

- 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**
  
- IV. DEVELOPER ITEMS**
  
- V. TOWNSHIP BUSINESS ITEMS**
  - A. Award of Bid for Traffic Signal Battery Back-up System
  - B. Authorize Bid Advertisement for Lawn Treatment Services
  - C. Resolution #32-2013 – Authorize Submission of Local Share Municipal Grant Application
  - D. Authorize Collection of 2013 Real Estate Taxes & 2012 Delinquent Taxes
  - E. Resolution #33-2013 – Designation of Agent to Submit Documentation for PEMA Assistance for Hurricane Sandy
  
- VI. MISCELLANEOUS BUSINESS ITEMS**
  - A. Approval of January 16, 2013 Minutes
  
- 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 EAC Meeting: February 12, 2013  
Next Zoning Hearing Board Meeting: February 18, 2013  
Next Council Meeting: February 20, 2013  
Next Planning Commission Meeting: February 28, 2013  
Next Park & Rec Meeting: March 4, 2013  
Saucon Valley Partnership: March 13, 2013 @ SVSD

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**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 6, 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; Carolyn Brooks, Jr. Council Member. Absent: Dan Miller, Township Engineer and Judy Stern Goldstein, Township Planner.

**PLEDGE OF ALLEGIANCE**

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

Mr. Kern said Council did not meet in Executive Session between their last meeting and this meeting.

**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. PRESENTATIONS/HEARINGS – None**

**IV. DEVELOPER ITEMS – None**

**V. TOWNSHIP BUSINESS ITEMS**

**A. AWARD OF BID FOR TRAFFIC SIGNAL BATTERY BACK-UP SYSTEM**

Mr. Kern said a bid opening for traffic signal battery back-up systems was held on Monday, February 4, 2013 at 2:00 pm. The Manager will recommend to Council the lowest bidder.

Mr. Cahalan said this is the system that we wanted to put in place after the Hurricane Sandy storm where we had outages throughout the Township, which took out our traffic signals on our major intersections and what we are looking to do is hook up a system where we can maintain power to the signals during an outage through the use of generators. We scoped all that out and we submitted that to the Gaming Authority last year and we received a grant from the Northampton County Gaming Authority that amounted to \$53,430.00. We worked with the Engineer, Cathy Gorman and Leslie who put together a bid package that was advertised and we opened up the bids on February 4, 2013 and got three bidders. The low bidder was the firm of Charles A. Higgins and Sons, Inc. from Media, PA and they submitted a total bid of \$38,265.00. That's well within the amount we were awarded by the Gaming Authority. Mr. Kern asked if we get to keep the extra? Mr. Cahalan said no, we have to turn that back in. He's recommending the bid for the Traffic Signal Battery Back-Up System be awarded to Charles A. Higgins and Sons, Inc. in the amount of \$38,265.00.

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- MOTION BY:** Mr. Horiszny moved for approval for the bid for the Traffic Signal Battery Back-Up System be awarded to Charles A. Higgins and Sons, Inc. in the amount of \$38,265.00.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 5-0

**B. AUTHORIZE BID ADVERTISEMENT FOR LAWN TREATMENT SERVICES**

Mr. Kern said the bid specifications for the annual lawn treatments of Township fields and park areas have been drafted and reviewed by the Director of Public Works and the Solicitor. Council should authorize advertisement of the bid documents.

Mr. Cahalan said we do this about every two years, put this out for bids for lawn treatments. That's the weed and feed treatments we give to the athletic fields and our parks. In the packet, you can see that we have attached the Exhibit A which gives a breakdown of the treatments for the various fields. It indicates what type of treatment should be used and the frequency. What we also do annually is have the Agronomist who is the faculty member at Delaware Valley College come out and inspects the fields and he gives us any recommendations for any additional treatments for those fields and he also looks at our Park Maintenance Policy and makes recommendation for any changes in those. This is all up-to-date based on the soil testing and the inspection by the Agronomist. It's ready to go out and be advertised for the services.

Mr. Kern asked if Council had any questions or comments? Mr. Horiszny said Kingston Park is not on because it's not an athletic field? Mr. Cahalan said that's correct. These are mainly the fields that are used for athletic purposes. Mr. Horiszny said does this include mowing or just the treatment? Mr. Cahalan said no, mowing is separate and we are continuing the bid with Geno's who we awarded the bid and extended it for another year. Mr. Horiszny said it mentions mowing in there a couple of times. Mr. Cahalan said probably because we borrowed the Park Maintenance Policy which covers all of that.

- MOTION BY:** Mr. Horiszny moved for approval of advertising the bid advertisement for lawn treatment services.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 5-0

**C. RESOLUTION #32-2013 – AUTHORIZE SUBMISSION OF LOCAL SHARE MUNICIPAL GRANT APPLICATION**

Mr. Kern said Resolution #32-2013 has been prepared authorizing the submission of 2013 Local Share Municipal Grant applications to the Northampton County Gaming Revenue and Economic Redevelopment Authority (NCGRERA) for funding of projects that fall under the eligible uses of these funds, as follows: One police officer wages and benefits; a police vehicle; a speed trailer; driver's license identification software/equipment; and upgrading radios in Public Works vehicles.

