

MINUTES OCTOBER 4, 2017
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman, Mike Rinker.

Pledge of Allegiance

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

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

PUBLIC COMMENT

Mrs. Betty Williams of 361 East Lawn Rd. asked the Board what the rationale is of our Public Works Department doing road work on Wabash Ave. in Bath. Mr. Shupe stated that we were helping the Borough of Bath with a paving project and they in turn help us when needed. Attorney Asteak stated that years ago the Board executed an Inter-municipal Agreement with neighboring municipalities within the NAZCOG for cooperation with projects when needed.

Jeanie Morgano of 123 2nd St. expressed her thanks for the quick cleanup of the tree that was down on 2nd St. Ms. Morgano stated that the Township response was wonderful.

Ms. Morgano expressed her concerns about the traffic on Friedenstahl Ave. during the day. Ms. Morgano stated that traffic is not stopping at the cross walks when people are waiting to cross the street, and continue to speed by in the morning and in the afternoon. Mrs. Hirst expressed her concerns as well stating that it is even worse on 4th St. with busses and people walking. Mr. Sylvainus stated that Officer Greb had 2 cars pulled over today in that area. Police Chief Cope stated that the Police Department has been active in that area, however, with 8 square miles of the Township to cover with 2 officers, they are not always available to be in just the Farmview area. Chief Cope stated that he would try to schedule a meeting with the school district to discuss student drop-off and pickup routes.

Joanne Messenlehner of 40 Schoeneck Ave. asked if we had heard anything more about the prison at Gracedale. Mr. Mentry stated that we have heard nothing.

Mr. Bob Sodano of 2180 Eagles Landing Dr. stated that the residents of Eagles Landing are up in arms. Mr. Sodano stated that there is a petition going around against the prison being put at Gracedale. Mr. Sodano said that he forwarded an article from about a year ago to Mr. Mentry. Mr. Sodano stated that it appeared from the article that County Council was trying to slip this one through.

Attorney Asteak stated that if the County wishes to pursue this idea of building a prison at Gracedale they are going to have to ask this Board to change the zoning ordinance or request a variance from the Zoning Hearing Board. Attorney Asteak stated that the public will be aware if either request is received. Attorney Asteak stated that there are a multitude of legal considerations that would have to be approved.

Mr. James Cunningham of 2155 Eagles Landing Dr. thanked the Board for their service. He stated that his neighbor has gathered over 800 signatures against building the prison at Gracedale. Mr. Cunningham stated that it is Upper Nazareth Township's responsibility to show unification against the prison being built at Gracedale. Mr. Cunningham requested all the Supervisors attend the County Council meeting on October 5, 2017, and squash this idea. Mr. Cunningham stated that Mr. John Brown has stated on the record that he wants to go forward with this and that we, the Township, need to be proactive. When going before the County, Mr. Cunningham stated the questions should be asked as to what are the feasibility studies of other locations or other options such as renovating the existing prison. Mr. Cunningham stated that a prison at Gracedale would cause residents' property values to drop.

Attorney Asteak informed Mr. Cunningham that what he stated in his presentation would be best said at the County Council meeting on October 5, 2017.

Mr. David Stivala of 2817 Briarwood Ln. stated that he has been a resident of Upper Nazareth Township for 15 years and this prison thing has come up before. He stated that he believes that no town wanted a prison and wanted to know how prisons get built. Mr. Sylvainus responded that municipalities have to allow for all types of land uses within their zoning, including a prison. Upper Nazareth Township does permit a prison by special exception within one of its zoning districts, but not the Government Services district that the county owns.

Ms. Joanne Messenlehner stated that she heard they planned on housing federal prisoners there as well.

Mr. Mentry stated again, that the Township has nothing before them and we are not going to make a stand on speculation.

Mr. Cunningham of 2155 Eagles Landing Dr. stated that he knows that the official road has been turned over to the Township and he would like to discuss having one of the 2 way stops made into a 4 way stop at the intersection of Evening Sun and Eagles Landing Dr. and a 3 way stop at English Ivy and Evening Sun. Mr. Cunningham stated that this is a Township of the people and for the people. Mr. Cunningham requested a traffic study be done so that these stop signs could be put in place. Mr. Mentry stated that one of the issues with doing this is that the intersection of Evening Sun and Eagles Landing Dr. is in very close proximity to another 4 way stop. Mr. Cunningham asked if it could be made into a 4 way stop if he received enough signatures on a petition.

Mr. Dooley stated that traffic control devices are federally regulated. Any traffic control must meet certain traffic conditions to warrant traffic control devices. He cannot justify a traffic study or justify a 4 way stop because the traffic volumes are going to fall outside the allowable range. In order to circumvent this process, there has to be a record of accidents in a 3 year period. Traffic calming devices can be looked at such as speed bumps, but they make noise at night, and no one wants them in front of their home. There are records of speeds bumps being put in and then removed. Sometimes there is a counter effect of people going faster to make up time after going over speed bumps.

Mr. Sylvainus asked what if we do it anyway?

Attorney Asteak stated emphatically that it is not enforceable, and could potentially lead to liability issues for the Township.

