

MINUTES JANUARY 15, 2020
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, Donna Hirst, and Kristin Mullen.

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

PUBLIC COMMENT

Township resident Jason Mohap inquired of Attorney Asteak as to when he was going to meet with the citizens group pertaining to Project Tadmor. Attorney Asteak responded he would meet with them only when he receives authorization from the Board of Supervisors to do so.

Township resident Keith Berlew inquired as to the status of the “No Parking” signs to be placed in front of his home on Bath Pike. Mr. Shupe said he would look into this issue.

APPROVALS

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

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the Reorganization and Regular meeting minutes of January 6, 2020. Motion carried by all voting aye. (5-0)

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

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the December, 2019 Financial and Treasurer’s Report. Motion carried by all voting aye. (5-0)

SUPERVISORS’ COMMENTS

Mrs. Hirst read a statement regarding issues surrounding the library, copy of which is attached for the record.

TOWNSHIP ENGINEER

Mr. Dooley informed the Board Stone Creek Development Corp. on behalf of Eagles Landing Phase 3C has requested an extension of the maintenance period to May 5, 2020.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve the extension of the maintenance period for Eagles Landing Phase 3C until May 5, 2020. Motion carried by all voting aye. (5-0)

Mr. Dooley gave the Board a brief synopsis of issues regarding the renewal of the NPDES permit arising from the current MS4 PRP. Mr. Dooley stated DEP denied the use of Vortex units as proposed in the plan. Mr. Dooley would like to prepare a draft plan and submit it to DEP for their review for the purpose of getting a sound plan in place. The Board concurred with this idea.

TOWNSHIP SOLICITOR

Attorney Asteak informed the Board he received a letter late today, copy of which has been given to the Board along with Attorney Asteak's response, regarding Mr. Brian Sayago's intent to circulate a petition asking for a referendum to be placed on the ballot levying a .6 mill tax specifically for the library. Attorney Asteak has been in contact with the Board of Elections and the procedure would be, assuming Mr. Sayago circulates the petition, signatures gathered would need to equal 3% of the voters that voted in the last election. The petition would then be presented to the Board for referral to the Election Board for placement on the next election ballot. Upper Nazareth Township Staff would be charged with proofing the petition for accuracy.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested conditional approval to mail the Recreation, Parks and Open Space questionnaire. This was tabled until after the January 21, 2020, meeting of the Recreation, Parks and Open Space Committee.

Mrs. Klem requested appointment of Maher Duessel to conduct the 2019 Upper Nazareth Township Financial and Real Estate Audits in the amount of \$12,730 and \$1,910 respectively.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to appoint Maher Duessel to conduct the 2019 Upper Nazareth Township Financial and Real Estate Audits in the amount of \$12,730 and \$1,910 respectively. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval for the Nazareth Football Booster Club using the Conference Room on Monday, January 20, 2020, from 7:00 pm to 9:00 pm.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Conference Room use by the Nazareth Football Booster Club on Monday, January 20, 2020, from 7:00 pm to 9:00 pm. Motion carried by all voting aye. (5-0)

Mrs. Klem announced anyone wishing to submit articles for the Spring Newsletter to please get them to Mrs. Mutarelli as soon as possible.

PLANNING & ZONING

Mr. Phil Malitsch representing MorningStar Heritage Village spoke about MorningStar's wanting a reduction in the amount of security necessary for Phases 3 & 4. There has been discussion between MorningStar and Mr. Dooley pertaining to this issue. Attorney Asteak stated he received a multi-page letter today from Attorney Lewis and supplied that letter to the Board. The

reduced letter of credit would have reductions taking place only after all other improvements are completed (sanitary, water, etc.) that are not contained in the LOC. No action was taken by the Board on this matter. Issue was tabled.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the extension of the indemnification period to February 29, 2020, for Morningstar. Motion carried by all voting aye. (5-0)

Mr. John Soloe received a letter from John Schoeneberger Jr. granting an extension of time for the Planning Commission to review the final plan until April 30, 2020.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the extension of time for the Planning Commission to review the final plan for Schoeneberger Minor Subdivision until April 30, 2020. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe requested approval of the promotion of Stephen Markley from the Laborer I position to the Laborer II position as he has met all the criteria to move to that level.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the promotion of Stephen Markley to the Laborer II position at the rate of \$19.21 retroactive to January 1, 2020. Motion carried by all voting aye. (5-0)

Mr. Shupe asked the Board to accept the resignation letter of Jonathan Delancey effective January 24, 2020.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to accept the resignation of Jonathan Delancey effective January 24, 2020. Motion carried by all voting aye. (5-0)

RECREATION

Next meeting is January 21, 2020.

