

**I. OPENING**

**CALL TO ORDER:** The Reorganization & General Business meeting of Lower Saucon Township Council was called to order on Monday, January 5, 2009 at 7:01 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

**ROLL CALL:** Present –Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Sandra Yerger, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Brien Kocher, Township Engineer and Stacy Ogur, Township Planner. Priscilla deLeon arrived at 7:03 PM. Attorney Linc Treadwell arrived at 8:40 PM.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

**Mr. Kern said Council has not met in Executive Session between last meeting and the meeting this evening.**

**II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mr. Kern said for citizen agenda items – Council operates under Robert’s Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Leslie or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. You can check the minutes on the website, which is [lowsaucontownship.org](http://lowsaucontownship.org). Mr. Kern asked if anything was taken off the agenda this evening? Mr. Cahalan said no.

**III. INITIAL REORGANIZATION**

**A. ELECTION OF COUNCIL PRESIDENT (YEARLY)**

**MOTION TO NOMINATE:** Mr. Maxfield moved to nominate Glenn Kern as Council President.  
**SECOND OF NOMINATION:** Mr. Horiszny  
Mr. Kern asked if there were any other nominations? No one raised their hand.  
**MOTION TO CLOSE NOMINATION:** Mr. Horiszny  
**SECOND TO CLOSE NOMINATION:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**B. ELECTION OF VICE PRESIDENT OF COUNCIL (YEARLY)**

**MOTION TO NOMINATE:** Mr. Horiszny moved to nominate Tom Maxfield as Vice President.

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**SECOND OF NOMINATION:** Mrs. Yerger  
Mr. Kern asked if there were any other nominations? No one raised their hand.

**MOTION TO CLOSE NOMINATION:** Mr. Horiszny

**SECOND TO CLOSE NOMINATION:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**C. DESIGNATION OF COUNCIL MEETING TIME, PLACE & DATE FOR 2009**

Mr. Kern said Council meeting time, place and date for 2009 is the First & Third Wednesdays of the Month – General Business/Developer Items at 7:00 p.m. at Town Hall.

**MOTION BY:** Mr. Horiszny moved for the first and third Wednesday of the month, 7:00 PM at Town Hall.

**SECOND BY:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**D. RESOLUTION #01-2009: DEPOSITORY OF FUNDS (YEARLY)**

Mr. Kern said the staff recommends continuing with Lafayette Ambassador Bank, PLGIT and Fulton Financial Advisors.

**RESOLUTION #01-2009  
DESIGNATING FINANCIAL INSTITUTIONS AS DEPOSITORIES FOR THE YEAR  
2009**

**WHEREAS,** the Council of Lower Saucon Township, Northampton County, in the Commonwealth of Pennsylvania, recognizes the need to benefit from the best interest rates available when investing Township monies; and,

**WHEREAS,** the Council of Lower Saucon Township also recognizes the need to transfer monies in a timely manner without further approval, do appoint and designate the following financial institutions as depositories for the year 2009:

**LAFAYETTE AMBASSADOR BANK  
FULTON FINANCIAL ADVISORS  
PA LOCAL GOVERNMENT INVESTMENT**

**NOW, THEREFORE, BE IT RESOLVED,** and it is hereby resolved by the Council of Lower Saucon Township, that the above listed financial institutions be designated as depositories established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #01-2009 – Designating Financial Institutions as Depositories for the Year 2009.

**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

E. **RESOLUTION #02-2009: SECONDARY SIGNATURES FOR DISBURSEMENTS (YEARLY)**

Mr. Kern said Council should appoint two (2) members of Council for secondary signatures for disbursements. Council may wish to also name an alternate in the case of three signatories being unavailable.

**Resolution #02-2009  
AUTHORIZING THE SIGNATURE OF CHECKS FOR THE YEAR 2009**

**WHEREAS**, the disbursement of Township Funds requires two authorized signatures on any draft for such payment; and

**WHEREAS**, the Township intends and desires to authorize primary individuals to sign such drafts; and

**WHEREAS**, the Township intends and desires to authorize alternate individuals to sign such drafts in the absence of any of the primary individuals,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Lower Saucon, Northampton County, Pennsylvania as follows:

1. A draft to disburse Township Funds shall be valid if signed by two (2) of the following primary individuals,

<u><b>NAME</b></u>	<u><b>TITLE</b></u>
Vacant	Township Controller
John F. Cahalan	Township Manager

2. In the absence of any of the above primary individuals, any of the following secondary individuals are authorized to sign a draft in order to satisfy the requirement that two (2) authorized signatures appear thereon:

<u><b>NAME</b></u>	<u><b>TITLE</b></u>
Glenn C. Kern	President of Council

In the absence of the President of Council, another available Council person shall be:

Thomas Maxfield	Vice President
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3. In the absence of more than three of any of the above named individuals, the following alternate individual is authorized to sign a draft in order to satisfy the requirement of two (2) authorized signatures:

Ron Horiszny	Council Member
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4. Any other ordinance, resolution, or motion, or any part thereof inconsistent with the provisions of this resolution, or any parts hereof, is expressly repealed hereby.

- MOTION BY:** Mr. Horiszny moved to have Glenn Kern as Primary Signature, Tom Maxfield as Secondary Signature and himself for Alternate for disbursements, for Year 2009.
- SECOND BY:** Mrs. Yerger
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**IV. APPOINTMENTS BY COUNCIL**

**A. TOWNSHIP SECRETARY – RESOLUTION #03-2009**

Mr. Kern said Resolution #03-2009 has been prepared appointing the Township Manager as Township Secretary.

**RESOLUTION #03-2009  
DESIGNATING TOWNSHIP SECRETARY**

**WHEREAS**, the Council of Lower Saucon Township appoints the Township Manager as the Township Secretary for the year 2009; and

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that Jack Cahalan be appointed as Township Secretary and is instructed to carry out the duties associated with this position for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #03-2009.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**B. TOWNSHIP PLANNING/ZONING ADMINISTRATOR – RESOLUTION #04-2009**

Mr. Kern said Resolution #04-2009 has been prepared appointing the Township Manager as Planning/Zoning Administrator.

**RESOLUTION #04-2009  
DESIGNATING PLANNING/ZONING ADMINISTRATOR**

**WHEREAS**, the Council of Lower Saucon Township appoints the Township Manager as the Township's Planning/Zoning Administrator for the year 2009; and

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that Jack Cahalan be appointed as Planning/Zoning Administrator and is instructed to carry out the duties associated with this position for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #04-2009.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**C. TOWNSHIP SOLICITORS**

**1. GENERAL/CIVIL (YEARLY): RESOLUTION #05-2009**

Mr. Kern said this Resolution has been prepared that reappoints Linc Treadwell as the Township's General/Civil Solicitor at a rate of \$175.00 per hour and sets fees for agreement preparation as stated in the Resolution.

**RESOLUTION #05-2009  
TOWNSHIP'S GENERAL/CIVIL SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints B. Lincoln Treadwell, Jr. as the Township's General/Civil Solicitor, for the year 2009; and

**WHEREAS**, the fee schedule to reimburse the services of B. Lincoln Treadwell, Jr. are as follows:

Hourly Rate & Attendance at Meetings (Hourly) – Solicitor	\$ 175.00
Hourly Rate & Attendance at Meetings – Other Attorney	\$150.00
Hourly Rate & Attendance at Meetings – Paralegal	\$50.00
Preparation of:	
Easements & Deeds of Dedication	\$175.00
Subdivision/Development & Financial Security Agreements (Flat fee each)	\$900.00
Subdivision/Development Maintenance Agreements	\$500.00
Storm water Management Maintenance Agreements	\$500.00
Holding Tank Agreements	\$150.00
Hold Harmless Agreements	\$250.00
Extension Agreements	\$125.00
Operation Spray Irrigation Agreements	\$400.00
Sewer Service Agreement	\$400.00
Limited Construction & Improvements Agreement	\$275.00
Operation & Maintenance Agreement	\$450.00
Agreement of Sale	\$200.00
Temporary Construction & Access Easement	\$175.00
Addendum to Financial Security Agreement	\$200.00

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #05-09.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**GENERAL/CIVIL (ALTERNATE): RESOLUTION #26-2009**

Mr. Kern said this Resolution has been prepared to appoint David Shafkowitz as the alternate General/Civil Solicitor at a rate of \$150.00 per hour on an as needed basis and sets fees in accordance with Resolution #05-2009.

**RESOLUTION #26-2009  
TOWNSHIP'S GENERAL/CIVIL SOLICITOR ALTERNATE**

**WHEREAS**, the Council of Lower Saucon Township appoints David Shafkowitz as the

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Township's General/Civil Solicitor alternate in the absence of Linc Treadwell, for the year 2009; and

**WHEREAS**, the fee schedule to reimburse the services of David Shafkowitz are as follows:

Hourly Rate & Attendance at Meetings (Hourly) – Solicitor	\$ 150.00
Hourly Rate & Attendance at Meetings – Paralegal	\$50.00
Preparation of:	
Easements & Deeds of Dedication	\$175.00
Subdivision/Development & Financial Security Agreements (Flat fee each)	\$900.00
Subdivision/Development Maintenance Agreements	\$500.00
Storm water Management Maintenance Agreements	\$500.00
Holding Tank Agreements	\$150.00
Hold Harmless Agreements	\$250.00
Extension Agreements	\$125.00
Operation Spray Irrigation Agreements	\$400.00
Sewer Service Agreement	\$400.00
Limited Construction & Improvements Agreement	\$275.00
Operation & Maintenance Agreement	\$450.00
Agreement of Sale	\$200.00
Temporary Construction & Access Easement	\$175.00
Addendum to Financial Security Agreement	\$200.00

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #26-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**2. LABOR ATTORNEY (YEARLY): RESOLUTION #06-2009**

Mr. Kern said Resolution #06-2009 has been prepared reappointing Stevens and Lee, at the rate of \$300.00 per hour.

**RESOLUTION #06-2009  
TOWNSHIP'S LABOR SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints the law firm of Stevens & Lee as the Township's Labor Solicitors, for the year 2009; and

**WHEREAS**, the fee schedule to reimburse the services of Stevens & Lee is \$300.00 per hour and paralegals would be at the rate of \$100 per hour.

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**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #06-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**3. PLANNING COMMISSION (YEARLY): RESOLUTION #07-2009**

Mr. Kern said Resolution #07-2009 has been prepared appointing Linc Treadwell as the Planning Commission Solicitor at the rate of \$175.00 per hour and David Shafkowitz as the alternate per the rate schedule as established in Resolution #05-2009.

