

**REORGANIZATION & REGULAR MEETING MINUTES – JANUARY 4, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS**

Meeting called to order at 7:05 p.m. by Solicitor Gary Asteak. The meeting was conducted in a virtual format.

Pledge of Allegiance

Board members present were: Mike Rinker, Robert Disbrow, Donna Hirst, and Kristin Mullen. Mr. Sylvainus was absent. 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 2021 and seconded by Mrs. Hirst. There being no other nominations, Mr. Rinker was elected Chairman by all voting aye. (4-0)

Mr. Rinker assumed the position of Chairman.

Motion was made by Mrs. Hirst to nominate Mr. Disbrow as Vice Chair of the Board for 2021 and seconded by Mr. Rinker. Motion carried with Mr. Disbrow assuming the Vice Chair of the Board of Supervisors for 2021. (4-0)

Mr. Sylvainus joined the meeting at this time.

APPOINTMENTS

A. Professional Appointments

Assistant Secretary/Assistant Treasurer/ Alternate Open Records 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

- King, Spry, Herman, Freund & Faul, LLC

- Michael A. Gaul, Esquire - \$165.00 per hour

Inspection Services and Fees

- Barry Isett & Associates, according to the fee schedule

Alternate Zoning Officer and BCO

- Barry Isett & Associates, \$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

- Donna Hirst
- Mike Rinker - Alternate

Voting Delegate to the NAZCOG Comprehensive Plan Steering Committee

- Scott Sylvainus

Motion made by Ms. Mullen and seconded by Mrs. Hirst to accept the 2021 Professional Appointments listed in A on the agenda. Motion carried by all voting aye. (5-0)

B. Volunteer Appointments

Zoning Hearing Board - Term Expires 12/31/23

- Mark Stewart
- William Whyte - Alternate

Recreation Board - Term Expires 12/31/25 – 2 Positions Available

These positions are to be advertised.

Planning Commission – Term Expires 12/31/24

- Scott Sylvainus
- Kelly-Jo Smith

Representative to the Nazareth Ambulance Board

- Mike Rinker

Representative to the Nazareth Borough Municipal Authority

- Jack Gum

Motion made by Mr. Rinker and seconded by Mrs. Hirst to accept the 2021 Volunteer Appointments listed in B of the agenda with Mr. Sylvainus volunteering for the NAZCOG Comprehensive Plan Steering Committee. Motion carried by all voting aye. (5-0)

C. Professional Appointments

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

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

D. Volunteer Appointments

Motion made by Ms. Mullen and seconded by Mr. Disbrow to appoint Mr. Sylvainus as the Upper Nazareth Township Representative to the Memorial Library of Nazareth Finance Committee. Motion carried by all voting aye. (5-0)

Motion made by Mr. Rinker and seconded by Mr. Sylvainus to appoint Mr. James Cunningham as the Upper Nazareth Township Representative to the Memorial Library of Nazareth Board for a term of three years expiring on 12/31/2023. Motion carried by all voting aye. (5-0)

Motion made by Mr. Rinker and seconded by Mr. Sylvainus to appoint Mr. Christopher Dudinyak to the Vacancy Board. Motion carried all voting aye. (5-0)

COMPENSATION

Township Manager

- \$90,640.00 salaried

FT Chief of Police

- \$101,033.00 salaried

FT Public Works Director

- \$80,649.00 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 2021 Adopted Budget

- Three percent (3%)

Motion made by Mr. Disbrow and seconded by Mr. Sylvainus to set the 2021 compensation for employees as included in the 2021 Adopted Budget and stated in the agenda. Motion carried all voting aye. (5-0)

MILEAGE ALLOWANCE

Motion made by Mrs. Hirst and seconded by Ms. Mullen to set the mileage reimbursement rate for employee's using their own vehicles at the current IRS rate of .56 cents per mile. Motion carried by all voting aye. (5-0)

SIGNATORY AUTHORIZATION

Motion made by Mr. Sylvainus and seconded by Mr. Disbrow 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

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

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

RESOLUTIONS

Motion made by Mr. Disbrow and seconded by Mr. Sylvainus to adopt Resolution 21-01: Upper Nazareth Township Depositories. Motion carried by all voting aye. (5-0)

Motion made by Mr. Rinker and seconded by Mr. Disbrow to adopt Resolution 21-02: Police Pension Contributions. Motion carried by all voting aye. (5-0)

In accordance with Second Class Township Code Section 917(b) (2) Resolution 21-03 was advertised in the Express-Times on November 23, 2020. 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 Mrs. Hirst and seconded by Mr. Disbrow to adopt Resolution 21-03: Township Audit by CPA for 2020. Motion carried by all voting aye. (5-0)

Motion made by Mr. Disbrow and seconded by Ms. Mullen to adopt Resolution 21-04: TCC Delegate and Alternate. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to adjourn the meeting at 7:19 p.m. Motion carried by all voting aye. (5-0)

The regular business meeting of the Upper Nazareth Township Board of Supervisors was called to order at 7:20 p.m. This meeting was also held in the virtual format.

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

Upper Nazareth Township resident Becky Bartlett asked the Board to reconsider sending the Library Tax Bill as a separate bill.

Upper Nazareth Township resident Jason Mohap asked for clarification of text messages between Board members concerning Project Tadmor on June 24 and June 30, 2020. Ms. Mullen responded the text messages was a discussion among the Supervisors and no decisions were made, it was just opinions.

Mr. Mohap asked whether Mr. Soloe's letter of December 15, 2020, was a determination or a report. Attorney Asteak instructed Mr. Mohap to consult with his attorney as this subject is part of pending litigation.

Motion was made by Mr. Disbrow and seconded by Mr. Ms. Mullen 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 minutes from the December 16, 2020, meeting. Motion carried by all voting aye. (5-0)

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

SUPERVISORS COMMENTS

Mr. Disbrow expressed his appreciation to the essential workers of the Township who come to work each day to serve the resident of Upper Nazareth Township.

Mr. Sylvainus expressed wanting the Library Tax to be on the Real Estate Tax bill and not a separate bill.

TOWNSHIP ENGINEER

Mr. Dooley thanked the Board for appointing Keystone Consulting Engineers as the Township Engineer for 2021.

TOWNSHIP SOLICITOR

Nothing at this time.

ADMINISTRATION

Mrs. Klem mentioned the PSATS Conference registration opening date of January 12, 2021, 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. Disbrow, Mr. Shupe and Officer Cope are interested in attending. Mrs. Hirst may attend only for one day.

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

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

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to appoint Maher-Duessel to conduct the 2020 Township and Real Estate Audits. Motion carried by all voting aye. (5-0)

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve set up of a Police Donation Assigned Account.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval the full-time conditional offer of employment to Mr. Mark Manieri, Jr. at \$19.78 per hour.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the full-time conditional offer of employment to Mr. Mark Manieri, Jr. at \$19.78 per hour. Motion carried by all voting aye. (5-0)

Mr. Shupe requested approval to advertise for part-time help due to the impending retirement of Jake Groff.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve advertising for part-time Public Works help. Motion carried by all voting aye. (5-0)

RECREATION

Nothing at this time.

PUBLIC SAFETY

POLICE DEPARTMENT

Police Chief Cope requested approval to purchase 3 sets of Haenni Truck Scales from Tatamy Borough at a cost of \$20,000. After discussion, this issue was tabled with the Board asking Chief Cope to come back with further information.

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. Sylvainus to adjourn the meeting at 8:05 p.m. Motion carried by all voting aye. (5-0)

Respectfully Submitted,

*Betty Parrish
Recording Secretary*

MINUTES JANUARY 20, 2021
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, and Treasurer, Betty Parrish.

COURTESEY OF THE FLOOR

Nothing at this time.

APPROVALS

Motion was made by Mr. Disbrow and seconded by Ms. Mullen 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 Re-Organization meeting and the Regular meeting minutes of January 4, 2021. 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. Disbrow and seconded by Mr. Sylvainus to approve the December, 2020 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced that an executive session was held on January 13, 2021, and January 20, 2021, for personnel matters.

Mrs. Hirst mentioned in the past a recap of the previous year's budget and the proposed budget for the current year was posted on the website. Mrs. Klem indicated she could do that if that is what the Board wanted. Mr. Sylvainus stated a good spot for that would be in the newsletter as well.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested clarification on the usage of the Township website for posting and validating information the Supervisors want to communicate to the residents. Mr. Sylvainus questioned the current procedure. Mrs. Klem stated Secretary, Kim Mutarelli, does the posting to the website but not without approval. Mr. Rinker asked who would do that in her absence. Mrs. Parrish responded the office staff can also post to the website. Mr. Sylvainus commented Mrs. Klem oversee any posting to the Township website.

Mrs. Klem received a request from the Tax Collector for additional compensation of \$6,000 to \$8,000 for collecting the Library Tax.

Township residents Becky Bartlett and Jeannie Morgano commented Tracy makes a decent amount of money and indicated the increase was excessive and unnecessary.

Tax Collector, Tracy Adamski, spoke about her performance in collecting the tax and the services she provides to the residents of Upper Nazareth Township.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve an additional \$4,000 of compensation for the Tax Collector for the collection of the Library Tax. Motion carried by a vote of 3-2 with Mr. Rinker, Mr. Disbrow, and Mrs. Hirst voting aye and Mr. Sylvainus and Ms. Mullen voting nay.

Mrs. Klem received a request from the Tax Collector to increase the Tax Collector's salary 2% each year beginning in January 2022.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve a 2% increase each year beginning in January, 2022, for the four year term. Motion carried by a vote of 4-1 with Mr. Sylvainus voting nay. Attorney Asteak stated a resolution will need to be prepared for the next meeting.

Mrs. Klem received a request from the Tax Collector to amend the Tax Certification Fee Ordinance raising the fee from \$20.00 to \$30.00. There was no motion, therefore, this request failed.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Riker and seconded by Mr. Disbrow to approve the December, 2020 Fire, Police, Public Works, and Zoning. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe requested approval of an increase for Scott Weirbach to 80% of the top laborer rate as he has satisfactorily completed his probationary period.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve an increase for Scott Weirbach to \$18.62 which is 80% of the top laborer rate. Motion carried by all voting aye.
(5-0)

POLICE DEPARTMENT

Police Chief Cope received a request from Nazareth Clippers Athletic Association for a 5K on May 29, 2021, running through the Township and Nazareth Borough. Chief Cope stated no state roads will be crossed and fire police and Township police will be available as needed.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve Nazareth Clippers Athletic Association 5K on May 29, 2021. Motion carried by all voting aye. (5-0)

Chief Cope stated information the Board requested previously regarding truck scales and training has been provided in their packets. Chief Cope would be happy to answer any questions anyone may have pertaining to same.

Chief Cope stated \$5,000 was received from the Police Association for the body cameras recently purchased.

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 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 3, 2021
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, and Treasurer, Betty Parrish.

COURTESEY OF THE FLOOR

Township resident Becky Bartlett thanked the Public Works Department for the good job they did on the roads during the snowstorm.

Ms. Bartlett asked about the Open Space Committee and asked if they had met recently. Mrs. Klem responded the Open Space Committee was formed to prepare the Park, Rec and Open Space Plan that was just recently completed and in the process of being approved by DCNR. Mrs. Klem stated once the plan is approved another committee will need to be formed for the purpose of putting the plan into operation.

Ms. Bartlett commented that she is opposed to any money being spent for the collection of the Library Tax.

APPROVALS

Motion was made by Mr. Rinker and seconded by Mr. Disbrow 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 minutes of the January 20, 2021 meeting. Motion carried by all voting aye. (5-0)

Motion was made by Ms. Mullen and seconded by Mr. Disbrow 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 reasons.

Mr. Disbrow and Mr. Sylvainus thanked the Public Works Department for working very long hours during the snowstorm keeping the roads open.

