

I. OPENING

CALL TO ORDER: The General Business & Developer Meeting of Lower Saucon Township Council was called to order on Wednesday, January 16, 2008 at 7:10 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

ROLL CALL: Present – Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, and Ron Horiszny, Sandra Yerger, Council Members; Jack Cahalan, Township Manager; Dan Miller, Township Engineer; Township Planner, Rick Tralies; and Jr. Council member, Georgiana Torrella. Absent - Assistant Township Manager, Leslie Huhn and Linc Treadwell, Township Solicitor

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

<p>Mr. Kern said Council met in Executive Session tonight regarding a personnel matter and real estate.</p>
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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 Diane, Leslie, or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. Mr. Kern asked if anything was taken off the agenda this evening? Mr. Cahalan said no.

III. PRESENTATIONS/HEARINGS

A. INTRODUCTION OF NEW POLICE DEPARTMENT CORPORAL

Mr. Kern said since the retirement of Glenn (Rocky) Williams in 2007, the position of Corporal in the Police Department has been vacant. After a very thorough and vigorous selection process, Chief Lesser recommended and the Township Manager approved the promotion of Officer Thomas Barndt to the position of Corporal effective December 14, 2007.

Chief Lesser said in January 1990, Mr. Barndt was hired as a part time officer. He served the department in many areas. He’s received many awards during his years as a Police Officer. He is anxious to get started. His wife, Mrs. Tracey Barndt, presented a Corporal’s badge to Officer Barndt to replace the one that he has worn since 1990. Officer Barndt said thank you. Mr. Kern said he can’t think of a better person to receive this position of Corporal in the Police Department. Mr. Cahalan said he couldn’t be more pleased with Chief Lesser’s selection and he congratulated Officer Barndt.

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IV. DEVELOPER ITEMS

None

V. TOWNSHIP BUSINESS ITEMS

A. POLK VALLEY PARK – AWARD OF PHASE I BID

Mr. Kern said advertisements were placed in local newspapers on December 28, 2007 and January 4, 2008 inviting bid proposals for Polk Valley Park Landscape Improvements, Phase I Project with notice that the bid proposals were to be opened on January 14, 2008. Planning Consultants, Boucher & James, who supervised the bid opening, has prepared recommendations for the bid award.

Judy Stern Goldstein said the bids were opened and the lowest responsible bidder was Landcheck Enterprises at \$263,390.70. Mr. Kern asked if she had seen any of their work before. Ms. Stern Goldstein said they have worked in Doylestown and she had a chance to take a look at their work and also spoke with the Township Manager and he said they were a responsible party. The proper language is in this contract for the guarantees and bonds.

Motion By: Mr. Kern moved for approval of Landcheck Enterprises as the contractor of Polk Valley Park, Phase I for \$263,390.70.

Second By: Mrs. Yerger
Mr. Kern asked if anyone had any questions? Dan Andrews asked where they were from? Mr. Kern said Warrington, Pennsylvania.

Roll Call: 5-0

B. APPROVE APPOINTMENT OF ADDITIONAL SEWAGE ENFORCEMENT OFFICER (SEO)

Mr. Kern said at the January 7, 2008 reorganization meeting, Council made a motion to appoint the Sewage Enforcement Officer (SEOs) employed by Township Engineer, Hanover Engineering Associates. Jacob Schray was omitted from the list. Council should make a motion to include Jacob Schray as an approved Sewage Enforcement Officer (SEO).

Mr. Cahalan said Mr. Kocher brought this to their attention.

Motion By: Mrs. Yerger moved for approval of Jacob Schray as an approved Sewage Enforcement Officer.

Second By: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.

Roll Call: 5-0

C. APPROVE AMENDED ENGAGEMENT LETTER FOR AUDITING SERVICES WITH HUTCHINSON, GILLAHAN & FREEH

Mr. Kern said an amended engagement letter prepared by Township Auditors, Hutchinson, Gillahan & Freeh for auditing services for 2008 in the amount of \$14,750.00 has been prepared and will need Council approval for the Council President to execute the engagement agreement.

Mr. Cahalan said they have obtained a clean copy from Hutchinson, Gillahan & Freeh, as the original copy, the amount was crossed off.