Mr. Bob Sodano asked about the safety of the entrance to Heritage Village and raised his concern about the speed of the traffic coming down the hill. Mr. Sodano asked if there was going to be a different way for the residents to get out of the development. Mr. Sylvainus stated that there is an alternate route which is a safer way for them to get out, but it is not built as yet.

APPROVALS

Mr. Mentry requested revising the agenda to add the conditional approval to purchase materials for the previously agreed upon stormwater work with Buzzi Unicem.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve the revised agenda. Motion carried by all voting aye. (5-0)

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the meeting minutes of September 20, 2017. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve payment of the bills. Motion carried by all voting aye. (5-0)

SUPERVISORS COMMENTS

Mrs. Hirst questioned why the Board was waiting to vote on the single hauler issue until November. Mr. Mentry responded that the decision to wait until November was to give the Recycling Committee an opportunity to gather more information at Touch A Truck, which is being held on Saturday, October 7, 2017. Ms. Jeanie Morgano if that was the only way a survey was going to be conducted. Mrs. Donnelly responded yes. Mrs. Hirst asked why we are waiting until after the election then. Mrs. Hirst stated that if this is not a political issue, then we should have the vote before the election, that way the people will know where the Board stands.

TOWNSHIP ENGINEER

Mr. Dooley presented a request from Chrin Commerce Center Lot 1 for a reduction to their Letter of Credit. Based on an inspection that was performed recently, it is his recommendation to reduce the Letter of Credit from the current \$993,427.20 to \$82,785.60 and transition into accepting the Chrin Commerce Center Lot 1 into the 18 month maintenance period ending April 4, 2019. Mr. Sylvainus asked if another traffic study was to be completed prior to this reduction and accepting into maintenance. Mr. Dooley responded that for Lot 2 & 3 that was agreed but was not sure about Lot 1. The subject of the reduction of the Letter of Credit and accepting Chrin Commerce Center Lot 1 into maintenance has been tabled pending further information from the Township Engineer.

Mr. Dooley requested conditional approval to purchase materials in connection with the storm pipe work at 410 East Lawn Rd. as part of the agreement with Buzzi when acquiring the necessary easements in connection with the traffic signalization at the intersection of Route 191 and Friedenstahl Ave. The agreement was for Upper Nazareth Township Public Works Department to perform the labor for this work and Buzzi will cover the cost of the materials. Mr. Dooley asked for

approval of up to \$25,000 to cover the cost of these materials conditional on receiving cost reimbursement from Buzzi. Mr. Mentry stated that the materials would not be purchased until the Township received confirmation in writing from Buzzi to reimburse the full cost of materials.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve purchasing of materials for the storm pipe work being performed at 410 East Lawn Rd. for a cost not to exceed \$25,000.00, conditional on receiving cost reimbursement from Buzzi. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak requested approval to move forward with the SALDO Amendments which involves sending them to the Lehigh Valley Planning Commission and the Township Planning Commission. Mr. Asteak stated that upon receiving comments from LVPC and the Planning Commission, he would then advertise the ordinance and public hearing.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve proceeding with the Amendments to the SALDO. Motion carried by all voting aye. (5-0)

MANAGER

Mr. Mentry informed the Board that the audits of the MTF and LSA Grants for the 191/Friedenstahl Ave. signalization project have been completed and sent to DCED.

Mr. Mentry requested approval of Credit Card Policy #20 regulating the use of Township credit cards. Mr. Mentry stated that the requested additions were made to the policy and it is now ready for approval.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve Credit Card Policy #20. Motion carried by all voting aye. (5-0)

Mr. Mentry stated that the oil and chip project had been completed. Mr. Mentry reported that the contractor applied a fog seal to El Reno at no charge so that the Township could see the result of that type of process. This allows for a smoother finish and can add up to 2 additional years to the life of the road. The cost for this process was approximately \$2.54 per square yard for the oil and chip process and would have added another \$0.95 per square yard for a total additional cost of about \$50,000. This year in particular we have received more complaints with regard to this type of process as we have moved into applying oil and chip in a more residential neighborhood. Mr. Dooley stated that if we were to have had this process done, we would have completed .7 miles less of the oil and chip process on our roads.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Nothing at this time.

RECREATION

Nothing at this time.

PUBLIC SAFETY

POLICE DEPARTMENT

Police Chief Cope requested approval to move forward with hiring a full time officer as was budgeted for in the 2017 budget. Chief Cope stated that by hiring a full time officer the overtime costs would dramatically decrease. Discussion took place with regard to what it would cost and if the Township would realize a savings by hiring another full time officer. Mr. Mentry asked if the Board wanted to hire from the current part time staff, as has been the policy in the past. The Board responded yes.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the hiring of a full time police officer. Motion carried 4 – 1 with Mr. Mann voting no.

EMERGENCY MANAGEMENT

Mr. Rinker informed the Board that he now has access to the gate to the quarry behind the white house owned by Lehigh Hanson Cement at 3251 Bath Pike.

SAFETY COMMITTEE

Next meeting is October 13, 2017, at 8:30 a.m.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adjourn the meeting at 8:20 p.m. Motion carried by all voting aye. (5-0)

Next meeting will be October 18, 2017, 7:00 p.m.

Respectfully Submitted,

*Betty Parrish
Recording Secretary*