**RESOLUTION #07-2009  
TOWNSHIP'S PLANNING COMMISSION SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints B. Lincoln Treadwell, Jr., Esq. as the Township's Planning Commission Solicitor and David Shafkowitz as the alternate Planning Commission Solicitor in accordance with Resolution #26-2009, for the year 2009; and

**WHEREAS**, the fee schedule to reimburse their services are as follows:

Hourly Rate & Attendance at Planning Commission meetings \$175.00/hr.  
Hourly Rate & Attendance at Planning Commission meetings (alternate) \$150.00/hr.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #07-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**4. ZONING HEARING BOARD SOLICITOR (YEARLY): RESOLUTION #08-2009**

Mr. Kern said the Resolution #08-2009 has been prepared appointing George Heitzman as the Zoning Hearing Board Solicitor at the rate of \$175.00 per hour.

**RESOLUTION #08-2009  
TOWNSHIP'S ZONING HEARING BOARD SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints George Heitzman as the Township's Zoning Hearing Board Solicitor, for the year 2009; and

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**WHEREAS**, the fee schedule to reimburse the services of George Heitzman are as follows:

Hourly Rate & Attendance at Zoning Hearing Board meetings \$175.00/hr.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #08-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**D. TOWNSHIP ENGINEER (YEARLY): RESOLUTION #09-2009**

Mr. Kern said Resolution #09-2009 has been prepared appointing Hanover Engineering as the Township Engineer. Please note the fee schedule for services is attached.

**RESOLUTION #09-2009  
TOWNSHIP ENGINEER'S FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Hanover Engineering as the Township's Engineer, for the year 2009 to include the following duties: Township Engineer, Landfill Engineer, Host Municipal Inspector and Sewage Enforcement per the attached fee schedule for services.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed services and attached fee schedule are hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield motion for approval of Resolution #09-2009.  
**SECOND BY:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**E. TOWNSHIP LANDFILL CONSULTANTS (YEARLY): RESOLUTION #10-2009**

Mr. Kern said Resolution #10-2009 has been prepared appointing Tri-C Corp. and Rich Sichler from Spotts, Stevens and McCoy, as Township Landfill Consultants (as needed) per their attached fee schedules.

**RESOLUTION #10-2009  
TOWNSHIP'S LANDFILL ENGINEER  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Laressa McNemar, Tri-C Corporation as the Township's Landfill Engineer, for the year 2009; and

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**WHEREAS**, the fee schedule to reimburse the services of Laressa McNemar are as follows:

Hourly Rate (Senior Level)	\$105.00
Non-Technical/Non-Interpretive	\$ 35.00

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. deLeon moved for approval of Resolution #10-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**F. TOWNSHIP LANDFILL COMMITTEE SPECIAL SOLICITOR (YEARLY):  
RESOLUTION #23-2009**

Mr. Kern said Resolution #23-2009 has been prepared appointing Charles Elliott as the Township Landfill Solicitor (as needed) at the hourly rate of \$150.00

**RESOLUTION #23-2009  
TOWNSHIP'S LANDFILL COMMITTEE SPECIAL SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Charles Elliott as the Township's Consulting Solicitor to the Landfill Committee, for the year 2009; and

**WHEREAS**, any special projects and/or assignments will be given on an as needed basis with prior consent of Council, and

**WHEREAS**, the fee schedule to reimburse the services of Charles Elliott is \$150.00 per hour.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #23-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? Mrs. deLeon said sometimes we used him over the past years as Environmental Solicitor, she'd be more comfortable changing it to more generic just in case there were some questions in the interim. Mr. Cahalan said he's worked on MFS and the gas pump station. Mr. Kern asked Mrs. deLeon if she was okay with leaving it the way it is. Mrs. deLeon said she's okay with that. The resolution should say "as authorized by Council".

**ROLL CALL:**

**MOTION BY:** Mrs. Yerger moved to amend her motion or approval of Resolution #23-2009 and to include the changes as stated above.  
**SECOND BY:** Mr. Horiszny amended his second.

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Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**G. TOWNSHIP EAC SOLICITOR (YEARLY): RESOLUTION #24-2009**

Mr. Kern said Resolution #24-2009 has been prepared appointing Terry Clemons (as needed) as the Solicitor to the EAC at the hourly rate of \$150.00

**RESOLUTION #24-2009  
TOWNSHIP'S ENVIRONMENTAL ADVISORY COUNCIL SPECIAL SOLICITOR  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Terry Clemons as the Township's Consulting Solicitor to the Environmental Advisory Council, for the year 2009; and

**WHEREAS**, any special projects and/or assignments will be given on an as needed basis with prior consent of Council, and

**WHEREAS**, the fee schedule to reimburse the services of Terry Clemons is \$150.00 per hour.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #24-2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**H. SEWAGE ENFORCEMENT OFFICERS (YEARLY)**

Mr. Kern said Hanover Engineering requests the following individuals be appointed as the 2009 SEO's: Scott Brown, Christopher Taylor, Janice Buskirk, Jacob Schray, Jeffery Huff

**MOTION BY:** Mrs. deLeon moved for approval of Scott Brown, Christopher Taylor, Janice Buskirk, Jacob Schray and Jeffrey Huff as 2009 SEO's (Yearly).

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**I. TOWNSHIP AUDITOR (YEARLY): RESOLUTION #11-2009**

Mr. Kern said the staff recommends continuing the services of Hutchinson, Gillahan & Freeh per their October 31, 2008 letter. The base rate for the 2008 audit will not exceed \$15,250.00. Additional services will be payable at a rate of \$90.00 per hour.

**RESOLUTION #11-2009  
TOWNSHIP AUDITOR**

**WHEREAS**, the Council of Lower Saucon Township appoints Hutchinson, Gillahan & Freeh as the Township's Auditor, for the year 2009; and

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**WHEREAS**, the reimbursement for the 2008 audit will be subject to the October 31, 2008 letter with the following rates:

Base Fee	\$15,250.00
Single Audit (if required)	\$2,600.00
Hourly Rate for Additional Services	\$90.00

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #11-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**J. TOWNSHIP ACTUARY (YEARLY): RESOLUTION #25-2009**

Mr. Kern said the staff recommends continuing the services of Chuck Friedlander of Municipal Finance Partners per their contract.

**RESOLUTION #25-2009  
APPOINTING MUNICIPAL FINANCE PARTNERS AS THE  
TOWNSHIP'S ACTUARY FOR THE YEAR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Charles Friedlander and Municipal Finance Partners as the Township's Actuary for the Uniform and Non-Uniform Pensions Plans, for the year 2009; and

**WHEREAS**, any special projects and/or assignments will be given on an as needed basis with prior consent of Council, and

**WHEREAS**, the fee schedule to reimburse the services of Municipal Finance Partners is in accordance with the Management Agreement signed by Charles Friedlander.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed agreement is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #25-2009.  
**SECOND BY:** Mrs. deLeon  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**K. TOWNSHIP PLANNER (YEARLY): RESOLUTION #12-2009**

Mr. Kern said Resolution #12-2009 has been prepared appointing Boucher and James (Judy Stern-Goldstein and Stacy Ogur) as the Township Planner. The rate for 2009 is \$116.00 per hour.

**RESOLUTION #12-2009  
TOWNSHIP'S PLANNING CONSULTANT  
FEE SCHEDULE FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township appoints Boucher & James as the Township's Planning Consultant, for the year 2009; and

**WHEREAS**, the fee schedule to reimburse the services of Boucher & James are as follows:

Principal	\$116.00/hour
Planner/Landscape Architect I	\$98.00/hour
Planner/Landscape Architect II	\$85.00/hour
Planner/Designer	\$75.00/hour
Admin. Asst./Secretary	\$48.00/hour

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the above listed fee schedule is hereby established for the year 2009, retroactive to January 1, 2009.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #12-2009.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**L. COUNCIL APPOINTMENT TO THE LOWER SAUCON AUTHORITY (2 APPOINTMENTS, 5 YEAR TERM)**

Mr. Kern said recommendation to appoint Richard McFerren to a new five year terms that will expire 12/31/2013. There is one vacancy.

**MOTION BY:** Mr. Horiszny moved for approval to appoint Richard McFerren to a five year term to Lower Saucon Authority ending 12/31/2013.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**M. COUNCIL LIAISON TO THE PARKS AND RECREATION BOARD (YEARLY)**

Mr. Kern said the Township Manager has served as the liaison to the Park & Rec. Board and if Council desires he will continue to do so. Mr. Kern said he would like to add his services to the Parks and Rec Board. Mr. Cahalan said great. The Parks and Rec Board would appreciate it. Mr. Maxfield said the ones that Mr. Kern can't make, he will try to make. Mr. Kern and Mr. Maxfield will be the alternate liaisons.

**MOTION BY:** Mr. Horiszny moved for approval for Township Manager as the Council Liaison to the Parks and Recreation Board (Yearly), with Mr. Kern and Mr. Maxfield as alternates, ending December 31, 2009.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

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**N. COUNCIL LIAISON TO THE SAUCON VALLEY CONSERVANCY (YEARLY)**

Mr. Kern said Council should appoint a liaison to the Conservancy. Priscilla deLeon has served as liaison in the past.

**MOTION BY:** Mr. Maxfield moved for approval to appoint Priscilla deLeon as Council Liaison to the Saucon Valley Conservancy (Yearly), ending December 31, 2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**O. COUNCIL LIAISON TO THE LOWER SAUCON AUTHORITY (YEARLY)**

Mr. Kern said Council should appoint a liaison. Ron Horiszny has served in the past.

**MOTION BY:** Mrs. deLeon moved for approval to appoint Ron Horiszny as Council Liaison to the Lower Saucon Authority (Yearly), ending December 31, 2009.