Mr. Sylvainus is also opposed to additional fees for the tax collector to collect the Library Tax.

TOWNSHIP ENGINEER

Mr. Dooley stated the draft PRP permit has been submitted for approval and the permit will be issued within 30 days.

TOWNSHIP SOLICITOR

Attorney Asteak informed the Board of the status of the 4 separate lawsuits that were filed by Jason Mohap. The 1st lawsuit has been dismissed. The 2nd is pending. The 3rd lawsuit was recently dismissed by Judge Daley and the 4th was filed on January 15, 2021 raising the same issues that Judge Daley dismissed.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested adoption of Resolution No. 21-05 Open Space Plan.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to adopt Resolution No. 21-05 Open Space Plan. Motion carried by all voting aye. (5-0)

Mrs. Klem requested adoption of Resolution No. 21-06 Compensation of the Tax Collector for the collection of Special Library Tax.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adopt Resolution No. 21-06 Compensation of the Tax Collector for the collection of the Special Library Tax. Motion carried by a vote of 3-2 with Mr. Sylvainus and Ms. Mullen opposed.

Mrs. Klem requested adoption of Resolution 21-07 Establishing Discount and Penalty Rates for Collection of the Special Library Tax.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to adopt Resolution No. 21-07 establishing discount and penalty rates for collection of the Special Library Tax. Motion carried by all voting aye. (5-0)

Mrs. Klem requested adoption of Resolution No. 21-08 establishing the compensation of the Tax Collector for the Tax Collector term beginning in 2022.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to adopt Resolution No. 21-08 setting compensation of Tax Collector for the term beginning 2022. Motion carried by a vote of 3-2 with Mr. Sylvainus and Ms. Mullen opposed.

PLANNING & ZONING

Mr. Rinker stated the County received a temporary permit for the Forensic Center which should be corrected to reflect the address as 300 Gracedale Ave. not 100 Gracedale Ave.

PUBLIC WORKS

Mr. Shupe asked the Board of Supervisors to accept the resignation of Craig Hoffman from the Public Works Department.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to accept the resignation of Public Works Department employee Craig Hoffman. Motion carried by all voting aye.

RECREATION

Requests have been coming into the Township to see if the fields are going to be open for the Spring playing season. Mr. Rinker responded all would depend on the Governor's orders. Discussion took place as to the pros and cons of opening the fields and proper protocols. Mr. Disbrow requested Ms. Klem ask PSATS for their opinion and to reach out to Bushkill and Lower Nazareth Townships to find out what they are doing with their fields. Attorney Asteak stated we need to follow the guidelines set forth by the Department of Health and Safety.

Mr. Rinker asked if anything was happening with Community Days. Mr. Disbrow responded he would work with Mrs. Klem to get invites out for a virtual meeting to gather more information as to proceeding.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Safety Committee will look to March for a meeting.

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

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES FEBRUARY 17, 2021
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, and Treasurer, Betty Parrish.

COURTESEY OF THE FLOOR

No comments at this time.

APPROVALS

Motion was made by Mr. Sylvainus 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 minutes of the February 3, 2021 meeting. Motion carried by all voting aye. (5-0)

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

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the January, 2021 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

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

Mr. Shupe requested approval of raises for the Public Works Department to make UNT more in line with what neighboring municipalities are paying and to keep our current employees from moving to other municipalities. Mrs. Hirst stated this puts UNT in the middle of what other municipalities are paying. Mr. Shupe stated we are in the middle. Out of the top 7 we are 3rd or 4th.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve increasing Public Works wages with a top rate of \$28.50/hr and according to the percentage schedule attached. Motion carried by all voting aye. (5-0)

Mr. Shupe expressed his thanks to the Board of Supervisors for recognizing the hard work and the value of the Public Works Department.

TOWNSHIP ENGINEER

Mr. Dooley stated his Engineer's Report has been provided to the Board.

Mr. Dooley asked for approval of MorningStar Heritage Villages Phase 2 request for Letter of Credit Reduction No. 9 from \$561,310.88 to \$373,011.68 for a total reduction of \$188,299.20.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve MorningStar Heritage Villages Phase 2 request for Letter of Credit Reduction No. 9 from \$561,310.88 to \$373,011.68 for a total reduction of \$188,299.20. 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. 3 from \$1,061,871.95 to \$662,426.52 for a total reduction of \$399,445.43.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve MorningStar Heritage Villages Phases 3 and 4 request for Letter of Credit Reduction No. 3 from \$1,061,871.95 to \$662,426.52 for a total reduction of \$399,445.43. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak stated the Library Code requires any municipality making a contribution to a municipal library would be pursuant to a contract. Attorney is suggesting that any contract between UNT and Nazareth Memorial Library not be a complicated one, but before transmitting any funds pursuant to the tax, the Township should have a simple agreement in place so as not to confound either our auditors or theirs. Attorney Asteak requested authorization from the Board to draft a simple contract to provide that UNT will transmit to Nazareth Memorial Library all library receipts as billed and collected for the year 2021 less any administrative expenses in exchange for the library providing library services to all Township residents without cost. A simple contract so if anyone wanted to know if UNT is complying with the library code, the Township can say yes. The agreement would be superseded by any multi-municipal agreement that is currently being negotiated by our managers and chairmen.

Mr. Disbrow stated the library code refers to this as a contribution and asked if the Township was contributing to the library or if the Township is just a pass through entity with a tax. Attorney Asteak responded The Township contributes to the library by virtue of a tax. The tax is how we receive the money and the contribution is how UNT gets the money to the library. The Township taxes the taxpayers to collect the money and the Township then contributes the money to the Nazareth Memorial Library. The library code states, generically, the Township is to use the tax monies to provide library services. Neither our ordinance nor the tax says the money should go to the Nazareth Memorial Library. That was the intention and that is what the

Township should be doing. The Township should have a contract with the library so that it is understood that in exchange for our contribution of the tax monies received for library services, the library will provide all UNT residents with free library services. Mr. Rinker commented the ordinance just states the monies go to a local library. Attorney Asteak responded that is correct.

Township resident Becky Bartlett asked if the Township is going to give the library a full accounting of all administrative fees and if that information would be available to the public. Attorney Asteak responded there will be complete transparency.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to authorize Attorney Asteak to prepare a draft agreement between UNT and Nazareth Memorial Library. Motion carried by a vote of 4-1 with Mr. Disbrow opposed.

Attorney Asteak shared with the Board Mrs. Klem being honored with a full-page article in the Township News announcing Mrs. Klem's graduating from the PSATS PMGA program. Attorney Asteak commented the article should be posted on the bulletin board and the website. Mrs. Klem being honored shows how much Mrs. Klem has gone out of her way to achieve the education to make herself a better manager and make UNT a better place. Congratulations to Mrs. Klem on this accomplishment.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem stated the 2020 4th Quarter Nationwide and Girard Police Pension Reports are available for review.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Riker and seconded by Mr. Disbrow to approve the January, 2021 Fire, Police, and Zoning. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to authorize Attorney Asteak to attend the Zoning Hearing on March 31, 2021, to assist Mr. Soloe. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe requested approval for conditional offer of part-time employment to Tyson Unangst at 75% of the top PW rate.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the conditional offer of part-time employment to Tyson Unangst at 75% of the top PW rate. Motion carried by all voting aye. (5-0)

Mr. Shupe requested approval for conditional offer of full-time employment to Daniel Sipel at 75% of the top PW rate.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the conditional offer of full-time employment to Daniel Sipel at 75% of the top PW rate. Motion carried by all voting aye. (5-0)

RECREATION

Ms. Mullen asked if Mrs. Klem had received any information regarding opening of the parks. Mrs. Klem stated PSATS has no guidelines but states to refer to the CDC for guidance. Lower Nazareth and Bushkill have allowed play at your own risk and follow CDC guidelines.

Mr. Disbrow stated the Community Days Committee has met virtually for the past two weeks and is moving forward with Community Days 2021. Mr. Disbrow asked Board approval to hold Community Days 2021 on Friday, August 27, and Saturday, August 28, 2021, at Tuskes Park.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Community Days 2021 at Tuskes Park on Friday, August 28, and Saturday, August 29, 2021. Motion carried by all voting aye. (5-0)

Mr. Disbrow presented a resignation letter from Will Austin from the Recreation Committee and Community Days Committee. Mr. Disbrow thanked Mr. Austin for chairing the Community Days Committee for the past 5 years. Mr. Disbrow stated Tim Schantz has accepted to chair the Community Days Committee moving forward. Ms. Kelly-Jo Smith has accepted to be secretary of the Community Days Committee.

POLICE DEPARTMENT

Nothing at this time.

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Safety Committee will look to March for a meeting.

FIRE DEPARTMENT

The Fire Department requested appointment of Jeff Fassl as Upper Nazareth Township Fire Marshall.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to appoint Jeff Fassel as Upper Nazareth Township Fire Marshall. Motion carried by all voting aye. (5-0)

Fire Chief Fassel thanked the residents of Upper Nazareth Township for the awesome job they have done in helping to keep the fire hydrants free of snow, as this saves a tremendous amount of time when the Fire Department is called to respond to an fire emergency.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to adjourn at 7:32 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES MARCH 17, 2021
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, and Treasurer, Betty Parrish.

COURTESY OF THE FLOOR

No comments at this time.

APPROVALS

Mr. Rinker requested revising the agenda to add advertising for a full-time police officer and a request to use Tuskes Park by the library.

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 Mr. Disbrow and seconded by Mrs. Hirst to approve the minutes of the February 3, 2021 meeting. Motion carried by all voting aye. (5-0)

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

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve the February, 2021 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Disbrow started a discussion pertaining to the proposal pending at the State level to assess Pennsylvania municipalities approximately \$6.43 per person or about \$44,000 for State Police coverage. This fee would be assessed across the entire Commonwealth. Mr. Disbrow this is double taxation as Upper Nazareth Township has its own police force and does not rely on State Police. Upper Nazareth Township and surrounding municipalities assist each other when necessary. It was noted that Upper Nazareth Township assisted the State Police during a recent shooting on Route 33.

Mrs. Hirst suggested sending letters to Mr. Joe Emerick, PA State Representative, State Senator Mario Scavello and the Governor expressing Upper Nazareth Township's opposition to this proposal citing examples as to why the township opposes such a fee. Mrs. Klem will write the letter and send a draft to the Board prior to sending.

Mr. Disbrow announced Upper Nazareth Township stands to receive approximately \$700,000 under the Federal COVID Relief Bill that was recently passed. Mr. Disbrow suggested a list of Township priorities be assembled to better utilize the funds to be received. Mrs. Klem stated the funds are expected to be distributed in two installments, one in June of 2021 and the remaining in June of 2022. How these funds can be spent are being limited to specific categories and further information regarding the spending of these funds is still being gathered. Mr. Sylvainus suggested Mrs. Klem compile a list of the categories for the Board before a decision is made as to the expensing of the anticipated funds.

The Board decided to bring all staff back to the office from working remotely effective April 5, 2021. The office area will continue to be available only to staff members. The Board decided the Board of Supervisors Meeting on April 21, 2021, will be a hybrid meeting with Board and professional staff in attendance, if they choose. All others will participate virtually.

