

MINUTES APRIL 5, 2017
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:16 p.m. by Chairman, Mike Rinker.

Pledge of Allegiance

Board members present were: Robert Disbrow, Richard Mann, Mike Rinker, and Scott Sylvainus. Donna Hirst was absent.

Also present were Township Manager, E.J. Mentry, Township Solicitor, Gary Asteak and for Township Engineer, Sean Dooley.

PUBLIC COMMENT

Ms. Jan Zaremba-Smith expressed concern about snow plowing in the Eagles Landing Subdivision during the recent snowstorm. Mr. Don Smith expressed thoughts with regard to the timing of the clean-up of the streets. Mr. Shawn Shupe responded that there were some issues in Eagles Landing during this snowstorm and they have been addressed.

Mr. Rinker stated that he would like to have the Public Works Director's compensation added to the agenda.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the revised Agenda. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the March 15, 2017, meeting minutes. Motion carried by all voting aye. (4-0)

BILLS

Mr. Sylvainus asked several questions regarding the bills. All questions were answered to his satisfaction.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the payment of the bills. Motion carried by all voting aye. (4-0)

RECYCLING

Mr. Mentry introduced Ms. Cindy Oatis, Upper Nazareth Township Recycling Coordinator. Mr. Mentry stated that the Recycling Committee has been meeting and working on a presentation for the Board about the pros and cons of recycling and a single hauler collection system. Ms. Oatis proceeded to show a power point presentation that summarized what the Recycling Committee had been working on over the past several years. Ms. Oatis went on to state that the Recycling Committee was unanimously in favor of going with a single hauler versus a subscription service for trash and recycling collection. Some of the highlights of the presentation included lower costs, increased services that are cleaner and safer, reduction of traffic and wear and tear on township roads, and the amounts grant money that is available based on the amount of recyclables collected.

Mr. Bud Donnelly commented that in his neighborhood, his next door neighbor, his neighbor across the street and himself all have three different haulers that come from various locations throughout the state.

Discussion then took place with regard to moving forward and beginning the process of preparing bid specs for a single hauler waste and recycling system. Mr. Rinker asked about possibly having more public workshops or doing another survey. Mr. Mentry responded that two workshops had already been held, and that the cost of doing a Township-wide survey would be at least \$2,000.

No action was taken on moving forward with this process at this time.

SUPERVISORS COMMENTS

Mr. Rinker stated that an executive session was held prior to the meeting for personnel reasons.

Motion was made by Mr. Disbrow and seconded Mr. Sylvainus to increase the salary of Mr. Shawn Shupe by 10% retroactive to February 5, 2017. Motion carried by all voting aye. (4-0)

TOWNSHIP ENGINEER

Mr. Dooley stated that a request was made by the Developer of Redcliffe Phase 1, Penn Dixie and Redcliffe Phase 2, Patriot Hills for a reduction in their letters of credit. Mr. Dooley stated that the remaining balance in the letters of credit is sufficient funding to finish the remaining items on the punch list. Attorney Asteak stated that the Board should not reduce the letters of credit below 10% of the opening amount, as dictated in the Improvements Agreement.

Motion was made by Mr. Rinker and seconded by Mr. Mann to deny the request by Redcliffe Phase 1, Penn Dixie for a reduction in the letter of credit. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Rinker and seconded by Mr. Mann to deny the request by Redcliffe Phase 2, Patriot Hills for a reduction in the letter of credit. Motion carried by all voting aye. (4-0)

