

**I. OPENING**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Announcement of Executive Session (if applicable)

**II. PUBLIC COMMENT PROCEDURE**

**III. PRESENTATIONS/HEARINGS**

- A. Resolution #31-2013 – Honoring William Cszaszar for his Service as Township Emergency Management Coordinator
- B. Appointment of Emergency Management Coordinator

**IV. DEVELOPER ITEMS**

**V. TOWNSHIP BUSINESS ITEMS**

- A. Zoning Hearing Board Variance – Revolutions of Saucon Valley, LLC - 3717 Route 378 – Variance from Limitation on Number and Size of Signage
- B. Approval of Emergency Management Coordinator Job Description
- C. Animal Control Issues
- D. Regional Police Study Discussion

**VI. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of January 7, 2013 Minutes
- B. Approval of December 2012 Financial Reports

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

**VIII. COUNCIL & STAFF REPORTS**

- A. Township Manager
- B. Council/Jr. Council Member
- C. Solicitor
- D. Engineer
- E. Planner

**IX. ADJOURNMENT**

Next Zoning Hearing Board Meeting: January 21, 2013  
Next Planning Commission Meeting: January 24, 2013  
Next Park & Rec Meeting: February 4, 2013  
Next Council Meeting: February 6, 2013  
Next EAC Meeting: February 12, 2013  
Saucon Valley Partnership: March 13 @ SVSD

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, January 16, 2013 at 7:02 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

**ROLL CALL:** Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Dave Willard and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Linc Treadwell, Township Solicitor; Dan Miller, Township Engineer; Karen Mallo, Township Planner; Carolyn Brooks, Jr. Council Member

**PLEDGE OF ALLEGIANCE**

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

Mr. Kern said Council met in Executive Session prior to the beginning of this meeting. He will defer to our Solicitor. Attorney Treadwell said the Executive Session was to discuss potential litigation involving the property located at 4303 Lower Saucon Road. Discussed were strategies for dealing with some zoning violations at that property and as a result of that, we don't need any official Council action at this time.

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

Mr. Kern said if you are on the agenda, you have Council and Staff's undivided attention. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. We'll listen to whoever is speaking and at the completion of that, if you wish to speak, raise your hand and you'll be afforded that same courtesy of the floor where you will be able to speak. If you do speak, please use the microphone as we do transcribe the minutes verbatim so the transcriptionist can get word for word of what you are saying. State your name for the record for that same reason so the transcriptionist knows who is speaking.

**III. PRESENTATION/HEARINGS**

**A. RESOLUTION #31-2013 – HONORING WILLIAM CSASZAR FOR HIS SERVICE AS TOWNSHIP EMERGENCY MANAGEMENT COORDINATOR**

Mr. Kern said Resolution #31-2013 has been prepared recognizing and thanking Bill Csaszar for his service from 2005 – 2013 as the Township Emergency Management Coordinator.

**A RESOLUTION HONORING WILLIAM (BILL) CSASZAR FOR HIS SERVICE AS TOWNSHIP EMERGENCY MANAGEMENT COORDINATOR**

**WHEREAS,** Bill Csaszar has been serving the residents of Lower Saucon Township for over thirty-seven (37) years in various capacities; and

**WHEREAS,** Bill has served as a volunteer firefighter with the Se-Wy-Co Fire Company since April, 1975 and was the Fire Chief from 1978 to 2002; and

**WHEREAS,** Bill was appointed as the Township Emergency Management Coordinator in 2005; and

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**WHEREAS**, as the Emergency Management Coordinator, Bill spent a considerable amount of time attending meetings and training in order to increase his proficiency and knowledge in this area; and

**WHEREAS**, Bill upgraded the Township Emergency Operations Plan (EOP) and saw to it that the Township's emergency management policies, procedures and equipment were updated and improved; and

**WHEREAS**, during emergencies such as Hurricane Irene and Hurricane Sandy, Bill took charge of emergency operations in the Township and worked non-stop through these events to ensure that the Township response was thorough and effective; and

**WHEREAS**, Bill will be relinquishing his post as the Emergency Management Coordinator in 2013.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution \$31-2013.

**SECOND BY:** Mrs. deLeon

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

**ROLL CALL:** 5-0

Mr. Cahalan said he wanted to thank Bill for his work as the Township EMC. When Bill came here and took over the post in 2005, our program was pretty static. He really added a lot to it by upgrading and improving all of the procedures and policies. He has a great deal of experience and he brought that to the position and we had one of the best Emergency Management programs in Northampton County based on Bill's contribution. He'd like to thank Bill for the time he put in when there was an emergency. You don't really see these things until something happens. Bill worked through the last one for days. He was at the firehouse manning the phones and the radios and communicating with everyone. Bill's done a terrific job and Mr. Cahalan appreciates the help he's given to the Township during that time. Mr. Kern said he will be missed. Bill said it truly has been a pleasure serving the Township and he will continue to serve in some capacity. He knows his replacement will do an exceptional job. Have no fear there.

**B. APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR**

Mr. Kern said the Township Manager is recommending that Bryan Evans be appointed as the Township Emergency Management Coordinator replacing Bill Csaszar.

Mr. Cahalan said one of the things that they always say that's important when you're in a position, you should always be grooming someone when you leave. He thanks Bill for recruiting somebody of the caliber of Bryan Evans. We are really fortunate to have had Bill and for him to bring Bryan to our attention. You've seen on Bryan's resume he has a wealth of experience and training in Emergency Services. He's currently employed at St. Luke's Hospital. He's been a member of the Se-Wy-Co Fire Company and will make a perfect replacement for Bill. He's recommending Bryan Evans be appointed as the Emergency Management Coordinator.

**MOTION BY:** Mr. Maxfield moved for approval for the appointment of Bryan Evans as the Emergency Management Coordinator.

**SECOND BY:** Mr. Horiszny

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

**ROLL CALL:** 5-0

Mr. Evans was in the audience. Mr. Cahalan said the process is we will send the appointment to the County Emergency Management Agency in Northampton County. That goes to PEMA at the State level, and then it goes on to the Governor's office for his actual formal appointment as Emergency Management Coordinator (EMC). There's a background check that will be done and

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we'll do that. There's no impediment in the meantime for Bryan to serve as the EMC. He'll have the benefit as Bill will be available in a pinch. In the job description that's later on in the agenda, there are some requirements that Bryan will have to meet as far as training and they are listed in there. He will have to complete that training per the State PEMA requirements' in order to maintain his position of EMC. He's looking forward to working with Bryan and we'll have a really good coordinator the next time a storm comes. We'll be prepared.