**RESOLUTION AUTHORIZING THE SUBMISSION OF A LOCAL SHARE MUNICIPAL GRANT APPLICATION TO THE NORTHAMPTON COUNTY GAMING REVENUE & ECONOMIC REDEVELOPMENT AUTHORITY**

**WHEREAS**, pursuant to the Pennsylvania Race Horse and Development and Gaming Act (Act 2004-71), as amended, local governments receive a "Local Share" of gross terminal slot revenues of certain licensed gaming facilities to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

**WHEREAS**, Northampton County, as the host county to a licensed gaming facility receives gross terminal slot revenues which must be distributed as follows: 20% to the host city; 30% to the host

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county and 50% to the host county for the purpose of making municipal grants within the county, with priority given to municipalities contiguous to the host city; and

**WHEREAS**, Northampton County established the Northampton County Gaming Revenue & Economic Redevelopment Authority to administer these competitive municipal grants based upon impacts associated with licensed gaming facility operations; and

**WHEREAS**, Lower Saucon Township is a contiguous municipality to the City of Bethlehem which is the host city of a licensed gaming facility; and

**WHEREAS**, Lower Saucon Township has prepared Local Share Municipal Grant Applications for submission to the Northampton County Gaming Revenue & Economic Redevelopment Authority for projects that fall under the eligible uses of these funds.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Council of Lower Saucon Township hereby approves the submission of Local Share Municipal Grant Applications for:
  - Lower Saucon Township – Funding for a Police Officer wages and benefits
  - Police vehicle
  - Speed trailer
  - Driver’s License Identification software/equipment
  - Upgrading radios in Public Work vehicles
2. That the President of the Lower Saucon Township Council is hereby authorized to execute the grant applications and transmit the applications to the Northampton County Gaming Revenue & Economic Redevelopment Authority.
3. That grant funds, if awarded, will be utilized in accordance with the provisions established by the Northampton County Gaming Revenue & Economic Redevelopment Authority.

Mr. Cahalan said the police officer wages and benefits and police vehicle is something we’ve been doing on an annual basis to fund those items. The new items are the speed trailer and the driver’s license identification software and equipment which were discussed by the Police Chief at budget time and we decided to put those in an application to Northampton County for those funds. The Public Works radios need to be upgraded as the radios they have don’t meet the new FCC narrow banding requirements. The radios that are used by the police and fire services do, but the Public Works radios are outdated, so we’re putting in an amount approximately of \$7,000.00 in this grant package for new radios for the Public Works Department.

Mr. Maxfield asked if the driver’s license software is for in the police car? Mr. Cahalan said yes, that is correct. Mr. Willard asked what the total amount of the grant request was for. Mr. Cahalan said he doesn’t have the total. He can read you off some of the figures. The radios are \$7,550.00; the speed board is \$6,200.00; the license plate recognition system is \$21,285.00; and the police cruiser quote is \$38,891.20; the police officer figure he doesn’t have, but he would think it’s in the neighborhood of \$65,000.00. He would say it’s roughly about a \$150,000.00 grant amount.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #32-2013.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

**D. AUTHORIZE COLLECTION OF 2013 REAL ESTATE TAXES & 2012 DELINQUENT TAXES**

Mr. Kern said Council should authorize the Manager to direct the Finance Department to collect the 2013 real estate taxes in the amount of \$1,891,771.90, and to forward the 2012 delinquent tax list, when received, to Northampton County for collection.

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**MOTION BY:** Mr. Maxfield moved for approval for the collection of the 2013 real estate taxes & 2012 delinquent taxes.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

**E. RESOLUTION #33-2013 – DESIGNATION OF AGENT TO SUBMIT DOCUMENTATION FOR PEMA ASSISTANCE FOR HURRICANE SANDY**

Mr. Kern said Resolution #33-2013 has been prepared to designate that the Township Manager be authorized to submit and execute all forms and documentation for the purpose of obtaining financial assistance under the Disaster Relief and Emergency Assistance Act.

Mr. Cahalan said they have submitted the documentation for this. Cathy and Roger have been attending meetings at Northampton County and several counties in PA including Northampton have been notified we are eligible for reimbursement for cost. We have been notified locally, the Township is eligible for approximately \$40,000.00 in reimbursable costs for Hurricane Sandy which would be for debris removal and also for emergency calls we had to do. This will allow us to submit that documentation for that reimbursement.

**MOTION BY:** Mrs. deLeon moved for approval of Resolution #33-2013.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

Attorney Treadwell said he could do this under his report, but he thinks it's more of a Township business item. IESI, the landfill submitted a minor permit modification to DEP, and the Township, as you know gets a chance to review and comment on that modification. We've had some emails back and forth between Hanover and the Township and Mr. Birdsall said he can get a review to Council by the February 20<sup>th</sup> meeting. He would like Council to authorize Jack to send a letter to DEP requesting of an extension of our time period to comment until the end of February 2013.

