

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
December 13, 2023**

The Lower Nazareth Township Board of Supervisors held a public meeting on Wednesday, December 13, 2023, Chairman James Pennington called the meeting to order at 7:02PM.

Present were:

James S. Pennington	-	Chairman	Gary Asteak, Esq.	-	Solicitor
Martin Boucher	-	Vice Chairman	Al 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 Officer

Executive Session – Mr. Pennington announced an executive session was held last evening and prior to this evening’s meeting.

Zoning Ordinance & Map Comprehensive Amendment Public Hearing
Consideration of Proposed Zoning Ordinance

Solicitor Asteak opened the hearing with a background on this project and the progress of the project over the past two years.

AJ Schwartz, Environmental Planning and Design, gave a presentation on the project.

Solicitor Asteak opened the floor for public comment and turned the hearing over to the Chairman.

- Attorney Julie Wagner Burkart and Alex Car, President of Heidelberg Materials
- Roland Bachman Plant Manager in Nazareth
- Mark Rotz Mining Engineer
- Clinton McGahey, Vice President Operations Northeast Cement

- Attorney Frank D’Amore and Mike Clark, New Enterprise Stone & Lime
- Tom Spellman Vice President and General Manager New Enterprise Stone & Lime

- Mark Kaplin representing clients Jaindl & Chrin
- Tom Comitta, Town Planner
- John McRoberts, Pidcock

Solicitor Asteak asked AJ Schwartz to respond to the extraction issue comments by Heidelberg and New Enterprise.

Mr. Pennington thanked everyone involved in working on this. He noted all public meetings that provided updates on this update.

Mr. Hoyer made a motion to adopt this ordinance as proposed. Stephen Brown seconded the motion. Motion passed.

For the complete context of hearing testimony, please refer to the stenographic transcript.

Agenda Amendment and Approval

Mr. Hoyer made a motion to approve the agenda. Mr. Brown seconded. Motion passed.

Approval of Minutes

The meeting minutes of November 8th were submitted for review and approval. Mr. Brown made a motion to approve the minutes as presented. Mr. Hoyer seconded. Motion passed.

The meeting minutes of November 9th were submitted for review and approval. Mr. Brown made a motion to approve the minutes as presented. Mr. Hoyer seconded. Motion passed.

The meeting minutes of November 21st were submitted for review and approval. Mr. Brown made a motion to approve the minutes as presented. Mr. Hoyer seconded. Motion passed.

The meeting minutes of December 12th were submitted for review and approval. Mr. Hoyer made a motion to approve the minutes as presented. Mr. Brown seconded. Motion passed.

Plaque Presentations – Robert Hoyer & Albert Kortze

Mr. Pennington presented a plaque to Robert Hoyer for his many years of service.

Mr. Pennington presented a plaque to Albert Kortze for his many decades of service. Best wishes on his retirement.

Reports

The Financial Report for October and the Hecktown Fire Incident Report for November 2023 were presented.

Supervisor's Comments

Open Space Preservation – Mr. Hoyer noted that the EAC has been working over the past several months on a plan for walking and bicycle paths throughout the township. They would like to meet with Park & Rec Committee in January.

Mr. Hoyer noted that the EAC had a resignation and there is an individual interested in being on the EAC. Mr. Hoyer made a motion to appoint Joan Garrett. Mr. Boucher seconded the motion. Mr. Brown and Mr. Pennington wanted to the reorganization meeting. Ms. Templeton believed she'd be a great fit. Motion passed 4-1. Mr. Brown was not in favor; procedurally.

Mr. Hoyer thanked everyone and wished everyone Happy Holidays and Happy New Year.

Parks and Recreation – Ms. Templeton provided updates.

- Tree lighting – The tree lighting was a good event. Ms. Templeton thanked CRPD and HVFC. She said we had a great turnout and will look forward to this event year after year.
- Newburg – Splashpad project is moving forward and should be completed by Spring.
- Surrey Glen Walking Path – The Township will put this project out to bid in January.

Ms. Templeton thanked Mr. Kortze and Mr. Hoyer, and congratulated MS. Teague. She wished everyone Happy Holidays.

Mr. Brown thanked WaWa for providing snacks and Giant for the hot chocolate. He thanked the staff for the work putting together the event. He congratulated Mr. Kortze and thanked Mr. Hoyer.