**IV. DEVELOPER ITEMS – None**

**V. TOWNSHIP BUSINESS ITEMS**

**A. ZONING HEARING BOARD VARIANCE – REVOLUTIONS OF SAUCON VALLEY, LCC – 3717 ROUTE 378 – VARIANCE FROM LIMITATION ON NUMBER AND SIZE OF SIGNAGE**

Mr. Kern said the applicant is seeking relief to install three more signs than permitted on the front of the new bowling alley.

Mr. Jim Preston said he represents the applicant. Your Zoning Officer has determined we need zoning relief at this site and we did an application that has some pictures in it. That's what we hope to accomplish. He thinks the pictures speak for themselves. It's a pretty standard treatment for that type of operation.

Mr. Maxfield said he really likes the design and has no problem at all. Everything works together with it. Mr. Kern said it looks nice. Mr. Willard said because that property has been vacant for some time, it needs proper signage. One of the problems with the movie theatre was the lack of signage. You never knew exactly what was playing there.

Attorney Treadwell said he, the Zoning Officer and Mr. Preston have been having some conversations about whether zoning relief is really actually required to do these signs. Out of an abundance of caution, the Zoning Officer explained to Mr. Preston that he thought it was. We are still having those discussions. It may not have to go to the ZHB, but we wanted to bring it to Council tonight to make you are aware what the proposal was in case the determination is that it does have to go to the ZHB. They are in a bit of a rush as it's already open. Mr. Preston said this is a mistake. It was supposed to have been done awhile ago. It just landed on his desk a short while ago. They'd be happy to abide to whatever instruction they get from your Solicitor. Mr. Horiszny said he's usually against signs, but because they are at the back of the building more, they are well done, so that should be good. Mr. Maxfield said he likes that they are floating letters. Council took no action.

Mr. Willard asked if anyone on Council has been in Revolutions yet? Mr. Kern said he hasn't. Mr. Willard said it's beautiful inside and out, a great addition.

**B. APPROVAL OF EMERGENCY MANAGEMENT COORDINATOR JOB DESCRIPTION**

Mr. Kern said the Manager has prepared a job description for the Township Emergency Management Coordinator which he is requesting Council approve

Mr. Cahalan said this is one thing he was reviewing what we needed to do in order to appoint Bryan. One of the things we didn't have was a job description for the position. He put this together. The third page under the required certification and training, it lists the training he referred to earlier. He has to attain basic emergency management certification per the PEMA directive Title 35 within one year of appointment as the EMC. He has to attain emergency management certification per the PEMA directive Title 35 in three years of appointment as the EMC. Then it has completion of professional level of certification is recommended, but not

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required, and any training required by Northampton County Emergency Management Services. Bryan has reviewed this and he is okay with meeting those requirements for the position.

Mrs. deLeon said reading the next one for the Animal Control person, is there a stipend for this position? Mr. Cahalan said yes, they've been paying Bill a stipend that's covered in the budget. It's \$2,000.00 a year and they get 1099's. Mrs. deLeon said shouldn't there be a stipend language in this job description? Mr. Cahalan said we could add it. We don't have it in any of our job descriptions. Mrs. deLeon said she thinks she read it in the Animal Control person job responsibilities. Mr. Cahalan said the word stipend? Mrs. deLeon said the word, yes, as the amount can change. Mr. Cahalan said the language we have in the Animal Control person job description, it says compensation. This position receives an annual stipend. He can add that. Mrs. deLeon said all the job descriptions we have should include that.

Mrs. deLeon said she knows our Township positions have language in there for ADA, should language be added in this one? Mr. Cahalan said he didn't add those on the job description, but he will add that. Attorney Treadwell said he doesn't know if we have that in our overall policy that covers all personnel. Mrs. deLeon said each job description has language in it about the ADA. Mr. Cahalan said you are talking about the demands of the job, is that what you are referring to? Mrs. deLeon said we are a government entity and we're supposed to be following the ADA. This is a position we're paying the person even with the next agenda item. She's just raising the question. Mr. Cahalan said he's trying to clarify what you mean by ADA. Mrs. deLeon said the disabilities act. Mr. Cahalan said normally what you would add in a job description is what the physical demands of the job are. In the Animal Control Officers draft job description, it indicates they must be physically agile enough to do certain things. They must have the ability to walk, stand, stoop and lift 20 to 50 lbs., normal visual acuity, hearing, vision and speaking. Those are normally the demands that are added to a job description so that if somebody cannot meet those requirements, then shouldn't apply. Mrs. deLeon said she thinks there's additional language that is standard language. She didn't have it at home. Attorney Treadwell said they can look at it. Mrs. deLeon said look at our positions. We had to amend all the job descriptions and include special language for the ADA and it wasn't the lifting. Mr. Cahalan said he will check. What we are doing is updating them and adding the new information about physical demand and work environment. Those are new items that are added to job descriptions, but he'll check and see if there's anything else that is missing. You can table this if you want to and he can look into that. Mrs. deLeon said we don't have to table this, but if the other language exists in other documents, it should be inserted in here.

Mr. Horiszny asked Attorney Treadwell if he was about to say our personnel policy includes ADA. Attorney Treadwell said his question was does the overall personnel policy include that language which may not require you to have it in each individual job description as it applies to all Township employees no matter who they are. We can look at it and see if there's any specific language that needs to be included. The personnel policy is pretty old. Mr. Cahalan said the handbook has been updated. It's only a year or two old and it's been reviewed and updated as needed. It's in the handbook. Mrs. deLeon asked if it was in pdf? Mr. Cahalan said yes, they can send it out to everyone.

**MOTION BY:** Mr. Horiszny moved for approval of the Emergency Management Coordinator job description, with the caveat that it may be revised, with the addition of the word "stipend" and possibly amending it for ADA language.

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

Mrs. deLeon said this wouldn't be misinterpreted under a non-union contract or anything as it's a position and they are being paid now as we never had these two job descriptions on the book and we have a non-uniformed contract. Mr. Cahalan said on the one for Animal Control Officer, it says there are no additional benefits associated with this position. He could add the word "non-union" or

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it's not covered under any union contract, if that's what you want. Mrs. deLeon said she's just trying to be careful here. Mr. Cahalan said they are appointed position by the Council. They are not covered or listed under each of the union contracts. It's a position that is not there currently. Mrs. deLeon said are we going to look into this? Mr. Kern said it's a stipend; it's not a union wage. That's clear. Mrs. deLeon said Attorney Treadwell is not saying anything and she's a little nervous about that. Attorney Treadwell said unfortunately, you have another Solicitor who does all of your personnel issues and that doesn't happen to be him. He's thinking if the question is will the union have a problem with this position, in terms of not being part of the non-uniformed union, we can certainly look at that. He thinks if they had a problem, they would have had it for the last how many years this position has been in effect. Mrs. deLeon said we never had a written description, but we had the position. Mr. Cahalan said it's like the Fire Marshal, the EMC, those are positions that Council appoints. Attorney Treadwell said he would guess, although he hasn't read the contract recently, that the contract sets a limit as to when the person is required to become a member of the union, whether it's based on salary, number of hours worked or where that threshold is. We can look at that as well. Mr. Cahalan said it's usually full-time positions. Mrs. deLeon said you will look into this even though it's being passed tonight. We can always change it. Mr. Cahalan said yes.