TOWNSHIP ENGINEER

Mr. Dooley asked for approval of Kay Scenic View's request for Letter of Credit Reduction No. 5 from \$404,727.00 to \$242,686.55 for a total reduction of \$162,040.45.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Kay Scenic View's request for Letter of Credit Reduction No. 5 from \$404,727.00 to \$242,686.55 for a total reduction of \$162,040.45. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak presented a draft contract of a one-year Lease Agreement for Public Library Services between Upper Nazareth Township and Memorial Library of Nazareth and Vicinity in order to implement the provision of the Public Library Code along with the adoption of the referendum by the Township citizens last year to approve a special library tax for the purpose of funding library services for the Township. The Library Code provides that a municipality may contract with managers or owners of an existing local library for public library services for the residents of the municipality whether the library is located in the same or another municipality and the contract may be renewed as permitted by the terms of the contract. Two things are needed under the Public Library Code in order to implement the provision of the referendum. One is to enter into a contract and two is to designate a library for the purpose of providing public library services to the Township. The agreement would require approval by the Memorial Library of Nazareth and Vicinity Board which designates the Memorial Library and Vicinity as an existing local library to provide library services to the residents of Upper Nazareth Township and in consideration of the library providing library services to all Township residents at no cost, the Township agrees to transfer over to the library all library tax receipts as billed and collected by the Upper Nazareth Township Tax Collector for the year 2021 less administrative

expenses. The Township shall provide the library with an accounting of tax receipts and itemization of all administrative expenses incident to the collection and administration of the tax including implementation of this agreement. The term of the agreement shall commence on January 1, 2021, and terminate December 31, 2021, subject to annual renewal by resolution of both the Board of Supervisors of Upper Nazareth Township and the Board of Directors of the Memorial Library of Nazareth and Vicinity for the purposes of implementation of the referendum and providing the vehicle by which the Memorial Library of Nazareth will receive the funds authorized by the referendum.

Mrs. Hirst commented regrets that the friends of the library chose this route. A resolution could have been easily achieved if the library would have cooperated with Upper Nazareth Township. Mrs. Hirst explained the predicament the library has imposed on some of the citizens of the Township as some of the older residents who are on fixed incomes have actually cried about this tax. Mrs. Hirst wants it noted by the friends of the library that there are consequences to their actions and such actions are devastating to some people.

Mr. Disbrow stated the library reduced all the other municipalities contribution to the library by 15% and taxed the taxpayers of Upper Nazareth Township. Mrs. Hirst commented it is wrong the library lowered the contribution for everyone else and put the burden on Upper Nazareth Township taxpayers this will need to be addressed. Mrs. Hirst stated she will vote yes for the agreement.

Attorney Asteak stated this year the Township designates Nazareth Memorial Library and Vicinity as the library but the library code allows the Board of Supervisors to contract with another library and the Board of Supervisors can do so for 2022 if they so choose.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve the one-year Agreement for Library Services between Upper Nazareth Township and Memorial Library of Nazareth. Motion carried by a vote of 3-2 with Mr. Rinker and Mr. Disbrow opposed.

Attorney Asteak presented a Lease Agreement between Upper Nazareth Township and Buzzi Unicem (RC Lonestar). Attorney Asteak and Mrs. Klem have had conversations with Buzzi pertaining to their requiring a lease agreement Buzzi for the current Public Works facility on Friedenstahl Ave. the Township has occupied for many years. Attorney Asteak and Mrs. Klem had conversations with Buzzi pertaining to this matter but were getting nowhere. Attorney Asteak stated Mrs. Hirst met with some corporate people from Buzzi pertaining to their requesting the Township pay rent on the Friedenstahl Ave. property. Mrs. Hirst was able to facilitate a 5-year lease with a 12-month cancellation clause by either party for the price of the taxes being paid by the Township on the approximately 3 acre parcel the Township occupies. One of the terms of the lease is the Township must maintain workers compensation, property casualty insurance as well as pollution protection insurance. The Township maintains workers compensation and property casualty insurance but not pollution protection insurance. Mrs. Klem is investigating the pollution protection insurance and costs with the Township Insurance Agent. Attorney Asteak will seek a tax exemption from the Assessment Appeals Board for this property. Mr. Rinker thanked Mrs. Hirst for handling this agreement with Buzzi.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the Lease Agreement for 155 Friedenstahl Ave. with Buzzi subject to obtaining cost effective Pollution Protection Insurance. Motion carried by all voting aye. (5-0)

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested approval to advertise the RFP to hire a Consultant for Zoning and SALDO upgrades consistent with the 2006 Multi-Municipal Plan. Mrs. Klem stated an updated Multi-Municipal Comprehensive Plan is currently being drafted and is expected to be available sometime this summer. Mrs. Klem suggested delaying advertising until the new Multi-Municipal Comprehensive Plan is available to avoid extra expenses by the Consultant in reviewing both the 2006 plan and the draft currently being drafted.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve advertising an RFP to hire a Consultant for Zoning and SALDO upgrades. Motion failed with Mr. Sylvainus and Ms. Mullen voting aye and Mr. Rinker, Mr. Disbrow and Mrs. Hirst opposed.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Riker and seconded by Mr. Disbrow to approve the January, 2021 Fire, Police, and Zoning. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval to purchase a 2022 Mack Cab and Stainless Dump truck from TransEdge in the amount of \$224,020.00. Mr. Shupe stated \$45,000 was budgeted out of Liquid Fuels for this purchase based on the prior lease payments for the 2017 Mack truck.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve the purchase of a 2022 Mack Cab and Stainless Dump truck from TransEdge in the amount of \$224,020.00 for a 5-year lease agreement in arrears. Motion carried by all voting aye. (5-0)

Mr. Shupe stated street cleaning take place beginning on March 29 through April 2. Curbside yard waste collection will take place from April 12 through April 16. The yard waste facility will open on April 24, 2021.

RECREATION

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to open the fields and pavilions keeping the restrooms and concession stand closed. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to appoint Lisa Palochik to the Upper Nazareth Township Recreation Board to fill the recently vacated seat of William Austin with a term ending December 31, 2023. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope requested the Board to accept the resignation of part-time officer Jake Hartzel.

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

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

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve a conditional offer of employment for a part-time officer. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval to advertise for a full-time police officer through the PA Police Chief Association, Facebook and the Township website. Mr. Sylvainus added to open the position to current part-time officers as well.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve advertising for a full-time police officer through the PA Police Chief Association, Facebook, the Township website and the current part-time officer. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

SAFETY COMMITTEE

Mr. Rinker will get dates to Mrs. Parrish for the next Safety Committee Meeting.

FIRE DEPARTMENT

Fire Chief Jeff Fassl reported the Fire Department expansion plans are moving forward. Keystone Engineering has supplied drawings for the expansion. The Fire Department is currently working on getting grading and construction plans for the expansion.

Fire Chief Jeff Fassl requested in the future, as a condition of requirements for the occupancy certificate, the Fire Department be given a tour of commercial facilities prior to an occupancy permit being issued. Fire Chief Fassl explained the Fire Department was called to the Northampton County Forensic Center where a garage door severed a sprinkler head. In responding, the Fire Department did not know the layout of the facility and where utilities were

located. Attorney Asteak stated there is no reason the Zoning Officer could not make this as a condition of occupancy. Mrs. Klem requested Chief Fassl send something in writing to the Zoning Officer and her as to what he would like in this agreement.

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 8:01 p.m. Motion carried by all voting aye. (5-0)

The Board Meeting was reopened at 8:02 for Old and New Business.

Mr. Rinker stated and Executive Session was held prior to the Board meeting for personnel reasons.

Hearing nothing further from the attendees, **motion** was made by Ms. Mullen and seconded by Mrs. Sylvainus to adjourn at 8:03 pm. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES APRIL 21, 2021
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/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, and Treasurer, Betty Parrish.

COURTESY OF THE FLOOR

No comments at this time.

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 Mr. Disbrow and seconded by Ms. Mullen to approve the minutes of the March 17, 2021 meeting. Motion carried by all voting aye. (5-0)

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

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

2020 AUDIT PRESENTTION

Jen Cruverkibi of MaherDuessel gave a brief overview of the results of the 2020 Township Audit. No issues were noted.

SUPERVISORS' COMMENTS

Mr. Rinker announced an executive session was held prior to the meeting.

Ms. Mullen mentioned that there seems to be some confusion regarding the receipt of two tax bills this year and individuals should check with their mortgage companies prior to mailing their payments. Ms. Mullen would like to review this issue next year.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem presented information on a new copier for the office as well as an alternate proposal. The first option is to replace the old Panasonic which is no longer in service with a similar machine at a total cost of \$6,518.00 or \$209.00 per month leased. Option two is to purchase a high-end printer as recommended by our IT consultant at a cost of \$792.00. Mrs. Klem recommends the second option as it can perform the same functions as the large copier in the main office and will be an emergency back up should the main office machine malfunction.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the purchase of an HP Color Laser Copy/Print/Scan/Fax machine at a cost of \$792.00. Motion carried by all voting aye. (5-0)

Mrs. Klem stated the 50% reimbursement grant for the Parks, Rec. and Open Space Plan has been received from DCNR. Two committees need to be formed. One committee is needed to carry out the objectives of the Parks, Rec., and Open Space Plan. A second committee will be an Environmental Advisory Committee formed to oversee the Open Space Taxes collected and how to utilize the taxes make recommendations to the Board of Supervisors as to the appropriations of the Open Space Taxes collected.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve Attorney Asteak drafting an ordinance to provide for an Environmental Action Committee (EAC) to carry out the provision of the Parks, Recreation and Open Space Plan. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Nothing at this time.

APPROVAL OF DEPARTMENT REPORTS

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

PLANNING & ZONING

Attorney Asteak stated the draft of the Nazareth Area Comprehensive Plan has been distributed. Mrs. Klem reported the draft has been distributed to Planning Commission and the Board of Supervisors.

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Chief Cope stated there are 4 vehicles no longer in service. One of these vehicles is being used as a dummy car. Chief Cope requested a motion to donate the remaining three to the Fire Department. Fire Chief Jeff Fassl stated the Fire Department would be happy to have these vehicles to use in their training exercises.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve donating three out of service vehicles to the Fire Department to be used in their training exercises. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Mr. Rinker requested the current mutual aid system be changed to allow for the next available EMS to respond when needed.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve changing the current mutual aid system to allow for the next available EMS to respond when needed. Motion carried by all voting aye. (5-0)

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Nothing at this time.

OLD BUSINESS

Mr. Disbrow requested the Township assist the Fire Department and Fire Police in replacing some signage and barricades that were lost when PennDOT replaced the bridge approximately 1 ½ years ago. Fire Chief Jeff Fassl stated some portable equipment, cones and road closed signs went missing from Sterner Rd. Fire Chief Fassl will return with a quote for replacing this equipment.

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 MAY 19, 2021
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/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, and Treasurer, Betty Parrish.

COURTESEY OF THE FLOOR

Township resident Shannon Mohap asked when the Board of Supervisor Meetings would be open to the public. Mr. Rinker responded the first meeting in June.

APPROVALS

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

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the minutes of the April 21, 2021 meeting. 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)

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

SUPERVISORS' COMMENTS

Mr. Rinker announced an executive session was held prior to the meeting.

Mrs. Hirst commented on some questions being raised regarding the Parks, Rec and Open Space Plan. Mrs. Hirst stated the Board voted on June 19, 2019 to advertise RFP's to hire a consultant to create a Parks, Rec and Open Space Plan which was partially funded by a grant from DCNR. The final plan was not approved by DCNR until January 19, 2021. Resolution No. 21-05 was approved on February 3, 2021, to close out the grant from DCNR. Final bound copies of the plan were sent to DCNR on March 3, 2021 and the grant was closed out on March 25, 2021. The Board approved the Solicitor to draft and ordinance establishing and EAC on April 21, 2021 and on May 19, 2021 the Board approved advertising the ordinance for adoption.

There have been three letters of interest from residents wanting to serve on this committee. A timeline of these events shall be attached to these minutes of record.

