

ALL MINUTES FOR 2012

REORGANIZATION MEETING - MINUTES – January 3, 2012

UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Mr. Augustine, Mr. Mohn, and Mr. Sylvainus took the oath of office.

Meeting called to order at 7:08 p.m. by Chairperson, Mike Rinker

Board members present were James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, Scott Sylvainus. Also present was Township Solicitor, Gary Asteak.

Mr. Asteak asked for nominations for Chairman of the Board.

Motion made by Mr. Mohn and seconded by Mr. Donello to appoint Michael Rinker as Chairman of the Board for 2012. Motion carried by all voting aye.

Mr. Rinker assumed the chairman's chair.

Motion made by Mr. Rinker and seconded by Mr. Mohn to appoint Scott Sylvainus as vice chairman of the Board for 2012. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Agenda Items Only)

Nothing at this time.

APPOINTMENTS

Mr. Rinker stated that he will not be able to serve as delegate to the COG. Mr. Augustine stated that he will serve as delegate to the COG. Mr. Rinker stated that he would serve as the alternate delegate to the COG.

Mr. Doug Mohn stated that he would be willing to serve as an auditor for 2012.

The TCC Delegate will be Betty Parrish and the TCC Alternate will be Jerilyn Kronstadt.

There will be no commission for Mrs. Parrish.

Motion made by Mr. Mohn and seconded by Mr. Rinker to accept the appointments and salaries and compensation where applicable as stated in the agenda under appointments with all changes made. Motion carried by all voting aye.

The following were the appointments, salaries, and compensation....

FT Secretary/Treasurer and Salary – Jerilyn Kronstadt, \$18.20/hour
FT Zoning Secretary/Township Administrative Assistant and Salary – Joan Lyons, \$17.16/hour

FT Earned Income Tax Collector/Administrative Assistant and Salary – Betty Parrish, \$17.16
 PT Zoning Officer and Salary – John Soloe, \$22.88/hour
 FT Road Superintendent and Salary – Shawn Shupe, \$4,416.67/mo (\$53,000.00 yearly); salaried
 Township Solicitor and Fees – Gary Asteak, \$150.00 - \$175.00/hour
 Township Engineer and Fees – Al Kortze, according to the fee schedule
 State Sewage Enforcement Officer – Chris Noll
 Alternate Sewage Enforcement Officer – Daren Marocci
 Inspection Services – CodeMaster Inspection Services, according to the fee schedule
 Fire Marshall – Keith Garrity
 Emergency Management Coordinator – Joseph Brown, \$2400.00/year
 Library Representative – Terry Sayago
 Purchasing Officer – Jerilyn Kronstadt
 Zoning Hearing Board Secretary – Joan Lyons
 Board Delegate to the State Convention of Township Supervisors – Andrew Donello
 Board Delegate to the Northampton County Association of Township Officials – Jerilyn Kronstadt
 Board Delegate to the COG – James Augustine
 Representative to the Library Budget Committee – Mike Rinker
 Representative to the Nazareth Borough Municipal Authority – Robert Raesly, Jr.
 Representative to the Nazareth Ambulance Board – Mike Rinker
 Vacancy Board – Joanne Messenlehner
 Chief Administrative Officer of Pension Plans – Betty Parrish
 Township Auditors – Preston Ervin, Doug Mohn, \$10.00/hr
 The annual auditor’s reorganization meeting will be held on January 4, 2012, at 7:00 p.m.
 Planning Commission – Pam Berlew, Steve Polles
 Zoning Hearing Board – Elisabeth Hutchins
 TCC Delegate – Betty Parrish
 TCC Alternate – Jerilyn Kronstadt

WAGES AND COMPENSATION

Motion made by Mr. Rinker and seconded by Mr. Mohn to set the wages and compensation for employees as stated on the agenda under wages and compensation. Motion carried by all voting aye.

The following were the wages and compensation....

PT Assistant Road Superintendent – Bob Eberly, \$17.68/hour
 FT Road Crew – Edgar Geiger, Craig Hoffman, \$17.16/hour
 Part-time Road Crew – \$17.16/hour
 Police Chief – Alan Siegfried, \$32.46/hour
 Police Secretary – Debra Knecht, \$18.14/hour
 Part-time Police Officers – \$17.94/hour

Zoning Hearing Board Members

\$30.00 per hearing attended per member, paid quarterly
\$116.67 per hearing attended for the secretary, paid quarterly

Planning Commission Members

\$30.00 per meeting attended per member, paid quarterly
\$116.67 per meeting attended for the secretary, paid quarterly

EMPLOYEE HOLIDAYS

Mr. Rinker requested that Martin Luther King Jr. Day be added to the list of holidays for the Upper Nazareth Township employees.

Motion made by Mr. Mohn and seconded by Mr. Sylvainus to set the fulltime employee holidays as stated in the agenda under employee holidays with the addition of Martin Luther King Jr. Day. Motion carried by all voting aye.

The following are the assigned fulltime employee holidays...

- | | |
|--------------------------------------|-----------------------------------|
| New Year’s Day (1/2/12) | Thanksgiving Day (11/22/12) |
| Martin Luther King Jr. Day (1/16/12) | Day after Thanksgiving (11/23/12) |
| President’s Day (2/20/12) | Christmas Day (12/25/12) |
| Good Friday (4/6/12) | Floating – |
| Memorial Day (5/28/12) | Christmas Eve ½ day (12/24/12) |
| Independence Day (7/4/12) | New Years Eve ½ day (12/31/12) |
| Labor Day (9/3/12) | Birthday |

MILEAGE ALLOWANCE

Motion made by Mr. Rinker and seconded by Mr. Mohn to set the mileage rate for employee’s using own vehicles at the current IRS rate. Motion carried by all voting aye.

(The IRS rate at this time is 55.5 cents)

AUTHORIZATION FOR CLEANING SERVICES

Motion made by Mr. Rinker and seconded by Mr. Mohn to authorize the cleaning of the municipal building at a rate of \$75.00 bi-weekly. Motion carried by all voting aye.

Discussion was had about adding another day to the cleaning schedule. It will be added to the agenda on the January 18, 2012, meeting.

SIGNATORY AUTHORIZATION

Motion made by Mr. Rinker and seconded by Mr. Sylvainus to authorize the Treasurer and one Supervisor to sign Township checks. Motion carried by all voting aye.

Motion made by Mr. Rinker and seconded by Mr. Mohn to appoint Mr. Sylvainus as liaison to the office. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-agenda items)

Nothing at this time.

ANNOUNCEMENTS

There will be a workshop at 6:30 p.m. before the January 18, 2012, meeting to interview candidates for the zoning hearing board alternate vacancy and possibly for a recreation commission vacancy.

ADJOURNMENT

Motion made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 7:27 p.m. Motion carried by all voting aye.

MINUTES – January 3, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:31 p.m. by Chairperson, Mike Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker and Scott Sylvainus. The Township Solicitor, Gary Asteak, was also present.

The agenda was accepted as written.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to accept the minutes from the December 21, 2011, meeting. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Mr. Shupe stated that the Tuskes dumpster was open until November. He will call Herceg to make sure the service is stopped for the winter.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

SUPERVISORS COMMENTS

Nothing at this time.

PLANNING & ZONING

Mr. Soloe invited the Supervisors to attend the planning commission meeting on Thursday, January 12, 2012, at 7:00 p.m. to keep updated with the Moravian Hall Square Heritage Village development. There are about a dozen waivers being brought to the planning commission that will then be brought to the Board for approval. By attending the meeting, the Supervisors will understand the requests when it is brought to a Supervisor's meeting.

Mr. Soloe stated that he will have a year-end report at the next meeting.

PUBLIC WORKS

1. Mr. Shupe presented his monthly report. He stated that there was 800 yards of leaves collected this year.

2. Mr. Shupe stated that he has received fuel quotes from Knowles at \$2.27/gallon, fixed and Suburban at \$2.01/gallon, variable. Because the amount of fuel will be under the bid limit of \$18,500.00, Mr. Shupe was advised to negotiate back and forth to try to get the amount to under \$2.20/gallon, fixed.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize Mr. Shupe to negotiate for a fuel price of under \$2.20/gallon, fixed. Motion carried by all voting aye.

3. Mr. Shupe stated that a lot of Christmas trees have been dropped off at both the Friedenstahl and Daniels locations.

ADMINISTRATION

Mrs. Kronstadt stated that Hillside Farms III roads, part of East Biel Avenue and part of City View Drive have not been dedicated to the Township yet. In the past few years, the Township has plowed these roads for Hillside Farms III. The Township has been paid with money and with tree donations. Mrs. Kronstadt asked how the Board would like to handle it this year.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize Mrs. Kronstadt to write a letter to Hillside Farms III requesting \$1,750.00 for the Township to plow part of East Biel Avenue and part of City View Drive. Motion carried by all voting aye.

DEVELOPMENTS

Nothing at this time.

REPORTS

Police Department

Nothing at this time.

Mr. Rinker stated that the committee meeting with the police department is canceled and that he will call police officers Herman and Cope to reschedule. Mr. Augustine is also interested in attending.

Mr. Rinker asked about fulltime officer interviews. Chief Siegfried stated that they will be set up soon.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Library

Nothing at this time.

Township Solicitor

Mr. Asteak stated that he received a letter from the police association that they are on board with the DROP program. Mr. Asteak stated that if the Board wants to pursue the program they will have to authorize Mr. Asteak to prepare an ordinance for the Township to join the DROP program. Mr. Sylvainus explained the program to the Supervisors.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize Mr. Asteak to proceed with preparing the ordinance and/or paperwork needed to become part of the DROP program. Motion carried by all voting aye.

Township Engineer

Nothing at this time.

Recreation Board

Nothing at this time.

Old Business

Nothing at this time.

New Business

Mr. Rinker suggested moving to one meeting per month. There was discussion among the Supervisors and it was decided to leave two meetings per month at this time.

Mr. Rinker stated that the auditor's reorganization meeting is January 4, 2012, at 7:00 p.m.

Mr. Rinker read Proclamation 2012-01, honoring Mr. James Fahr for his dedication and service to Upper Nazareth Township as supervisor and planning commission member.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Mohn to adjourn the meeting at 8:12 p.m. Motion carried by all voting aye.

MINUTES – January 18, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:01 p.m. by Chairperson, Mike Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker and Scott Sylvainus. The Township Solicitor, Gary Asteak, and Township Engineer, Al Kortze, were also present.

The agenda was accepted as written.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to accept the minutes from the January 3, reorganization meeting. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the minutes from the January 3, regular meeting. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

COURTESY OF THE FLOOR (Non-Agenda items)

1. Lauren Baksa, 3371 Westminster Way asked for an update on the retention pond and the sale of the Redcliffe development. She wanted to know if there was any discussion on fixing the situation. Mr. Kortze stated that he hasn't met with the developer about this issue yet. He is planning a meeting in the future and will bring up the subject. It is a project that might have to wait until the spring to complete.

2. George Polak presented a no trespass notice to Mr. Soloe and copies to the Board. He also stated that any correspondence sent to him needs to address him by his true Christian name "*George-A; Polak, Sentient Man*". Mr. Polak did state that a new restaurant business on his property was open to the public. Mr. Asteak requested that it be stated in the minutes that Mr. Polak is asserting that the Board of Supervisors and the Zoning Officer are permitted to dine at the restaurant on his property but are not permitted to wander or trespass onto his property.

3. Joanne Messenlehner stated that she has received many calls from residents about the lack of mail delivery by the post office. She stated that residents should be calling the post office

and their congressman, quickly and many times. Also all neighbors should call, not just one. She cannot do anything about it. She suggested complaining constantly.

4. Bill Perry, 3335 Newburg Road, near Township Line Road, asked for an update on the trucking and road issues. Chief Siegfried stated that he spoke with Central Trucking and Werner Trucking and they agreed to place a sign leaving their facilities stating that the trucks can only make a right hand turn. Mr. Perry stated that the trucks are claiming to be “local delivery”. Chief Siegfried stated that those signs have been removed and that no trucks are allowed. Mr. Shupe will confirm all have been removed.

5. Mark Fischl, 3371 Westminster Way, asked if he needed it, was it ok for him to dig a hole on his property. He then asked if he could dig a hole on his neighbor’s property. Mr. Augustine stated that whether it is legal or not, the Board will not take a stand. It is a private issue that will need to be addressed by the two parties involved.

Rich Fischl, 3371 Westminster Way, stated that the Board and the Solicitor did not follow through on statements made at earlier meetings. The two men stated that they want the Township to follow through and enforce ordinances and statements made.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that two people were interviewed for the zoning hearing board alternate vacancy. He stated that they both had experience and were both from the same area and either candidate would be a good choice. He stated that Mr. Gambocurta had more experience and recommended appointing him.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to appoint Mr. Tim Gambocurta as the zoning hearing board alternate. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to appoint Mr. Daryl Kennedy to the recreation board. Motion carried by all voting aye.

PLANNING & ZONING

Mr. Soloe presented the year end 2011 zoning report.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to approve the zoning report. Motion carried by all voting aye.

Mr. Sylvainus asked if the permit fee charges have changed much on the fee schedule. Mr. Soloe stated that there have been a few minor tweaks over the years but nothing major.

DEVELOPMENTS

Nothing at this time.

PUBLIC WORKS

1. Mr. Shupe stated that he has locked into a fixed fuel price of \$2.159 through Knowles Gas. It is fixed from January 5, 2012, to January 5, 2013.

2. Mr. Sylvainus asked about the progress of Class A commercial license training. Mr. Shupe stated that they are still working towards it and are working with Moore Township with in-house training.

ADMINISTRATION

1. Our cleaning lady is not able to come an additional day each week to clean the police bathroom as was requested at the last meeting.

2. **Motion** was made by Mr. Rinker and seconded by Mr. Mohn to approve Resolution 12-06 setting the Act 511 Taxes, including the non-resident tax rate. Motion carried by all voting aye.

3. **Motion** was made by Mr. Mohn and seconded by Mr. Sylvainus to authorize Mr. Rinker to sign the application for the e-permitting through PennDOT. Motion carried by all voting aye.

4. Mrs. Kronstadt stated that there should be a delegate to the Joint COG who can attend meetings during the day, four times per year. The Board decided that between Mr. Rinker and Mrs. Kronstadt, there will be an Upper Nazareth Township representative at most of the meetings.

5. Mrs. Kronstadt stated that the tax collector, Tracy Adamski, had a memo for the Board. Mrs. Adamski, who was in attendance, presented her memo about a salary increase due to the fact that the Township is going to offer an installment payment plan with the real estate taxes. Mr. Asteak asked if a policy and procedure or resolution has been prepared and adopted with the requirements for the installment payment plan and any penalties if not followed. This has not been done. Mr. Asteak suggested that the Board prepare this first.

6. Mrs. Kronstadt requested clarification if someone was going to attend the PSATs Convention in May and verification of who that would be.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize Mr. Donello to attend the PSATs Convention in May. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the reimbursement of twenty-one hours of missed wages for Mr. Donello and payment for his meals, hotel, transportation, and admittance as long as he submits receipts. Motion carried by all voting aye.

7. Mrs. Kronstadt stated that the Liquid Fuels Audit is available in the office for the Board's review.

8. Mr. Sylvainus stated that the 2011 Township audit is beginning. Mrs. Kronstadt stated that she has received the letter with the requested information needed for the audit and that Riley and Co. has made backups of the quickbooks files for review.

9. Mrs. Kronstadt presented an invitation to the Lehigh Valley Economic Development annual investors' meeting on February 9, 2012, starting at 4:30 p.m. Mr. Sylvainus stated that it should be a very informative meeting. He would like to attend but he is not available that day. Mrs. Kronstadt stated that if anyone else on the Board would like to attend they should get back to her by January 27, 2012, so she can send in an RSVP.

DEVELOPMENTS

Nothing at this time.

REPORTS

Police Department

Nothing at this time.

Fire Department

1. Mr. Fassl presented the fire report.

2. Mr. Fassl also stated that the fire department has launched their first website. The address is "uppernazarethfire.com".

Mrs. Messenlehner stated that she likes the website.

Emergency Management

Nothing at this time.

Township Solicitor

1. Mr. Asteak stated that he has prepared the DROP ordinance and has given it to the Board for their review. He also sent a copy to Ron Bittner, our representative from Trollinger, who has edited and approved the content. Mr. Asteak is waiting further instructions from the Board.

Mr. Sylvainus stated that the interest rate should be changed from 2% to “actual interest rate earned but no greater than 4.5%”.

Mr. Donello asked if the Board could table this until he had an opportunity to meet with someone who would explain the program to him so he could understand it.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize Mr. Asteak to make the changes to the ordinance and to advertise it for adoption. Motion carried by all voting aye.

Mr. Augustine requested verification that the program would not cost the Township anything. Mr. Sylvainus stated that the program will not cost the Township anything.

Township Engineer

1. Mr. Kortze stated that he had received a letter from Mr. and Mrs. Goodwin, 3649 Manchester Way, about the drainage issue concerns. Mr. Kortze stated that he has spoken with Tom Doyle from Redcliffe and Mr. Kortze is setting up a meeting. He will contact the Goodwin’s and the Force’s so they can participate in the meeting. Mr. Kortze also stated that he would ask about the issues on Westminster Way as well.

2. Mr. Kortze stated that all close documentation has been received by Barry J. Hoffman Co. Inc. for the Tuskes Park Path Lighting Project and recommends the final payment of \$27,403.90 be released to the company. The original bid on the contract was \$74,970.00 but the project came in at a total of \$44,170.00.

Motion was made by Mr. Donello and seconded by Mr. Mohn to authorize final payment of \$27,403.90 to Barry J. Hoffman Co. Inc. for the Tuskes Park Path Lighting Project. Motion carried by all voting aye.

3. Mr. Kortze asked for the Board to authorize the advertisement of the bid for the Tuskes Park Walking Path (part of the grant obtained by the Township) through the completed lighting project.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize Mr. Kortze to advertise for bids for the Tuskes Park Walking Path through the completed lighting project. Motion carried by all voting aye.

Recreation Board

1. Mr. Sylvainus stated that the Recreation Board met last night and discussed the need for the Township to move forward with the continuation of the bike path through the County. Upper Nazareth Township is the missing link in the path that travels through Stockertown and in Bath. Mr. Dooley has prepared specifications. It is a project for the future and the planning commission and

recreation board want to have a plan in place for when areas in the path get developed and insure that there is an easement provided for the rail-trail.

2. Mr. Sylvainus asked how working with Mr. Hoffman was during the installation of the Tuskes Park lighting project. Both Mr. Kortze and Mr. Shupe stated that he was good to work with and very professional. Mr. Sylvainus will call him to take a look at fixing lighting problems on the baseball and softball fields

Library

Mrs. Sayago stated that the new library director, Josh Berk, has started working. She stated that the annual report is complete and recommended that the Board take a look at it. She stated that Upper Nazareth Township was the most active municipality at the library this past year. Mrs. Sayago also stated that seventeen teenagers showed up to the youth advisory council meeting. She stated that hard copy tax forms will be available again this year for residents. They can also be found on the library website.

CDBG, TCC, Recycling

Nothing at this time.

Old Business

Nothing at this time.

New Business

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Donello to adjourn the meeting at 8:30 p.m. Motion carried by all voting aye.

MINUTES – February 1, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:01 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The agenda was accepted with moving the “6th Annual Together for Derek 5K Run/Walk” to Courtesy of the Floor – agenda items only.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the January 18, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Mohn and seconded by Mr. Donello to accept the bills report. Motion carried by all voting aye.

Mr. Shupe will contact Herceg Hauling to suspend collection at Tuskes Park and the Clipper Field for the winter.

COURTESY OF THE FLOOR (AGENDA ITEMS ONLY)

1. George Polak stated that his name is incorrect in the approved minutes. He expressed his wish that whenever his name is in print it be written as *George-A.; Polak, Sentient Man.*

2. Ms. Christina T. Wise presented the request to have the 6th Annual Together for Derek 5K Run/Walk held in Upper Nazareth Township. She presented the proposed route for the race. She is requesting police and fire police help to direct traffic at intersections. Chief Siegfried would like to sit down and talk with Ms. Wise to see how other townships have done this in the past. Ms. Wise also stated that there will be volunteers giving directions for the route. Ms. Wise stated that PennDOT requires a letter from the Township on Township letterhead stating that the race has been approved by the Township.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to approve the 6th Annual Together for Derek 5K Run/Walk to be held in Upper Nazareth Township. Motion carried by all voting aye.

Mr. Rinker stated that he would look into having an ambulance at the finish line for emergencies.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

INTRODUCTION OF LIBRARY DIRECTOR

Mrs. Sayago introduced Josh Berk, the new library director.

Mr. Berk stated that he looks forward to working at the library, keeping current programs and introducing new ones. He stated that it seems that the community really supports the library.

SUPERVISORS COMMENTS

1. Mr. Sylvainus stated that the Township and the residents should contact their legislators about the Earned Income Taxes being held by the Allentown NIZ for the new hockey arena. The Earned Income Tax should be sent to the correct municipalities and not to the Allentown NIZ. Mr. Sylvainus stated that Representative Emrick's number is 570-897-0401 and Senator Boscola's number is 610-868-8667.

2. Mr. Sylvainus stated that guidelines and a resolution for collecting real estate taxes in two installments have been established for the Board to review. Mr. Sylvainus stated that the real estate tax bills have been printed and that they have an incorrect base payment date. Mrs. Adamski stated that the dates were discussed in a meeting between her, Mr. Sylvainus and Mrs. Parrish and that she believed these were the correct dates. Mr. Sylvainus stated that the June, pay-in-full date needs to be on the bills. The cost to print the corrected bills is approximately \$1,777.00 and will take about two weeks. There was a discussion to see if the current printed bills could be updated, but it will not be feasible.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adopt Resolution 12-07 setting the requirements for the real estate tax installment plan, adjusting the base discount and first payment date to April 17, 2012, due to the fact that the first installment and/or the discount date must be sixty days after the bills are mailed. Motion carried by all voting aye.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to authorize the reprinting of the real estate bills with the corrected dates. Motion carried by all voting aye.

3. Mr. Augustine stated that he attended the NAZCOG meeting and that the County had purchased a swaption and that the best case scenario would be that they could buy out at 25 million dollars and lose approximately 6.8 million dollars. This would be "damage control". Mr. Augustine also stated that Mr. Stoffa stated that the County would like to have Gracedale self-sufficient. Mr. Stoffa also stated that the County has spent \$800,000.00 in asbestos remediation and the County is still working on some other government buildings. Mr. Augustine stated that there is money available for townships and municipalities from the casinos to help offset societal "ills" caused by the casinos. For example, Tatamy Borough received \$200,000.00 from Monroe County. Mr.

Augustine stated that he did not know the application process but that the Township should look into monies available through Monroe County and Northampton County.

4. Mr. Sylvainus stated that the Township received a letter from the insurance company denying the claim submitted to the Township for damage money requested by the Nazareth Borough Municipal Authority for the property on El Reno Avenue. The insurance company stated that there was not enough proof that the Township was at fault. Mr. Sylvainus also stated that he received a copy of the franchise agreement with the Nazareth Borough Municipal Authority.

5. Mr. Sylvainus stated that there is a meeting scheduled for next Wednesday at 8:00 a.m. to finish up the new handbook. Mr. Sylvainus, Mrs. Lyons, and Mrs. Parrish will prepare the draft and the departments will review it. Then it will be presented to the Board for review.

6. Mr. Sylvainus stated that the Township needs a written plan on how to recognize memorials for employee's family deaths. The Board discussed providing for immediate family only and to recognize all Township employees with memorials. This will be discussed while putting together the handbook and the Board can review it then.

PLANNING & ZONING

Mr. Soloe invited the Board to attend the planning commission meeting next Thursday. Moravian Hall Square will be on the agenda and Mr. Soloe would like the Board to listen to the discussion.

DEVELOPMENTS

Nothing at this time.

PUBLIC WORKS

1. Mr. Shupe presented his report. He stated that the Christmas tree collection is complete and that 307 trees were collected. He would like to work with Mrs. Kronstadt to send a thank you letter to the Tatamy Volunteer Fire Company for their help in disposing of the trees. He stated that because of the nice weather the road department has been doing some work on the roadways.

2. Mr. Sylvainus asked about the lights in the front of the building. Chief Siegfried stated that they are on a timer that shuts them off around midnight. During the winter, it is dark in the morning so he suggested adding another timer to turn the lights on for a couple of hours in the morning. Mr. Shupe will look into this.

3. Mr. Sylvainus asked where the Township building is in the schedule for clearing snow. Mr. Shupe stated that it is on the schedule with clearing the fire department parking lot. Mr. Sylvainus asked about the shoveling of the walkway into the building. Mr. Shupe stated that it

depends on the time of day whether they shovel the walkway. Mr. Shupe also stated that the police department often helps out with the shoveling of the walkway.

ADMINISTRATION

1. Mrs. Kronstadt stated that the road map available to the public was published in 2007 and suggested updating the map along with the newsletter. She presented two companies, one that has done the map in the past and one that has been doing the newsletter for the past couple years. The Board decided to have Mrs. Kronstadt contact Printmaps, the company that did the map in 2007, to update the map.

2. Mrs. Kronstadt presented a letter from FEMA announcing meetings to be held at Northampton Community College, Fowler Center, February 21, 2012, from 2 – 4 pm and 6 – 8 pm to discuss the new Flood Insurance Rate Map, the Flood Insurance Study, and the National Flood Insurance Program. Each community must review the DFIRM and suggest corrections, reach out to citizens affected by the changes on the FIRM, and adopt a new or amended floodplain ordinance that meets the NFIP minimum requirements. Mr. Rinker stated that he will be attending the meeting. Mr. Soloe and Mr. Kortze stated that they have reviewed the changes with the planning commission and that there have been some minor changes. Mr. Kortze will provide tax identification numbers of properties where the flood zone changed to the Township so that letters can be sent to property owners.

REPORTS

Police Department

1. Chief Siegfried presented the December 2011 police report.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to approve the police report. Motion carried by all voting aye.

2. Chief Siegfried stated that he would like to fill the vacant fulltime police position. He put together a spreadsheet showing the cost of filling in the position with part-timers last year and the cost of filling the fulltime position. Some of the Board is concerned with spending income at the beginning of the year and would like to hold off a couple of months. Mr. Rinker is concerned with losing a potential candidate to another job. There was much discussion and it was decided that Chief Siegfried will present more specific numbers as to the total cost of that position in 2011 and the proposed cost for 2012.

Mr. Rinker made a **motion** to hire a police officer. There was no second. The motion died.

Fire Department

Nothing at this time.

Emergency Management

Mr. Sylvainus stated that the emergency coordinator will not be available for about a month due to medical reasons. The Board discussed pulling his salary for that month. Mr. Asteak stated that the Board should speak with him first and then make a decision. The Board will take action at the next meeting.

Township Solicitor

1. Mr. Asteak presented Ordinance No. 151; the DROP Program Benefit for the police department. It has been duly advertised and has been available for public inspection. It is ready for adoption. Mr. Asteak noted that he received a letter from the police association approving the adoption of the ordinance and thanking the Supervisors for their consideration in adopting the ordinance.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to adopt Ordinance No: 151 approving the DROP Program Benefit for the police department. Motion carried by all voting aye.

2. Mr. Asteak stated that the zoning officer is taking action against George Polak for violations of Township ordinances. There is a hearing scheduled for February 9, 2012, at 11:00 a.m.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to affirm the zoning officer's actions and to authorize the prosecution of the violation of the ordinances. Motion carried by all voting aye.

Township Engineer

Mr. Kortze stated that Keystone Consulting Engineers has put together a precise, comprehensive, systematic five year plan for road maintenance and road projects in the Township. Mr. Dooley presented a power point presentation. The Township has 27.99 miles of non-state roads. Mr. Dooley presented ways to more efficiently use the liquid fuels funds and schedule for road maintenance to assure that more miles of roadway do not need to be prematurely reconstructed. The Board will review the materials presented to them.

Recreation Board

Nothing at this time.

Library

1. Mrs. Sayago stated that the young writers contest will begin on February 6, 2012, and the winners will be announced in April. She stated that the youth advisory committee is

organizing a teen game night at the library. There are a couple of new programs offered: toddlers shake and boogie and art with Gina.

2. Mrs. Sayago stated that tax forms are available in hard copy at the library and also online.

3. Mrs. Sayago stated that the library received a grant in the amount of \$5,000.00 from Martin Guitar for a new phone system.

CDBG, TCC. Recycling

Nothing at this time.

Old Business

Nothing at this time.

New Business

1. Mr. Sylvainus recommended naming Joan Lyons as office manager.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to name Joan Lyons as office manager. Motion carried by all voting aye.

2. Mr. Rinker stated that the Board had an executive session before the meeting, starting at 6:30 p.m., to discuss personnel issues.

3. Mr. Rinker stated that the Board will have another executive session following the meeting to discuss legal issues.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to adjourn the meeting at 9:46 p.m. Motion carried by all voting aye.

MINUTES – February 15, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to approve the agenda as written. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to approve the February 1, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items)

Allison Force, 3661 Manchester Way, stated that she received a letter stating three solutions that the developer, DeLuca Homes, felt were appropriate to fix the drainage problem on her land. She stated that the developer discussed the solutions with the Township engineer and he feels these solutions are appropriate. Mrs. Force stated that she does not agree with any of the three and would like a fourth solution added that had been discussed with the Township engineer previously. She stated that she would like the Township to not only represent its own interests but also those of the residents.

SUPERVISORS COMMENTS

1. Mr. Rinker stated that the emergency management coordinator will only be out of work for one month and is still available by phone and can be picked up to go anywhere. There will be no adjustments to his pay.

2. Mr. Sylvainus asked when the Township should start to negotiate new cable franchise agreements. He stated that that Township would like to offer a senior discount as many other municipalities do. Mrs. Kronstadt will look for the current agreements and get copies to the Supervisors and to Mr. Asteak.

3. Mr. Sylvainus stated that he has received the current sewer franchise agreement. He asked who is responsible for fixing streets when maintenance and repairs are performed. The franchise states it is the sewer authority's responsibility, not the Township's. Mr. Asteak stated that he had provided his response in a letter to the Township.

PLANNING & ZONING

Mr. Soloe presented the zoning report showing the carry-overs from December and the activity through January. He also adjusted the report to reflect the commercial work being done in the Township.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the zoning report. Motion carried by all voting aye.

PUBLIC WORKS

1. Mr. Dooley presented a spreadsheet outlining the five year plan for road maintenance and repair based on current numbers and funds available to the Township. There was discussion of crack sealing, overlaying, minor repairs, major repairs, and equipment purchases.

Mr. Sylvainus asked what the life expectancy of equipment is. Mr. Shupe stated that the life expectancy on equipment is approximately ten to fifteen years. Mr. Sylvainus asked about the costs to maintain the equipment. Mr. Shupe stated it is minimal and includes tires, hoses, etc.

The public works equipment is paid for by liquid fuels money, not general fund money. There is already approximately \$98,000.00 available in liquid fuels money for equipment purchases at this time.

2. Mr. Shupe presented information on a crack sealing machine for the Township to purchase using the liquid fuels money and purchasing the machine through the COSTARS program. The cost is \$44,964.00 to purchase the equipment. If a lease is used, it would cost the Township an additional \$19,00.00 over the three years of the lease.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to purchase a crack sealing machine for \$44,964.00 using liquid fuels money through the COSTARS program. Motion carried by all voting aye.

3. Mr. Shupe asked for clarification on the money to be used to fix the St. Elmo Street storm drain issue. The Township will have to start purchasing the materials so that when the weather improves, the work can be started. Nazareth Borough will be offering equipment and labor and will be sharing in the costs of the project; however, the Township needs to start preparing now. This needs to be firmed up and will be addressed at the next meeting.

4. Mr. Shupe asked for the Board's authorization to add Trevor Smith to the snow plowing availability list. He would be available part-time on an as-needed basis. He has experience in plowing.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize the addition of Trevor Smith to the snow plowing availability list. Motion carried by all voting aye.

5. Mr. Sylvainus asked for an update on the status of the timer for the lights entering the municipal building. Mr. Shupe has this on his list.

ADMINISTRATION

Mrs. Kronstadt stated that the Trollinger Police Pension Annual Report is available for the Supervisors' review. Chief Siegfried asked for a copy for the police department.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried presented the January 2012 police report.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to approve the police report. Motion carried by all voting aye.

Mr. Augustine asked about any dog issues. Chief Siegfried stated that there have been only a few and they were all returned to their owners. Chief Siegfried is trying to meet with the dog warden to have the Township's kennel looked over to make sure it is up to code so the dogs could be held for a longer period of time while looking for their owners. If they are not picked up, the Township needs to figure where to take the animals. Chief Siegfried stated that the Chief of Police Association has a committee looking into the situation. They met last week but have no solution at this time.

2. Chief Siegfried requested authorization to fill the fulltime vacancy that has been budgeted for. He presented a spreadsheet with the cost analysis of hiring the fulltime officer versus filling the spot with part-time officers. He recommended a March 26, 2012 start date.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to hire a fulltime police officer to fill the vacancy left after the passing of a Township officer. Motion **did not carry** with a vote of three to one against the motion. Mr. Rinker and Mr. Sylvainus voted aye. Mr. Augustine, Mr. Mohn, and Mr. Donello voted nay.

Chief Siegfried stated that the issue with using part-time officers is the dependability and availability to fill the shift. The Township has been very fortunate this last year and has been able to cover the shift. This may not always be the case as some of the part-time officers are looking for other part-time or fulltime positions elsewhere. The shift must first be offered to fulltime police officers, per contract, which leads to overtime. If either a fulltime officer or part-time officer is not available, then the shift may be left vacant and the Township will be lacking in coverage. Chief Siegfried stated that it can take up to three months to replace a part-time officer because of searching and training before they can start working a shift.

Mr. Augustine stated financial issues that prompted his decision and would prefer the Township wait until the issues have stabilized before hiring new employees. Mr. Donello also stated that he would prefer waiting a few months to see how the Township's financial situation is before doing any hiring.

Fire Department

1. Mr. Fassl presented the fire report.

2. Mr. Fassl stated that the fire department will be meeting on Monday and will be discussing AED purchases for the fire department and possibly for the Township building also. He stated that there are not a lot of grants available for AED's at this time. This will be put on the agenda for the next meeting.

Emergency Management

Nothing at this time.

Township Solicitor

Mr. Asteak stated that he received a letter from Attorney Murphy about Redcliffe and will be organizing a meeting with him to discuss improvements in the development to address the drainage issue near the Townhouses. Also attending will be the Homeowner Association's engineer. Mr. Asteak will update the Board as to when the meeting is scheduled so Supervisors can attend if they so wish.

Township Engineer

1. Mr. Kortze stated that he will be attending a meeting with FEMA next week to view the flood plain mapping. He will keep the Township updated about the mapping.

2. Mr. Kortze stated that he has been in conversation with DeLuca about the drainage issue on Mrs. Force's property. The next step is to have a meeting with the two homeowners that will be affected by the drainage issue remedy. He will keep the Township updated on the situation.

3. Mr. Sylvainus asked Mr. Kortze if he has provided the addresses of the properties in the new flood zone to Mrs. Kronstadt. Mr. Kortze stated he has not. He is waiting to get the information and map from FEMA and then overlay it onto the tax map. Then he will be able to identify the properties involved and get the information to Mrs. Kronstadt. He does not know when he will receive the information from FEMA.

Recreation Board

Mr. Sylvainus stated that the recreation board will meet next week. Mr. Sylvainus stated that the Tuskes Park Path Project Paving bid request was advertised today and that the project will be done within sixty-five days or by June 15, 2012. Grant money and recreation fund money is being used for of this project.

CDBG, TCC. Recycling

1. Mr. Sylvainus stated that another property has been completed in the CDBG program.

2. Mr. Sylvainus stated that he will be attending a meeting organized by the TCC with Mrs. Parrish tomorrow on a discussion of the Allentown NIZ program with regard to the hockey arena being built in Allentown.

3. Mr. Sylvainus stated that the recycling committee has not met recently. The next step is the survey to the residents. Mr. Shupe asked if the yard waste facility will be open for 2012. Mr. Sylvainus stated that it will be open.

4. Mr. Sylvainus also stated that he has been working with the office in developing and updating the employee handbook.

COURTESY OF THE FLOOR (Non-Agenda items)

Mrs. Berlew asked if any resident, regardless of where they reside, can use the recycling at East Penn Sanitation. It was stated that recycling is open to the public. No one knew if there was a charge to the resident.

OLD BUSINESS

Mr. Mohn asked about the payment of electricity usage by organizations using Tuskes Park and the reimbursement to the Township. Mr. Sylvainus stated that he keeps track of the hours of usage of the lights by each organization and keeps a running total to be requested at the end of the season. Mr. Sylvainus stated that the Clippers do not use the lighting. The men's senior baseball league and the Connie Mac baseball league use the lights.

NEW BUSINESS

A gentleman got up at the end of the meeting and “served” the Township engineer, the Township solicitor, the Township secretary/treasurer, four Supervisors, and the Township zoning officer with a subpoena by George Polak.

Mr. Rinker stated that the Board will be holding an executive session after the meeting to discuss personnel and legal issues.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Donello to adjourn the meeting at 8:26 p.m. Motion carried by all voting aye.

MINUTES – March 7, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak. Board member Willard Mohn was not present.

The agenda was approved as written.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the February 15, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to accept the bills report. Motion carried by all voting aye. Mr. Donello asked if a list could be provided showing the insurance costs of each department – police, public works, and administration.