**ROLL CALL:** 5-0

**C. ANIMAL CONTROL ISSUES**

Mr. Kern said the Manager will update Council on developments with animal control issues and is asking that the Township consider advertising for a Township Animal Control Officer.

Mr. Cahalan said we're into another year and we're still in a situation where there's a lot of uncertainty about animal control issues. Northampton County is now involved in this issue. They are doing a study. They commissioned Lafayette College to do this. If you've been reading in the paper or the PSATS magazine, it's a problem all over Pennsylvania with how municipalities deal with the problem of stray animals and what do they do if they pick up these animals. The biggest problem is the sheltering portion of it. They are just not enough facilities to house the stray animals. In our case with Northampton County, there's one designated shelter. It's the shelter for Animal Health and Welfare. We've been working with them back when they were the SPCA and had a contract with them every year. They would have personnel come and pick up animals that the police detained. We originally had cats and dogs. We dropped the detention and retrieval of cats and we went to a trap-neuter-return program which has worked well. We still have stray dogs to deal with. The center has been having some issues primarily space issues. They have some financial issues. The impact on us is that we contact them and they don't have any room to take the stray animal from us. This year because of those issues, they went to an arrangement where they said they would not do a written agreement and they also wanted payment up front if we dropped off any animals. We were trying to work through those issues, but we still have the problem of no room at the inn, as to their crowding. We had a meeting recently with staff and we are looking at all options to deal with this problem. He wants to update you on where we are with that. The first one again, we're required to pick up any stray dogs and keep them for 48 hours. During that time, we try to identify who the owner of the dog is and also if we do, we have the owner come and retrieve the dog. If the owner can't be identified or the dog isn't retrieved within that period of time, we can then turn the animal over to the Humane Society or another shelter for adoption. The 48 hour period is what we need to focus on and that's what we're looking to cover. It looks like that at some point, during the year, the center may not be a viable option for us, so we need to come up with some other steps in order to address this problem.

Mr. Cahalan said one of the things he is recommending that the Township consider, is the appointment of an Animal Control Officer. This is the person who would be on call 24/7. If the Police did pick up a stray dog, they would call him and he would come and get the animal and we would have to have a place for the animal to be taken. They would care for the animal, give him shelter, food and water, address any medical issues and see if the animal can be returned to the

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owner. If not, after the 48 hours, we would relinquish responsibility for the animal. He is asking that to be one thing to consider. For shelter options, we are in discussions with Hellertown Borough. We've talked to their Manager and Police Chief about the shelter that they have in the Borough. We will continue to discuss that with them and see whether or not that is a possibility. One of the things he'd like to do is to get the okay to advertise this Animal Control Officer position and see whether not we have some people in the Township who'd be interested in fulfilling these responsibilities and we'd also like to find out if they possibly might have shelter facilities on their property where the dog could be kept for the 48 hours. We would provide the support for that food and so on and that could be something that could work. If that's not possible and we are successful in making some arrangement with the Borough, the Animal Control Officer would be critical as they would be responsible for taking the animal there and caring for the animal during the 48 hour period, then take the animal to the Humane Society or another shelter at the end of that period. He's asking if Council would authorize us to put an ad out and see if we get some responses and then if we do have something that looks feasible, we would come back to Council with the details about that. It would be a stipend in the neighborhood of what we're paying the other consultants like the EMC. It would be on call and we would also provide the person with one of the old police cruisers to use as a vehicle and then any food supplies and equipment they would need including the microchip scanner which we talked about at a previous meeting. That would identify the owner of the dogs. It's really month-to-month as to any solution until something either happens at the State or the County level and he doesn't see that happening soon. He thinks we have to take some steps to address these issues here in the Township on our own.

Mrs. deLeon said she has the same questions as in the previous agenda item. Her question is the equipment and different supplies that you'll be supplying to this person in the event that this person is no longer getting paid by the Township, can there be language be put in here that those items have to be returned to the Township in good condition? Mr. Cahalan said we can add that. We can also put that in the agreement. Attorney Treadwell said it's an employment type of agreement whoever this person is if we find one. Mr. Cahalan said it would be an inventory of supplies and they would have to return them in good condition at the end of their employment.

Mr. Kern said did Mr. Cahalan say he was hoping the person that applies for this would have property and be able to build a shelter on the property? Mr. Cahalan said either have one or be able to do that so we could shelter the animals properly and feed them and keep them out of the elements in the winter time.

Mr. Horiszny said are these positions normally independent contractors? Mr. Cahalan said they are just receiving the stipend. We are not paying them any other benefits, so yes, they would be independent in that sense.

Mrs. deLeon said that's why she's worried about this agreement. She thought employees were at will and all that other stuff, why would we have an agreement. Mr. Cahalan said we've had agreements with other contractors that work with the Township. Attorney Treadwell said it would say in the agreement that it's an at will position, it's a stipend, there are no benefits, the person will get a 1099. All those things are covered. They are not an employee. It's basically called an independent contractor agreement.

Mr. Horiszny said he thinks that answers some things Pris had about unions that precludes all of that as an independent contractor. The second bullet under hours, work may be outside during normal working hours, does that mean outdoors or outside normal working hours? Mr. Cahalan said we'll change that to out-of-doors. The "during" will be removed.

**MOTION BY:** Mr. Horiszny moved for approval of advertising for an Animal Control Officer.

Mr. Maxfield said because we are limiting this strictly to dogs, you may wanted to address this in the title of the position, the Animal Control Officer may receive calls from residents or we would

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receive the calls, they could be getting calls about wild animals, cats, anything. Mr. Cahalan said normally the police get all the calls. This person would not be fielding any calls from anybody. Mr. Maxfield said if it went to the Game Commission, the police would refer to the Game Commission? Mr. Cahalan said exactly. Mrs. deLeon said this isn't cats, it's just dogs? Mr. Cahalan said yes. If someone was to come up to her and say you put a job description in, she's still not sure what happens to the dog in the first 48 hours. Mr. Cahalan said he gets put up by the Township. He gets food, he gets a room, he gets three meals. Mrs. deLeon said we don't know where this place is? Mr. Cahalan said not yet. Right now, it's in Glendon at the center. Mrs. deLeon said after 48 hours? Mr. Cahalan said after 48 hours, we do not have any responsibility to shelter that animal and we can turn it over to the State Dog Warden or an SPCA, a Humane Shelter, where they can put it up for adoption.

