

MINUTES JUNE 5, 2019
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, Rob Disbrow, Scott Sylvainus and Brian Pulliam.

Also present were Township Solicitor, Gary Asteak, Township Engineer, Sean Dooley, Township Manager, Lisa Klem, and Treasurer, Betty Parrish.

PUBLIC COMMENT

Ms. Jeanie Morgano of 123 2nd St. spoke about upcoming political redistricting and requested the Board pass a resolution opposing such change. Ms. Morgano asked if the Board would be open to having someone from Fair Redistricting PA come to a future Board meeting and speak. Ms. Morgano was directed to coordinate with Township Manager, Lisa Klem.

APPROVALS

Mrs. Klem requested revising the agenda to move the Forensic Center to before Supervisors Comments. Mrs. Klem requested adding Resolution 19-10 under Administration and the hiring of a Public Works employee under Public Works.

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

Motion was made by Mr. Pulliam and seconded by Mr. Disbrow to approve meeting minutes of May 15, 2019. Motion carried by all voting aye. (5-0)

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

Mr. Ewan Moore of Boy Scout Troop 72 presented to the Board his completed Eagle Scout Project of a GaGa Ball Pit constructed in April at Tuskes Park. The Board thanked Mr. Moore for his contribution of the GaGa Ball Pit at Tuskes Park.

Ms. Tammy Rae Barr of Liberty Engineering representing Northampton County Forensic Center requested a waiver of SALDO Section 425.16 pertaining to the Traffic Study contingent upon receiving current and calculated trip generation numbers.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve waiver of SALDO Section 425.16 pertaining to Traffic Study contingent upon receiving current and calculated trip generation numbers. Motion carried by all voting aye. (5-0)

Planning Commission recommends conditional preliminary/final plan approval of the Northampton County Forensic Center conditioned on the engineer's satisfactory review of the storm water and all other conditions of his letter dated May 6, 2019.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve conditional preliminary/final plan approval of the Northampton County Forensic Center conditioned on the engineer's satisfactory review of the storm water and all other conditions of his letter dated May 6, 2019, and the final documents submitted. Motion carried by a vote of 4-1 with Mr. Rinker abstaining.

SUPERVISORS' COMMENTS

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

TOWNSHIP ENGINEER

Mr. Dooley requested approval of Change Order No. 1 and Payment Application No. 1 for the scour repair at the Penn Dixie Road bridge. Mr. Dooley stated the change order increases the contract by \$8,997.50 from \$80,626.00 to \$89,623.50. Mr. Dooley stated all necessary paperwork to complete this project has been received from the contractor. 5% of the adjusted contract is retainage.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve Change Order No. 1 increasing the contract cost for the scour repair at the Penn Dixie Road bridge by \$8,997.50 from \$80,626.00 to \$89,623.50. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Payment Application No. 1 for scour repair at the Penn Dixie Road Bridge Project from E.F. Possinger & Sons, Inc. in the amount of \$85,142.32. Motion carried by all voting aye. (5-0)

Mr. Dooley mentioned the Engineer's Status Report is included in their meeting packet. Mr. Sylvainus asked about the sinkhole at the Chrin warehouse. Mr. Dooley responded work was delayed because of winter weather and is now proceeding.

TOWNSHIP SOLICITOR

Attorney Asteak requested approval of Ordinance No. 182 Open Space Referendum. This ordinance places a referendum on the ballot at the November 5, 2019 election asking whether the electors of Upper Nazareth Township favor the imposition of an additional earned income tax at the rate of .25% by Upper Nazareth Township to be used for financing the acquisition of open space for the purpose of acquiring forest and agricultural conservation easements and for the purpose of acquiring property development rights and for related fees and expenses as authorized by law.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Ordinance No. 182 Open Space Referendum. Motion carried by all voting aye. (5-0)

ADMINISTRATION

Mrs. Klem stated a 2020 Census Complete Count meeting was held by Northampton County requesting municipalities form a committee to help with the counting. Mrs. Klem requested approval to form a Census 2020 Committee and advertise for volunteers to serve on the committee. Someone will need to spearhead this committee.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve forming a Census 2020 Committee. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve advertising on Facebook and the website for volunteers to serve on the Census 2020 Committee. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval to advertise for the vacancy on the Planning Commission.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve advertising on Facebook, the website, and in the Key for the Planning Commission vacancy. Motion carried by all voting aye. (5-0)