TOWNSHIP SOLICITOR

Attorney Asteak stated that a Conditional Use Hearing, requested by Morningstar Senior Living, Inc., was held on March 15, 2017 seeking to add a tract of land that the applicant recently purchased to their current conditional use approval of a Continuing Care Retirement Community. Attorney Asteak stated that the Opinion of the Conditional Use Hearing has been prepared and set forth the conditions that the Board expressed at the March 15, 2017, Hearing. Those conditions are: 1) that the applicant prepare and file a consolidation deed incorporating the original tract, as well as 121, 127, 139 and 181 W. Beil Ave; 2) submit a revised land development plan incorporating the subject property into the balance of the Heritage Village campus; 3) development shall not exceed the overall density requirements of the Upper Nazareth Township Zoning Ordinance for the overall development; 4) submit, during the land development review process, an updated traffic study containing data supporting that this development will not affect the overall traffic impacts; and 5)

submit, during the land development review process, stormwater and open space calculations reflecting compliance with the Upper Nazareth Township Zoning Ordinance. Attorney Asteak requested a motion from the Board to approve Morningstar Senior Living, Inc.'s application for Conditional Use as described in the Opinion.

Attorney Ted Lewis, representing Morningstar Senior Living, Inc., asked to address the Board. Attorney Lewis stated that they were in complete agreement with the opinion and all conditions set forth except for the first condition, which required the consolidation deed. Attorney Lewis objected to this condition due to his client's inability to obtain information as to the affect the consolidation of these parcels would have on their property taxes.

Attorney Asteak instructed the Board that it was their job to do what was best for the Township, and if it is their intent to have this property recorded as one deed, they should move to approve the Application of Conditional Use. If Morningstar Senior Living, Inc. objects to the Conditional Use Approval, they can file an appeal.

Motion was made by Mr. Mann and seconded by Mr. Sylvainus to approve the Morningstar Senior Living, Inc. Application for Conditional Use. Motion carried 3-1 with Mr. Rinker voting no.

Attorney Asteak presented the Morningstar Senior Living, Heritage Village Phase 1 Land Development Improvements Agreement.

Motion was made by Mr. Rinker and seconded by Mr. Mann to approve the Morningstar Senior Living, Heritage Village Phase 1 Land Development Improvements Agreement. Motion carried by all voting aye. (4-0)

Attorney Asteak introduced the Intermunicipal Agreement for the Nazareth Area Multimunicipal Comprehensive Plan Update to revise the existing Nazareth Area Multimunicipal Comprehensive Plan and coordinate new partner-specific plans for parks, recreation and open space, agriculture conservation, transportation, infrastructure and economic development to procure a shared and coordinated approach to planning, in accordance with the MPC.

Mr. Mentry stated that the cost to the Township for our participation in the process would be approximately \$8,900.00 paid over a three year period, which is significantly less than the \$13,500 that had previously been approved.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve signing the Intermunicipal Agreement with the Nazareth Area Council of Governments for the Nazareth Area Multimunicipal Comprehensive Plan Update. Motion carried by all voting aye. (4-0)

MANAGER

Mr. Mentry stated that the Fire Department is requesting to use Leibert Field for the annual Easter Egg Hunt on Friday, April 14, 2017, at 2:00 pm.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the Fire Department request to use Leibert Field for the annual Easter Egg Hunt on Friday, April 14, 2017, at 2:00 pm. Motion carried by all voting aye. (4-0)

Mr. Mentry requested approval to attend the APMM Conference May 16 - 18, 2017, as agreed upon in the Manager's Employment Agreement.

Motion was made by Mr. Sylvainus and seconded by Mr. Mann to approve Mr. Mentry attending the APMM Conference May 16 – 18, 2017. Motion carried by all voting aye. (4-0)

Mr. Mentry presented information to the Board from Nixle, an emergency communication system. Mr. Sylvainus expressed concern with regard to the price, and Mr. Rinker stated that we should look into alternative agencies such as Code Red. No action was taken.

Mr. Mentry requested approval to transfer \$132,100.00 from the General Fund into the Road Improvement account.

Motion was made by Mr. Sylvainus and seconded by Mr. Mann to approve the transfer of \$132,100.00 from the General Fund into the Road Improvement account. Motion carried by all voting aye. (4-0)

Mr. Mentry informed the Board that Township email addresses have been established. The Board requested that the new email addresses be added to the Township website.