Mrs. deLeon said did anybody call DEP to see if they would do that? Attorney Treadwell said no, we did not. Mrs. deLeon said that would have been helpful. What if they don't, what's Plan B? Attorney Treadwell said Plan B would be if DEP refuses to give us that, which he doesn't think they've ever done in the past, we'd have to get it done sooner. Mrs. deLeon said we received the thing on January 16<sup>th</sup>. Attorney Treadwell said if we had to do it sooner, than we'd probably have to have a special meeting. It was a 30 day comment period. Mrs. deLeon said what was the hold up, why are we just learning about this now? Attorney Treadwell said he thinks what happened is they submitted a minor permit application and then internally the Township staff had some discussion about whether that minor permit modification constituted a land development and whether or not the landfill needed to submit an amended to their land development plan along with their minor permit modification. He then had a conversation with IESI's attorney and asked her if she was sure if it was a land development if that's how they wanted to proceed. She got back to him late last week and said yes, they wanted to proceed. Mrs. deLeon said maybe we should make sure we tell DEP that we tried to do it more in a timely manner, but we were waiting to hear back from IESI. They don't have to give us the 30 day extension. Attorney Treadwell said no, they don't have to. The easiest thing to do would be to call DEP tomorrow prior to sending the letter so that we know that we have the extra time and if we don't, we'll have to make alternative plans. The next meeting is the February 20<sup>th</sup>, so we'd ask for an extension to comment through February 28<sup>th</sup>. Mr. Maxfield said that's our library meeting also? Mr. Cahalan said yes. Mrs. deLeon asked what library meeting? Mr. Maxfield said the Task Force will be on the agenda. Mrs. deLeon said the meeting is on the 20<sup>th</sup>, if we review what the staff presents, she's sure we can get it out to them by the 28<sup>th</sup>. Four days after we received it, doesn't sound so bad. Attorney Treadwell said we can ask for the extension through February 22<sup>nd</sup>, it depends when you want to mail it. Mrs. deLeon

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said this needs to be an amendment to the land development plan. She has a mixed question. The landfill property is 224 acres, that's the box. BRE is leasing a portion of that. Do they need to amend their whole land development plan? Attorney Treadwell said BRE's most recent submission for those storage tanks that they submitted is an amendment to the overall IESI land development plan. Mrs. deLeon said technically they are going to have two revisions to their land development plan. Attorney Treadwell said correct. He supposes they can try and combine it into one, but that's not the way they've done it, so at the moment it would be two separate land development amendments. Mrs. deLeon said we don't want one to hold up the other. She asked what is the final modification for? Attorney Treadwell said his understanding is, as a non-Engineer, is that if you look at the landfill from Applebutter Road, looking up at the landfill, currently there's a disposal area and it dips down and then there's the old disposal area. There's a dip between Phase III and Phase IV. His understanding of the minor permit modification is they want to take some of the height off of the Phase IV and shift it into that dip which allows something to happen with storm water which gets it to basins easier. Mrs. deLeon said that was a result of the August 4<sup>th</sup> event where they had to replace their 18" pipe with a 36" pipe? She said too bad we don't have our engineer here. She's just trying to understand this being on the Landfill Committee. Their introductory that was sent to us really doesn't go into too much of a 'why are they doing it' and she knows after that event, DEP in their various inspection reports, did raise some issues and gave them instructions to do something and she couldn't find the document. She asked Ms. Louder if she remembered anything about that. After that August 4<sup>th</sup> event, DEP gave them instruction that they had to do several things, does she remember if the grading was one of them? Ms. Louder said she has the paperwork from Martin & Martin which pretty much says what the minor permit modification is all about and what they are planning on doing. She had some concerns about it as it's kind of odd that they are going to direct the water towards the old landfill part which is recapped which is leaking and every time it rains, the leachate gets higher and stronger. That's a little odd to her to direct more water in there. As far as them doing this, she thinks it came as a recommendation from Chris Taylor that the slopes needed to be regraded to stop the over spillage. Mrs. deLeon said can you sent that on to the engineers about the leachate chambers that are producing all this liquid, those aren't the right words. Mr. Maxfield said do we know that's where it's going? Mrs. deLeon said we don't know, she raised a good question. Ms. Louder said according to this plan they submitted, Martin & Martin did, that's where they are directing it – to the south and to the east. Applebutter Road is south, the North Slope faces the hill climb, the east is towards Williams Township, Easton area, and west is going towards the City of Bethlehem and Allentown. If you go up there and you are facing the landfill, standing on the south end of it and to your right-hand side would be the east, would be the old landfill section. That is the section that was capped and the cap has failed. The rainwater is creating more leachate every time it rains as the level rises. Why would we be directing water, even though we're going to try to contain it and build the slopes and regrade it and direct it, it is still going to end up going into that direction. If we have a torrential rainfall, what happens if it overflows the bounds of the swales and whatever else they are putting in. To her, that just sounds like we are looking for more trouble. She's not an engineer. It's just a little common sense. Mr. Maxfield said he'd like to make a suggestion and in all due respect to everyone, we're talking about things we have the ability to as we don't have an Engineer here nor do we have IESI here to explain what they are trying to do. We're just spinning our wheels. We don't know where it's going or what we're talking about. Mrs. deLeon said that's a good point and we should direct it to our staff to look at. Mr. Maxfield said it's definitely something they should look at but we don't know if it's an existing problem at this time. Mrs. deLeon said then perhaps we should have had the Engineer here. Mr. Maxfield said why don't we just forward the information to the Engineers with that concern highlighted and let them deal with it and let us know what they think. Mr. Horiszny said we still need to do something with the state. Attorney Treadwell said the purpose of him bringing it up was to ask for the letter or for Jack to be authorized to send the letter to DEP. Mr. Maxfield said he just doesn't want to go into any other review of the application at this time. Attorney Treadwell had asked for the end of February, and Priscilla asked for February 22<sup>nd</sup>. Mrs. deLeon said if DEP grants us the 28<sup>th</sup>, she doesn't have an issue with that.