TOWNSHIP ENGINEER

Mr. Dooley requested approval of Resolution No. 21-10 Sewage Facilities Planning Module for Tadmor 2. The Planning Module has been executed by the Planning Commission and all necessary information is ready to submit to DEP for final review and approval.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve Resolution No. 21-10 Sewage Facilities Planning Module for Tadmor 2. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak requested approval to advertise Ordinance No. 185 establishing an Environmental Advisory Council to serve as an advisory body to the Board of Supervisors for the purpose of gathering information and providing recommendations regarding various environmental issues including the use of Open Space, ways to promote conservation of natural resources, encouraging environmental programs, providing operating procedures, appointment of members and setting forth powers and duties. The council will be made up of no more than 7 people appointed by the Board of Supervisors to 3-year staggered terms so that only 1/3 of the membership shall expire each year.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve advertising Ordinance No. 185 Establishing an Environmental Advisory Council. Motion carried by all voting aye. (5-0)

Attorney Asteak thanked Mrs. Hirst for helping to facilitate a Lease Agreement between RC Lonestar, Inc. and Upper Nazareth Township for the property at 155 Friedenstahl Ave. at \$1.00 per year with the Township paying any applicable property taxes on that portion of the land that it occupies. Attorney Asteak will be contacting the County requesting the portion the Township occupies be exempt from Real Estate Taxes. Attorney Asteak requested approval of the Lease Agreement between RC Lonestar, Inc. and Upper Nazareth Township for 155 Friedenstahl Ave.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the Lease Agreement between RC Lonestar, Inc. and Upper Nazareth Township for 155 Friedenstahl Ave. Motion carried by all voting aye. (5-0)

Attorney Asteak requested approval to draft a new police Pension Ordinance for new hires only.

Motion was made by Mr. Rinker and seconded by Mr. Sylvainus to approve drafting a new police Pension Ordinance for new hires only. Motion carried by all voting aye. (5-0)

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem stated the 1st Quarter Nationwide and Girard Police Pension Reports are available for review.

Mrs. Klem requested approval for HomeTown Press to publish the Fall 2021 and Spring 2022 newsletters.

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve HomeTown Press publishing the Fall 2021 and Spring 2022 newsletters. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval to purchase the Permit Tracking Software and CS Data Software.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the purchase of the Permit Tracking Software and the CS Data Software. Motion carried by all voting aye. (5-0)

Mrs. Klem stated a request was received from the Memorial Library of Nazareth for the use of the small pavilion and waiver of the pavilion rental fees to be used for children's programming on 7/15, 7/29, 8/5, and 8/19.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Memorial Library of Nazareth's request for pavilion use on 7/15, 7/29, 8/5, and 8/19 as well as waiver of the fee. Motion carried by a vote of 4 to 1 with Mr. Rinker opposed.

Mrs. Klem suggested continuing to live stream Board of Supervisors meetings even after the meetings are reopened to the public. Mr. Sylvainus suggested transitioning to solely live streaming later in the summer and continuing with the hybrid format until the public is more comfortable with being out and about. The Board agreed with this suggestion.

APPROVAL OF DEPARTMENT REPORTS

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

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval to set the pay rate of Jake Groff at \$15.00 per hour.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to set the pay rate for Jake Groff at \$15.00 per hour. Motion carried by all voting aye. (5-0)

Mr. Shupe requested approval to advertise the old roadside mower that was taken out of service a few years ago on Municibid.

Motion was made by Mr. Rinker and seconded by Mrs. Mullen to approve advertising the old roadside mower on Municibid. Motion carried by all voting aye. (5-0)

RECREATION

Mrs. Hirst requested tabling the appointment of George Hasker to the Recreation Committee as the Recreation Committee has not met recently and Mr. Hasker would like more information on the duties Recreation Committee. The Board agreed to this request.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve opening the restrooms at Tuskes Park. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope requested approval for the conditional offer to hire two full-time police officers.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the conditional offer to hire two full-time police officers effective June 20, 2021. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval to purchase a new 2021 Dodge Durango at a maximum price of \$42,500 as a new police vehicle.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to approve the purchase of a new 2021 Dodge Durango at a maximum cost of \$42,500. Motion carried by all voting aye. (5-0)

Police Chief Cope stated a request has been received from the NASD requesting the closure of Liberty St. on Wednesday, June 9 with rain dates of June 10 and 11 for graduation ceremonies.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve the closure of Liberty St. on Wednesday, June 9 with rain dates of June 10 and 11 for NASD graduation ceremonies. Motion carried by all voting aye. (5-0)

Police Chief Cope informed the Board of an issue the Police Department is having with horses getting loose from a property on Michaels School Rd. Currently there is no ordinance controlling horses as they are considered agriculture. Attorney Asteak stated he would look into this issue to see what restrictions and fines could be assessed in order to control this problem.

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

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES JUNE 2, 2021
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 meeting room open to the public and others able to participate virtually.

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, and Treasurer, Betty Parrish.

COURTESY OF THE FLOOR

Township resident, Becky Bartlett, tried to access the agenda but it was not on-line. Mrs. Klem apologized explaining the office was short staffed this week.

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 Mr. Disbrow and seconded by Mr. Sylvainus to approve the minutes of the May 19, 2021 meeting. Motion carried by all voting aye. (5-0)

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 announced an executive session was held prior to the meeting.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak reported Ordinance No. 185 establishing an Environmental Advisory Council to serve as an advisory body to the Board of Supervisors for the purpose of gathering information and providing recommendations regarding various environmental issues including the use of Open Space, ways to promote conservation of natural resources, encouraging environmental programs, providing operating procedures, appointment of members and setting

forth powers and duties. The council will be made up of no more than 7 people appointed by the Board of Supervisors to 3-year staggered terms so that only 1/3 of the membership shall expire each year was duly advertised in the Express Times on May 22, 2021, and posted for inspection.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to adopt Ordinance No. 185 Establishing an Environmental Advisory Council. Motion carried by all voting aye. (5-0)

Township resident Becky Bartlett asked when the Council will be meeting. It was stated that once the Council is appointed by the Board a decision will be made as to when the Council will meet.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem announced the Township was awarded the Monroe County LSA Grant in the amount of \$35,840 for the purchase of an asphalt planer and roller.

Mrs. Klem stated the Northampton County LSA Grant applied for to purchase two police vehicles was denied.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe requested approval for the conditional offer of seasonal employment to Gabriel Ytkin and Jasper Ziegafuse.

Motion was made by Mr. Disbrow and seconded by Ms. Muller to approve the conditional offer of season employment to Gabriel Ytkin and Jasper Ziegafuse. Motion carried by all voting aye. (5-0)

Mr. Shupe requested approval to purchase an asphalt planer and roller for \$79,726.40, \$35,840 being funded by the Monroe County LSA Grant, \$20,000 which was budgeted for and the balance being taken from the Vehicle and Equipment Fund if necessary.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the purchase of an asphalt planer and roller for \$79,726.40, \$35,840 funded by the Northampton County LSA Grant, \$20,000 as budgeted and the balance to be paid from the Vehicle and Equipment Fund if necessary. 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

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 7:15 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES JUNE 16, 2021
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 meeting room open to the public and others able to participate virtually.

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Mr. Rinker recognized Bushkill Township Boy Scout Troop #74 who were present for the meeting. The Boy Scouts present are working on their Cities and Communities and Communications merit badges.

APPROVALS

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

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the minutes of the June 2, 2021 meeting. Motion carried by all voting aye. (4-0)

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

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve the May, 2021 Financial and Treasurer's Report. Motion carried by all voting aye. (4-0)

SUPERVISORS' COMMENTS

Mrs. Hirst attended the NAZCOG meeting on Tuesday, June 15, 2021. UNT resident Nathan Pritchard, who is an employee of the Northampton County Conservation District was a speaker. Nathan talked about the sinkhole problems in this area which are caused by limestone and the water flow. The County is reviewing the Bushkill Creek for erosion of the banks affecting the houses and has plans to review the Schoeneck Creek. When the Schoeneck Creek is reviewed, the County will involve Upper Nazareth Township as well as MS4. As a reminder, all residents should have sinkhole insurance which only covers the building on your property and not your yard. If a citizen of Upper Nazareth Township has a sinkhole problem, their might be

some assistance available by contacting the County or the Township. Buzzi Unicem is going to be receiving permission from DEP to dig an additional 50”.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak reported getting back the tax exemption certificate from RC Lonestar that was needed to file for property tax exemption with the County for the leased property at 155 Friedenstahl Ave. Attorney Asteak has reached out to the County Solicitor as well as the Nazareth Area School District as to why we are asking for this exemption.

TOWNSHIP MANAGER/ADMINISTRATION

In conjunction with our recent ordinance establishing the Environmental Advisory County, Mrs. Klem has received letters of interest from 5 individuals, Nathan Pritchard, George Haskar, Kristin Mullen, Donna Hirst and Scott Sylvainus, wishing to serve on the Environmental Advisory Council. This is a 5 to 7 member Council, therefore, the Township is still looking for two additional members. Mr. Rinker suggested looking for an additional two individuals and tabling the appointments to the EAC until a full board was present.

Mrs. Klem stated a training session was held for the CS Datum Mapping software and the permit manager will be live and training is being held on Monday, June 21, 2021.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the May, 2021 Fire, Police, Public Works, and Zoning. Motion carried by all voting aye. (4-0)

PLANNING & ZONING

Mr. Jim Vozar of JVI, LLC., developer for the tract at 3363 Gun Club Road, presented the Tadmor 2 Plan to the Board for approval. Mr. Vozar stated the plan before the Board is an unchanged plan from what was presented to the Planning Commission several months ago. JVI has been engaged with the outside agencies LVPC, DEP, and the Conservation District and have since received LVPC approval. JVI is in the final stage of their MPDES permit which should be received shortly. Submission has been made to PennDOT for the HOP at Route 248 and Gun Club Road and for the water source utility extension down 946 and Christian Springs. Therefore, we are seeking final approval on this plan. The Sewer Authority has reviewed and approved the pump design and a service agreement is in place for the Tadmor 2 facility, and potentially the Exigo, Beatty, and Hildenbrand properties. The 105 approval has been received from the Army Corps of Engineers.

Mr. Dooley commented since the submission to the Planning Commission for review, there was an additional list of items that were basically grammatical with respect to the legibility of the plan and these were addressed and JVI resubmitted review. That is the plan before you for approval. Mr. Dooley's letter of June 10, 2021, addressed to the Board outlines his comments and there is no objection to approval of the plan conditional on the June 10, 2021, letter and receipt of the MPDES permit.

Attorney Asteak presented Resolution 21-11 which is a proposed resolution to grant final conditional approval to the Subdivision Plan and Resolution 21-12 which is a resolution to grant final conditional approval to the Land Development Plan. It should be noted that attached to Resolution No. 21-11 and incorporated in that is the Engineering Review Letter of June 10, 2021, along with all the exhibits that are attached as well as a supplemental commentary letter of June 10, 2021, referred to as Final Land Development Plan, Cycle 2 Review, Supplemental Comments. That comprises the packet for the Resolution for the Subdivision Plan. Conditional Final Approval for the Land Development Project Tadmor 2 consists of the language of the resolution itself which incorporates several documents which are the June 10, 2021, letter as well as the June 10, 2021, supplemental comments letter and the May 7, 2021, comments letter from Keystone Consulting Engineers which is referred to in the June 10, 2021, letter. A list of Gun Club Road improvements should be attached to the Resolution, outside the limits of Land Development, which the developer has agreed to provide as part of the conditions of approval. This was provided as part of one of the letters and should be memorialized as part of the Resolution.

Attorney Asteak stated a letter was received today from an unidentified group naming themselves the Upper Nazareth Township Citizens Group containing a series of questions which I will bulk together and respond as follows. The first question was "Since there is pending litigation, how can Project Tadmor 2 proceed through the review process and potentially be given approval?" Attorney Asteak responded the Citizens Group or the individuals who have filed multiple suits against the Township and the Developer have not sought a stay of the Boards' consideration, meaning they have not asked the Judge to stop the Board from considering it. There is no legal impediment for us to proceed with consideration, and in fact, the Pennsylvania Municipalities Planning Code and our SALDO requires us to consider it and take action within a certain period of time in the absence of any extensions granted by the Developer.