Mr. Willard said it's up to this individual if the normal facility is full, to find another place to take the dog after 48 hours? Mr. Cahalan said if we had somebody in this position, we'd have an agreement as to where the animal would go. We wouldn't want them running around looking for options. We would need the Animal Control Officer and a concrete plan for sheltering the animal. Mrs. deLeon said the State Dog Warden, where is he located? Mr. Cahalan said there's a Dog Warden that covers several counties. They cover areas in the State. Mrs. deLeon said do you have any idea of what they do with the animal then? Mr. Cahalan said the way he understands it, they are kind of contending with the same shelter problem as we are. There are only a limited amount of licensed shelters in the State, so they have to really search for a shelter if they take custody of the dog. Mrs. deLeon said so the State Warden does not have to take custody? Mr. Cahalan said we don't normally call on them for the first call. We assume custody and then we look for the shelter. In certain situations, the PD will call on the Dog Warden. If it's a difficult case, they call him and at that point the Dog Warden will take custody of the animal and look for a shelter for that animal.

Mr. Horiszny said to expand on Tom's question and point, would it be better to call the Dog Control Officer rather than an Animal Control Officer? Then we can preclude raccoons, ground hogs, skunks, possums and various other critters. Mr. Cahalan said we can do that. Mr. Kern said that's a good idea, it'll avoid confusion. Mr. Maxfield said all calls go to the Police, and there's a barking dog, that's not for the Animal Control Officer? Mr. Cahalan said that would go to the PD as a nuisance. We do get people that call the Township and ask about cats. We do have information that we can give them about the trap-neuter-return program. We are trying to work with the center on that as they have to trap the cat, take it up to the center and pay a small amount to spay or neuter the cat and bring it back. We're trying to get those steps ironed out so we can give the information out to residents if they call.

**SECOND BY:**

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

**ROLL CALL:**

**MOTION BY:**

Mr. Horiszny said he'd like to amend his motion and say authorize advertising for a Dog Control Officer.

**SECOND BY:**

Mr. Maxfield

Mr. Kern asked if anyone had any comments. Jason Rodenbach from the Borough of Hellertown said he's done some work for Ron in wildlife pest control. He's done it all. He used to be the guy in charge for the Borough of Hellertown. He was uncomfortable with the way things were going there, so when they asked him to step down, he was gracious to do so. It is a lot more than just cats to dogs. If you do get an animal call, who do you call? Lucky for him, his wife is a dispatcher for the 9-1-1 center, so nine times out of ten, he's the guy that gets the phone call, whether you have a raccoon or you have a skunk or you might be coming down your steps at night with a bat flying over your head. That's the guy you would call. The Dog Warden is still Kathy Andrews who is located in Easton. She's been a very great lady. He's worked with her before and the dog barking complaint, that is a noise complaint and the police will go. He's also been called to those things

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that happen. It's not just the guy that calls and says there's a dog running in his yard, can you come get him. Hellertown has had a guy who has had a DUI and his best friend in the back seat, now you're called out to go and get the dog as the dog can't drive the car home. He would be very much interested in the position. He's talking to Chief Lesser about it. He would like to expand it, if at all possible, to the Wildlife side. He's been licensed by the State of Pennsylvania Game Commission since he was 16 and now he's 33. It's been quite a long time. He's trapped fox. Over the weekend, he was doing some Game Commission work for Lee Huffert and took beavers out of a pond. If you'd like to expand it on the wildlife side, he has the license. It's good for three years. His father is also on the license. If he can't get to something, he'll ask his father to go out for it, skunk, whatever it is. That's how they did it in Hellertown. He works in NJ and it was a full-time job. You'd have calls anywhere between 7 am and 3pm and Mr. Klotz was running the garbage truck, he could get the animal call, but Mr. Rodenbach was an hour away and he couldn't do that. They averaged 21 calls a month. It's a little underpaid to be blunt. It is a full-time job. If you are averaging 21 calls a month and were paid \$210 a month, it's \$10 every time. He was using his own truck, his own equipment. He also has the euthanasia, the same thing the Vet uses for cats and dogs. That's what he puts his skunks down with. He walks up to them and talks to them and has only been sprayed twice. He also has the dog carriers. He's had them even when he was done with Hellertown as he bought them himself. He has the catch poles, cages, leg hold traps for fox that he's caught in the Township. If anybody would like to speak with him, or if he can provide any input. You were talking about the ID for the cats and dogs that is a great idea. He looked into getting one of those when he was with Hellertown and they said it's not within the budget. It is a great idea and eliminates a lot of things really quick. You can get the dog or cat back to the owner. Was there a fine ever instituted once the dog was caught by somebody or was it just given back? Mr. Cahalan said that's something that is there. He thinks the goal is to get the dog reunited with the owner. That happens probably a lot of times when the PD does pick up a dog, they are able to do that. We haven't had a practice with the dogs that have been taken to the animal center. Mr. Rodenbach said any State law dictates that any roaming dog, it's a \$150.00 fine. He was always trying to imply that, but in order for that to happen as an Animal Control Officer, you need to be sworn in. Mr. Cahalan said the PD has cited people who have dogs running loose. We're talking here about stray animals. Mr. Rodenbach said if you are the homeowner of the dog, it doesn't matter if it's gotten out once or more, you are cited every time that dog is caught. Mr. Cahalan said you are correct, that does happen. The PD does this. Mr. Rodenbach said is that something that falls on the Animal Control person? Mr. Cahalan said that's not something we were looking at here. The enforcement side of it is something we'd like to keep with the PD. Mrs. deLeon said what does Hellertown pay their person? Mr. Rodenbach said they were paying about \$2,000 a year. He's worked up different numbers and that's been about three or four years ago. His original goal was not to just deal with the cats, the dogs, for finding a place for them. They had one particular dog that kept getting out. It lives in the Township, and nobody could get close to this dog, not even him. He'd bark at you. His goal was what if it bit somebody. His goal was to ask them for \$45,000.00 for the year. That included, if you call me for a bat, he's going to come and charge you \$80.00 for a bat. If you have a fox running around, he's going to charge you \$75.00 per fox. His goal with that money was 24/7 he's available. He has all the tools. He's been doing this for a very long time. You won't pay a dime. What you pay him in your taxes, he believes everybody in the Borough, it would cost each taxpayer \$7.00 per year. As far as he was concerned, they would know where their \$7.00 was going. That included him going out on Christmas, New Year's Eve, it didn't matter, he was there. You call him the phone rings, he's there. Raccoon, skunk, fox, cat, dog, a mouse, he's there. He knows the number sounds staggering, but he knows a lot. Regarding the noise complaint, they had a gentleman where the dog was barking. He went there, no one was there. Went into the house, the dog was quiet. He said to Mr. Hannah, he thinks you need to go inside, something's not right. Lo and behold they found the guy upstairs, he was drunk and passed out and never heard the dog. It was cold out, and if you love your pet, you are going to keep it in the house. Luckily, the dog was okay and everything worked out. It just takes time to pick up on little things like that. Mr. Kern said what about the issue of placement for 48 hours? Mr. Rodenbach said when he lived with his parents in LST, he went and got a 10'x10' enclosure. He could put the same thing up in his backyard right now. He lives right on