Mr. Boucher reported the CPRD has a new contract starting in January. He congratulated Nancy, will miss Mr. Kortze and know we'll see Mr. Hoyer around.

Township Manager 2024 Vacation – Mr. Pennington said the Board would like to amend the Township Manager's vacation in 2024 to be 4 weeks. Mr. Boucher made a motion to approve the vacation policy for the Township Manager. Mr. Hoyer seconded. Motion passed.

Subdivision and Land Development

Richar Fence Waiver – Mr. Hoyer made a motion to approve the waiver. Ms. Templeton seconded. Motion passed.

Solicitor's Report

Gradwohl Switch Road Truck Restriction Ordinance – 245-12-23 – Mr. Brown made a motion to approve the ordinance. Ms. Templeton seconded. Motion passed.

Manor Drive Litigation – Solicitor Asteak stated the Board had directed him to extend a settlement offer to the property owners, which shall include: (1) all dead trees shall be removed, (2) all scrub brush shall be removed, (3) the property around the detention basin shall be maintained, and (4) live trees under 4" in circumference shall be removed.

Mr. Hoyer made a motion to approve the settlement. Mr. Brown seconded. Motion passed.

Ford Pro Service Building Land Development Improvements Agreement – Mr. Boucher made a motion to authorize the agreement be executed upon receipt of security. Mr. Hoyer seconded. Motion passed.

Koch 33 Land Development Improvements Agreement – Mr. Hoyer made a motion to authorize the agreement be executed upon receipt of security. Mr. Boucher seconded. Motion passed.

LVHN / Setzer Lot Line Adjustment – Subdivision Improvements Agreement – Mr. Hoyer made a motion to authorize the agreement be executed upon receipt of security. Mr. Brown seconded. Motion passed.

Time Extension Requests

- Residences at Meadowview – Time Extension Request
- Hecktown Road Business Park – Reconsideration of Request

Ms. Templeton made a motion to table discussion of both requests until January. Mr. Brown seconded. Motion passed.

Solicitor Asteak commented on the retirement of Mr. Kortze and the ending of Mr. Hoyer's term on the Board. Mr. Hoyer has a great knowledge of the township and leaves a legacy. Solicitor Asteak said he and Mr. Kortze have spent every Wednesday night together for the last 30 years. He has relied so much on the symbiotic relationship.

Solicitor Asteak recapped the year and the number of nights we all spent together. Everyone worked very hard. Solicitor Asteak wished everyone Happy Holidays.

Engineer's Report

Triple Net – 4730 Hanoverville Road Security Reduction & Commence Maintenance Period – Mr. Kortze reviewed his letter and recommended reducing the security and commencing the maintenance period. Mr. Boucher made a motion to authorize the reduction in security and commence the 18-month maintenance period. Ms. Templeton seconded. Motion passed.

Caliber Collision Security Reduction – Mr. Kortze reviewed his letter and recommended reducing security. Mr. Hoyer made a motion to authorize the reduction in security. Ms. Templeton seconded. Motion passed.

Mr. Kortze said he is looking forward to retirement but will miss the township. He wished everyone Merry Christmas, Happy Holidays, and Happy New Year.

Manager's Report

Time Extension Report – Ms. Stauffer stated the Board was provided with a time extension report for extensions granted during the period since the last meeting.

HVFC Cooperation Agreement- Earlier this year, the Township successfully acquired a grant for radios. Part of the closeout process from DCED requires the Township to enter a cooperation agreement with Hecktown Fire Co. A draft agreement was provided to the Board for their review and consideration. Mr. Boucher made a motion to authorize the chairman to execute the agreement on behalf of Lower Nazareth Township. Mr. Hoyer seconded the motion. Motion passed.

Splashpad Fencing – Authorization to Purchase – Ms. Stauffer reported she has received a new quote which is a reduction from the previous approval. Tri-Boro Fencing is a COSTARS vendor. The new amount is \$23,351.00. Mr. Boucher made a motion to authorize the purchase from Tri-Boro Fencing in the amount of \$23,351.00. Mr. Brown seconded. Motion passed.

Splashpad Payment #3 – Ms. Stauffer reported the Township is in receipt of a payment application from Build-All for the splash pad in the amount of \$85,500. Mr. Brown made a motion to authorize payment in the amount of \$85,500. Ms. Templeton seconded. Motion passed.

