

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township was called to order on Tuesday, April 9, 2013 at 7:04 P.M. at 3700 Old Philadelphia Pike, Bethlehem, PA, with Tom Maxfield, Vice-Chairman, presiding. Absent: Sandra Yerger, Chairman

ROLL CALL:

Members: Tom Maxfield, Vice Chairman; Ted Beardsley, Hazem Hijazi (arrived 7:07 PM), Dru Germanoski, Laura Ray and Allan Johnson, Absent: Sandy Yerger; Chairman; **Associate Members:** Absent: Glenn Kaye and Michael Boyle; **Planner:** None; **Hellertown Liaison:** Terry Boos (arrived 7:25 PM); **Jr. Council Member:** Vacant

PLEDGE OF ALLEGIANCE

III. **NEW BUSINESS**

A. **MARY ELIZABETH ANTHONY – NATIVE PLANT GARDEN DISCUSSION**

Mary Elizabeth and Kathy Anthony were present. Mary Elizabeth said she's still working on getting the Girl Scouts to come two times in May. They haven't had a response back from them, but they do know it's going to be the third or fourth week of May that they are getting a big group of Girl Scouts to help with weeding and putting down new weed mats. The weed mats would do a lot to keep from having to go in there over and over again each summer to pull weeds. They are waiting on a response from the Girl Scout leader.

Mr. Maxfield said they did bring it up at Council and will have a load of mulch put there at the garden. Staff is going to look at the whole issue of signage and come back with some examples.

Kathy Anthony said she has been talking to the Girl Scouts since January. The contact is Diane Severn and she usually does the flyers for the service events, and she's working on something else right now, but after that is finished, they are after that. Kathy Anthony asked if the mulch was going to be like a virgin mulch? Mr. Maxfield said it's probably going to be the same stuff we've gotten before, full of stuff. Kathy Anthony said that mulch gets full of weeds but if you leave it sit there a couple of years, then they are actually waiting themselves a year or so. Mr. Maxfield said he'd rather not have more weeds.

Mary Elizabeth said did you guys have someone come in over there and cut down all the old plants? It looked like somebody weed wacked out all of the old shoots. Kathy Anthony said they really cut it down. We never had to do that. Mary Elizabeth said it wasn't them. It will come back. Mr. Maxfield said part of our native garden strategy is leaving the seeds there for the birds during the winter and some of those seeds reseed. Kathy Anthony said the growth will fall down and stop the other weeds from coming up, now they got rid of that and you are going to have even more weeds. Mr. Maxfield said we'll look into finding out who did that and try to discourage it.

Kathy Anthony said they will come on May 8th to set up the pond and the solar. They will need weed mats, but don't know the yardage. That needs to be figured out. Mary Elizabeth said she has the square footage at home and will give Diane a call to let her know how much they need. They plan to weed first, and then they will put the weed mats down. They first have to do the weeding before they do anything else. Mr. Maxfield said Jack is going to deliver the mulch. They can forward the square footage to Diane and we'll get the weed mats.

MOTION BY: Ms. Ray moved to recommend to Council that we purchase weed mats for the Native Plant Garden, size to be determined.
SECOND BY: Mr. Germanoski
ROLL CALL: 6-0 (Mrs. Yerger – Absent)

B. MARTHA KAHAN – TRAP-NEUTER-RETURN PROGRAM

Ms. Kahan said she's the President of No-Nonsense Neutering. They are a high volume, spay-neuter clinic for cats and dogs. They've been in existence for about five years and have done about 35,000 animals. They started out with one clinic and now they are in Reading and Quakertown.

Ms. Kahan said she has many municipalities contacting her organization as they are struggling with what to do with free-roaming cats in their community. They specialize in that. They've done 23,000 free-roaming cats in five years. They work through a trap-neuter-return program which they provide financial assistance to the caretakers of these cats meaning the people who feed them. Most of these cats are feral, which means they are unsocial and will never be adoptable because you can't touch them, but they are responsible for 100% of the kittens that deluge our local shelters every year. They provide financial assistance to get them fixed and traps. They keep about 100 traps. You can borrow the traps from them. They ask for a \$20.00 refundable deposit for as many traps as you need. They like you to trap all the cats at once and get it over with. The night before you set the trap and the cats go in it and they cover it, remove the cat and bring it to the clinic. It's a same-day surgery clinic. They give them a three-year vaccine and what they know from these vaccines is the effect of the rabies vaccine will last up to 8 years. You don't have to keep trapping these cats over and over again to protect them from rabies. If they need any other medical care while they are on the table, they get it. Many of them come in and have worms, messed up ears, they do the best they can for them as they know this animal will never have veterinary care again. It's an easy surgery for the males. They go out the next day. The females they hold for about two days and then release them. The program is becoming more and more widely accepted. In the past, the municipalities have either ignored the problem and they find the feeders and hope the cats will go away or they've had extensive trapping and the cats have been euthanized. That hasn't worked either. More and more the shelters no longer want to kill things; it's not what a shelter is supposed to be doing. These cats truly don't belong in the shelter system. They live outside and were born outside. These cats were designed by our Creator to live outside. Only until we invented cat litter were they ever able to come inside. They always pooped outside. We've actually and animal welfare created this whole thing that they have to live inside but frankly, our Creator designed them to live outside. We are going to have to deal with those that are living outside. This is becoming very widely accepted. We have about 16 out of 25 municipalities in Lehigh County who do promote and advocate T-N-R and they are having more and more municipalities in Northampton County do the same thing. They are here as a resource for your community. They don't want to use your tax dollars either as they are very good at writing grants. All they want is to make sure you let your Township residents know these programs are available to them. It costs about \$35.00 on average for her to fix one of these cats, the vet, the medicine, the vaccines and that kind of stuff, but many people are not going to spend \$35.00 for a cat that's not theirs. They can help them out with that. They never want money or traps to be an issue.

