter 2022	\$ 130.50
2073	Chase Card Services	Training Contribution - 2nd Quarter 2022	\$ 220.50
2074	Lower Nazareth Township General Fund	Administrative Fee - 4th Quarter 2021	\$ 2,915.00
2077	Lower Nazareth Township General Fund	Administrative Fee - 2020 Balances	\$ 56.00
2078	Lower Nazareth Township General Fund	Administrative Fee - 2021 Balances	\$ 164.50
<b>Total Development &amp; Inspection Account...</b>			<b>\$ 58,426.24</b>

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**MASTER ESCROW ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
2904	VOIDED		\$ -
2905	Asteak Law Offices	Legal Services	\$ 210.00
2906	Met-Ed	Traffic Signal Electricity	\$ 129.51
2907	PPL Electric Utilities	Traffic Signal Electricity	\$ 175.75
2908	MasterPLAN Outdoor Living	Escrow Refund	\$ 172.52
2909	Keystone Consulting Engineers, Inc.	Engineering & SEO Services	\$ 39,684.13
2910	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 1,916.98
2911	Met-Ed	Traffic Signal Electricity	\$ 203.85
2912	Keystone Consulting Engineers, Inc.	Engineering & SEO Services	\$ 55,523.25
2913	Asteak Law Offices	Legal Services	\$ 3,465.00
2914	Kelly Management Corp	Escrow Refund	\$ 3,548.17
2915	Jason Magyar	Escrow Refund	\$ 5.00
2916	Debra Riccardi	Escrow Refund	\$ 225.00
<i>Total Master Escrow Account...</i>			<u><u>\$ 101,480.99</u></u>

**TRAFFIC IMPACT ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1315	VOIDED		
1316	Keystone Consulting Engineers	Engineering Services	\$ 622.75
<i>Total Traffic Impact Account...</i>			<u><u>\$ 622.75</u></u>

**EIT OPEN SPACE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1005	Keystone Consulting Engineers	Engineering Services	<u><u>\$ 8,517.26</u></u>

**OPEN SPACE ACCOUNT**

<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
1595	KC Signs & Awnings	Capital Purchase	\$ 15,945.00
1596	The Flying Locksmiths	Park Maintenance	\$ 3,825.00
<i>Total Open Space Account...</i>			<u><u>\$ 19,770.00</u></u>

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**REFUSE / RECYCLING ACCOUNT**

Num	Name	Memo	Amount
1659	AllState Septic Systems, LLP	Temporary Restrooms	\$ 115.00
1660	First Regional Compost Authority	3rd Quarter 2022	\$ 6,852.78
<i>Total Refuse/Recycling Account...</i>			<u>\$ 6,967.78</u>

**SEWER ACCOUNT**

Num	Name	Memo	Amount
1187	PPL Electric Utilities	Main Meter Electricity	<u>\$ 24.28</u>