**SECOND BY:** Mrs. Yerger

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**P. COUNCIL REPRESENTATIVES TO THE SAUCON VALLEY PARTNERSHIP (2 COUNCIL MEMBERS/YEARLY)**

Mr. Kern said Council should appoint two representatives. In the past Priscilla deLeon & Glenn Kern have represented Council at the Partnership. Tom Maxfield and Sandra Yerger have acted as alternates. Mr. Maxfield said he likes the idea of having the two existing representatives be the representatives to the Partnership, but in matters where important things are coming up, we have alternates, he would like to clear up, that any Council member should be able to be an alternate. There are many times that there is only one Council member there, and there should always be two. Can we appoint the rest of Council members as alternates and we can decide when we get there, who would vote and who didn't vote. He's just worried about us being under represented. Mrs. deLeon said she thinks there should be two regular people. We have to worry about quorum issues. If she showed up and two other Council members showed up, she's the appointee. Mr. Maxfield said the two appointees would take preference. Mrs. deLeon said if something comes up at the last minute, she always would try to let somebody know, but sometimes it doesn't always work as it's last minute. Mr. Maxfield said if an alternate showed up, he should be able to vote. If there was a need for an alternate, and Ron and Tom couldn't make it, Sandy could step in. Mrs. deLeon said why couldn't we do this with the other boards then? This is just as important as the other boards and commissions that we have. Mrs. Yerger said Tom's trying to make a point that we should at least always have alternates. Mr. Maxfield said we should always have two representatives there and they should be voting for the good of the township. Mr. Kern said it's just a matter of adding Ron Horiszny. Mr. Horiszny said he was willing to be added as an alternate. Mrs. deLeon said this July we cancelled our meeting because of vacations, etc.

**MOTION BY:** Mr. Maxfield moved for approval for appointment of Priscilla deLeon and Glenn Kern as Council Representatives to the Saucon Valley Partnership, and Tom Maxfield, Ron Horiszny and Sandra Yerger as Alternates, ending December 31, 2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**Q. COUNCIL LIAISON TO THE LANDFILL COMMITTEE (YEARLY)**

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Mr. Kern said Council should appoint a liaison. Priscilla deLeon has served as liaison.

**MOTION BY:** Mr. Maxfield moved for approval for appointment of Priscilla deLeon as Council Liaison to the Landfill Committee (Yearly), ending December 31, 2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**R. COUNCIL LIAISON TO THE ROUTE 412 CORRIDOR STUDY (YEARLY)**

Mr. Kern said request Council appoint the Manager as liaison.

**MOTION BY:** Mr. Horiszny moved for approval for appointment of the Manager, Jack Cahalan, as Council Liaison to the Route 412 Corridor Study (Yearly), ending December 31, 2009.  
**SECOND BY:** Mr. Kern  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**S. COUNCIL LIAISON TO THE LUTZ-FRANKLIN SCHOOLHOUSE (YEARLY)**

Mr. Kern said Council should appoint a liaison. Glenn Kern has served in the past. Ron Horiszny served as the alternate.

**MOTION BY:** Mr. Kern moved for approval for appointment of Sandy Yerger as Council Liaison to the Lutz-Franklin Schoolhouse (Yearly) and Ron Horiszny as alternate, ending December 31, 2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**T. COUNCIL LIAISON TO THE ENVIRONMENTAL ADVISORY COUNCIL (YEARLY)**

Mr. Kern said Council should appoint a liaison. Tom Maxfield has been the liaison.

**MOTION BY:** Mr. Kern moved for approval for appointment of Tom Maxfield as Council Liaison to the Environmental Advisory Council (Yearly), ending December 31, 2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**U. COUNCIL LIAISON TO THE PENSION ADVISORY COMMITTEE (YEARLY)**

Mr. Kern said Council should appoint a liaison. Priscilla deLeon has served in the past.

**MOTION BY:** Mr. Horiszny moved for approval for appointment of Priscilla deLeon as Council Liaison to the Pension Advisory Committee (Yearly), ending December 31, 2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? Mrs. deLeon said somewhere she saw Pension Board, so you might want to check that out. Ms. Huhn said okay.  
**ROLL CALL:** 5-0

**V. COUNCIL LIAISON TO THE FIRE COMPANIES (YEARLY)**

**Reorganization & General Business Meeting  
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Mr. Kern said Council should appoint two liaisons. Priscilla deLeon & Glenn Kern have served in the past.

**MOTION BY:** Mr. Maxfield moved for approval for appointment of Priscilla deLeon and Glenn Kern as Council Liaison to the Fire Companies (Yearly), ending December 31, 2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**W. LVPC WATERSHED ADVISORY LIAISON**

Mr. Kern said these meetings are usually held during the day. Ron Horiszny was appointed last year.

**MOTION BY:** Mrs. deLeon moved for approval for appointment of Ron Horiszny as Liaison to the LVPC.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**X. SAUCON CREEK WATERSHED ASSOCIATION LIAISON**

Mr. Kern said Council should appoint a liaison. Sandra Yerger has been the liaison and Tom Maxfield has been the alternate liaison.

**MOTION BY:** Mr. Horiszny moved for approval for appointment of Sandra Yerger as Saucon Creek Watershed Association Liaison and Tom Maxfield as the alternate liaison.

**SECOND BY:** Mr. Kern

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**Y. COOK'S CREEK WATERSHED COMMITTEE AND AD HOC COMMITTEE LIAISON**

Mr. Kern said Council should appoint a liaison. Sandra Yerger has been serving as the liaison in the past to the watershed committee and ad hoc committee.

**MOTION BY:** Mr. Maxfield moved for approval for appointment of Sandra Yerger as the Liaison to the Cook's Creek Watershed Committee and Ad Hoc Committee.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**Z. LVPC GREENWAYS EDUCATION AND OUTREACH COMMITTEE LIAISON**

Mr. Kern said Council should appoint a liaison and an alternate. Sandra Yerger has served as the liaison. Tom Maxfield has been an alternate.

**MOTION BY:** Mr. Horiszny moved for approval for appointment of Sandra Yerger to the LVPC Greenways Education and Outreach Committee and Tom Maxfield as an alternate.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

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**AA. COUNCIL REPRESENTATIVES TO THE UNIFORM AND NON-UNIFORM CONTRACT NEGOTIATIONS**

Mr. Kern said Council should reaffirm the appointments of Glenn Kern and Tom Maxfield as Council representatives to the on-going negotiations of both the Uniform and Non-Uniform contracts.

**MOTION BY:** Mr. Horiszny moved for approval of Glenn Kern and Tom Maxfield as Council Representatives to the Uniform and Non-Uniform Contract Negotiations.  
**SECOND BY:** Mrs. deLeon  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**V. REORGANIZATION RESOLUTIONS AND FEE SCHEDULES**

**A. RESOLUTION #13-2009:**

Mr. Kern said Resolution #13-2009 sets the Manager's salary at \$80,332.86 with no longevity pay.

**RESOLUTION #13-2009  
MANAGER'S SALARY FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township has approved that the Manager's Salary shall not exceed the 2009 budgetary amount of \$80,322.86.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the Manager's Salary as set forth in the 2009 budget, is hereby established for the year 2009, retroactive to January 1, 2009 and implement same.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #13-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? Mrs. deLeon said we had talked about changing the pension contributions for the salaried people. Mr. Cahalan said he doesn't have it back from Cathy Gorman yet.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**B. RESOLUTION #14-2009:**

Mr. Kern said Resolution #14-2009 sets the Assistant Manager's salary at \$57,321.39 which includes longevity pay capped at \$350.

**RESOLUTION #14-2009  
ASSISTANT MANAGER'S SALARY FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township has approved the Assistant Manager's Salary at \$57,321.39 which includes longevity pay capped at \$350.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the Assistant Manager's Salary as set forth above, is hereby established for the year 2009, retroactive to January 1, 2009 and implement same.

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**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #14-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**C. RESOLUTION #15-2009:**

Mr. Kern said Resolution #15-2009 sets the Chief of Police's salary at \$79,696.69 which includes longevity pay capped at \$1,746.

**RESOLUTION #15-2009  
CHIEF OF POLICE SALARY FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township has approved the Chief of Police's salary at \$79,696.69, which includes longevity pay capped at \$1,746.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the Chief of Police's salary as set forth above is hereby established for the year 2009, retroactive to January 1, 2009 and implement same.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #15-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**D. RESOLUTION #16-2009:**

Mr. Kern said Resolution #16-2009 sets the Director of Finance's salary at \$51,856.79 with no longevity pay.

**RESOLUTION #16-2009  
DIRECTOR OF FINANCE'S SALARY FOR 2009**

**WHEREAS**, the Council of Lower Saucon Township has approved the Director of Finance's salary at \$51,856.79.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township, that the Director of Finance's salary as set forth above is hereby established for the year 2009, retroactive to January 1, 2009 and implement same.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #16-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**E. RESOLUTION #17-2009:**

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Mr. Kern said Resolution #17-2009 sets the Director of Public Works' salary at \$58,399.31 which includes longevity pay capped at \$750.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #17-2009.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**F. RESOLUTION #18-2009:**

Mr. Kern said Resolution #18-2009 sets the Zoning Officer's salary at \$62,503.98 with no longevity pay.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #18-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**G. RESOLUTION #21-2009:**

Mr. Kern said Resolution #21-2009 sets the Administrative Assistant's salary at \$30,900.00 with no longevity pay.

**RESOLUTION #21-2009  
ADMINISTRATIVE ASSISTANT'S SALARY FOR 2009**

**WHEREAS,** the Council of Lower Saucon Township has approved that the Administrative Assistant's salary at \$30,900.00.

**NOW, THEREFORE, BE IT RESOLVED,** and it is hereby resolved by the Council of Lower Saucon Township, that the Administrative Assistant's salary as set forth above is hereby established for the year 2009, retroactive to January 1, 2009 and implement same.

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #21-2009.  
**SECOND BY:** Mr. Kern  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**H. RESOLUTION #19-2009:**

Mr. Kern said Resolution #19-2009 adopts the pay scale for Non-Uniformed Employees per their current union contract.