Mrs. Klem presented Resolution 19-10 for the purchase of large equipment under the Monroe/Lehigh Northampton County Local Share Grants in conjunction with Bath Borough. This Resolution replaces a prior resolution and authorizes the current Township Manager to execute documents pertaining to this grant. The total amount of the grant is \$236,381.25 with a 15% shared match from both Upper Nazareth Township and Bath Borough amounts to \$7,543.13 each.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve Resolution 19-10 between the Borough of Bath and Upper Nazareth Township to the Pennsylvania Gaming Local Share Account Grant for the purpose of purchasing multi-municipal road paving equipment. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Attorney Asteak reminded the Board of their request for a site plan which would identify health, safety and welfare issues to the Special Exception granted to Vigouroux/Keller in connection with their request to the Zoning Hearing Board to establish an event center at their location. Attorney Asteak stated the Zoning Officer has reviewed the plan and, in his opinion, is sufficient. Attorney Asteak requested acceptance of the submitted plan by the Board and direct the Zoning Officer to make sure the Zoning Hearing Board's restrictions are carried out.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the Vigouroux/Keller Plan as submitted and for the Zoning Officer to implement the plan insuring that the Zoning Hearing Board restrictions are carried out. Motion carried by all voting aye. (5-0)

Planning Commission has recommended approval of Heritage Village request for waiver of SALDO Section 733.613 as presented in the April 18, 2019, letter for minimum separation distance between driveway and a street intersection.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve waiver of SALDO Section 733.613 minimum separation distance between driveway and a street intersection as presented in the April 18, 2019, letter. Motion carried by all voting aye. (5-0)

Planning Commission recommended conditional final approval of Phases 3 & 4 conditioned on Keystone Consulting Engineer's May 6, 2019, letter and the construction of the Phase 2 bridge under the direction that no building permit is to be issued until the bridge is completed.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to grant conditional Final Plan approval of Phases 3 & 4 per Keystone Engineer's letter dated May 6, 2019, under the stipulation that no building permits are to be issued until the Phase 2 bridge is completed and final documents submitted. Motion carried by all voting aye. (5-0)

Mr. Jay Benfield addressed the Board pertaining to Heritage Village's request for approval of a Plan Change to the Phase 2 driveway to become a full-time access with Phase 1 driveway to be gated after the garden area. Mr. Benfield stated at the Planning Commission meeting he voted for this to be allowed but has now changed his mind. Mr. Benfield objects to the Phase 2 drive being open at all times as the residents in that area bought their units under the belief that this would be a closed drive. By allowing this drive to be open, there is no longer a need for the bridge. When looking at the plan you now have 3 accesses to Phase 2 & 3 and one to Phases 3 & 4. Mr. Benfield would like the Board to consider his comments when making their decision. Mr. Sylvainus stated a lot of discussion took place pertaining to this issue at the Planning Commission. Mr. Sylvainus commented that Mr. Benfield voted yes at the Planning Commission meeting, but after further consideration is not in agreement with allowing this option. Mr. Sylvainus referred to page 4 of Mr. Dooley's letter where he takes issue with this proposal as it encourages residents from other phases of the development to use Beil Ave. to access the club house facility for what should be internal traffic.

Attorney Asteak suggested the Board table this issue and invite MorningStar to a future meeting to discuss. The Board was in agreement with this suggestion.

PUBLIC WORKS

Mr. Shupe requested approval to offer conditional full-time employment to Mr. Jonathan Delancey at a rate of \$16.47 per hour to fill a recent vacant position in the Public Works Department.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve conditional offer of full-time employment to Mr. Jonathan Delancey at a rate of \$16.47 to fill a recent vacant position in the Public Works Department. Motion carried by all voting aye. (5-0)

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Police Chief Cope requested approval to decommission the 2005 Ford Expedition that was replaced with the 2019 Durango.

Motion was made by Mrs. Hirst and seconded by Mr. Rinker to approve decommissioning the 2005 Ford Expedition. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval to purchase 2 refurbished Toughbook military grade laptops that will meet county specifications.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the purchase of 2 refurbished Toughbook military grade laptops at a price not to exceed \$3,330.00. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Mr. Rinker stated he responded to a spill on Westminster Way where a homeowner dumped gasoline down a storm drain. Spill was cleaned and homeowner will be cited and billed for damages.

SAFETY COMMITTEE

Nothing at this time.

OLD BUSINESS

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mr. Hirst to adjourn at 7:50 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*