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Constitution. It would definitely fit. Mr. Willard said when did you serve in the position for Hellertown? Mr. Rodenbach said about four years ago. He stepped down as things weren't going right. He believes in doing it right or not at all. Mr. Willard said four years ago, you left that position, how long were you in that position? Mr. Rodenbach said about a year. They've noticed that calls were going up. He came back and said different things need to happen to make this work. They weren't willing to do that, so he stepped away. Mr. Kern said we'll digest this information. Mr. Cahalan said the wildlife that Jason was referring to, he'll have to do more research. Right now, the main concern is the stray dogs and that's what we're focusing on and what the recommendation has to do with tonight.

**ROLL CALL:** 5-0

**D. REGIONAL POLICE STUDY DISCUSSION**

Mr. Kern said the Township representatives to the Regional Police Study Committee will update Council on the outcome of the meetings with Hellertown Borough representatives regarding the study.

Mr. Kern said since the State issued its report, there's been a Committee who has been meeting about once a month, which is consisted of representatives from Hellertown and LST, including the two Chief's, the two Township Manager's, our Finance Director and Hellertown Council members, Tom Reiger and Phil Weber, and LST is Mr. Maxfield and Mr. Kern. They are discussing and analyzing the State report. The main thrust for everyone involved was to make sure the police coverage would be the same as it is now, or better and also there would be a cost savings. After lengthy meetings and analysis, the cliff notes is there was not major substantial cost savings as a result of this and the coverage was about the same, but maybe a little bit less than we have now. Mr. Cahalan said the two Police Chief's are going to be working together to explore the use of mutual aid agreements and doing some joint operations and training, and also looking into seeing whether we could maximize savings through joint purchasing of supplies of the two communities.

Ms. Gorman said the State review of a potential consolidated police department came in at a budget of \$3,631,800.00. The Manager's, Hellertown Finance Director, Police Chiefs and Ms. Gorman went through what each line item that the State had presented, and they found some items they thought were slightly understated. Some assumptions that the Police Chiefs felt that were needed whereas the State did not; and most of those involved payroll and benefit costs. We estimated our combined expenses as they were at the time at \$4,283,000.00. The State budget came in at \$3,631,800.00 which left approximately \$652,000.00 savings if we were to do it the way the State presented it. Then when the Managers and Finance Directors started to look at all the other expenses involved, and the items that were missed, which were the amount of officers on shift, their benefits, she doesn't think they counted some of the benefits. The disparity between Hellertown and Lower Saucon were substantially different. We estimated that if all said and done with the consolidated, we thought the combined budget would be more in the line of \$4.1 million which would have left \$156,000.00 savings. The difference between the two was the Police Chiefs both felt they needed the officers to maintain coverage and they also needed the part-time staff to cover shifts, when needed. The State made the assumption that some of those items were not needed whereas the Chiefs were pretty adamant that they thought they were and that was a significant cost which brought it down to about the \$500,000.00 difference that you are looking at. Even with the \$156,000.00 savings and combining the two police departments, there are employment contracts we would have to deal with and that would probably wipe out that savings. After reviewing these numbers several times, several ways, and went through every line item, at this time we felt there was not a substantial enough savings to move forward.

Mrs. deLeon said this was presented to the SVP last week and she knew everyone was meeting, and her question is if you are going to do joint purchasing, weren't we doing that already as that was one of the goals of the COG? Mr. Kern said some joint purchasing is being done, but the discussion also came around about possibly unifying the guns that are purchased, the training, the

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ammunition, which isn't currently being done. Mrs. deLeon said that's why the COG was formed, so we would work as a partnership. Mr. Maxfield said the discussion for the police study was because it was supposed to be almost like an independent agency and a lot of these things are occurring already like you said. Part of the effort now is to formalize these sorts of things. He doesn't know if there's a problem with purchasing of those types of things, being independent of COG when we still have to go back and approve as independent Council's that money that gets spent on equipment. It's still going to be up to us as an independent Council to what gets spent from LST and what gets spent from Hellertown, so we're not approving that together. What's been remarkable about this whole process is finding out that these are organic solutions to working together on a problem that they have worked out on their own over a series of years and he doesn't want to mess around with a thing that's working out good already other than to say, let's formalize it and make it easier for them to do and good job guys. That's where he'd like to see it go.

Mr. Kern asked if there was anyone in the audience that wanted to comment? Mr. Roger Jurczak said the facilities, the stations, is this new? It seems he read that the Hellertown facility lacks storage, lacks space, how does that factor into the consolidation effort? Mr. Cahalan said he can't speak for the Borough, but they did discuss this briefly at the meetings that is something they are looking ahead in the future for some solution to that problem whether its expansion of the existing facility or a new facility. That is something they were trying to factor in. In this study, they would consolidate in this building. That would incur a cost to them for the rental of the space, and they were trying to weigh whether it would be better to take that money that they'd be spending towards the rental and put it towards a capital plan for future expansion or new quarters for the PD. That is something they were wrestling with and were in discussions with the Township. They didn't see moving into this facility was the type of option they wanted to pursue, so that was another factor that led to the consensus of not to move forward with the regional PD. Mr. Maxfield said to think of the process in a different way, we originally talked about consolidating departments, now we're actually talking about consolidating efforts. It's like consolidation of the logistics of how things work, yet maintaining the two PD's as financially it works better for us. Even though we worked out the figures that it may have actually cost us money for awhile if we were to consolidate departments. A lot of these things are happening already, so while maintaining two separate departments, we can still consolidate efforts. We can formalize the ability to utilize each other's municipality for different things; all those kinds of things that are going on already. Our guys go through Hellertown to get to the other side of LST. That's important as we are in someone else's municipality at that point. If a Hellertown officer needs help at that point, in Hellertown, it was suggested we formalize some sort of agreement that our guys could do that. It's effort, not departments. That includes the location also. They were unwilling to make the kind of expenditure for them to move their headquarters to us.

