

MINUTES OCTOBER 18, 2017
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

PUBLIC COMMENT

Ms. Jeanie Morgano of 123 2nd St. expressed her concerns about the traffic on Friedenstahl Ave. during the day. Ms. Morgano stated that she understood that patrols have been stepped up in the area. Ms. Morgano stated that the crosswalks on Friedenstahl are not visible any longer. Mr. Shawn Shupe responded that redoing the crosswalks is on the Public Works schedule. Ms. Morgano also expressed her concern with regard to the lines of traffic in the morning on Tatamy Rd. with cars trying to access the school. Ms. Morgano said that she spoke with the School District and was told that they cannot patrol off school property.

Police Chief Bill Cope stated that he had been in touch with the school district with regard to this issue. Chief Cope stated that part of the problem is that the school district only has two police officers. Chief Cope stated that he would contact Jill Mahady again to see if they can come to some solution to this issue.

Mr. Mentry stated that once Lots 2 and 3 of the Chrin complex are finished and completely occupied, they are required to perform another traffic study. At that time it will be determined if a traffic signal is warranted at the intersection of Friedenstahl Ave. and Tatamy Rd.

Mrs. Joanne Messenlehner of 40 Schoeneck Ave. thanked the Board for having the shrubs cut in front of the building. Mrs. Messenlehner expressed her thanks to the Eagles Landing residents who organized the Q & A event held recently at Tuskes Park opposing the construction of a prison at the Northampton County Gracedale property in the Township. Mrs. Messenlehner stated that no one wants prisoners doing work release in Upper Nazareth Township. Mrs. Messenlehner stated that the municipalities with a Nazareth address are against building a prison in Nazareth. Mrs. Messenlehner said that it is documented that the County wants the prison in Upper Nazareth Township.

Ms. Christine Woodmansee of 2173 Eagles Landing Dr. stated that a group of residents from Eagles Landing have been out in the community to talk about the prison being built in Upper Nazareth Township and the residents are appalled at the thought of this actually taking place. Mr. Rinker stated that the County has not submitted anything to the Township about this subject. Ms. Woodmansee stated that there have been discussions about this subject and County Council has said they will get lawyers to move this through. Ms. Woodmansee said they have circulated a petition in order to stop this from happening.

Ms. Jeanne Morgano commented that the only place the prison could be built was in the quarry and that she heard that the Township cannot restrict zoning. Mr. Mentry clarified that the only area that a prison is allowed is in the Extractive Industrial zoning district. If you look at our zoning map, there are other properties zoned extractive, not just quarries. There is a lot of untouched land in the extractive industrial zoned areas.

Ms. Woodmansee stated that the Director of Corrections gave a presentation about how they are going to pursue this matter and it is very eye opening. Ms. Woodmansee stated that the video is from a Northampton County Council meeting on September 14, 2016, and is available for anyone to view.

Mr. Julian Kryemadhi of 3202 Blue Mountain Ln. stated that a group of residents went to the County Council meeting. Mr. Kryemadhi stated that he could see Gracedale from his house and, should the prison be located at the Gracedale site, he will move out and he will not be the only one. Mr. Kryemadhi also stated that he is in favor of the Township moving to a single hauler trash and recycling program.

Mr. James Cunningham of 2155 Eagles Landing Dr. agreed with what Ms. Woodmansee stated. Mr. Cunningham stated that the County has not approached the Township yet, but stated that he has spoken with two attorneys and there is a higher court that the County can take this to and they think they will win.

APPROVALS

Mr. Mentry requested revising the agenda to add the approval of participating in the Lehigh Valley Hazard Mitigation Plan and the appointment of a primary point of contact and alternate point of contact.

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

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve the corrected meeting minutes of October 4, 2017. Motion carried by all voting aye. (5-0)

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

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the September 2017 Financial Report and the Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS COMMENTS

Nothing at this time.

TOWNSHIP ENGINEER

Mr. Dooley presented a request from Chrin Commerce Center Lot 1 for a reduction to their Letter of Credit. Based on an inspection that was performed recently, it is his recommendation to reduce the Letter of Credit from the current \$993,427.20 to \$82,785.60 and transition into accepting the Chrin Commerce Center Lot 1 into the 18 month maintenance period ending April 18, 2019. Mr. Mentry stated that the Board's questions regarding the completion of a post-construction traffic study for Lot 1 did not apply. It will be done for Lots 2 & 3 at the completion of their maintenance period.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve a reduction in the Letter of Credit from the current \$993,427.20 to \$82,785.60. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve Chrin Commerce Center Lot 1 request for commencement of Maintenance Period ending April 18, 2019. Motion carried by all voting aye. (5-0).