Ms. Kahan said she's been doing this for a number of years. She found out they can fix 23,000 free-roaming cats but the calls you get are from the people who don't want them on their property. They are the calls you do not want to get. Her organization, through discounts given to them through Alley Cats, are providing for free, cat deterrents. If a resident has a deck that's open underneath, you can get any kind of animal living under there, so they encourage people to close up under your porches, your decks and your sheds. If they are coming on your property, she has an ultra-sonic device and it's very effective for small areas. It works great in row home area or trailer parks. It covers a small area and the cat hears it. She has another device for people with a vegetable garden and a larger area. It's used for deer and other types of things and it's a water

motion-sensor sprinkler type system. They retail for \$70.00, but they will give them to residents who call and complain for \$0.00. The police get calls and they don't want to handle it. You don't have an Animal Control Officer, so they are trying to provide resources for the Township as your Police do have better things to do.

Ms. Kahan said they don't drive down the road and see a cat and put a trap out. They work with people who are feeding. There are a whole bunch of cats who live outside. The elderly people see them and feel sorry and feed them.

Mr. Maxfield said a question came up at a discussion of a meeting. Somebody said what about a neighbor who doesn't like your cat or what if you're hauling away some nice kitty who goes outside and then goes back inside. Ms. Kahan said they are actually doing a program in Hellertown Borough. In her experience and she's personally trapped hundreds of cats, most people who have cats that care about them, even if it's an indoor-outdoor cat will have some sort of identification on the cat. A cat is not like a dog, and you put a break-away collar on them. The collar breaks so they don't hang themselves. She has inside and outside cats and has collars on them and her neighbors know that. Her philosophy has been, and she said this to Hellertown Borough Council, that if they are out free-roaming and have no identification on them, they get to their clinic, the first thing they do is run a microchip scanner. Very few cats are chipped. They then have the cat and can look for a spayed scar. 99.9% of the cats she's trapped don't belong to anyone. They do tip their left ear as that's a physical sign of a cat they can't get near, but she can look at, and knows the cat has been fixed and vaccinated. It's a universal sign of a vaccinated and sterile cat. Mr. Maxfield said his calico cat that showed up had a tipped left ear. Ms. Kahan said she was part of someone's colony that was trapped and she is lucky she found you.

Mr. Johnson said how do you feel about cats killing wildlife? Ms. Kahan said she's not here taking sides one way or the other for cats, but she will say, we, our ancestors brought these cats over from Europe and we are responsible for a non-native species that was brought over when we came here first as explorers on boats. We brought them at rat control. When we stepped off the ship, the rats came and so did the cats. When our ancestors came here to settle, we not only brought cats with us, but everything in our food chain, dairy cows, pigs, sheep, chickens, all came here from Europe. We have to understand we are living with a lot of wildlife here. They are predators, but they are also part of the predatory chain as well. Their kittens are eaten routinely by fox and raccoons. They themselves are hunted by coyote. Her feeling is the more of these cats we can fix and sterilize, the less they are out there. She thinks they are just as much a part of our wildlife environment as any other animal. They are all struggling. We are seeing it as we are developing the beautiful land you have here. Every animal is struggling to find a place of shelter, a place to eat and a place to mate, and not just cats. It's all of you here, that's the struggle you have. She hears the geese are crapping all over athletic fields, what are you going to do, kill all of them? We're all dealing with this. She's focusing on cats and trying to keep them under control.

Mr. Johnson said his suggestion would be to trap cats and kill them out in the country. In the city, it's a different story. Mr. Maxfield said that's cruel. Mr. Johnson said look at all the little birds they are killing. Ms. Kahan said there's a lot of misinformation being put out there on how much they eat in terms of birds. They are a hunter. They have to eat just like everything else does. They are here in terms of her presentations to all of you decision-makers has been that killing hasn't worked. That's all they've done in the past 40 years. She has a shelter who the Board President told her during the months of April and November, they kill 1,000 cats a month, and they still have cat problems, so it hasn't worked. Mr. Johnson said he doesn't see why it doesn't work. Ms. Kahan said coyote can bring the cat population under control. Mr. Johnson said he doesn't think the coyote population is good either. We used to have pheasants and lots of rabbits, now they aren't around anymore. Ms. Kahan said most gardeners she knows wouldn't care if rabbits were around or not. Pheasants are beautiful. Mr. Maxfield said we had red fox, but the numbers are way down and cats are part of that as the predators. We have Lyme disease and part of the cycle is field mice.