It is being suggested that the Township has not provided the citizens with information and how are the citizens supposed to know what is going on at these meetings with Project Tadmor being reviewed. Attorney Asteak responded all of the Supervisors Meetings and all of the Planning Commission Meetings at which Project Tadmor has been discussed have all been public meetings. During the Governor's closure, all of our meetings were broadcast via Go to Meeting and properly advertised as such, and in fact, at some of those meetings some of the representatives of the Citizens Group asked questions and participated. There has been full disclosure at our public meetings of the Boards' review. There has been, however, staff and engineering review going on almost constantly with regard to a variety of both legal and engineering subjects that were raised and those issues could have been tracked through the public meetings during which they were discussed by the Township Engineer. There have been

voluminous Right-to-Know Requests provided to anyone who sought to delve deeper into the records.

The questions of “reports”, which has been the subject of litigation and may still be the subject of pending litigation, the issue of what reports are and what determinations are have been the subject of pretty exhaustive issues involving the Zoning Hearing Board and now the Court of Common Pleas. Questions no. 5 “Has the Township Zoning Officer ever issued a use determination for Project Tadmor 2”, the answer is as follows. On April 7, 2021, the Developer NP Gun Club Building 1, LLC., applied for a Zoning Permit from the Zoning Officer. The Zoning Officer in response to the application for the Zoning Permit wrote “It is the determination of the Zoning Officer that the Zoning Application complies with the Upper Nazareth Township Code of Ordinances to the best of his information, knowledge and belief that a warehouse is a permitted use in the Zoning District of I-2 as it applies to the Northampton County Tax ID Parcel Locations given. The application refers to the construction of a 1,006,155 SF warehouse. The Township received from the Developer’s counsel a proof of publication indicating that a notice pursuant to the Municipalities Planning Code was published in the Morning Call, a newspaper of general circulation in Northampton County on April 26, 2021, and May 3, 2021, giving the public notice of the issuance of the Zoning Permit and determination contained therein.

This is on the agenda for consideration and was publicly advertised to be on the agenda and was on the agenda at our last Planning Commission Meeting and was publicly advertised.

Attorney Asteak stated the PA MPC requires that if you vote to reject a Subdivision or Land Development Plan you must give reasons for that rejection and the reasons for the rejection must cite specific sections of our ordinances that have not been complied with.

Mr. Sylvainus mentioned that another plan was submitted prior to Tadmor 2 and questioned what happens to that plan if the Board approves the plan before them. Attorney Asteak responded it is up to the developer to select which plan they intend to pull the building permit on. Once a building permit is pulled, the other plan goes away. Attorney Kate Durso representing the developer responded the previous plan only has preliminary approval for Project Tadmor 1, and the intent is to move forward with the plan for Tadmor 2. Attorney Asteak commented he did not think anyone wanted a warehouse in that location or that anyone thought a warehouse would be built there, however, the ordinance provides for this use and this property is zoned for that. Unfortunately, everyone is subject to the zoning designation they live in. The Zoning Ordinance says what it does and the Board is, when it comes to land use issues, obligated and must follow the law of the PA MPC, the Zoning Ordinance, and the Subdivision and Land Development Ordinance.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adopt Resolution No. 21-11 Tadmor 2 Minor Subdivision Plan. Motion carried by a vote of 3-1 with Ms. Mullen opposed.

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to adopt Resolution No. 21-12 Tadmor 2 Final Land Development Plan. Motion carried by a vote of 3-1 with Ms. Mullen opposed.

PUBLIC WORKS

Mr. Shupe requested approval for a pay increase to \$22.80 for the Laborer 3 as he has completed his 90 days probation.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve the pay increase to \$22.80 for the Laborer 3. Motion carried by all voting aye. (4-0)

Mr. Shupe commented all PW employees have at lease their Class B licenses.

RECREATION

Nothing at this time.

POLICE DEPARTMENT

Police Chief Cope requested approval for the donation of police services for the McDonalds All-Star Football Game on June 17, 2021, at Nazareth School District Football Stadium on Liberty St., Nazareth.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the donation of police services for the McDonalds All-Star Football Game on June 17, 2021. Motion carried by all voting aye. (4-0)

EMERGENCY MANAGEMENT

Mr. Rinker requested approval to lift the Emergency Disaster Declaration.

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to lift the Emergency Disaster Declaration. Motion carried by all voting aye. (4-0)

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. Sylvainus to adjourn at 7:36 p.m.
Motion carried by all voting aye. (4-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES JULY 7, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Vice-Chairman Robert Disbrow. The meeting was live streamed for anyone wishing to hear.

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Township resident Brian Sayago announced his running for a position on Board of Supervisors and gave a brief synopsis of his objectives.

APPROVALS

Motion was made by Ms. Mullen and seconded by Mrs. Hirst 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 minutes of the June 16, 2021 meeting. 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)

SUPERVISORS' COMMENTS

Nothing at this time.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Nothing at this time.

TOWNSHIP MANAGER/ADMINISTRATION

In conjunction with our recent ordinance establishing the Environmental Advisory County, Mrs. Klem has received letters of interest from 8 individuals wishing to serve on the Environmental Advisory Council, three of which are members of the Board of Supervisors. The EAC is a 7-member Council of which the Board of Supervisors picks the Chairperson. Mrs. Hirst suggested tabling the appointments to the EAC until all members of the Board of Supervisors are present as was done on June 16, 2021.

Motion was made by Mrs. Hirst and seconded by Mr. Disbrow to table the appointments to the EAC until all members of the Board of Supervisors are present. Motion carried by a vote of 3-1 with Ms. Mullen opposed.

Mrs. Klem requested approval to attend the PSATS Centennial Celebration Dinner and Business Meeting on October 14th and 15th, 2021, in Hershey.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve Mrs. Klem attending the PSATS Centennial Celebration Dinner and Business Meeting on October 14th and 15th, 2021, in Hershey to also include lodging. Motion carried by all voting aye. (4-0)

Mrs. Klem requested approval for Upper Nazareth Township to continue participation as part of the Urban County.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve continued participation as part of the Urban County. Motion carried by all voting aye. (4-0)

Mrs. Klem informed the Board of the police air conditioner unit failure earlier in the day. Burkholders HVAC was called and was able to fix the issue. Mrs. Klem stated the units in this building are approximately 12 years old and how long the fix to the police unit will last is anyone's guess. Mrs. Klem will be looking for quotes for upgrading our current air conditioning systems.

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mrs. Klem requested approval to sell the old roadside mower for \$5,700.00 through a bid received on Municibid.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve selling the old roadside mower for \$5,700.00 through Municibid. Motion carried by all voting aye. (4-0)

RECREATION

Approval was requested for UNFD to serve alcohol at Tuskes Park during Community Days 2021.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve UNFD serving alcohol at Tuskes Park during Community Days 2021. Motion carried by all voting aye. (4-0)

Approval was requested for Tuskes Park to remain open past dusk during Community Days on August 27th and 28th, 2021.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve Tuskes Park remaining open past dusk during Community Days on August 27th and 28th, 2021. Motion carried by all voting aye. (4-0)

POLICE DEPARTMENT

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 Mr. Sylvainus and seconded by Mrs. Hirst to adjourn at 7:20 p.m. Motion carried by all voting aye. (4-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES AUGUST 4, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

COURTESY OF THE FLOOR

Township resident Jason Mohap asked about the Zoning Permit the Zoning Officer issued pertaining to the Tadmor project. Attorney Asteak gave a copy of the Zoning Permit to Mr. Mohap. Mr. Mohap asked what the interim agreement on the agenda was about stating he had requested a copy via a Right to Know Request on Tuesday. Mr. Mohap stated he thought the interim agreement was for the developer to proceed with work on land despite the Citizen's Group filing an appeal to the Zoning Hearing Board about. How does Section 111F of the UNT ordinance affect the agreement. Attorney Asteak asked for this discussion to continue when the subject comes up on the agenda as the developer is here to present this item.

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. Disbrow and seconded by Ms. Mullen to approve the minutes of the July 7, 2021 meeting. 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. Sylvainus and seconded by Mr. Disbrow to approve the June, 2021 Financial and Treasurer's Report. Motion carried by all voting aye. (5-0)

SUPERVISORS' COMMENTS

Mr. Rinker announced an executive session was held prior to the meeting.

Mrs. Hirst announced that Tuesday night was National Night Out and thanked the Police and the Fire Departments for hosting the evening at the Fire Station.

Township resident Jeanie Morgano questioned the decision of the Community Days Committee preventing political candidates from having a table and campaigning at Community Days. Discussion took place between Ms. Morgano, Mr. Tim Schantz, and Mr. Jeff Fassl pertaining to this decision by the Committee. Mr. Brian Sayago stated he plans on going to Community Days as an individual and hand out campaign literature, meet the residents and the voters and talk to people about what I stand for. Mr. Sayago asked if others would be permitted to campaign at the park during Community Days and what will happen since the Committee decided there would be no political activity. Attorney Asteak responded, although the Committee has determined that they do not sanction political booths, to prevent you from walking around and campaigning as an individuals would be a deprivation of your first amendment rights. There is nothing to prevent you from doing what you want to do regarding your walking and campaigning personally anywhere. Mr. Asteak stated it has been made known that the Committee would not like to see political activity, but they cannot prevent you from doing so. The first amendment protects that right.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak received a request from Counsel for Tadmor 2 to enter into an interim agreement to move dirt pending final approval from third party agencies and entering into an improvements agreement and recording of a final plan. Attorney Asteak invited Counsel to make that presentation to the Board. Attorney Durso, representing Tadmor 2, addressed the Board stating they have conditional final approval, pending approval from outside agencies. The NPDES permit has been received which allows them to move dirt. In order to record the land development plan, documents for the township have to be executed, security posted, convey the right of way. Many municipalities will enter into an indemnity agreement which essentially protects the township as the developer moves dirt in accordance with the NPDES permit. The agreements provide for escrow to be posted to ensure that whatever work is being done is also being properly inspected, however, this is just limited to the moving of dirt. There is not building permit issued, no building being constructed. What the developer is requesting is nothing unusual. The developer understands that they are proceeding at their own risk.

Mr. Disbrow asked if there wasn't something legal that was appealed recently that would prohibit this type of activity. Attorney Durso responded there have been 4 different complaints filed with the Court of Common Pleas, two of which have been dismissed with prejudice, one without prejudice, was refiled, and we are waiting for a decision in that case. That appeal pertains to Tadmor 1 preliminary plan approval and a letter that was issued by Mr. Soloe to Attorney Asteak. Most recently the Citizen's Group has filed an appeal to the Zoning Hearing Board for the Zoning Permit that was issued by the Zoning Officer in April as well as some other issues that were alleged actions by the Board of Supervisors that I would argue the Zoning Hearing Board does not have jurisdiction over the Board of Supervisors because that is land development. Mr. Disbrow asked if it would be wise to move dirt with the pending litigation.

Attorney Durso responded the applicant is confident and comfortable in proceeding to move dirt at their own risk. Attorney Durso stated the appeal was untimely and does not fall under the jurisdiction of the Zoning Hearing Board.

Mr. Dooley asked for clarification in “just moving dirt.” Mr. Dooley questioned if storm sewer pipe was going to be laid. Attorney Durso responded yes. Mr. Dooley responded Upper Nazareth Township has done this with Heritage Village and this is a relatively normal practice once an applicant has their NPDES permit to allow earthwork to proceed. From an engineering point of view and a procedural point of view, I do not have an objection.