COURTESY OF THE FLOOR (Non-Agenda items)

1. Mr. Polak stated he would like to make an observation. He had made the same observation when Mr. Emrick was on the Board. He asked why the Township does not discuss issues with residents before taking the issue to the judicial system. The taxpayer's money would be better spent on the roads or hiring a fulltime police officer instead of on lawyers and judicial processes.

2. Scott Parsons, the newly elected representative for District 4 of the Northampton County Council, introduced himself to the Board and the residents of the Township. He stated that the Township and residents should not hesitate to contact him with questions or needs. If he does not have an answer, he will find one.

3. Mrs. Messenlehner asked the Board about the progress on the traffic light at Route 191 and Friedenstahl Avenue. Mr. Kortze stated that at this time it is in the hands of the school district engineer. The school district engineer along with Mr. Kortze and PennDOT had a meeting to discuss the traffic light. The school district engineer was then supposed to go back to the school for meetings and then get back to PennDOT. The Township has not heard anything as of yet.

4. Mrs. Messenlehner stated that the fire department installed smoke alarms in her house and she was very grateful and very impressed with their work.

SUPERVISORS COMMENTS

1. Mr. Sylvainus stated that the foyer in the Township building is cracked because of settlement of the building. He looked into retiling it and the issue is the tile would crack again. These cracks are causing tripping issues and it is unsafe for residents and employees. It was suggested to Mr. Sylvainus to install an industrial carpet like those used in entrance ways in local colleges. The cost is \$1,678.00 installed. The carpet is supposed to be easy to clean and will conform to the uneven surface, making it much safer to walk on. The cost could be taken from chart of account number 430.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to approve the purchase and installation of industrial carpeting in the foyer of the municipal building at a cost of \$1,678.00, choosing the color beige. Motion carried by all voting aye.

2. Mr. Sylvainus updated the Board on the Allentown NIZ and how it will affect the Township. The earned income tax for Upper Nazareth Township residents earned in the 130 acre tract in Allentown where the hockey arena will be built will be staying in Allentown instead of money going back to the Township like it should. There is a meeting on March 15, 2012, that Mr. Sylvainus will be attending with the Northampton County TCC to get actual numbers as to how much the Township will be losing.

Hanover Township authorized their solicitor to study the Allentown NIZ and they are requesting that surrounding municipalities join them in questioning the legality of the Allentown NIZ. The Board decided to wait to see the impact of the numbers from the meeting on March 15th and Mr. Asteak suggested waiting to see what Hanover Township's solicitor's study turns up.

Mr. Sylvainus stated that by the next meeting he may have an idea of how much the lost earned income tax may impact our Township.

3. Mr. Sylvainus stated that during the handbook meetings the issue of a safety committee came up. Mr. Sylvainus wants to know if Upper Nazareth Township has a safety committee. Mr. Shupe stated that he has been named the head of the safety committee and has done some preliminary work to start one up. Mr. Shupe stated that he needs to get more involved in building this committee. Mr. Sylvainus stated that it is very important. Mr. Shupe stated that he has taken a webinar class on the subject. Mr. Sylvainus would like to see the committee meet two times per year and report back to the Board.

4. Mrs. Kronstadt presented information from PSATs requesting Townships to implement a resolution that would urge members of the General Assembly to support and pass House Bills 1329 and 1685 offering relief to Pennsylvania's local governments and taxpayers from the burdens of the Prevailing Wage Act.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to adopt Resolution No. 12-08, urging members of the General Assembly to support and pass House Bills 1329 and 1685 offering relief to Pennsylvania's local governments and taxpayers from the burdens of the Prevailing Wage Act. Motion carried by all voting aye.

PLANNING & ZONING

1. Mr. Soloe presented the February zoning report.

2. Mr. Soloe requested a change in the fee schedule to reflect the addition of an administrative fee of \$25.00 for stormwater research for permits. All site plans need to be approved by the County Conservation District and this fee would cover the calls, emails, etc.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to approve the change in the fee schedule to reflect the addition of an administrative fee of \$25.00 for stormwater research for permits. Motion carried by all voting aye.

3. Mr. Soloe stated that he met with Roger Mellin from the Charles Chrin Companies on this past Monday about the Route 33 interchange project. There is a small corner of Upper Nazareth Township involved with this project. Mr. Mellin was here asking for cooperation and will be approaching the Township soon for approval. The constructions is planned to start in August of 2012 and to be completed in September of 2013.

PUBLIC WORKS

1. Mr. Shupe stated that the yard waste facility should be in operation soon and stated that Scotta Farms will be providing the containers at a cost of \$360.00 per container. This is a 5% increase over last year.

Motion was made by Mr. Donello and seconded by Mr. Augustine to approve the contract with Scotta Farms to provide containers for the yard waste facility at a cost of \$360.00 per container. Motion carried by all voting aye.

2. **Motion** was made by Mr. Rinker and seconded by Mr. Donello to open the yard waste facility on April 14, 2012 and to advertise this in the Key newspaper. The hours are Saturdays from 10:00 a.m. to 2:00 p.m. and Wednesdays from 8:00 a.m. to 2:00 p.m. Motion carried by all voting aye.

3. Mr. Shupe presented a quote from Altronics for a digital connection for the Friedenstahl garage alarm system. A phone line would not be needed if this connection is installed. The installation cost is \$399.00 and the monthly cost is lower than the cost of a phone line. The cost would be recovered in eighteen to twenty-four months.

Mr. Sylvainus stated that this should be looked into at the Tuskes Park concession stand also.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the installation of a digital unit for the alarm system at both the Friedenstahl garage and the Tuskes Park concession stand at a total cost of \$800.00. Motion carried by all voting aye.

4. Mr. Shupe asked the Board to tell him where the St. Elmo Street drainage construction will be paid from. Liquid fuels cannot be used because of all the regulations on material and such and would cost the Township much more to fix the drainage issues. The money will come from the general fund and Nazareth Borough will help pay for the materials and offer machinery and labor. Mr. Shupe would like to start purchasing materials so that he is ready when the weather breaks. Mr. Shupe also pointed out that his line items may seem over budget due to this project.

5. Mr. Shupe stated that there is a problem with road salt this year. The contracts require municipalities to purchase at least 60% of the tons of salt thought to be needed for the year. This year the Township requested 150 tons of salt and because of the weather, it was not needed. At this time 50 tons are being stored in the Township and another 40 tons needs to be purchased. The issue is the storage available for the salt is limited. Mr. Shupe is working with other Townships who are in the same position to possibly store some of the Township's salt at other Township facilities.

ADMINISTRATION

1. Mrs. Kronstadt stated that the polling place information has come into the Township and she will sign and mail back the form allowing the polling place to occur at the municipal building.

2. Mrs. Kronstadt presented information to replace the secretary/treasurer computer which is over five years old and is freezing up and getting slow. The price quote is \$429.99.

Motion was made by Mr. Augustine and seconded by Mr. Sylvainus to approve the purchase of a computer for the secretary/treasurer at a cost of \$450.00. Motion carried by all voting aye.

3. Mrs. Kronstadt mentioned that the backup system for the office computers is not working at this time. Mr. Sylvainus stated that he is looking into other ways to backup the office computers.

4. Mrs. Kronstadt presented the Real Estate Audit for the Board's review and approval.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the Real Estate Audit report. Motion carried by all voting aye.

5. Mrs. Kronstadt presented a proposal for codifying the Township's ordinances. Mr. Asteak stated that the Township does not have many ordinances and they are all accounted for and signed. He stated that codifying is expensive and may not be worth the cost to the Township since the Township's ordinances seem to be in order.

Mr. Sylvainus suggested looking for grant money to pay for codifying the ordinances.

6. Mrs. Kronstadt stated that at the last meeting there was a question about recycling at East Penn Sanitation. She called and found out that recycling is available to all, twenty-four hours a day, seven days a week at no cost to the residents.

7. Mrs. Kronstadt stated that she is looking into other credit card companies that the Township could switch to. She has not received all of the information yet and will get back to the Board at the next meeting.

REPORTS

Library

1. Mrs. Sayago stated that the Governors preliminary budget is cutting another 5% from the library funding. Over the past few years the Nazareth Library has had close to \$32,000.00 of library funding cuts.

2. Mrs. Sayago stated that the Library received a Keystone Grant through Nazareth Borough for \$10,000.00 to be used to replace the heating system in the Library. This is a matching grant and at this time the Library has raised close to \$11,000.00, with much of that coming from the Touch a Truck program that Upper Nazareth Township helped so much with.

3. Mrs. Sayago listed many programs available during the month.

4. Mrs. Sayago stated that tax forms are available in hard copy at the Library and also on the Library's website.

5. Mr. Augustine thanked the Library for looking for a book that his child wanted and was not available. They found it in the Bangor Library and called to tell them.

Police Department

1. Chief Siegfried presented a memo stating that one of the police vehicles was damaged by a deer running into it. The cost to fix the car is \$1,775.45. The cost to do a partial fix would be \$244.86. If it was submitted to the insurance company, the cost would be the \$250.00 deductible. Chief Siegfried stated that he spoke with the insurance company and was told that the Township has a very good loss ratio. The latest figure is 2.7% on a scale of 100. The Township's five year loss ratio is just 22%. Putting this claim in will not affect our insurance rates.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the submittal to the insurance company for the police car hit by a deer with the cost being the deductible of \$250.00. Motion carried by all voting aye.

2. The subject of hiring a fulltime police officer was brought up. Mr. Rinker asked if Chief Siegfried had updated numbers. Chief Siegfried presented updated numbers reflecting a hire date of April 23, 2012. Mr. Sylvainus verified if this position was budgeted for. Chief Siegfried stated the position was budgeted for. Mr. Augustine asked how the revenue flow was for the year so far. Mr. Sylvainus stated that he thought the Township would have to

take \$10,000.00 to \$20,000.00 from savings in the month of February; however, the revenues have been ahead of this and there is about \$70,000.00 surplus at this time.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to hire a fulltime police officer to start on April 23, 2012. Motion failed with Mr. Rinker and Mr. Sylvainus voting aye and Mr. Augustine and Mr. Donello voting nay. Mr. Mohn was not present at the meeting.

Fire Department

1. Mr. Fassl presented the fire report.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the fire report. Motion carried by all voting aye.

2. Mr. Fassl stated that the fire department purchased three AED units and the accessories for the units. The Township looked over the specification and the proposed costs. The Township decided to purchase one AED at the cost of \$1,268.00 per unit plus the accessories from V.E. Ralph & Sons, Inc. The other two bids, Health Safe Solutions proposed a cost of \$1,700.00 per unit and AED Professionals proposed a cost of \$1,559.00 per unit.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to purchase one AED from V.E. Ralph & Sons, Inc at a cost of \$1,268.00 plus the accessories for a total cost of \$1,608.00. Motion carried by all voting aye.

Emergency Management

Nothing at this time.

Township Solicitor

1. Mr. Asteak stated that he received a report from Mr. Kortze addressing the Sycamore Street storm sewer extension to address the running water problem off the Simpson property onto Martin Guitar's property. Mr. Asteak and Mr. Kortze attended a meeting at the Board's authorization and Mr. Kortze prepared a cost estimate.

The cost to rectify the situation is approximately \$30,000.00 for the materials and the labor. Martin Guitar is agreeable with the price and is paying for the work and all the engineering and solicitor participation on the project.

Mr. Asteak asked for the Boards approval to have Mr. Kortze and Mr. Asteak put the work out to bid and to supervise the work. Again, Martin Guitar will be paying for the project.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mr. Asteak and Mr. Kortze to put the storm drain project for Martin Guitar out to bid and to supervise the work. An agreement will be prepared with Martin Guitar stating this and also that Martin Guitar will be paying for the costs of the project. Motion carried by all voting aye.

2. Mr. Asteak stated that there is a meeting scheduled on Friday, March 9, 2012, at 1:30 p.m. at the municipal building with Redcliffe development to discuss drainage issues and he will report back to the Board at the next meeting. This is in regard to the new construction and the existing townhouses.

3. Mr. Asteak stated that the subpoenas served by George Polak to members of the Board and office were quashed by the Court. Any depositions must be coordinated through Mr. Asteak's office. George Polak must also go through the open records process to obtain any information.

Township Engineer

1. Mr. Kortze stated that there will be a meeting on March 15, 2012, at 4:00 p.m. with those impacted by the Manchester Way drainage issue. The two residents involved, DeLuca Enterprises, Mr. Kortze, and Mr. Soloe will discuss possible improvements. The Board is invited to attend.

2. Mr. Kortze presented the Tuskes Park Walking Path bids that were opened on Tuesday, March 6, 2012, at 2:45 p.m. The bids came in higher than anticipated. In the bid documentation to the contractors there was a section stating that due to budget restrictions, some of the work may be reduced, for example, narrowing the pathway or shortening the fencing. The original bid was for 700 feet of fence. Mr. Kortze recommended changing it to 120 feet of fence, which still satisfies the grant requirements.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adjust the bid requirements for the Tuskes Park Walking Path changing the fence from 700 feet to 120 feet. Motion carried by all voting aye.

3. There were seven bids ranging in price from \$96,000.00 to \$136,000.00. With the change in the fence requirements the new low bid was \$85,761.10. Mr. Kortze recommended awarding the bid to Muschlitz Excavating, Inc.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to award the Tuskes Park Walking Path project to Muschlitz Excavating, Inc. at a cost of \$85,761.10. Motion carried by all voting aye.

4. Mr. Sylvainus stated that the Township received a letter about Eagles Landing from the Conservation District. Mr. Kortze and Mr. Soloe stated that this has to do with permit renewals and occurs on a lot by lot basis.

5. Mr. Sylvainus stated that a letter was received from the DEP on particulate emissions (air quality) violations at Steel Management.

Recreation Board

Mr. Sylvainus stated that they had a meeting and a new member has joined the Board. Mr. Sylvainus stated that the public works department is starting the spring cleanup of Tuskes Park.

CDBG, Recycling, TCC.

1. Mr. Sylvainus stated that the Township is holding the check for Urban Research and Development because they still need to prepare and execute liens for properties that work has been done on.

2. Mr. Sylvainus stated that a draft survey has been prepared and the members have submitted their questions. There should be a meeting within the next two weeks. Mr. Sylvainus stated that there will be meeting March 14, 2012, at 10:00 a.m. with a DEP representative from Wilkes Barre and three Northampton County municipalities that have become mandated for recycling. Two members of the recycling committee will be attending.

3. Mr. Sylvainus stated that he will be attending a joint meeting with the Northampton County TCC and the Lehigh County TCC on March 15, 2012, to discuss how the Allentown NIZ impacts to the municipalities.

COURTESY OF THE FLOOR (Non-Agenda items)

Mrs. Messenlehner stated that she is not sure why the Board will not approve the hiring of a fulltime police officer.

OLD BUSINESS

Mr. Sylvainus stated when the Board approved the office manager position the salary rate for the position was not clarified. Mr. Sylvainus stated that the money budgeted for the Planning Commission Secretary, which Mr. Sylvainus cannot be paid for because he is a Supervisor, can be transferred to the administrative assistant line item and recommended a \$0.65 increase for the position because of the increase in responsibility.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the salary increase of \$0.65 for the office manager position. Motion carried by all voting aye.

NEW BUSINESS

Mr. Craig Harron, process server, served Mr. Augustine, Mr. Asteak, and Mr. Soloe with a subpoena.

Mr. Rinker stated that the Board will be going into an executive session after the meeting.

ADJOURNMENT

Motion was made by Mr. Donello and seconded by Mr. Rinker to adjourn the meeting at 8:59 p.m. Motion carried by all voting aye.

MINUTES – March 21, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:10 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, and Michael Rinker. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak. Board member Willard Mohn was not present. Board member Scott Sylvainus was late.

The agenda was approved with the tabling of the Moravian Hall Square project and the addition of an update on the computer for the office.

A resident asked about the continuance of Moravian Hall Square and that at the planning commission meeting they were asked if they wanted to be granted an extension and they replied no. However, Moravian Hall Square wants the full Board to be present and with Mr. Mohn ill, they asked for the continuance and to appear before the Board at the April 18, 2012, meeting. Mr. Asteak stated that he received the extension letter today.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the Moravian Hall Square request for an extension until the April 18, 2012, meeting. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Rinker to approve the March 7, 2012, minutes with the change on page 3 from 5% to 4% increase for the yard waste facility rise in cost for 2012. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Augustine to accept the bills report. Motion carried by all voting aye. Mrs. Kronstadt will be giving Mr. Sylvainus copies of the water bill for Tuskes Park to analyze them.

Motion was made by Mr. Rinker and seconded by Mr. Donello to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items)

1. Mrs. Messenlehner asked why the traffic light on Route 191 and Friedenstahl Avenue was not added to the “open items” list at the end of the agenda. Mrs. Kronstadt will add it for the next meeting.

2. Scott Amerman stated that the areas on George Street and Seyfried Avenue where four laterals were worked on is beginning to sink. Mr. Shupe stated that he spoke with Tom Itterly from the Nazareth Borough Municipal Authority, who had done the lateral work, will put a cold patch temporarily to fix the dip until the asphalt places open and it can be fixed correctly.

SUPERVISORS COMMENTS

Mr. Asteak stated that he spoke with the lawyer representing Hanover Township in the proposed lawsuit against the Allentown NIZ. Mr. Asteak stated that the legal arguments are compelling but before Upper Nazareth Township agrees to participate, the Township needs to see what affect the tax reduction will have on the Township and to see if participating would be cost effective.

Mrs. Parrish stated that there are often meetings with Lehigh and Northampton TCC's to discuss the Allentown NIZ and if a person is not a delegate or alternate, they cannot participate in executive sessions. Mrs. Parrish stated that Mr. Sylvainus has attended some of these meetings but cannot attend the executive sessions. She suggested assigning Mr. Sylvainus as the alternate and Mr. Augustine as the second alternate so that a supervisor will be able to participate in the whole meeting.

Motion was made by Mr. Rinker and seconded by Mr. Donello to accept Resolution 12-09 appointing Mrs. Parrish as the delegate, Mr. Sylvainus as the first alternate and Mr. Augustine as the second alternate to the TCC. Motion carried by all voting aye.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Nothing at this time.

ADMINISTRATION

1. Mrs. Kronstadt stated that the Township-wide Clean-Up day is scheduled for June 9, 2012, and requested authorization to advertise. Mrs. Kronstadt also stated that on June 2, 2012, the Township could advertise for a Township-wide yard sale for the residents.

Mr. Rinker asked if this was a place that money could be saved and to eliminate Clean-Up day. The residents at the meeting stated that this should not happen. The residents really appreciate the service. Mr. Rinker and Mr. Augustine stated that they would like a break down on the cost of the service last year. This will be discussed at the next meeting.

Mrs. Williams asked if the Township has gotten any funds from the local recycling collectors in the area. The Township should be getting money. Mrs. Kronstadt stated that she does prepare a report for the County but will need to research further to see if any money is sent to the Township.

2. Mrs. Kronstadt presented a request for a new vacuum for the Township building. The current one is not working well at this time.

Motion was made by Mr. Rinker and seconded by Mr. Donello to purchase an Oreck Forever Series Gold vacuum for \$423.99. Motion carried by all voting aye.

**** Mr. Sylvainus arrived at the meeting at around 7:30 p.m.

Mrs. Kronstadt stated that the computer presented to the Board at the last meeting was actually a “student” computer and not compatible for a business office. She spoke with Paul Zaboy, the IT specialist for the Township, and he suggested purchasing a Dell Vostro 3550 for \$619.00.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to purchase the Dell Vostro 3550 laptop computer for the office at the cost of \$619.00. Motion carried by all voting aye.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried presented the February police report.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to accept the police report. Motion carried by all voting aye.

2. Chief Siegfried stated that it was brought to his attention that the fire police serving the Township need to be approved by the Board. He does not believe this has been done. Mr. Asteak stated that this does need to be done, but only when they first join the fire police. They must have training and certain certifications. Mrs. Williams stated that they are sworn in by the magistrate but have not been approved by the Board. Chief Siegfried will obtain the list of fire police to be approved at the next meeting.

3. Chief Siegfried stated that a group has asked if St. Elmo Street between El Reno Avenue and Newport Avenue can be closed for a motorcycle run on June 3, 2012, for about three hours. The event will be organized at the fire company at 9:00 a.m. and the ride will start at 12:00 noon. Chief Siegfried said it is similar to closing a road for a block party and does not see any problems with it.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to permit the closing of St. Elmo Street between El Reno Avenue and Newport Avenue on June 3, 2012 from approximately 9:00 a.m. to 12:00 noon for a motorcycle run with a rain date of June 10, 2012. Motion carried by all voting aye.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Township Solicitor

Nothing at this time.

Township Engineer

1. Mr. Kortze state that he and Mr. Soloe met with two residents on Manchester Way that are affected by the stormwater drainage issue. The issue was unresolved and one of the residents, at the advice of their attorney, will pay for their own engineering study to come up with a different solution and present it to the developer.

Recreation Board

Mr. Sylvainus stated there was a broken window at the Tuskes Park. Mr. Shupe stated that the window has come in and it will be replaced tomorrow.

Mr. Shupe also stated that all of the ball fields have been prepared and practicing has already begun on them. He also stated that all of the mini parks and Tuskes Park have been mulched.

Mr. Shupe stated that the public works department is beginning to work on the new path in Tuskes Park. They have purchased the materials for the retaining wall and other improvements and have finished making temporary paths around the area for residents to be able to walk the walking path in the park.

Mr. Augustine stated to Mr. Sylvainus that the Board was concerned with the cost of the water bill at Tuskes Park. Mr. Sylvainus will look into it.

CDBG, Recycling, TCC.

1. Mr. Sylvainus asked if the resolution for the TCC alternates was approved. The Board stated that it had been approved.

2. Mr. Augustine explained to Mr. Sylvainus that there was no determination on the clean-up day. Mr. Sylvainus stated that he was made aware of a company that would provide dumpsters for free for residents to drop off metal and that the Township would receive money for the metal. Mr. Sylvainus will look into this. Mrs. Kronstadt will be providing the breakdown on the cost of the clean-up day last year.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

1. Mr. Sylvainus stated that there is a large amount of backlogged filing in the office and that 21 boxes will be dropped at the office from Mr. Asteak's office. He suggested hiring a part-time per diem person to come in and help with the filing. He suggested Vera Hoy who has worked in the office in the past and does not need to be trained for the filing. It is estimated that she would be needed for about six, seven hour days at the rate of \$12.00 per hour. This would total \$504.00. Once the office is caught up, it should be able to keep up with the filing and Mrs. Parrish will be done with the regular tax collection and can devote more time to the filing next year. Mr. Rinker and Mr. Augustine asked if the Township could just wait until Mrs. Parrish is available to file. Mr. Donello stated that if the office cannot catch up, they should bring someone in to help. Mrs. Parrish stated that she would not be able to help until August. This was tabled until the next meeting.

2. Mr. Rinker stated that the Board will be going into an executive session for personnel issues after the meeting.

ADJOURNMENT

Motion was made by Mr. Augustine and seconded by Mr. Sylvainus to adjourn the meeting at 8:06 p.m. Motion carried by all voting aye.

Meeting called to order at 7:00 p.m. by Vice Chairperson, Scott Sylvainus.

Board members present were: James Augustine, Andrew Donello, Willard Mohn and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak. Board member Michael Rinker was not present.

The agenda was approved as written.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to approve the March 21, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to accept the bills report. Motion carried by all voting aye.

Mrs. Kronstadt presented an updated financial report. This will be done at all meetings going forward. Mr. Sylvainus stated that he liked the new format.

Mr. Sylvainus reviewed the first quarter revenue report showing that the Township is almost \$50,000.00 ahead in the first quarter of 2012 compared to the first quarter of 2011. Mr. Sylvainus also reviewed the zoning report showing that zoning revenue in the first quarter of 2012 is already about 70% of what was collected for the whole year of 2011. Mrs. Kronstadt reviewed the overall budget/revenue/expense report showing that the Township's net income is \$127,000.00 more than anticipated in the budget.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

SUPERVISORS COMMENTS

1. Mr. Sylvainus researched the Tuskes Park water bill and stated that at the Township building and the Daniels garage building there is a one inch meter that costs a flat rate of \$32.60 each month plus the cost of water usage. The meter at Tuskes Park is two inches that costs a flat rate of \$90.40 plus the cost of water usage. Mr. Sylvainus asked Mr. Kortze if the Tuskes Park meter could be changed to a one inch meter. Mr. Kortze stated that at this time, with the usage fairly low, it probably would not be a problem to switch to a one inch meter. In the future as the park expands, the meter could be switched back to a two inch meter. Mr. Sylvainus will have Mr. Shupe meet with the water company about switching to a one inch meter.

2. Mr. Sylvainus stated that he spoke with Einfalt Recycling and Salvage and Easton Iron and Metal. Einfalt stated that a metal dumpster can be dropped at the Upper Nazareth Township yard waste facility at no cost to the Township for the receptacle, delivery, and pickup and that the

Township will receive revenue based on how many pounds of metal is collected. It will be placed inside the fenced in area and be available to the public on regular yard waste facility hours. This will be advertised in the same advertisement as the clean-up day and Township wide yard sale. A list of acceptable metal materials will be requested from Einfalt and included in the notice.

Motion was made by Mr. Mohn and seconded by Mr. Donello to authorize Einfalt to place a receptacle for metal collection at the Upper Nazareth Township yard waste facility at no cost to the Township and that the Township will be paid for the metal by the pound. Motion carried by all voting aye.

PLANNING & ZONING

1. Mr. Soloe presented the March zoning report.
2. Mr. Soloe stated that zoning revenue is up almost 70% from the entire year in 2011. He stated that once the Ryan Homes models are completed, there will be a lot of building going on. Mr. Soloe also stated that Tuskes is still very active and that there are many pool, deck, addition, and basement permits being requested.
3. Mr. Sylvainus asked Mr. Soloe about a resident complaint about “trash” in his neighbor’s yard. Mr. Sylvainus stated that there is a trash ordinance and when he drove by to look at the situation, he felt that everything on the list in the ordinance is sitting in the yard. Mr. Soloe will look into the situation.

PUBLIC WORKS

Mr. Donello stated that street sweeping is occurring this week, the parks are being cut, the dugouts were painted, and the road crew is keeping very busy. Mr. Mohn asked if there are plans at Silvercrest Park and do they include a border between the landowners next to the park and the park. Mr. Sylvainus stated that there are plans and that the Recreation Committee is working on a border between the lands.

ADMINISTRATION

1. Mr. Sylvainus stated that a representative from PC Doctor, located in Forks Township, came to the office to discuss backing up the Township computers. Currently the backup system is not working correctly and it doesn’t seem like it will ever work. PC Doctor presented an estimate showing a total solution to the office hardware which included a server with mirror backups and backing up to the “cloud”. The cost is approximately \$3,500.00 for the hardware and the installation. Mr. Soloe stated that Mrs. Parrish is due next year for a computer upgrade and that he and Mrs. Lyons are due for an upgrade the following year. Mr. Sylvainus stated that other estimates should be collected, but that the decision should not be based on price alone but also on the confidence that the IT person can make the system work. Mr. Sylvainus stated that he did look at

the cost of the hardware at a discount place and that the estimate given by PC Doctor is actually lower than the discount site. The Board decided to check other providers and compare. It will be on the first meeting in May's agenda.

2. Mrs. Kronstadt presented a memo from Mrs. Lyons and the office stating the need for temporary, part-time clerical help. Vera Hoy would join the office for approximately 30 to 36 hours between April and June at a cost of approximately \$500.00 to help the office catch up with filing. There would be no need for training as she has worked here before. Chief Siegfried stated that more and more people are moving to the Township which creates more and more paperwork and residents coming to the office for questions and information. Mr. Augustine asked if Mrs. Knecht was still working overtime. Chief Siegfried confirmed she was still working overtime. Mr. Mohn stated that when Chief Siegfried asked for temporary, part-time clerical help, the Board authorized it. Now the Board needs to support the administrative office.

Motion was made by Mr. Mohn and seconded by Mr. Donello to authorize hiring Vera Hoy to work in the office for up to 36 hours between April and June at \$12.00 per hour to help the office catch up with filing. Motion carried by all voting aye.

3. Mrs. Kronstadt presented information about Clean-up Day and a Township wide garage sale. The Board reviewed last year's figures for clean-up day and agreed to hold and advertise for Clean-Up Day, the Township wide garage sale, and the announcement for the metal container at the Upper Nazareth Township yard waste facility.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize having a Township wide garage sale on June 2, 2012, and Clean-up Day on June 9, 2012, and to advertise for Clean-Up Day, the Township wide garage sale, and the announcement for the metal container at the Upper Nazareth Township yard waste facility. Motion carried by all voting aye.

4. Mrs. Kronstadt stated that Representative Emrick sent an email to the Township, after the Township passed a Resolution supporting increasing the threshold for prevailing wages, stating that the Township has his support in the matter.

5. Mrs. Kronstadt presented a request from PPL for the Township to prepare and sign a Municipal Land Use Letter stating that the public utility company is exempt from local land use regulations and is exempt from zoning. Mr. Asteak stated that this is for the zoning officer to address and not for the Board to act on. Mr. Soloe will consult with Mr. Kortze.

6. Mrs. Kronstadt stated that the Act 205 Actuarial Valuation Report has been reviewed and sent to the Public Employee Retirement Commission as required each year. Mr. Sylvainus also reviewed it and it is available in the office for the Board to review.

7. Mrs. Kronstadt presented the Board with the auditor's reorganization meeting minutes she had received.

8. Mrs. Kronstadt stated that the Township auditor's, Riley and Company, recommended that the Township adopt budgets for the Liquid Fuels fund and the Recreation fund. Mr. Sylvainus

stated that he will let the Recreation Commission know that they need to present a budget for the recreation fund and will let Sean Dooley know that he needs to present a budget for the liquid fuels fund.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to request a draft budget for the Recreation fund from the Recreation Commission and a draft budget from Sean Dooley for the Liquid Fuels fund for the Board to approve. Motion carried by all voting aye.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried stated that he had a list of names from the Fire Chief of members of the Fire Police to be confirmed by the Board. Chief Siegfried stated that the Fire Chief will have more names at a future date. Mr. Asteak suggested that the Board wait for all of the names and proof of certification from each one before confirming them.

3. Chief Siegfried presented an updated spreadsheet for a fulltime police officer. Mr. Sylvainus stated that he was comfortable with hiring a fulltime police officer based on the financial report presented early in the meeting. Mr. Mohn and Mr. Augustine were still apprehensive about hiring a fulltime police officer due to possible financial difficulties the Township may face. Mr. Mohn stated that he is concerned about road work planned in the future and the cost of that. Mr. Augustine is concerned about the expenses for this year and future years if a fulltime police officer is hired. Mr. Augustine stated that the spreadsheet is helpful; however, with possible litigations going on, does the Township have the money. Mr. Donello stated that since Mr. Rinker was not present, the matter should be tables until another meeting. Mr. Sylvainus stated that this is replacing a fulltime officer position that has already been established, not a new position being created. Mrs. Kronstadt stated that during budget negotiations, this position was budgeted for and was part of the reason for the increase in Township taxes. Chief Siegfried reiterated the difficulties of filling the position with part-time officers. The decision was tabled.

Fire Department

Nothing at this time.

Emergency Management

Mrs. Kronstadt stated that she spoke with Mr. Brown and he has a meeting tomorrow to sign the FEMA paperwork for some reimbursement for the cost of the two hurricanes last year.

Township Solicitor

Mr. Sylvainus asked Mr. Asteak if he had seen that Hellertown was joining the lawsuit against the Allentown NIZ. Mr. Asteak stated he was aware and that if Upper Nazareth Township was interested, he could file a petition to intervene on behalf of the Township. This would show that Upper Nazareth Township supports the lawsuit. Mr. Asteak stated that the lawsuit has merit. He sees many more municipalities joining in. Mr. Augustine asked what the cost would be to the Township. Mr. Asteak stated several thousand dollars. Mrs. Messenlehner stated that the Township should intervene. Mr. Asteak stated that many Townships will be affected in regard to their open space plans. Mr. Sylvainus and Mr. Asteak stated that because of the subsidized rent many business are going to move to the Allentown NIZ area which will leave abandoned buildings in other Townships so not only is the Allentown NIZ taking EIT revenue from the Townships, they are also taking business away that deprives local municipalities of their tax base.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to authorize Mr. Asteak to file a petition to intervene in the Allentown NIZ lawsuit. Motion carried by all voting aye.

Township Engineer

1. Mr. Kortze stated that the Nazareth Area School District's engineer has been working on options for the Route 191 and Friedenstahl Avenue traffic light and will be submitting plans to PennDOT District 5 for their review. Things are moving slowly, but they are moving along.

Recreation Board

1. Mr. Sylvainus asked the Board for authorization to purchase decorative blocks for the Tuskes Park walking path being constructed. The manufacturer had asked for the money up front; however, an agreement was reached to provide 50% now and the other 50% when delivered.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to approve the purchase of decorative stones for the Tuskes Park walking path to be paid in two installments of \$2, 057.50. Motion carried by all voting aye.

2. Mr. Sylvainus stated that notice to proceed was given for the paving of the Tuskes Park walking path. Mr. Mohn asked if there was any thought to paving the connection area between the two parking lots at Tuskes Park. Mr. Sylvainus explained that the plan is never to pave that area so that it does not become a through street.

CDBG, TCC, Recycling.

1. Mr. Augustine stated that at the last NazCOG meeting, Kim Shafer from the Northampton County Community Development Block Grant program asked for the Townships and Boroughs to respond to a two question survey by mid April. Mr. Augustine suggested that the CDBG committee take a look at it and respond to it. Mr. Sylvainus stated that there will be a CDBG committee meeting on April 19, 2012, and the committee will address the survey then.

2. Mr. Sylvainus stated that there are no updates at this time in regard to the TCC.

3. Mr. Sylvainus stated that the recycling committee developed a survey to be sent to the property owners in the Township asking for their wants and needs in regard to a single hauler and recycling in the Township. There is a grant for this survey that will cover 90% of the cost of the mailings. Mr. Augustine is attending a workshop in Wilkes Barre tomorrow from 9:30 a.m. to 11:30 a.m. to prepare the paperwork for the grant.

Mr. Sylvainus stated that he would like authorization from the Board to mail these surveys that will include an envelope to return the survey; however, the envelope will not be stamped. The Township has envelopes donated by the Tax Collector that cannot be used by her. The mailings will be sent out using the Township's bulk rate certification. The recycling committee will conduct the mailings – stuffing the envelopes and tallying the results.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize the mailing of the recycling survey. Motion carried by all voting aye.

4. Mr. Augustine also commented that there are multiple recycling events in the County. The brochure is attached to the end of the minutes.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

1. Mr. Augustine stated that at the NazCOG meeting, there was a brochure for a new community emergency response team certification class at Northampton Community College. The brochure is attached to the end of the minutes.

2. Mr. Sylvainus stated that the office is reviewing the current credit card process and reviewing other options. The Board will be updated to the status of this project.

3. Mr. Sylvainus asked about the status of the cable franchise agreements. He stated a local municipality renewed their cable franchise agreement and increased the Township's revenue and received free services for the municipal buildings. Mr. Asteak asked for copies of the current cable franchise agreements.

ADJOURNMENT

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to adjourn the meeting at 9:19 p.m. Motion carried by all voting aye.

UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:01 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The agenda was approved as written.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the April 4, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to accept the financial report. Motion carried by all voting aye.

MORNINGSTAR SENIOR LIVING SERVICES, INC.

Mr. Asteak explained that the Board needs to consider the Heritage Village Land Development Plan. This project has been before the Township for a few years. Mr. Asteak stated that the plan has been revised, addressing the layout, erosions, and other concerns. On June 2, 2010, the Board of Supervisors approved a conditional use for this tract of land owned by Morningstar Senior Living Services, Inc.

Mr. Asteak stated that the Planning Commission recommended denial of the plan due to its failure to comply with the zoning ordinance on the subjects of density and open space.

SALDO waiver requests were recommended for approval. The Township Engineer reviewed the plan and found the plan compliant with Township ordinances as stated in his March 15, 2012 letter that also referred to a February 1, 2012 letter.

The zoning officer found the plan compliant with the Township's ordinances and provided the Board with a timeline of the proceedings.

Mr. Asteak stated that this is not a public hearing; however, he asked that any speaker stand and identify themselves with their name and address before making any comments. Mr. Asteak introduced Mr. Ted Lewis, counsel for the applicant.

MORNINGSTAR SENIOR LIVING SERVICES, INC. - PART ONE

Mr. Lewis, Council for Morningstar Senior Living Services, Inc. (formerly Moravian Hall Square) presented a list of twenty-one documents to be included in the development files. That list included, the current plans dated January 19, 2012, written request for waivers, the Township Engineer's review letters, transcripts and decisions from the conditional use hearing, etc.

Sue Drabic, Morningstar Senior Living Services, Inc. President and CEO presented a power-point presentation reviewing the scope of the Heritage Village development being proposed by Morningstar Senior Living Services, Inc.

Phil Malitsch of Hanover Engineering presented eleven (11) waivers requested for the Heritage Village project.

Waiver #1 – SALDO 722.1

The applicant requests the reduction of the minimum block length from 300 feet to 120 feet.

Pam Berlew, 3057 Bath Pike, Nazareth... Mrs. Berlew asked if the Board was going to vote on each individual waiver and then the whole plan. Mr. Asteak stated that each individual waiver will be discussed and then final approval of the plan will be discussed.

Tom Nikles, 180 West Beil Avenue, Nazareth... Mr. Nikles asked Mr. Kortze if this change would impact the density. Mr. Kortze stated that this will probably not impact the density.

Mr. Augustine asked how many blocks this waiver would affect. Mr. Malitsch stated that he will be presenting the worse case scenarios to the Board.

