

**REGULAR MEETING MINUTES
FEBRUARY 15, 2023
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS**

Meeting called to order at 7:00 PM by Chairman Scott Sylvainus.

Pledge of Allegiance

Board members present were, Robert Disbrow, Kristin Mullen, Michael Rinker, Brian Sayago, and Scott Sylvainus. Also present were Township Manager, Lisa Klem, Township Solicitor Steven Mills, Township Engineer, Sean Dooley, Police Chief, William Cope, Zoning Officer, John Soloe, and Treasurer/ Recording Secretary, Deanne Werkheiser. Road Superintendent, Shawn Shupe, was absent.

COURTESY OF THE FLOOR

George Polak distributed conditional acceptance papers to Board members and staff.

Resident Becky Bartlett stated fireworks were set off during the Super Bowl. They were very annoying and loud.

APPROVALS

Motion was made by Kristin Mullen, seconded by Michael Rinker to approve the agenda. Motion approved unanimously.

Brian Sayago questioned Sean Dooley's comment regarding Farmview and 1st Avenue drainage issues not being MS4 issue. He feels they are. Sean Dooley responded it is a nuisance drainage issue and not part of the MS4 permit. It is an MS4 issue but not part of the current MS4 permit.

Motion was made by Brian Sayago, seconded by Robert Disbrow to approve the minutes of the February 1, 2023, regular meeting. Motion approved unanimously.

Motion was made by Michael Rinker, seconded by Robert Disbrow to approve payment of the bills. Motion approved unanimously.

Motion was made by Michael Rinker, seconded by Robert Disbrow to approve the January 2023 Financial and Treasurer's Report. Motion approved unanimously.

Robert Disbrow asked about the Open Space Fund. What is the plan for the 1.7 million in taxes collected? Brian Sayago responded that is a good question. We (EAC) are looking for opportunities to preserve open space, talking to residents. Robert responded we need to let residents know what is happening with their tax dollars. Brian replied a possible purchase will be coming before the Board in March.

SUPERVISORS

Nothing at this time.

02/15/2023

TOWNSHIP ENGINEER

Sean Dooley stated the Board had copies of his engineer's report.

Sean stated MS4 will be discussed later. He reviewed items on the report. Brian Sayago asked about the status of the railroad crossing at Gun Club Road. Sean responded Norfolk Southern sent back comments. Currently waiting on builders to respond to those comments. Brian replied he voted against the concrete crossing and taking responsibility for the future maintenance. Sean explained how the concrete crossing is installed and how this will help with future pedestrian crossing and walking trails/ pathways. Brian responded his concern was the obligation to maintain it. We need to be aware of what is going on while work is being done. Sean replied no changes have been made to what was approved. The developer is paying for installation.

Sean Dooley stated he had a meeting with Shawn Shupe, Brian Sayago, and Mike Schallock to look at the drainage situation at Farmview and 1st Avenue and come up with options on how to manage the situation. The scope (area) is much greater than originally discussed. The area is flat and other properties are discharging onto our land. An additional survey is required to connect the dots on what has been done and what can be done. A brief discussion ensued on the area, ideas of how the issues can be rectified, and future MS4 requirements. Possible retention pond or piping under Tatamy Road to the quarry are possibilities. Brian spoke with the quarry's environmentalist about the option. They are already accepting water from Nazareth Borough. Lisa Klem suggested that they need to reach out to Penn DOT first to see if they would allow this since Tatamy Road is a state-owned roadway.

Motion was made by Brian Sayago, seconded by Michael Rinker to approve Keystone Consulting Engineers survey Farmview area to provide data for options to drainage issues, not to exceed \$2,500.00 for the survey. Motion approved unanimously.

TOWNSHIP SOLICITOR

Steven Mills stated that he had nothing at this time.

TOWNSHIP MANAGER/ ADMINISTRATION

Lisa Klem stated she had several items.

In December they met with Girard to discuss the Police pension investment policy. The policy statement has been distributed to the Board and Police. No comments were received.

Motion was made by Brian Sayago, seconded by Michael Rinker to approve the investment policy statement for the Upper Nazareth Township Police Pension Plan. Motion approved unanimously.

Lisa Klem stated that she is seeking approval to hire Angela Strohl as the full-time clerk.

Motion was made by Kristin Mullen, seconded by Scott Sylvainus to approve the hiring of Angela Strohl for full-time Municipal Clerk. Motion approved unanimously.

Lisa Klem stated that she received Terri Sayago's letter of resignation as Representative of the Library Board. Lisa thanked Terri for the very good reports and a job well done. A letter of interest has been received. The opening will be posted on the website. Approval of a replacement will be done at the next meeting.