**RESOLUTION #19-2009  
A RESOLUTION ADOPTING A PAY SCALE FOR THE YEAR 2009  
FOR TOWNSHIP NON-UNIFORM EMPLOYEES**

**WHEREAS,** the Council of Lower Saucon Township adopted the amended Chapter Two of Personnel Rules entitled "Job Classification and Pay Plan" on October 15, 1980, (Resolution No. 21-80); for the year 2009; and

**WHEREAS,** the Council of Lower Saucon Township has entered into a Collective Bargaining Agreement, which was approved on December 18, 2002 by the Council of Lower Saucon

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Township, for the year 2009 with the United Automobile, Aerospace and Agricultural Implement Workers of America, UAW Local 677 Amalgamated Union; and

**WHEREAS**, the Council of Lower Saucon Township wishes to maintain equity between full-time, part-time and non-union hourly employees of the Township in regard to wages; and

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township that the following pay scale is hereby established for the year 2009 for Township employees, and that the Township Manager is hereby directed to implement same:

**PAY SCALE**

<b><u>PAY GRADE</u></b>	<b><u>MINIMUM RATE</u></b>	<b><u>MAXIMUM RATE</u></b>
1	\$14.01	\$14.74
3	15.80	16.73
4	16.89	18.78
PT2 (laborer)		11.22
PT1 (receptionist)		11.59

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

Mr. Maxfield said if the contract negotiations change things, how will that affect this? Mr. Cahalan said we would adopt a new pay scale. This one would be replaced. Mrs. deLeon said the non uniformed contract expired when? Mr. Cahalan said the end of 2007. Mrs. deLeon said they are waiting for us to go on and settle the police. Mr. Cahalan said that's what they informed us. Mrs. deLeon said the police expired when? Mr. Cahalan said the end of this past year, 2008.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #19-2009.  
**SECOND BY:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**I. RESOLUTION #20-2009:**

Mr. Kern said Resolution #20-2009 adopts the Uniformed pay schedule for the Police Department per their current union contract.

**RESOLUTION #20-2009  
A RESOLUTION ADOPTING A PAY SCALE FOR THE YEAR 2009 FOR TOWNSHIP  
UNIFORMED EMPLOYEES**

**WHEREAS**, the Council of Lower Saucon Township adopted the amended Chapter Two of Personnel Rules entitled "Job Classification and Pay Plan" on October 15, 1980, (Resolution No. 21-80); for the year 2009; and

**WHEREAS**, the Council of Lower Saucon Township has entered into a Collective Bargaining Agreement, for the year 2009 with the full time non-supervisory Police Officers of the Township which was approved April 7, 2004; and

**WHEREAS**, the Council of Lower Saucon Township wishes to maintain equity between full-time and part-time Police employees of the Township in regard to wages, by granting a pay increase.

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**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Council of Lower Saucon Township that the following pay scale is hereby established for the year 2009 for Full-Time and Part-Time Township uniformed employees, and that the Township Manager is hereby directed to implement same, retroactive to January 1, 2009:

**PAY SCALE FULL-TIME**

<u>MINIMUM</u>	<u>MAXIMUM</u>
\$22.72	\$28.94

**PAY SCALE PART-TIME**

<u>MINIMUM</u>	<u>MAXIMUM</u>
\$15.80	\$16.73

**RESOLVED AND ENACTED** this 5<sup>th</sup> day of January, 2009.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #20-2009.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**J. RESOLUTION #22-2009:**

Mr. Kern said Resolution #22-2009 is the fee schedule setting various Township fees.

**Resolution #22-2009  
ZONING, SUBDIVISION, AND LAND DEVELOPMENT  
FEE SCHEDULE RESOLUTION**

**WHEREAS**, the Lower Saucon Township Zoning Ordinance #88-2, as amended, and Subdivision and Land Development Ordinance #92-1, as amended provide for certain fees that are to be paid to the Township General Fund for reviewing applications and processing plans and applications; and

**WHEREAS**, these fees are to be established to provide for general reimbursement to the Township General Fund for administrative costs associated with processing the applications and plans, distributing the applications and plans to various review agencies, and

**WHEREAS**, the Township of Lower Saucon is desirous of establishing a uniform Fee Schedule for such applications so that the general administration costs associated with processing each application does not have to be calculated on a case-by-case basis,

**NOW, THEREFORE**, be it resolved and it is hereby resolved as follows:

1. All “whereas” clauses are incorporated herein by reference,
2. The Lower Saucon Township Council hereby repeals fees in Resolution #22-2000, #17-2002, #19-2003, #23-2004, #22-2005, #22.1-2005, #31-2005, #49-2005, #22-2006, #45-2006, #22-2007, #31-2007, #36-2007, #22-2008, and #41-2008 and Schedule for Submission Fees for Zoning, Subdivision and Land Development Applications and other schedules and sets forth fees as follows, amended by motion of a majority of Council at a duly advertised meeting from time to time:

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**1. Zoning Permit Fee Schedule**

A.	All Permits Requiring Uniform Construction Code Approval	\$4
B.	Residential	
1.	New Residential	\$200
2.	Additions	\$100
3.	Interior & Exterior Alterations	\$30
C.	Commercial/Industrial with Change in Use (new construction, additions, alterations, changes in occupancy)	\$500
D.	Commercial/Industrial with no Change in Use (new construction, additions, alterations, changes in occupancy)	\$250
E.	Signs	
1.	Up to 50 s.f.	\$50
2.	Greater than 50 s.f.	\$50 + \$1/s.f. over 50 s.f.
F.	Accessory and Miscellaneous Uses	
1.	Decks under 250 s.f.	\$25
2.	Sheds under 250 s.f.	\$25
3.	Fences and other miscellaneous structures	\$20
4.	Tree removal (excluding Forestry)	\$20
5.	Decks over 250 s.f.	\$50
6.	Sheds/accessory buildings over 250 s.f. requiring a foundation	\$50
7.	Swimming Pools	\$50
8.	Demolition	\$30
G.	Road Encroachment Permit	\$50
H.	Moving Permit	\$5
I.	Occupancy Permit (not associated with an accessory uses building permit)	\$10
J.	Temporary Occupancy Permit	\$75
K.	Home Business and Accessory Uses Permits	\$10
L.	Sanitation (Septic) Permit	
1.	Percolation Testing Performed by Township	\$400
2.	Percolation Testing Witnessed by Township	\$200
3.	Application Fee (non-carbonate area)	\$160
4.	Application Fee (carbonate area)	\$280
5.	Final Inspection (sand mound system)	\$200
6.	Final Inspection (in ground system)	\$150
7.	Repairs	\$150
M.	Road Weight Limit Permit	\$50
N.	Grading & SESC Permit (includes review of one re-submission)	\$400
1.	Additional Resubmission Fee	\$100
2.	Carbonate Geology Review	\$85
O.	Storm water Management Applications	
1.	Application Fee	\$50
2.	Escrow	\$500

**2. Temporary Zoning Permits**

A.	Portable Signs for Temporary Use	\$50
B.	Temporary Structure Permit (sales trailer, etc.)	\$50

**3. Miscellaneous**

A.	Zoning Ordinance with map	\$25
B.	Zoning Map	\$5
C.	Subdivision and Land Development Ordinance	\$17
D.	Comprehensive Plan	\$25
E.	Natural Resource Inventory	\$20

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F.	Storm water Ordinance	\$20
G.	Copies	\$.25
H.	Returned Check	\$50
I.	Pavilion Rental (Town Hall Park)	
1.	Resident	\$100
2.	Non-Resident	\$150
3.	Deposit	\$50
J.	Ballfield Rental Fee (Required for leagues requesting usage at one night/week)	
1.	Resident	\$175
2.	Non-Resident	\$200
K.	Rental of Seidersville Hall (certificate of insurance and \$50 deposit required)	
1.	Resident	\$25/2 hrs. \$35/4 hrs. \$65/5+ hrs.
2.	Non-Resident	\$35/2 hrs. \$45/4 hrs. \$75/5+ hrs.

**4. Licenses**

A.	Junkyard License	\$250
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**5. Finance Charges**

A.	Tax Collection Services	\$20
B.	Duplicate Tax Bill	\$10

**6. Subdivision/Land Development**

	<u>Application</u>	<u>Escrow</u>	
A.	Site Plan or Formal Sketch	\$75	\$1,500
B.	Site Plan for Landfill/Quarries	\$75	\$5,000
C.	Lot Line Changes	\$75	\$1,500
D.	Minor Subdivisions	\$100	\$1,500
E.	Major Subdivisions		
1.	Preliminary	\$400 + \$5/lot	\$3,000 + \$50/lot
2.	Final	\$100	
F.	Land Development		
1.	Preliminary	\$400 + \$50/1,000 s.f. of building area	\$3,000 + \$50/1,000 s.f. of building area
2.	Final	\$400 + \$50/1,000 s.f. of building area	Escrow brought up to original deposit
G.	Revised Submissions	½ of Filing Fee	Replenish
H.	Act 537 Planning Module Review		
1.	1 or 2 lots	\$100	\$500
2.	3 to 6 lots	\$250	\$500
3.	7 or more	\$500	\$500

**7. Application for Hearing (ZHB, Council, or Bldg. Code Board of Appeals)**

A.	Residential	\$375	None
B.	Multi-Family Residential	\$450	None
C.	Institutional/Recreational	\$1,200	None
D.	Commercial	\$1,200	None
E.	Shopping Center	\$1,200	None

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F. Industrial	\$1,200	None
G. Challenge to Validity of Zoning Ordinance	\$10,000	\$500
H. Conditional Use	\$1,500	\$500
I. Curative Amendment	\$10,000	\$500
J. Application for Rezoning	\$1,500	\$500
K. Miscellaneous (Involving requests to Council requiring the Township Attorney or Engineer to review or render a decision or opinion)	\$50	\$500

**IN WITNESS WHEREOF**, this Resolution has been duly enacted this 7<sup>th</sup> day of January, 2009, retroactive to January 1, 2009.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #22-2009.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? Mr. Maxfield said Chris Garges is really keeping up with this nicely and doing a good job.

**ROLL CALL:** 5-0

**VI. MANAGER'S APPOINTMENTS WITH COUNCIL CONSENT**

**A. FIRE MARSHALL (ONE YEAR TERM, ONE APPOINTMENT):**

Mr. Kern said the Manager is recommending the reappointment of Ken Luybli as Fire Marshall.

**MOTION BY:** Mrs. deLeon moved for approval of the reappointment of Ken Luybli as Fire Marshal for a one year term ending December 31, 2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**B. PARKS AND RECREATION BOARD (ONE YEAR TERM, 7 APPOINTMENTS)**

Mr. Kern said the Manager is recommending that David Spirk, Thomas Butera, Donna Bristol, Sheri Herman and Scott Schanzenbach be re-appointed. There are two vacancies.

**MOTION BY:** Mr. Maxfield moved for approval of appointment of David Spirk, Thomas Butera, Donna Bristol, Sheri Herman, and Scott Schanzenbach to Parks and Recreation Board for a one year term.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? Mr. Cahalan said we have been carrying a vacancy for awhile and Bill Ross declined to be reappointed.

