

I. OPENING

- A. **CALL TO ORDER:** The Environmental Advisory Council meeting of Lower Saucon Township was called to order on Tuesday, November 10, 2015 at 7:00 PM, at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.
- B. **ROLL CALL: Members:** Sandra Yerger, Chair; Tom Maxfield, Vice-Chair; Haz Hijazi, Ted Beardsley, Laura Ray (arrived at 7:28 p.m.) and Allan Johnson. Mike Beuke, Boucher & James. **Associate Members:** Sarah Stanlick & Thomas Carocci. Absent: Dru Germanoski, David Jauregui, Michael Boyle and Glenn Kaye. **Jr. Member:** Kyle Bambu. **Hellertown Liaison:** Terry Boos. **LST Staff:** Diane Palik
- C. **PLEDGE OF ALLEGIANCE**
- D. **ANNOUNCEMENT OF EXECUTIVE SESSION** – None

II. OPEN SPACE SUB-COMMITTEE

A. **PROPERTY UPDATES**

1. **PROPERTY NO. 2015-4**

Mr. Beardsley said they will go out and score it. He understands that half of the property is in a detention basin, but they've done similar things before.

2. **UPDATE ON RICHARD MARSON PROPERTY – 2383 WASSERGASS ROAD**

Mr. Beardsley said this is complete. The EAC thanked Ted for all his efforts in working with Mr. Marson on this project.

3. Mr. Beardsley said Mr. Cahalan wrote a letter to William Barnett about his property and a form was sent to him. We haven't gotten the form back. Mrs. Yerger said she will also be sending in another property they are looking at who has contacted Heritage. It's in the area of the Seifert-Ray property.

III. NEW BUSINESS

A. **PRESENTATION – WILDLANDS' INTEREST TO WORK WITH THE MUNICIPALITIES AND WATERSHED PARTNERS TO INVESTIGATE THE TWO DAMS ALONG THE SAUCON CREEK AND IF FEASIBLE, PURSUE THEIR REMOVAL**

Ms. Kristie Fach from Wildlands gave a presentation of the work they are doing. They concentrate their efforts on restoration and land protection and they've been focusing their efforts on dam removal. She explained the environmental benefits of dam removal. She spoke with the Hellertown Borough Manager about the Water Street Bridge dam. Hellertown, Lower Saucon, and a resident each own part of it, and they would need approval to do stream bank restoration there. Another site is Tuminello Park and the damage the dam has done there. Mr. Horiszny asked if it feeds the pond or does it go through the Grist Mill? Mr. Boos said the pipe feeds into the large pond and comes out of the mill race.

Mr. Maxfield said Lower Saucon would be involved with the one at the Heller Homestead and it would be Hellertown and Bethlehem for the remnants below. In the area of Hellertown Borough, there is a swamp area that was studied by geologist and it ended up being older than the theory, so they wouldn't want that disturbed. He thinks removing those dam pieces could be a real benefit for the flooding situation. He said she could also talk to the Saucon Valley Conservancy.

MOTION BY: Mr. Carocci moved that the EAC recommends to Council that the Township should go forward with the preliminary study of the removal of both dams that was presented to the EAC.

SECOND BY: Mr. Maxfield

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

B. **SURVEY OF PARKS, RECREATION AND OPEN SPACE**

Mrs. Yerger said Council requested this survey and it's very similar to the one we had done before. The upside to this one is we have a lot more parks and open spaces.

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Mr. Beuke said Priscilla deLeon requested this and Mr. Cahalan said it would be a good idea to put out another survey including open space. It's a simple survey and would be done by Survey Monkey. It contains about 10 questions.

Mr. Hijazi said he thinks a survey is good, but he's trying to figure out what the goal is or the strategy. Why don't you do a survey asking if residents are satisfied about road maintenance. There's a lot more things we could survey in the Township besides this. Mr. Maxfield said there are people who question the money we spend on parks. They are worried about how much maintenance is going to cost. We have a Parks and Rec committee and they work with youth sports and know what's going on. We don't need this, but we'll do it as Council wants it.

Mrs. Yerger spoke about the Return of the Environment that she's been working on with the LVPC. Mrs. Yerger said it's been proven that parks keep real estate values up and it's something that is desirable in your community.

