

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 15, 2006, 7:08 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

ROLL CALL: Present – Glenn Kern, President; Priscilla deLeon, Vice President; Thomas Maxfield, Sandra Yerger and Ron Horiszny, Council Members; Jack Cahalan, Township Manager; Jim Birdsall, Township Engineer; and , Township Solicitor, Linc Treadwell. Absent - Jaelyn Rasich, Jr. Council person

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session to discuss personnel matters.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

III. PRESENTATIONS/HEARINGS

None

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCE REQUESTS

**1. TOMASZ & ANNA NIEWIAROWSKI – 1767 WYNDHAM TERRACE –
REQUEEST VARIANCE TO ERECT STRUCTURE IN REQUIRED FRONT
YARD SETBACK**

Mr. Kern said the applicant is proposing to erect a structure, which consist of 6 piers and a gate, in the required front yard setback.

Mr. Chinnici, Craft Management was present representing the Niewiarowski’s. They are not building a fence. They are building just a gate that has an entry. They are only asking to build six stone piers, three on each side of the driveway entrance with a gate and then fencing in between on the sides. They submitted a plan that shows the layout and an elevation and a picture of how they are going to landscape the piers in as well.

Mr. Kern asked if staff reviewed the revised plans? Mr. Maxfield said last time you were here we were trying to encourage conversations with the other residents. Have you talked to any of them? Mr. Chinnici said they are not aware of any opposition. They've simply met and respected the covenants and the easements and they are just asking for an entry way gate with piers on the side.

Mrs. deLeon said Linc wasn't here at the last meeting, but there was discussion regarding a revised application. Have you had a chance to look at that? Attorney Treadwell said he has not had a chance to look at the revised application. Mrs. deLeon said the only reason she's asking is because usually you have one application and it doesn't usually get revised and she's just wondering if the application that is in our packet is legally binding, if it was a challenge of the ZHB decision in the next few months, is this revision, does it meet the regs? Attorney Treadwell asked if the first application was withdrawn? Mr. Chinnici said he talked to the zoning officer and we revised it. We resubmitted a drawing. Attorney Treadwell said that's fine. Mrs. deLeon said there was discussion the last two times this was on the agenda regarding the deed restrictions. Could you explain the impact of that? Attorney Treadwell said those are private property rights not necessarily something the township would get involved in. The applicant is well aware of the deed restrictions. Mrs. deLeon said could you explain what that means to the Township Council in looking at this as far as what to do with those deed restrictions? Attorney Treadwell said the township does not necessarily take a role in enforcing, actually we don't ever take a role in enforcing private deed restrictions. As long as it meets the township zoning requirements, that is what Council and the ZHB would consider. Mrs. deLeon said so if Township Council decides to put deed restrictions on a subdivision we're approving, those deed restrictions would be considered private also? Attorney Treadwell said not if they come from the township and if the township is a party to those deed restrictions. It's a different issue. Sometimes you have more leverage than other times.

Mr. Horiszny said do we think we do have the correct list of nearby residents now? Mrs. deLeon said that was one of the reason she asked because there was check marks and additions to it.

Mr. Maxfield said he's looking at no. 15 on the application and it's crossed off. Where it says the nature of the unique circumstances and the unnecessary hardship justifying this request is. He doesn't see an explanation of a hardship on the attached. What would be the hardship or the circumstance for you to seek this variance? Mr. Chinnici said they submitted a letter why they are requesting the variance. Mr. Maxfield said we are requesting a variance to build a structure outside our building setback. The structure that is proposed is a driveway entry gate. The proposed entry gate ...it just describes it in appearance then. Your district is R80 which has a required 50 foot building setback from the right of way. Our proposed gate location for the front yard has respected the right of way and a 15 foot utility easement. The proposed gate will be 17.5 feet from the closest point to the right to way, thus we are requesting 32.5 feet in relief. Mr. Chinnici said the owners want a gate. They want privacy around their property. Mr. Maxfield said to him that does not sound like a hardship.

Attorney Tamer Ahmed, attorney representing David Gill and Mabel Gill Rivera was present. They own the property across the street from this property. His client is objecting to this gateway for a number of reasons. No. 1, the variance in this instance is not required and just as Mr. Maxfield mentioned a minute ago, there is no hardship. His clients are confused as well because the initial reasoning behind the entire gate or fencing was to keep deer out. He doesn't understand how a gate is going to keep the deer out without the fencing. What his clients fear is this is a beginning point and down the road they'll

**General Business & Developer
February 15, 2006**

complete a fence, so get a gate up right now, then maybe a couple of years they'll come back and it will make sense to complete a fence. He hasn't heard anything about the height. He does agree with Attorney Treadwell that the deed restrictions are a private matter; however, the purpose of a deed restriction is to protect the neighborhood. One of the factors of the variance is to see how that variance would affect the property owners. He's not aware of any approvals by the developer that we're giving for this structure. Those are our objections to this variance.