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Motion By: Mrs. Yerger moved for approval of the amended engagement letter for auditing services with Hutchinson, Gillahan & Freeh.
Second By: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
Roll Call: 5-0

D. REVIEW OF DRAFT OF MEMORIAL PLAQUE HONORING MANNY TAVORMINA

Mr. Kern said Council adopted a motion in 2003 directing that one of the soccer fields in the new Polk Valley Park be named after the late Manny Tavormina, longtime youth soccer coach, when the park opened. Staff and the Park and Recreation Board are submitting a draft of the plaque wording to the Council for their review and comments.

Mr. Cahalan said this was the first draft and they wanted to bring it to Council. Mrs. deLeon said she only had one change, where it says "Chartered Saucon Valley Soccer League", is there any way they can change the side margin so it all fits on one line? Mr. Cahalan said sure, they can do that and will bring another draft. Mr. Kern said the last sentence where it says, "mentor and friend", it would sound better if it said "mentor and friend to our children" as it would sound a little more personal.

Mr. Cahalan said when they open the park, they want to have a little ceremony and any suggestions are welcomed on that. Mrs. Yerger said it would be nice to put the sign up in the upper area as there is a wonderful view up there.

E. RESOLUTION RECOGNIZING ED KOLOSKY

Mr. Kern said Ed Kolosky, SV School District teacher, coach and Hellertown Community Pool Director, will be honored by the Hellertown-Lower Saucon Chamber of Commerce with the 2008 Distinguished Service Award at the annual Chamber banquet on January 19, 2008 at the Silver Creek Country Club. Resolution 26-2008 has been prepared for Council to recognize Ed's community service and dedication to the Saucon Valley.

**LOWER SAUCON TOWNSHIP
Northampton County, Pennsylvania**

RESOLUTION #26-2008

A RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF ED KOLOSKY

WHEREAS, Ed Kolosky has unselfishly served the residents of the Saucon Valley in various capacities for the past twenty-three (23) years; and

WHEREAS, Ed, after growing up in nearby Hanover Township and graduating from King's College, began a teaching career which is now in its twenty-third (23rd) year; and

WHEREAS, Ed is currently a fifth (5th) grade teacher at the Saucon Valley Elementary School where he has taught hundreds of students, many of whom still keep in touch with him with letters, emails and Christmas cards ; and

WHEREAS, Ed has distinguished himself as a longtime coach of the Saucon Valley High School Swimming, Cross Country and Track & Field teams. This past year, Ed's Girls' Cross Country Team completed an undefeated 24-0 season and won the Colonial League and District XI AA

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titles. In recognition of this success, Ed was named the 2007 Girls' Cross Country Coach of the Year; and

WHEREAS, for the past thirteen (13) years Ed has been serving in the summer as the manager of the Hellertown Pool where he oversees a group of twenty-three (23) teenagers who work as lifeguards and staff the ticket booth and snack bar ; and

WHEREAS, Lower Saucon Township is proud that Ed Kolosky's career as an educator, coach and community recreation leader will be recognized with the presentation of the 2008 Distinguished Service Award at the Annual Banquet of the Hellertown-Lower Saucon Chamber of Commerce on January 19, 2008; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to commend Ed Kolosky for his community service and dedication to the Saucon Valley.

ADOPTED and ENACTED this 16^h day of January, 2008.

Mrs. deLeon said she had three corrections. First WHEREAS paragraph, it should say "the past 23 years". Third paragraph where you spell out the year, it should say "fifth" grade teacher. The fifth WHEREAS, last sentence, add "bar" after snack.

Priscilla deLeon can't attend the banquet, nor can Jack Cahalan or Glenn Kern. Sandy Yerger may be able to attend.

Motion By: Mrs. Yerger moved for approval of Resolution 26-2008 recognizing Ed Kolosky.
Second By: Mrs. deLeon
Mr. Kern asked if anyone had any questions? No one raised their hand.
Roll Call: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 7, 2008 MINUTES

Mr. Kern said the January 7, 2008 council minutes are ready for Council's review and approval.

Mrs. deLeon said line 9 on the first page, add her name as a Council member being sworn in. The motion with the landfill issue should be 5-0, not 4-1 (Mrs. deLeon – No).

Mr. Horiszny asked about the dates in July and August when we only have one meeting. Mr. Cahalan said they advertise those dates. Page 12, line 36, the motion should read "as corrected". Page 21, lines 45 to 51, omit that as it's repeated twice. Page 22, Resolution 20-2008, they are not the same numbers as when we approved them.