Motion was made by Mr. Rinker and seconded by Mr. Donello to grant a waiver of SALDO 722.1, reducing of the minimum block length from 300 feet to 120 feet. Motion carried by all voting aye.

Waiver #2 – SALDO 723.1

The applicant requests the allowance of blocks with one (1) tier.

Mr. Kortze stated that the development is designed with rear loading garages and this request should cause no problems.

Motion was made by Mr. Mohn and seconded by Mr. Donello to grant a waiver of SALDO 723.1 allowing blocks with only one (1) tier. Motion carried by all voting aye.

Waiver #3 – SALDO 733.5

The applicant requests the maximum allowable driveway slope within 20 feet of the edge of the street to be raised from 6% to 14%. This will help to keep the sidewalks flat throughout the development. Mr. Malitsch stated that this change would not affect stormwater issues.

Mr. Kortze stated that this change would improve pedestrian accessibility by avoiding undulation of sidewalks at driveways. Mr. Kortze stated that he saw no issues with this request.

Mr. Augustine asked if the plan that is before the Township could still be modified and if any changes would affect the measurements of the driveways, aprons, and sidewalks. Mr. Kortze explained that there could be changes to the plan but probably not with the roads.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to grant a waiver of SALDO 733.5 allowing the maximum driveway slope within 20 feet of the edge of the street to be raised from 6% to 14%. Motion carried by all voting aye.

Waiver #4 – SALDO 733.613 & 733.623

The applicant requests the offset for the centerline of an access road or driveway be reduced to zero feet. This was discussed at length at the Planning Commission meetings. The specific units this affects are lots 15, 16, 17, 18, 19, 28, 29, 41, 42, 43, 45, 49, 50, 52, 53, 57, 62, 64, 67 and 82. Mr. Malitsch stated that this waiver had been recommended for approval by the Planning Commission. Mr. Malitsch stated that the change would not be detrimental to the public.

Mr. Kortze stated that the driveways, alleys, and streets are appropriately configured for a development of this type. The specific lots requiring this waiver are noted on a chart on the plans submitted for approval. Mr. Kortze stated that he saw no issues with this request.

Mr. Sylvainus asked that there be a motion that the Planning Commission recommended that the plans specify the specific lots this waiver be granted to. Mr. Asteak stated that the recorded plans will show all of the waivers.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to grant a waiver of SALDO 733.613 & 733.623, allowing the offset for the centerline of an access road or driveway be reduced to zero feet and that the recorded plan contain a chart with the specific minimum distance between the driveway and the street for lot s15, 16,

17, 18, 19, 28, 29, 41, 42, 43, 45, 49, 50, 52, 53, 57, 62, 64, 67 and 82. Motion carried by all voting aye.

Waiver #5 – SALDO 746.31

The applicant requests the offset for two streets intersecting a third street from opposite sides be reduced from 150 feet to 25 feet. Mr. Malitsch explained that the applicant has also addressed this issue by making one of the alleys one-way in and the other one-way out to help alleviate traffic safety concerns at the intersections.

Mr. Kortze stated that making the alleys one-way has satisfied his concerns and he had no other issues with this request.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to grant a waiver of SALDO 746.31, allowing the offset of two streets intersecting a third street from opposite sides to be reduced from 150 feet to 25 feet. Motion carried by all voting aye.

Waiver #6 – SALDO 747.3

The applicant requests to maintain a single point of access on West Beil Avenue and provide two (2) emergency access locations along West Beil Avenue to provide emergency access. Mr. Malitsch stated that there will also be a gated entrance along Porter Street.

Mr. Kortze stated that the Planning Commission had brought up a good point, that both the Porter Street and West Beil Avenue entrances to this development be required to be open in addition to the two emergency access roads prior to any occupancy.

Shirley Gordon, 192 West Beil Avenue, Nazareth... Mrs. Gordon asked if the emergency accesses would be gated. Mr. Malitsch stated that the entrances would look like grass. Reinforced turf would be installed so that an emergency vehicle could drive over it. It will not look like an access point. No normal traffic will be allowed.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to grant a waiver of SALDO 747.3, allowing the development to maintain a single point of access on West Beil Avenue and to provide two (2) emergency access locations along West Beil Avenue. Also, based on the recommendation of the Planning Commission, both emergency access points onto West Beil Avenue must be installed, Porter Street must be fully connected to the internal street network, and that the bridge crossing Unity Drive is constructed and open to traffic prior to the occupancy of any unit. Motion carried by all voting aye.

Waiver #7 – SALDO 747.41

The applicant requests a reduction in the minimum cul-de-sac radius from 50 feet to 34 feet. There were concerns about emergency vehicle access; however, the development has received written approval from the Upper Nazareth Township Volunteer Fire Company Fire Chief.

Mr. Kortze stated that the applicant provided computer generated models showing emergency vehicles would be able to traverse the cul-de-sac with the reduced radii and the Fire Company gave their approval. Mr. Kortze has no further issues with this waiver.

Elton Buss, 168 West Beil Avenue, Nazareth... Mr. Buss asked if the Fire Company considered trees hanging over the road in their assessment of the cul-de-sacs. Mr. Malitsch stated that Morningstar Senior Living Services, Inc. Heritage Village Development will maintain the trees to avoid any issues with the emergency vehicles.

Motion was made by Mr. Donello and seconded by Mr. Mohn to grant a waiver of SALDO 747.41, allowing the reduction in the minimum cul-del sac radius from 50 feet to 34 feet. Motion carried by all voting aye.

Waiver #8 – SALDO 774.32c

The applicant requests a waiver of the requirement to install the lining to infiltrate storm water management in the development's basin.

Mr. Kortze stated that typical DEP regulations are met. Eliminating the liner will help to improve stormwater issues.

Mr. Augustine asked if the design meets the DEP requirements. Mr. Kortze stated that it does meet the DEP requirements.

Mr. Donello asked if there will be a fence around the basin. Mr. Malitsch stated that there will be some kind of fence.

Ms. Drabic stated that the development is trying to avoid a chain link fence. Chris Brown, the landscape architect, will look into different solutions.

Motion was made by Mr. Mohn and seconded by Mr. Donello to grant a waiver of SALDO 774.32c, allowing the requirement to install the lining to infiltrate storm water management in the development's basin. Motion carried by all voting aye.

Waiver #9 – SALDO 775.37

The applicant requests a waiver allowing the use of High Density Polyethylene (HDPE) pipe in lieu of concrete storm sewer pipe.

Mr. Kortze stated that this request has been granted to others and the HDPE is an industry wide acceptable material.

Motion was made by Mr. Rinker and seconded by Mr. Donello to grant a waiver of SALDO 775.37, allowing the use of High Density Polyethylene (HDPE) pipe in lieu of concrete storm sewer pipe. Motion carried by all voting aye.

Waiver #10 – SALDO 792.24

The applicant requests a waiver to permit utilities to be located within 10 feet of the street trees in the development.

Mr. Kortze stated that the developer must make sure that the utility companies approve the location of the utilities and the trees.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to grant a waiver of SALDO 792.24, allowing the utilities to be located less than 10 feet from street trees only if the applicant provides written verification from the utility specifically agreeing to the shorter distance. Motion carried by all voting aye.

Waiver #11 – 1200 Details

The applicant requests a waiver to reduce the curb reveal from 7 inches to 6 inches.

Mr. Kortze stated that this is appropriate for a development of this type and will be pedestrian friendly. He has no issue with this waiver.

Mrs. Berlew stated that the Planning Commission requested that the developer maintain the 6 inches in perpetuity.

Mr. Augustine asked Mr. Kortze about repaving the streets and keeping the 6 inch curbs. Mr. Kortze stated that the developer will have to mill out one to two inches along the edge of the street before repaving to make sure the curb is kept at 6 inches.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to grant a waiver of SALDO 1200 Details, allowing the reduction of the curb reveal from 7 inches to 6 inches and to maintain the 6 inch reveal in perpetuity. Motion carried by all voting aye.

*** At this time Mr. Asteak called for a five minute break. ***

Mr. Sylvainus asked if a motion could be made that all of the conditions on the waivers from the Planning Commission be applied, including the language for the reasons to accept the waivers.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to state that each waiver was approved because this is a privately owned village concept development with senior residents where the street network will forever remain privately owned and where a conditional use has previously been granted by the Board of Supervisors for this specific type of use including the reduced street widths. Motion carried by all voting aye.

MORNINGSTAR SENIOR LIVING SERVICES, INC. - PART TWO

Mr. Asteak stated that the next stage is the Board of Supervisors consideration for the plan itself. The applicant will present their argument, the Planning Commission will provide their comments on the denial of the development, the public will provide their comments (identifying themselves by name and address), the applicant will respond, and then the Board of Supervisors will deliberate.

MORNINGSTAR SENIOR LIVING SERVICES, INC. presented their explanations for approving the development.

Mr. Lewis stated that Heritage Village has been a concept since 2008. There have been many revisions and meetings. A conditional use was requested and conditionally approved by the Board of Supervisors.

Mr. Malitsch stated that the Board of Supervisors imposed six conditions:

CONDITION A – Upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall determine what access, if any, the proposed development shall have to Porter Street.

Mr. Malitsch stated that the Board requested that the Porter Street entrance be accessible and be open to the development prior to the occupancy of any unit. It will only be local traffic with gated access. There will be no thru traffic. An “EZPass” type transponder will be given to residents to access passage through the gate.

CONDITION B – Upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall

determine the location of pedestrian walkways within this development so that they be placed in a manner so as not to impinge upon the privacy of adjacent residential uses.

Mr. Malitsch stated that the Board of Supervisors requested that walkways do not impinge on local neighbors.

Mr. Brown stated that changes were made to eliminate the walking path that was along a neighbor's land. This was done in response to a neighbor's concern.

CONDITION C – Upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall determine the appropriate access point on West Beil Avenue so as to not adversely affect residential properties across the street.

Mr. Malitsch and Mr. Brown stated that the main entrance into the development was moved 75 feet so as to not adversely affect the residential properties across the street and that it could not be moved any further because of an existing culvert.

CONDITION D – upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall require a full traffic study regarding the impacts of this development on the West Beil and Broad Street intersections and at such other intersections as the Planning Commission, Board of Supervisors, or Township Engineer deem appropriate. Upon receipt of the traffic study, the Board of Supervisors shall impose such conditions on development as it deems appropriate to address traffic improvements on and off site.

Mr. Malitsch stated that the intersection at West Beil Avenue and Broad Street was reviewed by the Township while preparing their Act 209 Traffic Impact Study which identified different intersections in the Township that may need improvements based on development. Morningstar Senior Living Services, Inc. will pay the Township an impact fee based on the trip calculations and formulas developed in the impact study to be used towards future improvements at the intersection.

CONDITION E – Upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall require the developer to comply with all Upper Nazareth Township Zoning Ordinances, SALDO, Township, State, and Federal laws, regulations and permit requirements. This shall not; however, preclude the Applicant from seeking appropriate waivers under SALDO nor would it preclude developer from seeking such variances as it might feel appropriate from the provisions of the Zoning Ordinance.

Mr. Malitsch stated that Morningstar Senior Living Services, Inc. has complied with the Township zoning ordinance and SALDO and with State and Federal Laws. The zoning officer indicated that the development is compliant with the Township ordinance based on his letter indicating compliance. The Board of Supervisors supported the zoning officer's decision.

CONDITION F – Upon presentation of a subdivision and land development plan, the Upper Nazareth Township Planning Commission and Board of Supervisors shall address the screening requirement of SALDO and the Zoning Ordinance between this development and adjacent residential uses.

Mr. Malitsch and Mr. Brown stated that the appropriate screening requirements were met as requested by the Board of Supervisors. The open space is open to the public and in his opinion is superior to a traditional development.

Mr. Lewis stated that the Morningstar Senior Living Services, Inc. Heritage Village development should be approved and that the issues portrayed by the Planning Commission are not issues that the Planning Commission is to be concerned with. They are zoning issues and the zoning officer has stated that the development plan is compliant with Township ordinances.

The Planning Commission members then presented their explanations for recommending denial of the development:

Mrs. Berlew, Chairperson of the Planning Commission, stated that open space calculations do not meet the Township's requirements. She stated that there are two different calculations for the two different zones (R2 and R3) of the development. Each zone should be independent of the other and not melded together as one as the zoning officer suggests. The same goes for the density of the development and that each zone should follow the individual requirements for the zone and not be melded together. Mrs. Berlew stated that provisions exist in the Township Zoning Ordinance to transfer density from one zoning district to another; however, transfers cannot be made from a higher density district to a lower density district. Those transfers are only allowed from a low density district to a higher density district.

Mr. Stephen Bacak, Planning Commission member, stated that the applicant made many changes and that the Planning Commission made sure that the applicant abided by the zoning ordinance, the SALDO and the MPC. Mr. Bacak stated that the density issue was always pushed back. He stated that as a whole, the idea is a good one. It is just the open space and the density that the Planning Commission is concerned with. Mr. Bacak also noted that the denial was a unanimous decision. He stated that moving the community center from one side of the development to the other side could help address the density issue.

Mr. Sylvainus stated that every Planning Commission member liked the proposed use and design of the development. The members do not like the density issue. Mr. Sylvainus stated that open space development is also called cluster zoning and that is where all units are grouped closer together in order to allow larger areas of connected open space. That is not happening here. This development is being melded versus clustered. Clustering is allowed by the zoning ordinance, melding is not. Mr. Sylvainus also read from section 313.D in the Zoning Ordinance regarding

determination of density when there is a transfer of development rights and explained that a transfer of density across districts is only allowed from a district of lower density into a district of higher density. Mr. Sylvainus expressed his concern that this plan is proposing to transfer density from a higher density R3 district to a lower density R2 district.

Mr. Augustine asked Mr. Sylvainus if the development could have put all of the houses on one side of the development. Mr. Sylvainus stated that moving units from higher density areas to lower density areas is the wrong way. That is exactly the issue Mr. Sylvainus stated that the zoning ordinance does not say that two zones can be melded together. Mr. Mohn stated that the Board had voted to allow the melding. Mr. Sylvainus stated that the Board actually voted to not send the issue to the zoning hearing board on appeal. Mr. Sylvainus stated that the Planning Commission spent almost 65 hours each studying, considering and reviewing the plan. Mr. Sylvainus stated that the development needs to be built according to Township ordinances to be fair to neighbors and future developers.

Mr. Donello stated that this is a different kind of development and questioned how many more of these types of developments the Township would likely see in the future. Mr. Sylvainus stated that this should not be part of the decision. The Township cannot look at how much money the Township might earn as a reason to approve the development. Mr. Donello stated that this development has been worked on for four years and a lot of time has been put into the planning and now the Planning Commission is claiming it should not be approved because of density and open space. He said that most likely there will not be many projects like this and the Planning Commission has agreed to all of the waivers.

Mr. Sylvainus stated that if the Planning Commission did not review and consider all aspects of the proposed plan then the Planning Commission would have been deficient in its duties. He stated that the Planning Commission is not saying this development cannot be built, only that the density needs to be properly addressed.

Mr. Augustine stated that the modification the Planning Commission is suggesting is just to shift one building, the community center, to the other side of the development.

Mr. Lewis stated that moving the community center may not necessarily solve the issue and there would have to be major changes to the plan.

Comments from the public

Elton Buss, 168 West Beil Avenue... Mr. Buss stated that the driveway issue did adversely affect him no matter where it has been. He stated that originally there were only 129 units planned, but after acquiring two more acres, 14 more homes were added and that changed the scope of the project.

John Gonsalves, 205 West Beil Avenue... Mr. Gonsalves stated that his property is located on the west end of the development and that he bought 5 acres and put his house in the middle of his

land. He stated that he is not against the project. He is concerned with all of the houses being right along his property line and concerned that there may be a walking path right along his property.

Tom Schlegel, Fitzpatrick Lentz & Bubba, counsel to Mr. Tom Nikles... Mr. Schlegel stated that the main entrance to the development does in fact adversely affect the residents across the street. He stated that he would like to go over the history of how the zoning officer came up with the decision to meld the two zones. He quoted from the zoning ordinance that whenever a conflict occurs, the more restrictive guidelines must be applied. Therefore, the R2 zoning district requirements should have been followed over the whole development. He stated that the zoning ordinance needs to be interpreted literally.

Tom Nikles, 180 West Weil Avenue... Mr. Nikles stated that he has spoken at length at the Planning Commission meetings. He stated that the main entrance does indeed adversely affect him. He strongly objects to the development and would have appealed the development to the zoning hearing board if he had known of the zoning officer's decision.

Mr. Gonzalves stated that he voted for most of the Board, that he is a resident, and that he wants to be protected by those in office.

Mr. Lewis stated that the first and most important thing is that the Planning Commission recommended this development for denial based on their opinion that the zoning ordinance was not complied with. Mr. Lewis stated that the Planning Commission has done a great job but have overstepped their legal authority by making decisions that are not in their authority to make. The Planning Commission is to make sure that the zoning issues are dealt with. The zoning officer says that the development is in compliance. The Board supported the zoning officer's decision.

Comments from the Board of Supervisors

Mr. Donello stated that he would follow the recommendations of the Township Engineer and the Township Solicitor. Mr. Donello stated he did not see anything wrong with the plan.

Mr. Augustine stated that everyone seems to like the idea of this development and that it is a good use of the land. The fact that the density issue could be rectified by moving one community center building does not seem to help with the neighbor's concerns. Mr. Augustine stated that this development is a better benefit to the Township and neighborhood than other types of developments. He stated that there would not be a burden on the Township, such as traffic and infrastructure of the roads, or the school district. Mr. Augustine stated that the Board of Supervisors voted to support the zoning officer's decision. He stated that the Township Solicitor gives legal support to the plan. Mr. Augustine stated that if the development is challenged, the Township will let the courts decide.

Mr. Mohn stated that he trusts the Township Engineer, the Township Solicitor, and the Township zoning officer. He believes this is a great project. Mr. Mohn stated that the Township will never make all people involved happy. He stated that his decision will be based on the people working for the Township

Mr. Sylvainus stated that he has said a lot already. He said the Board should consider the time and energy the Planning Commission put into their decision.

Mr. Rinker asked for a motion.

Motion was made by Mr. Mohn and seconded by Mr. Donello to grant conditional preliminary plan approval based on the Township Engineer's March 15, 2012 letter.

Mr. Donello – Yes
Mr. Augustine – Yes
Mr. Mohn – Yes
Mr. Sylvainus – No
Mr. Rinker – Yes

Motion carried by a vote of 4-1.

*** At this time (10:55p.m.) Mr. Asteak called for a five minute break. ***

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

SUPERVISORS COMMENTS

1. Mr. Sylvainus stated that the office has been researching computer backup for the office computers. Three computer experts have met with the office staff and one more expert is expected to come in this week. A recommendation will be made at the next meeting.

2. Mr. Sylvainus stated that the Board needs to review an issue where a disabled veteran is asking for a refund of property taxes. Mr. Sylvainus stated that according to the law the Township does not have to grant exemption from real estate taxes until after the owner has lived there for one year. This house was bought in August of 2011.

Mrs. Adamski stated that some Townships offer no refunds. Mrs. Adamski stated that the County also issues refunds based on certain documentation and the closing statement. The refund in question at this time totals \$89.00.

Mr. Sylvainus questioned if the Township should give partial refunds or just full year exemptions. Mr. Asteak stated that a motion must be enacted on how the Township will proceed.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to issue partial tax refunds to disabled veterans upon receipt of appropriate documentation as deemed necessary by the real estate tax collector. Motion carried by all voting aye.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

1. Mr. Shupe presented his report.

2. Mr. Shupe presented information for the purchase of a trailer from Stephenson Equipment, Inc. to be used to cart the backhoe throughout the Township. This will save wear and tear on the backhoe. It would be purchased through the state contract. The cost is \$15,770.00 and will be paid by the liquid fuels fund. By picking it up ourselves, it will save the Township \$360.00 on the delivery charge. Also, the Township had received a trailer when the roller was purchased. This trailer is inadequate for the Township and Stephenson Equipment, Inc. is willing to pay \$1,000.00 toward a trade-in for the trailer to be used to offset the price of the new trailer.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to purchase a trailer from Stephenson Equipment, Inc. at the cost of \$14,770.00 which includes the trade in of another Township owned trailer. Motion carried by all voting aye.

3. Mr. Shupe requested authorization to advertise for two seasonal employees for the yard waste facility and one seasonal employee for road work. He stated that one of the summer employees from last year is coming back and he will work on the roads as well. Mr. Shupe will work with Mrs. Kronstadt on the wording of the advertisement.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to authorize the advertisement for two seasonal employees for the yard waste facility and one seasonal employee for road work. Motion carried by all voting aye.

The bridge report was tabled.

ADMINISTRATION

Mrs. Kronstadt stated that Vondercrone and Behrens presented a letter for the auditing of the Earned Income Tax and the Local Services Tax for 2011.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to accept Vondercrone and Behrens to audit the Earned Income Tax and the Local Services Tax for 2011. Motion carried by all voting aye.

Mrs. Kronstadt also stated that Chief Garrity has marked thirty years of service as a volunteer fire fighter for Upper Nazareth Township. The Board will discuss a way of recognizing him.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried presented the police report.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to accept the police report. Motion carried by all voting aye.

2. Chief Siegfried stated he has the final list of the fire police but not all certifications have been received. The Board tabled the appointments until all certifications have been received.

Fire Department

Motion was made by Mr. Rinker and seconded by Mr. Mohn to accept the fire report. Motion carried by all voting aye.

Emergency Management

Mrs. Kronstadt stated the FEMA/PEMA paperwork for reimbursement for the hurricanes has been completed and the Township is to receive \$3,475.69.

Township Solicitor

Mr. Asteak stated that he has filed the petition for intervention in the lawsuit against the Allentown NIZ.

Township Engineer

1. Mr. Kortze stated that all documents have been received for the Tuskes Park walkway and the work will be starting shortly, weather permitting.

2. Mr. Sylvainus asked about the Florey Farms escrow issue. Mr. Asteak stated that this has been taken care of and that the money will be transferred from the improvements

account to the escrow account. This still leaves plenty of money in the improvements account to cover the wearing course that is still needed on the roads.

3. Mr. Sylvainus asked Mr. Kortze about the painted lines on the basketball courts and how they survived through the winter. Mr. Kortze will look into it.

Recreation Board

1. Mr. Sylvainus stated that the Recreation Board met last night. They are working on the recreation budget requested by the auditors. There have been many rentals of the pavilions at Tuskes Park.

CDBG, TCC, Recycling.

1. Mr. Sylvainus stated that CDBG is moving along well.

2. Mr. Sylvainus stated that there are no updates at this time in regard to the TCC.

3. Mr. Sylvainus stated that the recycling committee will be meeting on April 30, 2012, to compile the surveys for mailing.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

1. Mr. Shupe stated that the metal collection container is at the yard waste facility and asked if the police could keep an eye on it to make sure people are not trying to use it after hours.

2. Mr. Sylvainus stated that he had heard information about the public works department working on 5th Street. Mr. Mohn stated that the Board needs to make a decision to either do nothing or finish the job. Mr. Shupe stated that last year a sink hole had appeared and the public works department fixed it with cold patch. Mr. Shupe stated that he needs to change it from the cold patch to hot patch. Mr. Shupe verified that other sink holes appeared and the sewer company had to repair some pipes. The Board authorized Mr. Shupe to finish the work on this hole and replace the cold patch with the hot patch.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Donello to adjourn the meeting at 11:25 p.m. Motion carried by all voting aye.

MINUTES – May 2, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Steve Mills for Township Solicitor, Gary Asteak.

Stan Smith, constable, presented the Township with a plaque commending the retirement of a flag that the Township had previously donated to the Boy Scouts.

The agenda was approved as written.

Motion was made by Mr. Mohn and seconded by Mr. Rinker to approve the April 16, 2012, minutes with two corrections on page 5, changing 774.32 to 774.32c and one correction on page 11 adding “preliminary plan” to the motion. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to accept the bills report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

SUPERVISORS COMMENTS

1. Mr. Sylvainus stated that there have been issues with the alarm system not being set at the municipal building in the evenings. Mr. Sylvainus stated that he spoke with the alarm company and developed a plan to have that alarm company start calling a “phone chain” if the alarm is not set at 11:00 p.m. with the Chief being the first on the list. Chief Siegfried stated that the first on the list should be the officer on duty. Mr. Sylvainus stated that he would talk with the alarm company about the chain.

2. Mr. Sylvainus asked when the PSATS Convention is. Mrs. Kronstadt stated it is next week, May 6, 2012 to May 9, 2012. Mr. Sylvainus told Mr. Donello to make sure all receipts were submitted to the Board for reimbursement.

PLANNING & ZONING

1. Mr. Soloe stated that there has been an ongoing complaint from one resident about the Werner Road/Newburg Road intersection. He said there is no question it is a bad intersection because of the angle and the vegetation. Chief Siegfried stated that there have been no accidents that he knows of at that intersection. Mr. Mohn stated that he has suggested and is again suggesting making Werner Road one-way in and one-way out. Chief Siegfried stated that he has spoken with

the resident about the vegetation to comply with the vehicle code for site requirements in the past. Mr. Shupe will speak with the resident about the vegetation and report back to the Board at the next meeting. Mr. Dooley stated that since it has been brought to the Township's attention, that the Township should address the issue. Residents are legally required to remove obstructions.

2. Mr. Sylvainus introduced Tom Itterly, from Nazareth Borough Municipal Authority, who introduced Aaron Sisler, from Borton Lawson Engineering, to present a NPDES planning module for the Gracedale Nursing Home Pump Station Elimination Project. Mr. Sisler is looking for the Board's authorization to advertise the planning module for the 30 day public review period starting when the plans are dropped off for the Planning Commission to review. Mr. Donello asked if any subdivisions around the area could add on the substation. Mr. Sisler stated that this substation was built with the idea that Gracedale would eventually join in. The substation is capable of handling the flow from Gracedale. Mrs. Berlew asked if the sewer line would be going through the recreation property owned by the Township. Mr. Sisler stated that the sewer lines will go through property owned by Northampton County and Essroc with an easement that belongs to the sewer authority on the Township property.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the advertisement of the Minor Act 537 Update Revision for sewage at Northampton County's Gracedale Nursing Home Facility. Motion carried by all voting aye.

3. Mr. Itterly also stated that he met with Mr. Sylvainus and Mr. Shupe about the franchise agreement. The Board of Nazareth Borough Municipal Authority (NBMA) will meet on May 17, 2012, and will discuss the agreement to clarify who (NBMA or Township) works on what parts of the roads for repairs. The project that prompted this review is the sink hole at 5th Street. Mr. Itterly stated that the sink hole broke the sewer pipe. NBMA fixed the pipe and the Township fixed the Road. This seems to have raised concerns of some residents. Mr. Itterly stated that NBMA and the Township have always worked well together. According to Mr. Itterly the Township receives a 3% franchise fee from the usage bills quarterly for the restoration of streets. In the past when the Township did not have equipment to fix the roads NBMA would fix the roads. Now that the Township has more equipment NBMA and the Township are working together.

4. Mr. Sylvainus summarized what Mr. Itterly stated saying that on a repair the sewer work is done and the road is brought up to grade with cold patch then the Township replaces the cold patch with hot patch or a final restoration. If a sewer pipe collapses and it is caused by the sewer pipe, NBMA will fix the road completely.

5. Mr. Sylvainus asked about the reimbursement request on West St. Elmo Street from NBMA. Mr. Itterly stated that it has been dropped.

PUBLIC WORKS

1. Mr. Shupe stated that the Penn Allen Road Bridge has been inspected by PennDOT. It is the only bridge in the Township that is inspected by PennDOT. A few of the condition ratings have gone up, especially with the emergency construction last year. There are a few recommendations such as fixing the bridge railing and approach, installing rock protection across the abutment, and

removing two leaning/fallen trees. Mr. Shupe stated that these recommendations can be done in-house. He will look into them and bring more information to the Board.

2. Mr. Shupe stated that he picked up the new trailer. He stated that the trailer the Township is planning to trade-in is part of a lease at this time and is not available for trade-in. Mr. Shupe stated that the last payment on the lease is in October. He will speak with the company to see if they would wait till then or if the Township will have to pay an extra \$1000.00. Another idea is to pay the last lease payment earlier and receive the title to the trailer and trade it in. Mr. Shupe will report back to the Board.

3. Mr. Sylvainus asked Mr. Shupe what the progress was on the road department's Class A licenses. Mr. Shupe stated that he is working with Moore Township to set up an in-house class with a target date of the end of the summer. This type of license is necessary to operate the leaf vacuum and the new trailer.

4. Mr. Sylvainus asked Mr. Shupe to update the Board about the maintenance of the street lights and Met-Ed. Mr. Shupe stated that all of the street lights in the Township are under a maintenance contract with Met-Ed for the replacement of bulbs and photo cells. Mr. Shupe does track the street lights and service to them to catch any potential problems. He will provide a copy of this report to the Board.

5. Mr. Sylvainus asked Mr. Dooley if he had seen the article about how the City of Bethlehem is using the money saved from no plowing this year toward road repairs. Mr. Shupe stated that COSTARS – International Salt is waiving the mandatory 60% minimum purchase of salt this year. Mr. Dooley and Mr. Shupe stated that any monies saved on plowing will be used toward the roads this year.

ADMINISTRATION

1. Mr. Sylvainus stated that the two cable franchise agreements from RCN and Service Electric are in the office files. He stated that Easton has redone their agreements. Mr. Sylvainus also stated that our current agreements have no provisions for premier cable or internet service. The Board has also been talking about giving senior citizens discounts on their cable services. A folder with copies of the agreements were given to Steve Mills to give to Mr. Asteak. Mrs. Berlew asked if the Township had a provision to allow multiple lines to be laid in trenches in new developments so that the resident would have a choice of a provider. Mr. Sylvainus stated that this provision has already been made about four years ago and all new development will allow for multiple lines to be laid.

2. Mr. Sylvainus stated that the office staff met with four providers about the backup issue on the administration side of the Township building. He stated that there were three for consideration. Mr. Sylvainus stated that Mr. Mohn's son is in the computer industry and asked if Mr. Mohn's could son take a look at the proposals and give the pros and cons of each proposal and his opinion on them. The Board would like to make a decision by the next meeting.

3. Mrs. Kronstadt presented the PLGIT proxy for the annual meeting. The Board decided to do nothing.

4. Mrs. Kronstadt presented the 2012 Proposed Bylaws changes for PSATS. The Board told Mr. Donello, the Township representative to the convention, to vote for the changes. The Board asked Mr. Donello to take notes and inform the Board of what is going on at the PSATS Convention.

5. Mrs. Kronstadt presented the KMIT proxy for the annual meeting. The Chairman signed to proxy, voting for the two proposed Board of Trustees.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize the Chairman to sign both the KMIT and the PLGIT proxies and to select “for” the candidates and business to be done at the meetings. Motion carried by all voting aye.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried stated that he has not received all of the certificates from the fire police and tabled this until he receives the certificates.

2. Chief Siegfried stated that the police department is nearing the end of the three year leasing agreement for the copier/fax/scanner/network printer machine. He stated that he has received a quote for a replacement machine from Valley Business Systems and would like the Boards authorization to approve the proposed quote which is actually five dollars less than the current agreement.

Mr. Sylvainus asked many questions about leasing versus purchasing the existing machine and getting a maintenance agreement. He also asked about the current usage of the machine the department leases now. Chief Siegfried stated that there is a buyout of \$1,500.00 - \$2,000.00. Chief Siegfried also stated that leasing the new machine would keep the department up to date with technology. Mr. Benfield, of 85 Friedenstahl Avenue, stated that he services these machines and that leasing is a better option in the long run to keep up to date with changes. Mr. Benfield also stated that the maintenance agreements go up at least 7% per year on a purchased machine.

Chief Siegfried will gather more information about the usage for the next meeting.

3. Chief Siegfried stated that the Township is no longer contracting with the Center for Animal Health and Welfare for stray animals. He stated that the Township has holding

pens located behind the Friedenstahl Avenue garage. Chief Siegfried stated that he spoke with the State Dog Warden about filing the proper application with the Department of Agriculture to have the Township holding pens licensed as a kennel for a yearly fee of \$25.00. If no one claims the dogs the State Dog Warden is obligated to take the stray dogs.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize Chief Siegfried to file the proper application with the Department of Agriculture to have the Township holding pens licensed as a kennel for a yearly fee of \$25.00. The Chairman is required to sign the application. Motion carried by all voting aye.

4. Mr. Rinker stated that he would like to discuss the hiring of a fulltime police officer. Chief Siegfried presented update costs for a fulltime officer. Chief Siegfried also stated that a couple of part-time officers will be on vacation and he is having trouble filling the shifts. “There is a lack of warm bodies to cover all of the shifts.”

Mr. Sylvainus stated that the real estate taxes collected so far are approximately \$807,000.00 of the budgeted \$960,000.00. Last years total real estate taxes collected were around \$520,000.00. He is confident that the money is there and the position was budgeted for.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to hire a fulltime police officer starting on June 4, 2012.

Mr. Donello – yes
Mr. Augustine – no
Mr. Mohn – no
Mr. Sylvainus – yes
Mr. Rinker – yes

Motion carried by a 3 – 2 vote.

Fire Department

Mr. Sylvainus stated that the Board would like to recognize Keith Garrity for his 30 years of service for the fire department. The Board would like to have a proclamation and some kind of a plaque.

Emergency Management

1. Mr. Brown stated that funds will be received shortly for the reimbursement for the hurricane damage and work. 75% will come from FEMA and 25% will come from PEMA. It will be directly deposited into the Township’s general fund.

2. Mr. Brown stated that he needs to update the Emergency Management Plan to include Mr. Augustine.

Township Solicitor

Nothing at this time.

Township Engineer

1. Mr. Dooley presented the Liquid Fuels budget. Mr. Dooley stated that he has met with the new PennDOT representative and has received confirmation that the Township can use liquid fuels money to pay for street light electricity, salt, and other road materials.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to accept the liquid fuels budget. Motion carried by all voting aye.

2. Mr. Dooley presented the new Road Improvement Fund where the money to pay street light electricity, salt, and other road materials that would have come from the general fund will be deposited into the new Road Improvement Fund.

Motion was made by Mr. Rinker and seconded by Mr. Donello to open the new Road Improvement Fund where the money to pay street light electricity, salt, and other road materials that would have come from the general fund will be deposited into the new Road Improvement Fund. Motion carried by all voting aye.

3. Mr. Dooley stated that the advertisement for the Sycamore Street reconstruction project is prepared and ready to be placed in the paper. Mr. Dooley also stated that the advertisement for the road surface treatment program to treat Sycamore Avenue, Birchwood Drive, Hemlock Lane, West Highland Street, Creekside Drive, and Aster Street is prepared and ready to be placed in the paper.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to authorize the advertisements of the Sycamore Street reconstruction project and the Sycamore Avenue, Birchwood Drive, Hemlock Lane, West Highland Street, Creekside Drive, and Aster Street road surface treatment program. Motion carried by all voting aye.

4. Mr. Dooley stated that the St. Elmo drainage project is moving along and that the materials will be purchased within the next couple of weeks. Pennsylvania American Water was contacted and they will drop their lines. The sewer lines are all marked. Nazareth Borough has already made the saw cuts on the road.

5. Mr. Dooley presented a pavement surface reduction program with a pilot project proposal of putting a doughnut hole in the Creekside Drive cul-de-sac. There will be plenty of room for vehicles and emergency vehicles. This will reduce the overall pavement area which will reduce the maintenance and plowing costs of the cul-de-sac. Mr. Sylvainus stated that this idea makes a lot of sense. Mr. Rinker stated that no action would be taken tonight. Mr. Mohn asked if only one doughnut hole would be done first. Mr. Rinker stated that the Board will hold off a decision until the next meeting.

Recreation Board

1. Mr. Sylvainus stated that the fire department would like to use one of the pavilions at Tuskes Park for a picnic. Mr. Sylvainus suggested donating the pavilion for the picnic. The date has changed from June 2, 2012, to June 9, 2012.

Motion was made by Mr. Rinker and seconded by Mr. Donello to waive the rental fee for a Tuskes Park pavilion for the fire company's picnic. Motion carried by all voting aye.

2. Mr. Sylvainus asked Mr. Dooley if the lines on the basketball courts at Tuskes Park are acceptable. Mr. Dooley stated that both sides of the courts look the same even though one was painted with a different paint.

3. Mr. Sylvainus stated that there is currently a major issue with parking at Tuskes Park. The Board needs to look into more parking, especially when the football begins playing at the Park.

4. Mr. Sylvainus asked Mr. Shupe for an update on the water meter at Tuskes Park. Mr. Shupe stated that there is no action at this time.

CDBG, TCC, Recycling.

1. Mr. Sylvainus stated that there are no updates at this time in regard to **CDBG.**

2. Mr. Sylvainus stated that there are no updates at this time in regard to the **TCC.**

3. Mr. Sylvainus stated that the **recycling** surveys were mailed to residents in regard to the recycling that is now mandatory in the Township due to the increase in population. He stated that seven volunteers (5 committee members and 2 family members) spent about four hours preparing about 2000 envelopes for mailing. Mr. Sylvainus stated that he took them to the post office for bulk mailing. He found out that the bulk mail permit can be shared with the fire department, saving the fire department about \$0.04 per mailing totaling close to \$240.00 per year. The Township and the fire department can split the cost of the permit, saving money for both.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to allow the fire department to use the Township's bulk mail permit and split the cost of the permit. Motion carried by all voting aye.

