

UPPER NAZARETH TOWNSHIP
ENVIRONMENTAL ADVISORY COUNCIL
MINUTES MARCH 21, 2022

- 1) The March 2022 meeting of the Environmental Advisory Council was called to order at 6:35 p.m. by Chairman Nathan Pritchard.
- 2) Roll Call
 - a) Council members present were:
 - i) Nathan Pritchard, Brian Sayago, Anton Shannon, George Hasker, Frank Hirst.
 - ii) Michelle Martin was not initially in attendance, but joined at 7:00 pm.
- 3) Pledge of Allegiance
- 4) Upon motion by Mr. Hasker and second by Mr. Shannon the Council approved the February 21, 2022 Minutes. All members present voted yes.
- 5) COURTESY OF THE FLOOR
 - a) Three members of the public were present – Scott Sylvainus (BOS), Kristin Mullen (BOS) and Drew Sack who resides at 3225 Longley Rd.
- 6) OLD BUSINESS
 - a) Mr. Sayago updated the members on his attempt to obtain a list of property owners from the County. An appeal is pending.
 - b) Mr. Pritchard will follow up on the property information received from Scott Sylvainus regarding an inquiry from a township property owner offering to sell a <1 acre lot in the Farmview area.
 - c) Mr. Pritchard will initiate an email poll among the EAC members to convene a meeting of some or all to discuss a communication campaign directed to the owners of properties assembled by Mr. Shannon.
 - d) Mr. Pritchard will contact Mr. Tim Schantz the chair of the UNT Recreation Committee to begin the process of arranging an EAC booth at UNT Community Days. We may combine the booth with other UNT committees.
 - e) Mr. Pritchard has contacted Lehigh Valley Greenways to obtain material for the booth. He will follow up.
- 7) NEW BUSINESS
 - a) The EAC had developed a number of questions and invited the township solicitor to address them.
 - i) Question: with a board of seven, six members and one unfilled position, how many members constitute a quorum? Answer: four.

- ii) The EAC would like to initiate a communication to township residents and needs to discuss the type and content of the communication. The members involved in the discussion could be two, three, four or all. Question: how can we schedule and conduct such a meeting consistent within the Sunshine Act? Mr. Asteak said that as long as we did not take action, any number could participate. For example, if we were to meet to discuss a communication campaign, or to inspect a property for possible acquisition any or all members could participate.
- 8) The EAC has as an agenda item to approve our bylaws. We wrote draft bylaws in response to a recommendation in the Guide for Pennsylvania’s Environmental Advisory Councils published by the Pennsylvania Environmental Council.
- i) Question: should we have bylaws? Mr. Asteak said bylaws are inappropriate for the EAC. He suggested we could develop operating procedures covering the structure of our meetings and other administrative procedures. Among these could be a guideline that if a member does not attend a certain number of meetings, the EAC could recommend to the Board of Supervisors that the member be removed.
- 9) Question: if we acquire a property using open space funds, can we use open space funds to improve the property to make a park? Mr. Asteak discussed the issue with us and was inclined to believe that an improvement that is for passive recreation may be acceptable but an improvement for active recreation may not be. He will look into this question and advise us. Subsequently, on March 25th, Mr. Asteak provided us with the following.

This will serve to respond to your inquiry at the recent EAC Meeting regarding the appropriate expenditure of funds from EIT tax monies collected in connection with our Open Space Program. In addition to the acquisition of open space lands and conservation easements, the statute limits the use of those funds to the following:

- 1. Retire indebtedness incurred in purchasing interests in real estate for open space*
- 2. Transactional fees that are incidental to acquisition including but not limited to appraisals, legal services, title searches, document preparation, title insurance, closing fees and survey costs*
- 3. Expenses necessary to prepare the resource, recreation or land use plan, i.e. Open Space Plan, required*
- 4. Up to 25% of any accumulated balance of the fund to develop, improve, design, engineer and maintain property acquired pursuant to the Act for open space benefit or benefits*

- 10) We have been told that if an area is zoned Agricultural Conservation, we have the “right of first refusal” if the owner proposes to develop the land. Question: Is this generally true? Mr. Asteak stated that this is a complex question and suggested that we take it up at a subsequent meeting.

- 11) Based on advice from Mr. Asteak, Mr. Pritchard will prepare a draft of operating procedures.
- 12) Mr. Hasker suggested we publish information about the EAC in the next UNT Newsletter.
Mr. Sayago and Mr. Hasker will develop a draft.
- 13) Mr. Hasker also recommended we add similar information on to the UNT website. A section might be developed including Recreation, parks, and EAC.
- 14) Mr. Sayago proposed and submitted a draft of an “intake” form to be used to initiate an exploration of an open space acquisition. The form and process was discussed. Mr. Pritchard will revise the form and submit the revision at the next EAC meeting.
- 15) The next meeting is scheduled for April 18, 2022 at 6:30 p.m. at the Township building.
- 16) ADJOURNMENT
 - a) Motion to adjourn was made by Mr. Shannon, seconded by Ms. Martin and approved by all members. The meeting adjourned at 8:10 pm.

Respectfully submitted,

Brian Sayago Secretary