Mr. Maxfield said page 10, line 22, Mrs. Yerger's gender changed. It should be Mrs., not Mr.

The minutes were tabled until February until they get the accurate numbers on the resolution.

Motion By: Mrs. Yerger moved to table the minutes until February.
Second By: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
Roll Call: 5-0

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B. APPROVAL OF DECEMBER 2007 FINANCIAL REPORTS

Mr. Kern said the December 2007 financial reports are ready for Council's review and approval. Mrs. deLeon said we talked about an invoice for \$990.00 for the landfill and when they looked at it, they realized it should not be tacked on to the landfill money. She spoke to Cathy about it yesterday and she will correct it.

Motion By: Mrs. deLeon moved to table until it's corrected and bring it back to the February meeting.
Second By: Mr. Kern
Mr. Kern asked if anyone had any questions? No one raised their hand.
Roll Call: 5-0

IV. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Laura Ray said they have talked at their EAC meeting about the possibility of putting a community garden in Polk Valley Park. From the plans that they saw, it looks like there could possibly be some space available on the Norcor property where the dog park is going to be. There are some people out there that could be helpful to plan this out and she found a lot of information on the internet. They thought it would be a good idea to first see if the community is interested in something like this. Mr. Johnson said they would like to put a little paragraph in the township newsletter to find out if people are interested in this. Mrs. deLeon said some people have expressed having a garden. They enjoy doing that, and they downsize their homes, so they don't have room to have a garden. They would definitely have to rent a tiller. Ms. Ray and Mr. Johnson will work together on a contact person. Mrs. Yerger said you could require them to fill out a form to send in and in that way you know if they are really interested. It can also be put on the website. Mr. Horiszny asked if they had any idea what size this would be. Mr. Johnson said they would see what kind of interest is generated, then go from there. Within the garden, they'd have pathways of turf or grass so people can get to their specific garden. Ms. Stern Goldstein said in Philadelphia, they can do a garden the size of Council chambers and feed an entire neighborhood. They didn't have grass between them. They did vegetables and also did flowers. In Doylestown, she drives past it and there is a community garden there, and some people have flowers in it. Mrs. Yerger asked Ms. Stern Goldstein if she knew of someone they could contact in Doylestown Borough. Ms. Stern Goldstein said she will call them and get a name. Mr. Johnson said a couple of people he talked to, there was a small charge. He doesn't know if we should mention that in our initial survey. Ms. Stern Goldstein said one way to get the word out is like at Four Seasons, go through their association and sometimes community gardens have co-ops. There have been lots of gardens on community gardens. Mr. Johnson said someone mentioned to him that the school might be interested in getting a plot as it's so close by and you're building a pathway right to the park. Ms. Stern Goldstein said there were some 1st and 2nd graders that did a small garden, and their parents ended coming there with their siblings during the summertime. Mr. Cahalan said one thing is there is no water on the site. The other issue is there is no access. Ms. Ray said she saw on the plan it would be close to the pavilion. Mr. Cahalan said that's where the dog park is going to be. Mr. Johnson said they could go unload their tools and then go and park their car. Mrs. Yerger said the problem would be the water as when you put the young plants in, it should be wet. Mr. Johnson said we'd have to let the people figure out how to solve these problems of getting water there. Ms. Stern Goldstein said we should first find out the interest, then go from there. Mrs. Yerger said then they can tell you what they are willing and not willing to do. Mr. Horiszny said as a side point, Jack and him were trying to get information in to the newsletter or the website on the Lehigh County extension Living on a Few Acres program and it's already sold out, so there must be a lot of interest going on. Mrs. Yerger asked for Mr. Johnson to bring back all information to the EAC.
- Ms. Stephanie Brown said it's the 50 year anniversary of the bridge. She'd like to know if the township is going to commemorate this. While the bridge is still in tact, they should get a plaque to

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commemorate it. She doesn't know how much you want to jump the gun on this. Mrs. Yerger said she will put this on the agenda of the Historic Committee and they can talk about it, then Ms. Brown can also discuss her ideas.

V. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

➤ Mr. Cahalan said at the reorganization meeting, the discussion about the landfill consultants, Council directed him to do a scope of services, and he did provide Council with some information for them to review. It was pointed out by Priscilla deLeon, who is on the Landfill Committee, that Laressa McNemar has been working on some assignments that she isn't finished with yet, and she's just been assigned another assignment and there was a question if she should keep working, and they did defer to the Solicitor and they said she should keep working. Jim Birdsall sent him an email and he indicated there is ongoing work that Laressa has to do. Rich Sichler, on the other hand, has finished his assignment and has not started another one. Jim asked to ask Council if Laressa could continue until Council provides further direction. Mr. Cahalan isn't sure what the other assignments are. Mrs. deLeon said she mentioned at the last meeting that there are ongoing issues there. The landfill is in violation of the site plan, so that's in violation of a state reg. There's also a problem of moving the storm water pipe and going underneath the landfill. She doesn't know who at the township on staff would handle these issues. Mrs. Yerger said we did approve HEA as the landfill engineers, so who falls under that category? Mr. Cahalan said Jim Birdsall and Scott Brown, the Host Municipal Inspector. Mrs. deLeon said the reason they have Laressa is because they lack the expertise that she has and they are not qualified. This is a serious issue and has to be investigated. Mr. Kern said Mr. Birdsall is asking Council if Laressa can continue with some miscellaneous ongoing assignments until Council provides further direction? Mrs. deLeon said that's why she's perplexed; Ron Horiszny sat on the Landfill Committee for how many years and they are not doing anything different from when he was there. No one is making up work or inventing jobs. It's all in the record. Mr. Horiszny said do we need a motion for her to continue working at this time? Mr. Cahalan said yes as Laressa was not reappointed. Mr. Kern said can we ask Jim Birdsall to clarify what the miscellaneous items are that Laressa is working on? We could approve the miscellaneous items now, then ask for clarification at the next meeting. Mr. Maxfield said if we have HEA as our landfill engineers, why can't they do this work? We have four engineers here, why do we need four engineers reviewing this stuff? Mrs. deLeon said we review the site plans, and who is here on staff on a day-to-day basis would be able to review the stability of the landfill, the impact of the pipe, the pipe casing. Mr. Maxfield said he doesn't want to be repeating DEP work. Mr. Kocher said if you believe DEP is a good overseer of the landfill operation, then you may not need that engineer, but some municipalities think that DEP doesn't have the personnel to really look into these things. Mrs. deLeon said we have a host agreement that has specific language in there that says we are supposed to meet on a monthly basis, and she's not an engineer. When it comes to a proposal, they have pending applications with a request to put a pipe to transport storm water underneath the landfill which is a revision. Mr. Kern said Mr. Birdsall is simply asking Council if Laressa can continue with some miscellaneous ongoing assignments. Mrs. Yerger said to ask Laressa to finish her report on the proposal for rerouting the pipe and submit it. In that way, we'll know exactly what she's doing and if there's other miscellaneous issues, Laressa should certainly be able to reiterate what she's working on and request that she be able to continue on that. Mr. Cahalan said all the landfill consultants already responded to the first request for information. Mr. Cahalan asked them to state what was their assigned responsibilities and tasks are and to provide information about their qualifications. It's the first step in providing the scope of services. Mrs. deLeon said this is her 21st year on Council, and she

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does know what she is talking about with the landfill. The least we can do is make sure they are operating correctly. We need to stay on top of it and the landfill needs to be watched. Mrs. Yerger said Laressa's tasks should be defined and identified. Mr. Maxfield wants to find out how many of these things need to be done each month. He wants to find out how much landfill money that is coming in is being spent on re-reviewing reports and things like that.

MOTION BY: Mrs. Yerger moved to have Laressa McNemar finish her report on the proposal from IESI for relocation of pipe from basin 7.

SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? Mrs. deLeon said someone at the township has to address this and follow this issue as staff is not at Landfill Committee meetings. Mr. Cahalan said he attends the meetings but wasn't able to attend the last meeting, and Chris Garges attends the meetings if he is needed.

ROLL CALL: 5-0

- There's a copy of the draft of proposed commemorative display of the Reddington Chapel. It's for you to look at. It will be placed on a plaque and put out at the site. They are also working on a display of some of the artifacts recovered from the building prior to it being demolished. That's for information purposes.
- He had a question from Mrs. Yerger if he had an update on the national register nomination for the Homestead and the Lutz Franklin. He got word back that they are still waiting word from the State regarding development of the architectural theme for 20th century colonial revival houses. Once they have that information, they can put together a proposal. They are visiting schoolhouses in Philadelphia to find information out about 19th century schoolhouse patterns of architecture. At some point, they will take new pictures, but they will wait until PHMC has reviewed the first draft.