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**MOTION BY:** Mr. Horiszny moved for authorization for Mr. Cahalan to forward the letter to DEP asking for an extension until February 28, 2013.  
**SECOND BY:** Mr. Willard  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

Mrs. deLeon said to Ms. Louder, this came to us today, so everybody on Council has this today. Ms. Louder said she figured that much. Mrs. deLeon said sorry, they don't seem to be interested.

Mr. Willard said if we get the extension until the 28<sup>th</sup>, could we have an update on this at the meeting on the 20<sup>th</sup>? Attorney Treadwell said absolutely. Mrs. deLeon said it has to as Council has to authorize the letter.

Mr. Willard said he'd like to go back to Agenda Item V.D., Collection of Real Estate taxes, page 4 of 7 in the packet. Subsequent to that is the letter from Jack to the Finance Department authorizing the collection. The letter in draft shows February 1<sup>st</sup>, but mentions our authorization on February 6<sup>th</sup>. Is that appropriate or should the date of the letter be tomorrow's date? Mr. Cahalan said they will change that as Cathy prepared this for the packet with that date.

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF JANUARY 16, 2013 MINUTES**

Mr. Kern said the minutes of the January 16, 2013 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said on page 3 of 16, line 37, he thinks he was misquoted. It says "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." What he said is he's against signs because these are on the building and are well done, they should be fine.

Mr. Willard said page 2, line 23, the second word should be "**and**". Page 2, line 40, the word caliper should be "**caliber**". Page 8, line 50, change low to the word "**lo**". Page 8, line 54, the word "**and**" should be added between the words went and got. Page 9, line 24, the first word, lengthily, should be "**lengthy**". Page 13, line 9, the word noting, should be "**nothing**".

**MOTION BY:** Mrs. deLeon moved for approval of January 16, 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)

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

- Gordon Gress, 2371 Black River Road, said in the summer he's been coming here on and off complaining about the water on Black River Road, and in the winter when it's ice, he's been here also. The ice is horrendous. He doesn't know where that water came from and doesn't know how water can run three days after the rain stopped. He has a foot and a half of ice in front of his driveway; he couldn't get in there with a bulldozer if he tried. In looking at a reactive part from the road crew, excellent. He called and the Township referred the message to the road crew, excellent. They've been down there several times since. In between, his son has cleaned the road twice. The ice freezes where it goes down the road at night and it's terrible, terrible. The kids have to walk through ice water to get to the school bus. The school bus spins his wheels trying to get out of there because the water curves a trough down to the ice. Coming out of Wydnor Lane, you have a 4" to 6" gap where the ice is built up. In front of his driveway, he has a foot and a half of solid ice. He doesn't know where to go from here. When the sewage came through, which was when Barry

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Gebhart was here, and he was instrumental, that was tremendous, but the road has come up a little bit since then. What in the world else happened this year that it got this bad is beyond him. How does the water run down Fire Lane three days after a rain? It runs like a river right into Black River. At least Black River is aptly named. That water runs and freezes, runs and freezes, and it is bad. The postman was stuck in front of the mailbox the other day. He's afraid someone is going to come down there as they drive fast, that's another complaint for another day, and God forbid there's an accident there and one of the kids is waiting for the bus and gets hurt. He thinks it's time for something to be done. Isn't there some sort of storm water management plan out there that can handle this thing? That water runs across the road like you would not believe. He has 6" of water running down there when you have a heavy rain. He thinks it has reached a point now where something has to be done. They approached you before about the water and you said there's no money there to do that, but God forbid something to happen. Not only is it an inconvenience for them, now it's starting to cause property damage. This cannot go on this way. What's the solution? What do you people recommend? Have you been down there to look at this ice situation? Any of Council? Mr. Kern said he travels Fire Lane all the time. Mr. Gress said did you see where it is in front there where the road flattens out. Just enough for the ice to form. It gets bad. Were you down there when it was that bad? Mr. Kern said yes. Mr. Gress said then you understand what he means. He asks what's the solution? Mr. Maxfield said three days after the rain, does anyone know where the water comes from? Mr. Kern said that might have been the storm where the ground was frozen. Mr. Gress said he went up Fire Lane to find where it comes from. It just starts coming down the road. Where in the world it comes from he doesn't know. He doesn't think there are springs there. Mr. Horiszny said maybe it's worse this year because of all the trees that came down on October 29<sup>th</sup> as it's open back there and that could be contributing to it. We have to do something. Mr. Gress said something happened to change the amount of water. It's always been bad, but this year, it's really bad. Mr. Cahalan said he thinks we explained this previously. There's a large watershed in that area that's coming down Fire Lane. He pointed out that the detention basin up in that subdivision is not built to contain any of that flow and the water is coming down and seeking a low point and Black River Road is flat. What we have to do is look into it and come back to Council with a report and the options to deal with this. Mr. Gress said Public Works is responding to this and to the icing complaints and he knows Ted Griggs sent a letter that was distributed to Council. Mr. Cahalan said we'll have to look at it and come back to Council. Mr. Gress said how in the world this much water can come down Fire Lane is beyond him. He understands what you are saying about the watershed, but shouldn't the watershed sort of stop at the street? Fire Lane is only about 32' wide at this point. Mr. Cahalan said it will stop at the Black River. Mr. Gress said it is terrible. Some of you guys have seen it and know what we are talking about. Please do something before someone gets really hurt. Mr. Maxfield said we do we address it to Public Works as it's complaint-driven. Mr. Cahalan said the police would call out Public Works if there is an issue. Mr. Maxfield said could we treat it, until we figure out what's going on, as a recurring problem that they should check regular maintenance on. Mr. Cahalan said they are. Mr. Gress said he has to give Roger and the road crew an A+. They've been there. They salt and pick it up. In fact, today, they hauled it away. He cannot complain about the road crew, no way. They are A number one. Mrs. deLeon said can we have an update at our next meeting then? Mr. Cahalan said yes.