2. Mr. Sylvainus stated that an ordinance needs to be prepared for the Act 101 for mandatory recycling for the Township. An RFP may also need to be prepared depending on the survey tabulations. Mr. Augustine and Mr. Carson are looking into grants, one of which is due by the end of June. Mr. Augustine would like to meet with Mr. Sylvainus and Mr.

Shupe for any other needed equipment to add to the grant. There is a 10% Township match to the grant funds.

COURTESY OF THE FLOOR (Non-Agenda items)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

1. Mr. Rinker asked if the bikes collected by the police and stored in the basement could be donated. Chief Siegfried stated that most are not in the best shape. Mr. Shupe stated that they could be donated to the Children's Home in Easton and they would use them for parts. Mr. Rinker would like to keep them in Nazareth. Chief Siegfried stated he would look into them. Mr. Rinker stated that the ones in good condition should be kept in Nazareth and the others could be donated for parts.

2. Mr. Sylvainus stated that he received an email from the fire department about the brother of a junior fire fighter who is suffering from kidney disease. The fire department wants to raise money through a walk and events to be held at Tuskes Park sometime in July, August, or September. The fire department wanted to know if there was a charge for the park. The Board would like to find out all they plan to do. The Board is in support of the event and there is no charge for the park.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 9:56 p.m. Motion carried by all voting aye.

**MINUTES – May 16, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS**

Meeting called to order at 7:01 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The agenda was accepted with moving the Fulltime Police Officer to after the Financial Report.

Motion was made by Mr. Mohn and seconded by Mr. Donello to approve the May 2, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to accept the financial report. Motion carried by all voting aye.

Chief Siegfried presented David Gentile to fill the vacated fulltime police officer position for Upper Nazareth Township.

Motion was made by Mr. Mohn and seconded by Mr. Donello to hire David Gentile to fill the fulltime police officer position for Upper Nazareth Township. Motion carried by all voting aye.

COURTESY TO THE FLOOR (Non-Agenda items only)

1. Mr. Benfield stated that on the Patch it says that the Township-wide yard sale is at the municipal building.

2. Mrs. Messenlehner complimented the Board for hiring a fulltime police officer.

3. Mrs. Messenlehner thanked Mr. Soloe and Mrs. Lyons for their quick attention to an issue in regard to her church.

4. Mrs. Messenlehner asked if the Township had a policy on graffiti. She stated that any graffiti should be removed immediately. Mr. Shupe stated that anytime he sees or is aware of any graffiti he removes it.

5. Mrs. Kresge asked if hours on Wednesdays at the yard waste facility could be cut and then have the yard waste facility opened on a Monday from 5:00 p.m. to 7:00 p.m. Mr. Shupe will look into it.

SUPERVISORS COMMENTS

1. Mr. Rinker stated that the plaque presented to Upper Nazareth Township by Stan Smith has been hung next to the flag in the conference room.

2. Mr. Mohn asked about the status of the Werner Road and Newburg Road corner issue. Mr. Shupe stated that he spoke with the owner of the land on that corner and they measured where the site triangle is. There is one bush that is in the site triangle and the resident stated that he would remove that bush within the next week, week and a half.

3. Mr. Sylvainus stated that Upper Nazareth Township has problems with zoning enforcement. He stated that a letter is sent telling a resident what the issue is and what they can do to solve the issue, but then there is no follow-up to see that it has been done. Is there anything else that can be done to make sure the issue is followed up and that the resident has complied? Mr. Asteak stated that a civil complaint can be issued against the owner. Mr. Sylvainus asked if the Township could actually take care of the issue and bill the resident, even putting a lien on their property. Mr. Asteak stated that this could be done; however, it would cost the Township money and they may never see the money anyway. Mr. Asteak stated that sending a copy of the ordinance and a letter is the way to go. He does not believe that the Township should take care of any issue on private property. Mr. Asteak suggested checking with surrounding Townships to see how they handle these issues.

4. Mr. Sylvainus stated that the five acre detention pond at Hillside Farms is an example of this zoning enforcement issue and that the developer has not performed the required maintenance and improvements required by the Township. Mr. Kortze stated that he spoke with Richard Brooks from Ashley Development, the responsible party for the detention pond, and that Mr. Brooks stated that they will be working on the detention pond next week. Mr. Kortze stated that Mr. Brooks should be notifying him when the work begins and that Mr. Kortze will notify the Township.

5. Mr. Mohn stated that he has been requesting that there be an agreement with the Clipper organization about ownership and responsibility of equipment and utilities at the Tuskes Park concession stand. Mr. Sylvainus stated that the Clipper organization is willing to pay for electric and water usage. Mr. Sylvainus asked the Board if the Clipper organization should be billed for the difference in usage or a set minimum amount each month. Mr. Mohn also stated that he is concerned about insurance and who is responsible if the stand catches on fire. Mr. Sylvainus stated that the Clipper organization has an insurance policy and that the Township gets an updated copy each year. Mr. Mohn stated that the Township and taxpayers should not subsidize the Clipper organization. Mr. Sylvainus stated that an agreement will be prepared as to who owns what, who is responsible for what, and who pays for what. At this time there is nothing but a refrigerator in the stand. Mr. Sylvainus will get back to the Board with an update on this issue.

6. Mr. Rinker stated that the recognition of the Fire Chief will be addressed at the next meeting.

7. Chief Siegfried has not looked into the condition of the bicycles in the basement and will report back to the Board at the next meeting.

8. Mr. Sylvainus stated that there have been issues with the police officers checking the security of the building – doors unlocked, alarms not set, lights left on. Mr. Sylvainus stated that the Board asked for the officers on duty to check the building and make sure it is secure. Chief Siegfried stated that he did send a memo to the officers a few months ago and recently sent out another memo. Chief Siegfried stated that he understood that the Township would be having the alarm company call if the alarm was not set at 11:00 p.m. Chief Siegfried stated that the issue was who the alarm company would call first. Mr. Sylvainus stated that the police officers should just check the building regularly and make sure it is secure, setting alarms, locking doors, and shutting off lights. It was stated that there is a report available from the alarm company that can track who is turning the alarms on and off and that if the Township can get a copy, maybe we can see who may be leaving the alarm on. Mr. Sylvainus will look into this possibility.

9. Mr. Mohn stated that his son will come into the office to speak with Mr. Sylvainus and the office staff about their needs for backup, will design a system for the office, set up the specifications and prepare the bid package. He is volunteering his time to the Township for doing this.

10. Mr. Donello reported about the PSATS Convention he attended. He stated that there is a new president at PSATS. He stated that there were three resolutions that PSATS opposed but that the Townships voted in. They are: 1) keeping only native plant species at Township buildings, 2) possession of fire arms and ammunition can be allowed in buildings owned by municipalities, and 3) municipalities can stop trucks violating the 7 ton road signs in the Townships. Mr. Donello stated that there was a lot of information about Act 13, the Marcellus shale gas drilling. He also stated that there is a new news program from Harrisburg that presents all happenings in the State and at PSATS. Mr. Donello stated that there was information about Act 84 and Act 127.

PLANNING & ZONING

Mr. Soloe presented the April report.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to accept the zoning report. Motion carried by all voting aye.

PUBLIC WORKS

1. Mr. Shupe presented his report.

2. Mr. Shupe stated that the trailer trade-in issue has been resolved. The title was released and the company was able to take the trailer.

3. Mr. Shupe stated that the one inch water meter was given to the Township by the water company and that the Township must install it. Mr. Shupe stated that a few parts are needed and then it will be installed.

4. Mr. Shupe asked for the Board's approval to hire three seasonal summer workers.

Motion was made by Mr. Donello and seconded by Mr. Mohn to hire the following seasonal summer help at a salary of \$8.00 per hour starting the Tuesday after Memorial Day through Labor Day with a few earlier Saturdays to help with the yard waste: Matthew Dragovich, Daniel Stinchcomb, and Steve Searfoss. Motion carried by all voting aye.

5. Mr. Shupe stated that the materials needed for the St. Elmo Street drainage project have been ordered and should arrive within the next two to three weeks. Mr. Shupe stated that the project will be started when school gets out so as not to interfere with school buses.

ADMINISTRATION

1. Mrs. Kronstadt stated that there are three weeks before the next meeting and does the Board want her to pay bills in between. The Board stated that if there is an urgent bill that must be paid during that timeframe to contact the Board and get their approval.

2. Mr. Sylvainus and Mrs. Kronstadt presented a proposal to join Sam's Club for office supplies and other supplies. They suggested a membership each for the police department, the public works department, and the administration department at a cost of \$35.00 each. There is also a benefit to the employees because they can join Sam's Club as an employee of the Township at a discounted membership rate.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to join Sam's Club for office supplies and other supplies with a membership each for the police department, the public works department, and the administration department at a cost of \$35.00 each. Motion carried by all voting aye.

REPORTS

Library

Mrs. Sayago stated that bids have been accepted for the new furnace and that they are waiting for the bids for installation of the furnace. Mrs. Sayago stated that the first meeting for this year's Touch a Truck program, to be held October 6, 2012, was held on May 1, 2012. The library director, Josh Berk, has a blog on the PATCH in regard to the library. The library received two grants, \$500.00 from the Lions and \$50.00 from the Woman's Club. The summer reading program will start in June. There will be another "read to the pups" day and the Friends of the Library book sale will be held June 6 – 9, 2012.

Police Department

1. Chief Siegfried stated he is still waiting for the certifications from the fire police.

2. Chief Siegfried stated that he has collected some more information on the copier lease he brought up at the last meeting. Mr. Sylvainus stated that he has spoken with a representative at Valley Business and will meet with Chief Siegfried to discuss some additional information.

3. Chief Siegfried complimented the police department on their quick response and the successful end result during a situation over the weekend.

Fire Department

1. Mr. Fassel presented the fire report

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the fire report. Motion carried by all voting aye.

2. Mrs. Kronstadt told Mr. Fassel that she is speaking with the insurance company about worker compensation for a proposed auxiliary fire committee.

3. Mr. Sylvainus verified that the fire company will use Tuskes Park on August 25, 2012 for a fundraiser.

4. Mr. Fassel stated that there are signs announcing the fire department entering onto Route 191, but he feels they are getting rusty and need replacement. He asked who is responsible for the signs. He also stated the fire company would like to look into some kind of warning light at the intersection of Route 191 and Newport Avenue. Mr. Kortze will look into this and report back to the Board.

Emergency Management

Mr. Rinker asked if the office had received a letter from PEMA in regard to the hurricane reimbursements. Mrs. Kronstadt stated that the office did receive it and that she forwarded it to Mr. Brown and he is handling it.

Township Solicitor

1. Mr. Asteak stated that more information needs to be collected about the C.F. Martin Sycamore Street storm sewer extension memorandum of agreement before adoption.

2. Mr. Asteak presented the Board with a draft recycling ordinance for their review.

3. Mr. Asteak stated that he met with Mrs. Parrish in regard to the CDBG process. He stated that Mrs. Parrish has a very good handle on the project and it is properly coordinated. Mr. Asteak stated that he was pleased to see the program under control.

4. Mr. Asteak stated that more and more municipalities are joining the NIZ lawsuit. He stated that PSATS voted to intervene and this presents a state wide face on the case. Mr. Asteak stated that it seems unlikely that there will be a settlement and that any resolution will most likely be done through new legislation.

Township Engineer

1. Mr. Kortze spoke about the Road Reduction Program stating that this could save the Township money by reducing the width and surface of streets that the Township must maintain. One idea is the “donut” in some cul-de-sacs. This was presented at the last meeting and tabled. Mr. Kortze stated that the Board’s authorization would be needed to proceed and that the residents who live around the cul-de-sac would be notified by a pamphlet with illustrations and explanations and an invitation to meet on sight at a specific date and time. Mr. Rinker asked who authorized this cul-de-sac study. Mr. Kortze stated that it is part of the 5, 10, 15, 20 year road plan that was approved by the Board. Mr. Rinker stated that he does not think this would be good for Upper Nazareth Township. Mr. Kortze explained that the cul-de-sac on Creekside Drive was studied first because Creekside Drive is on the program for work to be done this year. The Board decided that they were not interested in this study.

2. Mr. Kortze stated that the Sycamore Street project has been advertised. There will be a pre-bid meeting tomorrow. Mr. Dooley sent a sample letter to the Supervisors that C.F. Martin could send to the Township showing that C.F. Martin agrees to pay for this project instead of writing a large agreement. Mr. Kortze asked the Board if this letter of understanding would be acceptable.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the signed letter from C.F. Martin stating the understanding that C.F. Martin will be paying for the project. Motion carried by all voting aye.

Mr. Kortze stated that the Tuskes Park walking path should be completed in a couple of weeks.

Mr. Kortze stated that at the last meeting an Act 537 Plan was submitted for work at Gracedale that will be done on some Township property. Mr. Kortze stated that he would like Keystone Consulting Engineers to review the module. Mr. Kortze also stated that either Keystone Consulting Engineers or the road department should conduct inspections. Mr. Kortze also stated that the County should submit an escrow of about \$2,000.00 to cover any engineering or solicitor services that the Township may incur.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize the establishment of an escrow of \$2,000.00. Motion carried by all voting aye.

Mr. Sylvainus stated that he was confused about the 30-day and 60-day review period stated in the plan. Mr. Kortze stated that this should be brought before the planning commission for review and questions. Mr. Kortze stated that the Township should send a

formal letter inviting them to come to the next planning commission meeting and to provide the \$2,000.00 escrow.

Recreation Board

1. Mr. Sylvainus stated that Hoffman Electric has fixed the electric and lighting issues at Tuskes Park. There was a pinched wire and a bad breaker.

2. Mr. Sylvainus stated that at the next recreation meeting, the budget requested by the auditors will be completed.

CDBG, TCC, Recycling

CDBG - Mr. Sylvainus stated that the new housing rehabilitation guidelines have been completed and approved by the County. He will present them to the Board for their review and approval at the next meeting.

TCC – Nothing at this time.

Recycling – Mr. Sylvainus stated that the surveys are being returned and to date the Township is reviewing 368 surveys.

Representatives from Berger Sanitation were present at the meeting and submitted several questions to the Board regarding the survey.

COURTESY TO THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Mrs. Kresge stated that there had been a sink hole on 5th Street that was fixed but the road and lawn has not been restored completely. Mr. Shupe stated that the Township fixed the area with cold patch and that it is on the list for a final surfacing with hot patch in the next few months.

NEW BUSINESS

Mr. Donello stated that he saw two wonderful shows while at the PSATS Convention. “Recreation” has a video he would like to purchase for everyone to look at. The Navy Seals also put on an excellent demonstration.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 9:13 p.m. Motion carried by all voting aye.

MINUTES – June 6, 2012 UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Vice Chairperson, Scott Sylvainus.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, and Scott Sylvainus. Board member not present was Michael Rinker. Also present were Township Engineer, Al Kortze and Steve Mills for Township Solicitor, Gary Asteak.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the agenda as written. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the May 16, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to accept the bills report. Motion carried by all voting aye.

DRAFT AUDIT PRESENTATION

Debra Borger and Jay Grobelny from Riley and Company presented the 2011 Draft Audit. Ms. Borger stated that the Township files were audited and an “unqualified opinion” was given stating that the audit was materially accurate. Mr. Grobelny presented the Statement of Assets, Liabilities and Fund Balance – Cash Basis report, the Statement of Revenues, Expenditures, and Changes in Fund Balances – Cash Basis report, and the Schedule of Revenues, Expenditures and Changes in Fun Balance Budget to Actual – Cash Basis report. Ms. Borger presented the required letter communicating different aspects of the audit and finally the internal control report.

Ms. Borger stated that they are waiting for audited statements from PMRS, the non-uniform pension fund, to review before they officially finalize our audit. The PMRS audit is expected by the end of July. The Upper Nazareth Township final audit should then be available by the middle of August.

COURTESY OF THE FLOOR (Non-Agenda items only)

Mrs. Kresge asked where the Township was over budget for 2011. Mr. Sylvainus stated that there was no one specific area where the Township was over budget and that less revenues were collected and the workload increased. This is why the Township asked the departments to cut their budgets after the first quarter of last year. Mrs. Kresge asked about the yard waste facility and why two people were working it. Mr. Augustine stated that in the past the Board made the decision to keep two people at the yard waste facility. Mrs. Kresge asked about offering evening hours. The Board stated that they may look into this option.

SUPERVISORS COMMENTS

1. Mr. Sylvainus stated that he received a report from Altronics showing the codes of those who have opened and closed the building. The report did not show the date in question. Mr.

Sylvainus stated that if an incident happens again, a report will be requested immediately. Mr. Sylvainus stated that there is a notice in the police department for the officers to check the building and secure it as needed.

2. Mr. Donello stated that the Morning Call and Express-Times newspapers throw advertisement packets into resident's driveways and often residents do not pick them up and they eventually end up in the storm drains. He asked if there was any way the papers could be contacted and asked to stop throwing the papers into the driveways. Mr. Sylvainus stated that calls have been made in the past and that it cannot be stopped. It is the resident's responsibility to pick them up.

3. Mrs. Kresge asked about piles of grass and yard waste being put into the street on Friedenstahl Avenue between 4th and 5th Streets and if the Township would address this. Chief Siegfried stated that he will look into it.

4. Mr. Sylvainus stated that there is some money in the Township escrow fund that does not belong in the escrow fund and, as the auditors advised, should be transferred to the general fund. He stated that the Board should confirm the proper procedure with the solicitor. Mr. Mills will inform Mr. Asteak.

PLANNING & ZONING

1. Mr. Soloe presented the May report.

Motion was made by Mr. Donello and seconded by Mr. Mohn to accept the zoning report. Motion carried by all voting aye.

2. Mr. Soloe stated that an email was received by a resident requesting that the Township look into putting a street light on the corner of Rising Sun Court and Newburg Road. Mr. Kortze stated that a study does not need to be done. Mr. Shupe will contact Met-Ed and bring information back to the Board at the next meeting.

PUBLIC WORKS

1. Mr. Shupe stated that the water meter at Tuskes Park has been changed to a one inch meter.

2. Mr. Shupe stated that according to the budget the summer help should be paid \$9.00 per hour. At the last meeting it was mistakenly approved to pay the summer help \$8.00 per hour. Mr. Shupe requested that the Board motion to correct the summer help wage to \$9.00 per hour.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to pay the summer help \$9.00 per hour. Motion carried by all voting aye.

3. Mr. Sylvainus asked Mr. Shupe about possible evening hours at the yard waste facility. Mr. Shupe is not sure he has the resources to open in the evening. He will ask the summer help if they are interested in working in the evening and report back to the Board at the next meeting.

4. Mr. Shupe reminded the Board and the residents that the Township Clean-up Day is this Saturday, June 9, 2012.

5. Mr. Sylvainus stated that the Board should be made aware of any employee attending the PSATS Convention. Mr. Shupe stated that he did inform the Board that he would be going for the day to look at the equipment and that it did not cost the Township any money. Mr. Sylvainus stated that Mr. Shupe brought another part-time employee and that the Board needs to be made aware of this. Mr. Shupe stated that he will make sure to keep the Board informed in the future.

ADMINISTRATION

1. Mr. Sylvainus stated that the Township has received five estimates for the backup for the computers. Each proposal is a little different and the costs are different. Mr. Sylvainus will review the estimates and pick the best from each one to create the best “solution” for the Township and then present it to the five companies for estimates might offer a better compared.

2. Mrs. Kronstadt presented the Signal Service, Inc. traffic signal maintenance contract renewal at a cost of \$525.00.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to renew the Signal Service, Inc traffic signal maintenance contract at a cost of \$525.00. Motion carried by all voting aye.

3. Mrs. Kronstadt presented a letter from PennDOT about the Local Bridge Inspection Act 44 of 1988. There are two options the Township can choose from: Option 1 has PennDOT’s inspection consultants completing the inspections. Option 2 has the Township select their own engineer to do the inspections. Mr. Kortze stated that because the Township only has one bridge that falls under this situation, Option 1 would be the most effective and economical option.

Motion was made by Mr. Augustine and seconded by Mr. Donello to choose Option 1 on the PennDOT Local Bridge Inspection Act 44 of 1988 and have the vice chairperson sign the paperwork. Motion carried by all voting aye.

4. Mrs. Kronstadt presented an email from Laure who runs Totally Fit Boot Camp. She is conducting a boot camp open to the public on June 16, 2012, at 9:00 a.m. at Tuskes Park. The cost is \$10.00 per person and 100% of the proceeds will be donated to Upper Nazareth Township to be used to plant additional trees at the park.

5. Mrs. Kronstadt stated that an appeal was entered by two to three neighbors against the Township’s approval of Morningstar Senior Living Heritage Village development. Mr. Mills stated

that at this time the Township needs to wait for a decision by the court as to if the court will accept the appeal.

6. Mrs. Kronstadt stated that the Township received a letter in regard to Brenton's Hope Annual 5K that will start and end in Upper Nazareth Township with most of the route in Nazareth Borough.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn approve the Brenton's Hope Annual 5K race starting and ending in Upper Nazareth Township. Motion carried by all voting aye.

Mr. Sylvainus asked how the 5K race a couple of weeks ago worked out. Chief Siegfried stated that it went OK. In the beginning of the race some fire police were called to a fire but that all the intersections needing monitoring were covered.

7. Mr. Sylvainus stated that the Real Estate Tax Collector intends to have hours by appointment only for the month of June because there have been very few residents coming during the stated hours. She will put a note on the door and change her voice mail. If there are any complaints, she will resume her regular hours.

REPORTS

Library

Mrs. Sayago stated that the installation of the phone system, obtained through a grant from Martin Guitar, has been completed. She stated that the furnace installation has begun. Mrs. Sayago stated that Dollar General presented the library with a \$3,000.00 grant for the summer reading program, providing a Kindle to be raffled off at the end of the program. The summer reading program starts June 11, 2012. The Friends book sale is going on and runs through June 9, 2012. Mrs. Sayago stated that there was a Touch a Truck meeting held on June 4, 2012. She asked some questions about the refreshment stand and stated that the boy scouts have volunteered to serve food. The next Touch a Truck meeting is in July.

Police Department

1. Chief Siegfried presented the April report.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the police report. Motion carried by all voting aye.

2. Chief Siegfried stated that he has been pricing cell phone providers with Mr. Shupe. He asked if the Board wanted to be a part of choosing a provider or if he and Mr. Shupe should choose. The Board stated that he could choose the best provider.

3. Chief Siegfried stated that there are approximately 20 bicycles in the storage area with 10 – 12 viable bikes. The Board would like the viable bikes given to the Nazareth Food

Bank and the rest as parts for the Children's Home of Easton where the children can build bikes from the parts.

4. Chief Siegfried stated that he received a call from the annual McDonalds football game fundraiser asking for the Township to again donate security services for the game. The Township will be recognized at the game for this donation.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to approve the donation of Upper Nazareth Township police for security at the McDonald's football game on June 21, 2012. Motion carried by all voting aye.

5. Chief Siegfried explained that the police department issued a traffic citation on a dump truck that resulted in an \$18,450.00 fine. In preparing for the hearing, Chief Siegfried found that there was no engineering and traffic study done to back up the ordinance used for the violation. It was not required years ago like it is today. The citation had to be withdrawn. Chief Siegfried prepared a spreadsheet of all of the Township roads marked with "weight limit" and "no truck" signs some of which are not backed up by an engineering and traffic study and/or an ordinance and suggested the Board look into obtaining these documents to enforce future citations. Mr. Kortze will look into the cost of providing the studies and report back to the Board.

6. Chief Siegfried stated that Mr. Sylvainus provided a few more proposals for a copier for the police department. The Board and Chief Siegfried discussed the different proposals and decided to purchase the existing copier and continue the maintenance agreement.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to purchase the existing police department copier for approximately \$980.00 and continue the existing maintenance agreement plan. Motion carried by all voting aye.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Township Solicitor

1. Mr. Mills stated that Mr. Asteak has not heard back from Martin Guitar on the cost of the storm drainage issue.

2. Mr. Mills stated that the NIZ litigation is still pending. He stated that the State filed to remove itself from the litigation, but that Allentown intervened to make them stay in.

3. Mr. Mills stated that the Polak litigation is still pending. There is no court date.

4. Mr. Mills presented the draft Recycling Ordinance and requested authorization to advertise for adoption at the next Board meeting. Mr. Sylvainus had a number of changes that the Board discussed. Mr. Mills took notes for the changes. Mr. Augustine stated that he would like Rachel Miller, the regional director for PA DEP, review it.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to authorize the solicitor to advertise the recycling ordinance with the changes suggested for adoption at the next Board meeting. Motion carried by all voting aye.

Township Engineer

1. Mr. Kortze stated that Livengood Excavation should be awarded the bid for the Sycamore Street Reconstruction project at a cost of \$94,220.55. Mr. Kortze stated that Martin Guitar will be paying approximately 10% of that total bid. Mr. Kortze stated that the bid budgeted for \$136,000.00 and it came in lower which is great for the Township.

Motion was made by Mr. Mohn and seconded by Mr. Donello to award the Sycamore Street Reconstruction project to Livengood Excavation at the cost of \$94,220.55 with Martin Guitar offering approximately 10% toward the cost of the project. Motion carried by all voting aye.

2. Mr. Kortze asked for the 2012 Road Resurfacing project to be tabled at this time.

3. Mr. Kortze stated that there will be some preparation work done by the Township's road department in preparation for the road maintenance work.

4. Mr. Kortze stated that the Hillside Farms detention pond has been mostly mowed and should be finished this week. Mr. Sylvainus presented an email from a resident thanking the Supervisors, Mr. Kortze, the developer and the office for making sure the pond got mowed.

5. Mr. Kortze stated that putting flashing lights on Route 191 for the fire department is pretty straight forward. Mr. Kortze was involved with putting one in Hecktown in 1996 at a cost of \$30,000.00. He estimates that the cost would be approximately \$50,000.00 at this time. Mr. Kortze is looking into grant opportunities and will keep the Board up to date on this issue.

Mr. Mohn asked about the placement of the blue Township sign at the end of Newport Avenue on Route 191. He stated that it is difficult to see to pull out of Newport Avenue onto Route 191. The Board asked Mr. Shupe to look into raising the sign to allow for better viewing to pull out onto Route 191.

Mr. Shupe stated that he has ordered new fire truck signs for Route 191 because the old ones are very faded.

Recreation Board

Mr. Mohn stated that the Board should not forget about the agreement with the Clippers for the use of Tuskes Park. Mr. Sylvainus stated that the Board has not met yet. Mr. Sylvainus stated that the budget should be completed at the next meeting.

CDBG, TCC, Recycling

CDBG - Mr. Sylvainus stated that the Board needs to approve the Rehabilitation Guidelines for CDBG. He stated that it has been approved by the County.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the CDBG Rehabilitation Guidelines. Motion carried by all voting aye

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

OPEN ITEMS

1. Mr. Sylvainus asked about the status of the cable franchise agreements. Mr. Asteak is working on this.

2. Mr. Sylvainus asked Mr. Shupe about the Class A licenses. Mr. Shupe stated that it will be completed by the fall.

3. Mr. Sylvainus asked Chief Siegfried about the status of the fire police certifications. Chief Siegfried stated that he is still waiting for them.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Augustine to adjourn the meeting at 10:18 p.m. Motion carried by all voting aye.

MINUTES – June 20, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

There was an executive session at 6:30 p.m. to discuss litigations.

Meeting called to order at 7:07 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Steve Mills for Township Solicitor, Gary Asteak.

The agenda was approved as written.

Motion was made by Mr. Augustine and seconded by Mr. Sylvainus to approve the June 6, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the financial report. Motion carried by all voting aye. The next report will have the Road Improvements fund added.

MIKE TUSKES – EAGLES LANDING

1. Mr. Tuskes requested the approval of the Board to split Phase 3 (with 104 lots) at Eagles Landing into three phases – Phase 3A (with 37 lots), Phase 3B (with 32 lots), and Phase 3C (with 35 lots). Mr. Tuskes stated that the bank is not willing to secure financing of 104 lots at one time and suggested the different phases. Also, the DEP has become stricter with stormwater management at construction sites and this split will also satisfy their requirements. Mr. Augustine asked if there would be any adverse affect to the Township and Mr. Kortze stated that there would be no adverse affect to the Township if the phase is split into three smaller phases. Mr. Soloe stated that he would like to see Blue Eagle Lane open from Penn Allen Road for the construction vehicles to avoid damage to any finished roads that may be dedicated to the Township. Mrs. Berlew suggested extending the maintenance time until this access point is open. Mr. Piperato did not see any issues with this request.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the proposed split of Phase 3 in Eagles Landing to three smaller phases – Phase 3A, Phase 3B, and Phase 3C with the condition of extending the maintenance period on any completed phases until construction vehicles can enter by Blue Eagle Lane, off of Penn Allen Road. Motion carried by all voting aye.

2. Mr. Tuskes explained that Tuskes would like to install street lights into Phase 2 at Eagles Landing. He stated that there are two options: (1) have the developer (Tuskes) install the street lights where the developer would pay for them upfront and when the Township accepts them, the Township would own and take care of them, (2) have Met-Ed install the street lights at a cost to the developer (Tuskes) and the Township will be responsible for them.

Mr. Sylvainus stated that a third option could be that the homeowner's association install and pay for the lights and the Township would not be involved at all. Mr. Tuskes stated that Phase 1 has had street lights installed and the Township has been paying for electricity. Mr. Tuskes does not feel that having the homeowner's association put the street lights in Phase 2 and charge all residents in the homeowner's association is not fair to those in Phase 1.

Mr. Tuskes suggested going with option 2 where Met-Ed will install the street lights; however, the lights will not be energized until the roads are dedicated and accepted by the Township.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize Tuskes to install the street lights, through Met-Ed, and upon dedication to the Township the Township will energize the lights. Motion carried by all voting aye.

Mr. Tuskes and Mr. Piperato agreed that if resident complaints become an issue prior to Township dedication, that the developer will pay for the energy costs until the Township takes ownership.

COURTESY OF THE FLOOR (Non-Agenda items only)

Nothing at this time.

SUPERVISORS COMMENTS

1. Mr. Sylvainus asked Mr. Shupe for an update on the Werner Road site distance issue. Mr. Shupe stated that he spoke with the homeowner and that the homeowner took care of the corner per the requirements of the site distance rules.

2. Mr. Sylvainus stated that a letter was received from Lower Nazareth Township requesting Upper Nazareth Township to join them in an engineering study and signage for "no trucks" on Werner Road. The Board stated that they would like to see if this continues to be a major nuisance before they commit to working with Lower Nazareth Township on a study. Mr. Kortze stated that the cost of a study would run from \$200.00 to \$300.00. The Board asked Mrs. Kronstadt to send a letter that Upper Nazareth Township would reconsider upon further complaints at a later date if the need arises.

PLANNING & ZONING

1. Mr. Soloe stated that there is an Upper Nazareth Township property that is going through bankruptcy. The property is vacant. Mr. Soloe asked the Township to have the public works department knock down the weeds and grass as he has been trying for two years to get the owners that walked away or the bank to do it and cannot get the situation addressed. The Township will charge the owners for the cleanup, sending the bill to the bank and the owners. The Board discussed

the issue and decided that there were too many questions they want answered about following the weed ordinance and entering private property. They asked Mr. Soloe to continue to look into it and review the ordinance and contact the homeowners again before the Township cleans up the property.

2. Mr. Aaron Sisler, representing the Gracedale Sanitary Sewer project, stated that the plan was submitted to the Township, advertised as required for public comments, and presented the plan to the Planning Commission. Mr. Sisler is requesting that the Board pass a resolution so permits can be submitted. Northampton County is paying for the advertising and other costs. They would like a letter from the Township stating that no comments were made about the plan.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve Resolution 12-11 Plan Revision for New Land Development – Gracedale Nursing Home. Motion carried by all voting aye.

Mr. Sylvainus requested that the Board accept the resignation of Roberta Targonski from the Planning Commission as she is moving out of the Township. The position has been advertised with a couple of residents interested; however, they will not be able to fill the position. It needs to be advertised again.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize the advertisement of an opening on the Planning Commission in the Key newspaper. Motion carried by all voting aye.

PUBLIC WORKS

1. Mr. Shupe submitted his report for the Board's review.

2. Mr. Shupe stated that he has been researching the best place to possibly place a street light at the corner of Rising Sun Court and Newburg Road. He has contacted Met-Ed and is waiting for some more information.

3. Mr. Shupe stated that he has been keeping track of visits to the yard waste facility and what hours are the most used. He stated that most of the visits are earlier in the shift then trickles down to only a few between 1:00 p.m. and 2:00 p.m. He feels the hours should stay the way they are. The Board suggested trying to get some evening hours. Mr. Shupe stated that Edgar Geiger is willing to switch his hours from 7:00 a.m. – 3:00 p.m. to 10:00 a.m. – 6:00 p.m. Mr. Donello stated that the hours should remain the same as they have been. The Board and Mr. Shupe discussed that the summer help/part-time workers could work the yard waste facility for the 8:00 a.m. – 3:00 p.m. and that Mr. Geiger would work the facility 3:00 p.m. to 6:00 p.m.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize new hours for the yard waste facility to be Saturdays, 10:00 a.m. – 2:00 p.m. and Wednesdays, 8:00 a.m. to 6:00 p.m. and placing an advertisement in the Key newspaper. Motion carried by all voting aye.

4. Mr. Shupe stated that the yard waste facility will be closed on July 4, 2012.

5. Mr. Shupe stated that the St. Elmo Street project has been started.
6. Mr. Shupe stated that there were approximately 220 visits on clean-up day on June 9, 2012.

ADMINISTRATION

1. Mrs. Kronstadt presented the renewal letter for the Township to continue to participate in the Federal Surplus Property Program. The Board and anyone else authorized by the Board to make purchases must sign the paperwork.

2. Mrs. Kronstadt presented a letter from the Nazareth YMCA seeking approval to host the 6th Annual Pumpkin Pie 5K Run and Scenic Walk on Thanksgiving Day, November 22, 2012, as part of the course is in Upper Nazareth Township.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the YMCA 6th Annual Pumpkin Pie 5K Run and Scenic Walk on Thanksgiving Day, November 22, 2012, as part of the course is in Upper Nazareth Township. Motion carried by all voting aye

3. Mrs. Kronstadt requested authorization to attend the Pennsylvania Association of Municipal Administrators (PAMA) Conference from August 21-24, 2012, in State College at the cost of \$260.00 for the three day conference and \$109.00 per night for the room.

The Board suggested all three office personnel attend only the Thursday session at a cost of \$85.00 per person with a one night stay. The Board suggested checking the cancellation policy at the hotel and booking a room immediately. The Board will ask if all three are interested in going and make a decision on that at the next meeting.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize the secretary/treasurer to book a room for the PAMA conference. Motion carried by all voting aye.

4. Mrs. Kronstadt presented a PEMA letter stating that a payment in the amount of \$3,475.69 will be electronically transferred to the Upper Nazareth Township bank account within the next three to four weeks for disaster relief for the hurricanes in September of 2011.

5. Mrs. Kronstadt presented two Economic & Fiscal Health Workshop workshops and asked for any Board members interested to contact her. The deadline to RSVP is July 6, 2012. Mrs. Berlew stated that she had received this information and is planning on attending.

6. Mrs. Kronstadt presented a letter from Northampton County Open Space Initiative explaining Phase II: Municipal Park Acquisition and Development Program component of the Northampton County Open Space Initiative for 50/50 matching grants for boroughs, cities, and

townships. Mr. Sylvainus stated that this is similar to the grant now being utilized at Tuskes Park and that the Recreation Board should review the paperwork.

REPORTS

Library

Nothing at this time.

Police Department

1. Chief Siegfried presented the May report.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the police report. Motion carried by all voting aye.

2. Chief Siegfried referred the weight limit information to Mr. Kortze. Mr. Kortze stated that roads with bridges would cost approximately \$1,200.00 – \$1,500.00 for the traffic study and for roads with no bridges the cost would be approximately \$400.00 - \$600.00 for the traffic study. Mr. Kortze suggested that the Board look over the roads that do not have traffic studies provided by Chief Siegfried and pick a few that are more critical than the others. Other costs involved include ordinance preparation and signage. Mr. Sylvainus suggested completing studies for Friedenstahl Avenue, Silvercrest Road, and Rose Inn Avenue. The Board will review the information and discuss it at the next meeting.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Township Solicitor

1. Mr. Mills stated that he is still waiting to hear from PennDot on the Friedenstahl Avenue and Route 191 traffic signal.

2. Mr. Mills presented the draft recycling ordinance to be authorized for advertising. Mr. Augustine asked for changes to paragraphs: 1.19 – adding the word “residential” and 1.27 – adding the words “or recyclables”.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to authorize the advertisement of the Recycling Ordinance No. 152 with the additional wording in paragraphs 1.19 “residential” and 1.27 “or recyclables”. Motion carried by all voting aye.

3. Mr. Mills presented the draft outdoor burning ordinance to be authorized for advertising. Mr. Augustine asked about wording in Sections 2, 4, and 7. Mr. Sylvainus stated that the Wood Burning Boiler Ordinance already addresses burning and excludes fire pits/chimeneas from the ordinance. Mr. Mills stated that because of the mandatory recycling there has to be a separate burning ordinance. Mr. Sylvainus stated he would like to look at the other ordinance and compare them before authorizing the advertising of the burning ordinance.

4. Mr. Mills stated that Mr. Kortze will discuss the C.F. Martin & Co. agenda item.

5. Mr. Mills stated that Mr. Asteak approved the moving of unclaimed Plans & Appeals money from the Escrow account to the General account in his letter to the Township dated June 14, 2012.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the transfer of unclaimed Plans & Appeals money from the Escrow account to the General account. Motion carried by all voting aye.