If we don't have cats, who is going to eat the field mice, not the few foxes we have left. There's unlimited trapping of foxes in PA. Ms. Kahan said she sees more red fox than cats.

Mr. Hijazi asked if they have vets on staff? Ms. Kahan said they do. They have one full-time and four part-time vets. All of them came out of private practices. She has four other vets working in private practice. They will give her a day. They do typically 30 to 35 animals a day and she employs three techs each day. She employs about 12 staff total as she has three clinics. Mr. Hijazi said you are getting grants? Ms. Kahan said in various forms. They do charge for pets. The pet cat fee is \$70 all inclusive with shots; average size male dog is \$115; and a female dog is \$165. The feral cats are break-even at \$35. They get all their funding and supplemental income from grants for feral's. She does a lot of pit bulls and they get a lot of grants in for them. They try to do them for \$25. They did 28 of them yesterday. At most places, they will get the needle. They do the same things, follow the medical guidelines for veterinary practice. They order from the same place. They use the same vaccines except they don't hold the animals overnight. They don't have a fancy place. They keep their costs under control so they can offer the fees they do. They don't need to make a profit. Whatever profit they make, they put right back into the programs.

Ms. Kahan said Hellertown called her because they were very concerned. They have a lot of old ladies who feed the cats. Right now they are writing a grant for Petco, and meanwhile until the grant comes through, they are not charging the residents anything at all, it's coming out of municipal funding. She does have a trapper there and she's trapped about 18 cats so far. They are just all over. It takes a while until you get it under control. The grants cover the \$35, and most caretakers don't mind paying something towards it. It's rare that they will not pay \$10 or \$15 per cat towards it themselves all the time. It's not been an issue.

Mr. Boos said they have a cat that they've adopted and she kept other cats out of the area, but recently some other cat moved into the territory. The one they have is fixed. The new one moved in, even if he gets it fixed, how does he get it that his adoptee can reclaim the territory. Where does he go with this cat? Mr. Johnson said take it to the pond or let them euthanize it. Ms. Kahan said when she first started trapping, a lot of guys told her it was their job that when a litter was born, put it in a pillowcase and drown it. Somehow they took care of this whether it was a gun or drowning. People found a way to control their cat population. He's being very honest, but that's kind of what happens. We don't want to see people put out antifreeze as it's a very painful death and people do it all the time. It's much easier to shoot them through the head as it's quick and painless. In the animal kingdom, there are animals in every species that are dominant and this cat is going to work it out. You have to get the new one fixed and let them work it out.

Mr. Maxfield said would you like us to make a recommendation? Ms. Kahan said Upper Saucon was one of the first who did this program and they did it ten years ago and it's been there ever since. Let your residents know that this service is available. She doesn't know if you have a services link. Hellertown has a link called "stray animals" and you click on that and it takes you right to the No-Nonsense website. People can go there that are computer savvy and read about the T-N-R program. She's asking that you are aware of what resources are available and there is a flyer on your bulletin board. Let people know these resources are there. Mr. Maxfield said he'd like to make a recommendation that we ask Council if it would be appropriate to put a link on our website right to the T-N-R program. Ms. Kahan said at some time if you would like to we can set up a vaccine and microchip clinic somewhere here on site. That would have to be marketed heavily as she does have to pay her vets and techs to set up and participate, but they would be very happy to do it. They have a lot of people interested in microchipping and there are a lot of animals that get Lyme disease, so they'd be happy to do that, maybe in August. Mr. Maxfield said that would be neat.

Mr. Gene Boyer was present and said if you do that, would you compete with Love My Pets? Ms. Kahan said they go into places like Petco. They are all doing this as a fundraiser. For them, any

profits go towards these programs. Basically what they find is they only go to the pet stores from 3 pm to 5 pm on Tuesday's, and not everyone can do that. They typically do a Saturday from 10 am to 1 pm. They don't do testing. They don't want to compete with the veterinarians. They are their friends, but they do feel feral cats will never be their customers. A lot of them won't handle a pit bull and most of their customers don't drive in a Mercedes or a Volvo. These are people who truly would not fix their animals if they didn't have her services at the fees they charge. They try not to compete with the vets as they appreciate what they do. Ms. Ray asked if the rabies and microchip clinic is also for feral cats? Ms. Kahan said it's typically for pets. Feral's would be tough for them to handle as they'd be in a trap. When they come they got their shots and they are put asleep for their surgery, so it would be for pets only. Mr. Maxfield said maybe we can make a recommendation that the Township enter into that sort of program for August. Ms. Kahan said she has a date and you can get in touch with her.

MOTION BY: Ms. Ray moved to recommend to Council that the Township look into a microchip and rabies clinic in August 2013 at the Township.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mrs. Yerger – Absent)

MOTION BY: Mr. Hijazi moved to recommend to Council that we put the link of the T-N-R program on our Lower Saucon Township's website so that residents can be aware of this program.