Mr. Rinker asked what happens if the Citizen’s Group were to win their suit, would the developer have to put the field back into its prior condition. Attorney Durso responded it would depend on the nature of the determination that is made, as the land development is different than the zoning and what the developer is proceeding with is the zoning. If it was determined that the use was not permitted, the developer would not proceed with the use. It would not be required to be put back into its existing state unless something is installed that is not finished and is having an adverse effect on surrounding properties. This agreement protects the Township and indemnifies the developer to the Township. Attorney Durso commented again the developer proceeds at their own risk. If they thought the risk was high, they would not be proceeding. Mr. Sylvainus commented there is a risk to the Township, that is why this agreement is being requested therefore alleviating the Township of liability. Attorney Asteak stated the agreement provides for inspections by the Township Engineer to ensure that the earth moving, stormwater and whatever construction there is, is done in conformity with the plan.

Township resident Jason Mohap asked how the Board could act on this request when there is pending litigation. Attorney Asteak responded there is no court ordered stay. The appellants have not gone to the courts to direct the Township to stop consideration or stop our compliance with the MPC, SALDO or Zoning Ordinance. They have not gone to court to stop construction. If they choose to do so, they may wish, but as the developer said they are proceeding at their own risk. Mr. Mohap stated in the Township Ordinance 111.F it does not state the Citizens have to go to the court. Attorney Durso commented the MPC has additional language than 111.F which must be followed. Mr. Rinker requested moving forward with a vote. Attorney Asteak requested a few moments to review language in the ordinance and MPC. Attorney Asteak allowed the Board to proceed with their vote. Mr. Rinker asked if there was a motion to approve the Interim Agreement for Tadmor 2.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the Tadmor 2 Interim Agreement. Motion carried by a vote of 4-1 with Ms. Mullen opposed.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem informed the Board there are eight individuals interested in serving on the Environmental Advisory Committee, three of which are supervisors. Concerns regarding three supervisors serving together on a committee, Mrs. Klem reached out to PSATS Legal for guidance. PSATS Legal response was, although this is permitted, it is advised against having this situation occur as a quorum of supervisors would exist. Attorney Asteak commented it is a

problem having quorum of the Board of Supervisors serving on the council. As no supervisor wanted to rescind their interest in serving on this council, the Board proceeded to appoint the remainder of the committee. The remaining individuals interested in serving on this council are Nathan Pritchard, George Hasker, Anton Shannon, Frank Hirst and Brian Sayago.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to appoint Nathan Pritchard, George Hasker and Anton Shannon to a three-year term, and Frank Hirst and Brian Sayago to a two-year term, with Nathan Pritchard serving as the Chairman of the Environmental Advisory Council. Motion carried by all voting aye. (5-0)

Mrs. Klem informed the Board the NCATO County Convention would be held September 30, 2021, from 2:30 to 8:00 pm at Green Pond Country Club and requested approval for any staff wanting to attend the convention.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve staff and Board attendance at the NCATO Annual Convention. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval to advertise for the Treasurer Position.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve advertising for the Treasurer's position. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Rinker and seconded by Mrs. Hirst to approve the June, 2021 Fire, Police, Public Works, and Zoning. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Mr. Chris Brown Design Coordinator and Landscape Architect for MorningStar Heritage Village presented a pathway extension plan which would connect the pathway out to Porter Street allowing the residents to walk to Nazareth Borough Park. This plan was submitted to the Township Engineer. It was suggested that MorningStar come to the Board and to possibly roll the pathway extension into the overall plan and record it. It will then be memorialized into the entire project. Mrs. Klem asked since this would change the plan, would this have to be reviewed by the Planning Commission. Attorney Asteak stated this is a minor revision and the review by the Planning Commission would not be required. However, a revised overall plan will be required to reflect that change so that a final recorded plan shows the change to extending the pathway out to Porter St. Mr. Brown commented if the Board is in approval of the pathway extension, it will be included in their submission for approval for Phases 5 and 6. Attorney Asteak stated an overall final plan needs to be recorded that shows everything as finally approved. Mr. Dooley stated there were other changes made after approval, therefore, something needs to be documented on the plan that these items changed. Attorney Asteak requested putting a note on the plan stating this final plan represents the following phase amendments incorporated over the course of the development.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the Heritage Village Pathway Extension. Motion carried by all voting aye. (5-0)

Mr. Brown began discussion on Heritage Village Phases 5 and 6, Phase 5 being the southernmost pocket neighborhood, Phase 6 is to the north along Beil Avenue. These phases are the same trend and fashion of the previous phases and will consist of 38 units total comprised of single and twin cottages. All townhouse buildings have been removed from Phases 5 and 6 which has dramatically brought down our unit counts. Our last approval was for 153 units. The total number of units for the overall project will be 124. Our density per acre projections are below what is permitted. Our open space ratios are adequate and stormwater calculations remain constant. Phase 3 is 100% sold with about 50% sold in Phase 4. Sales are strong right now. MorningStar is comfortable with the sales and will probably begin Phases 5 and 6 by the end of the year. Possibly coming back for an indemnification agreement. Everything is consistent with previous phases. There is one more resident garden, an emergency access onto Beil Ave. in the same location as approved originally that will not be a permanent connection. A design feature in Phase 6 will allow for future expansion if the opportunity presented itself to acquire additional land to the north. This will bring us to full completion of our plan. Associated with the plan approval, tonight we have two waiver requests, one is the standard one which has been requested in every phase which is for the distance of driveways to intersections, and a new request having to do with the stormwater management which has been discussed in detail with the Township Engineer and the Planning Commission.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the requested waiver of SALDO 733.616 and 733.612 for Heritage Village Phases 5 and 6 for units 89, 90, 107, 108, 109, 112, 113, 114, 124 and 126 per Hanover Engineering Letter of May 12, 2021. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve Heritage Village request of waiver to SALDO Chapter 23A, Section 307.9 per Hanover Engineering Letter of May 12, 2021. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Resolution No. 21-13 Heritage Village Phase 5 and 6 Final Land Development Plan conditional upon KCE's letter dated June 6, 2021 and review of the plan by the Upper Nazareth Township Fire Chief. Motion carried by all voting aye. (5-0)

PUBLIC WORKS

Mr. Shupe requested approval to purchase a Line Lazer from Gelco Paints in the amount of \$3,939.00 to eliminate borrowing the equipment from another municipality.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve the purchase of a Line Lazer from Gelco Paints in the amount of \$3,393.00. Motion carried by all voting aye. (5-0)

MS4

Mr. Shupe reported DEP has performed our first audit of the Township's MS4 program. There were no violations noted. Mr. Shupe stated the meeting with DEP was productive and informative as the Township now has a better understanding of how MS4 recording is to be conducted. Mr. Shupe stated it is also a requirement to have MS4 on the agenda to prove MS4 is being discussed. DEP would like more information in our newsletter. DEP would like to put MS4 back on the residents for clean water going into the storm drains. This will be a group effort among administrative staff. Mrs. Klem stated DEP looked at our Stormwater Ordinance wanting the Township to revisit the ordinance as our ordinance does not contain language pertaining to enforcement. DEP is sending sample ordinances that will be forwarded to Attorney Asteak for amending our current ordinance. The Board may also want to appoint a code enforcement officer to enforce the stormwater issues. Regarding community outreach and engagement, Mr. Nathan Pritchard stated he works with the Bushkill Creek Water Association for Upper Nazareth Township and the Conservation District has MOU's with Plainfield Township and several other townships so there help with support programs.

RECREATION

Mrs. Klem stated two individuals are interested in serving on the Recreation Board and requested appointment of Jeanie Morgano and George Haker to the Recreation Board.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to appoint Jeanie Morgano and George Hasker to the Recreation Board. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

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 Mr. Disbrow and seconded by Mrs. Hirst to adjourn at 8:25 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES SEPTEMBER 1, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

Meeting called to order at 7:00 p.m. by Vice-Chairman Robert Disbrow. The meeting was live streamed for anyone wishing to hear.

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Nothing at this time.

APPROVALS

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

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the minutes of the August 4, 2021 meeting. 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. Sylvainus and seconded by Ms. Mullen to approve the July, 2021 Financial and Treasurer's Report. Motion carried by all voting aye. (4-0)

SUPERVISORS' COMMENTS

Ms. Mullen announced the Environmental Advisory Committee will be meeting on September 20, 2021 at 6:30 pm at the Township Municipal Building.

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Approval of the Pre-Recording Indemnification Agreement for Tadmor 2 was tabled pending review of final language.

Attorney Mills requested approval of the agreement with Norfolk Southern Railway Company. Mr. Dooley explained the agreement is relative to Tadmor 2 rebuilding the railroad crossing. This type of agreement has been done in other municipalities. The agreement allows Norfolk Southern to give us an estimate of engineering costs for completion of the work. The developer has posted escrow covering the estimated costs.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to authorize execution of the agreement with Norfolk Southern Railway Company. Motion carried by a vote of 3-1 with Ms. Mullen opposed.

Attorney Mills requested approval of Resolution No. 21-14 authorizing Lower Nazareth Township to consider incorporation of Parcel #K7-17-18 into their Agricultural Security Area.

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve Resolution No. 21-14 authorizing Lower Nazareth Township to consider incorporation of Parcel #K7-17-18 into their Agricultural Security Area. Motion carried by all voting aye. (4-0)

Attorney Mills requested approval to advertise Ordinance No. 186 Prohibiting Owners from Allowing Livestock to Run at-large. Ms. Mullen requested amending the ordinance to include Llamas and Alpacas.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve advertising Ordinance No. 186 prohibiting owners from allowing livestock to run at-large and to include Llamas and Alpacas in the ordinance. Motion carried by all voting aye. (4-0)

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem announced the 2021 2nd quarter Nationwide and Girard Police Pension reports are available for review.

Mrs. Klem asked the Board if they wanted to open the conference room to outside organizations for meetings, as we have had some inquiries. Mrs. Hirst expressed opposition, stating Northampton County has one of the highest COVID rates in the state. The Board decided to table opening the conference room to outside organization and review periodically.

Mrs. Klem requested approval to advertise 2022 Budget Meeting Workshops. Mrs. Parrish suggested amending the agenda to include MS4 Workshops in that advertisement.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to amend the agenda to include the advertisement of MS4 Workshops with the 2022 Budget Workshops. Motion carried by all voting aye. (4-0)

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve advertising the 2022 Budget Meeting Workshops and MS4 Workshops. Motion carried by all voting aye. (4-0)

Mr. Klem requested approval of the 2022 Police Pension MMO and the 2022 Non-Uniform Pension MMO which need to be included in the 2022 Budget.

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the 2022 Police Pension MMO. Motion carried by all voting aye. (4-0)

Motion was made by Ms. Mullen and seconded by Mrs. Hirst to approve the 2022 Non-Uniform Pension MMO. Motion carried by all voting aye. (4-0)

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the July, 2021 Fire, Police, and Zoning reports and the June and July 2021 Public Works reports. Motion carried by all voting aye. (4-0)

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Nothing at this time.

MS4

Mr. Dooley stated after DEP completed their MS4 inspection, a meeting with staff and Mike Schallock took place. As the Township is in year 1 of the Pollution Reduction Plan, discussion took place as to what could be done by June of 2022 to meet the objective of the PRP. The following items needing approval by the Board is the outcome of this meeting.

Mr. Dooley requested approval for KCE to perform Pathogen Testing beginning mid-September, ending April 2022 in time for annual reporting.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve KCE performing Pathogen Testing. Motion carried by all voting aye.

Mr. Dooley requested approval for KCE to perform survey, design and permitting for Basin-1 retrofit (Farmview) beginning mid-October 2021, ending May 2022. This is one objective of the PRP of completing one project per year.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve KCE performing survey, design and permitting for Basin-1 (Farmview). Motion carried by all voting aye. (4-0)

Mr. Dooley requested approval for KCE to address PA-DEP deficiencies outlined in their Inspection Report with the anticipation of getting this work completed within 6 to 8 months.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve KCE addressing PA-DEP Inspection Report deficiencies. Motion carried by all voting aye. (4-0)

Mr. Dooley would like to hold two workshops pertaining to the MS4 Program. One workshop would address the administrative aspect of the program and the second workshop would address revising the ordinance to comply with the DEP requirements, such as making sure development stormwater is compatible with our program and setting forth enforcement of the ordinance.