Mrs. deLeon said don't we have mutual aid agreements in place already with Hellertown? Mr. Cahalan said not a formal one with the PD. The Fire Companies utilize those. Mrs. deLeon said we've done it in theory, but never formalized it. They support each other. They get dispatched jointly and it's something we are going to do. Mrs. deLeon said do we have any agreements like that with another municipality? Mr. Cahalan said in Police services, no. Attorney Treadwell said we have a smaller type agreement with the school district, Hellertown and LST, that we share issues that happen at the school district. Mr. Maxfield said he thought it would be important to have these agreements in case of litigation, a legal problem that came up. It would be nice to have some sort of document backing up the authority to do what officer's do. Attorney Treadwell said he thinks there is some authority in the state statutes, but he has also had discussion with Attorney Corriere from Hellertown about actually doing a formal mutual aid agreement. Mrs. deLeon said do we have a list of all these agreements? How do we know what we have and what we don't have? Attorney Treadwell said when someone says do we have a mutual aid agreement, we go to that file and check. Mr. Cahalan said we have a file of agreements.

Mr. Jurczak said you are discussing a situation that exists today with today's information. Were something to happen with the Borough's physical plant, would this study be revisited? We had a

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fire situation where we lost a fire station. Fortunately, for the Township, the consolidation process was long underway. If the same thing happened to the PD, where are we? Mr. Maxfield said he's going to speak for the guys who he is no part of at all, the Police and Fire, but he always has been impressed how they support each other and he's sure they would work out some kind of system to make it work. He has no doubts at all. It's not something we would have to formalize. It would occur on its own.

Mr. Cahalan said at the end of the last meeting we had, the groups from the Borough and the Township agreed to put together a joint statement that sets down what the consensus is, and the statement reads "In July 2011, the Council's of Hellertown Borough and LST jointly agreed to participate in a regional police study and submitted a formal request for the study to the Department of Community and Economic Development. The following month, in 2011, the municipalities were notified that DCED's Governor Center for local government services had agreed to conduct a regional police study through their police peer management program. In November 2011, a kick-off meeting with the Borough and Township representatives and the DCED assigned peer consultant, retired Towamensing Township Police Chief Joseph Kerschner, was held to review the outline, the scope of the police study. Chief Kerschner advised the group that the study would take 4 to 6 months to complete and would look at the feasibility of consolidating the Borough and the Township PD. On May 23, 2012, the draft, Hellertown-Lower Saucon Regional Police Study was presented to municipal officials and to the public at a meeting held at the SV School District. The draft report was posted on the Borough website and also the LST website for public review and comment. The past several months, representatives from the Council's, PD's and administrative staff's have been reviewing the draft report and meeting to discuss and exchange information on the impacts that the proposed consolidated PD would have on municipal budgets and current police services. It was the consensus conclusion on these reviews that:

1. The true cost of the proposed consolidated PD were understated in terms of part-time coverage that were be needed; employee benefits and other operational costs where the two departments merged together.
2. The potential savings for merging the two departments is not sufficient enough at this time to warrant a consolidation.
3. The Police Chiefs proposed to explore the use of mutual aid agreements, joint operations, training, purchasing, etc. to maximize savings and coverage for the two communities.

Based on this review and analysis the study group recommends that the Hellertown Borough and LST Councils take no further action on the report and that the municipalities notify the DCED Governor's Center of this decision and thank them for their recommendations and assistance."

Mr. Kern said we're looking for a motion to approve sending this letter to DCED. Mr. Cahalan said this will also be on the agenda at the next Hellertown Borough Council meeting. Mr. Maxfield said do we want to let DCED know anything came from the talks at all? Mr. Cahalan said we can send DCED this information.

**MOTION BY:** Mr. Maxfield moved for approval to send DCED a letter as stated above by Mr. Cahalan.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF JANUARY 7, 2013 MINUTES**

Mr. Kern said the minutes of the January 7, 2013 Council meeting have been prepared and are ready for Council's review and approval.

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Mr. Horiszny said page 1, line 38, we should insert your name as the nominee, it wasn't in there. Page 1, line 46, we should insert Mr. Maxfield's name as the nominee, as there was no name in there. Page 5, line 31 and 32, he thinks he was the first and Priscilla was the second. Page 11, line 22, Resolution #30-2013, says has established, and we had not yet voted on that resolution as we were on Resolution 12 or 13, so should it say "will establish" to be accurate? Does the tense have to be accurate? Attorney Treadwell said you can change it to "will establish". Mr. Horiszny said page 25, line 4 and 5, he thinks it was Tom's motion and his second. Page 25, line 12, he's not sure what the criticalness of this is, but we both adjourned one meeting and started the other meeting at 7:36 and he thinks it should be 7:35 pm and 7:36 pm, but that's not critical.

**MOTION BY:** Mrs. deLeon moved for approval of January 7, 2013 minutes, with corrections.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 4-1 (Mr. Horiszny – No)

**B. APPROVAL OF DECEMBER 2012 FINANCIAL REPORTS**

Mr. Kern said the December 2012 Financial Reports have been prepared and are ready for Council's review and approval.

**MOTION BY:** Mr. Horiszny moved for approval of the December 2012 Financial Reports.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 5-0

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

- Donna Louder, resident, said after talking to some of her neighbors, she heard that the Steel City Fire Company is having a financial problem because certain papers were not submitted for the financial backing. She asked if anyone was aware of this? Mr. Cahalan said he's not sure, you'd have to be more specific of what the issue is? Ms. Louder said she has the understanding that there was supposed to be a paper filed for financial backing and the paper was not filed in a timely fashion, and now the fire company may not be getting any kind of financial help or any financial backing from the Township. Mr. Cahalan said the financial help from the Township is open on a yearly basis and the decision about the funding for 2013 has already been made and is included in the 2013 budget. If they submit the required documentation, they will be paid. Ms. Louder said did they submit them? Mr. Cahalan said they have to submit them at some point during the year to Cathy Gorman. Attorney Treadwell said Cathy said no fire companies have submitted them. Ms. Gorman said pursuant to a resolution that Council had passed previously, they are supposed to submit documentation on an annual basis in order to get the contribution that's been budgeted to them and she hasn't received any documentation from anybody. She usually gets them in February. Mr. Cahalan said they have to submit documentation and if they do that, they fund them per Council's directive. Mr. Horiszny said he thought we required that the fire departments had to request grants from the State in order to get the \$50,000.00 each that we allow and those grants should have already been requested. He knows that Se-Wy-Co Fire Company did request theirs. Mr. Cahalan said there is a policy that Council adopted requiring each of the department's to file for the Fire Fighter's Assistance Grant through the State Fire Commissioner's office. They have to submit proof of that to the Finance Director with the documentation and again, that's something that is going to be happening in February. Mr. Willard said are the requirements well known to the fire department? We don't have to send any communication as a reminder? Mr. Cahalan said that policy was adopted and they've been following it for the past three years.
- Fran Callery, Lower Saucon Road, said he would like to discuss 4303 Lower Saucon Road. He was glad to hear Council had an Executive Session about it, but it's been three years now. He lives it day-by-day and he would like to know where we're at and what's going on with it. It gets worse every day. The trailer is still in violation. There's no respect to any of your people and the Police and yet these people get away with it. He hasn't been here for awhile as you have been involved in