Township Engineer

1. Mr. Kortze stated that an acquisition of an easement from Schoeneck Church has been approved to run a 6 inch line for the Sycamore storm sewer line project being done by Martin Guitar. The plans have been submitted and the Township is waiting for concurrence from Martin Guitar and then Mr. Asteak will put together a written agreement.

2. Mr. Kortze recommends awarding the 2012 Road Surface Treatment project to Asphalt Paving Systems at a cost of \$75,802.80 with the condition that Asphalt Paving Systems, Inc. uses a qualified subcontractor to complete road repairs using Polypatch. Mr. Kortze also asked for the authorization of an extra \$7,500.00 for any unforeseen items that may arise so that the project does not need to be stopped to get Board approval. This will still keep the project less than the initial budgeted amount of \$84,270.00. This project is being paid with liquid fuels money.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to award the 2012 Road Surface Treatment project to Asphalt Paving Systems at a cost of \$75,802.80 with the condition that Asphalt Paving Systems, Inc. uses a qualified subcontractor to complete road repairs using Polypatch. Also, the Board approved an additional \$7,500.00 for any unforeseen items that may occur. Motion carried by all voting aye.

3. Mr. Kortze stated that the Sycamore reconstruction project has begun and that the old pavement has been removed. The roller compacted concrete will be installed tomorrow morning. This is the first project in Pennsylvania using roller compacted concrete on a

public street. Using this material is about a 30% - 40% cost savings. Mr. Kortze invited the Board to visit the site around 8:00 a.m. to see the work being done.

Mr. Augustine stated that he had spoken with Mr. Dooley. Mr. Dooley asked if the Township would mind having some media exposure of using the roller compacted concrete within the engineering and road construction industry. Mr. Augustine felt there would be no problem with this. There is no cost to the Township.

4. Mr. Kortze stated that he is looking into grants from Municipal Outreach at Charlie Dent's office for the blinking light for the fire department on East Lawn Avenue. Most of these grants are matching grants and the fire department needs to see if they have the ability to match any grants. He is doing more research. Mr. Kortze stated that he believes the project would cost approximately \$70,000.00. Mr. Kortze stated that PennDOT will allow this project to be done. Mr. Kortze will keep the Board updated.

Mr. Shupe stated that he has replaced the firehouse street signs.

Recreation Board

Mr. Sylvainus stated that Totally Fit Boot Camp held a fundraiser on Saturday, June 16, 2012 with all proceeds being donated to the recreation fund for park improvements. Another fundraiser will be planned in the future.

CDBG, TCC, Recycling

CDBG – Mr. Sylvainus presented a report of the progress over the last few years of the CDBG projects that have been completed and those that are being worked on at this time.

Recycling – Mr. Sylvainus stated that the committee met on June 11, 2012, and worked on the recycling grant.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Mr. Rinker asked about the status of the employee handbook. Mr. Sylvainus stated that meetings will be set up shortly to finish up draft of the handbook for the Supervisor's review.

NEW BUSINESS

Mrs. Kronstadt stated that the next meeting of the Board of Supervisors will be on Tuesday, July 3, 2012, due to the July 4th holiday being on Wednesday.

Mr. Sylvainus asked about an update on the Friedenstahl Avenue/Route 191 traffic signal. Mr. Kortze stated that he needs to see the information submitted to PennDOT and get a cost estimate for the project before he can make a recommendation to the Board as to a response to the letter from the school district about the project. Mr. Kortze stated that he has been in contact with the school's engineer in regard to obtaining a copy of the submission but has not received any response to date.

OPEN ITEMS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Mohn to adjourn the meeting at 9:34 p.m. Motion carried by all voting aye.

MINUTES – July 18, 2012 UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 6:00 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The agenda was approved as written.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the June 20, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the bills report. Motion carried by all voting aye.

Mr. Sylvainus asked about the water bill at Friedenstahl Avenue where the consumption was much higher than before. He asked if there was a leak. Mr. Shupe stated that no leak has been located and does not know why the usage seemed so high. Mr. Shupe will continue to look into the situation.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to accept the financial report. Motion carried by all voting aye.

Mr. Sylvainus stated that the miscellaneous escrow account was transferred to the general fund and asked if it is reflected as a transfer and not as income. Mrs. Kronstadt stated that it should be reflected as a transfer and will work with the accountant to verify this.

COURTESY OF THE FLOOR (Non-Agenda items only)

Mrs. Kresge thanked the Township for replacing the state flag. Chief Siegfried stated that the state flag was courtesy of Representative Emrick.

Mrs. Kresge stated that the Township is trying to cut back on hours and now the yard waste facility is open longer creating more hours. Mr. Sylvainus stated that hours were moved around and that no extra hours are being added to the total hours for the road crew.

SUPERVISORS COMMENTS

Nothing at this time.

PLANNING & ZONING

Mr. Soloe presented the June report.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to accept the zoning report. Motion carried by all voting aye.

Mr. Soloe stated that the Township has an opportunity to purchase three flat files and a regular 5 drawer file cabinet from Mrs. Parrish at the cost of \$150.00. To purchase the flat files new the cost would be approximately \$1,500.00. These files would be placed in the basement to hold filed development plans.

Motion was made by Mr. Mohn and seconded by Mr. Donello to authorize the purchase of three flat file cabinets and a regular file cabinet from Mrs. Parrish at the cost of \$150.00. Motion carried by all voting aye.

Mr. Soloe stated that at the last meeting he had asked for authorization to have the Township mow a residential property that has been abandoned. Mr. Soloe stated that the property has been mowed and that he does not know who did it but that it was done well.

Mr. Shupe stated that he is still trying to communicate with Met-Ed about possibly adding a street light at the corner of Rising Sun Court and Newburg Road.

PUBLIC WORKS

Mr. Shupe stated that the St. Elmo Street storm pipe project has been completed. He will put together the cost of the project and reminded the Board that Nazareth Borough will be reimbursing the Township for part of the project.

Mr. Sylvainus asked Mrs. Kronstadt to place this income expected from Nazareth Borough for the St. Elmo Street storm project on the financial report under “money expected in the future”. Mr. Shupe will get the figures together.

ADMINISTRATION

Mrs. Kronstadt stated that at the last meeting the Board suggested that all three office personnel, Mrs. Kronstadt, Mrs. Lyons, and Mrs. Parrish, attend the PAMA conference for one day. This would include a one night stay. The cost is \$109.00 plus tax for the room and \$85.00 per person to attend the sessions.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize the attendance of Mrs. Kronstadt, Mrs. Lyons, and Mrs. Parrish at the PAMA conference for one day at \$85.00 per person and one night at the cost of \$109.00 plus tax. Motion carried by all voting aye.

Mrs. Kronstadt presented a brochure for “2-Hour Tune-Ups for your Organization” which includes five two hour programs such as: “How to have a Great Meeting”, “Working in Groups”,

“Managing Conflict”, “To Vote or Not to Vote”, and “Making Changes”. If the Board is interested in attending any or all of these sessions, they can contact Mrs. Kronstadt to be registered.

Mr. Sylvainus presented five proposals for the first stage of upgrading the computer system in the Township building. This first stage includes hardware and wiring. Mr. Sylvainus recommends the CNR – Option 2 proposal at a cost of \$1,187.00.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to accept the CNR – Option 2 proposal at a cost of \$1,187.00 for updating hardware and wiring, the first stage of updating the computer system in the Township building. Motion carried by all voting aye.

Mrs. Kronstadt stated that the Trio Farms project has folded and that the Township must return the escrow money collected back to the builder. The amount in the escrow account for Trio Farms is \$9,655.12.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize the return of escrow moneys totaling \$9,655.12 to Trio Farms developers. Motion carried by all voting aye.

REPORTS

Library

Mrs. Sayago stated that the state budget again decreased the money for the library by 2.06%. She also stated that there have been many grants and donations presented to the library. Mrs. Sayago stated that the summer reading program has been very successful and that there are 461 children participating with 35% coming from Upper Nazareth Township.

Police Department

Chief Siegfried stated that he would like the Board’s authorization to look into hiring a part-time officer since part-time officer Gentile was promoted to fulltime.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the part-time position left open with the promotion of Officer Gentile to fulltime. Motion carried by all voting aye.

Fire Department

Mr. Rinker presented Fire Chief Garrity with a proclamation honoring his thirty years of service to the fire department and Upper Nazareth Township. A plaque was also presented to Chief Garrity. Chief Garrity thanked the Board, his family, and fellow officers for the award and for being with him during this honor.

Mr. Fassl presented the May and June fire reports.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the May and June fire reports. Motion carried by all voting aye.

Emergency Management

Mrs. Kronstadt stated that PSATs had established the New Township Emergency Management Association to aid emergency management coordinators in providing practical tools and educational opportunities needed. The cost to join is \$50.00 for membership which provides a subscription to “The Emergency Manager”, a quarterly newsletter, discounted fees to attend educational seminars and free phone consultations with PSATs staff. The Board suggested asking Mr. Brown, the Township emergency management coordinator, if he would be interested in this program.

Township Solicitor

Mr. Asteak stated that he had received a letter from the school district with a proposal to settle their obligation of the cost of the traffic light at Route 191 and Friedenstahl Avenue. Mr. Augustine stated that he felt there were still outstanding issues to deal with before the Township would be willing to settle the school district’s obligations toward the traffic light. Mr. Asteak agreed. He stated that there are too many outstanding issues. Mr. Asteak stated that PennDOT has not responded with the true costs of the project and that the school district stated that the scope has been reduced but has not presented specific information to the Township. Mr. Asteak stated that it is premature for the Township to accept anything from the school district until hard numbers are received. Mr. Sylvainus stated that the part in the letter that he does not agree with is that the school district now wants to split the cost of the traffic light. Mr. Sylvainus stated that the Township has stated that it is willing to contribute approximately \$75,000.00 toward the project. Mr. Asteak will respond to the school district.

Mr. Asteak stated that the outdoor burning ordinance was tabled a few meetings ago and that he is waiting for direction from the Board. He stated that he was under the impression that the Board wants to compare the existing ordinances. Mrs. Kronstadt will provide copies of the other ordinances to the Board.

Mr. Asteak stated that currently the flood plain ordinance is in the zoning ordinance and that any amendments to the flood plain section of the zoning ordinance required by the state would mean that the zoning ordinance would need to be amended. To amend the zoning ordinance the planning commission must review it and submit it to the LVPC and then the Board can approve it.

Mr. Asteak stated that he received a letter from Mr. Piperato on behalf of the Eagles Landing development to verify a motion made at an earlier meeting about roads being used for future construction and having roads dedicated. In the letter presented by Mr. Piperato he provided a map showing which roads would be used for future development.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus that when the Township accepts the roadways in Phase 2, the roads shall go into maintenance except for the roadways identified on the map attached to the July 11, 2012, letter from Mr. Piperato (portions of Evening Sun Road, English Ivy Road and Eagles Nest Lane) and to direct the solicitor to prepare an agreement reflecting this motion. Motion carried by all voting aye.

Mr. Augustine asked what kind of recourse the Township has if the developer uses other roads not identified on the map. Mr. Asteak and Mr. Kortze stated that signage can be required.

Mr. Asteak stated that legislation has been adopted excluding surrounding municipal earned income tax in the NIZ program in Allentown. The Township should receive previously withheld EIT money within the next two weeks. Mr. Asteak recommended withdrawing the lawsuit against the NIZ as it is currently rendered mute.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to withdraw the lawsuit against the NIZ. Motion carried by all voting aye.

Mr. Asteak stated that in regard to the C.F. Martin & Co. Sycamore Street Storm Sewer project that Mr. Kortze is working with the church because more right-of-way easements are required. The Board will be kept informed of updates.

Mr. Asteak stated that the Township's RCN cable franchise agreement expires in less than a year and that the Township should begin re-upping renewal and modification of the agreement. The Service Electric cable franchise agreement expires the end of 2014.

Mr. Asteak stated that the Board has been talking about weight restrictions and traffic studies. Mr. Sylvainus asked the Board if they were ready to select which roads the Township should start reviewing. Mr. Rinker stated that the Board was not ready at this time.

Township Engineer

Mr. Kortze stated that Mr. Asteak discussed the weight limits earlier.

Mr. Kortze stated that the Sycamore Street Reconstruction Project in front of Martin Guitar has been completed. This was the first public road to use roller compacted concrete and provided for a significant cost savings.

Mr. Kortze stated that Change Order No. 1 for the Sycamore Street Reconstruction Project resulted in a subtraction to the cost of the contract of \$10,959.86, changing the overall contract price from \$94,220.55 to \$83,260.69. Mr. Kortze asked the Board to approve this Change Order.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorized Change Order No. 1 for the Sycamore Street Reconstruction Project lowering the overall cost by \$10,959.86. Motion carried by all voting aye.

Mr. Kortze recommended paying \$76,298.20 to Livengood Excavators, Inc. for the Sycamore Street Reconstruction Project with the condition that Livengood Excavators, Inc. provides the administration documents for the prevailing wage payroll certifications. \$47,492.44 would be paid from the liquid fuels account and \$28,805.76 would be paid from the road improvement fund account. The original projected budget for this project was \$136,000.00 leaving a surplus of \$52,700.00 to be put toward the 2013 Road Program. There is a balance of \$6,962.48 to cover the 60 day brake testing and the second coat of line paint.

Motion was made by Mr. Mohn and seconded by Mr. Donello to authorize the payment of \$76,298.20 to Livengood Excavators, Inc. for the Sycamore Street Reconstruction Project with the condition that Livengood Excavators, Inc. provides the administration documents for the prevailing wage payroll certifications. Motion carried by all voting aye.

Mr. Kortze stated that Change Order No. 1 for the Tuskes Park New Path Construction Project resulted in a subtraction to the cost of the contract of \$9,014.80, changing the overall contract price from \$85,761.510 to \$76,746.30. Mr. Kortze asked the Board to approve this Change Order.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorized Change Order No. 1 for the Tuskes Park New Path Construction Project lowering the overall cost by \$9,014.80. Motion carried by all voting aye.

Mr. Kortze recommended paying \$69,726.49 to Muschlitz Excavating, Inc. for the Tuskes Park New Path Construction Project with the condition that Muschlitz Excavating, Inc. provides the administration documents for the prevailing wage payroll certifications. There is a balance of \$7,019.82 which includes a 5% retainage on the work completed to date.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to authorize the payment of \$69,726.49 to Muschlitz Excavating, Inc. for the Sycamore Street Reconstruction Project with the condition that Muschlitz Excavating, Inc. provides the administration documents for the prevailing wage payroll certifications. Motion carried by all voting aye.

Mr. Kortze stated that he has not heard back from his contacts about grants for a light on Route 191 for the fire department. When he does hear back, he will speak with Chief Garrity to discuss any grants and what the fire department is looking for.

Mr. Kortze stated that he would like to table the 2013 Road Program discussion at this time.

Mr. Kortze stated that the 2012 Road Resurfacing Program has not started yet and may be pushed off a few weeks.

Township Solicitor

Mr. Asteak presented the Recycling Ordinance No. 152 for approval by the Board. It has been duly advertised and posted at the Township building for public review. This ordinance provides for a mandatory recycling program and governing of the collection, storage, transportation, processing and disposal of municipal solid waste in the Township

This ordinance does not say who will do the recycling or how the Township will be recycling at this time. It is an ordinance mandated by Act 101 and implements the mandatory recycling requirements. Mr. Augustine stated that he has sent the ordinance to the DEP for review and has not received any feedback at this time. There is no indication that the DEP has to approve of the ordinance.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the Recycling Ordinance No. 152 explaining the mandatory recycling requirements for the Township. Motion carried by all voting aye.

Chairman, Mr. Rinker called for a short recess.

The meeting reconvened at 7:17 p.m.

CONDITIONAL USE HEARING FOR MORNINGSTAR SENIOR LIVING, INC.

The conditional use hearing was transcribed by Rader Reporting. Below is a summary of the hearing. The precise, transcribed hearing is attached.

Mr. Asteak stated that Morningstar Senior Living, Inc. was here tonight to ask for a conditional use of two additional parcels of land purchased adjacent to the current acreage owned by Morningstar Senior Living, Inc. The Board had previously approved the conditional use to build a senior living development. The Subdivision and Land Development plan for the original land has also received preliminary approval by the Board. The parcel numbers of the lots are J7NE3-1-1A and J7NE3-1-1 and the street addresses are 121 and 127 E. Beil Avenue respectively. Mr. Asteak stated that the Board is obligated to review Article 117 in the zoning ordinance specific to these procedures. Mr. Asteak stated that the zoning officer properly posted the property and duly advertised the property. The zoning officer stated that the zoning officer provided the proof of publication of legal notice.

Under oath, Mr. Soloe stated that the application met with the guidelines and submitted the application to the Board. He stated that this request complies in all ways except for the use. The planning commission reviewed the application.

Under oath, the planning commission chairperson, Pam Berlew, stated that the planning commission felt that the application was presented in accordance with the previous application and as long as all conditions of the previous conditional use approval are met, the planning commission recommends that the Board approve the conditional use of these two parcels.

Mr. Asteak stated that he attended the planning commission and confirms that the planning commission approved and recommends approval of the use as long as these two lots follow the same conditions of the previous lots approved by the Board.

Mr. Asteak introduced Mr. Lewis, attorney for Morningstar Senior Living, Inc., who presented the request for the special conditional use for the two parcels on behalf of Morningstar Senior Living, Inc. Mr. Lewis verified with Mr. Asteak that the application, the attached site plan, the conditional use opinion dated June 2, 2010, along with all of the attached notes and exhibits are part of the record. Mr. Asteak confirmed that they are.

Mr. Lewis presented the following as exhibits: (1) the application, (2) the land development plan and the Resolution 12-10 dated April 18, 2012, (3) the certification of posting, (4) the proof of advertisement, (5) the prior conditional use hearing and opinion dated June 2, 2010, and (6) the map showing the proposed and existing lots.

Mr. Lewis conferred with Sue Drabic, CEO of Morningstar Senior Living, Inc., that adding these parcels would not alter the current plans approved by the Board at the April 18, 2012, meeting that already included the two parcels being discussed today in the land development plan. The addition of the two parcels created a better eastern layout creating a loop in the road, not a cul de sac, a creation of a connection to Porter Street and additional open space.

Mr. Asteak asked the public if they had any questions for Ms. Drabic. There were no questions. Mr. Asteak asked the Board if they had any questions for Ms. Drabic. There were no questions.

Mr. Asteak asked the public if they wished to make any statements or comments to the Board. Five members of the audience were sworn in under oath:

Vlad Potiyevsky, 102 Sand Ct, owns 632 Hill Avenue asked the solicitor if a land development can be approved before all of the property has been accepted with conditional use. Mr. Asteak stated that only statements and comment will be heard at this time.

Liz Alexander, 632 Hill Avenue, stated that she is a realtor and that a property on Porter Street was under contract when they found out about the development and then proceeded to withdraw their contract. She stated that house values are going down.

Thomas Nikles, 180 W. Beil Avenue stated that there was a statement made that Morningstar Senior Living, Inc. had received an opinion from the zoning officer stating that the development was in compliance with the Township ordinances, before these two properties were purchased. Mr. Soloe stated that he had never stated that they were in compliance.

Elton Buss, 168 W. Beil Avenue, stated that at the April 2012, meeting with the Supervisors, it was said that these properties were not in compliance with the conditional use. This should change the scope of the project. Mr. Soloe stated that there is no change to the plans.

Mr. Asteak stated that there was an oversight and failure to notify the Township of the two additional lots to be considered for conditional use. At this time there will be no changes to the land/development layout with the addition of these parcels.

Thomas Schlegel, from Fitzgerald, Lentz and Bubba, representing Thomas Nikles, asked how the properties tie into the development. Mr. Asteak stated that only statements and comments can be made. Mr. Schlegel stated that the first conditional use states the development is 44 acres but the preliminary land development plan stated 46.5 acres with the addition of 1.97 acres from these two parcels. He wants to know why there is .8 acres unaccounted for.

Phil Malitsch, from Hanover Engineering Associates, engineer for Morningstar Senior Living, Inc., stated that there are right of ways dedicated to the Township along with the widening of Beil Avenue that are not included in the total acres of the development.

Mr. Nikles stated that Mr. Soloe's opinion stated that the project is in compliance with the ordinance. Mr. Nikles state that every step of the way he has asked for the zoning officer's opinion because Mr. Nikles would have appealed the project from the beginning. Mr.

Erik Wentzelberger, 111 Center Street, Stockertown, asked why exhibits are not open for public review. Mr. Lewis objected stating that Mr. Wentzelburger is not a resident of the Township and that this development has absolutely no impact on him. Mr. Asteak stated that the exhibits are in the Township building for review and are also filed with the court of common pleas and the prothonotary's office. Mr. Wentzelburger may inspect them at any time by requesting them as a right to know request.

Mr. Lewis asked if Mr. Soloe had received certain letters and made responses to those letters. Mr. Soloe stated that he had received certain letters and made responses to those letters. Mr. Lewis asked Mr. Soloe to read some paragraphs from the letters. Mr. Asteak stated that the Board of Supervisors at no time received written or oral comments at a public meeting from the zoning officer that the uses and applicable uses of the property were in violation of the zoning ordinance. It is the zoning officer's responsibility to notify the Board of Supervisors if he feels that plans and applications do not comply with the zoning ordinance.

Mr. Lewis closed saying that there was an over-site by not getting a conditional use approval for the two parcels of land earlier but that these two parcels have always been on the land use plans and nothing has changed in the development or will change in the development with this conditional use hearing tonight. He asked the Board of Supervisors to consider approval of the conditional use of these two parcels.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to grant Morningstar Senior Living, Inc. conditional use of the two parcels subject to the approved conditional use of the

surrounding parcels and all conditions in the resolution on the Land Use Approval agreement
Motion carried by all voting aye.

A short break was called by the Chairman.

The regular meeting resumed at 8:16 p.m.

REPORTS

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG - Mr. Sylvainus stated that there are more properties under repair and that there is a bid opening tomorrow morning.

TCC – Nothing at this time.

Recycling – Mr. Augustine stated that the recycling committee sent a survey to the residents. There was over a 30% return rate, which is pretty good. The goal was to determine what the Township residents were interested in with meeting the mandatory recycling. The survey collected information on the current service a resident had, the types of service to move forward with and what was the most important next step. The most important issue was cost and the least important issue was choosing their own hauler.

The recycling committee reviewed the surveys and came up with the recommendation of going with one trash hauler for all trash and recyclables. This would save the residents money, save the Township roads, and protect the environment. The recycling committee is also recommending single stream recycling. This would be one container for all recyclables. This would encourage residents to do more recycling. The recycling committee would request bids from haulers including the following conditions and options in the bid request: curb side yard waste pickup, curb side collection of bulk items, senior citizen savings, weekly recycle pickup, same day pick up for both recycling and trash, limiting the collection times from 6:00 a.m. to 6:00 p.m., and setting the contract length to three years with two one year optional renewals.

Mr. Sylvainus stated that the whole recycling committee was present and introduced them. They included Sean Carson, Betty Williams, Don Smith, Jan Zaremba-Smith, Terri Sayago, Jim Augustine and himself.

Mr. Augustine stated that the Township has applied for a grant to help with the purchase of a wood chipper, a front end loader, and recycling bins for the residents.

Mr. Rinker asked what would happen if into a three year contract the Township was not happy with the service or that the hauler was not performing according to the agreement. Mr. Sylvainus stated that there would be stipulations and fines worded into the agreement and reasons to withdraw from the contract early.

Mr. Asteak asked about the billing “would the hauler do the billing or would the Township do the billing”. Mr. Augustine stated that the plan is to have the hauler doing the billing.

Mr. Asteak stated that he would work with the recycling committee to put together a bid packet.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to authorize the solicitor and the recycling committee to put together a bid package for trash and recycling collection by one hauler for Upper Nazareth Township. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

Mr. Sylvainus asked Mr. Shupe for a status update on the class A licenses for the road crew. Mr. Shupe stated that he is still working on this.

Mr. Sylvainus asked Chief Siegfried for a status update on the fire police certifications. Chief Siegfried stated that he has learned that each fire police member must go online and get their transcript. He will be meeting with them and getting the certifications.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 8:44 p.m. Motion carried by all voting aye.

MINUTES – August 1, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Vice Chairperson, Scott Sylvainus.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, and Scott Sylvainus. Board member not present was: Michael Rinker. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to approve the agenda as written. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Mohn to approve the July 18, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Mr. Sylvainus asked Mr. Asteak if the Township needed to request the transcript from the conditional use hearing. Mr. Asteak stated that the Township did not need to request the transcript.

Mr. Sylvainus presented a report reflecting the six month 2011 – 2012 budget comparison report. He stated that overall, the Township is doing well. There are some individual accounts that are higher in 2012 than in 2011; however, the bottom line is good. The report reflects that as of June 30, 2012, the income level is at 71.6% and the expense level is at 46%.

COURTESY OF THE FLOOR (Non-Agenda items only)

Robert Tavianini asked a number of questions:

1. He heard a rumor that there was 4 million dollars in a fund somewhere. Mr. Sylvainus stated that the Township does not have that amount of money anywhere.
2. He asked if the Board anticipated increasing taxes again this year due to the litigations the Township is involved in. The Board stated that there is no plan at this time to raise the taxes. Mr. Asteak stated that none of the litigations are of monetary value and should not cost the Township money.
3. He stated that he heard that Mr. Nikles has his other business up for sale due to the damage done to the Penn Dixie business. He asked on whose reputation this failure would fall. Mr. Asteak stated that it is on Mr. Nikles.
4. He asked if the legal expenses were paid monthly and if there was a retainer. Mr. Sylvainus stated that there is no retainer and that they are paid when billed.

5. Lastly, he asked that when the planning commission chairperson speaks, shouldn't they identify whether they are speaking as a resident or as the planning commission chairperson. Mr. Asteak stated that the Board cannot answer that question.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that he would like to see the Township's emergency coordinator become a part of the Township Emergency Management Association Membership. The Board decided to wait and hear what input Mr. Brown has.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mrs. Kronstadt stated that Mr. Shupe was not present at the meeting but did submit a cost analysis for the St. Elmo Street Drainage Project. The Board reviewed the report and stated that he needs to complete the equipment time and cost page and get back to the Board. Mr. Sylvainus will be contacting Paul at Nazareth Borough to discuss the amount of reimbursement the Borough will be submitting for the St. Elmo Street Drainage Project. Mr. Donello stated that both the Borough and the Township shared equipment and labor.

Mrs. Kronstadt stated that the PA American Water bill for the Friedenstahl Avenue garage was back down to its normal rate of less than \$30.00. Mrs. Kronstadt stated that Mr. Shupe does not know why the usage was up so high last month and stated that he could not find any leaks. Mr. Donello stated that he did not find anything that would have increased that last month's bill so much.

Mrs. Kronstadt stated that an email was received today from Met-Ed stating that a street light would not be able to be installed at the corner of Rising Sun Court and Newburg Road as there are no electric lines going to the pole at that corner. Mr. Augustine asked about installing a pole there. Mr. Sylvainus stated that he believes the cost would be approximately \$3,000.00. Nothing was decided at this time.

ADMINISTRATION

Mrs. Kronstadt stated that the street lights in the Creekside development are all different from those throughout the rest of the Township and that Met-Ed will not support these lights. Mr. Kortze stated that he was surprised because Met-Ed usually does the installation or provides specifications on what they will accept. Mr. Sylvainus asked if the Township could ask Tuskes to replace the lights. He stated that if the lights were installed not to specification that the Township may have some grounds to ask Tuskes to replace them.

The Board asked Mrs. Kronstadt to look up the resolution that pertains to the installation of the lights in the Creekside development. Mr. Shupe will look at the lights in the development tomorrow.

Mr. Sylvainus presented the computer hardware change order. It was not necessary to install the “compatible” rack mount kit, providing a savings of about \$100.00. It was also suggested that instead of having the road department build a shelf, that the Township install a shelf through Computer Networking & Repair at a cost of \$109.00. Also, instead of wiring the conference room, it was suggested to install a wireless access point at a cost of \$159.00.

Motion was made by Mr. Mohn and seconded by Mr. Donello to accept the computer hardware change order removing the “compatible” rack mount kit, installing a shelf and setting up the conference room with wireless access. Motion carried by all voting aye.

Mrs. Kronstadt presented the change order for switching the logon access for online banking from a “soft token” to a “hard token”. She stated that the paperwork needed to be signed to complete this change.

Motion was made by Mr. Augustine and seconded by Mr. Mohn to accept the change order and have Mr. Sylvainus sign the paperwork. Motion carried by all voting aye.

Mrs. Kronstadt presented the Signal Service, Inc. maintenance contract for the traffic light at Routes 248 & 946. She also presented an estimated bid to fix some issues that were found with the light; such as, the stop bars and cross walks need to be repainted, one of the pole’s bases needs to be grouted, the southbound loop on Rout 946 has failed and needs to be replaced, the two northbound Route 946 loops need to be resealed, and the two eastbound signals for Route 248 back plates are broken and need to be replaced. This bid comes at a cost of \$2,349.00.

The Board questioned why there was a failure in the loop and Mr. Kortze stated that it may be simple wear and tear.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to approve the estimated bid from Signal Service, Inc. for fixing outstanding issues with the traffic light at a cost of \$2,349.00. Motion carried by all voting aye.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to approve the maintenance agreement with Signal Service, Inc. Motion carried by all voting aye.

REPORTS

Library

Nothing at this time.

Police Department

Chief Siegfried was involved up with an accident in the Township and could not be at the meeting. He left the police report for the Board to review.

Mrs. Kronstadt stated that Chief Siegfried was going to discuss a fuel spill by JaBeth Transport and the request for reimbursement to the Township for Martin Sweeping. The Board will wait to hear from Chief Siegfried.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Township Solicitor

Mr. Asteak stated that he is waiting on the Board's guidance with regard to the outdoor burning ordinance. The Board had Ordinance No. 58 that covers restricting open fires and burning, along with an overview sheet of that ordinance, Ordinance No. 141, that establishes standards for outdoor solid fuel burning appliances, Section 1.17 from Ordinance No. 152, the recycling ordinance, and the proposed outdoor burning ordinance drafted by Mr. Asteak to review.

Mr. Asteak stated that Ordinance No. 58 was enforceable as it exists. Mr. Asteak stated that Ordinance No. 152 reflected the requirements by the state for mandatory recycling and no burning. Mr. Sylvainus asked if there was a conflict with the two ordinances or did Ordinance No. 152 supersede Ordinance No. 58. Mr. Asteak stated that Ordinance No. 152 supersedes a section of Ordinance No. 58; therefore, the Board will not create a new outdoor burning ordinance. In the table of contents it should be noted on Ordinance No. 58 to refer to Ordinance No. 152 for updated information.

Mr. Asteak stated that he has prepared the opinion for the conditional use hearing for Morningstar Senior Living, Inc. presented at the last meeting. He stated that the Board approved the conditional use as long as the land is consistent with the zoning ordinance and the conditional use approved for the other property, and follows the subdivision plan presented.

Mr. Asteak will send a letter with the opinion to Morningstar Senior Living, Inc.

Mr. Asteak stated that he has prepared the second addendum to the Eagles Landing development improvements agreement addressing the issue with construction access to Phase III A, B, and C. The Board suggested adding a portion of another road to the agreement and to remove section 5 from the agreement. Mr. Asteak will update the addendum, send it to Mr. Piperato, and then send back to the Board for approval.

Township Engineer

Mr. Kortze stated that he is waiting for the Board's input as to which roads should be part of an engineering study in regard to weight limits. The Board discussed some roads but decided they would like Chief Siegfried's input. The Board asked Mrs. Kronstadt to pull Ordinance No. 78 to see if an engineering study was prepared to back up this ordinance. This will be discussed at the next meeting.

Mr. Kortze presented a spreadsheet with the 2013 Road Program plans showing the roads that the Township is planning on working on in 2013. Mr. Kortze would like the Board's consensus to contact the utility companies to see if there are any utility projects planned on the roads identified in the 2012 Road Program in the near future. This way the Township can coordinate with the utility companies in working on the roads listed.

Mr. Kortze stated that he has not received any bids for work on Manchester Way. The bids are due on August 3, 2012. Mr. Kortze stated that he has sent an email to Tom Doyle in regard to the bid.

Mr. Sylvainus asked Mr. Kortze if the maintenance contract and required work at the Route 248/946 traffic light could be paid for with liquid fuels money. Mr. Kortze thought that liquid fuels money could be used. Mrs. Kronstadt will contact the PennDOT liquid fuels representative to confirm that the liquid fuels money can be used.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG is moving along well. The Northampton County representative has taken another job and the Township is working with her supervisor at this time.

TCC – Nothing at this time.

Recycling – Mr. Augustine stated that he is waiting for a response on the recycling grant. He stated that he has received an email from Rachel Miller at DEP stating that she has received a copy of the recycling ordinance and she will take a look at it soon and get back to him.

Mr. Augustine stated that the yard waste facility needs to be appraised for a lease value in relation to matching funds and that at this time he has not been able to schedule the appraisal. He is waiting for the grant representatives to get back to him with any other requirements for the grant.

Mr. Sylvainus asked about creating the trash hauler bid. They set a meeting for Monday, September 10, 2012 at 7:00 pm with the recycling committee and Mr. Asteak to start preparing the trash hauler bid. Mr. Sylvainus stated that he sent a response to Berger Sanitation providing the first page of the survey, the overall results of the survey and that the Board had authorized going to bid for trash haulers at a previous meeting.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

Mr. Sylvainus stated that the Township received a letter from the State providing the results of the bi-annual distress determination and that Upper Nazareth Township received a distress rating of zero (0).

Mr. Sylvainus reviewed the below listed open items:

Mrs. Kronstadt stated that there has been no information received back from the company doing the newsletter at this time.

Mr. Sylvainus suggested starting the cable franchise negotiations after the recycling bids are prepared.

Mr. Sylvainus stated that the handbook should be ready for the Board's review at the first meeting in September.

Mr. Sylvainus asked Mr. Asteak about when the police contract negotiations should start. Mr. Augustine stated that the police have presented their first requests. Mr. Asteak suggested sitting down with them in September and, as the meetings get further along, he can attend any meetings that the Board requires him to attend.

Mr. Sylvainus stated that the Clipper agreements will be discussed at a recreation board meeting.

Mr. Sylvainus stated that there is still a vacancy on the planning commission.

Mr. Sylvainus asked Mr. Kortze about the 2012 Road Program. Mr. Kortze stated that there is a pre-construction meeting on Friday, August 3, 2012 and that the scheduling should be discussed. Mr. Kortze will keep the Board updated.

Mr. Sylvainus asked about the flood plain ordinance. Mr. Kortze is working on it and hopes to have a draft for the next planning commission meeting.

Mr. Sylvainus asked about the blinking light for the fire department. Mr. Kortze stated that he needs to meet with Chief Garrity to discuss the fire department needs and funding.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Augustine to adjourn the meeting at 8:42 p.m. Motion carried by all voting aye.

UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Mr. Rinker stated that there was an executive session at 6:00 p.m. for personnel reasons.

The agenda was approved as written.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to approve the August 1, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Nothing at this time.

SUPERVISORS COMMENTS

Mrs. Kronstadt reminded the Board about the Emergency Management Association and that Mr. Brown has not gotten back to her. Mr. Rinker stated that he feels the Township should join.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to join the Emergency Management Association at a cost of \$50.00. Motion carried by all voting aye.

Mrs. Kronstadt gave the resolution for the street lights at Creekside Development to the Board. The lights in this development are different than those throughout the Township and Met-Ed will not service them. The Township's SALDO states that street lights installed must be in accordance with Met-Ed specifications. Mr. Tuskes, the developer of the development, stated that he paid Met-Ed to install the street lights. Mr. Tuskes will look for documentation to support his statement and provide it to the Board. Met-Ed is suggesting amending the agreement between the Township and Met-Ed to eliminate these street lights from the agreement.

Mr. Shupe wanted to clarify a procedure for responding to Met-Ed street light issues. It was discussed that the office will contact Met-Ed when a street light is out. Met-Ed will respond as to

whether they fixed it or it is not part of the agreement. Mr. Shupe will be contacted to inspect the street light and if it is something that the road crew cannot fix in-house, he will call an electrician.

Mr. Sylvainus stated that some final changes were made on the handbook and there will a meeting next Tuesday for a final review. It is planned that the handbook will be distributed to the Board and Mr. Asteak on August 27, 2012, for their review and the plan is to get the handbook approved in September.

PLANNING & ZONING

Mr. Soloe presented his monthly zoning report.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the zoning report. Motion carried by all voting aye.

Mr. Soloe stated that a conditional use hearing has been scheduled during the September 19, 2012, supervisor's meeting to review the request by Wayne Fogel to install two above ground storage tanks to operate as a retail propane distributor. Mr. Asteak stated that the Township will need a written comment from the fire department upon their review of the plans. The plans must be submitted by August 23, 2012, to be included in the next planning commission meeting. Mr. Asteak asked Mrs. Kronstadt to contact the court reporter to schedule their attendance at the conditional use hearing.

Mr. Kortze stated that the flood plain ordinance is being reviewed and a copy of the updated flood plain ordinance should be presented to the planning commission for the September meeting. After the planning commission's review, the Board will review the ordinance and then it will be sent to DCNR for comments and review for compliance to FEMA regulations. Finally, it will be submitted to FEMA.

PUBLIC WORKS

Mr. Shupe presented his report. He stated that a lot of preparation work has been done on the Township's streets. Next the road crew will return to Tuskes Park to finish storm water issues Mr. Shupe stated that the extra afternoon/early evening hours at the yard waste facility is not getting used hard; however, those residents that are using it very much appreciate the extended hours.

Mr. Shupe stated that he has been in contact with Herceg Hauling to obtain a final cost of disposal of the hazardous fuel oil spill earlier in the year.