**ROLL CALL:** 5-0

**C. BETHLEHEM AREA PUBLIC LIBRARY REPRESENTATIVE (ONE YEAR TERM, ONE APPOINTMENT)**

Mr. Kern said the Manager is recommending Lynn Koehler be re-appointed as the representative.

**MOTION BY:** Mr. Maxfield moved for approval of appointment of Lynn Koehler as Bethlehem Area Public Library Representative for a one year term ending December 31, 2009.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

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**D. TOWNSHIP LIBRARY COMMITTEE (ONE YEAR TERM, FIVE APPOINTMENTS)**

Mr. Kern said the Manager is recommending the following members continue: Michael Karabin, Sheri Herman and Allan Johnson in addition to Lynn Koehler.

- MOTION BY:** Mr. Horiszny moved for approval of the reappointment of Michael Karabin, Sheri Herman, Allan Johnson, Lynn Koehler to Township Library Committee for a one year term ending December 31, 2009.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**E. HUGH MOORE PARKWAY COMMISSION (ONE YEAR TERM, ONE APPOINTMENT)**

Mr. Kern said the Manager is recommending that Joe Colosi be re-appointed to serve on this commission.

- MOTION BY:** Mr. Horiszny moved for approval of reappointment of Joe Colosi as representative to serve on the Hugh Moore Parkway Commission for a one year term ending December 31, 2009.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**F. EMERGENCY MANAGEMENT COORDINATOR (ONE YEAR TERM, ONE APPOINTMENT)**

Mr. Kern said the Manager is recommending that Bill Cszaszar be re-appointed as Emergency Management Coordinator.

- MOTION BY:** Mr. Horiszny moved for approval of reappointment of Bill Cszaszar as Emergency Management Coordinator for a one year term ending December 31, 2009.
- SECOND BY:** Mrs. deLeon
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**G. ZONING HEARING BOARD (FIVE YEAR TERM, ONE APPOINTMENT)**

Mr. Kern said the Manager is recommending Theodore Griggs be re-appointed for a five year term which will expire December 31, 2013.

- MOTION BY:** Mrs. Yerger moved for approval of reappointment of Theodore Griggs to the Zoning Hearing Board for a term of five years ending on December 13, 2013.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**H. TOWNSHIP HISTORIAN (ONE YEAR TERM, ONE APPOINTMENT)**

Mr. Kern said the Manager is recommending that Sandra Yerger be re-appointed.

- MOTION BY:** Mrs. deLeon moved for approval of reappointment of Sandra Yerger as Township Historian for a one year term ending December 31, 2009.
- SECOND BY:** Mr. Horiszny

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**ROLL CALL:** Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
5-0

**I. TOWNSHIP HISTORIC COMMITTEE (ONE YEAR TERM, FIVE APPOINTMENTS)**

Mr. Kern said the Manager is recommending that Sandra Yerger, Karen Samuels, Jody Hijazi, Jim Sturm and Lenny Szy be re-appointed. Mrs. Yerger said some of these people have been very active and they have been a great group.

**MOTION BY:** Mrs. Yerger moved for approval of reappointment of Sandra Yerger, Karen Samuels, Jody Hijazi, Jim Sturm and Lenny Szy to the Township Historic Committee for a one year term ending on December 31, 2009.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**J. ENVIRONMENTAL ADVISORY COUNCIL (THREE YEAR TERM, THREE APPOINTMENTS)**

Mr. Kern said the Manager is recommending that Sandra Yerger (voting), Tom Maxfield (voting), and Allan Johnson (voting) be re-appointed to December 31, 2011. There is one non-voting vacancy.

**MOTION BY:** Mrs. deLeon moved for approval of appointment of Sandra Yerger, Tom Maxfield and Allan Johnson as voting members to the Environmental Advisory Council for a three year term ending December 31, 2011.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**K. PLANNING COMMISSION (4 YEAR TERM, TWO APPOINTMENTS)**

Mr. Kern said the Manager is recommending that Fran LaBuda and John Noble be reappointed to December 31, 2012.

**MOTION BY:** Mr. Maxfield moved for approval of reappointment of Fran LaBuda and John Noble to the Planning Commission for a four year term ending December 31, 2012.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**L. LANDFILL COMMITTEE (1 YEAR TERM, TWO APPOINTMENTS)**

Mr. Kern said the Manager is recommending that Haz Hijazi and Priscilla deLeon be reappointed to December 31, 2010.

**MOTION BY:** Mr. Horiszny moved for approval of reappointment of Haz Hijazi and Priscilla deLeon to the Landfill Committee for a one year term ending December 31, 2010.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? Mrs. deLeon said she's filling in for that second seat. Lori Car resigned two years ago. She said she's coming back. Mrs. deLeon has always filled in, so there is an opening for a vacancy. It's very important that if a resident wants to be on the committee, she steps aside. Mr. Cahalan said Mrs. deLeon has

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been appointed as the Liaison, so if you may want to appoint someone else for this committee. Mrs. deLeon said she would be more comfortable. Mr. Cahalan said then amend it to recommend Haz Hijazi and a vacancy.

**ROLL CALL:**

**MOTION BY:** Mr. Horiszny moved to amend his previous motion for approval of reappointment of Haz Hijazi to the Landfill Committee for a one year term ending December 31, 2010. There is also one vacancy.

**SECOND BY:** Mr. Maxfield amended his second

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**M. PENSION ADVISORY COMMITTEE REPRESENTATIVES (2 RESIDENT MEMBERS/1 UNIFORM MEMBER AND 1 NON-UNIFORM MEMBER)**

Mr. Kern said the Manager is recommending Mary Curtin be reappointed to December 31, 2012.

**MOTION BY:** Mr. Horiszny moved for approval of reappointment of Mary Curtin to the Pension Advisory Committee Representative for a three year term ending December 31, 2012.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**V. ADJOURNMENT OF REORGANIZATION MEETING**

**MOTION BY:** Mr. Horiszny moved for adjournment of the Reorganization meeting. The time was 7:45 PM.

**SECOND BY:** Mrs. Yerger

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**GENERAL BUSINESS MEETING  
JANUARY 5, 2009**

**I. OPENING**

**CALL TO ORDER:** The General Business meeting of Lower Saucon Township Council was called to order on Monday, January 5, 2009 at 7:45 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

**ROLL CALL:** Present –Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Priscilla deLeon Sandra Yerger, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Brien Kocher, Township Engineer and Stacy Ogur, Township Planner. Attorney Treadwell arrived at 8:40 PM.

**PLEDGE OF ALLEGIANCE**

**Mr. Kern said Council has not met in Executive Session between last meeting and the meeting this evening.**

**II. PRESENTATIONS/PUBLIC HEARINGS**

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**A. APPOINTMENT OF JUNIOR COUNCIL MEMBER – STEPHEN PRAGER**

Mr. Kern said the Township Manager has received a letter of interest from Stephen Prager to serve as Junior Council member for the 2008-2009 school year and is recommending his appointment.

Mr. Cahalan said Stephen was unable to attend. He's a township resident, attends Notre Dame High School and he's a junior. He has an interest in politics and in the way government works. He said he'd be interested in serving as the Jr. Council Member on the Township Council. Mr. Cahalan recommends he be appointed to that position for the 2008-2009 school year.

**MOTION BY:** Mrs. Yerger moved for approval of appointment of Stephen Prager as Junior Council member for the 2008-2009 school year.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**III. DEVELOPER ITEMS**

**A. STEVE & LARA GOUDSOUZIAN – 2465 WOODLAND HILLS COURT – VARIANCE REQUEST FOR NOTICE OF VIOLATION FOR TREE REMOVAL**

Mr. Kern said the applicant is appealing the determination of the Zoning Officer's Notice of Violation and is requesting a variance from Article XVI Section 180-95.B(16)(d) dealing with the maximum 15% allowable disturbance of woodlands on the premise of the Zoning Hearing Board accepting the 37 replacement trees that have already been planted.

Mr. Goudsouzian was present. He said his he and his wife bought the above mentioned property in January 2008. They had a home inspection done. There were several trees that appeared dead or diseased. He's attached that home inspection. They didn't initially move in, but they obtained the permits to get some work done in the basement area. From the time they purchased the home until the time they actually moved in, they lost two very large trees. One came crashing down and split in half and the other pretty much came down and left huge indentations. If they had fallen the other way, they would have fallen on their house. They are very concerned as they have three young children. He was concerned they would fall on the house and the kids, and he took down the trees. He realizes now there's a permit requirement for that. It's his fault as he didn't know that and he acknowledges that. He wants to make the board aware of him not obtaining permits. They obtained a permit to do the renovations in their basements, and a deck on their house. He apologizes. Mr. Garges contacted him and he met with him shortly after. He suggested Mr. Goudsouzian obtain an Engineer to determine how many of the trees or how much of the area was cut down. He hired an Engineer and the Engineer determined there was less than 10% that he took down. The actual count, according to the tree expert, were 13 trees. They were large trees and the concern as to why he did this was they were large and if they had fallen the wrong way, it would have been a danger to him, his family, and the house. He still tried to resolve this matter. He made an offer to go and replant trees. When the trees were cut, many were diseased. They had rotted out. There were two separate trees that grew by seed. Out of one bottom, there would be four different trees growing in every direction. At least two trees were going to fall towards his house and two would fall the other way, sooner or later. He made an offer to plant trees and then made an offer to plant additional trees. He tried to contact Attorney Treadwell to explain to him, Mr. Garges, and the tree expert, Ms. Judy Stern Goldstein, that he wanted to do what was right and fix it. He did not hear from Attorney Treadwell during this planting season, so he went ahead and planted. He planted 37 trees everywhere he could think of planting them. He hired someone to do it. He planted all over, the north side, the streets and the east and west sides. The back of his property, he literally has hundreds of trees – it's a forest. The trees were various types of trees.

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You can't even plant Poplar trees in the township as they are prohibited by your SALDO. He presumes, for this particular reason, they are fast growing and can snap in half. The kind of trees he cut were not even the kind you would allow a developer to plant. He went to his neighbors when he planted the trees and asked them if they had a problem. None of them cared and he has a signed statement from all of his neighbors saying they are in favor of this. He understands Ms. Stern Goldstein wants to review the trees, and he is okay with that. He just wants to make sure that the board knows in her memo that she indicates all of the trees were of particular size. They are not. Some are big, some are smaller, and they are not all 3" wide. They've all been planted. That's pretty much where he is.