RECREATION

Mr. Disbrow thanked the Public Works Department and the Administrative Staff for all their work prior to, during, and after Community Days 2021. Mr. Disbrow thanked the Police Department for their participation at Community Days and commented on the outstanding feedback received from the Community for their presence. Mr. Disbrow also thanked the Fire Department for helping with the set up and clean up. Mr. Disbrow went on to thank the Community Days Committee for putting the event together.

Mr. Sylvainus stated the Recreation Board met recently and he would forward the minutes to the office.

POLICE DEPARTMENT

Police Chief Cope requested approval for the conditional offer of employment to 2 part-time officers.

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to approve the conditional offer of employment to 2 part-time officers. Motion carried by all voting aye. (4-0)

Police Chief Cope informed the Board the Schoeneck Ave. traffic study has been completed with the average speed of 38 MPH. The present speed limit is 35 MPH. Police Chief Cope suggested lowering the speed limit to 25 MPH from the Bushkill Township line to the intersection of Route 191 and Schoeneck Ave. and then continuing from the Route 191 Intersection on Friedenstahl Ave. to the 5th St. intersection where the 25 MPH speed limit begins continuing to Tatamy Rd. Mr. Dooley stated he would prepare a report supporting the reduction in the speed limit. This will be place on the agenda for the next meeting.

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. Mullen and seconded by Mr. Sylvainus to adjourn at 7:43 p.m.
Motion carried by all voting aye. (4-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES OCTOBER 6, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Nothing at this time.

APPROVALS

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

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

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

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

SUPERVISORS' COMMENTS

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

TOWNSHIP ENGINEER

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

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to authorize KCE preparing the Traffic Study Report supporting the reduction of the speed limit on Schoeneck Ave. through the intersection of Route 191 and Friedenstahl Ave. continuing on Friedenstahl Ave. to where the speed limit currently is 25 mph. Motion carried by all voting aye. (5-0)

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

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

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

TOWNSHIP SOLICITOR

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

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

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

Township resident Michelle Martin made a statement pertaining to poultry specified in the ordinance. Ms. Martin stated chickens fly and clipping their wings is not an option for her. Ms. Martin also stated the ordinance specifies fines up to \$1,000 and wanted to know who sets the fine. Attorney Asteak responded the fine is up to the judge and how egregious the incident

is. Attorney Asteak also stated regarding poultry, high fences can be erected to keep them in, and there is a way to clip their wings properly as to not harm the poultry.

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

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

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

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

TOWNSHIP MANAGER/ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

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

APPROVAL OF DEPARTMENT REPORTS

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

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

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

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

MS4

Nothing at this time.

RECREATION

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

POLICE DEPARTMENT

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

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

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

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Nothing at this time.

FIRE DEPARTMENT

Nothing at this time.

OLD BUSINESS

Nothing at this time.

NEW BUSINESS

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

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

ADJOURNMENT

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

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES NOVEMBER 3, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

Attorney Asteak stated the Township learned a few days ago that a lawsuit had been filed by Faust Family Limited Partnership II with action to quiet title that was filed in connection with various properties and over 300 residents named as defendants. No one, including the Township, had been served with the pleading and in doing research, it was learned that the Court had granted the plaintiff the right to serve the pleading by publication. This means that everyone would have only learned about it by reading it in the classified section of the Express Times. With that in mind, and after receiving a copy of the complaint from one of our residents who had a problem with a refinance because of the pending lawsuit, Attorney Pierce, who is the attorney that filed the lawsuit, was requested to appear this evening, and explain to the Board exactly what this lawsuit is about. A similar action was filed about 3 years ago, whereby the Township only found out about the lawsuit from a resident. In that case the Court denied the motion to only publish notification in the newspaper, which meant all residents named in the lawsuit would have to be served individually, and the action was terminated. Attorney Asteak asked Attorney Pierce to please explain this action.

Attorney Al Pierce stated in 1905 a person named Rabenold filed the East End Improvement Plan of Lots. That plan covers every property between West Street and what would have been East Street which is basically the boundary of the school property. There were 700 some lots in Mr. Rabenold's plan. In 1905 a lot was 30' x 125' and fronted on what would have been the main streets and backed on an alley. The plan didn't get built, but West Street, Mt. Vernon, Friedenstahl, Center Streets are all on the plan and are where they were meant to be. Looking at the plan, you will see the streets were to run north to south, east to west, the full boundary of the property. The Faust Property is 4th Street and West Street. The purpose of the quiet title action is to quiet the title in West Street, which is a 30' paper street, to quiet the title in half of 2nd Street, which is a paper street and the southern boundary of the apartment, and Wood Street, which is the alley between West Street and Mt. Vernon. The order says advertise for the people distant from the property, serve for the properties within 200 feet. This has absolutely no practical meaning to anyone other than the residents in the one block of Mt. Vernon that share Wood Street with the apartments. What it does legally is deny everyone the right to drive on West Street that doesn't exist, but in theory, every property owner in those original lots has the

right to drive on the streets. The only way to eliminate that is to a quiet title. In 1987 a quiet title action was filed for the lots across from the Faust Property.

Township resident Candace Keller stated the residents were told there were liens placed on their properties. Attorney Pierce stated this is only a notice to the residents in the Rabenold plan that you are losing your right to drive on that portion of West Street that is near 4th Street by the school and half of 2nd Street. Attorney Asteak stated Attorney Pierce is correct, it is not a lien against your property. When you see it in a title search, it does raise a question. This suit just extinguishes your right to use the streets that Attorney Pierce wants to acquire for his client as they lie adjacent to land his client owns.

Township resident Stephanie Dezzi stated she is the person that found out about this lawsuit, as during a refinance she was informed by Title 365, via email, that this is a quiet title action and is a serious matter. You will need a copy of the complaint filed on 9/14 and it is necessary to find out what the action is about. If anyone is going to sell or buy, it will be delayed.

Township resident Becky Bartlett stated there have now been 2 of these lawsuits and when applying for a loan it is perceived as being a lien as far as the bank is concerned. From our perspective, this is a lien. Attorney Pierce clarified if a judgement is filed against you, that is a lien, this is not. Ms. Bartlett stated permission was granted on September 17, 2021, to run an ad notifying everyone that this action was put in place. It's been more than 6 weeks and the action filed in 2018 was left open for over 250 days. That is way too long of time. If the complaint is read correctly, once the notice is published, those named in the lawsuit would have 20 days to respond at which time you would pull the quiet title. Attorney Pierce responded after 20 days a notice is sent for another 10 days, at which point the court issues an order. The order concludes the matter.

When the Township found out about this complaint, Attorney Asteak made his appearance on behalf of the Township as the Township was named, so judgement is not going to be entered quickly as the Township wants to know what the impact of this complaint is upon our public roads. The Township is not able to protect all of your individual personal rights and those who own property adjacent should consult their own attorney to get personal advice as to what the impact this had on you.

Mrs. Hirst stated this is the second time this has occurred, and this is Farmview specific. Mrs. Hirst is frustrated and upset about this as the only way anyone found out about the complaint was when someone was going through refinancing. That is not appropriate from a legal standpoint. How do we prevent this from happening again in the future? Attorney Asteak stated he would be speaking with the Board about the possibility of getting authorization for everyone to be served personally or some alternative means that a court would be satisfied with to make sure everyone gets a copy of the complaint. The Township cannot prevent people from filing lawsuits.

Township resident Lisa Lyon asked how we can prevent this from happening again in this shady manner, not from filing a lawsuit, as this was very shady, very underhanded. Ms. Lyon

wanted to know why Attorney Pierce's client wants this property. Attorney Pierce responded that is the presumption. Mr. Sylvainus asked what was filed in the courthouse? Attorney Pierce responded the complaint. Mr. Sylvainus asked if this was the whole action? Attorney Pierce replied yes, it's the complaint of what they are trying to acquire quiet title to.

Township resident Bill Bartlett the issue most of us have is one of timing. Information allows us to protect our interests. You filed the action and to this point other than the electronic version several of us have seen, you did not notify us. Why was there the timing offset from when the action was filed and the information necessary to understand and protect our interests was or will be in a functional hard copy be provided. Attorney Pierce responded the action was supposed to be advertised but was not done quick enough. Mr. Rinker asked why it wasn't timely. Attorney Pierce responded it was just internal.

Attorney Asteak stated before the meeting is over, he will ask the Board to file a petition with the Court to strike the order that allows for publication.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to authorize Attorney Asteak to file a Petition to Vacate Order Authorizing Service by Publication. Motion carried by all voting aye. (5-0)

Ms. Lyon asked Attorney Asteak as to why he stated they should contact their individual attorneys regarding this issue. Attorney Asteak responded he could not give them legal advice. Mrs. Hirst asked who ultimately will decide if this paper alley goes away or not. Attorney Asteak responded the judge. If you wish to participate in these proceedings in Court, after you have been served the complaint, you can enter your appearance and be notified of future proceedings. Mrs. Hirst stated those residents that have property contiguous should get a lawyer to make sure their rights are protected. Attorney Asteak responded he would suggest they consult with a lawyer to see what their rights are.

COURTESEY OF THE FLOOR

Township resident Thomas Horan questioned why a variance was issued to the house on the corner of Friedenstahl Ave. and 3rd St. to move their mailbox and change their address from 3rd St. to Friedenstahl. The Board directed Mr. Horan to discuss the matter with the Township Zoning Officer.

Mr. James Cunningham, Upper Nazareth Township Library Rep. expressed is disappointment with the Township's lack of participation in the Library Touch-a-Truck. It was explained there was a lack of communication as the invitation to participate was not received prior to the deadline for responding. Mr. Sylvainus asked if the issue had been resolved. Mrs. Klem stated she has a good working relationship with the library and spoke with both Holly Bennett and the secretary to insure the miscommunication would not happen in the future.

APPROVALS

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

Motion was made by Mr. Sylvainus and seconded by Mr. Rinker to approve the minutes of the October 6, 2021, meeting. Motion carried by all voting aye. (5-0)

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

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

SUPERVISORS' COMMENTS

Mr. Rinker announced an Executive Session was held on October 25, 2021, and prior to the meeting for personnel and litigation purposes.

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve Resolution No. 21-15 adopting the 2022 General Fund Budget. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Resolution No. 21-16 setting the 2022 Real Estate Tax Rate at 7.59 mills and the Special Library Tax at .60 mills. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve Resolution No. 21-17 setting the Act 511 Tax Rates for 2022. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mr. Rinker to approve the 2022 Liquid Fuels Budget. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to approve the 2022 Recreation Budget. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to approve the 2022 Library Tax Budget. Motion carried by all voting aye. (5-0)

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve the Supplemental Appropriations for the 2021 Budget to include the ARP funding. Motion carried by all voting aye. (5-0)

TOWNSHIP ENGINEER

Nothing at this time.

TOWNSHIP SOLICITOR

Attorney Asteak requested approval to advertise a resolution appointing a CPA firm to conduct the 2021 audit.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve advertising a resolution appointing a CPA firm to conduct the 2021 audit. Motion carried by all voting aye. (5-0)

TOWNSHIP MANAGER/ADMINISTRATION

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

Mrs. Klem requested approval to advertise the 2022 Re-Organization, BOS, PC, ZHB, REC and EAC Meeting dates. Mr. Sylvainus stated the Recreation Committee would like to change the time of their meeting to 7:00 pm.

Motion was made by Mr. Rinker and seconded by Mr. Disbrow to approve advertising the 2022 Re-Organization, BOS, PC, ZHB, REC, and EAC Meeting dates with a change in the time of the REC meetings to 7:00 pm. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of the 2022 Holiday Schedule.