Mr. Hijazi asked if the results of the survey are going to be shared and discussed with the EAC? Mr. Maxfield said they will probably go first to Parks and Rec, then Council, and then get distributed to the EAC.

Mr. Maxfield said looking at this from a resident viewpoint, all the things listed ask what is occurring in Lower Saucon, and the kind of recreational experiences you look for in Lower Saucon. When you are a resident of the Saucon Valley, he doesn't think people look at the boundaries between Hellertown and Lower Saucon. This survey doesn't really consider Hellertown at all. We talked about a regional Recreation Director and he thinks that's a reasonable thing to do. Mrs. Yerger said it's based on our joint school district. Mr. Maxfield said maybe we need to evaluate it keeping in mind that we are part of a larger, regional area. Mr. Carocci said he agrees, and we should include Hellertown in the survey. Mr. Maxfield said we can make a recommendation that this survey goes through the Saucon Valley Partnership, then it will go through us, the school district and Hellertown.

MOTION BY: Mr. Maxfield moved that the EAC recommends to Council that because of the regional nature of our recreational experiences, Council consider sending the survey of parks, recreation and open space through the Saucon Valley Partnership and try to get survey answers from the Saucon Valley School District, Hellertown residents and Lower Saucon residents.

SECOND BY: Mrs. Yerger

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

Ms. Stanlick asked if this a possible tool for what could be developed at Woodland Hills? Mr. Maxfield said this keeps coming up about horseback riding and we are really limited as to what we can do there because of deed restrictions attached to it. When they say passive, we can make a recommendation of what we think is passive or what we think the maintenance should be. Mr. Beuke said the latest survey includes Woodland Hills, the Rail Trail and the dog park. She asked if there was anything for the Saucon Valley Farmer's Market. Mr. Boos said it's in Hellertown, but certainly is a regional thing.

Mr. Maxfield said regarding Woodland Hills, the effort was to call it a preserve and keep it separated from the other park areas. We should let residents know that it is restricted as to its usage with the funding we received. Mr. Maxfield said it's about as developed as it's going to get. We should make a recommendation to Parks and Rec to define what passive is. Mr. Maxfield said Council voted on the usages and there is signage stating what you can and cannot do. We could partner with Parks and Rec to get the information to the public.

C. APPROVAL OF MEETING DATES FOR 2016

MOTION BY: Mr. Maxfield moved for approval for the EAC meetings to be held on the second Tuesday of the month for 2016.

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SECOND BY: Mr. Johnson
ROLL CALL: 6-0 (Absent – Mr. Germanoski)

IV. DEVELOPER ITEMS

A. BLAIR – 3590 ROUTE 378 LAND DEVELOPMENT

Mrs. Yerger said this was a submission to the P/C. They are going to expand the existing building along Walter Avenue. Mr. Beuke said they obtained some variances and B&J raised some additional concerns they have to look at in order to comply with the zoning ordinance. Mrs. Yerger said this is more zoning than environmental issues. The EAC had no comment.

B. VALERIE LANE LOT LINE CHANGE #LL 02-15 – 110 VALERIE LANE

The EAC looked at the plans. Mr. Beuke said their review is not complete. There are two existing lots and one lot line goes through an existing dwelling, so it appears that they want to realign that lot line so it doesn't go through the existing dwelling. Mrs. Yerger questioned their natural resource calculations. Mr. Beuke said they need to be more accurate. The EAC said they want to reserve the right to comment if any development of the property is proposed.

MOTION BY: Mr. Maxfield moved that the EAC wants to reserve the right to review and comment if any development of 110 Valerie Lane property is proposed.

SECOND BY: Mrs. Yerger

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

V. UPDATES/REPORTS

Mr. Carocci said he helped with the latex paint event on Saturday, November 7, 2015. There were 40-50 cars that went through with an average of 10 cans to a car. The residents were very happy with this event and about 80% were Lower Saucon Township residents. The EAC asked staff notify Northampton County that the EAC would like to do this event again in 2016.

VI. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF SEPTEMBER 8, 2015 MINUTES -

MOTION BY: Mr. Hijazi moved for approval of the September 8, 2015 minutes, with corrections.