Mrs. Kronstadt will distribute Mr. Shupe's final St. Elmo Street report to the Board and this will be discussed at the next meeting.

ADMINISTRATION

Mrs. Kronstadt stated that Jim Albanese, from CNR, is currently rewiring the Township building's computer network.

Mrs. Kronstadt stated that the Signal Service maintenance and repair bills can be paid for with liquid fuels money. Mrs. Kronstadt also stated that she has contacted the company stating that the Township is accepting the quotation for the repair work. She is waiting to hear back from them. Mr. Shupe stated that he will be borrowing a line painting machine from Tatamy Borough to repaint the lines at the traffic light on Routes 248/946. Mr. Shupe stated that the areas around the traffic lights have been cleaned up.

Mrs. Kronstadt stated that Riley & Co., the Township auditor, is still waiting for the PMRS report in order to complete the Upper Nazareth Township 2011 audit.

Mrs. Kronstadt stated that the liquid fuels money for 2012 has been received and deposited. The check was for \$138,316.32.

Mrs. Kronstadt presented information on the Northampton County Association of Township Officials annual conference being held on September 28, 2012, from 3:00 p.m. to 8:00 p.m. at the Eastonian. The cost is \$55.00 per person which includes the dinner. Mr. Asteak stated that is a good networking opportunity. The Board approved Mr. Donello, Mr. Rinker, Mr. Sylvainus, Mr. Augustine, Mr. Mohn, Mrs. Kronstadt, Mrs. Lyons, and Mrs. Parrish to attend the conference.

REPORTS

Library

Mrs. Sayago presented the library report. The library had 791 library cards issued so far this year. The library has received a few grants. The library has created a link on their website where residents can make donations to the library. The summer reading program ended last week. There were 360 children signed up with 35% coming from Upper Nazareth Township. All events related to the summer reading program were booked to capacity.

Police Department

Chief Siegfried stated that he is waiting for the estimate for the disposal of the hazardous material from the incident in April to submit to the company, JaBeth Transportation, who caused the spill to reimburse the Township.

Chief Siegfried stated that he issued a letter to the resident on Lynn Lane with the vehicle that has been sitting for a long time. The resident has until August 23, 2012, to move the vehicle and if it is not done a citation will be issued.

Chief Siegfried stated that he spoke with Mr. Sylvainus about some of the roads in the Township and possible traffic and engineering studies. Chief Siegfried stated that there is a part in the vehicle code that would allow the Township to restrict a certain class or type

of vehicle from roadways and is done through an ordinance. Then a traffic and engineering study would not need to be done. Citations would be based on types of vehicles and not the weights of vehicles. Mr. Asteak will look into the section of the vehicle code and get back to the Board with his recommendation.

Chief Siegfried stated that each individual fire police member must go on the Northampton County Community College website and request their own transcript to provide proof of certification as a fire police member. Chief Siegfried stated that he should go down to the fire house on a Monday night and get them to do this. Mr. Sylvainus asked if it could be done soon.

Fire Department

Mr. Fassl presented the fire report.

Emergency Management

Mr. Rinker stated that the Township received a packet providing information on appealing the flood plain map changes if the Township would want to appeal. Mr. Rinker stated that the Township has no plans to appeal.

Township Solicitor

Mr. Asteak stated that the Eagles Landing Phase 3 second addendum to the Subdivision Improvements Agreement has been updated and is ready for approval by the Board. There are a few roads in Phase 2 that will be used in constructing Phase 3 that will stay in maintenance until another construction entrance can be opened. Also, part of Eagles Landing Drive between lots 44 and 50 located in Phase 2 will stay in maintenance until the completion of Phase 3C.

Motion was made by Mr. Augustine and seconded by Mr. Sylvainus to approve the second addendum to the Eagles Landing Subdivision Improvements Agreement. Motion carried by all voting aye.

Mr. Asteak asked the Board to keep October 2, 3, and 4, 2012 from 1:00 p.m. to 4:00 p.m. for depositions for the Polak case to be scheduled.

Mr. Asteak stated that a petition to remand the Morningstar Senior Living – Heritage Village land development plan back to the Township to re-approve the plan for the two most recent lots that received conditional use approval to be included in the plan has been submitted. Once this remand has been completed, the appeal of the Morningstar Senior Living – Heritage Village land development will go back to the courts.

Township Engineer

Mr. Kortze stated that there were two quotes submitted for the drainage work on Manchester Way. Mr. Kortze has not seen them yet. They were for \$61,000.00 and 73,000.00. Mr. Kortze stated that he is corresponding with Bath Borough Authority to be able to construct the drainage work within or along the existing Bath Authority waterlines. Mr. Kortze will keep the Board updated.

Mr. Kortze stated that the 2012 Road Surface project has begun and the work product is satisfactory. Because of the work that Mr. Shupe and the road department have done, the cost of the project is less than anticipated. This will allow the Township to work on three miles of road in the 2013 Road Surface project instead of the original one mile planned. Mr. Kortze thanked Mr. Shupe and Chief Siegfried for their cooperation with the developer in coordinating this project.

Mr. Kortze stated that he has not met with the Fire Chief about the possibility of a blinking light on East Lawn Road for the fire department and possible grants for the light as of yet.

Mr. Kortze stated that the design plans for the storm water project with CF Martin are finished and that the exhibit for the easement from the Church has been prepared. Mr. Kortze will send them out early next week.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG – another home has been completed. An advertisement may be placed because the waiting list is nearing the end.

TCC – Nothing at this time.

Recycling – Nothing at this time.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Mr. Sylvainus stated that a complaint was received today about burning on Schoeneck Avenue. Chief Siegfried will look into this.

Mr. Shupe stated that he, Craig Hoffman, and Edgar Geiger will be getting their permits for class A licenses and will be taking a class at Moore Township and using their equipment to practice. Mr. Shupe will report back to the Board as to the costs of obtaining the class A licenses. Mr. Shupe stated that he plans to have the licenses in September.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 8:33 p.m. Motion carried by all voting aye.

MINUTES – September 5, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:05 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Mr. Rinker requested that the audience stand and offer a moment of silence for Bushkill Supervisor Clifford Bonney who passed away suddenly on Monday, September 3, 2012.

Mr. Rinker stated that there was an executive session at 6:00 p.m. for personnel reasons.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to approve the agenda as written. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Augustine to approve the August 15, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to accept the bills report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Nothing at this time.

SUPERVISORS COMMENTS

Mrs. Kronstadt stated that the issue with the street lighting in the Creekside development is still going on. Mr. Shupe stated that he will be obtaining a bucket truck to work on the street lights. The Township is also waiting for Mike Tuskes to provide paperwork showing who put up the street lights in the Creekside development.

Mrs. Kronstadt presented a written procedure for the process of reporting street lighting issues to Met-Ed. The Board agreed with the proposal.

Mr. Asteak stated that he would like a labor attorney to review the handbook. Mr. Asteak will get a cost estimate and bring the information to the next meeting.

Mrs. Kronstadt presented a letter from the state police concerning a letter received by Governor Tom Corbett's office from Township resident Ricky Fritz. Mr. Fritz's letter expressed his concerns about noise and traffic on his road. Mr. Asteak stated that the Township should respond to Mr. Fritz stating that the Township is sensitive to the issues raised and the Supervisors are looking into the situation.

Mrs. Kronstadt stated that a letter was received by the Borough of Nazareth in regard to the invoice sent by the Township for the work done on St. Elmo Street stating that there must have been a misunderstanding in the agreed upon amount that the Borough would contribute to the project. Mr. Rinker stated that at the Borough's meeting the night before, the Borough agreed to send the Township \$7,700.00 toward the cost of materials for the project. The Board is satisfied with this amount.

The expense report for the St. Elmo Street project has been completed by Mr. Shupe to include the estimated cost of the use of the equipment. Mr. Sylvainus thanked Mr. Shupe on behalf of the Board for the report.

PLANNING & ZONING

Mr. Soloe stated that he has received many calls from residents about the pipes and equipment near the railroad tracks leading towards Stockertown. He stated that the electric company is extending power from Bushkill Township, through a part of Upper Nazareth Township and into Palmer Township for Hercules Cement.

Mr. Soloe was asked about the moving of Route 191 by Hercules Cement. Mr. Soloe stated that the plan is no longer to move Route 191, but to start mining on the other side of the road and install a tunnel similar to the tunnel on Route 248.

Mr. Asteak stated that Morningstar Senior Living, Inc. was present by court order to have the Heritage Village Development approved including the two additional lots that were recently granted conditional use approval. The plan received preliminary approval and included these two lots before they were approved for conditional use. Once the Board re-votes on the preliminary plan, it will be recorded and returned to the court. Mr. Asteak stated that he informed Attorneys Schlegel and Lewis of the proceedings for this meeting.

Attorney Lewis introduced Sue Drabic, the CEO for Morningstar Senior Living, Inc. and Phil Malitsch, the engineer on the project. Attorney Lewis stated that what is being presented is the exact same plan that was approved previously. The two lots that were just approved for conditional use were in the plan originally approved, but at the time of approval, the lots had not received conditional use approval. No plan changes are being introduced. Today's approval is to make sure the plan is approved correctly with the two newly approved conditional use properties included.

Mr. Asteak stated that he took the previous Resolution 12-10 stating the Board's approval of the preliminary plan and added language to make sure the two newly approved conditional use properties are included.

There was no public comment.

Motion was made by Mr. Mohn and seconded by Mr. Donello to approve Resolution 12-12 approving the preliminary plan for Morningstar Senior Living, Inc. Heritage Village development including the two parcels recently given conditional use approval and file it as a supplemental record to the courts. Motion carried by a 4 voting aye and Mr. Sylvainus voted nay.

Mr. Rinker requested a short recess at 7:35.

The meeting resumed at 7:39.

PUBLIC WORKS

Mr. Shupe stated that Edgar Geiger, Craig Hoffman, Joe Brown, and he passed the permit test for the CDL A license. Next the group needs to prepare for the pre-trip testing, the drive skills testing, and the road testing. Mr. Shupe spoke with Moore Township about participating with Moore Township in a course to prepare for these tests. The cost is \$225.00 per person. Mr. Shupe requested approval for four public works employees to participate in the course for the CDL A license. He plans to have this process completed by the end of September. Mr. Sylvainus asked if there were any other costs with taking the test for the license. Mr. Shupe will look into this and report back to the Board.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize four public works employees to proceed with the training to obtain CDL A licenses at the cost of \$225.00 per person for a total of \$900.00. Motion carried by all voting aye.

Mr. Shupe stated that the 1985 Chevy pickup has been at Joe's Garage since the middle of the summer. It needs a fuel injector pump which costs \$800.00. Mr. Shupe stated that he feels it is not advantageous to spend the money on the truck and he actually has a buyer interested in it who offered \$700.00 for the truck. Mr. Mohn stated that Mr. Shupe should contact Harrisburg to get permission to sell the truck. Mr. Asteak stated that the Township can either advertise it for sale and have sealed bids submitted to the Township or hold an auction.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize the advertisement that the Township is accepting bids for the 1985 Chevy pickup. Motion carried by all voting aye.

Mr. Asteak suggested that the advertisement be faxed to him for review before it is submitted to the paper.

Mr. Sylvainus asked Mr. Shupe about complaints received about the chips on the roads in the Creekside area about chips spitting up on cars and damaging the paint. Mr. Shupe stated that the roads were posted by the contractor. Mr. Shupe did not know if they were posted right away or later, but they were posted. Mr. Sylvainus asked if during future road maintenance similar chipping

would be used. Mr. Shupe stated yes. Mr. Sylvainus asked Mr. Shupe to try to make sure that the signs required to be put up by the contractor are definitely put up in a timely manner.

Mr. Sylvainus asked Mr. Shupe why the exterior light at the Daniels Road garage is on all the time. Mr. Shupe stated that he will check the sensor.

Mr. Asteak asked that he be moved up in the agenda due to the fact that he must leave for another meeting.

TOWNSHIP SOLICITOR

Mr. Asteak stated that he researched whether the Township would need a traffic study to limit weight and/or traffic on Township roads. Chief Siegfried had found a section in the vehicle code that he thought would apply to the Township's needs. Mr. Asteak found that a traffic study must be done for any road restrictions.

Mr. Asteak stated that all information has been received for the easement agreement between C.F. Martin and the church and will be sent out shortly. Mr. Asteak stated that he will keep NBMA and C.F. Martin updated on the situation.

Mr. Asteak stated that the Township has received a floodplain ordinance draft from Sean Dooley at Keystone Consulting Engineers. Mr. Asteak suggested that the Board invite Mr. Dooley to the next meeting to give a ten minute summary of the proposed ordinance to the Board and then the Board can send it to the Planning Commission for their review and recommendation.

Mr. Asteak stated that the Nazareth Area School District sent a letter in regard to the traffic signal on Route 191 and Friedenstahl Avenue requesting a meeting between the Township and the school district to discuss the traffic signal. Mr. Asteak is requesting two Supervisors and the engineer to attend the meeting. Mr. Asteak will try to coordinate the dates. Mr. Rinker and Mr. Sylvainus will be the two Supervisors to attend.

ADMINISTRATION

Mrs. Kronstadt stated that Jim Albanese, from CNR, re-wired the Township building for the computers. While he was working, he realized that the wiring was a mess. There were splices in places that shouldn't be spliced and wires running all over. The job took much longer than expected and presented in his quotation. He worked an extra eleven hours and had to add another piece of equipment. Mr. Albanese requested payment for the equipment and for 4.5 hours of labor.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize the payment of extra labor and equipment to Jim Albanese from CNR for the extra time needed to wire the Township building correctly. Motion carried by all voting aye.

Mrs. Kronstadt presented the 2011 EIT and LST audits and requested the Board's approval and signature on the acceptance letters.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the 2011 EIT and LST audits and authorize the Chairman to sign the acceptance letters. Motion carried by all voting aye.

Mrs. Kronstadt stated that Signal Service has completed the required work on the traffic signal at Routes 248 and 946.

Mrs. Kronstadt stated that she applied for the partial membership for the Emergency Management Association at the cost of \$50.00. Mrs. Kronstadt then stated that she received an invoice stating that the Township has to purchase a full membership before any partial memberships can be purchased. The issue with the full membership is duplication of some reading materials. The Board asked Mrs. Kronstadt to check to see if a full membership is really required and if so to cancel the membership at this time.

REPORTS

Library

Nothing at this time.

Police Department

Chief Siegfried updated the Board on the JaBeth issue. Chief Siegfried emailed the company with the costs for the cleanup of the accident a couple of months ago. He gave them a deadline of September 14, 2012, to pay the invoice. If it is not paid by then, it will be submitted to their insurance company.

Chief Siegfried stated that the vehicle on Lynn Lane has not been removed in the timeframe provided and a citation was issued. Chief Siegfried stated that the ordinance does not provide for additional daily citations. He is not sure when or whether to issue another citation.

Chief Siegfried stated that he has no update on the fire police certifications.

Chief Siegfried stated that when the resident on Schoeneck Avenue is experiencing the discomfort of the neighbor burning to call the police department. The resident did this and a police officer told the neighbor to stop the burning. Chief Siegfried stated that he has not had any other calls since then.

Chief Siegfried presented the July police report.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the police report. Motion carried by all voting aye.

Mr. Sylvainus thanked Chief Siegfried for getting his report in for the meeting packets in a timely manner.

Mr. Sylvainus asked about the status of the part-time officer replacement. Chief Siegfried stated that he is in the process of filling the position.

Mr. Sylvainus asked why the Township did not apply for grant money from the casino. He asked if there was anything the Township could have gotten the money for. Chief Siegfried stated that the Township has to identify a project and get someone to write the grant and submit it. The Township was not prepared with a project to apply with the grant.

Fire Department

Nothing at this time.

Emergency Management

Nothing at this time.

Township Engineer

Mr. Kortze stated that he spoke with the developer about the Manchester Way issue. The developer has had a contractor do some preliminary work and the estimate is about \$61,000.00. Mr. Kortze also spoke with the Bath Authority about the new drainage following the existing water lines. The authority stated that they do not have a problem with this but that they would like it held off until October – November due to some work that the Authority is doing in that area.

Mr. Kortze stated that the 2012 Road Construction Project has been completed. The contractor has been there to remove stones from manholes, driveways, etc. Mr. Kortze stated that he needs to generate a punch list for a few more items. Mr. Shupe stated that most of the resident calls he received were inquisitive, not complaints.

Mr. Kortze stated that Mr. Asteak addressed the C.F. Martin subject.

Mr. Kortze stated that he has a call into the Fire Chief and Jeff Fassl, the fire department president, to assess their needs for the blinking fire light at Newport Avenue and East Lawn Road. He is waiting for their reply.

Mr. Kortze stated that the developer for the detention pond at Hillside Farms is not cooperating in cleaning up the detention pond. Mr. Kortze suggested accessing the letter of credit to complete the work and then bid the work out so the detention pond is in an acceptable condition for dedication. Once dedicated it will be the property owner's responsibility to maintain the area.

Mr. Sylvainus stated that an email was received by Tuskes in regard to the street lights in Eagles Landing Phase II. Tuskes is stating that the lights cannot be installed until the Township approves a resolution for Met-Ed. Stone Creek (Tuskes) is paying for the installation. The Board would like to discuss that Tuskes will pay for the electricity to the street lights. Mr. Kortze stated that he will check on the procedure and talk with Tuskes.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG – Nothing at this time.

TCC – Nothing at this time.

Recycling – Mr. Augustine stated that the Township has to advertise once per week for four weeks for the wood chipper that the Township applied to get a grant for because the equipment is over \$30,000.00. This way if another Township or a business can provide the service for less, they have an opportunity to present it to the Township.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize the advertisement of the Township's desire to purchase a wood chipper that costs over \$30,000.00. The advertisement must appear in a paper of general circulation once a week for four consecutive weeks. The Board authorized the secretary to check prices in the Express-Times and the Bath Home News and place the advertisement in the less expensive of the two papers. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Agenda items only)

Mark Fischl, 3371 Westminster Way, stated that he did not realize he was to speak during the courtesy of the floor – non-agenda items only. He had a concern about the flooding behind his house that is awful when it rains really hard. He said that deep gully erosion is occurring in the path the water is traveling. He and his neighbors have been complaining for at least a year and nothing has been done. Mr. Kortze stated that the developer will fix the issue. Mr. Kortze stated that the developer is getting quotes. Mr. Kortze stated that he will keep the pressure on the developer to address this issue. Mr. Kortze also suggested that the Board authorize Mr. Asteak to write a letter to the developer with the Township's and resident's concerns.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize the solicitor to compose a letter to the developer to address the issue of the draining water and deep gully erosion behind the Fischl property. Motion carried by all voting aye.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Mohn and seconded by Mr. Rinker to adjourn the meeting at 8:33 p.m. Motion carried by all voting aye.

MINUTES – September 19, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 8:00 p.m. by Chairperson, Michael Rinker. (Mr. Rinker arrived at 7:55 p.m.)

Board members present were: Andrew Donello, Michael Rinker, and Scott Sylvainus. Board members not present were: James Augustine and Willard Mohn. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The agenda was approved as written.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve the September 5, 2012, minutes making a change in the motion for the sale of the 1985 truck from 1986 to 1985. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Donello to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Nothing at this time.

CONDITIONAL USE HEARING – FOGEL FUEL SERVICES, LLC

Mr. Asteak stated that the Township received a conditional use application on August 13, 2012, from Fogel Fuel Service LLC at 1519 Tatamy Road, parcel no. J8SW4-10-5, seeking a conditional use for a propane retail distribution facility on this property. There was a site plan provided with the application. The plan shows two 30,000 gallon tanks and a filling cabinet, enclosed by a fence, with access from Industrial Drive.

Mr. Asteak stated that the zoning ordinance public hearing was duly advertised in the Express-Times on September 5, 2012, and September 12, 2012 and was posted at the property on September 11, 2012. Proof of publication was provided and the notice to the adjacent properties was provided.

The planning commission reviewed the application on September 13, 2012. The Township engineer provided written comments and the planning commission is present to provide their comments. Mr. Sylvainus, representing the planning commission, stated that the planning commission had a number of concerns, including: having the area completely fenced in for security purposes, having stone underneath the tanks, having a ballard/barrier to avoid errant vehicles hitting

the tanks and the structure, concerns with setback on Industrial Drive, concerns with the seismic rating of the tanks due to being in a blasting area, studies for sink holes in the areas, the setbacks to the Nazareth Borough boundary line, an emergency preparedness and evacuation plan proposed for a one mile radius, lighting and security, the storage of additional, smaller retail tanks stored outside of the building and inside the fenced in area.

Mr. Asteak introduced Mr. Jim Zulick, solicitor on behalf of the applicant. Mr. Zulick stated that he will present as witnesses Mr. Wayne Fogel and Mr. Curtis Dech, the service manager for Fogel Fuel. Mr. Zulick stated that this conditional use is permitted under the zoning ordinance in this district as reviewed by the Board of Supervisors. He stated that tonight he will show how Fogel Fuel will meet the criteria for this conditional use.

Mr. Fogel was sworn in by the court reporter. Mr. Fogel stated his addresses are 115 Hillendale Avenue as his home, 108 Easton Road as his business address, and 1519 Tatamy Road as a business he purchased three years ago. Mr. Fogel stated that he is in the heating oil, diesel, HVAC, propane, natural gas installation and maintenance business. A copy of the deed for the 1519 Tatamy Road property was presented. Mr. Zulick stated that this can be found in deed book V 2010-1, page 156178. Mr. Fogel explained that this property was formally Hester's Ceramics that offered classes and had a retail store. When purchased, this property was unkempt, rundown and overgrown. Mr. Fogel completely renovated the exterior of the property and constructed a second floor two bedroom apartment that is currently being rented. In the building, which is a warehouse, he has stored two oil trucks, a front end loader, and other equipment.

Mr. Fogel stated that due to the high price of oil, many people are converting to gas and propane. Many of his customers have asked if he could provide propane. Mr. Fogel started providing propane by purchasing a small truck and loading up at other retailers, driving seventy miles round trip. By adding two 30,000 gallon tanks for the storage of propane tanks, he will be able to provide services to his customers more readily and at a better price.

While looking into adding this business, Mr. Fogel reviewed the Upper Nazareth Township zoning ordinance, the Labor and Industry regulations, and the state and federal regulations. Mr. Fogel stated that he will use gravel throughout the area, will surround the whole area with a fence, and stated that the plan meets all of the requirements and setbacks. Mr. Fogel stated that he has spoken with his neighbors in the back of his property, all of whom are in attendance tonight. Mr. Fogel stated that he had planned on erecting a natural buffer, but will definitely erect it if so desired by the Board of Supervisors.

Mr. Zulick stated that the business has been approved and a permit received from Labor and Industry. A copy of that permit was presented to the Board. Once the construction is complete, Labor and Industry will come back to the site and give a final approval before the business can open.

Mr. Asteak stated from a document that the Department of Labor and Industry (L & I) has the sole right and ability to regulate LPG installation. The Township cannot make an ordinance to prohibit this. L & I provides the permits, licenses, operation, etc. of LPG containers and facilities. Upper Nazareth Township cannot regulate the construction of an LPG facility.

Mr. Zulick provided a picture depicting the installed tanks and fencing by HILTZ, the company that will be doing the construction and installation. HILTZ also provided Mr. Fogel with a packet including the safety information on the installation of the tanks.

Mr. Zulick stated that the fire department filed a report. Mr. Fogel met with Mr. Fassel from the Upper Nazareth Township fire department and Mr. Fassel delivered the fire report to the zoning officer.

Mr. Zulick asked Mr. Fogel if in any way this business was a safety hazard. Mr. Fogel stated that it was not and that he would not jeopardize his own business by constructing a business that was hazardous. Mr. Fogel stated that most of the time there will be no noise or odor. Mr. Fogel stated that there are protective devices to avoid collisions by cars and trucks.

Mr. Bruce Springer 320 Industrial Park Drive, a resident behind the property being discussed, asked if the setbacks meet the regulations. The setback is stated to be from the buildable area of the adjacent property of the business. The Propane and Liquefied Petroleum Gas Regulations state that there is a ten foot setback required. This property is in the light industrial zoning area.

Mr. Asteak asked what kind of traffic will occur with the business. Mr. Fogel stated only one small truck for delivering that will be used as needed and the tanker truck delivering propane to the business should be maybe once per week.

Mr. Zulick introduced Mr. Dech, 111 Nelson Avenue, Easton, who is employed as the service manager at Fogel Fuel. He is also the project manager for this project. Mr. Zulick asked Mr. Dech if a permit had been received from L & I. Mr. Dech stated there has been a permit received and explained that after construction L & I will return and inspect the site before Fogel's Fuel can operate. L & I will return yearly for inspections. Mr. Dech stated that HILTZ is following safety regulations. HILTZ is also following the National Fire Protection Agency (NFPA) no. 58 code regulations provided for installing and operating a propane retail business. Mr. Zulick asked Mr. Dech if all L & I and National regulations have been followed in these plans. Mr. Dech replied yes.

Mr. Zulick read from the Upper Nazareth Township zoning ordinance the criteria that must be met for this conditional use.

1. Did the application and proposal meet all Upper Nazareth Township Zoning Ordinance requirements? Mr. Dech replied – yes.
2. Did the application and proposal meet all other laws? Mr. Dech replied – yes.
3. In regard to traffic, is the design safe and efficient to minimize any hazards? Mr. Dech replied – yes.
4. Did the site plan show buffering, proper circulation, etc.? Mr. Dech replied – yes.
5. Does the applicant understand that a land development must still be approved by the planning commission and the supervisors? Mr. Dech replied – yes.

6. Does the applicant feel that the business will change the character of the surrounding residential neighborhood? Mr. Dech replied – no.
7. What will the hours of operation be? Mr. Dech replied – normally Monday through Friday from 7:30 a.m. to 5:00 p.m.
8. Is there a significant threat to safety of the neighborhood – hazards, fire? Mr. Dech replied – no.
9. Is this a suitable site with slopes, springs, natural features for this business? Mr. Dech replied – yes.

Mr. Zulick stated that in his opinion the application meets all general and specific criteria in the Upper Nazareth Township zoning ordinance and that Mr. Fogel is entitled to the approval of this conditional use request.

Mr. Sylvainus asked if there will be any employees at this site on a regular basis. Mr. Dech stated that just a truck driver will be in and out. The winter may be busier depending on the weather and any emergencies. Mr. Sylvainus asked where the delivery truck will be stored. Mr. Dech stated that it will be stored at the Borough building most of the time.

Mr. Kortze stated that the site plan shows two light poles and asked what kind of poles and the wattage. Mr. Fogel stated that he would install the lighting per any requirements from the Township.

Mr. Kortze also pointed out in the application that used 30,000 gallon tanks and was there any benefit to purchasing used. Mr. Dech stated that new tanks are ½” thick and weigh less; however, the older tanks are 1 – 1¼” thick and weigh more. He also stated that the older tanks were tested to make sure they are sound.

Mr. Zulick stated that he recommended that the Board approve the conditional use application. He stated that the applicant has met all general criteria.

Mr. Asteak asked if there was any public comment.

Mr. John Gregory, 314 Industrial Drive, stated that he rented a garage behind the conditional use property and was concerned about the safety of the tanks when no one would be on the premises. Mr. Dech stated that all of the valves and tubes are protected and will automatically close if there are problems.

Mr. Asteak stated that the hearing is now closed.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to grant conditional use approval contingent upon the applicant constructing, installing, and securing all applicable federal and state requirements as well as NFPA58 and Labor & Industry regulations and standards. Also that the area is fenced in, the stone is under the tanks, appropriate barriers/buffers to protect/block the tanks is installed, and security and lighting be presented in the land development plan. Finally that there is an emergency preparedness and evacuation plan and that the fire department comments are included with the plan. Motion carried by all voting aye.

SUPERVISORS COMMENTS

Mrs. Kronstadt asked for authorization to advertise for budget workshops for the rest of the year.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize Mrs. Kronstadt to advertise for workshops starting at 6:00 p.m. before the rest of this year's meetings, as needed, to work on the budget. Motion carried by all voting aye.

The Creekside development street light issue, the handbook, the supervisor's phone, and the backup were all tabled until the next meeting.

PLANNING & ZONING

Mr. Soloe presented the zoning report.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the zoning report. Motion carried by all voting aye.

PUBLIC WORKS

Mr. Shupe was not in attendance. Mrs. Kronstadt stated that the Board has the public works report in front of them. Mrs. Kronstadt stated that the Class A class has not been scheduled yet and that Mr. Shupe will keep the Board updated.

Mr. Asteak opened two bids for the 1985 Chevy pickup truck. One was from John F. Betz for \$750.00 and the other was from Joe Wolf for \$850.00.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the \$850.00 bid from Joe Wolf for the 1985 Chevy pickup truck. Motion carried by all voting aye.

Mrs. Kronstadt read a letter from the Nazareth Borough Municipal Authority about a resident concern on 5th Street. The Board directed Mr. Shupe to assess the road and to contact the Nazareth Borough Municipal Authority if further review is needed.

ADMINISTRATION

Mrs. Kronstadt stated that the partial Emergency Management Association membership has been canceled and that when the Township is renewing the PSATs membership the Emergency Management Association should be considered then.

Mrs. Kronstadt presented the MMOs for the police pension and the non-uniform pension.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the police and non-uniform pension MMOs. Motion carried by all voting aye.

Mrs. Kronstadt stated that \$62,475.49 in State Aid for the police and non-uniform pension plans will be deposited into the Township's general fund account on September 21, 2012.

Mrs. Kronstadt stated that \$42,489.18 in the Volunteer Fire Relief Association allocation will be deposited into the Township's general fund account on September 21, 2012.

Mrs. Kronstadt stated that the estimated liquid fuels disbursement for 2012 is \$132,436.96.

REPORTS

Library

Mrs. Sayago stated that the Nazareth library director has been chosen as the Pennsylvania Library Association director. She stated that grants in the amounts of \$500.00, \$2,000.00, and \$800.00 were received for different programs provided by the library. Mrs. Sayago stated that flu shots will be available in October as well as other programs.

Finally, Mrs. Sayago presented the budget request from the library to the Township. The library is asking for a 1% increase from the amount requested last year. In 2012, the library requested \$73,845.00 and this year they are requesting \$74,485.00. In 2012 the Township presented \$65,000.00 to the library, not meeting the requested amount. Mrs. Sayago urged the Township to meet the request for the 2013 budget of \$74,485.00.

Mr. Rinker stated that PennStar helicopter would not be present at the Touch a Truck event on October 6 due to financial issues such as fuel costs.

Police Department

Chief Siegfried requested the Board's approval to increase the hourly amount billed for school events from \$35.00 per hour to \$37.00 per hour.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to increase the hourly amount billed for school events from \$35.00 per hour to \$37.00 per hour. Motion carried by all voting aye.

Chief Siegfried requested authorization to transfer funds in certain police budget line items to other police budget line items to cover costs.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize the transfer of funds in certain police budget line items to other police budget line items to cover costs. Motion carried by all voting aye.

Fire Department

The Board received the fire report.

Emergency Management

Nothing at this time.

Township Solicitor

Mr. Asteak stated that Ashley will not complete the work at the detention pond in Hillside Farms III. Mr. Asteak stated that the Township will cash out the letter of credit to complete the improvements needed at the pond. The balance in the letter of credit is \$25,797.33. Mr. Asteak presented a resolution for the Board to approve stating that the letter of credit will be cashed out to complete the improvements needed at the Hillside Farms III detention pond.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to cash out the Hillside Farms III letter of credit to complete the improvements needed at the Hillside Farms III detention pond. Motion carried by all voting aye.

Mr. Asteak stated that he has received the approved easement agreement with Schoeneck Moravian Church granting the right to traverse their property for the construction of the storm sewer.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the easement agreement with Schoeneck Moravian Church granting the Township the right to traverse their property for the construction of the storm sewer. Motion carried by all voting aye.

Mr. Asteak presented a memorandum of understanding with the Nazareth Borough Municipal Authority agreeing to let the Township install the storm sewer pipes within their sewer easement.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to approve the easement agreement with Nazareth Borough Municipal Authority agreeing to let the Township install the storm sewer pipes within their sewer easement. Motion carried by all voting aye.

Mr. Asteak presented an agreement with Martin Guitar granting the right to traverse their property for the construction of the storm sewer.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the agreement with Martin Guitar granting the Township the right to traverse their property for the construction of the storm sewer. Motion carried by all voting aye.

Township Engineer

Mr. Kortze explained to the Board about the updated floodplain ordinance draft. He explained that it is a mandatory requirement by FEMA and must be adopted and in place when the flood maps become official. Right now the flood maps are in the comment period and challenges can be made until mid November and then it will be another six months until the maps are officially adopted. Mr. Kortze explained that this floodplain ordinance will be an amendment to the current zoning ordinance. Mr. Kortze stated that the floodplain ordinance must be sent to DCED for review and then it can be advertised and approved by the Board.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize Mr. Kortze to submit the draft floodplain ordinance to DCED for review. Motion carried by all voting aye.

Mr. Kortze stated that Tuskes has asked for a reduction in the Eagles Landing Phase II letter of credit and to enter in into the maintenance period. Mr. Kortze felt that this was not ready to go into the maintenance period but that there could be a reduction in the letter of credit.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize a reduction in the Eagles Landing Phase II letter of credit of by \$198,077.28, leaving a balance in the letter of credit of \$345,666.91. Motion carried by all voting aye.

Mr. Kortze stated that Tuskes has asked for street lights to be installed in Eagles Landing Phase II and that a resolution needs to be completed between Met-Ed and Upper Nazareth Township before the lights can be installed. Once this resolution has been completed, Tuskes will install the street lights. Mr. Kortze suggested that the lights be energized upon installation.

Mr. Kortze stated that he is waiting for the Board's recommendations as to the weight limit studies on Township roads.

Mr. Kortze stated that the 2012 Road Surface Treatment Project is requesting one change order that is an addition of \$320.88 and final payment of \$76,123.68 from the liquid fuel fund to be released when the contractor satisfactorily addresses two outstanding punch list items and provides the office with all project close-out documents required by the contract documents. The Township will be notified when these items are met and the check can be released. Mr. Kortze stated that the \$9,150.00 saved on the project will be put toward

the approved 2013 Road Program. A one-year, 15% maintenance bond from Asphalt Paving Systems is provided for the Township records.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize change order no. 1 that is an additional \$320.88 and to authorize the final payment to Asphalt Paving Systems of \$76,123.68 from the liquid fuel fund to be released when the contractor satisfactorily addresses two outstanding punch list items and provides the office with all project close-out documents required by the contract documents. The Township will be notified when these items are met and the check can be released. Motion carried by all voting aye.

Mr. Kortze stated that there is a meeting with the developer and Bath Municipal Authority to discuss the drainage construction for Manchester Way. Mr. Kortze stated that the developer indicated that the project is scheduled to be completed in October. Mr. Kortze will keep the Board updated.

Mr. Kortze stated that the fire department is putting the blinking light at Newport Avenue and Route 191 on hold at this time.

Mrs. Sayago asked about painted markings on Blossom Hill Road and what they were for. Chief Siegfried stated he believed they were for a biking program.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG – Nothing at this time.

TCC – Nothing at this time.

Recycling – Mrs. Kronstadt stated that the Township's interest in a chipper with grant money from recycling has been advertised based on the requirements from the grant.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Donello and seconded by Mr. Rinker to adjourn the meeting at 10:04 p.m. Motion carried by all voting aye.

MINUTES – October 3, 2012 UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:14 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Michael Rinker, and Scott Sylvainus. Board member not present was: Willard Mohn. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Mr. Rinker stated that there was a workshop that started at 6:00 p.m. to work on the 2013 budget.

Mr. Rinker stated that there was an executive session right after the workshop to discuss personnel issues.

Motion was made by Mr. Augustine and seconded by Mr. Donello to accept the agenda as written. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the September 19, 2012, minutes. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Rinker to accept the bills report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Theresa Naska, 78 Sycamore Street, explained about an issue with two fences between her and her neighbor's property and the abundance of weeds and garbage collecting in between the fences. Mr. Soloe stated that technically there is nothing that zoning can do. The resident would need to clean up the area. Mr. Soloe stated that this appears to be a dispute between neighbors. Mrs. Naska stated that she reviewed the zoning ordinance and it states that a fence must be sturdy and she stated that the neighbor's fence is not sturdy. Mr. Soloe stated that the resident could go to the magistrate. Mrs. Naska stated she did speak with the magistrate and they stated that it was a Township zoning issue. Mr. Asteak stated that it is a zoning ordinance/neighbor issue and that the zoning officer needs to send the neighbor a "weed ordinance" compliance letter.

Al Smith, 517 W. St. Elmo Street, stated that there are huge puddles in the road and at the end of his driveway since the construction of the storm drain done this summer on W. St. Elmo Street. He also stated that the black top is very wavy along the curb. He is worried about ice in the winter and has never had a problem before the construction. Mr. Shupe stated that there is a depression and that he feels the area should be untouched to allow for any additional settling and the road crew will fix the issue in the spring.

Tim McNair, 524 Stonybrook Road, spokesman for other residents along Stonybrook Road, stated that he and the neighbors are concerned with the detention pond behind their houses in the Hillside Farms development. Mr. McNair stated that he understood that the Township was going to take the money from the letter of credit to fix the pond. He asked if there was enough to cover the costs of fixing the pond and how the Township planned on fixing the pond. Mr. Sylvainus stated that there should be enough money to fix the pond back to the way the plans presented the pond. Mr. Asteak stated that the Township is waiting for a response and the money from a performance

bond in California. Mr. Kortze stated that when the money gets to the Township, the trees and brush will be removed and the ground will be stabilized. The rest will be done in the spring. Mr. McNair asked that when the pond is completed will it remain maintained. Mr. McNair stated that he knows that the property owner that is responsible for the pond is putting the home up for sale soon. He wants to know how potential new owners will know that they have to maintain the pond. It is stated in the deed that the pond needs to be maintained.