Mr. Mentry asked the Board to reject all proposals that were submitted for the Upper Nazareth Township HOME Program Radon Testing.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to reject all proposals that were submitted for the Upper Nazareth Township HOME Program Radon Testing. Motion carried by all voting aye. (4-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the Fire Department Report. Motion carried by all voting aye. (4-0)

PLANNING & ZONING

Mr. Mentry requested the Board approve Resolution #17-08 amending the current fee schedule to update the grading fees.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve Resolution #17-08 amending the current fee schedule to update the grading fees. Motion carried by all voting aye. (4-0)

PUBLIC WORKS

Mr. Shupe requested approval of conditional offer of employment for David Butz for the Seasonal Yard Waste job.

Motion was made by Mr. Mann and seconded by Mr. Disbrow to approve a conditional offer of employment for David Butz for the Seasonal Yard Waste job. Motion carried by all voting aye. (4-0)

Mr. Shupe requested approval of conditional offer of employment for Nick Robibero as a seasonal worker.

Motion was made by Mr. Disbrow and seconded by Mr. Mann to approve a conditional offer for seasonal employment to Nick Robibero at a rate of \$9.00 per hour. Motion carried by all voting aye. (4-0)

Mr. Shupe requested approval of conditional offer of employment for Stone Shupe as a seasonal worker.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve a conditional offer for seasonal employment to Stone Shupe at a rate of \$9.00 per hour. Motion carried by all voting aye. (4-0)

Mr. Shupe mentioned that curbside yard waste collection would begin on April 17, 2017, and would follow the leaf collection schedule.

RECREATION

Mr. Mentry stated that the first meeting of the Community Day Committee was held on Tuesday, April 4, 2017. The Committee is seeking approval to potentially extend Community Day to Friday, August 25, 2017 from 5:00 pm to 10:00 pm conditional on their being able to expand the type of carnival rides. The next meeting of the Community Day Committee will take place April 13, 2017, at 7:30 pm at the fire house.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve extending extend Community Day to Friday from 5:00 pm to 10:00 pm conditional on their being able to expand the type of carnival rides. Motion carried by all voting aye. (4-0)

PUBLIC SAFETY

POLICE DEPARTMENT

Police Chief Cope requested approval of the proposal from Snyder Technologies to renovate the Police Department's network infrastructure. Approval was requested for the cost of up to \$4,000.00 to have this work done.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the expenditure of up to \$4,000.00 for the renovation of the Police Department's network infrastructure by Snyder Technologies. Motion carried by all voting aye. (4-0)

Police Chief Cope requested approval for conditional hire of part-time Officer Jacob Hartzel at the rate of \$16.61 per hour.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the hiring of part-time Officer Jacob Hartzel at the rate of \$16.61 per hour. Motion carried by all voting aye. (4-0)

Police Chief Cope requested approval for conditional hire of part-time Officer Jason Nothstein at the rate of \$21.61 per hour.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the hiring of part-time Officer Jason Nothstein at the rate of \$21.61 per hour. Motion carried by all voting aye. (4-0)

Police Chief Cope requested approval for conditional hire of part-time Officer Larry Miller at the rate of \$16.61 per hour.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the hiring of part-time Officer Larry Miller at the rate of \$16.61 per hour. Motion carried by all voting aye. (4-0)

EMERGENCY MANAGEMENT

Mr. Rinker stated that he has been taking FEMA courses that are required by the State, and that Mr. Mentry and himself attended a FEMA course at the County.

SAFETY COMMITTEE

Next Safety Committee Meeting will be April 7, 2017, at 10:00 am.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Mann and seconded by Mr. Disbrow to adjourn the meeting at 9:26 p.m. Motion carried by all voting aye. (4-0)

Next meeting will be April 19, 2017, 7:00 p.m.