Mr. Mark Eisner, Old Mill Estates, was present. He said he just bought the lot that shares the entire rear property line with this applicant. He hasn't seen a plan for this. He's not on the mailing list. Mr. Cahalan said he's been added on there. The only reason he's rejecting it right now is because he hasn't seen a plan, seen a rendering or seen anything. He hasn't received any notice or any information. Mr. Cahalan said a copy of the plans are with the zoning officer. Mrs. deLeon said today is the 15th and he hasn't seen any plans. She's really questioning the legality of this application. Mr. Cahalan said they had the list and the name that was listed from the County, Franklin Gillespie. That's who the notice was sent to. The records were from Northampton County and they weren't changed, yet it was mailed to that address. Attorney Treadwell said that wouldn't show up on the County list for months. There's a back log. Mrs. deLeon said you are more than welcome to come in here at any time and look at any public records. The Zoning Officer will be glad to show you the plans. Mr. Maxfield said, at this point in time, not having seen the plan, you are going to take an opposition? Mr. Eisner said yes, he will enter himself as an objector. Mrs. deLeon said the ZHB is not a private entity, it is a public entity, and you really have to know the difference with the roles. Attorney Treadwell said whatever action this Council takes tonight, if you still object to the proposal, you need to show up at the ZHB. Mrs. deLeon said the ZHB can't say no to this because there is a deed restriction on it. Attorney Treadwell said no, the ZHB only rules on the zoning of it. Mrs. deLeon said, you as a resident, have the right to also look up the Municipal Planning Code which is very clear that the ZHB considers when they hear an applicant's zoning request. One of the things that Tom says is they have to have a clear hardship. You, as a resident, can look all that up and go to the ZHB and present your case. Mr. Maxfield said the deed restriction can't play into any recommendation that Council makes. Attorney Treadwell said notice was sent to the property owner of record, but you are here tonight, so you are aware. Mr. Chinnici said they asked the township to notify everybody for the Council meeting. That's not typically done. They made every effort to make people aware. Just pointing that out, the neighbors get notified for zoning and all this opposition. Attorney Treadwell said that's correct and the reason it comes before Council is so Council can take a position or not take a position. Mr. Chinnici said this is their third time here. We're trying to get Council's approval for going to the ZHB. After talking to the Zoning Officer, we said let's send it out and notify the neighbors once again. Attorney Treadwell said just so everyone is aware, it's not Council approval. This is before Council so Council can take a position or not take a position in front of the ZHB.

- MOTION BY:** Mrs. Yerger moved to have Council oppose this request in light of no hardship being addressed. That's what variances are all about. That has not been addressed.
- SECOND BY:** Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

**General Business & Developer
February 15, 2006**

MOTION BY: Mr. Maxfield moved to direct the Solicitor and the Engineer to show up at the ZHB meeting.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

2. KERRY CLAIRE VENTURES – BANKO LANE – REQUEST VARIANCE OF LOT WIDTHS ON A CUL-DE-SAC AND LOT WIDTHS IN TH RA DISTRICT

Mr. Kern said the applicant is requesting a variance of lot widths on a cul-de-sac and lot widths in the RA district.

No one was present representing the applicant.

Mrs. deLeon asked if it was Kerr Claire or Kerry Claire? Mr. Cahalan said it was Kerry Claire Ventures, LLP. Mrs. deLeon asked to have them go back and make sure it's corrected and all the paperwork is the same. Mr. Cahalan said okay.

Mr. Birdsall said this is a property over on Banko Lane and they are proposing a subdivision of the land into lots. There are various ways that land can be developed in that part of the township and what they are trying to do is build individual, single family lots on a public road cul-de-sac. There was a sketch plan into Planning in October. It's come back to Planning as of last week. Between the two submissions, there was a shortening of the cul-de-sac to help minimize impervious cover and provide more green area around the houses. The developer has been asked to consider the cluster route rather than the variance route and we're in a situation similar to the last applicant where this hardship is being created by the developer and there's no hardship from the piece of land itself. The piece of land is reasonably shaped for building several different houses and the township provides a lot of flexibility on how to build those houses, but the flexibility should all follow township zoning ordinances.