Mrs. Yerger said she would be curious to know who your tree removal service was. She's surprised he didn't know you needed a permit. Mr. Goudsouzian said he's from Coopersburg. It was an individual person. Mr. Goudsouzian said all the trees that were cut down were in the back of the property and you can't even see them unless you are in his back yard. Mrs. Yerger said she would be concerned about the slope. Mr. Goudsouzian said it slopes away from his house. When Ms. Stern Goldstein came to view his site, she found four additional trees that she told him should be cut down. She said they were dead. He hasn't cut them down yet, but he does plan on it. Mrs. Yerger said as long as you have no objection to have Judy come out, she did request that. Mr. Goudsouzian said he has no objection.

Mr. Maxfield said we should explain why the ordinance came into existence. Some of the points, like your neighbors and their approval, do not come into the process. The ordinance exists because of water, erosion, things like that. He's trying to remember where the number of 109 trees came from. Mr. Goudsouzian said he believes when Judy came out to see the site, she measured the trees herself, and in her memo, she referenced the fact that they used some calculation that if this is the width or the diameter of the trees you cut down, they extrapolate that into something. Council said Ms. Stern Goldstein should really look at the trees and give her comment.

Mr. Horiszny said we could oppose if Judy goes out there and finds out there's a problem and if she doesn't oppose, then we approve.

Mr. Goudsouzian said he took some pictures of what he planted. Mr. Maxfield said we have a pretty set of extensive pictures and documents of the trees that were cut down and all the supporting documents. It's down to the facts and figures. You probably know, it's not the first time you've had problems with tree cutting in that particular area, and a lot of it reflects back on the original builder of the property. We've made arrangements with people in the past, and in fact, with one of your neighbors. It was based on 50% of perceived missing caliper inches because the 100%, as in your case, probably wouldn't be viable to make sense to plant that many trees on the property. What we did was come up with the number of trees, which was 37 that fills that area, and Judy is happy with that. That is good, but he's still trying to get to that 50% mark. It's kind of like a fair place to stop as that is reasonable, not just fair value, but a reasonable place to be as far as trees that have been planted and damage that has been done within then township.

Mr. Goudsouzian said he knows who you are talking about and the situation and that would be appropriate in the case where somebody just clears something. In his case, these were actual dangers and disease, in his opinion, and he has some proof of that. Therefore, at 50%, we could just clear an area, and knock everything down, but in this case, there are some different circumstances, and the only area that is cut down, would have been trees that landed on his house. It's not an area that was just cleared because we wanted to clear it. There were certain circumstances that made it a little bit different. He has a report stating two of them actually fell. He should have gotten a permit, but that wasn't a risk he was going to take. He'd be crazy to do that.

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Mr. Kern said the only trees that you removed were trees that could have potentially fallen on your house? Mr. Goudsouzian said yes, and that's where he stopped. There are a lot of other trees that actually are further back. Mr. Kern said the other removal that was done, was done by the developer prior? Mr. Maxfield said it seems like excessive removal other than what was on the grading plan. Chris Garges and his notes say that some of the trees are further back from the house that he would consider they are dangerous to the house. You cite in some of your papers it could be dangerous to someone just walking and he can understand that.

Mr. Horiszny said he'd like to make a motion that we oppose it unless Judy is able to visit and approve the 37 trees, as sufficient.

Mr. Maxfield said okay, there may be some marginal tree types. He asked if anyone referenced the ordinance at planting time? Mr. Goudsouzian said yes, someone from the Township contacted him and he told him what he could plant and what he couldn't plant. He also referenced if he could plant it in the right-of-way. He also planted them in a line of what was already planted.

Mrs. Yerger said she would tend to go with Mr. Horiszny's suggestion. Mr. Kern said the ordinance is to prevent erosion and down stream problems. We listen to that a lot up here and that's the major reason that ordinance is here. If she goes out and determines it's not affecting that, based on what's been planted, then he'd be okay with that. Mrs. Yerger and Mr. Maxfield agreed. Mrs. deLeon asked how tall were the trees that he had cut down? Mr. Goudsouzian said some were very tall, probably 90 feet. Mrs. deLeon said she's concerned also about trees and living that close to the woods, you have mold issues, you don't get sunlight. She has this huge Poplar tree in the middle of her back yard, and she knows one day it's going to come crashing through her house. It's a scary thing. When she read all these papers, if you were cutting the trees and the footprint was approved, you don't want trees right up to your house and you are allowed to clear a certain area. If a 90 foot tree is going to fall, it takes her back to the cell tower days. We sat here and figured out if a cell tower fell over, what the fall distance was. Mr. Goudsouzian said he tried to anticipate, here are the trees, if they fell, would they land on his house or on his deck. That's what he was concerned about. Mrs. deLeon said you can't cut down all the trees because you think a tree is going to fall. You buy a wooded property because you usually like trees. Mr. Goudsouzian said his property has hundreds of trees. It just doesn't have the 13 that were close to his house. Mrs. deLeon said if you would have gotten a permit and gone through the proper process, how many trees would you have been allowed to cut down? Mr. Kern said all of the diseased ones.

Mr. Maxfield said according to Chris, he was already maxed out because of the excessive cutting done by the developer. Mr. Kern said "just the diseased ones". Mrs. deLeon said excessive cutting done by the developer was how long ago? Mr. Goudsouzian said the house has been in existence before they bought it. Mrs. Yerger said she thinks 2007. Mrs. deLeon said the lot was approved way back when? Someone said maybe 1998. Mrs. deLeon said the developer cut down more trees than what was supposed to. Why wasn't someone keeping track back then? Mr. Goudsouzian said according to what he understands from the township's perspective, what Mr. Maxfield said is right, his property was theoretically in violation when the building permit was issued. When he got the home occupancy permit in January 2008, the property was theoretically in violation. If you take it to the logical extreme, theoretically, you can say you've already done something wrong and that homeowner would never know he had done something wrong. Mr. Horiszny said a grading permit was issued in 8/13/2004.

- MOTION BY:** Mr. Horiszny moved to oppose unless Boucher & James confirms that the 37 trees are adequate mitigation; and send a Solicitor.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

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Council said Mr. Cahalan should get in touch with Judy Stern Goldstein.

**B. HIDDEN MEADOWS – LOWER SAUCON ROAD – REQUEST FOR SECURITY REDUCTION**

Mr. Kern said the developer has requested a security reduction for improvements completed to date. Hanover Engineering has done an inspection and is recommending a reduction in the amount of \$51,940.85.

Mr. Cahalan said there are no issues and the escrow is okay.

**MOTION BY:** Mr. Horiszny moved for approval of request for security reduction of \$51,940.85 for Hidden Meadows – Lower Saucon Road, per Hanover’s recommendation.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**C. AGENTIS BROS. LAND DEV. – ROUTE 378 – REQUEST FOR SECURITY REDUCTION**

Mr. Kern said the developer has requested a reduction of security being held for improvements completed to date. Hanover Engineering has done an inspection and is recommending a reduction in the amount of \$20,748.00.

Mr. Cahalan said there are no other issues.

Mr. Kern said he has a question regarding the car wash, has anyone driven by it at night? Did anyone do a lighting plan? Mr. Maxfield said this has been in discussion at township level between himself and Judy Stern Goldstein, Chris Garges, and a couple other people who have been looking at it. Mr. Garges was looking at the plans. We were hoping we could go out there and have a meeting and report to Council, but they are still talking. Agentis seems willing to address the problem somehow, but yes, it’s ungodly bright. Mr. Maxfield said we spent a lot of time on the lighting on the car wash and the bank, and this interior lighting in the car wash bays really blows it away. Mr. Maxfield said there’s been talk about lowering the wattage of the bulbs or some type of shielding. They will report back to you in the very near future. They were talking about going out there right before the next Council meeting. Mr. Maxfield said that Chris Garges reported there’s a flashing sign there, but they do have a permit for that sign.

**MOTION BY:** Mr. Maxfield moved for approval of request for security reduction of \$20,748.00 for Agentis Bros. Land Development – Route 378, per Hanover’s recommendation.  
**SECOND BY:** Mrs. Yerger  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 5-0

**IV. TOWNSHIP BUSINESS ITEMS**

**A. APPROVAL OF FINAL PAYMENT TO LAND TECH FOR POLK VALLEY PARK**

Mr. Kern said Land Tech has requested final payment for the landscaping, fencing and installation work performed at Polk Valley Park. Boucher & James has inspected the work and is recommending payment in the amount of \$20,853.67. Council should also authorize them entering into their 18-month maintenance period.

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Mr. Cahalan said everything has been done and we are satisfied with the work. There were some corrections that have been made and Valerie from Boucher & James was on top of it. Roger Rasich has taken a look at it, and we are satisfied.

- MOTION BY:** Mr. Horiszny moved for approval of final payment to Land Tech of \$20,853.67 for Polk Valley Park and for authorization for Land Tech to enter into their 18-month maintenance period.
- SECOND BY:** Mrs. deLeon
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**B. APPROVAL OF ONLOT SEWAGE DISPOSAL PERMIT FEE SCHEDULE – RESOLUTION #27-2008**

Mr. Kern said Resolution #27-2009 has been prepared setting the fees for on lot sewage disposal permits and inspections.

**RESOLUTION #27-2009  
A RESOLUTION AMENDING RESOLUTION #38-2008 ESTABLISHING A PERMIT APPLICATION FEE SCHEDULE FOR ON LOT SEWAGE SYSTEMS IN LOWER SAUCON TOWNSHIP**

**WHEREAS**, the Council of Lower Saucon Township has enacted Ordinance No. 87-13 (as amended by Ordinance No. 89-6 and 95-5), entitled “AN ORDINANCE DEFINING AND REGULATING THE INSTALLATION, CONSTRUCTION, ALTERATION AND REPAIR OF INDIVIDUAL AND COMMUNITY ONLOT SEWAGE DISPOSAL SYSTEMS; REQUIRING PERMITS FOR AND PROVIDING FOR INSPECTION AND PRESCRIBING PENALTIES”; and further codified by (Township Code Chapter 130, Article II) entitled “ONLOT SEWAGE DISPOSAL SYSTEMS”; and

**WHEREAS**, the Council of Lower Saucon Township wishes to improve the administration of the application process for On lot Sewage Permits; and

**WHEREAS**, the Council of Lower Saucon Township wishes to enable applicants for On lot Sewage Permits to take advantage of the 50% reimbursement by the Commonwealth of Pennsylvania for the cost of processing these permits; and

**WHEREAS**, the Council of Lower Saucon wishes to establish a schedule of fees for On lot Sewage Permits, Land Developments, and Subdivisions.