2024 Tax Millage – Resolution #LNT-49-23 – Mr. Hoyer made a motion to approve Resolution #LNT-49-23; keeping the millage rate at 4.5%. Mr. Brown seconded. Motion passed.

2024 Township Budget – Resolution #LNT-50-23 – Ms. Stauffer reported the draft budget had been advertised and available for review for at least 20 days. The draft budget depicts a 2.45% increase from the 2023 budget with no tax increase. The revenue and expenses balance at \$5,514,850.

Mr. Hoyer made a motion to approve Resolution #LNT-50-23; passing the 2024 Township Budget. Mr. Brown seconded. Motion passed.

Ms. Stauffer wished Mr. Kortze well and commented that it was an interesting ride and to enjoy himself in retirement. To Mr. Hoyer she said it been interesting but knows this is not goodbye and we will see you in the audience. She wished everyone Merry Christmas and Happy New Year.

Payment of the Bills

A motion was moved by Mr. Hoyer to pay the bills as presented. Mr. Brown seconded. Motion passed.

Conditional Use – 4215 Lonat Drive CU2023-02 Order & Opinion

Solicitor Asteak reviewed the Order and Opinion. A motion was moved by Mr. Hoyer to deny the opinion and order CU2023-02. Mr. Brown seconded. Motion passed.

Mr. Pennington thanked everyone for their input.

Solicitor Asteak stated it is paramount to protect residents. We can't rely upon promises, the applicant must provide premise information and tenants must be known.

Courtesy of the Floor

Manor Drive Homeowner thanked the Board for their effort to resolve this matter.

George Gidiska thanked the Board for their hard work on this Conditional Use and wished them a Merry Christmas.

Adjournment - The meeting adjourned at 10:20pm.

Respectfully submitted by,



Tammi Dravec
Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
December 13, 2023**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
30253	PA Municipal Health Insurance Cooperat	Employee Health Insurance	\$ 5,003.04
30254	Highmark Blue Shield	Employee Health Insurance	\$ 31,007.87
30255	Commonwealth of PA	Pesticide License Renewal	\$ 35.00
30256	Tractor Supply Credit Plan	Equipment Parts/Supplies	\$ 65.17
30257	Staples Business Advantage	Office Supplies	\$ 55.86
30258	North East Parts Group, LLC	Equipment Parts/Supplies	\$ 33.99
30259	All-Phase Electric Supply Co.	Park Facilities Maintenance	\$ 45.00
30260	ORE Rentals	Equipment Rental	\$ 226.80
30261	Advance Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 314.90
30262	City of Bethlehem	Hydrant Assessment	\$ 156.54
30263	NJ Advance Media	Advertisements	\$ 120.60
30264	PA Department of Labor & Industry - E	Elevator Permit	\$ 84.67
30265	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 448.12
30266	Barry Issett & Associates, Inc.	Zoning Officer Services	\$ 1,781.25
30267	Karen A. Mengel, RPR, CSR	Stenographer	\$ 325.00
30268	Verizon Wireless	Municipal/Public Works Wireless	\$ 514.69
30269	Flamm Walton PC	Personnel Legal Services	\$ 280.00
30270	PA One Call System, Inc.	Monthly Activity	\$ 51.06
30271	RCN	Internet & Telephone Services	\$ 821.01
30272	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park	\$ 2,612.50
30273	Wex Bank	Fire Company	\$ 969.55
30274	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 145.00
30275	Allstate Septic Systems	Temporary Restrooms	\$ 120.00
30276	State Worker's Insurance Fund	Workers Compensation - #05039711	\$ 1,626.00
30277	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 2,269.14
30278	Memorial Library of Nazareth & Vicinity	Library Service	\$ 7,078.91
30279	Colonial Regional Police Department	Police Contract Payment	\$ 158,016.83
30280	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
30281	Pipeline Petroleum, Inc.	Equipment Motor Fuel	\$ 771.95
30282	World Fuel Services, Inc.	Equipment Motor Fuel	\$ 770.81
30283	Home Depot	Facilities/Park Maintenance	\$ 1,948.08
30284	All-Phase Electric Supply Co.	Park Facilities Maintenance	\$ 41.74