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the landfill, but he does read on the Internet of other people coming for variances and they are deprived of them, yet this person for three years has been enjoying his shed. Why should people come for a variance? They should do what they want to do and they can enjoy their stuff. Attorney Treadwell said as he stated at the beginning of the meeting we had an Executive Session and he is not going to discuss at this public meeting the strategy that was discussed at the Executive Session. When you say it gets worse every day, we understand there's a shed out there that violates the zoning ordinance. Is that what you are talking about getting worse every day? Mr. Callery said they laugh at what you people do. The police come and they swear at the police. They have citations issued to them. They have warrants against them, nothing is being done, so they feel, in his opinion that they can get away and do anything they want. The son has started to dig a basement in the shed. It's getting worse. The shed is a truck body. It's not even a shed. He presented pictures and an ordinance from a Township he works in. He doesn't know where you are at with adding that to our ordinances. Attorney Treadwell said that's on the schedule and will be coming up. Mr. Callery said every weekend there's parties there. They have big bonfires. They have a wood burning stove inside the trailer with electric. It just gets worse as they haven't been punished. There's no respect and they feel they can do whatever they want and get away with it. Attorney Treadwell said we need to separate some of the issues. The bonfires, the parties is more of a police enforcement issue. The zoning-shed stuff is more of a Council and a Zoning Officer issue. Mr. Callery said he understands, but the police are called. They come and they do nothing about it. The kid will stop partying and the next Friday they have another party. Music is blaring. The wood burning stove in the trailer, he doesn't know what he burns in there, but at night you can't sleep with a window open. A fireplace in a house is a fireplace and normally you burn the proper wood. This kid is burning anything from chairs to pine trees to garbage. It just stinks. You have to close the window at night to sleep if you want fresh air and he enjoys his fresh air. It's just unacceptable and nothing has been done. Attorney Treadwell said he disagrees with nothing being done. The individual has been fined on numerous occasions at the District Justice level. There has been enforcement action taken. The question is and we discussed this last time you were here talking about this was what other steps could the Township take regarding the shed. One of those issues potentially without getting into too much detail is going to County Court, but there's no guarantee that the individual we are discussing won't ignore that as well. There's kind of a cost benefit analysis going on concerning how much might that cost to get that and what would the result be. Would we be in any better position than we are now? Mr. Callery said is it fair that other people come here and ask for a variance and you refuse them? Attorney Treadwell said the ZHB makes those decisions. Mr. Callery said he's understands. He guesses he's being sarcastic or trying to get a point across. It goes back to one of the questions raised before, they have goats which are hooved animals. When he presented the pictures, there were two goats on the property. There are four goats there now. The answer he got was they were called pets. Does that mean he can own an acre of land and he can get 10 cows, 15 horses, 12 pigs that all hooved animals and call them pets and he's within the zoning? Attorney Treadwell said that's a question he did not discuss with Council as he was unaware of the goat issue and he's not aware what our zoning ordinance says. Mr. Callery said he brought pictures. Mr. Cahalan said the goat issue came up early on and it was addressed by the Zoning Officer to Mr. Callery. Mr. Maxfield said Ms. Mallo is looking it up about hooved animals. Mr. Callery said there's an acre requirement. Ms. Mallo said the definition is under General Agriculture, "the tilling of soil and reasonably keeping and sale of truck crops, field crops and tree fruits, but not including forestry, and/or animal husbandry provided that the number of animal units is the maximum of .5 units per acre on parcels equal to or less than 5 contiguous acres or the number of units is a maximum of 2 units per acre on parcels greater than 5 contiguous acres." Attorney Treadwell said these are questions that are properly addressed to the Zoning Officer and he knows you've had conversations with the Zoning Officer and he's sure he looked into that. The Township is not ignoring this. The Township has taken various different steps to bring this property into compliance. Unfortunately, the individual we are dealing with, like you expressed here tonight, doesn't tend to pay attention to these things. Mr. Callery said what do you do to make him pay attention? Attorney Treadwell said that's a very good question and that's what they are struggling with is to come up with different strategies to get his attention. We don't have the ability to walk on the property and simply remove the shed. We can't do that. We are

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looking into it and trying to come up with ways to deal with it. We understand the shed he has there violates the zoning ordinance. We know that. The other issues in terms of burning and whether that smoke is going onto other properties and the goat issue are all issues he will discuss again with the Zoning Officer. The police issues are for police. If he's cited again and doesn't pay his fines, there are consequences for that, including potential jail time from the District Justice level. Mrs. deLeon said is there a DEP issue here if he's burning garbage? Mr. Callery said it should be the health and welfare of the community. Attorney Treadwell said there may be. He doesn't know what he's burning. Mr. Cahalan said if garbage is being burned, that's in violation of the Township ordinance. Mr. Callery said if you talked to Chris, when he came up on Tuesday, he literally saw a spring from a couch laying in the bonfire and to him, that would be garbage. Mrs. deLeon said that needs to be addressed. Mr. Miller said the definition of pets, the general rule is if you can buy it at a pet store, it's a pet. Goats traditionally are not sold at a pet store. Mr. Callery said the answer he got from Chris is this is a pet. His question, he can call a cow or a horse a pet and he's in compliance with zoning, he's being sarcastic, but... Attorney Treadwell said he understands. Mr. Callery said you live it day-to-day and get tired of it. You read where people want to get a pool in the Township and they get denied a pool or a deck, but if they would act like this neighbor, they could enjoy it for three years if they have the guts to swear at a cop, ignore a citation, or ignore a warrant. Where's the justice? Where's the limit of punishment? Attorney Treadwell said he understands your position, and maybe the answer is there's not necessarily that type of justice in every instance. Unfortunately, we don't control people's behavior. We don't have that ability. There are certain things we can do as a Township. We've taken numerous different steps against this individual; a lot of them appear to have not worked. If he ignores the fact he's been fined 15 times, then he's ignored the fact that he's been fined 15 times. Eventually there are consequences which he mentioned before which is potential jail time. That comes from the District Justice level. Mr. Callery said eventually that could be five to ten years from now. Attorney Treadwell said he doesn't know if there's anything the Township can do short of spending a good deal of money going to County Court and trying to get a Judge to agree to let the Township go onto the property and physically remove the shed itself. Mr. Callery said again to be sarcastic if everybody in the Township would do what this neighbor does, why do we have ordinances? The Township would run wild. Mr. Kern said we have the ordinances because people will do what people do. That's why the book is this thick as people will try to get away with everything they can get away with. That's what your neighbor is possibly trying to do. Most people comply when a fine is issued or they have to go before a Magistrate and that's why they come into compliance. Your neighbor doesn't appear to be doing that. One out of 11,000 people in this Township aren't playing by the rules. Mr. Maxfield said he doesn't want you to think we are done with this issue. Mr. Callery said he should hope not. Mr. Maxfield said it's just that there are things we can't discuss. Mr. Callery said he understands and appreciates your time.