**NOW, THEREFORE**, be it resolved and it is hereby resolved by the Council of Lower Saucon Township that the Schedule of Fees for On lot Sewage Permits are fixed as follows:

1. All “whereas” clauses are incorporated herein by reference.
2. All fees be made payable to Lower Saucon Township.
3. The total fees paid at the time of permit issuance must be equal to the most recently adopted fee schedule.
4. All site evaluations be conducted as per Section 130-15.D(3) of the “Lower Saucon Township On lot Sanitary Sewer Ordinance §130.7, and in accordance with the Pennsylvania Department of Environmental Protection’s Regulations.
5. Actual permit fees, soil testing fees, and inspection fees are non-refundable even in case of failure or rejection.

**I. Individual Permits**

- A. Fees for Non-Carbonate Areas**
1. Application Fee \$185.00

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- a. Includes up to four (4) soil probe observations, initial design review and one (1) revised design review; (additional soil probes evaluated at \$30.00 each, additional revised design reviews are \$60.00 each submission).
- B. Fees for Carbonate Areas
  - 1. Application Fee \$290.00
    - a. Includes up to four (4) soil probe observations, initial design review and one (1) revised design review; (additional soil probes evaluated at \$30.00 each, additional revised design reviews are \$60.00 each submission).
- C. Fees for Repairs to Existing Systems
  - 1. Application Fee \$135.00
    - a. Includes up to two (2) soil probes, observations, initial design review, and one (1) revised design review; (additional probes evaluated at \$30.00 each, additional revised design reviews are \$60.00 each submission).
- D. Soil Testing
  - 1. Percolation Test (each) \$275.00
    - a. Prepared and conducted by the Township Sewage Enforcement Officer.
  - 2. Percolation Test Witnessing \$200.00
    - a. Maximum of two (2) sites tested simultaneously
- E. Inspections (New and Repair Permits)
  - 1. Inspections – Elevated Systems \$200.00
    - a. One (1) preconstruction meeting and four (4) inspections.
  - 2. Inspections – In-Ground Systems \$125.00
    - a. One (1) preconstruction meeting and two (2) inspections.
- F. Callback Fee \$ 60.00
  - 1. A callback fee will be imposed under the following circumstances:
    - a. A contractor or consultant for the application is not present at the scheduled time and requires the Sewage Enforcement Officers to reschedule the appointment.
    - b. The Sewage Enforcement Officer is required to conduct an additional inspection because the Contractor was not ready as scheduled or the installation to be inspected was not installed correctly, and would require the Sewage Enforcement Officer to conduct an additional inspection.
    - c. If a percolation test is canceled after one (1) of the Sewage Enforcement Officer required observations has already been conducted, i.e., the Sewage Enforcement Officer observed the required initial presoak of the percolation test the day before the test was to be conducted and the following day the applicant of consultant canceled the remainder of the test. Therefore, when the testing is reschedule, the Sewage Enforcement Officer would have to re-observe the initial presoak the day before the rescheduled test.

**II. Subdivision and Land Development**

- A. Initial escrow deposit with the Township of \$250.00 per lot or \$1,500.00 minimum, to cover soils testing and planning module review (NOTE: This work does not qualify for the 50% reimbursement by the State.)

NOTE: All testing and planning costs shall be reimbursed by the Developer to the Township. The costs of services to be reimbursed by the Developer will be in accordance with the adopted Township Engineer Fee Schedule in place at the time the services were provided.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #27-2009.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

**ROLL CALL:** 5-0

**C. TRANSCRIPTION OF MINUTES**

Mr. Kern said Ron Horiszny has requested that Council discuss the current format for the transcription of Township minutes.

Mr. Horiszny said because minutes are supposed to be a brief synopsis of what has happened, and our minutes are hours, he moves that we go to a more proper format for minutes and more universally approved format and that we consider keeping the recording as a backup system.

Mrs. deLeon said we'd have to have bookshelves of tapes. We get compliments at the Saucon Valley Partnership meeting and the other two entities that are there on how good our minutes are. Mr. Maxfield said he's not always clear on what the final form is that Mr. Horiszny would like to see? Mrs. Yerger said do you have a sample? Mr. Horiszny said the Lower Saucon Authority minutes. You explain what was discussed, you can list who said things, generally not verbatim, so they don't go on and on, and then summarize it. That's all that's really required. It's a condensation of what goes on, but it does need to record the votes, as that's the most legal part that is required. Mr. Kern said what is your reasoning for condensing as opposed to having the full blown minutes? Mr. Horiszny said because of the way that we transcribe them, it's generally incorrect English, it's not verbatim, it's always put into a wordy context, when it's pretty hard to define who it was each time. Mr. Kern said you are saying it's not actually verbatim? Mr. Horiszny said right. That's what has been bothering him all the time and they are hard to read and correct. Mr. Maxfield said the only problem he can see as to what Leslie said, if it's legal to keep the tape. Even if it were legal to keep the tapes, the legal record of the meeting is going to be the minutes. That's what people will refer to. If you have a legal question, you can't go back to those tapes because the minutes are what the Court would look at. Mrs. deLeon said you can't even go back and amend, like if we find a mistake in a year ago minutes, we can't go back and technically amend those minutes. We have to reflect the change in that night's meeting. Mrs. Yerger said she's seen the Lower Saucon Authority's minutes, and she would be willing to look at their format and consider it.

Council tabled this agenda item until next meeting.

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF DECEMBER 17, 2008 COUNCIL MINUTES**

Mr. Kern said the minutes of the December 17, 2008 Council meeting have been prepared for Council's review and approval.

Mr. Horiszny said the adjournment vote has him listed as a no, but he should have been listed as absent.

**MOTION BY:** Mr. Maxfield moved for approval of the December 17, 2008 Council minutes.  
**SECOND BY:** Mrs. deLeon  
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-0 (Mr. Horiszny – Abstained)

**VI. PUBLIC COMMENT / CITIZEN NON-AGENDA ITEMS**

- Terrence Smith said he was up from 2 AM to 4 AM last night going over the minutes, and he thinks they are very good just the way they are. Cesar Cosme said the minutes are able to keep us all to our point when we say something. Both residents said they are surprised the meeting tonight isn't being attended and they can't believe the residents don't want to know what's going on.

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**VII. COUNCIL AND STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- Mr. Cahalan said in your packet is a request they received from Lehigh Engineering after the agenda was put together. They requested a 90 day extension to the Repyneck Minor Subdivision. They need some additional time to complete the recording of the plan. They've met all the conditions of their approval for this minor subdivision and there are no outstanding issues and their escrow is current. He's recommending approval of an extension for the Repyneck Minor Subdivision until April 14, 2009.

**MOTION BY:** Mrs. deLeon moved for approval of an extension for the Repyneck Minor Subdivision as stated by the Manager.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

- Mr. Cahalan said Fran Robb from the Historical Society advised that Bob Doerr has completed the beam replacement work at the Lutz Franklin Schoolhouse. He finished by the end of last year 2008, and was able to utilize the beams that the township had saved from the Rentzheimer barn on Polk Valley Road. Fran stated that the Historical Society was very pleased with the work that Mr. Doerr's company did and Mr. Cahalan would like approval to pay R. J. Doerr the amount that was previously approved, which is \$4,900.00 for this beam replacement work.

**MOTION BY:** Mrs. Yerger moved for approval to pay R. J. Doerr \$4,900.00 for beam replacement work at the Lutz Franklin Schoolhouse.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

- Mr. Cahalan said he received a letter of interest from Mr. John Sweeney who lives at 1262 Seidersville Road. He indicated he was interested in being appointed to one of the Park and Rec Board vacancies. He has an interesting background. He started as a criminal and private investigator and since 2004, he served as the Executive Director of the Celtic Cultural Alliance in Bethlehem and puts on the Celtic event each year. With Council's approval, he would like to appoint him to a one year term on the Park and Recreation board and the term will expire on December 31, 2009.

**MOTION BY:** Mr. Horiszny moved for approval to appoint Mr. John Sweeney to the Parks and Rec board for a one (1) year term expiring on December 31, 2009.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

- Mr. Cahalan said Sgt. Gerry Young, who has been with the Township for thirty-five (35) years announced he will be retiring from the Township Police Department on January 20, 2009.
- Mr. Cahalan also received the resignation from Corporal Thomas Barndt who was a representative on the Pension Advisory Committee and he advised he will be resigning that position on January 2, 2009. We're hoping one of the other officers will replace him. Mrs. deLeon said what happens if no one replaces him? Mr. Cahalan said we keep meeting. Mrs. deLeon said at the last meeting we didn't have representatives from the non-represented employees. Mr. Cahalan said we still meet and will provide all the information to them. Mr. Horiszny said Corporal Barndt didn't resign from the negotiation team? Mr. Cahalan said no, just the Pension Advisory Committee.

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- Mr. Cahalan said they also have a resignation of a part time police officer, Matt Andre, who has been working with us a short period of time. He's received a full time position with the Hellertown Police Department.
- Mr. Cahalan said we did want to ask if there were any interests for attendance at the PSATS conference? Mrs. deLeon said she would like to attend and we need to authorize and vote on the expenses for the hotel, travel, seminars, food and registration. We also need a voting delegate. Mr. Cahalan said get in touch with Leslie if you want to attend.

**MOTION BY:** Mrs. deLeon moved for approval of the expenses for the PSATS convention, which would be attendance at the conference, room and board, food, mileage and any extra seminars attended.

**SECOND BY:** Mrs. Yerger  
Mr. Kern asked if there was any comment from anyone in the audience? Mr. Smith asked where it was taking place and if it was opened to the public? Mr. Kern said it's in Hershey. Mrs. deLeon said you'd have to pay visitor's fees. It's for Township Supervisors and there are interesting seminars. If you go on the website [www.PSATS.org](http://www.PSATS.org) you can find out about it.