- Ted Griggs, Black River Road, said his insurance has been cancelled due to his flood claims. He has a 250 year old house that is restored at a great expense which is being destroyed; and also, the barn, and it's impossible. He feels the problem lies with the property on the west side of Fire Lane has been stripped of the trees and there's been a lot of property construction, no building, but moving flora all around, so instead of the water being absorbed, it just come off of there and it's gotten out of hand. He had the insurance adjuster come and said they would not insure him any longer after this month for anything unless he could show something was going to be done and there would be no further problems developing. He doesn't expect a perfectly dry area, but he would like to not have 2' of water in his basement as the house is very, very old. It's actually 267 years old and it's a problem and it's not anybody's problem, it's just nature and we got to try to figure something out. One solution might be to run a duct down his property to the back. He'd be glad to turn the property over for that to eliminate some or all of the water coming down Fire Lane

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and perhaps running a tunnel underneath the road to his property and let it go back down to the river. Mr. Cahalan said that's one of the things they'll look at. Mr. Griggs said he thinks that was planned a couple of years ago, but apparently the people then didn't want it done, but he's perfectly willing to donate that property and do it. Mr. Cahalan said they'll look into that and report back to Council.

- Joan Madzarac, 2074 Easton Road, thanked Jack for the letter he sent to PennDOT, but they didn't address the right thing. She's trying to stop a deadly accident from happening. As you see on the news, trucks are causing all kinds of accidents. What she's mostly concerned about is the noise and pollution. In the summer time, they are overwhelmed with diesel clouds from Cherry Lane. It's just diesel smoke all coming towards their houses and the noise at all hours of the night. She told you at one of the meeting she didn't get any sleep the night before. PennDOT was working on 412 and their construction trucks are taking dirt down to fill that gully between that company down there, that warehouse and the sportsman's club, they are filling that all in as it goes down deep. They were running their trucks all night long and that's what was keeping her awake. She said she got up and it was construction trucks that were going up and down all night. These trucks, they are longer than the Idaho potato trucks, which they say is 70' long if you see that ad on TV. These trucks are almost 100' long. They stretch from her driveway to her neighbor's driveway which is 100'. Pole to pole on her property is 100'. Some of them are longer than that. This past Monday they were looking for accidents. She doesn't know if it was one car that did it or three cars that did it. They just missed her mailbox. They hit her hedge and if you come, you can see there are lots of dents on her mailbox as it's been hit lots of times. They hit the pillar she has on the end of the driveway. She can't lift it. She has to wait till spring to get someone to push it back. They hit the City of Bethlehem sign which she is so happy about as she's been asking them to get rid of that sign as she doesn't live in Bethlehem and she is having so much trouble with the fire department. Every time she lights a match, the fire department comes. It's facing the wrong way. People from Hellertown are not looking for Bethlehem; it's the people coming up from Easton that are looking for the City of Bethlehem. She's not a Traffic Director, but she runs away when they have something in Bethlehem as she's not going to answer any more questions about where Bethlehem is. She's so glad that sign is knocked down. They are having so much trouble with the trucks going all hours of the night. They are so noisy and she bets it's more than 65 decibels. If you go down 412, you see that they put that huge berm to protect Crest Avenue from the lights and the noise of the highway, but how are they going to protect us? These are the very same trucks that travel on I-78. You can't make any left-hand turns and that lane that turns up to Cherry Lane, only one truck can fit there. When the left-hand turn goes on, only that truck can go and one car. If she's sitting back in traffic, she's holding the traffic that goes to Hellertown as she can't get into that left lane. No matter how many lanes they put on 412 from Cherry Lane on down is not going to help that situation and it's the trucks that are holding up the traffic. We're trying to get rid of that bottleneck. Some of her neighbors are no longer going that way. They are going to Applebutter Road and going out through Freemansburg because you can't get out there. You are sitting there forever to get out there. It's the trucks that are causing it. If they would make that road that she keeps suggesting to go through Commerce Boulevard and connect it to Easton Road, make a parallel road along Easton Road so those construction trucks and go and dump their dirt in that gully where they are going to put the new warehouses up. They have been hearing about that warehouse for years and now they finally announced it. They also said, if this is a still a rumor or not, they are going to a truck depot down there as she sees all kinds of trucks parked down there. They made the lot real big. We can't handle those trucks on Easton Road. In the wintertime when there's snow, a school bus and a truck can't pass each other. The mirror on the bus almost touches that truck, that's how close they are. It's miserable. It's so slippery in front of her house; the water does not go across the street. It sits in front of their houses because they blocked it. It was nothing but black ice on Monday, so that's how the accident happened. They were slipping and sliding on that ice. In the summertime, when it rains it's oil coming from the trucks. It drips from the trucks and when they pullout from Cherry Lane they are sliding. A week before Christmas a truck came down Cherry Lane in the middle of the night and he was going to pull out of Cherry Lane onto Easton Road and he heard this rumble and the whole house shook, and when she went to look, the cab was trying to pull the trailer and the trailer pull the cab backwards and actually lifted that cab