Motion was made by Kristin Mullen, seconded by Robert Disbrow to accept the resignation of Terri Sayago as the Library Board Representative. Motion approved unanimously.

APPROVAL OF DEPARTMENT REPORTS

January 2023 Reports submitted from Fire, Police, Public Works, and Zoning.

Motion was made by Michael Rinker, seconded by Robert Disbrow to approve the January 2023 Fire, Police, Public Works, and Zoning Reports. Motion approved unanimously.

PLANNING & ZONING

Scott Sylvainus stated Resolution No. 23-06 was before the Board- Heritage Village Phase 5 & 6 lot consolidation plan and amended Land Development Plan. John Soloe stated the applicants are here if anyone has any questions. Attorney Ted Lewis stated this concerns two items, lot consolidation and the amended plan.

Motion was made by Michael Rinker, seconded by Robert Disbrow to approve Resolution No. 23-06- Heritage Village phase 5 & 6 lot consolidation and amended land development plan per Keystone Engineers letter dated January 9, 2023. Motion approved unanimously.

PUBLIC WORKS

Shawn Shupe was not present. Scott Sylvainus stated everyone had copies of the 2022 Yard Waste summary.

MS4

Sean Dooley stated that pathogen testing is being scheduled for the east side of the Township. The Public Works Department has been cleaning out basins so that final designs can be completed. They are more than twenty years old. Maintenance is now required so they can work properly. He is working with Shawn Shupe on maintenance and management plans. Farmview basin works has resumed.

Approval to draft new Stormwater Ordinance- Sean stated that there were questions about how he was approaching the MS4 Stormwater Ordinance. He is seeking direction on how to proceed. Scott Sylvainus asked if he was planning on taking it out of the SALDO. Sean responded yes because stormwater requirements change more often and could cause inconsistencies. Keeping stormwater separate makes it easier to administer and for other applications that may require it. Brian Sayago asked how much it will cost. Sean stated this is a requirement. We have to do this. Currently, we do not have a cost. We will be collating various existing parts. Brian asked what input the Solicitor will have on this. Steven Mills responded most municipalities adopt the model ordinance from DEP. Sean stated the ordinance will be similar to Lower Nazareth Township's ordinance. There are inconsistencies between multiple ordinances. This will make it easier moving forward. Scott asked Sean to compile the proposed costs. Brian stated he would like an overall picture of what will be done and how it will work so we can understand. Lisa Klem suggested that any changes that will affect the Zoning Ordinance

be listed since the update to the Zoning Ordinance is currently underway. Sean will get cost estimate. The motion will be on the next agenda.

RECREATION

Michael Rinker stated they are seeking approval of Community Days being held on September 7, 8, and 9, 2023.

Motion was made by Kristin Mullen, seconded by Scott Sylvainus to approve Community Days at Tuskes Park on September 7, 8, and 9, 2023. Motion approved unanimously.

EAC

Scott Sylvainus stated that the Board met Greg Kowalczyk at the last meeting. He expressed interest in serving on the Environmental Advisory Committee.

Motion was made by Brian Sayago, seconded by Michael Rinker to appoint Greg Kowalczyk to the Environmental Advisory Committee to fill the remainder of the term to expire on December 31, 2024. Motion approved unanimously.

Lisa Klem stated there is one more vacancy to be filled. Anyone interested should contact the Office.

Brian Sayago stated they are seeking approval to send postcards to all of the residents, approximately 2,300. The purpose is to inform the residents about the EAC, solicit interested landowners, and anyone interested in joining the EAC. Received three quotes ranging from \$1,160.00 to \$2,000.00.

Motion was made by Michael Rinker, seconded by Robert Disbrow to approve the EAC to mail postcards to the residents, not to exceed \$1,160.00. Motion approved unanimously.

PUBLIC SAFETY

POLICE DEPARTMENT

Chief William Cope stated approval of College Assistance per the CBA for Sergeant Mark Herman. Reimbursement is based on the final grade received for the course.

Motion was made by Robert Disbrow, seconded by Kristin Mullen to approve College Assistance per the CBA for Sergeant Herman. Motion approved unanimously.

EMERGENCY MANAGEMENT

Michael Rinker stated that he had nothing at this time.

SAFETY COMMITTEE

Michael Rinker stated that he had nothing at this time.

FIRE DEPARTMENT

Chief Jeff Fassl stated he had nothing at this time.

OLD BUSINESS

Nothing currently.

NEW BUSINESS

Nothing currently.

ADJOURNMENT

Motion made by Robert Disbrow, seconded by Kristin Mullen to adjourn the meeting at 7:55 PM. Motion approved unanimously.

Respectfully Submitted,

Deanne Werkheiser,
Recording Secretary