Mike McCauley, 516 Stonybrook Road, stated that he lives along the pond and he questions whether the deed specifies how it will be maintained. He presented pictures of the pond and the fence around it showing the disrepair and wanted to know what will be done if the property owners do not maintain the property. Mr. Asteak stated that it would be a zoning issue.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that Mr. Shupe had fixed the one light in the Creekside Development that had been out. Mr. Sylvainus stated that there is still an issue because the photocells are not compliant with Met-Ed standards therefore Met-Ed will not fix the photocell. Mr. Shupe stated that he will look into possibly changing the current photocell to the screw-in cells that the rest of the Township lights have. He will bring information to the next meeting.

Mr. Sylvainus stated that the Supervisors and the Department Heads received copies of the handbook to review and changes and suggestions were suggested. Most of these changes were made. Mr. Augustine asked if the Township will be having a professional handbook person review the Township handbook. There was discussion about two possible lawyers to review the handbook. This was postponed to the end of the meeting.

The Supervisor's phone issue was tabled.

Mr. Asteak stated that a letter was received by Mr. Piperato on behalf of Tuskes homes about the Eagles Landing Phase II installation of streetlights stating that the developer will accept the responsibility of installing and energizing the street lights and accepting responsibility for payment of Met-Ed invoices for the streetlights located in Phase II, consistent with the improvements agreement. Mr. Kortze stated that the Township could put Phase II into maintenance either before the lights are installed or after the lights are installed. A resolution needs to be put together between Met-Ed and the Township. Mr. Kortze will communicate with the developer as to what transpired at this meeting.

PLANNING & ZONING

Mr. Soloe presented the zoning report.

Mr. Soloe stated that Mr. Gambocurta is resigning as the zoning hearing board alternate, that Mrs. Lyons is resigning as the zoning hearing board secretary, and that there is still an opening on

the planning commission. He requested that the Township place one advertisement in the paper for these three openings.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to advertise for the openings of the zoning hearing board alternate, the zoning hearing board secretary, and a planning commission member. Motion carried by all voting aye.

PUBLIC WORKS

Mr. Shupe stated that training for the Class A CDL license will be Friday, October 5, 2012, from 8:00 a.m. to 12:00 p.m. for Craig Hoffman, Edgar Geiger, Joe Brown, and himself. Once the training is complete, a testing date will be determined.

Mr. Shupe stated that he inspected the depression at 5th Street and does not believe it is a new problem. There is no additional cracking. The original sink hole was eight feet deep and a lot of material was placed in the hole and compacted. This depression may be due to settling of the material in the hole. Mr. Shupe suggested letting it set until the spring and then making any needed repairs. Mrs. Lyons stated that the resident complaining about the 5th Street issue wants the Township to talk with NBMA and have them fix the road. Mr. Shupe spoke with Mr. Itterly from NBMA who had the area televised and the sewer line has not moved. It is strictly a road issue. Mr. Shupe will continue to monitor the road and make corrections in the spring. Mr. Sylvainus will contact the resident to update them on this discussion.

Mr. Shupe stated that leaf pickup will begin on October 22, 2012. The yard waste facility will close on November 17, 2012.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to advertise for the leaf pickup to begin on October 22, 2012, and the yard waste facility will close on November 17, 2012. Motion carried by all voting aye.

ADMINISTRATION

Mrs. Kronstadt presented a thank you letter from the Third Street Alliance for Women & Children for hosting the RAV Rumble, a motorcycle cruise to benefit the shelter programs at the Third Street Alliance that was held on September 23, 2012, starting at Tuskes Park. They thanked the Road Department for all their help and hard work and the recreation board for working with them to initiate the event. They hope to return in 2013.

Mrs. Kronstadt presented a right to know seminar held by LVPAA to update municipalities on the right to know act. It will be held on October 10, 2012, from 6:30 p.m. to 8:00 p.m. at the Allentown Brew Works at a cost of \$30.00. Mr. Asteak stated that PSATs and DCED have classes in regard to this subject and we should look into attendance at these classes.

Mrs. Kronstadt presented the Act 44 disclosure form for entities providing professional services to the Upper Nazareth Township police pension system and the December 31, 2011, financial statements for the Upper Nazareth Township police pension plan.

Mr. Sylvainus stated that the equipment and re-wiring for the Township building has been completed and that the next step is the backup system. He presented a quote from Computer Networking & Repair (CNR) for onsite equipment to backup the Township information in-house at a cost of \$479.00 and a backup system offsite at a cost of \$229.99. Mr. Sylvainus stated that the Township should invest in at least one but recommended both, which is usually the way businesses backup their data. Chief Siegfried offered the Township the used police server to implement with the backup work. Mr. Sylvainus stated that at this time the Township is only looking at backup and sometime in the future will look into a server.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the purchase and installation of the backup system presented by CNR at a cost of \$479.00 for the equipment and services for the onsite backup and a cost of \$229.00 for the offsite backup. Motion carried by all voting aye.

Mr. Sylvainus presented three quotes for HVAC maintenance of the Township building's heating/cooling system. Three quotes were received: Tru Comfort at a cost of 534.00 (plus and additional \$136.40 for two additional filter cleanings), Fogels Fuel at a cost of \$730.00, and Field's Service, Inc. at a cost of \$1,047.00.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to award the HVAC maintenance contract to Tru Comfort with the additional two filter cleanings for a total cost of \$671.00. Motion carried by all voting aye.

REPORTS

Library

Mrs. Sayago stated that there are two programs for free at the library; however, registration is needed. They are a "CSI" presentation and a chocolate presentation. Mrs. Sayago stated that Touch a Truck will be held on October 6, 2012, from 10:00 am to 2:00 p.m. The cost is \$5.00 per person, \$20.00 for a family of five or more. She thanked the Township and the road department for all of their help. There will be hay rides this year and the final event is the parade of trucks at the end of the day.

Police Department

Chief Siegfried stated that the Halloween Party by the police department will be held on October 31, 2012, from 4:00 p.m. to 8:00 p.m. at the Township building.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize the Halloween Party by the police department to be held on October 31, 2012, from 4:00 p.m. to 8:00 p.m. at the Township building. Motion carried by all voting aye.

Chief Siegfried stated that at the last meeting he requested the Board's approval to increase the hourly amount billed for school events from \$35.00 per hour to \$37.00 per hour. After further calculations, he realized that the new amount should be \$39.00 per hour.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to increase the hourly amount billed for school events from \$35.00 per hour to \$39.00 per hour. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to hold trick or treating for Halloween on October 31, 2012, from 6:00 p.m. to 8:00 p.m. Motion carried by all voting aye.

Fire Department

Mr. Sylvainus stated that KMIT, the Township's workers compensation insurance carrier, sent a letter stating that they will no longer cover volunteer or paid firefighters because of a new law enacted that includes cancer as a covered workers compensation illness. The Township needs to search for other coverage. The Township's current broker, Brown and Brown is also looking for other coverage. Mr. Sylvainus asked the Board to authorize him to sign a quote request and to pursue getting quotes for volunteer firefighter's workers compensation insurance.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mr. Sylvainus to sign a quote request and pursue getting quotes for volunteer firefighter workers compensation insurance. Motion carried by all voting aye.

Emergency Management

Nothing at this time

Township Solicitor

Mr. Asteak stated that he is still waiting for a response from the Nazareth Area School District in regard to setting up a meeting to discuss the Route 191/Friedenstahl Avenue traffic signal.

Mr. Asteak stated that the Hillside Farms III detention pond was discussed earlier in the meeting.

Township Engineer

Mr. Kortze stated that the Eagles Landing Phase II maintenance agreement was discussed earlier in the meeting and that the developer will install the street lights and energize them.

Mr. Kortze stated that he is waiting for the Board's input about which roads the Board may want to have a traffic study on for truck enforcement. Chief Siegfried stated that the Township would need 6 sets of scales at \$3,000.00 each as well as training of multiple officers and testing for certification in Harrisburg, however, the fines collected are high for violations. Mr. Asteak stated that these studies are needed to be able to enforce weight limit signs and "no trucks" signs.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize the Township engineer to perform a traffic study on Silvercrest Road at a cost of approximately \$400.00. Motion carried by all voting aye.

Mr. Kortze stated that the drainage issue on Manchester Way is in between two properties. He stated that the owners preferred an alternative remedy that would install piping for the drainage along the Bath Sewer Authority easement. Last Thursday at a meeting with the Bath Sewer Authority, they stated that they will not allow this to proceed along their easement. At this time, the project is at an impasse as the residents will not allow the developer to work on the property between their two houses. Mr. Kortze will keep the Board updated.

Mr. Kortze stated that the draft floodplain ordinance has been submitted to DCED. Due to the reduction of staffing, the draft may not be reviewed until sometime in late 2012. He will keep the Board posted. Once the DCED approves the ordinance it will then go to the planning commission for their approval.

Recreation Board

Mr. Sylvainus stated that the RAV Rumble was held at Tuskes Park and that Touch a Truck will be held this coming weekend.

Mr. Shupe asked Mr. Sylvainus when the bottom baseball field will be done being used so that he can work on the field in the fall to prepare for the spring. Mr. Sylvainus will check the schedule and get back to Mr. Shupe.

Mr. Sylvainus stated that the fire company is having a fundraiser event at Tuskes Park and may contact Mr. Shupe if anything is required by the road crew in preparation for the event. This event is for fire prevention week.

CDBG, TCC, Recycling

CDBG – This project is moving along, finishing about one house per month. There are five on the waiting list and five in the application stage.

TCC – Nothing at this time.

Recycling – Mr. Sylvainus stated that the committee met and they are working on getting a bid package together. They expect to have one more meeting. Mr. Sylvainus stated that Stockertown just hired one hauler and the cost is \$200.00 per residential unit for a three year contract. That equates to approximately \$17.00 per month.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

At this time, the Board returned to the discussion of the handbook. There were two proposals, one from Jennifer Will, from McNees, Lawless, and Nurick, LLC., for \$190.00 per hour and one from John Harrison, from Devito & Broughal, for \$250.00 per hour. Mr. Asteak was familiar with the Mr. Harrison from Devito & Broughal. He was not familiar with Ms. Will from McNees, Lawless, and Nurick, LLC.

Motion was made by Mr. Augustine and seconded by Mr. Sylvainus to send the handbook to John Harrison, from Devito & Broughal, for review at a cost of \$250.00 per hour Motion carried by all voting aye.

NEW BUSINESS

Mr. Augustine stated that there is a household hazardous collection site on Saturday, October 6, 2012, from 8:30 a.m. to 2:00 p.m. at Northampton Community College for waste such as bulbs, batteries, oil, paint, etc.

Mr. Rinker stated that the Board will be going into an executive session following the meeting with Nazareth Borough.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Augustine to adjourn the meeting at 8:57 p.m. Motion carried by all voting aye.

**MINUTES – October 17, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS**

Meeting called to order at 7:13 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Michael Rinker, and Scott Sylvainus. Board members not present were: Willard Mohn and Andrew Donello. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to accept the agenda, moving the Fogel Fuels Plans to right after the financial report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the October 3, 2012, minutes, making a change on page 7 that Mr. Augustine announced the hazardous waste collection, not Mr. Sylvainus. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the bills report. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the financial report. Motion carried by all voting aye.

FOGEL FUEL PROJECT APPROVAL

Mr. Zulick stated that he was present to represent Mr. Fogel for the project approval. He introduced Wayne Fogel, Curtis Dech, service manager for Fogel Fuel, and Kevin Fruck, the engineer for the project. Mr. Zulick stated that a letter dated October 16, 2012, was received from Mr. Kortze agreeing with the request for approval of the land development plan. Mr. Augustine asked if all details and conditions were met. Mr. Zulick stated that they were and that it is reflected in the letter from Mr. Kortze. This has been in front of the planning commission who had recommended a number of changes, all that have been met. These changes included make the fence eight feet instead of six feet, adding additional bollards, trees, a handicap space, moving the sidewalk and make sure the small, empty tanks are stored inside of the fence. A letter was also received from the fire department and presented to the Board. There was no comment from the public.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to approve the Fogel Fuel land development plan. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Mrs. Kresge asked why there were no recycling cans at the Tuskes Park. The Board and Mr. Shupe stated that this was a good point and they will take care of it.

A few residents were at the meeting asking questions about the Township moving to one trash hauler. Questions included costs, limits on the amount of garbage allowed to be placed out, if

one hauler could handle the whole Township, if there were any considerations for seniors, if all Township residents were required to use the single hauler, how are the residents going to be billed, etc.

Mr. Sylvainus and Mr. Augustine, members of the recycling committee, tried to answer many of the questions. They stated that there are currently eleven different haulers traveling on the Township roads, multiple per day and multiple days per week. With one hauler, there would not be so much wear and tear on the Township roads. They stated that they will contract with the hauler to have unlimited trash, recycling, bulk items and possible yard waste. The cost should be lower for most of the residents and they will try to work in a senior discount. Most townships have moved to one hauler to control the times of pickup, environmental issues and the quality of the service. The Township would also be eligible for performance grants for the recycling collected and could use these grants to target seniors, those who live part-time in the area, and lower income families. A survey was sent to the residents of the Township earlier in the year and the results showed that eleven haulers are in the Township. One of the questions asked the residents what concerns were most important to them. The results were cost, environment, expansion of services and lastly, which hauler was chosen.

Mrs. Donnelly, corner of Broad Street and W. St. Elmo Street, brought up her concerns with the noise of the cars going by blasting their radios and if the Township could do anything about it. Chief Siegfried stated that she should call the police around the time that this occurs the next time and they will try to have an officer there.

Mr. and Mrs. Tarsi, Longview Drive, stated that they are having an issue with a neighbor and the neighbor's pool being drained into their yard causing mosquitoes, soft land, and possibly a sink hole in the Tarsi's yard. Mr. Tarsi stated that he has been in contact with Mr. Soloe and that a letter was sent to the neighbor. Mr. Soloe believes that this is not a zoning issue and that it is a conflict between two neighbors. Mr. Tarsi disagrees. Mr. Asteak stated he believes it is an issue between two neighbors and that Mr. Tarsi has the option of suing the neighbor. Mr. Tarsi stated that he does not want to go that course of action. Mr. Rinker stated that he would like to speak with Mr. Soloe and Mr. Asteak about the issue and will get back to the Tarsis at a later date.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that the handbook has been submitted to Attorney John Harrison for review. Mr. Harrison stated he agreed to review the handbook at a cost of no more than \$500.00. Mr. Sylvainus spoke with Mr. Harrison today and Mr. Harrison stated that the review should be completed by the end of the week or the beginning of next week. Mr. Harrison stated that his review so far seems to find everything that needs to be in the handbook is in there and that he may have suggestions for better readability.

Mr. Rinker stated that the phone issue has been taken care of.

Mrs. Kronstadt presented a letter suggested by Brown and Brown to KMIT stating that the Township is collecting quotes for workers compensation from multiple providers in addition to KMIT. This letter needs to be signed by the chairman and mailed.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the chairman to sign the letter to KMIT stating that the Township is collecting quotes for workers compensation from multiple providers in addition to KMIT. Motion carried by all voting aye.

PLANNING & ZONING

Mr. Soloe stated that he attended a meeting with the Nazareth Borough Municipal Authority (NBMA) and Codemaster to discuss the changes to how NBMA will be handling sewer issues between the street and the resident's houses. They are putting together a new set of plans reflecting these changes. The Township's SEO, Chris Noll, will be involved in the emptying and filling of septic systems; however NBMA will be involved in the in-house, through the wall, and street sewer system. The Township will review all plans.

Mr. Soloe stated that he received an email from Tom Doyle about the Redcliffe/Manchester Way storm water issue about setting up a meeting between the Board, Mr. Kortze, Mr. Asteak, himself and the Redcliffe developers. Mr. Soloe stated that he sent an email back stating that there will be no meetings between Township officials and the developer. Mr. Soloe stated that it is up to the developer and the residents to come up with a design and that this design will be reviewed by Mr. Kortze for compliance only. This issue is between the developer and the resident. Mr. Sylvainus and Mr. Rinker both agreed with Mr. Soloe. They stated that Mr. Kortze can review, not design, plans for a resolution to this issue. The Board stated that an escrow would be required to cover the costs of the engineer's review.

Mr. Soloe stated that he had a chance to look through the Township's website and stated that it is in total disrepair. When he clicked on links to review winter maintenance suggestions, he was sent to the 2010 Township budget. Mr. Soloe stated that the website needs to be maintained or revamped because it is not up to date or functioning properly. Mr. Sylvainus stated that he is aware of the situation and will be addressing it soon.

PUBLIC WORKS

Mr. Shupe presented his monthly report.

Mr. Shupe stated that he is looking into replacing the photo cells on the street lighting in the Creekside development with a twist lock photo cell. He has not heard back about the cost at this time. He will keep the Board updated.

Mr. Shupe stated that all road crew employees who took the Class A CDL license test passed. There is a fifteen day waiting period to receive the actual hardcopy of the license.

Mr. Shupe stated that the leaf collection will start on Monday, October 22, 2012, and that the yard waste facility will close on November 17, 2012.

ADMINISTRATION

Mr. Rinker stated that the Board should set up a meeting on October 29, 2012, at 6:00 p.m. to work on the budget.

Mrs. Kronstadt requested authorization to advertise that the 2011 audit is available for the public to review.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize Mrs. Kronstadt to advertise in the Bath Home News that the 2011 audit is available for public review. Motion carried by all voting aye.

Mrs. Kronstadt presented two quotes to repair the streetlight on the corner of Longview Drive and Holly Street. One was from Strawn at a cost of \$300.00 and the other was from Keco at a cost of \$740.00.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the bid from Strawn at a cost of \$300.00 to fix the streetlight on the corner of Longview Drive and Holly Street. Motion carried by all voting aye.

Mrs. Kronstadt stated that PMA Management Corp, hired by KMIT, will be at the Township on October 22, 2012, to provide risk control services to the Township. Mr. Shupe stated that when he has this done in the past by a different group they did a walk through the facilities and looked over the safety policies in place. Last time, Mr. Shupe stated that he had the company back to do some training for the road crew.

Mrs. Kronstadt presented Resolution 12-14, between the Township and Met-Ed, providing street lighting for Eagles Landing Phase II. Option 4 was chosen.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to adopt Resolution 12-14, between the Township and Met-Ed, providing street lighting in Eagles Landing Phase II, choosing option 4. Motion carried by all voting aye.

Mrs. Kronstadt presented a letter from Mr. Mike Kresge stating his intent to serve another term on the zoning hearing board.

Mrs. Kronstadt stated that PMRS delivered the Comprehensive Annual Financial Report for 2011 for the Board's review.

REPORTS

Library

Mrs. Sayago thanked the Township for their participation in the Touch a Truck program. It was a huge success. She thanked the police department and the road department. The library raised approximately \$6,000.00 with over 1,000 people in attendance.

Police Department

Chief Siegfried presented the police report.

Chief Siegfried stated that there was a letter to the editor in the paper praising two police officers for going above and beyond what they are required to do.

Chief Siegfried stated that the complaint about the abandoned vehicle on Lynn Lane has been resolved. He cited the resident and attended a hearing today where the resident was pronounced guilty of the charges and the vehicle has been removed.

Fire Department

Mr. Fassl presented the fire report.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the fire report. Motion carried by all voting aye.

Emergency Management

Nothing at this time

Township Solicitor

Mr. Asteak stated that the Fogel Fuel project was discussed earlier in the meeting.

Mr. Asteak asked for the Board's authorization to advertise for approving a resolution appointing a CPA to do the Township's 2012 audit.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mr. Asteak to advertise for approving a resolution appointing a CPA to do the Township's 2012 audit. Motion carried by all voting aye.

Mr. Asteak stated that the Township has no auditors returning at this time. The one purpose for the auditors is to meet on the first Tuesday in January to set a working supervisor's salary. They would set Mr. Donello's salary. The Township needs to find three individuals who would be willing to serve as auditors between now and the end of the year. They must be a resident of the Township and registered to vote.

Mr. Asteak stated that he is still waiting for the school district's lawyer to contact him about setting up a meeting, previously requested by them, to discuss the traffic signal.

Mr. Asteak stated that he received correspondence from the insurance company holding the letter of credit for Hillside Farms III. Mr. Asteak sent a letter to Mr. Kortze seeking backup information on the letter of credit for the insurance company on how the monies were reduced over the construction period of the Hillside Farms III development. Mr. Kortze will present an updated report clarifying the costs of the development.

Mr. Asteak was authorized by the Board of Supervisors to speak with the Nazareth Borough solicitor about the police issue. Contact has been initiated and Mr. Asteak is waiting for the Board's direction for future contact.

Mr. Asteak stated that there was an executive session with two of the supervisors before the meeting to discuss police issues.

Mr. Asteak stated that there is a trial date set for October 22, 2012, in regard to the Polak/Nikles lawsuit.

Township Engineer

Mr. Kortze stated that the Eagles Landing Phase II streetlights were discussed earlier in the meeting.

Mr. Kortze stated that he has completed the field evaluation for the traffic study on Silvercrest Lane and will have a complete report at the next meeting.

Mr. Kortze asked if the Board is planning on any other roads for traffic studies. Mr. Sylvainus stated that the Board should think about Friedenstahl Avenue and Schoeneck Avenue. Mr. Kortze stated that he may not be able to justify a weight limit on these roads; however, he may be able to justify turning issues on these roads. Mr. Kortze stated that it is fairly easy to perform the study and prepare the report. The Township could post a "no trucks except for local deliveries" sign. The Board decided to wait on this traffic study at this time. Mr. Augustine asked if this could be enforced. Mr. Asteak stated that once a traffic study is completed, an ordinance is adopted and then it is enforceable.

Mr. Kortze stated that the Manchester Way issue was discussed at the last meeting and that the Board agreed that this is an issue between the developer and the residents. The only involvement now would be to review any plans submitted to make sure they comply with Township ordinances and requirements.

Mr. Sylvainus asked Mr. Kortze about an email received about the bridge on Blossom Hill Road being rated and posted for 34 tons. Currently it is posted for 7 tons. This is a county bridge and through their testing they reposted it.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

CDBG – the Township will be receiving one partial repayment on a project as the property will be changing hands. This replenishment will be deposited into the CDBG fund.

TCC – Nothing at this time.

Recycling –

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Augustine and seconded by Mr. Rinker to adjourn the meeting at 8:53 p.m. Motion carried by all voting aye.

UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

There was a budget workshop from 6:10 p.m. to 7:00 p.m.

Meeting called to order at 7:02 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Michael Rinker, and Scott Sylvainus. Board member not present was: Willard Mohn. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The Board left for an executive session to discuss personnel issues.

The Board returned from the executive session at 7:35 p.m. Mr. Asteak stated that the Board discussed the police negotiations.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to accept the agenda, as written. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve the minutes from the October 17, 2012 meeting. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to accept the bills report. Motion carried by all voting aye.

Mr. Sylvainus stated that when the safety person visited the Township for review of our safety procedures he suggested written inter-municipal agreements be prepared between Upper Nazareth Township and any municipality we work together with or share equipment with.

Mr. Shupe will contact other municipalities to obtain copies of their agreements for the Township to reference. Mr. Rinker asked if emergency management could also be included in this agreement.

COURTESY OF THE FLOOR (Non-Agenda items only)

Mrs. Donnelly, corner of N. Broad Street Ext. and W. St. Elmo Street, presented her concerns for going to one trash hauler. She stated that Act 101 states that trash and recycling must be picked up, but it does not say that the Township must go to one hauler. She asked why the Township could not have an ordinance regulating the recycling and fine those who do not comply. She asked if commercial properties had to use the same hauler. Mr. Sylvainus stated that there are different requirements for commercial and they would not be included in the one hauler. She is also concerned about the costs, especially to senior citizens. Mr. Sylvainus stated that he believes that the cost of one hauler should be less than what most residents are paying now, including the seniors. He stated that looking at costs is one of the most important aspects of this process.

Mike Edgar, 3442 Daniels Road, stated that he pays per bag and does not believe that the Township can get the cost of collection lower than what he pays now. He suggested having a trash company pay a permit to collect in the Township and for the Township to limit the times and days that they can enter the Township.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that the handbook is almost completed. He has spoken with Attorney Harrison, who reviewed the handbook, and there was one word changed for legal reasons and he has offered other suggestions to promote the readability of the handbook. These changes are being made. Attorney Harrison also stated that he would provide the Township with example policies to see if the Township would like to use these examples in place of what has already been written. Mr. Sylvainus stated that the total cost will not exceed \$750.00.

Mr. Sylvainus stated that the Township's workers compensation provider, KMIT, is no longer providing coverage for volunteer firefighters. Mr. Sylvainus stated that Brown & Brown, our insurance broker, is looking into other carriers. There is a state co-op type of workers compensation insurance that the Township can join. The cost of coverage for the volunteer firefighters will increase from \$9,800.00 in 2012 to \$14,600.00 in 2013. The state program requires a one-third deposit of the \$14,600.00 from the Township by the middle of December. Brown & Brown are continuing to look, but the Township will have to decide by the middle of December. Mrs. Williams stated that there is disability for the volunteer firefighters through the fire relief and that the Township is required to provide workers compensation.

PLANNING & ZONING

Mr. Soloe presented the zoning report.

Mr. Soloe stated that there is a resident in the Township asking the Township to vacate a "paper alley" so that he can install a shed on it. Mr. Asteak stated that they must submit a map and legal description of the area they want vacated. The Township would vacate the whole "alley" and it would be split between the landowners. The landowners will pay for the costs to accomplish this. Mr. Soloe will let the resident know what the next step is.

PUBLIC WORKS

Mr. Shupe stated that the public works department, fire department and police department received a donation from Sam's Club for water, Gatorade, blankets, etc. during the hurricane. Mr. Shupe would like the Township to send a thank you letter. The Board asked if the paper could mention this in a future story.

Mr. Shupe stated that during the hurricane the Township was shut down. There were no generators for any of the Township buildings. Mr. Shupe suggested that the Township should look

into purchasing generators for each of the buildings to supply electricity to recharge phones, batteries, flashlights, and for power tools to fix equipment, etc. Chief Siegfried agreed with Mr. Shupe. Mr. Asteak stated that the Township could submit this request to the gambling grants from the gaming funds. Mr. Rinker stated that a disaster report was submitted. Mr. Sylvainus stated that the Township should try to get a grant for the cost of the generators. Mr. Shupe stated that portable generators would work fine for the garages.

Mr. Shupe also mentioned that fuel was a huge issue also. He recommended that the Township look into a possible backup fuel tank for the Township vehicles. Mr. Rinker suggested Mr. Shupe speak with someone from Nazareth Borough for information about fuel tanks.

Mr. Asteak asked if the Township had an emergency management plan that would take all of these issues into account.

The Board stated that the Township needs to come up with a plan and a cost to implement the plan. Mr. Shupe stated that he will do this for the two maintenance buildings. Mr. Rinker stated that he will meet with Joe Brown and see what needs to be done. They will look into grants also.

Mr. Shupe stated that he has been researching photo cells to replace those on Creekside Drive. The first was too big. He is waiting for another type to see if it will fit.

ADMINISTRATION

Mrs. Kronstadt presented a thank you letter to the Township from the library thanking the supervisors, the public works department, and the police department for their participation and assistance with the Touch a Truck program.

Mrs. Kronstadt presented the flood insurance renewal documents. Mr. Sylvainus asked what the quote would be if there was a higher deductible and also asked if the vehicles are covered in this policy. Mr. Sylvainus also stated that the Daniels garage is not in a flood zone. Mrs. Kronstadt will research this and get back to the Board.

Mrs. Kronstadt stated that the Sycamore Street reconstruction project has been selected as the Pennsylvania Aggregates and Concrete Association's Commercial Project of the Year. It will be recognized at an awards ceremony during their annual meeting on November 14, 2012, at the Hotel Hershey. Sean Dooley is attending the ceremony and requested a supervisor to join him. Mr. Rinker stated that he would try to attend and will get back to Mrs. Kronstadt to let her know.

Mrs. Kronstadt stated that the Hillside Farms escrow account is now empty and that Mr. Asteak's bill has not been paid in full. She asked what the status was on the letter of credit and if these professional fees would be paid from that fund. Mr. Asteak stated that the bonding company is refusing to pay up on the bond. Mr. Asteak stated that he has sent another request with extra backup information from Mr. Kortze. The bonding company had issued a performance bond for the work to be done and that then there should have been a maintenance bond opened for the maintenance period. Hillside Farms was developed before Mr. Asteak and Mr. Kortze were hired

by the Township. When Mr. Asteak and Mr. Kortze started working for the Township they required the use of letters of credit and now the Township does not have to face this issue. The bonding company claims that the money in the account is still for a performance bond and not a maintenance bond.

Mr. Asteak stated that the Township should ask Ashley, the developer for Hillside Farms, to replenish the escrow account with the amount of \$7,000.00. Mr. Asteak asked to be copied on the letter.

Mrs. Kronstadt stated that the quarterly police pension report is in the office and available for review by the Board.

Mrs. Kronstadt presented information on a bond for the real estate tax collector. In 2011 she was bonded for \$191,000.00 at a cost of \$668.50. The renewal rate for the \$191,000.00 bond for 2012 is \$839.15 due to the tax increase the real estate tax collector handles much higher sums of money. It was suggested to get a \$500,000.00 bond. The cost would be \$1,044.27.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to purchase the real estate tax collector a \$500,000.00 bond at a cost of \$1,044.27. Motion carried by all voting aye.

Mrs. Kronstadt asked for authorization to advertise for budget workshops. The Board chose to hold budget workshops on Monday, November 12, 2012, at 6:00 p.m. and Wednesday, November 14, 2012, at 6:00 p.m.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to advertise in the Bath Home News for budget workshops on Monday, November 12, 2012, at 6:00 p.m. and Wednesday, November 14, 2012, at 6:00 p.m. Motion carried by all voting aye.

Mrs. Kronstadt presented Resolution 12-15 to open a traffic impact interest bearing checking account at Lafayette Bank.

Motion was made by Mr. Donello and seconded by Mr. Sylvainus to approve Resolution 12-15 to open a traffic impact interest bearing checking account at Lafayette Bank. Motion carried by all voting aye.

Mrs. Kronstadt stated that the RCN cable franchise agreement is due to expire in April of 2013. Mr. Asteak asked that a copy of the current agreement be sent to him for his review.

REPORTS

Library

Nothing at this time

Police Department

Chief Siegfried stated that the Annual Trick or Treat party held Saturday, November 3, 2012, was a success. There was a little lighter crowd, possibly due to the change in date because of the hurricane. There were some leftover items. The police department donated the juice and soda to the Red Cross shelter for the power crews and the extra hot dogs will be donated to the Nazareth food bank.

Chief Siegfried asked Mr. Asteak “if a resident was happy with the response from police officers and wanted to make a donation, can the Township accept it?” Mr. Asteak stated that donations to the Township and deposited in the general fund are acceptable.

Chief Siegfried stated that a vehicle was not purchased this year but was budgeted for. Next year a vehicle is budgeted to be purchased; however, the model of car is changing and some of the equipment that would be transferred from the old vehicle to the new vehicle will not fit in this new model vehicle. Chief Siegfried suggested using the unspent money for the purchase of a vehicle this year to purchase the equipment needed to place into the new vehicle next year. The Board asked Chief Siegfried to put the numbers together for the next meeting.

Chief Siegfried presented the Board with a worksheet to assist in the budgeting process. It shows a five year budget comparison subtotaling the budget into salary and benefits and operational costs.

Fire Department

Nothing at this time

Emergency Management

Mr. Rinker stated that the disaster document for the hurricane was signed at 11:00 p.m. on the night of the hurricane. This early response will help the Township receive funds quicker to cover the Township’s cost of the hurricane.

Township Solicitor

Mr. Asteak stated that all of the Townships auditors have verbally stated that they no longer wish to serve as auditors. Mr. Asteak stated that the Township needs to obtain resignation letters from these auditors and then needs to replace them by appointing new auditors within thirty days. He would like to appoint these auditors in December so they are prepared for the auditor reorganization meeting on January 8, 2013. The auditors are appointed to set a working supervisor’s salary.

Mr. Asteak stated that the advertisement for the Township using a CPA firm for the audit will be placed within the next week or so and the firm can be appointed at the reorganization meeting on January 7, 2013.

Mr. Asteak stated that legislation has been adopted accepting joint zoning appeals boards. The NAZCOG has a joint construction code appeals board but in the past the courts claimed it was illegal. Now the court has stated that it is legal; therefore, if a resident wishes to appeal a construction code issue, they now have a board to go to.

Mr. Asteak stated that he has filed for a motion for judgment on the pleadings regarding the Polak lawsuit. Mr. Asteak raised the issue that under the ownership Municipal Planning Commission and the Township zoning ordinance once a cease and desist has been issued, the property owner has thirty days to appeal the zoning hearing board cease and desist. Failure to respond is proof that the property is in violation. This notice is presented to the property owner, not the tenant.

Mr. Asteak stated that he entered preliminary objections in the Nikles lawsuit stating that Mr. Nikles failed to create nexus allegation of false swearing and the loss of money. Mr. Asteak stated that the motions and briefs will be heard in court on December 11, 2012.

Mr. Asteak stated that the writ to the Supreme Court by Nikles/Polak case has been completed.

Mr. Asteak stated that the Morning Star zoning appeal was on the argument list last week; however it had been canceled due to the hurricane. Mr. Asteak provided a brief.

Township Engineer

Mr. Kortze presented the Sycamore Street Reconstruction Project payment application No. 2 – application for final payment. He stated that Livengood Excavators, Inc has provided all close-out documentation and recommends the release of \$6,962.49 from the liquid fuels account. It can then be closed out with PennDOT.

Motion was made by Mr. Augustine and seconded by Mr. Donello to approve the Sycamore Street Reconstruction Project payment application No. 2 – application for final payment of \$6,962.49 from the liquid fuels account. Motion carried by all voting aye.

Mr. Kortze presented the Tuskes Park New Path Construction Project payment application No. 2, final payment. Mr. Kortze recommended conditional approval for the final payment of \$7,019.71 pending receipt of the final close-out documents. This would be paid from the recreation fund.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve the Tuskes Park New Path Construction Project payment application No. 2, final payment of \$7,019.71 from the recreation account. Motion carried by all voting aye.

Mr. Kortze stated that the 2012 Road Surface Project final payment, approved at an earlier meeting, can now be released. The close-out documents have been submitted.

Mr. Kortze stated that Keystone Consulting Engineers, Inc. is starting the process of putting specifications and bid package documentation together for the 2013 Road Program. This way the bids can be accepted in the early spring and the work done in a timely manner. Mr. Kortze will bring the list of roads on the schedule for the next meeting.

Mr. Asteak added that the meeting with the school district about the Friedenstahl Avenue traffic light was canceled last week due to the hurricane. It has not been rescheduled at this time.

Mr. Sylvainus stated that he received an email in regard to a Chrin development and asked Mr. Kortze what the status was. Mr. Kortze stated that they are only looking for guidance as this time. Mr. Kortze will speak with Mr. Soloe as to who will follow up with this request.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

Nothing at this time

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Mrs. Kronstadt reminded the Board and the residents that the next Supervisor's meeting will be on Tuesday, November 20, 2012.

Mr. Rinker stated that there has been discussion about police services with Nazareth Borough police department. Mr. Rinker stated that the Board does not feel that regionalization is a good choice for the Township at this time. Mr. Sylvainus stated that he is also not in favor of it. The Board agreed not to pursue at this time. Mr. Rinker stated that if Nazareth Borough were interested in contracting services, the Board would further discuss that possibility.

Mr. Asteak reiterated that a merger or regionalization with Nazareth Borough will not be pursued but rather if Nazareth Borough would rather discuss contracting services from Upper

Nazareth Township, the Board would be open to suggestions. A budget would have to be presented and the cost of the preparation would be paid for by Nazareth Borough.

Resident, Mr. Donnelly, stated that if the Township looks into this contracting or regionalization in the future the Township should keep in mind that it should be on a community basis, not just a money basis. He suggested that a Nazareth Area School District police force would be a better option.

ADJOURNMENT

Motion was made by Mr. Donello and seconded by Mr. Augustine to adjourn the meeting at 9:16 p.m. Motion carried by all voting aye.

MINUTES – November 20, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

There was a budget workshop from 6:10 p.m. to 7:00 p.m.

Meeting called to order at 7:02 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Michael Rinker, and Scott Sylvainus. Board member not present was: Willard Mohn. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Mr. Rinker stated that the agenda was accepted as written.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve the minutes from the November 7, 2012 meeting. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Donello to accept the bills report. Motion carried by all voting aye.

Mr. Sylvainus asked Mr. Shupe when the garbage collection will be stopped at the parks. Mr. Shupe stated that this usually happens in the beginning of December.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Nothing at this time.

SUPERVISORS COMMENTS

Mr. Sylvainus stated that the handbook will be ready for Board approval at the December 5, 2012, meeting.

Mrs. Kronstadt stated that Brown and Brown requested that the Township sign the Notice and Acknowledgement of Carrier Financial Status and the Acknowledgement of Assessable Worker's Compensation Self-Insurance Fund Conditions for the workers compensation policy with Keystone Municipal Insurance Trust.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to authorize the Chairman to sign the Notice and Acknowledgement of Carrier Financial Status and the Acknowledgement of Assessable Worker's Compensation Self-Insurance Fund Conditions for the workers compensation policy with Keystone Municipal Insurance Trust. Motion carried by all voting aye.

