

1 **I. OPENING**

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3 **CALL TO ORDER:** The Environmental Advisory Council meeting of Lower Saucon Township Council  
4 was called to order on Tuesday, July 3, 2007 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA,  
5 with Tom Maxfield, Chairman, presiding.  
6

7 **ROLL CALL:** Present – Chairman, Sandra Yerger; Vice Chairman, Tom Maxfield; Allan Johnson, Ted  
8 Beardsley, Tom McCormick, Bob Davis, Dennis Aranyos, Glenn Clouser, and Haz Hijazi; Terry Boos,  
9 Hellertown Representative. Absent – Laura Ray, Glenn Kaye.  
10

11 **PLEDGE OF ALLEGIANCE**

12  
13 **II. NEW BUSINESS**

14  
15 **A. RICH SICHLER – DISCUSSION ON MAJESTIC PROPERTY (BROWNFIELDS)**

16  
17 Mr. Sichler was present. Mrs. Yerger said this is part of the Brownfield's which is at the  
18 Bethlehem Steel site, and part of it is in Lower Saucon Township. Mr. Sichler said he's a  
19 Geologist from Spot, Stevens & McCoy. He's been working for LST for the past six years, mainly  
20 on the landfill. He received the Base Line Environmental Report because the Bethlehem  
21 Commerce Center qualifies as a special industrial area. Last August they submitted a draft and  
22 there was a public meeting where they said the report was still a draft, which is what they still have,  
23 the August 2006 submission. They expect a draft of the final to be submitted by July 10, 2007.  
24 Given the timing, they thought it would be best to give a heads up what they have right now in-  
25 house. It's not the final version. The first drawing he had showed the City of Bethlehem and  
26 Lower Saucon Township. You can see the industrial buildings and Lauback Creek. The parcel  
27 itself is bound by the creek on three sides. There are 30 acres within LST. The property  
28 development goes to the creek, but doesn't cross over it, and goes all the way to Easton Road. The  
29 impact this has is possible groundwater contamination. We have groundwater users on Easton  
30 Road. Mr. Johnson said Lauback Creek, isn't that the East Branch of the Saucon Creek. Mr.  
31 Sichler said yes, it was. In the special industrial area, since Bethlehem Steel is no longer a viable  
32 company, and Majestic Realty, in no way, shape or form, contributed to the contamination on the  
33 industrial site and the areas in the Keystone Enterprise Zone, Majestic must do a lot to the property  
34 to get it back into shape. They must do a Base Line Environmental Report. They had to give as  
35 much soil data and samples as they could, and give it to the Department. The Department will  
36 accept it and see if it's comprehensive. They are saying this is what it was like when you took  
37 control of the property and they will not hold Majestic responsible for any of that contamination  
38 except for the rare instance where it's immediately dangerous for the environment. For the  
39 volumes they submitted, it's mostly data and soil samples. They documented it very well. They  
40 did test borings to show the depth. There's a lot of residual wastes and some hazardous wastes.  
41 It's 100 feet deep on some of the property. There are a lot of groundwater impacts. They need to  
42 come up with some remedial measures which they have documented on about six pages. They will  
43 pretty much cap the site with a lot of parking lots and grass the rest. He showed a map of all the  
44 wells on the site. Lower Saucon is the highest point of the groundwater table. The water is going  
45 away from LST and in Spring he'd imagine the flow might be more to the Lauback Creek. The  
46 second map he showed had deeper aquifers. The wells on LST portion are former lagoons. The  
47 upgraded wells are clean. On the map, he showed the water travels perpendicular to the contours.  
48 The east-west part of the creek is receiving groundwater unless it's a drier year. He did not get  
49 through all the data as there was so much.  
50

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1 Mr. Maxfield said when they cover the site, what part will be actual covered with impervious? Mr.  
2 Sichler said 40% building coverage, 10% landscaping, and the balance under pavement and  
3 macadam or similar impervious coverage. Mr. McCormick asked if that was good or bad since  
4 there are problematic materials underneath? Do you want it impervious so it does not seep into the  
5 land? Mr. Sichler said how long has this been going through the waters now. Mr. McCormick said  
6 what is the public comment, and this is to brief us on what's going on. Mr. Sichler said their goal  
7 is to make sure if we have any comments or not.  
8