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off its wheels. There's no weight restriction. Those trucks are so heavy, and when they pull out, the weight shifts and that's what causes the vibration and it shakes her whole house. She already has those two broken windows and she's not getting them fixed because she called the guy and he said it's going to cost over \$200.00. He said what's the sense of fixing it if another trucks come again, they are going to crack. She doesn't know what to do, what do you suggest? What are we going to do? Mr. Kern said there's not too much we can do. Ms. Madzarac said they didn't address the right thing. They didn't address the noise and the pollution. They are waiting for someone to get killed. There's lot of accidents there, but she didn't call the police for the accidents in the front. When spring comes, she'll fix her property and it's up to PennDOT to do that sign which she wishes they'd take away. What are we going to do? We're stuck with these trucks? It's going to be a forever thing? There's going to be more trucks with the warehouses. Mr. Maxfield said last time you were here testified or stated that the lumber place only had 9 am to 5 pm hours. He was there two weeks ago and saw a fully loaded truck with lumber products pull out there at 8:30 pm at night, so he knows there are things going on all night long. Ms. Madzarac said the guy comes down Cherry Lane at 3 am in the morning as he wakes her up every morning. He really makes a racket. When he shifts, it is something else. Then they take the trailer off and ride around with the cab. They are all over Bethlehem with the cab. It's the cab that makes the noise, and it's the trailer that makes the vibration. We can't handle it. Easton Road is not built for trucks. She doesn't know what to say. Mr. Maxfield said PennDOT was filling the gully? Ms. Madzarac said between the sportsman's club, there's a gully down there and they are filling it all in with dirt. That's where they are taking their trucks. Mr. Maxfield said isn't that wetlands down there? Ms. Madzarac said Easton Road is built across creek after creek after creek. If they can do that with Easton Road, they can put anything in that field. They claim it can't be used. She knows people who wanted to buy that area and her area to put homes in and Bethlehem Steel wouldn't sell. Even her side was mining and look they have homes there. They have springs. Her father always said he didn't worry about getting water because he knew it was close to the service, and then Hellertown offered them water when they started to build. Mr. Maxfield said we have so many springs. Part of it might be in LST, but most of it is probably going to be in Bethlehem. Can someone call LVIP and find out what is going on there? If they are filling wetlands, that has consequences for us as the Saucon Creek passes through our municipality as we don't have places for flooding to spread out as it normally does or it should. We need to find out and get a handle on that. If they start filling in all the wetlands, we're going to be in big trouble. Mrs. deLeon said wouldn't it be the City of Bethlehem as they would have approved rather than LVIP. Mr. Maxfield said he doesn't think so, LVIP owns the property. Mr. Cahalan said it may be Majestic and not LVIP. Mr. Maxfield said he thinks where Joan is talking about, they are almost like oblong-like lots that go from Easton Road, those are the ownership of LVIP. Mr. Cahalan said he thinks the activity she is talking about is in the back section. Ms. Madzarac said no, it's right along the road where the trees are. You can see the dirt being piled up there. She goes down to the SPCA a lot and she passes there and sees it. Mr. Maxfield said that gully is on the Easton Road side and Majestic is on the other side. Mr. Cahalan said he'll look into it. Mr. Maxfield said if there is something going on there, he'd like to notify the property authorities. Ms Madzarac said you are saying about up at that, she hates to say the word, the dump, there used to be a spring by the railroad track as they used to go down there and get water. There are a lot of springs that come out of that hill by Applebutter Road. What happened to all that water? She can see why that flooding is happening as there are springs underneath that dump. Mr. Maxfield said there's a rather sizeable wetland down at the bottom that goes back into the creek. Ms. Madzarac said across the railroads tracks and into the Lehigh River. Mr. Maxfield said it's still taking that route and it's getting there. Mrs. deLeon said what she is saying is where Phase III, Phase IV is, there were springs there and they are no longer there as there are mountains of garbage piled up. Ms. Madzarac said they are underground. We have underground springs and a lot of them. On Easton Road, we now have underground springs, there's lots of water, and it used to flow into the field where the apartments are, and they put all those pipes in there. The pipes aren't taking our water from our side, it's sitting on our side, and of course, they redid the street. Her neighbor has nothing but ice. You can see it's really thick in his driveway and he told her he called PennDOT and he told them about it that they have to do something to drain his driveway and they were supposed to come and they

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never did. They are not doing anything to help the situation. Mr. Maxfield said is his house in Lower Saucon Township? Ms. Madzarac said the Lower Saucon Township line starts at the neighbor on her left. The line crosses and goes back to the woods. She's the second house, and her neighbor is the third house. She never got water in her driveway now she does. It's nothing but ice and it flows into the street and it freezes. All night she hears them slipping and sliding there. Everybody says it's because they made stops on Easton Road. Cherry Lane was always the problem because they stopped there when they pull out. That's where they slide. The neighbor across is in Hellertown and his house was hit so many times with cars sliding on the ice. It's the noise and pollution she's complaining about. All night long, it's ridiculous to have all that noise. She hopes whatever you discuss is something that will help her.