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER

Mr. Mentry informed the Board that he received a letter from RoadSafe Traffic Systems on behalf of Norfolk Southern Railroad requesting a one week closure of Gun Club Road/TR506 for maintenance repair work to the railroad crossing. This work is necessary due to a derailment that occurred damaging the road surface between two sets of tracks that run across Gun Club Road. RoadSafe will provide all signage and all notifications to the residents about the closure and the proposed detour route that was included in their request. Mr. Shupe responded that he is not ok with the proposed detour route as tractor trailers cannot make the turn onto Blossom Hill Rd. and Blossom Hill Rd. is not constructed to handle the weight of the tractor trailers. Mr. Mentry asked if the Board would grant approval conditioned on a detour plan being approved by the Public Works Director and the Police Chief.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to grant approval conditioned on a detour plan being approved by the Public Works Director and the Police Chief. Motion carried by all voting aye. (5-0)

Mr. Mentry requested Board approval of Policy #17: Light Duty Return to Work – Uniformed Personnel and Policy #18: Light Duty Return to Work – Non-Uniformed Personnel. These policies come as a recommendation from our Workers Compensation Insurance Company and could potentially help to keep our costs to a minimum when employees are injured on the job. Studies have shown that the longer an employee is out on Workers Comp the less likely they are to return to full employment. The policies have been submitted to the Township Solicitor. Attorney Asteak stated that this is a management prerogative as this issue is not addressed in the Police Contract.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Policy #17: Light Duty Return to Work – Uniformed Personnel. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve Policy #18: Light Duty Return to Work – Non Uniformed Personnel. Motion carried by all voting aye. (5-0)

Mr. Mentry gave an summary on the survey results that the Recycling Committee took at Touch A Truck on Saturday, October 7, 2017, pertaining to recycling and the single hauler issue. Mr. Mentry stated that the survey had 9 questions and 37 respondents. A question was raised as to why such a small number of respondents when the event has so many people in attendance. Mrs. Donnelly stated that many people do not know what Township they live in and that a large number of the attendees at Touch A Truck were not residents of Upper Nazareth Township. Mr. Mentry stated that the results of the survey are consistent with the results of the original survey that was conducted in 2013, in that residents chose “ability to choose own hauler” as the least important factor in choosing between a single hauler or multiple hauler system. The most important factor is always cost.

A question was raised as to what criteria the Township would require when considering a single hauler? Mr. Mentry stated that this was a great question, as the Township would set all the qualifications they require in the bid specs and the bids would reflect the Township requirements. In 2013 the specs included an option for small households or senior citizens who could choose to pay per bag instead of pay for unlimited pickup. The lowest bid in 2013 was \$16.00 a month for unlimited services or \$3.00 per bag for a per bag option. Mr. Sylvainus stated that the 2013 specs included yard waste collection and handicap assistance.

A question came up with regard to billing for trash removal/recycling services and who would take care of that? Mr. Mentry stated that the hauler could bill or the cost would be reflected in the property tax billing, whatever is decided on.

Mr. Cunningham stated that at first he felt that it was his right to choose his hauler. However, after speaking to Ms. Cindy Oatis and becoming more informed about trash removal and recycling, he has completely changed his mind. Mr. Cunningham went on to say that other municipalities have contracts with additional options to renew. Mr. Cunningham would like to see wording in the specs that would keep the competition fair for the small hauler and break the contract should a small hauler be bought up by a large company, creating a situation where we would no longer be dealing with a mom and pop operation. Mr. Cunningham stated that Forks is looking at a 5 year contract with options at 3 to 4 years.

Ms. Woodmansee stated that there is a petition circulating in favor of single hauler, however, some residents are concerned they will be penalized if they break their contracts with their current haulers, as they were required to sign 2 and 3 year contracts for trash/recycling services. Mrs. Donnelly responded that when she got something in the mail and she had a contract with Herceg already, she called to cancel and there was no penalty or problem.

Ms. Morgano asked if there was grant money available should the Township decide to go to single hauler. Mr. Mentry responded that there are grants available and administered through DEP. Mr. Mentry stated that DEP is encouraging single hauler as one of the ways to reduce trash/recycling removal costs to consumers. Mr. Sylvainus stated that the initial grant the Township received was for approximately \$200,000 and was so large because we stated we were going to a single hauler, but because that did not happen, grant funding has been greatly reduced. It was stated that the cost of the

recycling carts was covered by this grant. Mr. Sylvainus also stated that the Board of Supervisors has to look out for what is best for the Township.