9 Mr. Hijazi said the big picture on why they are doing this is as they go through the process of Act  
10 2, they have to get the local townships in certain aspects to submit, and this one you do a baseline  
11 investigation before it goes to DEP to get approval. They are required to get input from the local  
12 township and residents before the public notice and they allow the township 30 days to review this  
13 and if they have any comments, to submit the comments and then the report will go to the DEP.  
14 From an environmental standpoint, our goal tonight is to make sure do we have any comments, any  
15 concerns, any feedback. We have to raise those concerns as a Council so they can be submitted  
16 officially, otherwise, if there are no issues or concerns from our end, then they can proceed with  
17 their application. Mr. Sichler said your comment, is capping really the best alternative for this? It  
18 seems to be conventional and be able to eliminate that pathway instead of causing water to have  
19 more contact, and pick up anything that's there.  
20

21 Mr. McCormick said it seems that there's a balance between erosion and other artificial issues that  
22 come with impervious surface versus contamination and it comes with letting the water follow it's  
23 natural course. Can you advise us or someone advise us, if it's really, really poisonous, suck it up  
24 and take the erosion. If it's not, let the water just run. How can we assess that? Mr. Sichler said  
25 the conventional wisdom is to cap it as it not only eliminates the water pathway, but it eliminates  
26 the other pathways so we don't have anything in contact with the heavy metals. Mr. McCormick  
27 said then we would support capping this. Mr. Sichler said In the end, they will use the land and put  
28 on a big box warehouse.  
29

30 Mr. McCormick said we should encourage the capping as the larger risk is contamination. It  
31 sounds like the damage has been done and this is the best solution. Mr. Sichler said there will be  
32 some grading and move as little earth as possible.  
33

34 Mr. Maxfield said Fawn Run does go through this property out to Ringhoffer Road. If that's the  
35 case, the steel took their disturbance of the property as close to the creek as they can get it. Is there  
36 any way we can do to reduce the volume coming into the land instead of capping it? The surface  
37 water should be relatively clean. Maybe they want to put plants and grasses in that have 20 to 30  
38 inches of root systems. If they are going to pave up to the boundary, they will be into the riparian  
39 corridor. What's better to have...the riparian corridor or the paved area? Mr. McCormick said it's  
40 that balance, how poisonous is the runoff.  
41

42 Mr. Hijazi said we also have to look at it with the perspective of what they are working with and  
43 the actual Act 2 regulations and what the DEP would allow them to do. We can voice some  
44 concerns, but expect them to apply some remedial technology and go to them and tell them you  
45 need to apply some type of treatment of the riparian corridor. Act 2 - if you had land like this and  
46 no one treated it, it would sit like this forever. Whenever there is contamination, it's the way it is.  
47 They came up with this Act 2 to allow people and developers to come in to the Brownfield's and  
48 they could come up and do this base line investigation as long as they demonstrate that they are not  
49 going to decrease the risks of human life and the environment, and they are not going to excavate  
50 and spread debris with contamination and not add to the contamination. The State under Act 2  
51 would allow them to come and do what they wanted to do and give them protection from liability  
52 in the future because there's this impact.  
53

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1 Mr. Maxfield said DEP is not going to supersede township ordinances. Like a riparian corridor,  
2 they have to consider this. Mr. Hijazi said at this stage, we don't know how far they are going to  
3 pave. Mr. Sichler said they do have a plan. It has to all go through land development. Mr. Hijazi  
4 said he sees that they want to know if we have any concerns, do we have any real concerns about  
5 the proposed development or engineering controls such as capping. Is this going to be okay for us  
6 or do we have concerns for people with wells right next to it. They are trying to get the township  
7 involved. Mr. Maxfield said he doesn't know which is better...to cap or not.  
8

9 Mrs. Yerger said because this is a proposed greenway, we would like to have it treated  
10 environmentally so we can maintain the capability of being a greenway. Mr. Davies said the  
11 chemicals are down really far, what's the deepest root system? Mr. Sichler said 20 feet. Mr.  
12 Davies said this is down 20 feet and the roots only go down 10 feet, you're better off capping it as  
13 you aren't going to be able to treat it down that far anyway. Mrs. Yerger said are they going to run  
14 the cap right up to the edge of the creek.  
15