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Kern moved to nominate Mrs. deLeon as voting delegate for the PSATS convention.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**B. COUNCIL**

**Mr. Maxfield**

- None

**Mrs. Yerger**

- She said she was appointed again as liaison to the Saucon Creek Watershed Association and they've been looking around for some projects and grant opportunities. She has a letter from the Saucon Creek Watershed Association stating that they are interested in partnership with the Township for a grant and applying for a grant to a foundation to help remediate the detention basins in Cloverview where we purchased the property. Ms. Stern Goldstein, from previous direction, had come up with a concept design plan. She would like to get permission from the Township to enter into an agreement for application for a grant with the Saucon Creek Watershed Association and any other partners we can drum up, maybe the Heritage Conservancy as the 501 C 3 entity and a couple others to pay for the plantings for the remediation and anything else we can get them to cover. The grant is \$15,000, and hopefully we can get the entire \$15,000. Because it actually has to be 501 C 3 and the Saucon Creek Watershed Association does not have that status yet, it will be Heritage and the Township as partners. We need some kind of direction and it's just for the application. The deadline is January 12, 2009. Mr. Kern said the direction would be for Mr. Cahalan to work with Saucon Creek Watershed Association and Heritage Conservancy. We are going to try to get the Northampton County Conservation District involved and any other partners we can to apply for this grant for remediation of the Cloverview detention basin, and hopefully, to increase some of the functionality as per Brien, and our Township engineer's direction. Mr. Cahalan said it would also be to authorize signature on the grant before our next meeting. He asked if there was no other match required for this? Mrs. Yerger said no. If there is, the fact that the Township owns the property and was willing to purchase it, would be the automatic match anyway, and we don't have a problem with that.

**MOTION BY:** Mrs. Yerger moved to have Mr. Cahalan work with Saucon Creek Watershed Association and the Heritage Conservancy and any other partners to apply for a grant up to \$15,000.00 for

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remediation of the detention basin in the Cloverview development and to have the Township Council President sign it.

**SECOND BY:**

Mr. Kern

Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon asked if there was cost to Heritage to write this grant? Mrs. Yerger said no, they have an on staff grant writer. Mr. Maxfield said most of the grant would be used for the purchase of plants? Mrs. Yerger said yes. The Watershed Association has requested there be some educational component, which is something the Township has addressed so that people and residents are aware of what we are doing up there and that hasn't been determined whether it's going to be a brochure, a power point presentation, or a presentation at Town Hall. We have been discussing that, but it hasn't been determined yet.

**ROLL CALL:**

5-0

**MOTION BY:**

Mr. Kern moved for approval of Resolution #28-2009, authorizing submission of a grant application for funding for the Cloverview detention basin at Cloverview.

**SECOND BY:**

Mr. Maxfield

Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.

**ROLL CALL:**

5-0

**Mr. Horiszny**

- He attended the Lower Saucon Authority (LSA) meeting on December 16, 2008, and the big concern is the LSA Board does not want to own the Redington on lot treatment plant. They think that would be ill advised and the Township should probably be the owner because we have the ability to pass ordinances to regulate it and/or have homeowners do it and they are looking to have a meeting with Mr. Cahalan, Linc Treadwell and Brien Kocher in the near future. Mrs. deLeon said the Township doesn't have to take this on? Mr. Horiszny said he doesn't think we have to, but he doesn't think the LSA has to either. Mrs. deLeon said we sit here and make ordinances and regulations, and we're trying to regulate housing developments, and there are certain things the MPC says we have to have and provide for and then there's other things that we can say no to legitimately. Here's something we can say no to – to not have a community on lot system. She feels, as one person on the board, this is the way for the Township to say no. Mr. Cahalan said he thinks the developer does have a right to have an on lot system there. Mr. Kocher said there's no question that they are ready to go ahead with private ownership of this. The issue from staff has been the township needs to decide whether or not they want this in private ownership because it's like areas where you have private roads that are not maintained by the homeowners and then all of a sudden all of the homeowners are in front of the governing bodies saying take the roads. Mrs. Yerger said we cannot prohibit this community septic system from not happening by the MPC. If this is their option, we have to allow it. We can say no to the Township to own it, but we can't prohibit them from putting it in. Mrs. deLeon said what does DEP say about that? Mr. Maxfield said it's approved. Mrs. Yerger said that's why it's been a nightmare in other townships as they have HOA's owning these community septics.

Mr. Maxfield said they did get approval from DEP for that system? Mr. Kocher said it hasn't gone in as the ownership question is still out there. The developer is more than happy to form a Homeowners Association and have the five owners own that system. DEP will not prohibit that. They have gone on record saying they do not recommend that the Township allow private ownership because you are going to own it anyway. You'll own it twenty years from now and it will be broken and will be a mess. Mr. Maxfield said with the Authority, we can enact legislation to control it, regardless of whether the Township or the Authority owns it. Mr. Kocher said it's no different than the connection ordinance that

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requires that the Authority operates under to have connection. It's your ordinance, but it's their system.

- He said we had a letter from Karen Beyer talking about a \$19,000 recycling grant and he thinks we should be proud of that and be proud of our staff and Leslie for working on getting that. Mr. Cahalan said that's with the assistance of Hough Associates, the recycling performance grant.

**Mr. Kern**

- None

**Mrs. deLeon**

- She said last meeting she talked about the traffic on Seidersville Road, are there any updates on that? Mr. Cahalan said he got two quick responses from the Police Department. They looked at the pictures and the pictures are from 2006 and 2007 and they recall a contact from the individual back during that time and nothing materialized from that, and since then, they've had no complaints from any residents including the complaintee. Mrs. deLeon said it should go on record that he is now a complaintee. Mr. Cahalan said he hasn't called the Police Department in two years about complaints of truck traffic. Mrs. Yerger said she goes that way a lot and she doesn't think she's ever seen a truck turn there. Mr. Cahalan said maybe there was a road closing at one time where the trucks were diverted down Seidersville Road. The police are monitoring it, but they have no current information or complaints about it. Mrs. deLeon will make that contact then.
- She asked about the Controller position – do we have any updates? We are currently without a controller? Mr. Cahalan said it is still vacant and we do not have any candidates. They notified the County. Mrs. deLeon said will it eventually be on the ballot? Mr. Cahalan said it was supposed to be on the ballot this past general election in November. Mrs. deLeon said we need to follow it up in the next election. Ms. Huhn said the County has been notified of the vacancy. Attorney Treadwell said he thought before we had asked if anyone was interested and no one responded. Mr. Cahalan said we went through the thirty day period and there was no interest and it was on the ballot and there was still no interest. Mrs. deLeon said if a position is vacant, the voter's registration office, they are supposed to put it on the ballot for the next election and we already passed the November election. Mr. Maxfield said when was his term going to be up? Mrs. deLeon said she thinks he ran with us. Mr. Cahalan said he had a write in election. Mr. Maxfield said maybe until that time, maybe it should be an appointee type of thing. Mrs. deLeon said there's a county thing when a seat is vacant and then if somebody gets appointed, there's another election in the interim. Attorney Treadwell said that's correct. Mrs. deLeon said something fell through the cracks. We need to pursue to fill this position. It's in our administrative code we're supposed to have a controller. Attorney Treadwell said the only thing is you could advertise it again and see if anyone is interested. If no one is interested and nobody wants to run, then you don't have anyone to fill it. Ms. Huhn said if we notify the County and they don't put it on the ballot, what recourse do we have? Attorney Treadwell said we don't, except to tell them again for the next election. Mrs. deLeon said at least if it's on the ballot, at least we can say we tried. Right now, there's nothing there. Isn't the newsletter supposed to go out soon? Mr. Cahalan said yes. He said if someone says they are interested, does the Council have the authority to appoint until the election? Attorney Treadwell said yes. Mrs. deLeon said we passed our thirty days, it's in the Court now. Attorney Treadwell said even if we have to go to Court, we'd have to go to Court with a person and say this person would like to fill it. You just can't go to Court and say pick somebody as we don't have somebody to fill it. Mrs. deLeon said she's talking about notifying voter's registration. Attorney Treadwell said we did. Mrs. deLeon said then we have to notify them again. Mr. Kern said if we have documentation that we've notified voter's registration, that's all we need. Mr. Maxfield said why don't we just do it every

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voting round. Was there a deadline of notifying them before the election? Mr. Cahalan said they notified them right after the period ran for the candidates to apply. Once that went unfilled, we notified the County. Mrs. deLeon said we need to send them another letter. Mr. Maxfield said we should notify the County and tell them this is still an unfilled position. Mrs. deLeon said now is the time for voter's registration to put it on their list. Mr. Maxfield said maybe we want to do it as close as we can to the election as he thinks we maybe told them and it just slipped through the cracks. Mrs. deLeon said she thinks candidates are supposed to submit petitions the middle of February, so that time is coming up. Mr. Cahalan said they'll get in touch with the County.

- She said last time we talked about the painting job at the Heller Homestead, is there any update on that? Mr. Kern said Tom Maxfield and himself met with the project manager, Carlos, and Carlos received a severe tongue lashing. Carlos will be coming in the Spring to address all of our complaints and handle them. Mrs. deLeon said she can tell them about the other broken window. Mr. Kern said in spring, Carlos will be there and he wants us there to point out everything that needs to be addressed.
- She asked about the weather stripping on the doors? Mr. Cahalan said Public Works was instructed to install them. Mrs. deLeon said last time she was there, which was last week, it wasn't done yet.
- She said exciting news, Saturday, January 24, 2009, Hellertown Lower Saucon Chamber of the Greater Lehigh Valley Chamber of Commerce is going to hold their annual 87<sup>th</sup> annual banquet. The honoree is Jim Sturm. Reservations are supposed to be in by January 9. The cost is \$50 a ticket. It's going to be at Saucon Valley Acres, 6 PM cocktails and dinner at 7 PM, and dancing until 11 PM. Your choices are chicken or steak. It should be a nice evening to honor Jim and the other award recipient is the Hellertown Library. She said we should do a resolution for the next meeting on Jim Sturm.

**C. SOLICITOR**

- Attorney Treadwell said he has a court appearance tomorrow at 9:00 AM on the Stover Road litigation. He doesn't expect anything to be resolved, but he will let everyone know what happens. It's the preliminary objections to the complaint that Attorney Treadwell filed.

**D. ENGINEER**

- Mr. Kocher said thank you for the reappointment.

**E. PLANNER**

- None

**F. ADJOURNMENT**

**MOTION BY:** Mr. Maxfield moved for adjournment. The time was 8:56 PM.

**SECOND BY:** Mr. Horiszny

Mr. Kern asked if anyone had any questions? No one raised their hand.

**ROLL CALL:** 5-0

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn Kern  
President of Council