Motion was made by Mrs. Hirst and seconded by Mr. Sylvainus to approve the 2022 Holiday Schedule. Motion carried by all voting aye. (5-0)

Mrs. Klem spoke about the postage meter contract up for renewal and requested to try using stamps.com for the Township postage.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to not approve the postage meter contract with Quadiant and using stamps.com. Motion carried by all voting aye. (5-0)

Mrs. Klem expressed the Township's thanks to Northampton County as the Township received 2 grants through NORCO one for 2 vehicles for a grant of \$50,000 and the second the Hotel Tax Grant in the amount of \$7,799 to be used for Community Days.

APPROVAL OF DEPARTMENT REPORTS

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

PLANNING & ZONING

Nothing currently.

PUBLIC WORKS

Nothing currently.

MS4

Nothing currently.

RECREATION

Motion was made by Mr. Disbrow and seconded by Ms. Mullen to approve Thursday, August 25, Friday, August 26, and Saturday, August 27, 2022, for Community Days. Motion carried by all voting aye. (5-0)

Mr. George Hasker of the Recreation Board stated an email was circulated pertaining to a Pickleball League. Mr. Hasker said it was agreed during the Rec Board Meeting the Recreation Committee would look at this further and come to the Board of Supervisors with more information.

Mr. Hasker said the Recreation Committee discussed having a place to get out announcements and get feedback from the community, so a Facebook page was set up. Mr. Rinker stated the problem is when using the Upper Nazareth Township name, it must be authorized by the Board. Mr. Rinker asked Attorney Asteak if there were any legal issues with having this Facebook page. Attorney Asteak stated there is no problem with having Facebook page if there are parameters with who is monitoring the activity of the Facebook page and what can be posted on the page. The Board of Supervisors should adopt some basic parameters on how it is being managed. Mr. Hasker stated when setting up a group there are certain rules in general, no profanity, no advertising, and only one person tried selling something which was blocked. Mr. Hasker encouraged the Board to join the group so they could see what was being posted. Mrs. Klem stated the Facebook page is great for announcements. Attorney Asteak stated it should be limited to announcement and similar things and asked Mr. Hasker to bring a policy to the Board just listing the parameters. Mr. Rinker requested the Rec. Board prepare the policy to bring to the Board. Attorney Asteak suggested also including a minimum timeframe for someone on the Rec Board checking the page monitoring the appropriateness of the postings.

POLICE DEPARTMENT

Police Chief Cope stated he has resignation letters from 3 part-time officers.

Motion was made by Mr. Disbrow and seconded by Mr. Rinker to accept the resignation of part-time officers Sean Stark, Jaron Steinmetz, and Jeff Fritz. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Nothing currently.

SAFETY COMMITTEE

Nothing currently.

FIRE DEPARTMENT

Fire Chief Jeff Fassl as if the Township has an ordinance in place dealing with nuisance alarms. Attorney Asteak and Mr. Sylvainus replied they thought there was, but the Township would investigate this further. If none exists, one could be written.

OLD BUSINESS

Nothing currently.

NEW BUSINESS

Nothing currently.

ADJOURNMENT

Motion was made by Mr. Disbrow and seconded by Mr. Sylvainus to adjourn at 8:24 p.m. Motion carried by all voting aye. (5-0)

Respectfully submitted,

*Betty Parrish
Recording Secretary*

MINUTES NOVEMBER 17, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Township resident Becky Bartlett thanked Attorney Asteak, the Township and the Supervisors for their assistance to the residents of the Farmview Area and the lawsuit that was filed by Attorney Pierce on behalf of Faust Family Limited Partnerships to acquire property in the Farmview Area.

APPROVALS

Motion was made by Ms. Mullen and seconded Mr. Sylvainus by 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 of the November 3, 2021, meeting. Motion carried by all voting aye. (5-0)

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)

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

SUPERVISORS' COMMENTS

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

Mr. Rinker announced the Board would like to have the Department Heads present at the Board of Supervisors Meetings, on the first meeting of the month, about 15 minutes early for brief open communication.

TOWNSHIP ENGINEER

Mr. Dooley prepared a report, as requested, for the reduction of the speed limit from 35 MPH to 25 MPH on Schoeneck Ave. from the boundary with Bushkill Township to the Intersection of Route 191, continuing on Friedenstahl Ave. from Route 191 to the section of Friedenstahl Ave. currently posted at 25 MPH. Mr. Dooley stated he can substantiate the rationale to make this change and recommends this reduction in the speed limit.

Motion was made by Mrs. Hirst and seconded by Ms. Mullen to approve the Solicitor preparing and advertising an ordinance for the reduction of the speed limit on Schoeneck Ave. and Friedenstahl Ave. to 25 MPH. Motion carried by all voting aye. (5-0)

TOWNSHIP SOLICITOR

Attorney Asteak petitioned the court to strike a previous order for services to be delivered electronically based on the lawsuit filed by Faust Family Limited Partnership. Attorney Asteak appeared in front of Judge Beltrami whereby the judge reversed the order for electronic notification of the lawsuit. Judge Beltrami has ordered notification of residents to be delivered by Certified Mail, return receipt. Should the receipt not be returned or the notification returned unopened, notification must be delivered personally.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem introduced new Township employee, Deanne Werkheiser, who will be replacing Mrs. Parrish when she retires.

Mrs. Klem stated Chris Brown, representing Heritage Village, is present tonight as an application for private fire hydrants for Heritage Village Phases 5 and 6 is needed for the installation of 3 new fire hydrants in Phases 5 and 6 of Heritage Village. Fire Chief Jeff Fassl has reviewed the plans and has no objection to this application. Mrs. Hirst asked if the hydrants would be fitted with Storz hook-ups, and Fire Chief Fassl responded yes.

Motion was made by Mr. Sylvainus and seconded by Mrs. Hirst to approve application for private fire hydrants for Heritage Village Phases 5 and 6 and to authorize Township Manager to sign the application. Motion carried by all voting aye. (5-0)

APPROVAL OF DEPARTMENT REPORTS

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

PLANNING & ZONING

Nothing at this time.

PUBLIC WORKS

Mr. Shupe announced the yard waste facility would be closing on Saturday, November 20, 2021.

MS4

Nothing at this time.

RECREATION

Motion was made by Ms. Mullen and seconded by Mr. Sylvainus to accept the resignation of Recreation Board Member Robert Disbrow. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope requested approval in a change of rank for Officer Rizzotto from Corporal to Detective.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve change in rank from Corporal to Detective for Officer Rizzotto. Motion carried by all voting aye. (5-0)

Police Chief Cope requested approval for Vigilance Hose Company's St. Patrick's Day Shamrock 5K Race on March 19, 2022.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve Vigilance Hose Company's St. Patrick's Day Shamrock 5K race on March 19, 2022. Motion carried by all voting aye. (5-0)

EMERGENCY MANAGEMENT

Nothing at this time.

SAFETY COMMITTEE

Mrs. Parrish will schedule a Safety Committee Meeting and notify the members of the date.

FIRE DEPARTMENT

Fire Chief Fassel asked for the Board to re-address instituting an ordinance pertaining to nuisance alarms. The staff is currently working on this.

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 7:20 p.m.
Motion carried by all voting aye. (5-0)

Respectfully submitted,

Betty Parrish
Recording Secretary

MINUTES DECEMBER 15, 2021
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

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

Pledge of Allegiance

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

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

COURTESEY OF THE FLOOR

Township resident Becky Bartlett inquired as to what was happening with the Faust Quiet Title suit as it was required the residents of the Farmview area be served via Certified Mail and she has not received anything. Attorney Asteak will make inquiry into this matter.

Township resident Joanne Messenlehner asked about the speed limit signs on Schoeneck Ave. Mr. Shupe stated the current signs were removed for placement of the new signs with the reduced speed limit.

AWARDS AND RECOGNITIONS – POLICE

Police Chief William Cope presented a Unit Citation to Sergeant Mark Herman, Officers Brian Kiselewsky, Cory Fluck, David Gentile, Kundan Dave, and Christine Trauger for their quick response to the recent bomb scare at the Nazareth versus Allentown Central Catholic high school football game.

Police Chief Cope presented a Letter of Commendation to Detective Ben Rizzotto for working with the FBI and quickly resolving the bomb scare case.

APPROVALS

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

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to approve the minutes of the November 17, 2021, meeting. Motion carried by all voting aye. (5-0)

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

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

SUPERVISORS' COMMENTS

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

TOWNSHIP ENGINEER

Mr. Dooley thanked the Board for the opportunity to provide engineering services to Upper Nazareth Township and wished everyone a happy holiday season.

TOWNSHIP SOLICITOR

Attorney Asteak stated Ordinance 187 establishing speed limit on Schoeneck Ave. from the municipal boundary with Bushkill Township to East Lawn Road and Friedenstahl Ave. from East Lawn Road to 5th St. at 25 miles per hour and providing penalties for violation thereof, has been duly advertised in the Express Times November 25, 2021, and is ready for adoption.

Motion to was made by Mrs. Hirst and seconded by Ms. Mullen to adopt Ordinance 187 establishing speed limit on Schoeneck Ave. from the municipal boundary with Bushkill Township to Route 191 and on Friedenstahl Ave. from Route 191 to 5th St. at 25 miles per hour. Motion carried by all voting aye. (5-0)

Attorney Asteak informed the Board the Zoning Hearing Board has issued their opinion with regard to Project Tadmor. Mr. Sylvainus asked what the findings were by the Zoning Hearing Board. Attorney Asteak responded the Zoning Hearing Board agreed with the Zoning Officer's determination that the proposed use on the property was a warehouse as defined in the Upper Nazareth Township Ordinances.

Attorney Asteak recognized Mrs. Hirst for her years of service to Upper Nazareth Township and the countless hours Mrs. Hirst has spent working on Township business.

Attorney Asteak wished everyone Happy Holidays.

TOWNSHIP MANAGER/ADMINISTRATION

Mrs. Klem requested approval of Resolution No. 21-19 establishing the 2022 Fee Schedule.

Motion was made by Ms. Mullen and seconded by Mr. Disbrow to approve Resolution No. 21-19 establishing the Upper Nazareth Township 2022 Fee Schedule. Motion carried by all voting aye. (5-0)

Mrs. Klem requested approval of the Township Manager Employment Agreement from January 1, 2022 through December 31, 2023.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the Township Manager Employment Agreement commencing January 1, 2022 and ending on December 31, 2023. Motion carried by all voting aye. (5-0)

Mrs. Klem asked for a motion to close the payables and receivables on December 29, 2021.

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve year end book closing on December 29, 2021. Motion carried by all voting aye. (5-0)

Mrs. Klem wished everyone a Happy Holiday.

APPROVAL OF DEPARTMENT REPORTS

Motion was made by Mr. Disbrow and seconded by Mrs. Hirst to approve the November, 2021 Fire, Police, and Zoning reports. Motion carried by all voting aye. (5-0)

PLANNING & ZONING

Mr. Rinker asked what could be done about the blighted property at the corner of Schoeneck Ave. and Route 191 as the siding is falling off and it has been vacant for many years. Attorney Asteak referred this to the Zoning Officer.

PUBLIC WORKS

Mr. Shupe asked the Board to accept the resignation of Mark Manieri.

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

MS4

Nothing at this time.

RECREATION

Motion was made by Mr. Sylvainus and seconded by Mr. Disbrow to appoint Kristin Mullen to the Recreation Board with a term to expire December 31, 2022. Motion carried by all voting aye. (5-0)

POLICE DEPARTMENT

Police Chief Cope asked what the Board wanted to do with the decommissioned police car #541.

Motion was made by Mr. Sylvainus and seconded by Ms. Mullen to donate the decommissioned police car #541 to the fire department for training purposes. 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

Mr. Rinker thanked Mrs. Hirst for her blood, sweat, and tears during her tenure as a Supervisor.

ADJOURNMENT

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

Respectfully submitted,

*Betty Parrish
Recording Secretary*