B. COUNCIL/JR. COUNCIL

Georgiana Torella

- Nothing to report

Mrs. Yerger

- The EAC met on Tuesday. They were contacted by the Lehigh Valley Watershed Conference and were asked to sponsor like they did the first conference. The EAC is recommending that they give \$250 for sponsorship for the LV Watershed conference.

MOTION BY: Mrs. Yerger asked for approval as stated above.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

- The Cook's Creek Watershed Association - we do have waters in the Cooks Creek and she'd like to renew the Township's membership for \$100.00 to the Cooks Creek Watershed Association.

MOTION BY: Mr. Maxfield asked for approval as stated above.

SECOND BY: Mr. Kern

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

ROLL CALL: 5-0

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- The last recommendation from the EAC is we allocate \$250 to the Saucon Creek Watershed Association and it would be an excellent idea to support that watershed.

MOTION BY: Mr. Horiszny asked for approval as stated above.

SECOND BY Mr. Maxfield

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

ROLL CALL: 5-0

Mr. Maxfield

- He spoke to Mr. Cahalan earlier about this earlier about keeping an eye what is happening down at the Lehigh Valley Industrial Park site. A company has moved in the last year and within the last week they put in some new lights and it must be an annoyance to some of our residents. He'd like to work with Jack and draft a letter asking that they shield the lights. There's a lot of glare on the road. They will work on a letter.

Mr. Kern

- He said he does appreciate our local press writing articles on township affairs. He read an article in the Saucon News from two weeks ago with two errors in them that it was important enough for him to contact Mr. Cahalan to see if we should respond as a Council. It was a discussion on our general fund money and the article referred to general fund money being spent on open space acquisition. He'd like to clarify that **NO GENERAL FUND MONEY IS BEING SPENT ON OPEN SPACE ACQUISITION**. The discussion involved general fund money to pay for our staff and attorney fees or appraisals toward acquisition. There's a huge difference between what the article said and what is actually the case. Jack Cahalan drafted a letter to respond back which is in your packet and he'd like Council to review the letter during the week. Mrs. deLeon said she had someone contact her and they agreed with her interpretation. There are people out there that agree with her interpretation. Mr. Maxfield said that's a perfect example of people misunderstanding the article.

MOTION BY: Mr. Kern moved that Council review the letter drafted by Jack, and get back to him so they can send this response in to the newspaper.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-1 (Mrs. deLeon – No)

Mrs. deLeon

- She said that a letter was received from Attorney Sugarman who use to represent the Township on landfill issues and he is closing his office and asked if we wanted his files relating to his representation of the Township. Jack said that Haz Hijazi had advised him that the Landfill Committee would like us to pick up the files and he has notified Mr. Sugarman of this.
- She wants landfill consultant responsibilities, and other consultants responsibilities?
- She asked for an update on the Regional police study. Jack stated that Tom, Ron, Chief Lesser and he attended the meeting on January 14, 2007 with the Hellertown Borough Council. The DCED consultants reviewed their Regional Police Study report, a copy of which has been given to Council. The report is being reviewed by the Chief and Cathy Gorman and we will come back with a report on it at the next meeting.

Mr. Horiszny

- Regarding Lower Saucon Authority, they met last night and don't anticipate getting any rate change on the tariff from the City of Bethlehem, but the PUC did decrease their requested rate increase from 12-1/2% to 3.6%.

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- On the Leithsville 537 sewer line, they decided they will submit a letter to the Hellertown Borough Council asking for an easement for the line and addressing the issues and concerns that have been raised in the letter the Borough Council submitted through their solicitor. This issue is moving very slowly.
- He attended the latter half of the regional police study meeting the other day in Hellertown and Jack has a copy of that information that was handed out at that meeting.
- He attended the last Lower Saucon Township Historical Society meeting as liaison and the Historical Society has put in place a new executive board to get the board under better control.
- He received from the Pennsylvania House information on House Bill No. 1993 which was to alter an act from 1937 to go from 10 feet to 100 feet on a campaign free zone and he will email that information to everyone.

C. SOLICITOR

- Nothing to report

D. ENGINEER

- Nothing to report

E. PLANNER

- Nothing to report

IX. ADJOURNMENT

MOTION BY: Mr. Horiszny moved to adjourn. The time was 8:50 PM.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn Kern
President of Council