- Gordon Gress said he wanted to go back and give some more information as he was back here the last time Ms. Madzarac was here. He has a close acquaintance who works for Easton Wood Products. Not to be confused, there are two lumber companies down there. One is Foulk Shipping and the other is Eastern Engineered Wood Products. Eastern Engineered Wood Products sells all the pre-engineered beams, all this kind of fancy stuff. They work from 8 am to 5 pm cutting and getting their loads ready. Then they have eight trucks that the middle shift loads. There are three guys on middle shift and they run forklifts and load the trucks. The trucks go in the warehouse and they leave anywhere from 3 am to 4 am in the morning and come back 3 pm to 4 pm in the afternoon. Most of them are going to the Jersey Shore who had Hurricane Sandy problems. When all this happened last time with this nice lady and he got curious and went down to find out. It seems like Foulk next door who is right next to the intermodal, which is in the LVIP, from what he understand, they won't let a road come up through their park. He doesn't know why. Foulk subs to Lands End. Lands End trucks go 24 hours a day, seven days a week. He also trucks lumber, plywood, regular stick lumber, piping, beams, whatever. They run 24 hours a day. This lady is also right that PennDOT or whoever is doing PennDOT's work on 412, didn't know where to go with their ground fill and they are filling in the old Way Lite pits. They were running 24 hours a day, he doesn't know if they still are or not. To add to her problems, the refuse trucks that were coming in from NJ and NY, because of the construction to the dump, weren't going right on 412, and out Applebutter. They were going left, up Cherry Lane and Ringhoffer Road, which he wouldn't think a truck could negotiate. Mrs. deLeon said that's not allowed. They had complaints. Mr. Gress said they added to that truck traffic. You had Foulk with Lands End, you had the fill trucks with the ground filling in Way Lite and you had the refuse trucks. A ton of additional traffic came up there. That's just some information for you. Mr. Maxfield said the truck he saw had stick lumber on it. Mr. Gress said that's Foulk, not Eastern. Mrs. deLeon said they go up Lower Saucon Road and come in Applebutter the other way which is wrong and the neighbors complained and they let the landfill know. If you find out the time of day and color of the truck, they can track to see who that was, and the landfill does have a policy if they disobey road rules or truck weight limits, speeding, they get reprimanded for it. Mr. Gress said he can't see how any tractor trailer can go up Ringhoffer Road, but apparently they do. Eastern Engineered has white International tractors. Foulk and Lands End, their equipment is not the best. Ms. Madzarac said the cabs are called Land and most of the trucks are EMP, Henderson and Alliance. Alliance did several times go at 8 pm at night. These cab drivers are on their phones and making one-handed turns off and on to Cherry Lane which is dangerous. At night some of the trucks turn in to go and eat at that Waffle House and they come down to the intersection at Cherry Lane and then they try to make a U-turn or they will pull across the front of her property and they will back up and it was foggy one night and this truck pulled up and tried to make the turn onto Cherry Lane. When he was sideways, no one could see him. If a car would come up or down from Easton Road, they would have had a terrible accident. She's watching him trying to do that and he couldn't make the turn as it was such a long truck. It's really dangerous there. She doesn't think PennDOT realizes they are trying to prevent an accident. Years ago there was a bar at the end of Cherry Lane and 412. Guys from the Steel used to go there and get drunk and couldn't make that turn. How many times her father pulled out people as they had accidents there. She doesn't want to have to call the police and say someone is hurt there. Once she came home and someone was rolled over in her driveway. She doesn't want this to happen.

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- Donna Louder said last time there was a meeting and she asked about the Steel City Fire Company and she asked about the grant money. On the way out the door she spoke with Mr. Csaszar and he recommended she go on to the PA Fire Commission site. There's a list of fire companies that have applied for the grant money. Steel City isn't one of them. According to your resolution dated January 20, 2010, it states that if the volunteer fire companies do not go and try to get the grant money they lose \$10,000.00 from the \$50,000.00 that is granted to them, is she correct? Mr. Cahalan said that's correct. Ms. Louder said where does this leave Steel City Fire Company financially? Mr. Cahalan said it gives them the rest of the year to submit the documentation to the Township in order to get their allocation. Ms. Louder said they'll get \$40,000.00? Mr. Cahalan said they have to submit the documentation including proof they applied for the State Fire Commissioner's grant. Ms. Louder said that grant money has already been distributed. Mr. Cahalan said then obviously they are not going to be submitting proof that they applied for the grant. Ms. Louder said the Township will give them \$40,000.00? Mr. Cahalan said yes, and they'll also give them the opportunity to give an explanation if they want to give it. If there is no proof of an application submitted, then you are right, the policy says they get cut \$10,000.00 in the allocation. MS. Louder said it says Se-Wy-Co and everybody else in Northampton County except Steel City. Is there a bigger picture to the fire company than we know as far as the volunteer fire companies turned into one great big fire company? Mr. Cahalan said if you are referring to discussion that all of the fire companies in the Township and actually Dewey in Hellertown have been having discussions over the past several years, and they've been exploring whether they want to merge or consolidate. That's the big picture and that's what has been going on. Ms. Louder said her concern is being in Steel City with one way in and one way out, as she doesn't think a fire truck could get through the Narrows. The other thing is if there is a fire in Steel City, what is the response time? She asked Mr. Horiszny to elaborate for her. He said Nancy Run would get there before Se-Wy-Co would, Leithsville and Southeastern as they are closer. Ms. Louder said it's a good thing that they applied for the grant then. Mr. Cahalan said are you questioning the capability of the Steel City Fire Department? Ms. Louder said she's questioning if it's still going to be in existence? Mr. Cahalan said he doesn't see why it wouldn't be. They still have volunteers who are participating and who are members of the fire company. It's unfortunate about the funding issues, but you still have a dedicated group of volunteers who are willing to go up there and work out of that fire company. The Township does not know about any issues with fire response times. You are well covered by the volunteer fire companies in LST.