SECOND BY: Mr. Germanoski

ROLL CALL: 6-0 (Mrs. Yerger – Absent)

II. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES

Mr. Beardsley said he talked to Terry Clemons last Friday about Charlie Martin and Richard Marson. He's going to talk to Laura Baird and see if he can't get up to speed on what's going on there. Mr. Beardsley explained to Terry that Charlie Martin is looking for more money and hopefully he explained to him the tax advantages or what his options are. With Richard Marson, he said the ball was dropped someplace and he doesn't know where. He thought Richard Marson was talking to his attorney and we get back to him, and no one ever called back. He will follow up with Terry and see what the status is. Mr. Maxfield said both of these landowners were offered the appraised value? They were the maximum we could do? Mr. Beardsley said yes. Richard Marson accepted. Charlie Martin wants more money. Mr. Maxfield said Terry needs to talk to him about the other benefits. Is Terry following up on Marson? Mr. Beardsley said yes. Marson hired an attorney to review everything. He's in, he wants to do this.

Mr. Maxfield said he has an email that Chris Garges sent him. There's a gentleman over on Helms Road who bought two lots and he wants to grant the Township a free easement if we're interested in utilizing the lot to use for educational or wetland studies, whatever. It's pretty steep and rugged, but as Allan said earlier, we think it's part of the headwaters of the Bull Run which runs down towards Steel City and is a really cool stream. Because of the erosion problems we saw around Bull Run and how high the water got, they were really interested in looking at the conditions of Bull Run to find out why we would have that kind of rush of water coming down through there. It would be a cool area to study. All we'd be required to do is the Township would have to work out the easement language through the solicitors. There would be a cost, but not for the easement itself, just for the legal work to establish the easement.

Mr. Germanoski said maybe the schools could start taking advantage of the situation. Then you go to the schoolhouse and then you are down there. It depends who the Ecology teachers are. He wants the access to the lower part, but not the upper part. Mr. Maxfield said he thinks he wants to build a house on the upper part. He wanted to know if we wanted an easement on the lower lot, so he doesn't know if that means the entire lot. He's not making use of the lot. Mr. Germanoski said

he probably doesn't want to pay taxes on something he can't develop. Mr. Maxfield said maybe he gets a tax break if there's an easement on it. Mr. Germanoski said it's two to three acres with a wetland zone. Mr. Maxfield said why don't we make a recommendation to Council that they pursue this, minimal cost, if any, and it would be a cool area to have. He's not sure what the guys name is. Chris Garges could give us that additional information. Mr. Germanoski said he could drive by and take a look at the property and get a sense of it.

Mr. Germanoski said the wetlands part is actually pretty flat down by the base. There's a break in slope down further. It looks like there's an old logging road there. Mr. Maxfield said from a geology standpoint, would it be an interesting place to study? Mr. Germanoski said it's a wetland. Mr. Maxfield said rather than looking at it again, it's free. We can't lose. It's not going to cost us anything. Let's just go for it.

MOTION BY: Mr. Maxfield moved that the EAC recommends to Council to pursue an easement on the offer from Jeff Strauss on Helms Road.

SECOND BY: Mr. Germanoski

ROLL CALL: 6-0 (Mrs. Yerger – Absent)

IV. DEVELOPER ITEMS – None

V. UPDATES/REPORTS

A. REVIEW OF MAP OF PRESERVED PROPERTIES

Mr. Maxfield said this is the map of preserved properties. There's a funding status in the key. It's pretty much what we asked for. Does anyone have any comments? Mr. Germanoski said we discussed if there was access to these properties. He doesn't see anything on the map. It does note where it was acquired or donated or open space or purchased with open space funding. It doesn't address the issue of some notification or indication of a Township resident who wanted to use a piece of property that the donator or seller of the rights agreed to open for public access did or didn't provide that access. There's no note whether it's accessible.

Mr. Maxfield said his feeling about that is there are so many intricacies in the language of each easement. Sometimes if the funds come from the County, we have to give public access, but that public access may be allowing his best friends to go hunting on the property or maybe he will allow the Boy Scouts on it and nobody else, like Noble, Bracalante and Dyer. They were amendable to Boy Scouts coming on the property and not much else and that qualified for public access. Mr. Boyer said he doesn't think it says that in that agreement. He read that agreement. It says it's open for fishing. Mr. Beardsley said it was fishing and environmental studies and if the Boy Scouts wanted to go on there and do some cleaning up or if the Audubon Society wanted to go there and have a bird watch, that could be arranged. Mr. Boyer said he didn't see that. Mr. Maxfield said they'd have to arrange it with the owners. You just can't go on a lot of these unless it's a public park. Mr. Boyer said that's the whole point of what he brought up of this type of thing to get the recognition that if we have all these properties, we should make access available to them where there is access available to them and what the limitations might be. He doesn't care how difficult it is, it's simple enough to note on the map that they can or they can't. They cannot camp on it, but they can fish on it. Maybe they can do hiking trails or whatever and they can't do anything else. To say and make a comment that it's so confusing, why are you people buying this stuff and getting these properties and they aren't available to the people in the Township.

Mr. Maxfield said the open space program is a preservation program. It's not an access to people's property program. Open space often is saved for habitat reasons. We do have public parks. People can go in public parks. The vast majority of these are still private properties. We bought development rights. We didn't buy the whole property. Something like the Dravec property we

purchased, we're now in the process of working trails on it. People will be able to go on it and use it and it will be noted as such. He doesn't think you can assume you can just walk on anybody's private property. Mr. Boyer said he's not assuming that, you don't listen. Mr. Maxfield said he's listening to him right now. Mr. Boyer said good, the point is that there should be a record of what is available and what isn't available, but not a general statement to say that you can't do it because some of them are. Mr. Maxfield said there is a record; it's just not on that. Mr. Boyer said he wants to know what is available. If it's one, then it's one. If 90% of them are restricted, that's fine. Mr. Maxfield said he honestly doesn't remember anyone with private property that had their development rights preserved that said anybody can come on the property. Does anyone remember that? Mr. Beardsley said no. Mr. Maxfield said most of it didn't come from County or State funding so they don't have to have access. It's private property. We're buying rights, not property.

Mr. Boyer said let's go back to the Noble property, specifically. Mr. Maxfield said we are going to talk about things that we have information about in front of us. If this discussion about Noble gets too deep, and we don't have the answer to it, you are going to have to talk to someone at the Township about it.

Mr. Hijazi said he's sensing a little bit of tension. This is an issue that you may have some right to ask about certain things. As an EAC here, the question is what can we do, what are you asking us as an EAC to do right now? He's not dismissing your questions, certainly you have the right to ask them and request information, but have you tried to go in front of Council? Mr. Boyer said he was here two or three months ago. He asked for a map because you were talking about those particular types of properties. Just from a question, he said where is the list of them or where is the availability. Mr. Hijazi said he was here and to the response of Mr. Boyer's question, they came up with this map. Mr. Boyer said he asked how does he get access to that and Mr. Johnson told him about the access. He read through that easement and it said you could go fishing on that. He didn't expect to be there at midnight or at any other special time, maybe with not asking for permission, but to him, it was availability, and he didn't even know how to get to it and asked that question even though it's available. Mr. Johnson tried to explain to him about the road and Mr. Boyer said why can't we just come up with some identification of what's available. That's all he's asking now. He understands these are sophisticated agreements, but if there is something that you've purchased that is available, other than reading it in the paper this past weekend about the Dravec property, there's an intention of putting walking trails in there. He doesn't know of any other property. He has a list of all the properties that are in the budget. There's a whole list of things. He doesn't know if any of these are those or not. Mr. Hijazi said he thinks that plan was developed at your request, based on your questions and we attempted to bring this plan here to show what properties rights were acquired. If someone was interested to figure out what's going on, they can do it. Your question in general, where can I go fish, where can I go walk, where can I do some other activities, those are certainly open questions and if you want, you could go talk to the Manager at any time and tell him you are interested in going fishing on this one property, can he go and fish on it and you can work on it with the Manager. Mr. Boyer said if that's the answer, then tell him that's the answer. Mr. Boyer said the answer is if this become a public document or is on the website and they say these are what we have and in the interest of seeing them as they are part of our tax monies that we pay, is how does he get to look at them, or doesn't he get to look at them. Tell him to go to the Township Council or see the Manager or whoever. That's all he's asking. Mr. Hijazi said he thinks Mr. Maxfield was trying to clarify this program as not that it's becoming a park or open access, it's buying the rights for development and whatever benefits come with it which varies. The properties vary from one to another. Your questions are hundred percent valid, he's not dismissing them. He's trying to figure out a way to address them so that you can be satisfied without stopping the progress of the work right now. Mr. Boyer said he's not trying to stop it, he's just trying to ask what he said is there and Mr. Germanoski brought it up that it's not, he didn't start this whole conversation. When you say stopping the progress, he reads in the newspaper about you developing a piece of property that is going to have walking paths and it didn't come from here, from the minutes, plus he doesn't get the minutes for two months after it's

happening, so he doesn't know what's happening and that's why he's here tonight. He read in the newspaper about something new that apparently he should be able to walk on if it ever comes to fruition. Mr. Hijazi said that's something good. Mr. Boyer said he drove by there tonight. He doesn't want to go out there.

Mr. Maxfield said do you want us to basically hold your hand and say here's the property. We're not doing that. We're making a list of preserved properties. If you want to want to find out what the deed says, do what any of us would do and go to the County and read the deed. The easement becomes part of the deed. He has this feeling when you come before us and are looking at this kind of stuff, you are looking for some type of dirt or something we missed or something we overlooked and he resents that very much. Mr. Boyer said you should resent it because that's not what he's here for. Mr. Maxfield said that's what it sounds like to him. Mr. Boyer said don't listen to him then, and pay attention to the specifics. He asked for exactly what you did except one exception and Mr. Germanoski brought up, he didn't bring up the whole start of this conversation right now. He did. It's not what he asked for.

Mr. Germanoski said we are having a bit of misunderstanding and the contentiousness follows from that and it isn't necessary. He sees a couple of issues. You are trying to find out the access to these properties. There may be zero access. If it were noted and available, you would at least know that. He thinks the other side of this is that landowners who are entering into this program are not doing it to provide public space for use. It's to provide open space for fish and wildlife and there would be some reluctance for owners to come forward if they sensed the idea and purpose was to convert it to public access. Your point is a simple one. You'd like to know if any of these are available and what the limits of that availability is, and when this all started, and he wasn't here when this program started, but he doesn't think that was ever something that we, as a body, noted right up front. It wasn't part of the charge or intention and it became sort of a sidelight.

Mr. Beardsley said when we go out and look at a piece of property and talk to the property owner about a conservation easement, and he doesn't know if this is true anymore, but there used to be funds available from the State and the County. In order to get those funds, you had to provide public access. We had to ask the property owner, would you allow public access like if the Boy Scouts wanted to come and look at the trees or the Audubon Society wanted to come and look at the birds, would that be okay with you? They would say yes, but they are going to have to make an appointment to come. They really weren't anticipating that we were going to advertise that people could come and walk on their property. It was a low key thing and it basically our position that we ask that question about public access so we could get matching funds from State and County. The property owners weren't anticipating we were going to put an article in the newspaper on how anyone could go down there fishing. A lot of people have been down on that property fishing for years and he's sure they are still going down there and not asking permission and nobody is bothering them. He understands that what the public is paying for, there should be a record somewhere of what's available on those properties, but people are going to have to come to the Township to find out what's available. The Dravec property was not bought as a conservation easement. It was bought as a park with a conservation easement attached to it. The lower portion of the property where the creek is, it's in a conservation easement and the steeper area where the trees are is a public park. It hasn't been developed yet, but it's a park. Mr. Boyer said that was bought specifically for a park. He asked how many acres that was because the newspaper may have been misquoted, but it said 75 acres. Mr. Beardsley said that's about right. Mr. Germanoski said on the chart it says 42 acres. Mr. Boyer said it's 42 somewhere else and then it's 7 on the County for the Apple Street – LST property. One of them, which is the LST only shows it at 7 acres. Mr. Beardsley said we bought five or six lots there. That could be one of the lots.

Mr. Boyer said how long ago did you buy them as on the record there's only one there? Mr. Johnson said that was an additional piece of property they bought. It was surveyed. It was in addition to the original lots. We also have the conservation easement. He thinks we bought it was

because we wanted the woods and the conservation starts down at the field, and Joe said he'd sell it to us. That piece was surveyed and acquired in the modern way of doing things. All the other pieces we bought were not surveyed recently. They are the deeds that are of record years ago. They are not handy; you have to go through the records to find them. Even if you do find them, it doesn't tell you a lot. It tells you boundaries and other things in old terms. That's probably why you found the 7 acre lot and not the rest of them. In addition to the 7 acre lot and the other five lots, it's probably like 40 some acres. All the conservation easement part, which we didn't buy, if you add all of them, it's probably 70 to 75 acres.

Mr. Boyer said Mr. Maxfield was quoted that he walked the parcel, does he know what the 75 acres are? Mr. Maxfield said he walked the properties we bought with Allan. It was six properties we bought and then we acquired the conservation easement and had to create a line down one of the properties as we bought a section of it.

Mr. Hijazi said if that question is asked to Jack or the staff here, they should be able to answer it. Allan is going by memory right now and it's two or three years. Someone from staff should be able to produce the actual number or acreage. You have to talk to Jack, Leslie or Chris. Mr. Boyer said he read the article and he didn't get a chance to the Township and he knew the meeting was tonight and that Mr. Maxfield actually walked the property according to the paper. If he walked the property, part of this committee might have an answer. Mr. Maxfield said if he walks the property, he's not gauging acres. Mr. Hijazi said we are volunteers and doing recommendations and prep work and the final records, specifics should be available with the Zoning Officer or the Manager. This is public records and should be available. Mr. Maxfield said if someone comes to find out that information, even some older easement, our staff may have to go to the County and get that information as that's where it's all stored. It's part of the deed.

Mr. Johnson said when the Township bought the land they bought, a new deed was created by our lawyer and they have that stuff on file. They should have it here. Mr. Hijazi said ask the staff.

Mr. Boyer said he agrees with what you are saying. He asked if it would be available and it is. What access would be there? The answer to the access is you are supposed to come to the Township for that particular property or all of them individually, then that's fine. He's thinks it should be part of that document to say what do I do with this all now as a Township representative and we bought all this. Someone is going to ask the question, is it available and if it's on the website, it should be on that piece of paper to tell you this is how you find out the rest of the answers.

Mr. Maxfield said the Dravec property is not going to be open yet for public access even though it will be opened. It's not opened as a park yet and the trails haven't been created yet, so that is not open for public access now, but it will be.

Mr. Germanoski said you can even put "will become available upon completion". Mr. Beardsley said that property will become the responsibility of Parks and Recreation, not the EAC. This is his personal opinion, in talking to property owners about a conservation easement, he doesn't think people want to be answering their phone from the Boy Scouts, and can we come next week. That has to come through the Township and that has to be put on there. That would be the policy for all the conservation easements we have if public access is available. That has to come through the Township.

Mr. Germanoski said he thinks about this from the standpoint of you having to talk to somebody about this, and sell the program, and the reluctance people are going to have with certain events. It's easy for him to understand someone to have open space for environmental purposes, but they don't want public access. If that's the case, he could see some landowners enjoying knowing that it's going to say right on the document, no public access. Problem solved. The people who voted

in his recollection this past November, they voted to continue an open space program, not an open access program. Mr. Beardsley said it wasn't a parks program. That's only part of it.

Mr. Hijazi said the big picture was to preserve the nature of our Township as its rural characteristics. At some point we were seeing all these nice cornfields and nice open spaces being acquired by developers and being developed, so he believes that's the origin of the program and the idea. It's not to buy open properties or parks and recreational facilities. The benefits that could come on some of them as recreational activities, that's good, but the concept is trying to avoid the expansion of the development on these properties. Is he correct? Mr. Beardsley said yes. Mr. Johnson said the open space program is established to save open space and in there it says you can do it by conservation or by purchasing the properties. There was both ways of doing it, or donation. Mr. Beardsley said the original proposal was for open space protection for historical, and we could do the schoolhouse and for parks. That's what the money could be used for.

Mr. Hijazi said what's the action time on this? Mr. Germanoski said he never seen these transactions and he doesn't know how difficult it would be to find out if there's a limited access or no access and if that's recorded on each deed. If it's easy, he doesn't see a problem with a column that indicates there's access or no access. It's easy for him to say as he knows he's not the one that's going to have to go through the records. Mr. Hijazi said how about if we add a note on that. It lists those properties, the location, the size, and so on, and you add a note for specific information on access for any of those properties to contact the Township. As you said, there's going to be some searching of records and reviewing the records and deeds. Mr. Boyer said he appreciates that and it's a good answer, but he knows you are passing the buck to the Township, but if he were to walk in and he was unknown and once that became a public document, they are going to have to go and investigate that, so eventually someone is going to have to go and do that unless you just say nobody is going to have any interest in our open space program, and looking at it, so no one is going to have to investigate it. Mr. Beardsley said it may not be such a big task as most of the time the access is going to be the ones that we got State and County funds and it's only the other ones that would have to be investigated. Mr. Johnson said even then, for almost every landowner we talked to, they wanted to be asked if you could go on their property.

Mr. Germanoski said there are 13 properties we are talking about and he doesn't think it would be onerous to request that they look at the deeds and if possible, let us know if there's no access, limited access, or it's a park. He suspects that most people don't want public access, so it's going to be N/A, N/A on most of them, then at least people would know that.

Mr. Hijazi said he doesn't know what time and effort it's going to take, but add a note for access, check at the Township and have the Township look into it. Mr. Maxfield said we can say for access questions because it sounds like you are saying that the Township would give them access. Mr. Germanoski said should we approach it, and say we want to consult with Chris and ask if this something that is easily done or are there unforeseen consequences. There may be reasons why it may be a bad idea. They live the experience in the Township offices and know what the unintended consequences are and it could be a simple matter. Mr. Maxfield said the lawyers would have to get involved. We don't know if it's even a problem, but his feeling is what Ted was saying. We entered into this as not providing access to people. That's why we have parks. We entered into it to preserve what's out there, habitat, things like that. Most of the time we don't want people trespassing around there. Like a place like Dravec, it's made for that. Do we want people going through floodplains? Mr. Germanoski said that's all the more reason to have it listed, no public access. Mr. Maxfield said even at Jacobsburg, a State park, they are trying to keep people away from the stream. Mr. Germanoski said this could be to our advantage if it's determined there's no public access, then it's obvious. People voted for what you said, they want to see open space and habitat undisturbed.

Mr. Maxfield said this map will have to be approved by Council, especially if it goes on the website. Is this a question we want to pose to Council and let them talk to the lawyers and Chris

and all those people. Mr. Germanoski said whatever vehicle is the appropriate one, it goes through Council, that's fine with him. Mr. Maxfield said that would be the final word.

MOTION BY: Mr. Germanoski said his final recommendation would be we recommend to Council they evaluate whether they think it's suitable or appropriate to put this on the website and also determine if it's onerous or manageable to determine if there's any access and what the avenues are for that access and if there's no access, have a column saying that.

SECOND BY: Mr. Hijazi

ROLL CALL: 6-0 (Mrs. Yerger - Absent)

B. ADOPT-A-ROAD CLEAN-UP – SATURDAY, APRIL 13, 2013

The EAC did not have enough members able to help with the clean-up on Saturday, April 13, so they are going to be cleaning up their road on Saturday, April 20, 2013 starting at 9:00 am.

C. SPRING RECYCLING EVENT WITH FREECYCLE – SATURDAY, APRIL 27, 2013

The EAC will hold their spring recycling event with FreeCycle on Saturday, April 27, 2013. FreeCycle will need one or two people from Public Works plus a fork lift. They will be bringing two to three guys, and they need about two to four people from the EAC to direct traffic. The Olympus and Lehigh County recycling event are two weeks before the EAC's event. Mr. Maxfield said please show up if you can.