**Lower Nazareth Township
Bills To Be Approved
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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
30285	Safeguard Business Systems	Office Supplies	\$ 77.94
30286	Integra One	Software Maintenance	\$ 565.74
30287	VOID		
30288	Sprayer Specialties Inc.	Public Works Equipment Parts/Supplies	\$ 103.00
30289	Valley Industrial Rubber Products	Public Works Equipment Parts/Supplies	\$ 118.18
30290	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 88.00
30291	Pany & Lentz Engineering Company	Engineering Services	\$ 3,000.00
30292	Karen A. Mengel, RPR, CSR	Stenographer	\$ 1,075.00
30293	Suburban Propane	Public Works Fuel	\$ 947.97
30294	NJ Advance Media	Advertisements	\$ 401.94
30295	Easton Suburban Water Authority	Municipal Bldg/Newburg Park Water	\$ 244.00
30296	Liberty Propane Inc.	Municipal Building Propane	\$ 1,804.48
30297	Selective Insurance Company of America		\$ 20,349.00
30298	Keystone Municipal Insurance	Workers Comp Insurance	\$ 5,237.25
30299	Integra One	Computer Services/Software Maintenance	\$ 260.00
30300	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 652.50
30301	Carroll Engineering Corporation	Engineering Services	\$ 5,199.01
30302	HM Therapy	Local Services Tax Refund	\$ 32.55
30303	Penske Logistics LLC	Local Services Tax Refund	\$ 11.00
30304	Fire Capital Reserve	2023 Budget Allocations	\$ 113,396.18
30305	The Center for Animal Health & Welfare	Animal Control	\$ 500.00
30306	Chase Card Services	Supplies/Meetings/Postage/Park&Building	\$ 7,052.48
30307	Barry Issett & Associates, Inc.	Zoning Officer Services	\$ 3,300.00
30308	Asteak Law Offices	Legal Services	\$ 23,665.10
30309	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 3,777.75
30310	Karen A. Mengel, RPR, CSR	Stenographer	\$ 220.00
30311	East Penn Sanitation, Inc.	Municipal Trash Removal	\$ 88.00
30312	The Key	Advertisement	\$ 257.04
30313	Suburban Propane	Park Fuel	\$ 163.35
30314	Penske Logistics LLC	Local Services Tax Refund	\$ 13.00
30315	Easton Suburban Water Authority	Municipal Bldg Water	\$ 72.03
30316	Met-Ed	Park Electricity	\$ 290.37

**Lower Nazareth Township
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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
30317	Met-Ed	Traffic Signal / Street Light Electricity	\$ 470.65
30318	Signal Service, Inc.	Traffic Signal Maintenance	\$ 494.00
30319	Pitney Bowes	Postage Meter	\$ 210.99
30320	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park	\$ 1,835.48
30321	RCN	Internet & Telephone Services	\$ 821.01
30322	April L. Cordts	Zoning Hearing Board Legal Services	\$ 13,967.57
30323	Advance Auto Parts Professional	Public Works Equipment Parts/Supplies	\$ 223.03
30324	Bergey's, Inc	Public Works Equipment Parts/Supplies	\$ 234.45
30325	Tractor Supply Credit Plan	Equipment Parts/Supplies	\$ 31.13
30326	Pipeline Petroleum, Inc.	Equipment Motor Fuel	\$ 413.60
30327	ORE Rentals	Equipment Rental	\$ 370.00
30328	City of Bethlehem	Hydrant Assessment	\$ 156.54
30329	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 448.12
30330	PA One Call System, Inc.	Monthly Activity	\$ 31.82
30331	Security Service Company, Inc.	Security System Monitoring	\$ 323.79
30332	Fraser Advanced Info Systems	Copier Lease/Maintenance	\$ 241.23
30333	Nazareth Area Council of Government	Nixle Emergency Services - 2024	\$ 2,696.94
30334	Brown, Stephen A	Event Reimbursement	\$ 118.72
30335	ESRI, Inc.	Arcview Maintenance Agreement	\$ 770.00
30336	Verizon Wireless	Municipal/Public Works Wireless	\$ 514.69
<i>Total General Fund Checking Account ...</i>			\$ 436,089.47

PAYROLL ACCOUNT

Num	Name	Memo	Amount
	November 17, 2023		\$ 42,730.55
	December 1, 2023		\$ 43,664.55
	December 15, 2023		\$ 42,309.55
<i>Total Payroll Account ...</i>			\$ 128,704.65

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
1300	Environmental Planning & Design	Professional Services	\$ 1,070.15
1301	GenServe, Inc.	Capital Construction	\$ 20,343.00
<i>Total Capital Reserve Account ...</i>			\$ 21,413.15