POLICE DEPARTMENT

Officer Benjamin Rizzotto requested approval to hire 2 part-time officers conditional on their meeting all the background requirements.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the hiring of 2 part-time officers conditional on their meeting all the background requirements. Motion carried by all voting aye. (5-0)

Officer Rizzotto requested approval to enroll the Department in Unlimited PoliceOne Academy Access. This platform allows the officers to access thousands of courses that are necessary for them to maintain their certifications.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve unlimited PoliceOne Academy Access in the amount of \$1,570.00. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adjourn at 7:51 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

A brief history of the interactions with the Nazareth Library:

UNT Budget meetings were advertised and open to the public. Three supervisors attended both UNT budget meetings, that was Mr. Rinker, Mr. Disbrow, and myself. The library was fully represented at only the first meeting. During the two meetings, every line item of the budget was reviewed and addressed. The library funding from the very first meeting was \$50K.

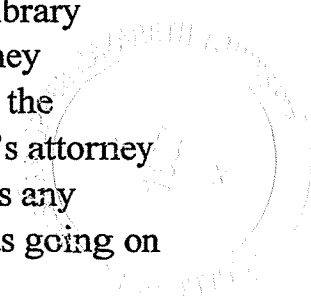
It was not until well after the budget meetings that suddenly, the library became very upset about the budget allocation. I do not know why we went from hearing nothing to being public enemy number one. Rather than having a conversation, the UNT BOS was publicly condemned. By this time, the UNT budget was already set.

We requested a meeting with the library. During this meeting, we asked several questions, and some answers gave us cause for concern. An example: "Why did you switch audit firms between 2015 and 2016"? The answer the library gave was, "there were some discrepancies." We did not get any further explanation. The next day, information from the meeting was conveyed to Attorney Asteak. Attorney Asteak prepared a letter requesting specific public financial information from the library.

On December 18, less than 15 minutes before our meeting to approve the budget, Attorney Asteak informed us that the attorney for the library responded and said they would give us the information that we requested, **ONLY IF WE SIGNED A NON-DISCLOSURE AGREEMENT**, which I did not think was legal. The reason is that the library is fully funded by tax dollars, which means that it is under the same transparency rules that any taxpayer-funded organization is.

It is my understanding that as of Monday, January 13, 2020, the library is no longer going to require us to sign a non-disclosure agreement. However, as of this writing, we still do not have any of the information that was requested. We are now tentatively scheduled to receive the information by February 1.

If I was genuinely anti-library, I had two opportunities to besmirch the library publicly. After the meeting with the library, I could have made public, they changed audit firms because of some "discrepancies," but I didn't. After the December 18th meeting, I could have again made public that the library's attorney required us to sign a non-disclosure agreement before they would give us any public information that we requested, but I didn't. I wasn't sure what was going on



with the library, and I did not want to shed a negative light on them because for all I know it could be something very minor.

In the meanwhile, I was respectful of the library regarding any possible issues, but I was being publicly criticized and diminished. The attacks about me were not appropriate because those writing the attacks did not have access to all of the information. I was not going to respond to social media.

Last year Mr. Sylvanis was the UNT representative to the library budget committee. According to Terry Sayago, Mr. Sylvanis did not attend the library budget meeting in 2019, Betty Parrish attended alone. This is one reason that I requested to represent UNT with the library budget committee in 2020. This is not a show of hostility towards the library; this is the UNT BOS trying to be helpful and improve communication. Keep in mind that I have an accounting background, and I have worked for a few non-profits. My history makes me uniquely qualified to help.

I respectfully submit the following suggestion: Maybe we should have a referendum on library funding. It could have a separate tax, like open spaces, and be voted on by UNT residents. It would put the funding decision into the hands of the Upper Nazareth Township community, which is where it belongs. Since it is believed that the BOS is anti-library, which it is not, maybe the funding decisions should be made by the residents.

I am not taking any questions at this time.

Regards,

Donna M Hirst MBA