Mrs. Messenlehner interjected that Representative Emrick introduced a bill at the State House about 2 weeks ago that would allow the State to utilize the recycling grant funds in order to balance the State budget.

Ms. Jan Zaremba-Smith stated that she has been part of the Recycling Committee since its inception and the information from the community overwhelmingly supports single hauler trash/recycling. Ms. Zaremba-Smith asked what the next step would be and how soon it could move forward. Mr. Rinker replied that the Board had set November 15, 2017, as the date to vote on starting the bid process. Mr. Mentry stated that the vote on November 15, 2017, would only be to start the bid spec process.

Mr. Mentry stated that he has received a letter from LVPC regarding updating of the Lehigh Valley Hazard Mitigation Plan update. LVPC is requesting municipalities participate in this process which will allow individual municipalities to pre-qualify for disaster relief funding prior to an impending disaster. Mr. Mentry stated that a point of contact and an alternate point of contact needs to be appointed, suggesting that he be appointed as the main point of contact and Mr. Rinker as the alternate.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve participation in the Lehigh Valley Mitigation Plan update. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Sylvainus and seconded by Ms. Hirst to appoint Mr. Mentry as the main point of contact and Mr. Rinker as the alternate. Motion carried by all voting aye. (5-0)

Mr. Mentry stated that a thank you letter has been received from Library Board President Barbara Fischel thanking the Township for their participation and assistance in Touch A Truck.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the Fire (August report), Zoning, Police, and Public Works Department Reports as submitted. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shawn Shupe stated that leaf collection would begin on October 23, 2017, and would continue until all leaves were collected. He stated that the schedule would be similar to last year and will be posted on the website.

Mr. Shupe stated that the yard waste facility would be closing the Saturday before Thanksgiving, November 18, 2017.

RECREATION

Mr. Disbrow informed the Board that an issue was brought up at the recent Safety Committee Meeting pertaining to the sports equipment storage and accumulated clutter prohibiting access to the electrical panel in the building at Tuskes Park. Mr. Mentry stated that this was noted during a recent walk through of Township facilities that was performed by the Workers Comp insurance servicer, East Coast Risk Management. Mr. Disbrow stated that a walk through will be conducted by individuals of the Recreation Committee and sports teams to address this hazard.

PUBLIC SAFETY

POLICE DEPARTMENT

Police Chief Cope informed the Board that the police department had been looking into the possibility of purchasing a bicycle to use for foot patrols at certain venues. Chief Cope stated that a contact was made to Bill Kirk of Weather Trends and a mountain bike has been purchased and outfitted for us courtesy of Mr. Kirk.

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Mr. Mentry stated that during the Safety Committee Meeting of October 13, 2017, concerns were raised over front door access to the municipal building being unlocked. This concern is due to several incidents whereby individuals have come into the building for police and the police being unavailable, relying on non-police to deal with their issues. Mr. Disbrow stated that he just happened to be present when such instances have occurred drawing concern on his part as well. Mr. Mentry said that the suggestion at the Safety Committee was to keep the front door locked and anyone needing to access the building would be buzzed in by either the police or the administration staff. Mrs. Hirst suggested a two month trial to see how this procedure will work and then re-evaluate. Mrs. Messenlehner suggesting posting the hours the Township building is open. Mr. Mentry said a concern is that there is not always someone available to buzz an individual in and the buzzer cannot be heard throughout the building. Mr. Mentry stated that we are also in the process of getting quotes to replace the unsecure windows in the reception areas with shatterproof glass as well as an update to the camera security system.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Mr. Mentry stated that he had received a request from Ms. Christine Woodmansee for a waiver of the pavilion rental cost at Tuskes Park for the utilization of the large pavilion on October 15, 2017. Ms. Woodmansee stated she reserved the pavilion to hold a discussion/information session regarding the County looking to build a prison on the Gracedale site.

Motion was made by Mr. Sylvainus and seconded by Mr. Mann to waive the pavilion rental fee for Ms. Christine Woodmansee on October 15, 2017. Motion carried by all voting aye. (5-0)

ADJOURNMENT

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

Next meeting will be November 1, 2017, 7:00 p.m.

Respectfully Submitted,

*Betty Parrish
Recording Secretary*