SECOND BY: Mr. Maxfield

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

VII. OLD/MISCELLANEOUS BUSINESS

Mr. Maxfield said Council discussed the Dravec parcel not having pins and it was suggested that a survey be done to locate these pins, but the request was specifically that the funds would come from the Open Space money. The State amended the Open Space Act allowing you to spend open space money on maintenance and development of parks. The EAC discussed this previously and decided we really don't want open space money being used for paving parking lots and things like that. At the last Council meeting there was discussion of properties that open space funds could be used on. Mr. Maxfield protested with the EAC's grace. The State says you can use up to 25% of these funds, but you don't have to. For us, that could be about \$1 million. For instance, for the Easton Road baseball fields a request is to use open space money to establish a parking lot there. We already pay for appraisals, attorney's fees, and any cost that is associated with acquiring a piece of property or conservation easement, which is coming out of the open space fund. Now maintenance is being discussed for parks and rec areas and anything that open space money was used to buy. There was discussion of the referendums done for open space and that the language was very clear for what the money was to be used for. Just because the state says we can do it, he doesn't think we should necessarily do it and suggest if you want to do this with open space funds, then wait for the referendum to run again and change the language and tell people what they are spending their money on.

Mr. Carocci said the original referendums mentioned nothing about maintenance or about using 25%. It was for the acquisition of open space and land. To use that money for any other purpose, no matter what the State says and yes, legally they are allowed to, but it is really a fraud on the taxpayers of this Township

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by Township Council if they use that money in any other way. He agrees that if they want to use that money, next year they have a chance to put it on the ballot with the words maintenance and 25% in it. Until then, not a penny of that money should be spent on maintenance. Mr. Maxfield said in his mind it was an ethical question. Mr. Hijazi said this feeds into the perception of the citizens that the government wants to handle a lot of money and this was not the intent of it. Any attempt to try to figure out ways around it is not appropriate.

Mrs. Yerger said she agrees with them, but we need to make it heard. She agrees with Tom there has to be a way to deliver this message to our current Council. We need to figure that out whether we show up at the meeting next week, and deliver that message in person whether you write it out, or go as a group and make sure they know.

Mr. Maxfield said last time this came up, it was also presented to Parks & Recreation and they liked the idea that money was going to be spent on recreation and he understands that. He thinks the recommendation we made last time was that each individual request should be examined to see if we were in favor of spending open space money on it. He doesn't think we are against the idea totally. Maybe we want to say let's take it on a case-by-case basis. Mr. Hijazi said we don't want to pay for mowing the lawn. Mr. Carocci said he thinks that referendum didn't have the word "maintenance" in it, it didn't have the words "25%" in there or "siphoned off in a separate fund". He thinks we should stand by the language in the referendum. They'll have an opportunity to put it on the ballot next year and then let the voters decide.

Mrs. Yerger said the simplest way to do it is recommend they strictly abide by the language that was originally in the referendum question so that we do not end up committing fraud or deceiving voters with what their money was originally voted for and intended for. The EAC feels very strong about this subject.

MOTION BY: Mrs. Yerger moved that the EAC recommends to Council that Council adopts and strictly abides by the language that was originally stated in the referendum question on open space funding; and that the Township does not end up committing fraud or deceiving the voters of Lower Saucon Township with what their money was originally voted for and intended for. The EAC opposes using the open space money for anything other than acquiring open space.

SECOND BY: Mr. Hijazi

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

Mrs. Yerger asked if they want to use the open space funds to survey the Dravec property? Mr. Carocci was concerned about setting a precedent.

MOTION BY: Mrs. Yerger moved to recommend to Council that the EAC approves getting the Dravec parcel surveyed.

SECOND BY: Mr. Hijazi

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

Mr. Boos said the Water Street Park is now open and available for use.

IX. NON-AGENDA ITEMS – None

X. PUBLIC COMMENT – None

XI. ADJOURNMENT

MOTION BY: Mr. Beardsley moved for adjournment. The time was 8:40 pm.

SECOND BY: Mr. Hijazi

ROLL CALL: 6-0 (Absent – Mr. Germanoski)

Sandra Yerger, Chair