16 Mr. McCormick said if it was nuclear and horrible, the greenest person in the world would want to  
17 put 10 feet of steel and concrete over it. If it's just a touch of metals that really don't matter, then  
18 the greenway perspective would be "don't do this". It's just somewhere in the middle. How do we  
19 do anything here right in this room as lay people who don't know how bad it is, whether it's bad,  
20 where it's bad. He doesn't feel we can do that, so an expert has to tell us.  
21

22 Mr. Sichler said they are trying to do a baseline evaluation. We should comment that we want all  
23 pathways of the riparian corridor be addressed. Mr. Maxfield said it's a big steep bank there and if  
24 they disturb up to it, they will make the bank even steeper. They could cut off some of the flow  
25 and determine where the riparian boundary is and let it flow and pave up to it. That could be their  
26 type of maintaining the landscape and that way we'd have a real path and corridor to provide  
27 habitat and still stabilize that bank and they'd still have the kind of cover. Mrs. Yerger said the  
28 bank is so high right now and so unstable.  
29

30 Mr. Maxfield said Bethlehem has been working on remediation of Fawn Creek as there's too much  
31 erosion going on down there. If they could maintain the riparian corridor, it can't get any worse  
32 than it is. Is it good enough to put a riparian corridor or is it a better environmental thing to go  
33 right up to it. Mr. Hijazi said why don't we say this is a concern for us here and could they  
34 incorporate it in the plans they have and come back and deal with the land development. Mr.  
35 Maxfield said how about if we recommend to them that they use the best practices that they are  
36 aware of to insure the environmental soundness of the creek and the riparian corridor.  
37

38 **MOTION BY:** Mr. Maxfield moved to recommend that Surface and subsurface hydrological flows associated  
39 with riparian corridor between the eastern boundary of the project (Fawn Run) and Ringhoffer  
40 Road should be addressed in the plan and recommend the best environmental management  
41 practices for the treatment of riparian corridor and greenway along Fawn Run.

42 **SECOND BY:** Mr. Hijazi

43 **ROLL CALL:** All in Favor: Yes  
44 Opposed: None  
45

46 **III. DEVELOPER ITEMS**

47  
48 **A. ROTH MINOR SUBDIVISON – 2784 BUTTERMILK ROAD – RESUBMISSION**

49  
50 Mrs. Yerger said a change was made on the lot line in Williams Township. Even though it's a  
51 resubmission, she doesn't see any environmental issues here. It's just a resubmission. This does  
52 not affect us one way or another as far as an environmental impact.  
53

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1 No comments.  
2

3 **B. ESTATES OF STONEHURST – 1905 WALDHEIM ROAD – PRELIMINARY PLAN –**  
4 **RESUBMISSION**  
5

6 Mrs. Yerger said this is on Waldheim Drive. It's a six lot subdivision, with a cul-de-sac and 14  
7 acres of open space. There are two things that she doesn't understand. The one is the public  
8 recreation easement and there's no real explanation for it. The other one is the drainage and  
9 utilities easement from the open space to the cul-de-sac.  
10

11 Mr. Maxfield said what they are proposing is drainage above and below ground. They are also  
12 proposing the access from the public right-of-way to the open space, whether it be maintenance or  
13 whatever will be through the drainage easement. Then we have this, the recreation easement which  
14 he doesn't know what that means.  
15

16 The EAC said they are concerned about the lack of public access to the open space for the  
17 development. This is all owned and maintained by the Homeowners Association. They would  
18 like to know where the public access is. They may want the open space to serve only the lots there.  
19 It's fairly sloped and wooded. We need to question the nature of the recreation public easement  
20 and its purpose as indicated on the map. How are they going to manage this? Are they going to  
21 cut down trees, create pathways. Mr. Maxfield said he'd like to hold off on this one until there is  
22 more information.  
23

24 Sandy Yerger said she will get more information on this.  
25

26 **MOTION BY:** Mr. Hijazi moved to table.  
27 **SECOND BY:** Mr. Maxfield  
28 **ROLL CALL:** All in Favor: Yes  
29 Opposed: None  
30

