

MINUTES OCTOBER 6, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was live streamed for anyone wishing to hear.

Pledge of Allegiance

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

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

COURTESY OF THE FLOOR

Nothing at this time.

APPROVALS

Motion was made by Robert Disbrow and seconded by Ms. Mullen to approve the agenda. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve the minutes of the September 1, 2021, meeting. Motion carried by all voting aye. (5-0)

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

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the August 2021, Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was held prior to the meeting and on September 16, 2021, for personnel reasons.

TOWNSHIP ENGINEER

Mr. Dooley has reviewed the data collected from the speed trailer for the traffic study on Schoeneck Ave. and is requesting authorization to proceed with preparing a report in support of reducing the speed limit to 25 mph. The speed limit reduction would begin at the Bushkill Township line and continue through the intersection of Route 191 and Friedenstahl Ave. and continue down Friedenstahl Ave. to where the speed limit is currently 25 mph.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to authorize KCE preparing the Traffic Study Report supporting the reduction of the speed limit on Schoeneck Ave. through the

intersection of Route 191 and Friedenstahl Ave. continuing on Friedenstahl Ave. to where the speed limit currently is 25 mph. Motion carried by all voting aye. (5-0)

Mr. Dooley stated the Engineer's Project Status Report has been provided. Mr. Dooley corrected item 10 on his report, stating August 5, 2021, should be August 10, 2020.

Mr. Dooley informed the Board the survey for the Farmview basin retrofit will begin next week.

Mr. Sylvainus asked if the Duke Realty basin sinkhole is related to the issue on Tatamy Road. Mr. Dooley responded no it is not related at all. The sinkhole on Tatamy Road is in Palmer Township.

TOWNSHIP SOLICITOR

Attorney Asteak stated the Pre-Recording Indemnification Agreement for Tadmor 2 was tabled at the September 1, 2021, Board Meeting for clarification of the language. This agreement indemnifies the Township for any work performed at the Tadmor site. The agreement is specific in what work can be done and is limited to site clearing, bulk earthwork, grading, erosion and sedimentation control measures, and utility infrastructure such as stormwater, water and sanitary sewer lines and facilities. The agreement does not include foundation of the warehouse building or vertical construction of vertical structures. This agreement allows the developer to proceed at their own risk in moving dirt and commencement of certain infrastructure.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the Pre-Recording Indemnification Agreement between NP Gun Club Building I LLC and Upper Nazareth Township pertaining to the Tadmor II Project. Motion carried by a vote of 4-1 with Ms. Mullen opposed.

Attorney Asteak stated Ordinance 186 has been duly advertised in the Express Times on September 11, 2021. Ordinance No. 186 prohibits owners from allowing livestock to run at-large upon the public streets or grounds of Upper Nazareth Township or upon the property of any person other than the owner, custodian, or keeper of such livestock requiring that every owner or custodian of real property upon which livestock is housed, stabled or penned or otherwise kept shall fence the area in which livestock is permitted to graze unattended and providing for a penalty for violation thereof. Livestock is defined as horses, cattle, jacks, burros, sheep, goats, llamas, alpacas, mules, bulls, steer, cows, swine, calves, poultry, ostriches, emus and ratite.

Township resident Michelle Martin made a statement pertaining to poultry specified in the ordinance. Ms. Martin stated chickens fly and clipping their wings is not an option for her. Ms. Martin also stated the ordinance specifies fines up to \$1,000 and wanted to know who sets the fine. Attorney Asteak responded the fine is up to the judge and how egregious the incident is. Attorney Asteak also stated regarding poultry, high fences can be erected to keep them in, and there is a way to clip their wings properly as to not harm the poultry.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Ordinance No. 186 Prohibiting Owners from Allowing Livestock to Run-at-Large. Motion carried by all voting aye. (5-0)

Attorney Asteak stated the Improvements Agreement for Heritage Village Phases 5 and 6 has been prepared and executed and is ready for approval. The Letter of Credit for the final two stages has been received also.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Heritage Village Phases 5 & 6 Improvements Agreement. Motion carried by all voting aye. (5-0)

Attorney Asteak attended the Zoning Board Hearing on behalf of the Zoning Office on September 29, 2021. Attorney Asteak informed the Board of Supervisors the final decision of the ZHB was deferred to October 27, 2021.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested approval for the conditional offer of employment for the Interim Treasurer Position effective November 15, 2021.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the conditional offer of employment for the Interim Treasurer Position effective November 15, 2021. Motion carried by all voting aye. (5-0)

Mrs. Klem stated a letter of interest has been received from Michelle Martin for appointment to the EAC.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to appoint Michelle Martin to the Environmental Advisory Committee. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval to advertise the 2022 General Fund and Liquid Fuels budgets.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve advertising the 2022 General Fund and Liquid Fuels Budgets. Motion carried by all voting aye. (5-0)

Mr. Klem requested approval to submit a letter to State Legislators regarding updates to the MPC.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve submitting a letter to State Legislators regarding updates to the MPC. Motion carried by all voting aye. (5-0)

Mrs. Klem announced the 2021 3rd Quarter Nationwide Police Pension Report is available for review.

Mrs. Klem requested approval for the Employee Appreciation Luncheon which is usually held in December.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the Employee Appreciation Luncheon. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the August, 2021 Fire, Police, Public Works, and Zoning reports. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval to appoint Josh Gurinko as Assistant Road Superintendent at the rate of \$30.00 per hour.

Motion was made by Ms. Hirst and seconded by Ms. Mullen to appoint Josh Gurinko as Assistant Road Superintendent at the rate of \$30.00 per hour. Motion carried by all voting aye. (5-0)

MS4

Nothing at this time.

RECREATION

Mr. Sylvainus stated the Recreation Board as met and are discussing what type of activities, facilities, etc. might be needed and are in the process of getting costs and prioritizing the list.

POLICE DEPARTMENT

Police Chief Cope requested setting Trick or Treat Night as Sunday, October 31, 2021.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve Sunday, October 31, 2021, as Trick or Treat Night from 6 pm to 8 pm. Motion carried by all voting aye. (5-0)

Police Chief Cope stated the Police Department will host the Halloween party at the fire house in the format similar to what was done last year.

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

Attorney Asteak requested adding the advertising for a CPA be put on the next Board meeting agenda.

Attorney Asteak stated the RC Lonestar tax appeal has been filed with the Court of Common Pleas.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adjourn at 7:30 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary