

**REORGANIZATION & REGULAR MEETING MINUTES – JANUARY 6, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS**

Meeting called to order at 7:00 p.m. by Solicitor Gary Asteak.

Pledge of Allegiance

Board members present were: Mike Rinker, Robert Disbrow, Scott Sylvainus, Donna Hirst, and Kristin Mullen. Also present were: Manager, Lisa Klem, Treasurer Betty Parrish, and Township Engineer Sean Dooley.

Attorney Asteak took over as temporary chair of the meeting. Attorney Asteak asked for nominations for Chairman of the Board.

Motion was made by Mr. Disbrow to nominate Mr. Rinker as Chairman of the Board for 2020 and seconded by Mrs. Hirst. There being no other nominations, Mr. Rinker was elected Chairman by all voting aye. (5-0)

Mr. Rinker assumed the position of Chairman.

Motion was made by Mrs. Hirst to nominate Mr. Disbrow as Vice Chair of the Board for 2020 and seconded by Mr. Rinker. Motion carried with Mr. Disbrow assuming the Vice Chair of the Board of Supervisors for 2020. (5-0)

APPOINTMENTS

Motion made by Mrs. Hirst and seconded by Mr. Sylvainus to accept the 2020 Professional and Volunteer Appointments listed in A and B of the agenda. Motion carried by all voting aye. (5-0)

Motion made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Keystone Consulting Engineers as Upper Nazareth Township Engineer. Motion carried by all voting aye. (5-0)

Motion made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Keystone Consulting Engineers as Upper Nazareth Township State Sewage Enforcement Officer. Motion carried by all voting aye. (5-0)

Motion made by Mr. Disbrow and seconded by Mrs. Hirst to appoint Mrs. Hirst as the Upper Nazareth Township Representative to the Memorial Library of Nazareth Budget Committee. Motion carried a vote of 3-2 with Mr. Sylvainus and Ms. Mullen opposed.

Motion made by Mr. Disbrow and seconded by Mrs. Hirst to appoint Mr. James Cunningham as the Upper Nazareth Township Representative to the Memorial Library of Nazareth Board. Motion carried a vote of 3-2 with Mr. Sylvainus and Ms. Mullen opposed.

Motion made by Mr. Disbrow and seconded by Mr. Rinker to appoint Mr. Christopher Dudinyak to the Vacancy Board. Motion carried a vote of 4-1 with Mr. Sylvainus opposed.

The following were the professional appointments:

Assistant Secretary/Assistant Treasurer/ Alternate Right to Know Officer

- Lisa Klem

FT Secretary/Zoning Secretary/Purchasing Officer/Open Records Officer/Plans Administrator

- Kim Mutarelli

FT Treasurer/Chief Administrative Officer Pension Plans/Fair Housing Officer

- Betty Parrish

Township Solicitor and Fees

- Asteak Law Offices, Gary Asteak, \$175.00/hr - \$190.00/hour

Zoning Hearing Board Solicitor and Fees

- Peters, Moritz, Peishl, Zulick, Landes & Brienza LLP
- James L. Zulick - \$160.00 per hour

Inspection Services and Fees

- CodeMaster Inspection Services, according to the fee schedule

Alternate Zoning Officer and BCO

- CodeMaster Inspection Service, \$60.00 per hour if needed

Emergency Management Coordinator

- Mike Rinker

Deputy Emergency Management Coordinator

- Rob Disbrow

Zoning Hearing Board Secretary

- Betty Parrish

PT Zoning Officer

- John Soloe

Delegate to Northampton County Association of Township Officials

- Lisa Klem
- Betty Parrish

Delegate NAZCOG

- Mike Rinker
- Scott Sylvainus – Alternate

Voting Delegate to the NAZCOG Comprehensive Plan Steering Committee

- Scott Sylvainus
- Rob Disbrow - Alternate

Zoning Hearing Board - Term Expires 12/31/22

- Andrew Bohl

Recreation Board - Term Expires 12/31/24

- Tim Schantz

Planning Commission – Term Expires 12/31/23

- Jay Benfield
- Pam Berlew

Representative to the Nazareth Ambulance Board

- Mike Rinker

Representative to the Nazareth Borough Municipal Authority

- Jack Gum

COMPENSATION

Motion made by Mr. Disbrow and seconded by Mrs. Hirst to set the 2020 compensation for employees as included in the 2020 Adopted Budget and stated in the agenda. Motion carried by a vote of 4-1 with Mr. Sylvainus opposed.

Township Manager

- \$88,000.00 salaried

FT Chief of Police

- \$98,092.80 salaried

FT Public Works Director

- \$78,291.20 salaried

Township Auditors

- \$10.00/hr.

Planning Commission

- \$30.00 per meeting attended per member, paid quarterly

Zoning Hearing Board

- \$30.00 per hearing date attended per member, paid quarterly
- \$116.67 per hearing date attended for the secretary, paid quarterly

Increase for all non-uniform, non-exempt, part-time employees and part-time police personnel as included in the 2020 Adopted Budget

- Three percent (3%)

MILEAGE ALLOWANCE

Motion made by Mr. Rinker and seconded by Mrs. Hirst to set the mileage reimbursement rate for employee's using their own vehicles at the current IRS rate of 57.5 cents per mile. Motion carried by all voting aye. (5-0)

SIGNATORY AUTHORIZATION

Motion made by Mr. Rinker and seconded by Mrs. Hirst to authorize two bank authorized signatures to sign Township checks either Treasurer/Assistant Treasurer and Supervisors or Supervisor and Supervisor. Motion carried by all voting aye. (5-0)

OFFICIAL BONDS

Motion made by Mr. Sylvainus and seconded by Mr. Rinker to approve the official bonds as stated in the agenda. Motion carried by all voting aye. (5-0)

Manager - \$170,000.00
Secretary - \$100,000.00
Treasurer - \$250,000.00
RE Tax Collector - \$500,000.00
Police Secretary - \$25,000.00

RESOLUTIONS

Motion made by Mr. Rinker and seconded by Mr. Disbrow to adopt Resolution 20-01: Upper Nazareth Township Fee Schedule. Motion carried by all voting aye. (5-0)

Motion made by Mr. Disbrow and seconded by Mr. Sylvainus to adopt Resolution 20-02: Township Depositories. Motion carried by all voting aye. (5-0)

Motion made by Mrs. Hirst and seconded by Mr. Disbrow to adopt Resolution 20-03: Police Pension Contributions. Motion carried by all voting aye. (5-0)

In accordance with Second Class Township Code Section 917(b) (2) Resolution 19-04 was advertised in the Express-Times on November 9, 2019. This resolution only gives the Township the authority to appoint a CPA or CPA firm. It does not specify who that will be. An appointment of a specific entity will take place at the regular Board meeting following this Reorganization Meeting.

Motion made by Ms. Mullen and seconded by Mrs. Hirst to adopt Resolution 20-04: Township Audit by CPA for 2018. Motion carried by all voting aye. (5-0)

Motion made by Mr. Rinker and seconded by Mr. Disbrow to adopt Resolution 20-05: TCC Delegate and Alternate. Motion carried by all voting aye. (5-0)

Motion made by Mrs. Hirst and seconded by Ms. Mullen to adopt Resolution 20-06 Fair Housing. Motion carried by all voting aye. (5-0)

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to adjourn the Reorganization Meeting at 7:10 p.m. Motion carried by all voting aye. (5-0)

The regular business meeting of the Upper Nazareth Township Board of Supervisors commenced at 7:10 p.m.

COURTESY OF THE FLOOR (Anyone wishing to address the Board must sign in.)

Upper Nazareth Township resident Wilhelmina Donnelley asked about Earned Income Tax and how it is appropriated. Mrs. Parrish responded EIT is deposited into the general fund for the purposes of funding general Township expenses. Mrs. Parrish stated the Open Space EIT newly enacted will be deposited into a designated fund for Open Space purposes only.

Upper Nazareth Township resident Wendy Colussi asked if there was a Right to Know Officer as Mrs. Klem was appointed to the Alternate Right to Know Officer. Mrs. Klem responded Ms. Muterelli is the Open Records Officer which is the same as the Right to Know Officer. Ms. Colussi asked if the Township has a Code Enforcement Officer. Mrs. Klem responded no.

Upper Nazareth Township resident Jason Mohap asked questions pertaining to past salary increases and the approve salary increases for 2020. Mr. Rinker thanked Mr. Mohap for his comments.

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

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the minutes from the December 18, 2019, meeting. Motion carried by a vote of 4-1 with Ms. Mullen abstaining as she was not a Board Member at that time.

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

SUPERVISORS COMMENTS

Mr. Rinker welcomed Ms. Kristin Mullen to the Board.

Mr. Disbrow extended a thank you to East Lawn Social Club for donating the Upper Nazareth Township Holiday Luncheon.

TOWNSHIP ENGINEER

Mr. Dooley thanked the Board for appointing Keystone Consulting Engineers as the Township Engineer for 2020.

TOWNSHIP SOLICITOR

Attorney Asteak requested approval of Resolution No. 20-07 – Intergovernmental Cooperation Shared Equipment Agreement between Upper Nazareth Township and Bath Borough.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution No. 20-7 Intergovernmental Cooperation Shared Equipment Agreement between Upper Nazareth Township and Bath Borough. Motion carried by all voting aye. (5-0)

Attorney Asteak thanked the Board for appointing him as Solicitor for 2020 and welcomed Ms. Mullen to the Board.

ADMINISTRATION

Mrs. Klem mentioned the PSATS Conference registration opening date of January 14, 2020, requesting anyone interested in attending to please let her know so that hotel accommodations could be made, as reservation for hotels can only be made after registration for the conference. Mrs. Klem, Mrs. Parrish, Ms. Mullen, Mr. Rinker, Mr. Shupe and Officer Cope are interested in attending.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve attendance of those mentioned at the PSATS Conference. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to appoint Mrs. Klem as the delegate to the PSATS Convention. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval to decommission the 2005 Ford Expedition as it will not pass inspection without costly repairs.

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

RECREATION

Mr. Disbrow stated the Recreation Committee meets on January 21, 2020.

PUBLIC SAFETY

POLICE DEPARTMENT

Police Chief Cope asked the Board to accept the resignation of part-time officer Colin Keiser.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to accept the resignation of part-time officer Colin Keiser. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Mr. Rinker will contact Mrs. Parrish with dates.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion made by Mr. Disbrow and seconded by Mrs. Hirst to adjourn the meeting at 7:35 p.m. Motion carried by all voting aye. (5-0)

Respectfully Submitted,

*Betty Parrish
Recording Secretary*

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.

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 Mr. 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 surround 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

MINUTES FEBRUARY 5, 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, and Lisa Klem. Treasurer, Betty Parrish was absent.

PUBLIC COMMENT

Township resident Joanne Messenlehener thanked Mr. Shupe for removing the sneakers from the light pole at the intersection of Route 191 and Friedenstahl Ave. Mrs. Messenlehener also expressed her concern about pollution from the warehouses.

APPROVALS

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

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the meeting minutes of January 15, 2020. Motion carried by all voting aye. (5-0)

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

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was held prior to the meeting for personnel and litigation purposes.

TOWNSHIP ENGINEER

Mr. Dooley presented a request from MorningStar, Heritage Village Phase 2 for a reduction in their letter of credit from \$1,106,891.71 to \$974,680.97.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve MorningStar, Heritage Village Phase 2 request for reduction in the letter of credit from \$1,106,891.71 to \$974,680.97. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

MorningStar, Heritage Village Attorney Ted Lewis discussed the request for a reduction in the amount of the letter of credit for Heritage Village Phases 3 and 4. Mr. Sylvainus requested MorningStar present their request for modification with the proper written calculations. No action was taken.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem announced the 4th Quarter Nationwide and Girard Police Pension Reports are available for review.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested conditional approval to hire Andrew Rinaldo as a full-time Laborer 3 at a rate of \$18.08 per hour with an increase to \$19.21 per hour after 90 days.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the conditional hire of Andrew Rinaldo as a full-time Laborer 3 at the rate of \$18.08 per hour with an increase to \$19.21 per hour after 90 days. Motion carried by all voting aye. (5-0)

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Mr. Jeff Fassl asked the Board if they would donate the 2005 decommissioned Ford Expedition to the Fire Department.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to donate the 2005 Ford Expedition to the Fire Department. Motion carried by all voting aye. (5-0)

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 7:45 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES FEBRUARY 19, 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, and Kristin Mullen. Donna Hirst was absent.

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 has not been authorized by the Board to do so. Mr. Mohap asked if Project Tadmor had come before the Board. Mr. Rinker responded no. Mr. Mohap questions how the waivers are coming before the Board before the Board has seen the plan. Attorney Asteak explained the process stating the waivers have been recommended by the Planning Commission.

Township business owner, Jeff Wack, questioned why the sidewalks would be disallowed as this is a safety concern for the area. Mr. Dooley responded the statement is not accurate.

Township resident Liz Summers expressed her disappointment in the cuts to the library.

Township resident Vlad Potiyevsky raised some concerns that Heritage Village as currently built is not in conformance with the original plans submitted. Mr. Sylvainus responded changes have been made to the original plan. Mr. Potiyevsky questioned Porter Street being open all the time versus the plan showing Porter Street being an emergency entrance. Mr. Potiyevsky stated residents are not stopping at the stop signs. The police made a note of this concern.

BARRY ISETT & ASSOCIATES/CODEMASTER

Karen Duerholz of Codemaster Inspection Services informed the Board that Barry Isett & Associates has acquired Codemaster as of April 1, 2020. All fees and services will remain the same with some improvement to turn around time. The Board will need to appoint Barry Isett & Associates prior to April 1, 2020. Ms. Kuerholz will forward a sample resolution for this appointment.

APPROVALS

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the agenda. Motion carried by all voting aye. (4-0)

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve the meeting minutes of February 5, 2020. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve payment of the bills holding the payment to Brown Daub. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the January, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (4-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was held prior to the meeting for personnel reasons.

TOWNSHIP ENGINEER

Mr. Dooley stated Duke Realty – Chrin Lots 2 & 3 has requested a reduction in the Letter of Credit from \$446,277.40 to \$45,208.95 which is sufficient for the remaining items that need to be completed.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Duke Realty – Chrin Lots 2 & 3 request for a reduction in the letter from \$446,277.40 to \$45,208.95. Motion carried by all voting aye. (4-0)

Mr. Dooley stated Duke Realty – Chrin Lots 2 & 3 has requested to enter the 18 month maintenance period.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve Duke Realty – Chrin Lots 2 & 3 entering the 18 month maintenance period ending August 19, 2021. Motion carried by all voting aye. (4-0)

Mr. Dooley stated the Engineer's Project Status Report has been submitted to the Board.

Mr. Sylvainus asked how the Northampton County project was going. Mr. Dooley responded it is going well.

TOWNSHIP SOLICITOR

Attorney Asteak spoke about Heritage Village Phases 3 & 4 Indemnification Agreement that was entered into last year pertaining to construction of improvement prior to the completion of the Subdivision Improvements Agreement and calculation of improvements costs. Heritage Village is seeking to extend that Indemnification Agreement from October 16, 2019 through March 30, 2020.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the extension to the Heritage Village Indemnification Agreement through March 30, 2020. Motion carried by all voting aye. (4-0)

Attorney Asteak stated regarding the Subdivision and Land Development Improvements Agreement for Heritage Village Phases 3 & 4, there were some issues involving the calculations of the improvements costs, public versus private improvements, and some issues with regard to maintenance. The numbers have been worked out but there are some additional language changes that have to be made to the agreement itself. Attorney Lewis suggested some language changes. Attorney Asteak requested the Board authorize approval and execution of the Improvements Agreement subject to approval of the Solicitor and receipt of the Letters of Credit totaling the amount that has been agreed to by the engineers.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the execution of the Heritage Village Improvements Agreement subject to the approval of the Solicitor and receipt of the Letters of Credit totaling the amount that has been agreed to by the engineers. Motion carried by all voting aye. (4-0)

Attorney Asteak stated on February 13, 2020, the Board of Supervisors, pursuant to the Library Code received a petition signed by residents of the Township seeking that a referendum be placed on the next municipal election ballot to impose a library tax to support a local library. The petition contained 394 signatures that were verified and represents more than 3% of the individuals that voted in the last election, and therefore, the staff has deemed it in conformity with the library code. The code requires the municipality to submit to the qualified voters the question of a library tax. Based upon our analysis of the library code specifying that a library tax may not be used for any purpose other than the establishment of, maintenance of, and aid to a local library and a municipality may contract with the managers or owners of an existing local library for public library service for the residents in a municipality whether the library is located in the same or another municipality and gives the power to the municipality to enter into contracts for the provision of library services. It is my recommendation that the Board approve a motion directing the Solicitor to notify the Northampton County Board of Elections to pose the following question on the ballot: “Shall Upper Nazareth Township establish a Special Library Tax to provide for the operation and maintenance of a local library at the rate of 0.6 mills on the dollar of assessed value of all taxable real estate within Upper Nazareth Township. It would contain the explanation that a “YES” vote means the Upper Nazareth Township Board of Supervisors will increase the real estate property tax rate of Upper Nazareth Township by 0.6 mills to provide funding for the operation and maintenance of a local library. A “NO” vote means the Board of Supervisors of Upper Nazareth Township will not increase the real estate property tax of Upper Nazareth Township to provide funding for a local library. Essentially we are asking the Election Board to place on the ballot that question as requested by the requisite number of citizens of the Township.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to direct the Solicitor to notify the Northampton County Board of Elections to pose the following question on the ballot: “Shall Upper Nazareth Township establish a Special Library Tax to provide for the operation and maintenance of a local library at the rate of 0.6 mills on the dollar of assessed value of all taxable real estate within Upper Nazareth Township. It would contain the explanation that a “YES” vote means the Upper Nazareth Township Board of Supervisors will increase the real estate property tax rate of Upper Nazareth Township by 0.6 mills to provide funding for the operation and maintenance of a local library. A “NO” vote means the Board of Supervisors of Upper Nazareth Township will not increase the real estate property tax of Upper Nazareth Township to provide funding for a local library. Motion carried by all voting aye. (4-0)

TOWNSHIP MANAGER/ADMINISTRATION

Nothing at this time.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the Fire (December and January), Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (4-0)

PLANNING & ZONING

Attorney Asteak observed that no one was present from Tadmor and recommended the waiver requests of SALDO Section 741.10; 749.1; 749.3; 749.4 and 785 be tabled until such time as a full report is received from the Planning Commission and Tadmor is not here to answer questions.

Motion was made by Mr. Rinker and seconded by Ms. Mullen to table Tadmor's waiver requests until a full report is received from the Planning Commission and Tadmor is present. Motion carried by all voting aye. (4-0)

Attorney requested the Board accept the granting of an extension of time for the Planning Commission to review Project Tadmor Preliminary Land Development and Subdivision Plans until March 31, 2020.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve the extension of time for the Planning Commission to review Project Tadmor's Preliminary Land Development and Subdivision Plans for the property located at 3363 Gun Club Rd. until March 31, 2020. Motion carried by all voting aye. (4-0)

PUBLIC WORKS

Mr. Shupe requested approval to purchase a Scag Zero turn mower at a cost of \$9,933.60 as was budgeted in 2020.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the purchase of a Scag Zero turn mower from Whitehall Turf Equipment at a cost not to exceed \$9,033.60. Motion carried by all voting aye. (4-0)

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Safety Committee Meeting February 27, 2020, at 3:30 pm.

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 Ms. Mullen to adjourn at 7:44 p.m.
Motion carried by all voting aye. (4-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES APRIL 1, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:05 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.

APPROVALS

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the agenda. Motion carried by a vote of 4 – 0 with Ms. Hirst abstaining as she was not present at the February 19, 2020 meeting.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve the meeting minutes of February 19, 2020. Motion carried by a vote of 4-0 with Ms. Hirst abstaining as she was not present for the February 19, 2020 meeting.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst 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 February, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Disbrow extended his appreciation to all the departments that continue to work as well as the Fire Department, Police, and Nazareth EMS.

Ms. Mullen thanked the Emergency Management Team for their dedication and hard work during these difficult times. Ms. Mullen stated it is very comforting having Mr. Rinker and Mr. Disbrow at the helm. Mr. Sylvainus and Mrs. Hirst concurred.

Mr. Rinker and Mr. Disbrow thanked everyone for their kind words.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak complimented the staff and supervisors for their efforts during this emergency and for the staff continuing to come to work.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested ratification of the Declaration of Disaster – Resolution No. 20-11.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the Declaration of Disaster – Resolution No. 20-11. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of the Declaration of Disaster Extension – Resolution No. 20-12. Mrs. Klem explained a Declaration of Disaster allows the municipality to submit requests for reimbursement from the State for any direct costs associated with a statewide/national disaster declaration.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve the Declaration of Disaster Extension – Resolution No. 20-12. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of Resolution No. 20-09 appointing Barry Isett & Associates as Upper Nazareth Township 3rd Party UCC Plan Reviewers and Inspectors and Daniel Demeno as Alternate Zoning Officer.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve of Resolution No. 20-09 appointing Barry Isett & Associates as Upper Nazareth Township 3rd Party UCC Plan Reviewers and Inspectors and Daniel Demeno as Alternate Zoning Office. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the February Fire, Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Mrs. Klem stated an extension of time to review the Schoeneberger Minor Subdivision Plan has been granted by John Schoeneberger until June 30, 2020.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to accept the extension of time to review the Schoeneberger Minor Subdivision Plan granted by John Schoeneberger until June 30, 2020. Motion carried by all voting aye. (5-0)

Mrs. Klem stated an extension of time to review Project Tadmor Plans until May 29, 2020, has been granted.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to accept the extension of time to review plans submitted for Project Tadmor until May 29, 2020. Motion carried by all voting aye. (5-0)

Mr. Jim Vozar, of JVI Inc. expressed his sincere thanks and appreciation to the Township for their patience and understanding as well as the great service the Township is doing for the citizenship in the area. During these tough times they appreciate the time allotted tonight. At this time, Mr. Jim Vozar gave a brief presentation about the proposed Gun Club Road warehouse stating JVI has been at the Planning Commission for about the last 9 months working with Keystone Consulting Engineers along with the Planning Commission to review the plan. JVI is currently complying with Mr. Dooley's review letters and were recommended to the Board of

Supervisors by the Planning Commission. Mr. Vozar stated a separate plan for improvements to Gun Club Road and the intersection of Gun Club Road and Route 248 has also been submitted. The plan includes an increase the number of berms, buffers and plantings along Gun Club Road at the southern portion of the boundary across from the residential area on Gun Club Road. Signage issues for truck drivers and the general public have also been addressed. Plans have been submitted to LVPC, DEP and Northampton County Conservation District. Plans for the proposed improvements to the intersection of Gun Club Road and Route 248 will be submitted to PennDOT shortly.

Mr. Disbrow stated the only issue the Board has discussed on this project is the improvements to Gun Club Road. This is the first Board Meeting after the Planning Commission gave their recommendation. At tonight's meeting, the Board will not be taking any action on the project.

Several residents voiced their concerns pertaining to the technical difficulties encountered during this meeting and voiced their opposition to another virtual meeting when discussing the Tadmor project. Several comments to the Board included a request to have a public forum larger than the Township Building and longer than 3 minutes. Mr. Rinker responded this process should be done at a Township Building where everyone can see each other and speak and do a proper presentation. Tonight's meeting is limited.

Attorney Asteak reiterated the only issue the Board has discussed about this project was the Gun Club Road improvements. For the first time the Planning Commission has taken action and made a recommendation to the Board of Supervisors on the Preliminary Plan. This is the first public meeting that the Board has had after the Preliminary Plan was released by the Planning Commission with their recommendation.

A resident asked if the Board had received outside agency letters from the LVPC or for the consistency letter to the Act 167 stormwater act. Mr. Dooley stated a letter was in process prior to the current State of Emergency being issued.

Mr. Rinker suggested continuing the discussion on this project when a live meeting can be held and discuss things in person. The other Supervisors concurred with this suggestion.

Ms. Kate Durso stated for the record if the Governor's Order allows for these virtual meetings to occur that it may have to occur virtually depending on how long the order to stay in place is in effect. It may be a case where this discussion will happen virtually. Attorney Asteak stated no clear guidance has been received from the Supreme Court on what the implications of this emergency are. Attorney Asteak received today an order from the Supreme Court closing courts through the end of this month, giving president judges certain discretion regarding the closure of the courts through the end of May. There is an authorization and encouragement by the Supreme Court to use modern electronic technology communications equipment in managing judicial proceedings in a way that it does not violate constitutional rights of the parties. As of today, it is premature as to how the Supreme Court would view continued virtual meetings of this sort or actions on applications of this sort and how that interfaces with the Pennsylvania Municipalities Code. The Board appears to wish to have discussions of this matter done in a public forum that is personal rather virtual and I respect that. Only time will tell how that develops and what guidance we get from the Supreme Court. It appears now we have the time constraints imposed by the MPC versus the disaster emergency that our community is experiencing and the need to get the government's business done. Needs of the community and client will be taken into consideration as things are changing day by day. As things develop, I will provide the Board with more legal guidance.

PUBLIC WORKS

Mr. Shupe requested approval to advertise for seasonal help.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve advertising for Public Works Seasonal Help. Motion carried by all voting aye. (5-0)

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Police Chief William Cope requested ratification of Joint Resolution No. 20-10 authorizing Emergency Intermunicipal Mutual Aid for Police Services during the COVID-19 pandemic. Attorney Asteak complimented Chief Cope and Bushkill Chief for implementing this agreement between Bushkill Township, Tatamy Borough, and Upper Nazareth Township allowing for a continuation of services should any of the departments be left with a shortage due to the COVID-19 crisis.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve the Joint Resolution No. 20-10 Authorizing Emergency Intermunicipal Mutual Aid for Police Services between Bushkill Township, Tatamy Borough and Upper Nazareth Township during the COVID-19 Pandemic. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Mr. Disbrow stated the Emergency Management Team has been extremely busy dealing with issues arising from the current pandemic and coordinating the needs of our Police, Public Works, Fire Department and EMS, funneling them up the chain of command in trying to fulfill their needs. Mr. Rinker is extremely involved with this crisis, as in his role he is able to secure and keep our employees safe so they can continue serving us in the fashion they have always done in the past.

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Mr. Jeff Fassl, Upper Nazareth Fire Department Chief, stated a plea went out for donations of PPE supplies the Fire Department desperately needed. Mr. Fassl wanted to publicly thank the residents of Upper Nazareth Township for the donations.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

PUBLIC COMMENT

Resident Vlad Potiyevsky questioned again why the residents were not notified regarding the changes to the plan for Heritage Village and asked if there was evidence of such notification. Blasting has occurred and residents were not notified. Mr. Potiyevsky stated Heritage Village is currently continuing work and asked if they were exempt. Mr. Rinker stated the Board is looking into this matter. Attorney Asteak stated if the residents had a complaint about their working, the resident should contact the developer directly. Attorney Asteak stated the Township has been in touch with Heritage Village but they have not provided the Township with a waiver. Mr. Potiyevsky also questioned the work for the water line taking place on Porter Street, asking if a permit was pulled, and what the procedure should be for notifying the residents as only a three day notice was given for work that is to last three weeks. Mr. Potiyevsky would like clarification on subsequent notifications for plan changes because the residents would be willing to sign an affidavit saying they have not been notified of any subsequent meetings other than the very first meeting for the Planning Commission.

Mr. James Cunningham, Upper Nazareth Township liaison to the Memorial Library of Nazareth is working very hard to extend their services to the community and make their services available virtually.

ADJOURNMENT

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to adjourn at 8:09 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES MAY 20, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. This meeting was held virtually.

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.

APPROVALS

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

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the meeting minutes of April 1, 2020. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker 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 Mr. Disbrow to approve the March, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the April, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

PUBLIC COMMENT

Upper Nazareth Township resident Bernard Kotyuk asked about the JVI escrow account and how disbursements and deposits are handled.

SUPERVISORS' COMMENTS

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to set the Zoning Hearing Board Solicitor fee at \$160.00 per hour and paralegal services at \$75.00 per hour. Motion carried by all voting aye. (5-0)

Mr. Disbrow mentioned receiving information from the election commission that the voting at Gracedale has been moved to the 911 Center at 500 Gracedale Ave. Mr. Rinker informed everyone that 500 Gracedale Ave. is to the rear of the building, which is the old Penn Star hangar. Mrs. Klem was asked to get additional information regarding this change. Attorney Asteak and Mrs. Hirst would like signage and parking safety.

Mr. Disbrow publicly thanked the Township employees whose titles have currently been changed to "Essential Workers," the Police, Fire Department, Public Works and Office staff for continuing to come to work every day doing what needs to be done to keep the Township running.

TOWNSHIP ENGINEER

Mr. Dooley received a request from MorningStar Heritage Village Phase 1 for a reduction to their Letter of Credit and to move into the 18-month maintenance period for the dedication of improvements.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve MorningStar Heritage Village Phase 1 request No. 4 for a reduction to their Letter of Credit in the amount of \$88,700.25 from \$110,155.00 to \$21,454.75. Motion carried by all voting aye. (5-0)

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve MorningStar Heritage Village Phase 1 entering into the 18-month maintenance period for the dedication of improvements until November 20, 2021. Motion carried by all voting aye. (5-0)

Mr. Dooley received a request from MorningStar Heritage Village Phase 2 for a reduction to their Letter of Credit in the amount of \$124,894.12 from \$974,680.97 to \$849,186.85.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve MorningStar Heritage Village Phase 2 request No. 6 for a reduction to their Letter of Credit in the amount of \$124,894.12 from \$974,680.97 to \$849,186.85. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak requested approval to advertise Ordinance No. 184 pertaining to Parking.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve advertising Parking Ordinance No. 184. Motion carried by all voting aye. (5-0)

Attorney Asteak has been in conversation with Tuskes Homes about closing out the Eagles Landing Project and their release from maintenance. There are a few punch list items remaining. Therefore, Tuskes Homes is granting the Township an extension until June 30, 2020.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to accept the grant of extension from Tuskes Home until June 30, 2020. Motion carried by all voting aye. (5-0)

Attorney Asteak informed the Board Crossroads XOx, LLC and JVI, Inc. will grant an extension to review the Tadmor Project until June 15, 2020. Mrs. Klem said she spoke with Jim Vozar of JVI, Inc. and in the spirit of cooperation they will extend until July 1, 2020 if needed.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to accept the extension to review the Tadmor Project until June 15, 2020. Motion carried by all voting aye. (5-0)

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem stated the Nationwide and Girard Police Pension Reports for the first quarter of 2020 are available for review.

Mrs. Klem requested approval for HomeTown Press to publish the Fall 2020 and Spring 2021 newsletter.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve HomeTown Press publishing the Fall 2020 and Spring 2021 Newsletter. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of Resolution No. 20-08 Nationwide Designated Pension Plan Official.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution 20-08 Nationwide Designation of Pension Plan Official. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of Resolution No. 20-13 Property Tax Relief Provision granting an extension of the base tax payment period until July 31, 2020.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve Resolution No. 20-13 Property Tax Relief Provisions. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made Mr. Rinker by and seconded by Mrs. Hirst to approve the March and April 2020 Fire, Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe informed the Board that long time part-time employee Joe Brown has resigned in order to begin phasing into retirement.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to accept the resignation of Joe Brown. Motion carried by all voting aye. (5-0)

RECREATION

Mr. Disbrow informed the Board the Community Day Committee met via the on-line platform for the purpose of discussion UNT 2020 Community Days and what direction the committee wanted to take. The committee would like to continue planning this event and continue to seek sponsorships for this event. Mr. Disbrow asked if the Board would be willing to make up any financial shortfalls if necessary. Mrs. Hirst stated if Community Days cannot be self-sustaining without any UNT funds, it should be cancelled. Mr. Sylvainus stated if COVID 19 allows UNT to have Community Days, it should proceed. However, if not enough corporate donations are received, the costs will need to be cut.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Mr. Rinker requested approval of Resolution No. 20-14 Updated Emergency Operations Plan. Mr. Rinker stated Mr. Disbrow and he are working on formalizing in writing the UNT Continuity of Operations Plan.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve Resolution No. 20-04 Updated Emergency Operations Plan. Motion carried by all voting aye. (5-0)

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Mr. Fassl of Upper Nazareth Township Volunteer Fire Department thanked Emergency Management for the PPE supplies to keep all the volunteers safe.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

PUBLIC COMMENT

UNT resident Jason Mohap asked if the Board of Supervisors could move forward with approving the Tadmor Project prior to Zoning Hearing Board hearing the Citizen's Appeal. Attorney Asteak answered yes.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adjourn at 7:49 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES JUNE 3, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:01 p.m. by Chairman Mike Rinker. This meeting was held virtually.

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.

COURTESY OF THE FLOOR

Upper Nazareth Township resident Becky Bartlett reported the library referendum passed. Ms. Bartlett asked when the decision regarding Project Tadmor would be made. Mr. Rinker responded July 1, 2020.

APPROVALS

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

Motion was made by Ms. Mullen and seconded by Mr. Rinker to approve the meeting minutes of May 20, 2020. Motion carried by all voting aye. (5-0)

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

SUPERVISORS' COMMENTS

Mr. Disbrow reported a situation has occurred pertaining to the PennDOT bridge replacement project on Route 248. Detours have been put in place for new traffic patterns while the bridge is closed. Drivers are ignoring the detour signs creating heavy traffic on narrow country roads that cannot support the increased traffic and large commercial trucks trying to make their way through the Township. Mr. Disbrow expressed his deep concern regarding the bridge on Penn Dixie Rd. that was repaired by the Township last year and the possibility of the bridge being damaged by commercial vehicles trying to make the odd turn onto that bridge, which is not meant to support the weight of large commercial vehicles. Upper Nazareth Township Police were expedited to the area of Michaels School Rd., Sterner Rd. and S. Penn Dixie Rd. and enacted measures to curtail access to these roads. Mr. Rinker contacted Mike Sterling of PennDOT expressing the Township's concerns with the lack of signage and the potential damage to the Township roads. Attorney Asteak stated the Township has emergency powers to close roads. Should the Chief of Police feel the roads are unsafe to vehicle traffic, the Township has the power to reroute traffic or close roads. Attorney Asteak suggested posting Local Traffic Only signs. Chief Cope responded the impact of the closing of the roads would only impact about 5 houses.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak stated Ordinance No. 184 – Parking was duly advertised in the Express Times on May 23, 2020 and is ready for adoption.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to adopt Ordinance No. 184 – Parking. Motion carried by all voting aye.

Attorney Asteak reported Eagles Landing Development has come to the end of its maintenance period. A portion of Eagles Landing Dr. in Phase 1 has not been dedicated. Attorney Asteak requested approval of Resolution No. 20-15 accepting for dedication that portion of Eagles Landing Dr.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution No. 20-15 Deed of Dedication for a portion of Eagles Landing Dr. in Phase 1. Motion carried by all voting aye. (5-0)

TOWNSHIP MANAGER/ADMINISTRATION

Nothing at this time.

PLANNING & ZONING

Attorney Asteak stated an extension of time to review Project Tadmor Plans until July 1, 2020, has been granted in order to conduct a public meeting as the Board of Supervisors wished.

Motion to approve JVI, Inc. granting an extension to review until July 1, 2020. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Nothing at this time.

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Mr. Rinker stated the Emergency Disaster Declaration will remain in place for now and can be lifted at any time.

Mr. Rinker will continue to monitor the situation pertaining to the PennDOT bridge replacement on Route 248 and the issue with the traffic detours.

Mr. Rinker reported PPE equipment is continuing to be distributed.

SAFETY COMMITTEE

Mr. Rinker reported the Safety Committee met on Wednesday, May 27, 2020, for the purpose of discussing a way forward for opening the Township post COVID 19.

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 7:26 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES JULY 1, 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, and Treasurer, Betty Parrish. Township Manager Lisa Klem was absent.

COURTESY OF THE FLOOR

Nothing at this time.

APPROVALS

Mr. Rinker requested revising the agenda to set the fee of the alternate Zoning Hearing Board Solicitor as the same as the current Zoning Hearing Board Solicitor.

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

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve the meeting minutes of June 3, 2020. 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 Mr. Sylvainus and seconded by Mr. Rinker to approve the May, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was held on June 17, 2020, for possible litigation.

TOWNSHIP ENGINEER

Mr. Dooley stated Eagles Landing Phase 3C has come to the end of their 18-month maintenance period and would like to close out this project. Mr. Dooley said there is one outstanding item which is the recording of the post-construction stormwater management plan. Mr. Dooley recommended approving Eagles Landing Phase 3C release from 18-month maintenance period and return the balance of the escrow funds and cash posted in lieu of letter of credit when the Post-Construction Stormwater Management Plan is recorded and all final bills are paid.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve releasing Eagles Landing Phase 3C from the 18-month maintenance period and return the balance of the

escrow funds and cash posted in lieu of letter of credit when the Post-Construction Stormwater Management Plan is recorded and all final bills are paid. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Parrish requested approval of the Signal Service Contract Renewal.

Motion was made by Mr. Rinker and seconded by Ms. Mullen to approve the Signal Service Contract Renewal. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to set the fee for the alternate Zoning Hearing Board Solicitor as the same as the current Zoning Hearing Board Solicitor. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe asked for approval for a pay increase for Andrew Rinaldo to \$19.21 as he has completed the 90 probationary period.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve a pay increase for Andrew Rinaldo to \$19.21 per hour. Motion carried by all voting aye. (5-0)

Mr. Shupe requested conditional approval to hire Joshua Stevens as a seasonal employee at a rate of \$11.00 per hour.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve conditional offer of employment to Joshua Stevens as a seasonal employee at a rate of \$11.00 per hour. Motion carried by all voting aye. (5-0)

Mr. Shupe requested conditional approval to hire Scott Weirbach as a part-time employee to replace Joe Brown at a rate of \$16.95 per hour.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approval conditional offer of part-time employment to Scott Weirbach at a rate of \$16.95 per hour. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope requested conditional approval to re-hire Colin Keiser as a part-time police officer.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve conditional offer of part-time employment to Colin Keiser as a part-time police officer. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Mr. Dooley requested approval of Resolution 20-16 Schoeneberger Minor Subdivision based on conditions documented in Keystone Consulting Engineer's letter dated June 18, 2020.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution No. 20-16 Schoeneberger Minor Subdivision based on conditions documented in Keystone Consulting Engineer's letter dated June 18, 2020. Motion carried by all voting aye. (5-0)

Mr. Rinker proposed accepting JVI, LLC's grant of an extension to review Project Tadmor until August 5, 2020.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to accept JVI, LLC's grant of extension to review Project Tadmor until August 5, 2020. Motion carried by all voting aye. (5-0)

RECREATION

Discussion took place regarding the opening of the Township fields and pavilions. Mr. Shupe requested setting a tentative date of August 1, 2020, as extensive works has been done at the park including of replanting grass. This will allow the grass to take hold before the fields open. Mrs. Parrish stated the pavilions would need to be cleaned after each use. The Board consensus was to postpone opening the fields until August 1, 2020, and requested quotes to clean pavilions after each use and abide by the Governor's order in place at that time. The cost of cleaning the pavilions would be added to the pavilion rental fee.

Mr. Rinker announced the Community Days has been cancelled for 2020. Mr. Rinker requested a restricted account be opened for the sole purpose of depositing funds solicited for the purpose of hosting Community Days. All direct and indirect costs relating to Community Days, including public works payroll and police payroll, would be distributed from that fund.

Motion was made Mrs. Hirst and seconded by Ms. Mullen to approve opening a restricted account for the sole purpose of depositing funds solicited for the purpose of hosting Community Days where all direct and indirect costs relating to Community Days, including public works payroll and police payroll, would be distributed from. Motion carried by all voting aye. (5-0)

Mr. Rinker requested approval to move the balance of funds raised in 2019 for Community Days totaling \$2,393.19 as start up to open the Community Days account.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve depositing \$2,393.19 as start up to open the Community Days account. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Mr. Rinker reported PPE equipment is continuing to be stockpiled and distributed.

Mr. Rinker stated Emergency Management responded to a fire at the Nazareth Intermediate School on Tatamy Rd. The fire was caused by an ice maker. The fire went up the wall and smoke filled the building. Professional cleaning crews were at the school on July 1, 2020, to clean the building.

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 7:21 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES AUGUST 5, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was conducted in a Hybrid format, with the Board, Attorney, Engineer and Staff physically present. All others participated virtually.

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.

COURTESEY OF THE FLOOR

Mrs. Parrish read a statement sent to the Board from William Bartlett opposing the Tadmor Project.

Ms. Jeanne Morgano of 123 2nd St. urged the Board to vote no on the Tadmor Project.

Attorney Asteak stated Jason Mohap submitted a list of questions late in the day and those questions would be addressed by the Board during the presentation of the Tadmor Project.

APPROVALS

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

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the meeting minutes of July 1, 2020. Motion carried by all voting aye. (5-0)

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

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the June 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

EAGLE SCOUT PRESENTATION

Mason Rinker of Boy Scout Troop 74 requested approval to build a pavilion like structure behind the municipal building. The structure would consist of a 6' x 10' concrete pad, build a pavilion like structure around the pad to provide shelter from the elements, and lay stone around the area to eliminate lawn maintenance. A barrier is to be provided to protect the structure and anyone sitting underneath. A plaque will be added saying the structure is dedicated to those that serve Upper Nazareth Township.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve the Eagle Scout Pavilion Like Project for the Upper Nazareth Township Municipal Building. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was prior to the meeting for personnel and litigation purposes.

Mrs. Klem stated that in light of the fact that Upper Nazareth Township received 6 ½ inches of rain on Tuesday, August 4, 2020, she would like to thank the Emergency Management Team, Fire Department, Police, Office Staff and Public Works Department in their efforts to make it safe for the Township. Mrs. Klem stated she was proud of the Emergency Management Team and the efforts everyone made in combating the effects of the storm.

TOWNSHIP ENGINEER

Mr. Dooley received Request No. 7, Letter of Credit Reduction for Heritage Village Phase 2, asking for a reduction in the of \$143,875.97 from \$849,186.85 to \$705,310.88.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Heritage Village Phase 2 Request No. 7 Letter of Credit Reduction in the amount of \$143,875.97 from \$849,186.85 to \$705,310.88. Motion carried by all voting aye. (5-0)

Mr. Dooley provided the Board with his status report. Mr. Sylvainus asked about the progress on the bridge in Heritage Village. Mr. Dooley stated the permit has been issued and construction has begun.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested approval to purchase a TV for the conference room to use for presentation, webinars, etc. in an amount not to exceed \$1,000.00 and at a minimum of 60 inches.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the purchase of a TV for the conference room in the amount not to exceed \$1,000.00. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made Ms. Mullen by and seconded by Mrs. Hirst to approve the May and June 2020 Fire, Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Nothing at this time.

POLICE DEPARTMENT

Police Chief Cope requested approval to purchase body worn cameras for the police department with donated funds and a \$5,000 grant from the Police Chiefs Association.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the purchase of Police Body Worn Cameras from monies donated to the police department and PA Police Chiefs Associate in the amount of \$14,490.00. Motion carried by all voting aye. (50)

Police Chief Cope asked the Board to accept the resignation of part-time officer Troy Leonard.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to accept the resignation of part-time officer Troy Leonard. Motion carried by all voting aye. (5-0)

RECREATION

Discussion took place regarding the Township parks and whether to open to fields to organized sports and the pavilions for rental. The Board concurred that all should remain closed.

PLANNING & ZONING

Attorney Asteak stated the Developer is now appearing before the Board with both a preliminary land development plan and a preliminary subdivision plan. Both plans have been vetted by the Fire Company, LVPC, our Planning Commission. The Board has received a recommendation from the Planning Commission and communications from a variety of agencies that and have addressed considerations the Board must make. There are a series of waivers that have been requested by the Developer. The Developer will make a presentation to the Board regarding the plan and then proceed with the waivers the Developer has requested. The Board has before them the Planning Commission Minutes of March 12, 2020, a copy of communication from Nazareth Borough Municipal Authority addressing the private pump station, a letter from Environmental Engineering and Management regarding the sanitary sewer plan, a letter from LVPC providing their comments focused on stormwater calculations and a letter from the Upper Nazareth Fire Department. The Board also received a letter today from the Upper Nazareth Township Zoning Officer. That letter states “Based upon my review of the plans and documents submitted by the applicant, the proposed USE is a warehouse and is permitted in an I-2 zoning district.” You have a full set of plans pertaining to the land development and subdivision as well as supporting documentation has been submitted as required by Township Subdivision and Land Ordinance for preliminary plan requirements. The Board has received a letter from Jason Mohap with questions which will be addressed before the vote on this matter. Mr. Chairman please proceed with allowing the Developer to give their presentation and then we will begin addressing the waivers.

Attorney Kate Durso introduced Jim Vozar of JVI, LLC. An 870,000 s.f. warehouse is proposed on the northern part of the property and a 270,000 s.f. warehouse on the western part of the property. It has been agreed that JVI, LLC will rebuild Gun Club Road and improve the drainage in that area and vicinity. Over the past several months and years the Developer met with the Department of Environmental Protection, the Conservation District, LVPC, Nazareth Borough Municipal Authority to work through their comments. Once construction starts Gun Club Road will be rebuilt up to the intersection with Route 248. Within the project internal signage will be constructed to direct trucks to the north so they can access the state road and exit onto Route 248.

Mrs. Klem stated several questions are being asked of Attorney Asteak whether the Zoning Officer's letter is a determination or a report. Attorney Asteak responded it is a report to the Supervisors.

Attorney Asteak mentioned the most important document provided is a multi-page report provided by Keystone Consulting Engineers which is a detailed analysis of both plans that contains conditions.

Mr. Disbrow questioned Mr. Vozar as to how the stormwater plan would handle the significant amount of rain that was just received on Tuesday. Mr. Disbrow stated during that storm there was a significant amount of water runoff. The Township saw what that can do without this project. How does this project impact stormwater runoff. Mr. Vozar deferred to their engineer, Nicole Galio of Maser Engineering. Nicole explained how the stormwater design has managed the runoff up to and including the 100-year design storm. The plan includes 2 underground facilities, 3 above ground detention basins, spray irrigation system, other vegetative swales to manage any of the water from the Tadmor site as well as any other water that flows through the site from other properties. All existing pipes will be replaced and some will be upsized. Mr. Disbrow stated during this storm about 95% of existing retaining ponds were spilling over as designed and questioned what would happen when the stormwater spills over and where it will go outside of your project area. Ms. Galio responded there are 3 above ground detention facilities, one located at the intersection of Route 248 and Gun Club Road and the overflow will be discharged into a swale which leads down to the Monacacy Creek. Two above ground basins are located on the property, one just south of driveway 2 which will discharge into another proposed channel and the third basin also discharges into a proposed swale alongside the road.

Ms. Mullen questioned why the design includes parking spaces exceed what is required. Mr. Vozar answered the building is being built on speculation and what is proposed is more than what is required. There is a minimum amount of parking required by zoning, but not a maximum. With the additional impervious coverage, our stormwater system is designed to accommodate the additional impervious.

Ms. Kathleen Leach asked why the Developer did not consider exiting onto Daniels Road. Mr. Vozar stated there is a small thin piece of property that does touch on Daniels Road. The thin piece of road is too narrow to install a road and the proper drainage. At Daniels Road the site distances are unsafe and it would not be appropriate to construct an intersection that would be unsafe. Ms. Leach asked if the Township was pursuing the cul-de-sac option that existing at one point. Mr. Dooley responded this was reviewed by the Township staff and connectivity among emergency management and vehicles was not conducive to this concept.

Attorney Asteak stated Mr. Mohap submitted a letter to the Township Manager dated August 5, 2020, listing numerous questions about the project. The questions were answered by Attorney Asteak, the Developer, the Engineer and the Board of Supervisors. Attorney Asteak stated the Township's examination has been pretty exhaustive of all of the questions provided by Mr. Mohap citing sections and subsections and directed the Board to the comment letter provided by KCE.

JVI, LLC requested waivers of SALDO Sections 741.10, 749.1, 749.3, 749.4, and 785 for Project Tadmor.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Project Tadmor waiver request of SALDO section 741.10 "where a Subdivision of Land Development

abuts an existing collector, arterial or expressway classified street, the applicant will be required to install curbing along the street abutting the subdivision or land development, unless otherwise waived by the Township Board of Supervisors.” Motion carried by a vote of 4-1 with Mr. Rinker opposed.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Project Tadmor waiver request of SALDO Section 749.1 “in all subdivisions of land developments where public streets or private streets are proposed, curbing shall be required. Curbing shall be provided on both sides of all streets and shall be required for all parking lot access drives and non-residential driveways.” Motion carried by a vote of 3-2 with Mr. Rinker and Ms. Mullen opposed.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Project Tadmor waiver request of SALDO Section 749.3 “curbing shall be constructed in accordance with Township Standards along private streets.” Motion carried by a vote of 3-2 with Mr. Rinker and Ms. Mullen opposed.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Project Tadmor waiver request of SALDO Section 749.4 “sidewalks shall be located within the street right-of-way, no closer than (1) foot from the right-of-way line, and shall be a minimum of four and one-half (4 ½) feet wide, except along the collector and arterial streets, and adjacent to shopping centers, schools, recreation areas, and other community facilities, where they shall be a minimum of five (5) feet wide. Sidewalks shall be installed along both sides of all streets within the development and along the frontage of all existing streets as a deferral subject to the condition the Applicant provide a note on the Record Plan stating that at such a time LANTA provides public transportation within one-half mile of the Gun Club Road intersection with Driveway 1, then the owner shall provide public sidewalk access in conformity of existing SALDO. Final road width to be 24’ with 4’ sidewalks outside the railroad right-of-way.” Motion carried 4-1 with Mr. Rinker opposed.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Project Tadmor waiver request of SALDO Section 785 “all surface and subsurface easements required by this ordinance or shown on the record plan shall be kept clear of any and all structures and obstructions including, but not limited to, buildings, trees, shrubs, driveways and berms. On surface drainage swale easements, fences shall not be constructed within the limits of the 100-year stormwater surface elevation. Grades, once established on the approved plan, shall not be altered without approval by the Board of Supervisors. A covenant shall be added to the Record Plan which contains the above maintenance note. Please refer to section 533.11(J) for additional requirements for individual lot grading plans conditioned on the following note being added to the Record Plan: Buffer Berming and Landscaping: If a surface or subsurface utility easement owner disturbs the buffer berming and landscaping required as part of the approved Land Development Plan, Developer/Property Owner must either restore the buffer berming and landscaping in kind or relocate the required buffer berming and landscaping into an area adjoining the easement. In the case of a required buffer berming and landscaping area must be relocated, Developer/Property Owner must submit a buffer berming and landscaping relocation plan to the Township for review. This plan will be reviewed as a revision to the approved land development plans with Township costs borne by the Developer/Property Owner. Construction of the relocated buffer berming and landscaping shall be completed within six (6) months of the end of the work in the utility easement.” Motion carried by a vote of 4-1 with Mr. Rinker opposed.

Attorney Asteak explained the Board now needs to approve Resolution No. 20-17 granting preliminary plan approval conditioned on NBMA requirements, LVPC letter dated 2/21/2020 and KCE's letter dated 3/10/2020 and the Fire Department letter dated 3/3/2020 or deny approval and if approval is denied the Board must reference the section in the SALDO which would provide justification for the denial.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Resolution No. 20-17 Project Tadmor, 3363 Gun Club Rd., Preliminary Plan. Motion carried 3-2 with Mr. Rinker and Ms. Mullen opposed.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Resolution No. 20-18 Project Tadmor Minor Subdivision conditioned on KCE letters of March 10, 2020 and February 11, 2020. Motion carried by a vote of 3-2 with Mr. Rinker and Ms. Mullen opposed.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Project Tadmor PennDot HOP application. Motion carried 4-1 with Mr. Rinker opposed.

EMERGENCY MANAGEMENT

Mr. Rinker reported Emergency Management responded to the storm impact.

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 Ms. Mullen to adjourn at 8:50 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES SEPTEMBER 16, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was conducted in a Hybrid format, with the Board, Attorney, Engineer and Staff physically present. All others participated virtually.

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Mrs. Parrish entered into the record two complaints sent to the Board regarding the poor quality of the virtual meetings stating the Township was not in compliance with the Sunshine Law. Attorney Asteak stated the Township is in full compliance with the Sunshine Law.

APPROVALS

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

Motion was made by Mr. Rinker and seconded by Ms. Mullen to approve the meeting minutes of August 5, 2020 with a correction on page 5, paragraph 5 as the vote was changed from 4-2 to 3-2. 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 July, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the August, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was prior to the meeting for litigation purposes.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem reported the PennDOT bridge replacement project on Route 248 is set to open on September 24, 2020 as the paving has been completed.

Mrs. Klem stated phone calls are coming in asking about Trick or Treat night. Discussion took place with the consensus being to let it up to the parents if they want to allow their children to Trick or Treat. The Board stated there would be no rain date.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve October 31, 2020, as Trick or Treat night from 6:00 to 8:00 pm. Motion carried by a vote of 4-1 with Ms. Mullen opposed.

Mrs. Klem stated a letter was received from Joyce Nabasko of Eagles Landing requesting to place a bench at Tuskes Park in memory of her husband as he walked in the park daily and truly loved the park and the public works department workers. Mrs. Hirst suggested a brick walkway whereby individuals can purchase a brick to be engraved and placed at the park, not just for memorial purposes. It was suggested that possibly the Recreation Committee could do this project as a fundraiser for Community Days. Attorney Asteak stated this project should be referred to the Recreation Committee to develop a plan to incorporate these ideas. Mr. Disbrow agreed with the Recreation Committee undertaking this suggestion. Mr. Rinker requested Mrs. Klem to reach out to Mrs. Nabasko and let her know what the Board's response is regarding her request.

Mrs. Klem stated she has spoken to Mrs. Hirst and Chief Cope regarding issues with the 4th St. gate to the NASD maintenance building being open creating a large volume of traffic on 4th St. at certain times. Chief Cope stated the gate has been broken and parts have been ordered. Mrs. Hirst stated Chief Cope has given her a remote so she can close the gate when she sees it is open.

Mrs. Klem stated a request has been received from the Nazareth Football Boosters for the use of Tuskes Park for The Haunt. The Board discussed this request and concurred that the Township needs to be consistent with the current restrictions at Tuskes Park. Therefore, the request has been denied.

Mrs. Klem received a request from Nazareth Borough and a sample of their feral cat ordinance, asking the Township to consider enacting a similar ordinance as the Borough and the Township share a common street, Liberty St. Attorney Asteak commented the subject of feral cats is a very sensitive subject and needs to be explored carefully. Attorney Asteak requested Mrs. Klem reach out to Lower Nazareth Township and Bushkill Township to see how they handle feral cats.

Mrs. Klem introduced a speed study conducted by Bushkill Township for the Bushkill portion of Schoeneck Ave. and asked Chief Cope to comment. Chief Cope stated Bushkill has done a speed study from Filetown Rd. to the end of the Bushkill Township portion of Schoeneck. The recommendation in their study is to lower the speed limit to 30 mph just above our jurisdiction. They are asking for Upper Nazareth Township to consider dropping the speed limit to 30 mph on the remainder of Schoeneck Ave. for speed limit continuity. Mrs. Hirst commented it would make sense to reduce the 35 mph speed limit on the portion of Friedenstahl Ave. from Route 191 to 5th St. as well. Chief Cope will conduct a speed study and provide that data to Mr. Dooley and Mr. Dooley will issue a recommendation to Attorney Asteak with the

recommendation to lower the speed limit on the Upper Nazareth Township portion of Schoeneck Ave. and the portion of Friedenstahl Ave. from Route 191 to 5th St. to 30 mph.

Mrs. Klem presented the 2021 Police Pension MMO.

Motion was made by Mr. Rinker and seconded by Ms. Mullen to approve the 2021 Police Pension MMO. Motion carried by all voting aye. (5-0)

Mrs. Klem presented the 2021 Non-Uniform Pension MMO.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the 2021 Non-Uniform Pension MMO. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of Resolution No. 20-19 Non-Uniform Pension Plan Amendment. Pennsylvania Municipal Retirement System (PMRS) has informed the Township that IRS regulation require the Township to now contribute 4.5% of earnings to the plan instead of the \$500 per quarter that is currently being remitted.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve Resolution No. 20-19 Non-Uniform Pension Plan Amendment. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made Mr. Rinker by and seconded by Mr. Sylvainus to approve the July 2020 Fire Report and the July and August Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Nothing at this time.

POLICE DEPARTMENT

Police Chief Cope requested approval to promote Patrolman Jake Carrick to the position of Corporal. Chief Cope stated Officer Carrick will now be the night shift supervisor.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the promotion of Patrolman Jake Carrick to Corporal. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval to purchase a new police vehicle in the amount of \$37,350. Chief Cope said delivery of the vehicle would not occur until approximately May of 2021 as there is a backlog in production. Chief Cope stated this is also included in the 2021 budget.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the purchase of a new police vehicle in the amount of \$37,350. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval of Resolution 20-20 Local Share Grant. Chief Cope stated they are applying for the Monroe County Local Share Grant for the purchase of two new police vehicles, as the current fleet of vehicles has several cars with over 100,000 miles.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve Resolution No. 20-20 Local Share Grant. Motion carried by all voting aye. (5-0)

Chief Cope asked the Board if they wanted to proceed with the Halloween Open House this year. Mr. Rinker stated not at the Township Building. Mr. Rinker stated an alternate location would be to use the firehouse, opening three bays placing tables in the opening of the bays and designating one table for hot dogs, one for candy and one for trinkets, ensuring that social distancing is maintained and the police are serving the refreshments.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve a Halloween event to be conducted at the firehouse as stipulated above. Motion carried by a vote of 3 – 2 with Mr. Sylvainus and Ms. Mullen opposed.

RECREATION

Nothing at this time.

PLANNING & ZONING

Nothing at this time.

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 Mrs. Hirst and seconded by Mr. Disbrow to adjourn at 7:47 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES OCTOBER 21, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was conducted in a Hybrid format, with the Board, Attorney, Engineer and Staff physically present. All others participated virtually.

Pledge of Allegiance

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

Also present were for Township Solicitor, Steve Mills, Township Engineer, Sean Dooley, Township Manager, Lisa Klem and Treasurer, Betty Parrish.

COURTESY OF THE FLOOR

Nothing at this time.

APPROVALS

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

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the meeting minutes of September 16, 2020. Motion carried by all voting aye. (5-0)

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

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the September, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

The Board announced there will be a Trick-or-Treat stop at the Firehouse on October 31, 2020 from 6:00 pm to 8:00 pm with no lingering.

TOWNSHIP ENGINEER

Mr. Dooley asked for approval of MorningStar Heritage Villages Phase 2 request for Letter of Credit Reduction No. 8 in the amount of \$144,000.00 from \$705,310.88 to \$561,310.88.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve Heritage Village Phase 2 Request No. 8 Letter of Credit Reduction in the Amount of \$144,000.00 from \$705,310.88 to \$561,310.88. Motion carried by all voting aye. (5-0)

Mr. Dooley asked for approval of MorningStar Heritage Villages Phases 3 and 4 request for Letter of Credit Reduction No. 2 in the amount of \$810,345.13 from 1,872,217.08 to \$1,061,871.95.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Heritage Village Phases 3 and 4 Request No. 2 Letter of Credit Reduction in the amount of \$810,345.13 from \$1,872,217.08 to \$1,061,871.95. Motion carried by all voting aye. (5-0)

Mr. Dooley stated Phil Malitch of Hanover Engineering submitted a request to modify Heritage Village Plan to limit extent of curbing at three entrance driveways on W. Beil Ave. Having consulted with Township staff regarding the requested change, Mr. Dooley recommends granting this request.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Heritage Village curb change request at the three driveway entrances onto W. Beil Ave. Motion carried by all voting aye. (5-0)

Mr. Dooley stated the Engineer's Status Report is included in their packets.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested approval to advertise the 2021 General and Liquid Fuels fund budgets.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve advertising the 2021 General and Liquid Fuels fund budgets. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of Resolution No. 20-22, 2021 Upper Nazareth Township Fee Schedule.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve Resolution No. 20-22, 2021 Upper Nazareth Township Fee Schedule. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve the Fire (August and September 2020), and the September 2020 Police, Public Works and Zoning reports as submitted. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe has been working with Mrs. Klem on preparing a submission for the Northampton County Local Share Grant for the purchase of additional paving equipment. Mr. Shupe requested approval of Resolution No. 20-21, Northampton County Local Share Grant. Mrs. Klem asked the Board to commit to including a 10% match in this grant submission.

Motion was made by Mrs. Hirst and seconded by Mrs. Mullen to approve Resolution No. 20-21, Northampton County Local Share Grant submission with a 10% match. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope commented about a webinar and Federal and State police reforms that the Police Department must implement. Police Chief Cope stated having an accredited department will address most of the reforms. The Board requested more information on this process. Chief Cope will request an outside concern to make a presentation to the Board at the next meeting on what accreditation would entail.

RECREATION

Nothing at this time.

PLANNING & ZONING

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to accept the resignation of Wilhelmina Donnelly from the Planning Commission. Motion carried by all voting aye. (5-0)

The Board of Supervisors wishes to thank Mrs. Donnelly for her service to the Township and the Upper Nazareth Township community.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to appoint Kelly-Jo Smith to the Planning Commission with the term expiring 12/31/2020. 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

The Board of Supervisors authorized Mrs. Klem to do an RFP for engineering services.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded Mrs. Hirst by to adjourn at 7:43 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES NOVEMBER 18, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was conducted in a Hybrid format.

Pledge of Allegiance

Board members present were: Mike Rinker, Scott Sylvainus, Robert Disbrow, and Kristin Mullen. Donna Hirst was absent both physically and virtually.

Also physically present was Township Manager, Lisa Klem. Township Solicitor, Gary Asteak, Township Engineer, Sean Dooley, and Treasurer, Betty Parrish participated virtually.

COURTESEY OF THE FLOOR

Township resident, Becky Bartlett, congratulated the library for winning the Pennsylvania Library Association award this year.

APPROVALS

Motion was made by Ms. Mullen and seconded by Mr. Rinker to approve the agenda. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve the meeting minutes of October 21, 2020. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve payment of the bills. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the October, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (4-0)

SUPERVISORS' COMMENTS

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Resolution 20-23 adopting the 2021 General Fund Budget. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve Resolution No. 20-24 setting the 2021 Real Estate Tax Rate at 7.59 mills and the Special Library Tax at .60 mills. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution No. 20-25 setting the Act 511 Tax Rates for 2021. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the 2021 Liquid Fuels Budget. Motion carried by all voting aye. (4-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the 2021 Recreation Budget. Motion carried by all voting aye. (4-0)

TOWNSHIP ENGINEER

Mr. Dooley requested approval to advertise the Upper Nazareth Township Pollutant Reduction Plan for the MS4 program. The plan will be available for public viewing at the Municipal Building from November 23, 2020, to January 7, 2021, with a hearing to take place on December 16, 2020.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve advertising the Upper Nazareth Township Pollutant Reduction Plan. Motion carried by all voting aye. (4-0)

TOWNSHIP SOLICITOR

Attorney Asteak requested approval to advertise a Resolution appointing a CPA firm to conduct the 2020 audit. The appointment of the firm will take place at the January 2021 Re-Organization meeting.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve advertising a Resolution appointing a CPA firm to conduct the 2020 Township audit. Motion carried by all voting aye. (4-0)

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem started a discussion regarding the implementation of the Special Library Tax Levy that was voted in during the primary election earlier this year. Attorney Asteak interjected the best way to implement this tax levy would be by a separate bill sent out at the same time as the Township real estate tax bill. With the implementation of the Library Tax Levy will also come additional expenses. The Tax Collector salary would need to be increased as there is additional work involved. Keeping the funds separate would allow the Tax Collector to keep separate and distinct records.

Mr. Sylvainus did not think a separate bill would make sense fiscally and incur additional costs. Mr. Disbrow commented that he prefers the separation of the Library Tax Levy into a separate account from the real estate taxes which are deposited into the General Fund as well as the separate billing.

Mrs. Adamski informed the Board if the Special Tax Levy is on the same bill as the Township real estate tax, mortgage companies will not pay the Library tax which will create a nightmare.

Mr. Rinker stated it would cost more for the collection of the Library tax and those expenses would be taken from the Library Tax account.

Mrs. Adamski stated software costs would increase by approximately \$200 in order to collect the Library Tax. Other fees would be the printing of another page and possible increase in postage. Mrs. Adamski anticipates including the Library Tax bill in the same envelope as the Township Real Estate tax bill, but depending on the weight, may increase postage some. Mrs. Adamski stated a note would be printed on the Library Tax bill to send a separate check for payment.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow approving a separate tax bill for the Library Tax Levy. Motion carried by a vote of 3-1 with Mr. Sylvainus opposed.

Attorney Asteak stated he spoke with Attorney Chad DeFelice, who was hired by Mr. Brian Sayago, regarding the appointment of a Library Board of Directors to oversee the Library Tax. Attorney Asteak informed Attorney DeFelice the Board of Supervisors currently appoints members to the already established Library Board of Directors.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the October 2020 Police and Zoning reports as submitted. Motion carried by all voting aye. (4-0)

PUBLIC WORKS

Nothing at this time.

POLICE DEPARTMENT

Police Chief Cope requested approval for the conditional offer of employment for a part-time hire.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve the conditional offer of employment for a police part-time hire. Motion carried by all voting aye. (4-0)

Police Chief Cope brought up a previous discussion about the purchase of a new police vehicle this year as approved by the Board. Chief Cope informed the Board due to COVID the vehicle previously approved will not be available until May of 2021. Chief Cope requested approval to purchase an alternate vehicle already in stock. There would be an additional cost of approximately \$8,000 to outfit the alternate vehicle.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve the purchase of a Ford Explorer at a cost of \$33,476.00 plus the cost to outfit the vehicle with an amount not to exceed \$42,371.00. Motion carried by all voting aye. (4-0)

RECREATION

Nothing at this time.

PLANNING & ZONING

Nothing at this time.

EMERGENCY MANAGEMENT

Mr. Rinker announced that the Fire Department and the Police Department should have a 60-day supply of PPE on hand.

SAFETY COMMITTEE

Nothing at this time

FIRE DEPARTMENT

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Township resident Becky Bartlett asked if the Financial Report and Resolution could be made available to the public. The Board said they would consider making the Financial Report available.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mr. Rinker to adjourn at 7:53 p.m.
Motion carried by all voting aye. (4-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES DECEMBER 16, 2020
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Chairman Mike Rinker. The meeting was conducted in a virtual format.

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Township resident Jason Mohap stated recently Mr. Soloe issued a report for the use of Project Tadmor and I would like the explanation of the difference between a report and a determination. Attorney Asteak responded since that issue is the subject of litigation that was commenced by you, you should consult with your attorney on that rather than asking the Board to provide you with a legal opinion.

Mr. Mohap asked why Mr. Rinker voted no against plans submitted previously. Attorney Asteak responded that Mr. Rinker is under no obligation to provide you with an answer to that question, as again the subject of litigation initiated by you.

Mr. Mohap stated he recently had a right to know request filled where it appeared to show an off the record discussion between Boards regarding Project Tadmor and holding of a vote on Project Tadmor on July 1. It appears to show an off the record discussion which was hard to follow as it was screen shots of text messages. I am asking for clarification as to what this was about. Attorney Asteak responded he does not know the answer to that question and will have to refer to the documents that were provided to Mr. Mohap. Since the Board nor I have copies of what you are referring to in front of us, I will reserve the right to answer that question at a later time when we have had time to review what you are referring to. Mrs. Klem stated the Board does not get copies of the right to know requests or the answers.

Township resident Becky Bartlett stated she received an email earlier from Mrs. Klem stating the Agenda, Draft Minutes and Financial Report would be provided and they were not included. Mrs. Klem responded they are handouts to the meeting. Mrs. Bartlett was directed to where the handouts are located on the meeting screen.

APPROVALS

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

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the meeting minutes of November 18, 2020. Motion carried by a vote of 4-0 with Mrs. Hirst abstaining as she was not present for the November 18, 2020, meeting.

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

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the November, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

POLLUTANT REDUCTION PLAN PRESENTATION

Mr. Mike Schallock of KCE stated a submission was made to DEP previously for the use 3 Vortex units instead of filter bags as had been done by another municipality. DEP rejected this request. KCE is now requesting to add a basin and vegetative swale, basin to be located on Farmview along Tatamy Road and the swale will be part of Sycamore Park by removing a piece of pipe and making a vegetative swale into the creek. Mr. Schallock spoke with DEP and DEP seems content with this proposal. Mr. Disbrow asked what the cost difference is compared to the Vortex units which were about \$135,000. The basin will be more expensive, costing anywhere from \$131,000 for the Farmview basis and approximately \$207,000 for the Tewksbury basin. These costs are based on contracting the work out, therefore, the figures are high but realistic. If work can be done by Township staff, the costs will be much less. Speaking with Mr. Shupe, Mr. Shupe feels his department is capable of doing some of work. Mr. Rinker asked when the work needed to be completed. Mr. Schallock responded the work is to be completed up to 5 years after the PRP is approved. Mr. Rinker suggested we should start budgeting for MS4 for the next 5 years. Mr. Schallock stated if we send it all out to bid, we are looking at about \$750,000, adding the swale into that equation. Mr. Rinker asked if that would be cut in about half if some work is performed by staff. Mr. Schallock responded there is a good chance as these costs are based on what it would cost to pay someone else to do the work. Mr. Sylvainus asked if Mr. Schallock knew what just material costs would be. Mr. Schallock stated he would get those figures to the Board. Mr. Dooley stated DEP only cares that we meet the reduction targets they have set. If something comes to our attention that can achieve the reduction at a reduced cost to the Township, we can go back to DEP and change it in mid-stream during this 5-year cycle. Nothing we have in this PRP will be set in stone.

SUPERVISORS' COMMENTS

Mr. Sylvainus requested a revisit to the procedure for billing of the Library Tax. Mr. Sylvainus would like to have the Library Tax billed on the regular RE tax bill rather than a separate bill.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to include the Library Tax as a separate line item on the regular Real Estate Tax bill. The vote was 2-3 with Mr. Sylvainus and Ms. Mullen voting aye and Mr. Rinker, Mr. Disbrow and Mrs. Hirst voting nay. The vote failed.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak extended his wishes for a Happy Holiday Season and prayers for getting back together next year.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested the Board's approval to close the books for payables and receivables on December 30, 2020.

Motion was made by Ms. Rinker and seconded by Ms. Mullen to approve closing the books for payables and receivables on December 30, 2020. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the November 2020 Police and Zoning reports and the October and November Fire and Public Works reports as submitted. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Nothing at this time.

POLICE DEPARTMENT

Nothing at this time.

RECREATION

Nothing at this time.

PLANNING & ZONING

Mr. Dooley stated as opposed to what was voted on in August, 2020, had a two building layout and the current proposed plan is for a slightly larger single building but overall less square footage. The building will be farther away from Gun Club Rd.

Nicole Galio of Maser Engineering presented a list of waivers to the SALDO for Board approval.

Ms. Galio requested approval of a waiver to SALDO Section 22A-705.1.J – Curbing requirements along a collector/arterial road. Project Tadmor is requesting a waiver to curbing requirements along a collector/arterial road, requesting to not install curbing along approximately 55 feet of frontage along SR946 (Daniels Road).

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Project Tadmor request to a waiver of SALDO Section 22A-705.1.J curbing requirements along a collector/arterial road to not install curbing along the approximately 55 feet of frontage along SR946 (Daniels Road). Motion carried by all voting aye. (5-0)

Ms. Galio requested approval of a waiver of SALDO Section 22A-705.9.A.(1) Curbing requirements along Private Streets. Project Tadmor is requesting relief to not install curbing along the south side of Driveway 1 that is classified as a private road where it fronts the n/f Hildebrand and/f Beatty properties.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Project Tadmor request to a waiver of SALDO Section 22A-705.9.A.(1) for curbing requirements along private streets to not install curbing along the south side of Driveway 1 that is classified as a

Private Road where it fronts the n/f Hildebrand and n/f Beatty properties maintaining existing conditions. Motion carried by all voting aye. (5-0)

Ms. Galio requested approval of a waiver of SALDO Section 22A-705.9.A.(3) Curbing construction standards. Project Tadmor is requesting relief on the overall height and reveal height of the curbing proposed along the north side of Driveway 1 that is classified as a Private Road where it fronts the n/f Hildebrand and n/f Beatty properties.

Motion was made by Mr. Disbrow and seconded by Mr. Rinker to approve Project Tadmor request to a waiver of SALDO Section 22A-705.9.A.(3) for curbing construction standards on the overall height and reveal height of the curbing along the north side of Driveway 1 that is classified as a Private Road where it front the n/f Hildebrand and n/f Beatty properties installing a 6” curb as opposed to a 7” curb. Motion carried by a vote of 4-1 with Ms. Mullen opposed.

Ms. Galio requested approval of a waiver of SALDO Section 22A-705.9.B.(1) Sidewalks within the street right-of-way. Project Tadmor is requesting relief of the provision of sidewalk along the south side of Driveway 1 that is classified as a Private Road where it fronts the n/f Hildebrand and n/f Beatty properties. SALDO requires sidewalk on both sides of the street.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Project Tadmor request to a waiver of SALDO Section 22A-705.9.B.(1) of sidewalk along the south side of Driveway 1 that is classified as a Private Road where it fronts the n/f Hildebrand and n/f Beatty properties. Motion carried by all voting aye. (5-0)

Ms. Galio requested approval of a waiver of SALDO Section 22A-709.5 Keep surface and subsurface weasements clear. Project Tadmor is requesting relief of the requirements of this section as they pertain to the gas pipeline easement along the southern boundary of the property from the eastern extent of Lot A in order to comply with buffer berm and landscaping requirements.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve Project Tadmor request to a waiver of SALDO Section 22A-709.5 as they pertain to the gas pipeline easement along the southern boundary of the property from the eastern extent of Lot A in order to comply with buffer berm and landscaping requirements. Motion caried by all voting aye. (5-0)

Ms. Galio requested approval of a waiver of SALDO Section 22A-708.4.B.(2)(e) Minimum 1% slope on basin bottom. Project Tadmor is requesting relief of the requirement to permit 0% slope for the bottom of Basin A as this is a spray irrigation system and needs a flat bottom.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve Project Tadmor request to a waiver of SALDO Section 22A-708.4.B.(2)(e) to permit a 0% slope for the bottom of Basin A as designed. Motion carried by all voting aye. (5-0)

Ms. Galio requested approval of a waiver of SALDO Section 22A-705.9B.(1) Sidewalks within the street right-of-way. Project Tadmor is requesting a deferral on the provision of a sidewalk along the north side of Driveway 1 that is classified as a Private Road where it fronts the n/f Hildebrand and n/f Beatty properties conditioned upon the obligation of the now or future property owner to install sidewall along the north side of Driveway 1 should a bus stop be

established within ½ mile of the facility and the sidewalk must be accommodated without narrowing the proposed 24-foot wide road width.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Project Tadmor request of a deferral on the provision of a sidewalk along the north side of Driveway 1 that is classified as a Private Road where it fronts the n/f Hildebrand and n/f Beatty properties conditioned upon the obligation of the now or future property owner to install sidewalk along the north side of Driveway 1 should a bus stop be established within ½ mile of the facility and the sidewalk must be accommodated without narrowing the proposed 24-foot wide road width. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mr. Rinker to approve Resolution 20-26 Conditional Preliminary Plan approval for Project Tadmor 2 subject to KCE letter of December 20, 2020. Motion carried by a vote of 4-1 with Ms. Mullen opposed.

Mr. Sylvainus stated Planning Commission is requesting Board approval for an RFP for hiring a consultant to re-do the current Comprehensive Plan, Zoning Map, SALDO, and Zoning Ordinance.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve an RFP for hiring a consultant to re-do the current Comprehensive Plan, Zoning Map, SALDO, and Zoning Ordinance. 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

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adjourn at 8:15 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*