31 **C. PIERPOINT PROPOSED BANK – ROUTE 378 – PRELIMINARY PLAN –**  
32 **RESUBMISSION**  
33

34 Mrs. Yerger said she doesn't see any difference on the plans and she's not sure why it is here as a  
35 resubmission. She said they'll go with their previous recommendations.  
36

37 **MOTION BY:** Mr. Aranyos moved to go with the previous recommendations.  
38 **SECOND BY:** Mr. Clouser  
39 **ROLL CALL:** All in Favor: Yes  
40 Opposed: None  
41

42 **D. HIDDEN MEADOWS MAJOR – 3588 LOWER SAUCON ROAD – FINAL PLAN**  
43 **SUBMISSION**  
44

45 Mrs. Yerger said this is on Lower Saucon Road. They are going to reduce substantial amounts of  
46 trees and they will trade it off for conserving the present open space across the street. The open  
47 space has been addressed and is being deed restricted.  
48

49 **MOTION BY:** Mr. Clouser moved that they have no further environmental concerns on this project.  
50 **SECOND BY:** Mr. Aranyos  
51 **ROLL CALL:** All in Favor: Yes  
52 Opposed: None  
53

**E. MCCLOSKEY AVENUE MINOR – 3612 MCCLOSKEY AVENUE – REVISED PLANS**

Mrs. Yerger said they have a drainage easement which is 16.5 feet, the size of the Grand Canyon. There are a lot of water issues on this property. They need to improve the water situation and revisit this from an environmental standpoint. EAC recommends that we need them to revisit the water runoff from an environmental standpoint. They are also unwilling to pipe the water because of the expense. It looks like they put the swales right around the house. They've seen it sheet flowing across those lots. The water comes down the hillside which is erosion city. They are proposing to pick up the storm water coming down the hill and pumping it out and is going down to the grass and swale. They could recommend they put something in like a wetland mix to slow it down. We are concerned and would like to see the swale vegetated to decrease the possibilities of erosion no matter which way it's flowing. It looks like it'll be picking up a ton of water. Since they are unwilling to pipe it, we need to mitigate velocity and flow. We would like to recommend on this plan to have the drainage swale vegetated with a wetland mix to minimize potential erosion and sediment buildup and to minimize any water velocity.

**MOTION BY:** Mr. McCormick moved to recommend on this plan to have the drainage swale vegetated with a wetland mix to minimize potential erosion and sediment buildup and to minimize any water velocity.

**SECOND BY:** Mr. Aranyos

**ROLL CALL:** All in Favor: Yes  
Opposed: None

**IV. OLD/MISCELLANEOUS BUSINESS**

**A. REVIEW AND APPROVAL OF JUNE 5, 2007 MINUTES**

Tabled until next meeting.

**V. UPDATES/REPORTS**

**A. HELLERTOWN REPORT**

Nothing to report.

**B. OPEN SPACE SUB COMMITTEE**

Mr. Beardsley said they went to Dr. Caruso's property at the request of Tom Maxfield and Sandra Yerger. They went through the open space preservation checklist and evaluated the property after they did a walk through. They evaluated it and made a recommendation. They went through a check list and did not sign any numerical scores. They figures a simple yes or no would suffice. It was pretty easy as it was along the Saucon Creek and it is 40 acres. They made that recommendation and he doesn't know the status of it at this point. He doesn't know if they have to do anything more. Mrs. Yerger said right now they are waiting for an appraisal. The only way it went the way it did was because the potential property owner came to Council and they were in an Executive Session with Council. He showed up and talked us and that's where this whole thing generated. It was not on anybody's radar screen plus there was a time limit because they had a sale of agreement. Mr. Beardsley said they also thought if this goes forward, they can get some good public relations out of this because you've got concerned citizens willing to put up money who are willing to help us preserve a significant portion of the river.

Mr. McCormick wanted to make a motion that the EAC recommend to the Council as a whole that the Council does not take any action or make any commitments with respect to financial

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1 considerations unless and until the EAC has had an opportunity to do that even if that requires an  
2 emergency meeting of the EAC. He supports the recommendations and understands the odd  
3 scenario. It's not appropriate for the EAC or Open Space Committee to wake up one day and then  
4 be told that X amount of the budget has been spent. Council has the ability to do that  
5 notwithstanding the EAC's input, but he wouldn't be comfortable with that happening. Sometimes  
6 people put an urgency in something to see that it turns out their way. He fully supports this  
7 property.  
8

9 Mr. Maxfield said the Solicitor will tell you that the financial aspect is entirely up to Council.  
10 That's their area. Mr. McCormick said he didn't ask Council to give up its authority to make those  
11 financial considerations. He recommended that Council should have the EAC participate and if  
12 that's not comfortable, then this Council should be abolished. It's not appropriate to have this  
13 committee and to have Council say we're going to do what we want to do. Council should not be  
14 outsourcing, delegating or giving up its authority. Mr. Maxfield said he definitely wants to talk to  
15 the Solicitor before anything is done. When an open space committee would be included in the  
16 process of recommending the actual spending of the money, if you want to talk to Council about  
17 the deliberation of the money and how it's spent, that might be a legal problem, but he's not sure.  
18 Mr. McCormick said he's not sure that it's a legal problem for this Committee to be given the  
19 opportunity to make a recommendation for which Council can accept it or not. There's a weirdness  
20 about this transaction. It had to happen quickly. He understands that 40 acres with a mile of  
21 Saucon Creek property is selling for \$1.2 million. Mr. Maxfield said those are Executive Session  
22 things that they really can't discuss. Mr. McCormick said what is this Council, as a whole, their  
23 role in this, and what is the Open Space Subcommittees role in this? If this is all going to happen  
24 in Executive Session, then let us know how it turns out. Mr. Maxfield said one of the roles of the  
25 Sub Committee is to do what you did...make a recommendation and do an evaluation and make the  
26 recommendation to acquire the property. He thinks that is significant, and as far as the EAC is a  
27 recommending body, as long as they are recommending, that's fine, but it seems to him Mr.  
28 McCormick wanted to actually be in on the session.  
29

30 Mr. Beardsley said if all the money that is available this year is spent on this one property, then  
31 there is nothing else for us to do. Mr. McCormick said he doesn't think the Council should  
32 outsource or delegate its responsibility. Either we're going to have a role in this or we're not, and  
33 this deal is being cut. Is this just saying this is property that has conservation value, yes or no, or a  
34 scale of 1 – 10 because frankly you can't make a recommendation without understanding the  
35 financial details. In other words, if it's worth \$100, even if it wasn't so pretty, the answer is yes. If  
36 it's going to be a 10 year allocation of the entire township's tax base, it's going to put a quarter of 1  
37 percent of their income into a fund and for five years, every nickel of that is going to be used to  
38 preserve one piece of land which is on this end of the town and not on the other. He lives down the  
39 block and he wants to conserve, but is it appropriate that the financial negotiation be done in  
40 Executive Session. Mr. Maxfield said it has to be for us...land acquisition items and personnel are  
41 executive session items. This is strictly land acquisition. Mr. McCormick said Council is going to  
42 be negotiating in Executive Session every financial consideration under that ordinance, is that this  
43 property or anything in general. Mr. Maxfield said anything in general. It happens with  
44 condemnation, purchase of property, purchase of rights. Mr. McCormick said it is odd to him that  
45 there's this budget, and the township will hear about it after the fact. Mr. Maxfield said this is why  
46 we went through an election process. If the township doesn't trust the decisions we're going to  
47 make, they can blow us out of office. We're going to have to show evidence of the EIT and that we  
48 use the money wisely. He wishes he could share the things they talk about in Executive Session,  
49 but he can't. They are addressing everything. If they brought in the property owners into an  
50 Executive Session, they could ask the Sub Committee to come into that Executive Session and  
51 discuss it, but ultimately since Council bears the responsibility for that money, they are going to  
52 decide, based on everything the Sub Committee tells them, how they are going to spend it. Mr.  
53 McCormick said he thinks the committee should be disbanded if they can't make these decisions.

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1 The whole point is, does it sound like a good idea to the property owner. Does it sound like a good  
2 idea from a conservation perspective. It scores well, and then you go forward and go through the  
3 whole process and you negotiate, figure out in the end, which includes the financial impact and  
4 what that represents as a percentage of the townships war chest, then only can you make a  
5 recommendation, and if yes, it's pretty property, and then you don't have a role after that, then you  
6 shouldn't do it because it's all about value. If the committee doesn't have a role in that, there  
7 should be no committee. Mr. Maxfield said if they pulled the Sub Committee into an Executive  
8 Session, they would be bound by the code of silence just like they are and they couldn't even share  
9 it with the other EAC members. It is a level of trust. The Sub Committee is recommending body  
10 and then it goes to a point and it stops.

11  
12 Mrs. Yerger said this is all going to come down to an appraisal, probably two appraisals.

13  
14 Mr. Hijazi said regardless of the value, Tom McCormick is saying that his people have the right or  
15 should be involved with the financial decision and the answer should be yes or no. You make a  
16 recommendation and Council will make the financial decision whether they will go after it or not.  
17 Tom McCormick is asking whether the Sub Committee or the EAC should be involved with those  
18 financial decisions. That's the bottom line here. Mr. Maxfield said regarding Council, we're the  
19 people sitting up there, we're the people that have to take the heat. Mr. Hijazi said he's not  
20 disagreeing.

21  
22 Mr. Allan Johnson said when it comes to the financial decision, will it always be handled in  
23 Executive Session with Council? Mr. Maxfield said probably. Mr. McCormick said he's now  
24 understanding the process much better. He wished these issues had come to light earlier. It's very  
25 difficult to make recommendations if you're excluded from the financial aspect. This is the first  
26 time they heard this.

27  
28 Mr. Maxfield said this is what they have been told by the Solicitor and politicians, this is the job  
29 they were elected to do...this is the trust that was put in them. Recommend anything you want to  
30 make, but when they go into that back room, it's an executive decision. This is what the State says.

31  
32 Mr. Johnson said where does the Open Space Committee's work stop? He understood the  
33 Committee would come to the EAC and recommend to the EAC and then the EAC would hash it  
34 out and then the EAC would say yes or no we recommend that. That's where it stops. From that  
35 point on, the Council decides the money aspects of it. Mr. Maxfield said yes, that's the way it was  
36 written in the open space plan. The financial aspect is a Council decision. Mr. Johnson said the  
37 first thing out of the homeowner's mouth is how much money are they going to get and they  
38 haven't even had a chance to evaluate the property.

39  
40 Mr. McCormick said they can't do a ranking of a property without determining the value of the  
41 property. It's silly, whether it's legally required or not, for one group to make financial decisions  
42 and a different group of people to make the environmental assessment. Those two groups do not  
43 work together...that is silly. He knows it legal for the Council to make a decision, but he knows  
44 it's not legal for the Council to exclude the Committee from the deliberations. He doesn't get a  
45 vote, but he knows it's not legally required to be kept out of the discussion. Mr. Maxfield said  
46 recommend a way. Mr. McCormick said it's about being privy to the discussion.

47  
48 Mrs. Yerger said she will do a little investigation. She knows of two organizations who rely  
49 heavily on their Open Space Committee. She will call them and ask them exactly who does what,  
50 where does everything start and stop. Tom Maxfield and Sandy Yerger will talk to the pertinent  
51 parties like the Solicitor.  
52  
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**The Reiss Property:**

1 Mr. Beardsley said Mr. Reiss met with him. They did not walk his property. Terry Clemons was  
2 there also. It was a “get to know” you kind of meeting. They do need to make an appointment and  
3 walk all the property. They don’t know how much he wants to conserve. Mr. Beardsley said that  
4 he recommends that potential landowners get a copy of the Open Space Plan or give them a disc of  
5 it. Sandy Yerger said that is a good idea. Mr. Reiss would like to still lumber the property. Do we  
6 want to let him log on this property? Terry Clemons spoke up and said they should be able to do  
7 logging on the property. Mr. Clemons would like to come to a meeting and see how we operate  
8 and address the logging part. Mr. Beardsley will contact Mr. Clemons to see if he will come to the  
9 next EAC meeting. Mr. Johnson said there is a part in the easement about lumbering. He wanted  
10 to read it, but Mrs. Yerger said they will bring the lumbering part up at the next meeting. Mr.  
11 Maxfield asked how much does he want to lumber. Mr. Beardsley said he has a Certified Forester  
12 who has done a plan for him. He wants to continue timbering unless he gets enough dollars, so he  
13 won’t have to log it. Mr. Beardsley will make arrangements with Terry Clemons and they will  
14 walk the property. Mr. McCormick had a draft of a Landowner Outreach letter. The first part is  
15 the sales pitch. The second part is a draft advertisement. The third part is FAQ’s which will be  
16 enclosed with the letter. If you have any comments, please email Mr. McCormick with any  
17 changes or comments.  
18  
19