**VIII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- Mr. Cahalan said in your packet we received a request from a woman who has reserved the pavilion in Town Hall Park on Saturday, June 22, 2013. She is asking if she could be allowed to have a DJ, live band, amplified music for that event and she said it would be no longer than five hours between the times of 12 noon and 8 pm. The park ordinance states that any sound amplification devices used in the park area must be in accordance with Chapter 112 nuisances. Generally what they do it bring it to Council and see if you have any objections to it. He discussed it with Parks and Recreation Board and they have no problem. Mr. Maxfield said he doesn't think there's a problem with it if they quit by 8 pm at night. Other Council members agreed.

**B. COUNCIL**

**Mr. Horiszny**

- He said to Mr. Willard that is the best response we ever got from entering anything at PSATS, so you got their attention.

**Mr. Kern** – No report

**Mrs. deLeon**

- She said on Monday, March 4, 2013, the Heller Homestead Art Gallery is going to have a “Meet the Artist Reception” for the Bethlehem Pallet Club Group and a book signing with Lee Weidner for “Saucon Secrets” from 7 pm to 9 pm. Welcome remarks at 7:30 pm. The exhibit runs from Saturday March 2, 2013 through Sunday, April 21, 2013.
- She said she attended with Leslie and Glenn, the Revolutions ribbon cutting and it was very nice and they actually went bowling. Glenn won the first round, Mrs. deLeon came in second and Leslie was third. The second game, Mrs. deLeon actually beat Glenn. She bowled three strikes in a row. It was a fun time, so you should check out the place.
- She said on Thursday, February 28, 2013, 7:30 am to 9:00 am, the Lower Saucon-Hellertown Chamber is going to hold a networking breakfast at McDonald’s. The event is free, but you have to pre-register. You can go on the Chamber’s website for more information.

**Mr. Willard**

- He said he completed the process to be the Township representative for the Gaming Authority. He was vetted by a member of Northampton County, Ken Kraft on January 18<sup>th</sup> and he attended the Northampton County Council meeting on January 24<sup>th</sup> for the appointment which he thought was a one-year appointment, but it was through December 31, 2017, much to his surprise.
- He said on our Citizens Academy, he met with staff on January 29<sup>th</sup> to plan the content and he wants to say everyone is approaching this enthusiastically and putting together the information for our residents. There is a meeting on February 28<sup>th</sup> to look at the content of the presentations before the Citizens Academy begins on April 7<sup>th</sup>. It was suggested at the meeting he might write something for the PATCH about this academy so he did correspond with Josh and he’ll read his response. “Diane Palik emailed me with a request that I publish a news story and he has one ready to go for Thursday. He believes he has all the details mentioned in that story, but certainly if you want to explain to residents why it’s a good idea for them to sign up for the Academy, he’ll be happy to publish that. He does think it’s a good idea as many people may be unfamiliar with the concept of a Citizens Academy, he knows he was. He plans to run your Op-Ed next week or whenever you think it would be most helpful”. He will submit that. Mrs. deLeon said we should also send this to the Valley Voice and Express Times and Morning Call. Mr. Willard said they have the news stories. The Academy will run for six consecutive Thursday’s from 7 pm to 8 pm with a different topic each time from March 7<sup>th</sup> through April 11<sup>th</sup>. He happens to note in our Township News Magazine, April 15<sup>th</sup> to the 19<sup>th</sup>, is Celebrate Local Government Week. This is almost like we planned it this way as it’s the culmination of our first Citizen’s Academy. He would like to discuss something to be done during that week to recognize the participants, maybe extend that information a little bit further.
- He said continuing on the communication theme, we were notified on the PSATS Communication Award that we weren’t selected this year, but he thinks we all agreed we would submit as kind of a benchmark or baseline and then intensify our efforts in the coming years. We did receive comments from the judges as far as how the evaluations were done. He’ll read one: Compared to others in this category, this newsletter could use some improvement. Use some other Township’s your size are doing. There are ways you could replicate while staying within your own budget and skill level of your staff. One minor, but important improvement, would be to include a table of contents on the front page. Most, if not all photos should have captions. Also, information about a water rate increase was buried in the back. Things like this which affect the public’s well being should be on the front page. With a little tweaking, you’ll have a much more readable newsletter.” This is the opinion of one judge and the most elaborate comments we receive. He would like to volunteer to work with the Township staff and do some redesigning of the newsletter and take a look at the layout of the website which was mentioned in some of the evaluations. He thinks what we have is great as a starting point, but if our goal is to

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heighten the communications, improve each year, he'd like to take this on as the next project. Mrs. deLeon said that would be great with your background.

**Mr. Maxfield** – No report

**Jr. Council Member** – No report

C. **SOLICITOR** – No report

D. **ENGINEER** – Absent

E. **PLANNER** – Absent

**V. ADJOURNMENT**

**MOTION BY:** Mr. Maxfield moved for adjournment. The time was 8:11 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