D. NATIVE PLANT GARDEN SALE & RAIN BARREL WORKSHOP – SUNDAY, MAY 12, 2013

Mr. Maxfield said he's not sure about this, so Terry Boos will look at his Watershed notes and give Diane a call as he doesn't know what the specifics were. Mr. Maxfield said he told Keri what they talked about and the week was all wrong.

VI. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF MARCH 12, 2013 MINUTES

Mr. Johnson said page 6 of 9, line 17, the word "ma" should be "May".

MOTION BY: Mr. Germanoski moved for approval of the March 12, 2013 minutes, with corrections.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mrs. Yerger – Absent)

VII. OLD/MISCELLANEOUS BUSINESS

- Mr. Germanoski said he has good news. You recall we had the GIS project presented to the committee and we felt there were deficiencies in the project that focused on ground water, septic systems, water supply and someone expressed an interested in having a GIS of rainfall runoff and ground water flow devices and ground water flow systems, so two days ago a student came to see him interested in doing a thesis for storm water in Easton. He said he heard they already did this once, but does it need an update? Mr. Germanoski said he knew a township where they are looking exactly for this thing with the geological component and he'll make a thesis out of this. He's a double major, civil engineer in geology, perfectly suited for this. What he proposes is he'll continue to develop the project with him. He has a sense of what we need and what is possible and have him come to our meeting the first meeting in the fall in September to share his thoughts on what the objectives would be. It would give us an opportunity to make further suggestions. He has a list, surface water, ground water recharge/discharge areas, hydrogeology, septic, probable septic, wells, probable wells, wetlands, the drainage network, easy soils, geology, potential contamination sites, known contamination sites like for example Champion. He was very enthused about this. He thinks this is going to come to fruition. We can feed more into this. He'll work on it from fall

Environmental Advisory Council

April 9, 2013

through spring of next year. Mr. Maxfield said he can talk to Chris Garges if he needs any information.

- Mr. Johnson said he wants to bring up the issue he talked about last month where the Township would plant trees producing edible fruit in our parks. He thinks the Chairman said he would see if he could run it by Boucher & James and he's wondering what happened. Mr. Maxfield said he ran it by them and haven't gotten an answer back from them. Mr. Johnson said are they going to look into it? Mr. Maxfield said yes, we asked them for a feasibility study basically about putting fruit trees in, positives and negatives, that sort of thing. He asked it specifically to go to the planners. Mr. Johnson said okay, it sounds like we're moving along.

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

- He said the Borough reconfiguration is continuing to take place. He showed you the map last month. That's proceeding. He's not sure when the project is going to be complete. Ms. Ray asked about the signs that are always placed where they are doing the construction. Will the signs still be able to be put there? Mr. Boos said he didn't know the answer, but he would find out. Mr. Maxfield asked about the realignment of Easton Road? Mr. Boos said mainly for walkability. As it is right now, that Easton Road between Borough Hall and the fountain area is so long that pedestrians, especially if they are not really ambulatory has a major problem on their hands. With the reconfiguration, it will just be a normal street with crossing.

IX. NON-AGENDA ITEMS

- Mr. Boos said the Saucon Valley Farmers Market officially will open their 8th season on Sunday, May 5, 2013, 9:00 am to 1:00 pm at Water Street Park. Mr. Maxfield asked about the construction at Water Street Park. Mr. Boos said they have money set aside to do at least the first phase.

X. PUBLIC COMMENT

- Mr. Gene Boyer said he just wants a clarification of a question. The purpose of open space is to preserve space, is it also for you to decide where parks become or where you are going to start a park? Mr. Beardsley said no, they might discuss it with Parks if they found a place that they thought should be a park or Council and let the talk to Parks. They wouldn't just do that on their own. Mr. Boyer said the question came up because he heard you say tonight that this Dravec property, which he first heard about in the newspaper is going to be a park, so did you suggest this open space purchase for a park? Mr. Beardsley said yes. Mr. Boyer said you did do it as a park? Mr. Beardsley said they did suggest it be purchased for a park and Council decided that was a good idea. Parks was consulted about it. When they went out and looked at the property, they thought it would make a great park, as the trails are already there and it was steep so they couldn't put ball fields on it, but it would be a great place to walk your dog or to hike if you wanted to. Mr. Boyer said he understands from the newspaper and from tonight, they'll just be trails in this particular area. Mr. Beardsley said that would be up to Parks and Recreation, not EAC. Mr. Maxfield said it would be up to Council. Parks and Recreation can make recommendations. Mr. Boyer said Council would start first? Mr. Maxfield said no, recommendations are made to Council. Council makes all the decisions. Mr. Beardsley said EAC thought this property might be suitable for a park and Parks agreed and Town Council agreed, so they bought it. The EAC would not be involved in developing it. Mr. Hijazi said which newspaper did you read this article? Mr. Boyer said it was in the Hellertown PATCH. To him that site is like a newspaper.

XI. ADJOURNMENT

MOTION BY: Mr. Hijazi moved for adjournment. The time was 8:47 P.M.
SECOND BY: Ms. Ray
ROLL CALL: 6-0 (Mrs. Yerger – Absent)