20 Mrs. Yerger said the non binding letter of intent, Terry Clemons gave them a copy, were they  
21 happy with that? Mr. McCormick said it needs to be changed a little bit. Mr. Johnson said the one  
22 that Terry gave them was pretty short and didn’t say a heck of a lot. Mrs. Yerger said you have an  
23 application. She sent them a copy of the application from Williams Township. Mr. McCormick  
24 said he’s not sure they need an application at this point. They are going to send 200 letters and  
25 probably just get six letters back. They will track it, make contact and go out to see the property, so  
26 he’s not sure they need a formal letter of application. Diane Gehringer brought it up, that’s why  
27 Mrs. Yerger asked about it. Mr. Johnson said the Reiss property is owned by him and his sister.  
28 Mr. Beardsley said he referred to her as an “X-sister”. Mr. McCormick said it could be the other  
29 sister, he’s not sure. Mr. Beardsley said they weren’t aware of that, and he’s glad they brought that  
30 up about the other sister.  
31

32 Mr. Beardsley asked about the appraisal. Should the landowner pay for some or just the  
33 Township? Mr. Maxfield said the first appraisal should be a 50/50 so in that way they can make  
34 sure the property owner is serious. If they have some financial problem, they can always make an  
35 exception. If a second appraisal is needed, the Township will pay for that appraisal. Mr. Johnson  
36 said Terry Clemons said the township should keep the appraisal secret. Mr. Johnson asked him  
37 why. Mr. Clemons said that the township is paying for it. Mr. Johnson said it basically tells the  
38 value of the whole property to a developer. A property owner could get us to do the appraisal and  
39 say he’s not interested, then he has a \$2,000 appraisal that the could go to a developer for. He likes  
40 the idea that the property owner pays for 50% and the township the other 50%. Mr. Reiss said  
41 that’s the first thing he wanted to see was the appraisal. Mr. McCormick said if they pay for half,  
42 they should have the right to see it. Terry’s response was if you don’t let them have it, the  
43 township has an upper hand in the negotiation. If the township wants an upper hand in the  
44 negotiations, then the township should pay for it. He thinks it’s a partnership and you should find a  
45 mutual beneficial arrangement. They should pay for half unless you should have a hardship  
46 exception. Mr. Maxfield said he sees one area where there might be a problem. They had a guy  
47 come to them and the Township volunteered to do the appraisal. This guy used the appraisal and  
48 went and showed the developer. That’s why he would like to do the 50/50 also. Mr. Clouser said  
49 what is we do the appraisal and then decide not to buy the property. EAC said they will reimburse  
50 the property owner then. Mrs. Yerger said she will run this by Council. Mr. McCormick suggested  
51 they put the ad and fact sheet on the EAC website.  
52  
53

**Environmental Advisory Council Meeting  
July 3, 2007**

**Mr. Hijazi left the meeting. The time was 9:20 PM.**

Mr. Johnson wanted to get back to the logging. Mr. Maxfield said he'd like to wait and have Terry Clemons go over this part with them. They will go over this at the next EAC meeting.

**NON-AGENDA ITEMS**

Mrs. Yerger said there is a vacancy on the Landfill Committee. Lori Car is moving to New York. Mr. Davis said he would like to fill in for that vacancy. Mrs. Yerger told Mr. Davies to send a letter to Mr. Jack Cahalan, Township Manager.

**VI. ADJOURNMENT**

**MOTION BY:** Mr. Beardsley moved to adjourn. The time was 9:26 PM.

**SECOND BY:** Mr. Johnson

**ROLL CALL:** All in Favor: Yes  
Opposed: None