**VIII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- Mr. Cahalan said from the EAC meeting on January 8, 2013, they wanted to notify Council of their reorganization. Sandra Yerger was nominated and approved for the Chairman for 2013; Tom Maxfield was nominated and approved as the Vice Chairman for 2013; Laura Ray was nominated and approved as the Secretary of the EAC for 2013; they designated their meeting time and place as the 2<sup>nd</sup> Tuesday of each month at 7:00 pm at Town Hall.
- Mr. Cahalan said the EAC recommended and requested that the Manager appoint, with the consent of Council, the nomination of Hazem Hijazi as a voting member of the EAC for a three year term ending on December 31, 2015.
- Mr. Cahalan said the EAC recommended that Council petition PennDOT for deer crossing signs at the Lower Saucon Sportsman's Club area and at the Ridge Road area off of Easton Road.

**MOTION BY:** Mr. Horiszny moved for approval of the three items as stated above by Mr. Cahalan.  
**SECOND BY:** Mr. Maxfield  
**ROLL CALL:** 5-0

**B. COUNCIL**

**Mr. Horiszny**

- He said he attended the Lower Saucon Authority meeting last night and they are continuing to work on the 5-year plan. He asked what the status was of our traffic light back-up system and also the Town Hall back-up generator. Mr. Cahalan said for the battery back-up system, Cathy worked on the bid package and that's on the website. Bids are due the end of January, and it will be on the Council agenda the first meeting in February. We did get some estimates on the generator for PW. We are proceeding with the low estimate. Ms. Gorman said it was from West Side Hammer & Electric who submitted a lower amount. They are going to proceed with the hook-up for the generator.

**Mr. Kern** – No report

**Mrs. deLeon**

- She said she had sent an email about the Springwood Road trees and you sent back the police report and the emails. She'd like someone to explain to her, is the developer responsible for the subdivision. What is the Township's role? Attorney Treadwell said those street trees in that subdivision as in most subdivision in LST are on private property. The lot owner owns the street tree. The developer has a responsibility to install the street tree and then maintain it for a certain period of time. Once that period of time expires, it's the property owners' tree. In this subdivision, Old Mill Estates, the Township has taken over the roads and the Township is done. We own the roads now. We plow them during the winter. Whatever happened out there, and he's not quite sure what it was, but someone took down street trees and according to the reports he saw, said they were going to come back and replace them with new trees. When it happened, he looked at this stuff to see what's the maintenance period is, and we are done. This is the project we took back in November 2011 when we had a problem with the roads getting plowed. So that's done. He called the developer and said what are you doing with the street trees? Lew Ronca said they didn't do anything, so he doesn't know who it was. The simple answer is someone went out there and whether it was a mistake and they went to the wrong subdivision, he doesn't know. He hasn't heard the new ones got put in yet. That's all he can figure out. Mrs. deLeon said for the developer to go in there and maintain the trees, where's that written that they have the right to do that? Attorney Treadwell said the street trees are a required improvement under our subdivision ordinance. Every subdivision of that type has to install street trees. Mrs. deLeon said isn't there a development agreement? Attorney Treadwell said there's usually a development agreement and in the back of the development agreement, there's a list of all public improvements and the cost associated with those public improvements and street trees are part of that. They are required to be planted as part of our SALDO. Mrs. deLeon said we should make sure the Township didn't have anything to do with this. Attorney Treadwell said no, we didn't. There are instances where during that 18-month maintenance period that the developer will say, Township can you please go out and check the improvements as they are required to do that before the end of the 18-month maintenance period. We took over all the roads in Old Mill and we're done. This is not one of those instances. There is an instance where Karen's office will go out and say you need to replace these four trees because they are dead and the developer will go and do that, but this is not the case in this instance.
- She said anything going on with BRE? They did another development. Where does that put us with the other issues? They were shut down. They weren't operating. They already have an approval letter. Is that all going to be addressed in this new application? Attorney Treadwell said the new application will go to the P/C if it's ready this month, he doesn't know if the plans are in the state of readiness to go to the P/C yet. He's going to guess by looking at Dan and Karen, the answer is no. Mrs. deLeon said there was a correspondence a couple of days ago with a letter or memo we got copied on. Mr. Cahalan said we sent you a copy of the letter from their engineering firm that was submitted with the development plan. Mrs. deLeon said it didn't look much different than the original

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application they had a couple of months ago with storage tanks. She just wants to let you know that her concerns are still the same. The parcel is only .2 acres, very tiny. When you review this and it goes to the P/C, do you normally copy Council on the original letters? Mr. Cahalan said yes. Mr. Miller said they just received it on Monday and their review letter is due tomorrow. It's not completely done yet. Mrs. deLeon said both of your review letters will be shortly forthcoming. Mr. Miller said yes.

**Mr. Willard**

- He said pursuant to the appointment of the Northampton County Gaming Commission, he met with our Finance Director this week to get a briefing. He had a subsequent conversation with Alisha Karner who is the Economic Development Administrator for Northampton County. The January meeting has been canceled. The February meeting may be canceled. The next meeting if it's held will be a reorganization meeting. He had expressed some concern that he can't attend the March or April meetings. As it turns out, March and April will be presentation of grants; however, he was offered several ways to brief himself before the voting in May including watching the videos of the actual meeting, and also getting the documents from the various municipalities and meeting with representatives if necessary. He feels he can fulfill that. He's familiar with the grants and requirements for the Township.

**Mr. Maxfield**

- He's hoping that everybody got the recycling information that Diane said she would circulate. He'd like to have Diane put a link from our website to their website so we can at least direct the citizens. Mr. Cahalan said he thinks we were waiting for the EAC to designate that firm as the recycling company you wanted to work with and they were also waiting for Northampton County to give their blessing. Mr. Maxfield said they wanted to offer it as a possible service as an existing drop-off place. Mr. Cahalan said they can do that.

**Jr. Council Member** – No report

- C. **SOLICITOR** – No report
- D. **ENGINEER** – No report
- E. **PLANNER** – No report

**V. ADJOURNMENT**

**MOTION BY:** Mr. Maxfield moved for adjournment. The time was 8:46 p.m.  
**SECOND BY:** Mrs. deLeon  
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 C. Kern  
President of Council