**Lower Nazareth Township
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FIRE CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
148	McCloskey Mechanical Contractors, Inc.	Capital Construction	<u>\$ 40,337.00</u>

OPEN SPACE ACCOUNT

Num	Name	Memo	Amount
2011	Build All Contracting, Corp.	Splashpad Payment #2	\$ 56,700.00
2012	MRP Electric, Inc.	Capital Construction	\$ 443.72
2013	New Enterprise Stone & Lime Co.	Aggregate	\$ 2,755.11
2014	Vortex USA Inc.	Capital Construction	\$ 211,190.70
<i>Total Open Space Account ...</i>			<u>\$ 271,089.53</u>

RECYCLING / REFUSE ACCOUNT

Num	Name	Memo	Amount
2009	AllState Septic Systems, LLP	Temporary Restrooms	\$ 115.00
2010	First Regional Compost Authority	4th Quarter 2023	\$ 6,922.00
<i>Total Recycling Account ...</i>			<u>\$ 7,037.00</u>

MASTER ESCROW ACCOUNT - Fulton Bank

Num	Name	Memo	Amount
3104	CTS Bulk Terminals	Escrow Refund	\$ 535.15
3105	Raymond Bartolacci	Escrow Refund	\$ 27,736.81
3106	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 5,749.68
3107	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 20,481.75
3108	Sterling Crossing, LLC	Escrow Refund	\$ 19,256.54
3109	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 324.84
3110	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 2,011.59
3111	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 382.77
3112	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 775.00
3113	Asteak Law Offices	Legal Services	\$ 2,700.50
3114	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,695.63
3115	ProLogis	Escrow Refund	\$ 2,833.25
3116	Lower Nazareth Master Escrow	Transfer to PSBT	\$ 1,459.03
<i>Total Master Escrow Account ...</i>			<u>\$ 85,942.54</u>

MASTER ESCROW ACCOUNT - Peoples Security

Num	Name	Memo	Amount
4022	Mike Anthony	Key Return	\$ 50.00
4023	Tracy Sheetz	Key Return	\$ 25.00
4024	Met-Ed	Traffic Signal Electricity	\$ 183.33
4025	PPL Electric Utilities	Traffic Signal Electricity	\$ 173.15
4026	Donna Kirlick	Fire Escrow Release	\$ 40,000.00

**Lower Nazareth Township
Bills To Be Approved
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MASTER ESCROW ACCOUNT - Peoples Security

Num	Name	Memo	Amount
4027	Met-Ed	Traffic Signal Electricity	\$ 249.18
4028	Daniel Conus	Key Returns	\$ 50.00
4029	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 1,895.00
4030	Asteak Law Offices	Legal Services	\$ 6,356.25
4031	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 7,369.13
4032	Met-Ed	Traffic Signal Electricity	\$ 196.05
4033	PPL Electric Utilities	Traffic Signal Electricity	\$ 193.92
<i>Total Master Escrow Account ...</i>			<u>\$ 56,741.01</u>

DEVELOPMENT & INSPECTION ACCOUNT

Num	Name	Memo	Amount
3022	Barry Isett & Associates, Inc.	Building Inspection Services	\$ 8,586.46
3023	Barry Isett & Associates, Inc.	Building Inspection Services	\$ 3,518.00
3024	Ludlow Construction, LLC	Building Permit Refund	\$ 25.00
<i>Total Dev & Inspection Account ...</i>			<u>\$ 12,129.46</u>

LNT SEWER DEPARTMENT ACCOUNT

Num	Name	Memo	Amount
2004	PPL Electric Utilities	Main Meter Electricity	\$ 24.73
2005	PPL Electric Utilities	Main Meter Electricity	\$ 24.73
<i>Total LNT Sewer Account ...</i>			<u>\$ 49.46</u>

LNT TRAFFIC IMPACT ACCOUNT

Num	Name	Memo	Amount
2006	Keystone Consulting Engineers, Inc.	Engineering Services	\$ 2,230.75

LNT ARPA ACCOUNT

Num	Name	Memo	Amount
100	ICC Community Development Solutions	Software Upgrades	\$ 930.00
101	ICC Community Development Solutions	Software Upgrades	\$ 5,025.00
<i>Total ARPA Account ...</i>			<u>\$ 5,955.00</u>