The Board discussed ideas about generators for the Township. Mr. Augustine stated that he has emailed the Lower Nazareth Township manager, Timm Tenges, due to the fact that he is knowledgeable about the possible casino grants available to municipalities. Mr. Sylvainus stated that he feels the Township should purchase two portable generators immediately, one for the police and one to be transported between the public garages as needed, until the Township can obtain a grant to get a generator for the whole Township building. Then the two generators will be at the two public garages. Mr. Shupe will look into the cost of the two generators and the parts needed to install them and provide his findings at the next meeting.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe stated that he had received an inter-municipal agreement handbook that he is reviewing and has also been in contact with Tim Weir, a safety administrator through the Township's insurance company, on developing an agreement between Upper Nazareth Township and neighboring municipalities. Mr. Shupe stated that he spoke with Mr. Asteak about approaching the NAZCOG about a COG inter-municipal agreement. Mr. Asteak requested a letter from Tim Weir discussing exactly what is needed in this agreement and then he will bring the idea to the COG. Mr. Rinker asked if an agreement could be made with emergency management. Mr. Asteak will look to see if this can be also be done within the COG. Mr. Asteak did state that he believes there are state statutes that cover municipalities working together but stated that an agreement between the municipalities would not be a bad thing.

Mr. Shupe and Mr. Asteak will work together on this and report back to the Board.

Mr. Shupe stated that he has collected some more information on the fuel tank at Williams Township. He stated that having a Township tank would save money for the Township because the fuel is less expensive than going to a gas station and the Township would have fuel in the case of a power outage. Mr. Shupe stated that there would need to be an engineering report for a site plan and a number of other things that would need to be done. He will continue to gather information and report back to the Board.

Mr. Shupe stated that retrofitting the streetlights at the Creekside development will not be feasible. He stated that there are other streetlight issues in the Township from the hurricane and he is looking into replacing those heads. He will look at the cost of replacing the heads in the Creekside development to make them Met-Ed compatible and report back to the Board.

Mr. Shupe stated that the Township used ten dumpsters for grass this year for a total cost of \$3,600.00. He stated that the brush cost will be very high because of the storms this year. Mr. Shupe stated that he spoke with other Townships and that they work with a company that comes once per year, grinds the brush and hauls it away. Mr. Shupe is collecting more information to report back to the Board.

Mr. Shupe also stated that Nazareth Borough is planning on setting up a brush collection site at the Nazareth Borough Municipal Authority sewer plant and that Upper Nazareth Township may be able to work with the Borough regarding a more cost effective way to collect the brush beneficial to Upper Nazareth and the Borough.

Mr. Shupe stated that he would like to have a single stream container for recycling and then provide “trash collection sites” at the park with two containers, one for recycling and the other for trash. He suggested metal containers and blue dome lids, similar to what is there now. He will continue to gather information and report back to the Board.

ADMINISTRATION

Motion was made by Mr. Rinker and seconded by Mr. Donello to advertise that the 2013 Draft Budget is available for public review in the Bath Home News. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to adopt Resolution 12-16 adopting written procedures governing how professional services are chosen for its pension plans in order to comply with Act 44 and the auditor general’s recommendation. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus not to renew the flood insurance for the Daniels public works garage due to the fact that it is not in a flood zone and flood insurance is not required. Motion carried by all voting aye.

Mrs. Kronstadt stated that Sean Dooley invited the Board to attend “Great Communities Don’t Happen by Accident” presented by Mitchell Silver on Thursday, November 29, 2012, at 6:30 p.m.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize Strawn Electric to repair the streetlight at Farmview Road and 4th Street at a cost of \$350.00. Motion carried by all voting aye.

Mrs. Kronstadt stated that the Township was presented with a plaque from the PACA/PCPC for the 2012 Project of the Year Award for the Sycamore Street Project.

REPORTS

Library

Nothing at this time

Police Department

Chief Siegfried requested that the Board officially thank Debbie Knecht for all her work on the annual Halloween party. Without her, there would not be a party for the children of Upper Nazareth Township.

Motion was made by Mr. Rinker and seconded by Mr. Donello to accept the police contract. Motion carried by all voting aye.

Mr. Augustine stated that he is basing his vote on a representation before the meeting tonight by Mr. Sylvainus showing the overall salary increases over the life of the contract. He also stated that he was disappointed that the Board was not able to require the police employees to pay towards their benefits. Mr. Augustine stated that Mr. Sylvainus showed some compelling information that is being negotiated with the benefits that has the potential to save the Township money for 2013.

Fire Department

Nothing at this time

Emergency Management

Mr. Rinker stated that he will be working with Mr. Brown in regard to the emergency management plan.

Township Solicitor

Mr. Asteak stated that the Township has received resignations from two Township auditors, Doug Mohn and Preston Ervin. He stated that the Township has thirty days to appoint replacements that would fill the position until January 2014. These individuals are expected to run in the next municipal election. The auditors will hold a reorganization meeting on January 8, 2013, and set the working supervisor's salary.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to appoint Nanette Baranowski and Traci Stocker as auditors for Upper Nazareth Township. Motion carried by all voting aye.

Mr. Asteak will send letters in regard to the appointments and the responsibilities.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize Mr. Asteak to contact Cohen Law Group in regard to the RCN cable franchise agreement analysis. Motion carried by all voting aye.

Mr. Asteak stated that there is a meeting on November 29, 2012 at 3:00 p.m. at the municipal building with the Nazareth School District. He encouraged the Board to attend this informational meeting.

Mr. Asteak stated that he received a request from the bonding company for the Hillside Farms III detention pond requesting additional time to review the request for the release of the performance bond.

Mr. Asteak requested a two minute executive session following the meeting.

Mr. Asteak and Mr. Kortze discussed the Manchester Way storm water issue stating that correspondence was received from Attorney Murphy on behalf of Redcliffe claiming that Redcliffe will only repair the length of storm sewer piping to “close the gap” from the terminus of where the pipe had been extended years ago. They were unable to obtain the necessary cooperation from the Force family and Goodwin family for any other work on the storm drain.

Township Engineer

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize the reduction of the letter of credit from \$359,123.30 to \$341,299.25 for the Redcliffe/Patriot Hills development as recommended by Mr. Kortze. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize the reduction of the letter of credit from \$205,998.24 to \$195,774.34 for the Redcliffe/Penn Dixie Manor development as recommended by Mr. Kortze. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize the first and final payment for the 2012 Road Surface Treatment Project in the amount of \$76,123.68 from the liquid fuels fund to Asphalt Paving Systems, Inc as recommended by Mr. Kortze. Motion carried by all voting aye.

Mr. Kortze stated that the following roads are on the plans for the 2013 Road Surface Treatment Project: parts of 1st, 2nd, 3rd, 4th and 5th Streets, Silo Court, Farmview Road, Christian Springs Road, Alms House Road, and Sterner Road and possibly Mt. Vernon and Penn Dixie Road for a total of 3.18 miles.

Mr. Kortze stated that he will work with Mr. Shupe to finalize the scope of the work and submit the bids so the work can be done during the summer months.

Mr. Sylvainus asked Mr. Kortze for the numbers for the “next” year as 2012 has been completed. Mr. Sylvainus would like to keep this road program on a “five” year plan at all times. Mr. Kortze stated that this will be done.

Mr. Kortze stated that in regard to the Chrin project, he recommended that sketch plans be submitted to the Planning Commission in order for the Township to get a better idea of the scope of the project. Mr. Soloe will contact Chrin with the Township’s request.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

A recycling committee meeting was set for December 10, 2012 at 6:15 p.m. at the municipal building.

COURTESY OF THE FLOOR (Agenda items only)

Mr. Donnelly stated that he would like to see the Township look into a reserve fuel tank and requested that the Township not jump into having a fuel source for the Township that could lead to many issues. He asked if RCN was the only cable franchise in the Township. The Board stated the RCN franchise agreement is due to expire in April of 2013 and that is why it is being addressed at this time. He asked if the school district meeting and the recycling meeting were public. The Board stated that only the recycling meeting is public.

Mr. Nikles stated that in the minutes it is stated that the writ to the Supreme Court in regard to Nikles and Polak was completed. Mr. Nikles stated that this is not completed. It was verified that the Township's response to the case was completed, not the case itself.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Augustine to adjourn the meeting at 8:30 p.m. Motion carried by all voting aye.

The Board went into an executive session with Mr. Asteak.

MINUTES – December 5, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:04 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Michael Rinker, and Scott Sylvainus. Board member not present was: Willard Mohn. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

The Board went to an executive session to discuss personnel issues.
The Board returned at 7:21 p.m.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to approve the agenda. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Donello to approve the minutes from the November 20, 2012 meeting. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the bills report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

George Polak presented the June 20, 2012, meeting minutes where the Board approved the request from Tuskes to split Phase 3 into Phase 3A, Phase 3B, and Phase 3C and also presented a court ordered agreement between Tuskes and himself. He asked why the Township would agree to changes that would affect his agreement. Mr. Asteak stated that the Board would take this under advisement and would like to review the documents.

SUPERVISORS COMMENTS

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to appoint Paul Dragovich as the third auditor. Motion carried by all voting aye.

Mr. Asteak will notify Mr. Dragovich of his appointment.

Mrs. Kronstadt will open the doors for the auditor reorganization meeting on January 8, 2013.

Mr. Augustine asked if there were any other additions to the handbook since the last version. Mr. Sylvainus stated that there were a few minor changes mostly for readability and consistency. Mr. Sylvainus stated that changes approved by the Board can be made to the handbook. Mr. Sylvainus stated that Mrs. Parrish will be distributing and administering the handbook.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to approve the updated handbook to take effect on January 1, 2013. Motion carried by all voting aye.

Mr. Shupe presented a project cost analysis for installing ten circuit transfer switch and conduit to an outside plug for a generator backup for the police side of the Township building.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize Mr. Shupe to purchase and install generator setups for the police side of the Township building and the Daniels Road garage at a cost of no more than \$1,000.00 for materials. Motion carried by all voting aye.

Mr. Sylvainus stated that an email was received from a resident, Mr. Gorrie, on Werner Road asking the Board to mark Werner Road with a “no trucks” sign because tractor trailer trucks were having a difficult time making the turns and are causing property damage and causing dangerous situations for drivers and walkers. Mr. Gorrie stated that one end of the road is in Upper Nazareth Township and the other is in Lower Nazareth. Earlier in the year Lower Nazareth Township sent a letter to Upper Nazareth Township asking them to split costs for an engineering and traffic study on Werner Road. At that time Upper Nazareth Township declined. Mr. Sylvainus stated that Upper Nazareth Township should revisit this topic. The Board decided to go forward with splitting this traffic study with Lower Nazareth Township and asked Mrs. Kronstadt to send a letter stating this.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mrs. Kronstadt to contact Lower Nazareth Township stating that Upper Nazareth Township is interested in splitting costs of an engineering and traffic study on Werner Road and authorized Mr. Kortze to proceed with the study if Lower Nazareth Township accepts the proposal. Motion carried by all voting aye.

Mr. Sylvainus stated that the IT Company that installed the new network equipment in the basement room, where many records are stored, should have a dehumidifier to protect the equipment and the records stored down there. Mr. Shupe will look into the size needed and cost and report back to the Board.

Mr. Rinker stated that Christmas Eve and New Years Eve are on Mondays and are scheduled as half days. He suggested to the Board that the Township close for the entire day on those two days. Mr. Augustine stated that the County is opening for the half day on Christmas Eve and the whole day on New Year’s Eve; therefore, he feels the Township should stay open for those two half days. Mr. Sylvainus and Mr. Donello agreed with Mr. Augustine.

PLANNING & ZONING

Mr. Soloe presented the zoning report.

Motion was made by Mr. Rinker and seconded by Mr. Donello to accept the zoning report. Motion carried by all voting aye.

PUBLIC WORKS

Mr. Shupe presented the public works report. He stated that the yard waste numbers will be out of whack last month because of hurricane Sandy and that the facility was open twenty-four hours a day for about two weeks. He stated that leaf collection should be completed by Friday.

Mr. Shupe presented a quote on replacing the lights in Hillside Farm that were damaged from hurricane Sandy. He stated that he will need three of these lights and that they match those that are already in the development. The cost is \$508.00 per light. It will take four to five weeks for delivery and about a day to install.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to authorize Mr. Shupe to purchase the three street lights at a cost of \$508.00 each to be installed in the Hillside Farms development (but to see if he can get a better price in the next day or two first). Motion carried by all voting aye.

Mr. Shupe stated that he cannot upgrade the streetlights in the Creekside development to be Met-Ed acceptable and the cost to replace the streetlights would be six lights at \$508.00. Mr. Sylvainus stated that the Township should sign the resolution for Met-Ed, relieving Met-Ed from maintaining these streetlights and having the Township responsible for the streetlights.

Motion was made by Mr. Donello and seconded by Mr. Rinker to adopt Resolution 12-17, making the Township responsible for maintaining the streetlights in the Creekside development. Motion carried by all voting aye.

Mr. Shupe presented some information previously for the Board to review about backup fuel storage tanks. He has not heard back from Williams Township about their old tank and he will keep the Board updated.

Mr. Shupe stated that a thank you letter was written to Ken Moyer from Easton Iron & Metal for his donation of 25 fifty-five gallon drums for the recycling cans at Tuskes Park. Mr. Shupe is looking into lids for these drums and has one place looking at flat plastic lids with a hole in them for about \$37.00 each and another place that may be able to fabricate metal lids which will cost about \$50.00 each. He will keep the Board up to date.

Mr. Shupe stated that Carl Fisher would like to be on the roster as a part-time, as needed, snow plow driver.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to hire Carl Fisher as a part-time, as needed, snow plow driver. Motion carried by all voting aye.

Mr. Shupe stated that he has spoken with the public works director, Gregg Drake, from Wilson Borough. Mr. Drake is certified to teach first aid, CPR, and AED classes at a cost of \$30.00 per person and that he is available to teach at the Township building. Mr. Shupe stated that there are four public works employees interested and that any other Township employees can participate.

Chief Siegfried stated that one of the Township's part-time officers is also certified to teach these classes. Mr. Shupe will look into putting a class together with one of the instructors, preferably sometime in January.

Mr. Shupe stated that Tim Weir, the safety coordinator through KMIT, was not able to meet this past week with Mr. Shupe. Mr. Weir stated that because the Township is looking to possibly switch insurance, he does not feel it is the right time to meet with Mr. Shupe.

Mr. Shupe stated that there has not been a NAZCOG meeting yet to discuss the inter-municipal agreements for public works and emergency management.

ADMINISTRATION

Mrs. Kronstadt introduced the tax collector, Tracy Adamski. Mrs. Adamski stated that she has been looking into accepting credit card payments for the collection of real estate taxes. Allowing the residents to use a credit card would not cost the Township any money at all. The costs of using a credit card would be billed to the resident using the credit card system to pay their taxes. Mrs. Adamski stated that there have been many requests for this service. She stated that the Township needs to sign the application, provide a voided check from the account where the money is deposited, update the website, and provide a real estate email address. Mrs. Adamski stated that it could be up and running once the application is approved. The money from checks and American Express will be available in three days and all other credit cards would be available in two days.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to approve the use of credit cards to except payment of real estate taxes from the residents of the Township. Motion carried by all voting aye.

Mrs. Adamski also asked if the installment plan would still be available for 2012. The Board stated yes it would be available. Mrs. Adamski stated that the bills need small changes such as lighter ink and more empty space. She is working with the printer to prepare the bills and will keep the Board updated.

Mrs. Kronstadt read the thank you letter from the Township to the police department and Debbie Knecht for all of their hard work in making this year's Halloween party successful once again.

Mrs. Kronstadt stated that the closing date for the Township books needs to be set.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to close the Township expenses on December 19, 2012 and the Township revenues on December 31, 2012. Motion carried by all voting aye.

Mrs. Kronstadt stated that information was received from PMRS, the non-uniform pension system, that the interest would drop from 6% to 5.5% in 2013.

Mrs. Kronstadt stated that there will be two newsletter meetings in the first week in January to work on the advertisement sponsors. Mrs. Kronstadt requested that all department heads prepare verbiage for the newsletter and send it into the office as soon as possible.

Mr. Sylvainus stated that the department heads need to get the various job descriptions for their departments completed and submitted to the office before the end of the year.

REPORTS

Library

Nothing at this time

Police Department

Chief Siegfried presented the police report.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to accept the police report. Motion carried by all voting aye.

Chief Siegfried presented a memo to the Board requesting authorization to purchase the equipment needed for the new police vehicle to be purchased next year with the surplus money not used this year for a vehicle and to also purchase some equipment for the Tahoe purchased the year before.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize Chief Siegfried to purchase equipment needed for the new police vehicle to be purchased next year (\$4,000.00) and for some equipment for the Tahoe purchased the year before (\$555.00) from the budget surplus available because a new vehicle was not purchased this year. Motion carried by all voting aye.

Fire Department

Nothing at this time

Emergency Management

Mr. Brown stated that he has submitted the documentation needed for reimbursement towards Township expenses incurred during hurricane Sandy to FEMA for approximately \$10,910.00. He worked with the public works and police departments to obtain the amounts. Mr. Brown stated that the Township cannot submit paperwork for the fire department and that he offered to assist them. The fire department stated that they had not incurred any expenses from hurricane Sandy.

Mr. Brown stated that the Emergency Operating Procedure documentation needs to be reviewed and updated every year. He would like to set a meeting up with the Board to

discuss the Procedure and make any changes necessary. This would then be forwarded to the County. The Board suggested meeting at 6:00 p.m. before the next Township meeting on December 19, 2012. Mr. Brown will confirm this date and time within the next few days.

Mr. Brown stated that he took an inventory of the equipment and supplies in the emergency management office and stated that there was a sign bought by the previous emergency management officer that Mr. Brown feels was not needed so he donated the sign to the fire department.

Township Solicitor

Mr. Asteak stated that he sent the cable franchise information to the Cohen Law Group for their review and suggestions and that he had received a phone call this afternoon from the Cohen Law Group stating that they are in receipt of the information. Mr. Asteak will keep the Board updated when he receives more information.

Mr. Asteak stated that there was a meeting between the Nazareth School District and the Township about the traffic signalization on Friedenstahl Avenue and Route 191. Mr. Asteak stated that he will put together the information gathered at the meeting and present it to the Board for discussion at the next meeting.

Mr. Asteak stated that the Township had previously approved a resolution to cash in the performance bond for the Hillside Farms retention pond as Ashley Development had relinquished the pond to the Township without all of the improvements being made. Since then Mr. Asteak received a letter from Lou Pektor from Ashley Development stating that they would like to complete the improvements at this time and for the Township to rescind the resolution. The bonding company will keep the performance bond open until May 30, 2013, and Mr. Pektor has to have all of the improvements completed by May 20, 2013, or the bond will be released to the Township.

Motion was made by Mr. Rinker and seconded by Mr. Donello to authorize Mr. Asteak to prepare an addendum to the subdivision agreement stating that Ashley Development will replenish the escrow account and the bond will remain open until the end of May. If Ashley Development has not completed the improvements for the Hillside Farms detention pond by the end of May, the performance bond will be released to the Township. Motion carried by all voting aye.

Mr. Asteak stated that the NAZCOG has not met since the last Upper Nazareth Township meeting; therefore, the multi-municipal agreement had not been discussed yet.

Mr. Asteak commented on a couple of open items. The Morning Star Senior Living development lawsuit is still pending. The Polak/Nikles lawsuit is scheduled for the January argument list.

Township Engineer

Mr. Kortze stated that the Tuskes Park Recreation grant paperwork has been collected and submitted to the County for reimbursement. Mr. Kortze thanked Mrs. Kronstadt for her help with the paperwork. There was a meeting between Sean Dooley, Shawn Shupe and the County representative to process the final recreation grant requirements and the Township should get the reimbursement within the next couple of weeks.

Mr. Sylvainus stated that there is another round of grants available and asked Mr. Kortze if the Township is moving forward with the new grants. Mr. Kortze stated that the new grant applications are being processed. He stated that the grants could be used for land acquisitions and work on other parks in the Township.

Mr. Sylvainus asked if a tape was available from the presentation he and Mrs. Berlew attended featuring speaker Mitchell Silver. Mr. Kortze stated that he believed there was a tape and that he would try to get a copy to Mr. Sylvainus.

Mr. Polak asked how much the recreation grant would be this time. Mr. Kortze stated that it may be approximately \$100,000.00.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

Mr. Sylvainus stated that two more properties have been completed in the CDBG program. He stated that eleven applications have been received and that five more applications that were mailed out have not been returned yet. The CDBG program is going well.

Mr. Sylvainus stated that there is a Recycling meeting on December 10, 2012, at 6:15 p.m.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Mr. Sylvainus asked Joe Brown who is in charge of making sure Township officials have received the required NIMS training. Mr. Brown stated that he can look into getting classes together and will discuss it further at the December 19, 2012, workshop meeting.

NEW BUSINESS

Mr. Shupe stated that he visited the Forks Township brush removal facility. They collect the brush and a company comes in, grinds the material, and takes it away. He stated that the Borough is looking into opening a similar facility.

Mr. Sylvainus asked about the floodplain ordinance. Mr. Kortze stated that the floodplain ordinance was sent to DCED for review and it has been returned with very few comments. Mr. Kortze suggested having Mr. Asteak review the ordinance first and then have the planning commission review it.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mr. Asteak to review the floodplain ordinance. Motion carried by all voting aye.

ADJOURNMENT

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adjourn the meeting at 8:59 p.m. Motion carried by all voting aye.

MINUTES – December 19, 2012
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

There was a workshop from 6:00 p.m. to 6:30 p.m. to discuss the emergency management plan and NIMS training.

The Board went to an executive session from 6:40 p.m. to 7:15 p.m.

Meeting called to order at 7:18 p.m. by Chairperson, Michael Rinker.

Board members present were: James Augustine, Andrew Donello, Willard Mohn, Michael Rinker, and Scott Sylvainus. Also present were Township Engineer, Al Kortze and Township Solicitor, Gary Asteak.

Motion was made by Mr. Augustine and seconded by Mr. Donello to approve the agenda, adding insurance, the Zoning Hearing Board application and the request to pay bills before the next meeting. Motion carried by all voting aye.

Motion was made by Mr. Rinker and seconded by Mr. Donello to approve the minutes from the December 5, 2012 meeting. Motion carried by all voting aye.

Motion was made by Mr. Augustine and seconded by Mr. Rinker to accept the bills report, holding the check for Brown and Brown for further backup information. Motion carried by all voting aye.

Motion was made by Mr. Donello and seconded by Mr. Augustine to approve the financial report. Motion carried by all voting aye.

COURTESY OF THE FLOOR (Non-Agenda items only)

Mr. Donnelly, 50 N. Broad Street Ext, asked about the health of one of the Supervisors who has not attended the last few meetings. Mr. Rinker stated that he is here tonight. Mr. Donnelly stated that he would like to hear an update on the traffic light on Route 191. Mr. Donnelly stated that the required house number signs in Bushkill Township make it very easy to find houses and suggested that the Township seriously consider having house number signs in Upper Nazareth Township. Mr. Donnelly stated that the website needs to be updated and that minutes and agendas should be included.

Mrs. Donnelly asked for an update on the recycling/garbage collection system and if there was any movement or decisions. Mr. Sylvainus stated that there was a recycling committee meeting on December 10, 2012, and another meeting schedule for January 28, 2013, to finalize the bid specifications. Then it will go out to bid within a couple of months.

Mrs. Donnelly asked about the funding for the traffic light on Route 191. Mr. Sylvainus stated that it is the school's responsibility to construct the traffic light. There are no financial

obligations from Upper Nazareth Township other than \$70,000.00 or \$80,000.00 originally committed by the Township. Mr. Asteak stated that this subject will be discussed later in the meeting.

Mr. Berger, of Berger Sanitation, 7895 Township Line Road, asked why Berger Sanitation was not invited to the meeting. Mr. Asteak stated that it was a recycling committee meeting and that the committee was created to discuss the parameters of the bid specs. When the specifications are completed, it will be presented to the Board of Supervisors for review and final decisions. The recycling committee meetings are open to the public.

SUPERVISORS COMMENTS

Mr. Sylvainus presented information about workers compensation for volunteer fire fighters coverage from the State Workers Insurance Fund and the cost is \$16,931.00 for the year. Twenty-five percent (\$4,233.00) is due before the next meeting. Mr. Sylvainus stated that this amount may go down early next year once all of the figures have been calculated.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the workers compensation for volunteer fire fighters coverage from the State Workers Insurance Fund for Volunteer Fire Fighters and that the cost is \$16,931.00 for the year. Twenty-five percent (\$4,233.00) is due before the next meeting. Motion carried by all voting aye.

Mr. Sylvainus stated that the Township workers compensation through KMIT will be calculated at the same rate as last year. This cost is \$37,452.00.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the renewal of the Township workers compensation through KMIT at a cost of \$37,452.00. Motion carried by all voting aye.

Mr. Sylvainus stated that the Township requested health care insurance bids from Capital Blue Cross and from Highmark Blue Shield, including vision. Highmark came in at \$41,000.00 less than Capital and provides slightly better coverage. This is also a \$24,000.00 savings from last year's costs. Mr. Sylvainus stated that he would like to have a meeting with the police union to explain the plan.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the bid from Highmark Blue Shield for health and vision benefits for the Township at a cost of \$146,078.28 for the year. This includes 4 single, 2 w/child, 3 w/spouse and 5 family plans. Motion carried by all voting aye.

Chairman Rinker stated that the next subject discussed will be the approval of the budget and taxes.

Mr. Rinker asked if there was any public comment on the proposed budget scheduled for approval tonight.

Mr. Emrick, 2312 Blue Jay Drive, stated that he was here as a citizen, taxpayer, and former supervisor. He stated that there seemed to be a massive surplus of taxpayer money and he requested that the Board of Supervisors roll back the 83% tax increase from last year, or at least cut it in half. He asked if the proposed budget and the tax rate were approved tonight, could it be amended early next year. Mr. Asteak stated that he was not sure and would check the Township Code.

Mrs. Sayago stated that it was not a good idea to make drastic changes at the eleventh hour of approving the budget. She stated that the budget had been worked on diligently and that changes do not need to be made.

Mr. Asteak stated that according to the Township Code, budgets could be amended only on municipal election years. This year was not a municipal election year; therefore, once passed, the budget and tax rates could not be amended.

Mr. Sylvainus stated that Mr. Emrick had made some good points but he did not feel comfortable making changes at this time. Mr. Sylvainus stated that during the budget process next year, the Board can take Mr. Emrick's statements into consideration and if there is an excess again, then the Board can consider different options.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to adopt the 2013 proposed budget. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Augustine to approve Resolution 12-18 setting Act 511 taxes: real estate transfer tax at 1.0%, earned income tax at 0.5%, non-resident earned income tax at 1.0%, and local services tax at \$52.00. Motion carried by all voting aye.

Motion was made by Mr. Augustine to lower the current tax rate to 4.6 mils. There was no second and the motion died.

Motion was made by Mr. Sylvainus and seconded by Mr. Donello to approve Resolution 12-19 setting the tax rate at 5.95 mils. Motion carried by a 3-2 vote with Mr. Augustine and Mr. Mohn voting no.

Mr. Rinker thanked Mr. Emrick for his comments and stated that the Board will take Mr. Emrick's comments into consideration while developing the 2014 budget.

Chairman Rinker stated that the next subject discussed will be the Route 191 intersection traffic light.

Mr. Asteak stated that the school district engineers proposed two intersections which they estimated to cost \$500,000.00. The school is to pay for the cost of the traffic light and permits based on these plans as approved by PennDOT. The plans changed due to changes in PennDOT

regulations increasing the cost of the traffic light three times what the original amount was. The school district and the Township are at a stalemate and agree that it is not a good idea to go into litigation but to consult with PennDOT to get the regulations waived. Mr. Asteak stated that he has reached out to Representative Emrick on behalf of the Township to get a meeting with PennDOT.

Mr. Asteak stated that at the last meeting with the school district, Bud Newton, the school's engineer, provided a good presentation showing the history of the project, the original scope of the project, and the regulations that change the scope of the project and increased the cost of the project. The school district would like to show this presentation to PennDOT. Mr. Asteak stated that he would like to see what Representative Emrick can do for the situation at the state level.

Representative Emrick stated that he has been involved in this project for a while, especially when he was a Township supervisor. He would like to see the presentation. He also stated that he remembers that the changes required by PennDOT did not improve the safety of the intersection at all. Representative Emrick will speak with Mr. Schock, the secretary of transportation, to bring this situation to some kind of resolution.

Judge Daly was also present at the meeting. He thanked the Board, Mr. Asteak, and Representative Emrick for looking into the issue and hopes to move this matter along. Mr. Asteak stated that Attorney Brienza will participate in this process. The school district and the Township have the same common goal. The Township will wait to hear back from Representative Emrick.

Chairman Rinker stated that we will return to the beginning of the agenda continuing with Supervisor's comments.

SUPERVISORS COMMENTS

Mr. Asteak stated that Nazareth Borough forwarded a request for proposal for contracting police services to Upper Nazareth Township as well as other townships in the area. Mr. Augustine stated that there has not been enough time to review the proposal by the due date requested and that the terms are not acceptable. A letter will be sent to the Borough declining the proposal.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to respond to Nazareth Borough's RFP request stating that Upper Nazareth Township declines the offer at this time. Motion carried by all voting aye.

Mr. Rinker stated that he and Mr. Mohn were talking and would like to discuss holding a Township Christmas party on Monday, December 24, 2012.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize \$400.00 for a Township Christmas party to be held on Monday, December 24, 2012. Motion carried by a vote of 4 to 1 with Mr. Augustine voting no.

PLANNING & ZONING

Mr. Kortze stated that at the last planning commission meeting there was a lot line adjustment request by Mr. Meuser. The planning commission recommended approval after changes are made and the plan is resubmitted. This may come to the Board for approval in January.

PUBLIC WORKS

Mr. Shupe stated that Christmas trees can be dropped at both the Friedenstahl and Daniels garages starting on December 26, 2012 through the end of January.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to advertise for the Christmas tree drop off at both the Friedenstahl and Daniels garages starting on December 26, 2012 through the end of January. Motion carried by all voting aye.

Mr. Shupe stated that he has been looking at generators and is waiting for estimates. He stated that a propane generator would work well at the Daniels garage, but not at the Township building. Mr. Shupe stated that he purchased the transfer switches and has installed one in the Daniels Road garage and plans to install the other one in the police station this Friday.

Mr. Shupe stated that a sample of recycling container lids was brought to him; however, they are too thin and will not work. He has sent for specifications from some other retailers and will report back to the Board.

Mr. Shupe stated that he will schedule First Aid/CPR/AED training in January with one of the Township's police officers who is certified to teach the class at the municipal building. The cost is \$15.00 per person and anyone can attend.

Mr. Shupe stated that he has prepared the basement room for a dehumidifier and has been shopping for prices. The best one he found is at the Home Depot. One is 45-pints at a cost of \$228.00 and the other is a 65-pint at a cost of \$258.00.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to authorize Mr. Shupe to purchase the 65-pint dehumidifier at a cost of \$258.00. Motion carried by all voting aye.

ADMINISTRATION

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to authorize Mrs. Kronstadt to advertise the January 7, 2012 and January 16, 2012 meetings. Motion carried by all voting aye.

Mrs. Kronstadt stated that the auditor's reorganization meeting is January 8, 2012, at 7:00 p.m. and that Mr. Asteak has advertised for the meeting.

Mrs. Kronstadt presented the information for the PSATS 91st Annual Educational Conference & Trade Show scheduled for April 21 – 24, 2013. She stated that Mr. Donello will not be able to attend this year and that the Township needs to assign someone to go and appoint them as the Upper Nazareth Township delegate to participate in voting at the conference.

Mrs. Kronstadt stated that the Northampton Tax Collection Committee financial statements and audit for the County earned income tax collection is available for review in the office.

Mrs. Kronstadt stated that the workers compensation paperwork for the volunteer fire fighters needs to be signed by the Chairman.

Motion was made by Mr. Mohn and seconded by Mr. Sylvainus to authorize the chairman to sign the paperwork for the volunteer fire fighters workers compensation. Motion carried by all voting aye.

Mrs. Kronstadt reminded the department heads and committees that she will be meeting with the newsletter representatives the first week in January and needs input from the department heads and committees.

Mrs. Kronstadt stated that the job descriptions for the employees of the Township have been updated and are ready for review.

Mrs. Kronstadt stated that the Zoning Hearing Board secretary position is open and that a letter of interest has been received by Betty Parrish to fill the position.

Motion was made by Mr. Mohn and seconded by Mr. Augustine to appoint Betty Parrish as the Zoning Hearing Board secretary. Motion carried by all voting aye.

Motion was made by Mr. Sylvainus and seconded by Mr. Mohn to authorize Mrs. Kronstadt to pay any usual and customary bills the first week in January 2013, to avoid late charges because the next meeting is not scheduled until January 7, 2013. Motion carried by all voting aye.

REPORTS

Library

Mrs. Sayago stated that the library had received some damage to the roof from hurricane Sandy. She stated that the library was closed for two days due to lack of power and when power was restored they offered support to residents for charging their devices. Mrs. Sayago stated that the library received a \$5,000.00 grant from Martin Guitar. She stated that the Friends of the Library book sale raised \$1,800.00 for the library. She stated that there were two programs in December for the residents. Finally, she stated that the

secretary/treasurer should ask the library director, Josh Berk, for information to be included in the newsletter.

Police Department

Chief Siegfried presented the police report.

Motion was made by Mr. Rinker and seconded by Mr. Augustine to accept the police report. Motion carried by all voting aye.

Chief Siegfried stated that a resident sent a letter requesting a “school bus stop ahead” sign to be installed on Route 248 near Lehigh Lane. Mr. Shupe will contact PennDOT and submit required permits to install this sign which will be purchased, erected, and maintained by the Township.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to authorize Mr. Shupe to install a “school bus stop ahead” sign on Route 248 near Lehigh Lane. Motion carried by all voting aye.

Chief Siegfried stated that Nazareth Borough provided the planned route for a 5K Run in February. There is about a quarter to a half mile in Upper Nazareth Township that Nazareth Borough and the event coordinators will provide traffic control for.

Fire Department

Mrs. Williams presented the October and November fire reports.

Motion was made by Mr. Rinker and seconded by Mr. Mohn to approve the fire reports for October and November. Motion carried by all voting aye.

Emergency Management

Mr. Brown stated that he is working to schedule NIMS 1, 2, 3, 4, and 7 training for the Township employees who do not have these courses completed.

Mr. Brown stated that there is no update about hurricane Sandy at this time.

Mr. Brown stated that he will make the changes to the emergency management plan discussed during the workshop before the meeting.

Township Solicitor

Mr. Asteak stated that he spoke with Cohen Law firm regarding the RCN cable franchise renewal. Cohen Law group stated that often they can negotiate higher franchise fees for Townships. They will make sure all cable related services, such as pay per view,

closed circuit television, etc., are being accounted for in the franchise fees. Mr. Asteak thanked Mrs. Lyons for providing him with the information he requested on the RCN cable franchise agreement.

Mr. Asteak stated that he is working on the Hillside Farms addendum to the subdivision agreement in regard to the detention pond.

Mr. Asteak stated that there has not been a COG meeting; therefore, he has not been able to address the multi-municipal agreements. He will keep the Board informed.

Mr. Asteak stated that at the last meeting Mr. Polak had concerns about an agreement he had with Tuskes. Mr. Asteak corresponded with Mr. Piperato, counsel for Stone Creek Development Corporation (Tuskes) to determine their position regarding compliance with the provisions of paragraph 4 of the stipulated agreement of July 25, 2006, with Mr. Polak. Mr. Piperato responded stating that Stone Creek Development Corporation intends to comply with its responsibility pursuant to paragraph 4 of the stipulation agreement with Mr. Polak. He stated that it is necessary for Mr. Polak to get the authorization from the Nazareth Borough Municipal Authority and the American Water Company for extensions of lines onto his property. Mr. Polak is also responsible for obtaining any permits and/or approvals necessary for this to occur.

Mr. Asteak wished everyone a Happy New Year and a joyous holiday season.

Township Engineer

Mr. Kortze stated that on Wednesday, December 12, 2012, Lower Nazareth Township approved the Werner Road traffic study to be shared with Upper Nazareth Township. Mr. Kortze will start working on it.

Mr. Kortze stated that the floodplain ordinance revisions suggested by DCNR have been made and now the ordinance is being forwarded to the planning commission and Mr. Asteak for their review and comments.

Mr. Kortze wished everyone a healthy holiday season and thanked the Board for having him as the Township engineer for 2012.

Recreation Board

Nothing at this time.

CDBG, TCC, Recycling

Mr. Sylvainus stated that there is a recycling committee meeting scheduled for January 28, 2012.

COURTESY OF THE FLOOR (Agenda items only)

Nothing at this time.

OLD BUSINESS

Mr. Sylvainus pointed out that the handbook review bill was received. It was originally estimated that the review service would cost between \$500.00 and \$750.00; however, the bill came in at a cost of \$425.00.

Mr. Shupe asked when the public works department would receive the handbook for review before the beginning of the year.

NEW BUSINESS

Mr. Sylvainus asked if the report for PMRS could be submitted earlier this year so the auditors could get the audit done sooner. Mrs. Kronstadt stated that she will submit the report as soon as it is received.

ADJOURNMENT

Motion was made by Mr. Rinker and seconded by Mr. Mohn to adjourn the meeting at 9:25 p.m. Motion carried by all voting aye.