Mr. Maxfield said our planner, her opinion is that even without lengthening the cul-de-sac significantly, you can still achieve the development without variances. He would just reiterate what Mr. Birdsall said. There's lack of a hardship and it can't be self created and it is in this case.

Mr. Birdsall said the other fairly minor issue, as far as this issue and the revised lot layout, they have not demonstrated their soil capability and where they will need infiltration systems. He mentioned that even separate from these other issues, the tree row being interrupted and the lots and the cul-de-sac being substandard, he doesn't think they've done their homework as far as storm water management. Our whole philosophy at these sketch plan stage is to try to make sure the plans first response is to the environment and then you see what is left to be able to build on. If they get into the recharge layout and better storm water management decision making, they are going to wind up with a substantially different layout altogether. So a variance at this stage is really premature.

MOTION BY: Mrs. deLeon moved to oppose.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? Mr. Horiszny said they should direct Linc to go to the ZHB meeting.
ROLL CALL:

MOTION BY: Mrs. deLeon amended her motion and moved to oppose and direct Attorney Treadwell to be at the ZHB meeting unless they withdraw the application.
SECOND BY: Mr. Maxfield amended his second.
ROLL CALL: 5-0

3. NEZAM ALYASSIN – 1660 KEVIN DRIVE – REQUEST VARIANCE TO ENCROACH IN REAR SETBACK FOR CONSTRUCTION OF HOME

Mr. Kern said the applicant is seeking two feet of relief from the required setback of 30 feet. The structure currently provides 28 feet of yard.

Present - Attorney Walt Morrissey. He represents H&R Custom Homes. He said they built the home. Essentially through a series of inadvertencies, the house was built with two questionable spots over the line. One with 1.43 feet or within the boundary required which is 30 feet and the other was 1.9 feet. As a matter of course, we're talking about four-tenth of a percent of the entire footprint. It wasn't discovered until after it was built during the certificate of occupancy. Testing and measuring, and the issue now in terms of hardship, is not only to this man and his family, but also to the neighborhood. It is a new neighborhood, but most of the building in this area is done or completed and the unfortunate problem created by this is that the rebuild would have to be substantial. They'd have to go down, break out footers, break out the wall and redesign the corner of the house. Everything that was missed was missed inadvertently. Mrs. deLeon said she thinks this is a no action type thing. Mr. Maxfield asked if H&R Homes poured the foundation? Attorney Morrissey said they hired a company to pour the foundation. Mr. Maxfield said he's trying to find out why the foundation location plan was not submitted prior to framing which probably could have solved the problem. Attorney Morrissey said unquestionably. That's his understanding, but unfortunately, the submission should have come from the engineer and the sub, and the submission did not occur. H&R didn't make it occur either. This could have been a minimal problem to solve had it been found when the rules say it should have been found. Mr. Horiszny said can there be a fine for pouring the foundation incorrectly? Attorney Treadwell said he doesn't believe so.

Council took no action.

4. GREGORY AND CYNTHIA ZULLI – 1671 WOODFIELD DRIVE – REQUEST VARIANCE FROM SETBACKS TO INSTALL POOL

Mr. Kern said the applicant is seeking 30 feet of relief from the required setback of 40 feet to install a pool. There is a 10 foot wide general grading and utility easement that runs parallel to the rear lot line.

Present – Gregory Zulli. Mr. Zulli said they are putting a pool in the backyard and trying to set it back as far into the property line as feasible plus their yard, the way it sets, it was graded to have a bowl effect. The setbacks would render off of their patio and they don't want to interrupt the flow of water in the yard as it stands. He doesn't know when the setback rules were put into effect, but neighbors have their pools set back into the old rules which were 10 feet off the property lines. They are trying to keep it away to get more useable space and protect the water flow. Mrs. deLeon said right now the pool is here (pointing to the map), can't you angle the pool? Mr. Zulli said what they would wind up doing is have the way the property is set up, do a little bit of a retaining stone wall. Mrs. deLeon said if it was turned? Mr. Zulli said if you look at the back of the property line, it's a inverted bowl around the back for water flow, so the rear of the property line is elevated to maybe four feet grade. The water naturally flows down towards the house. That way

everything drains off to the two sides. By twisting it that way, they would impede water again. Mrs. Yerger said it says the current impervious coverage is 19%, and 25% is allowed with the pool. Do we have any idea where it's going to push it? Mr. Zulli said he was told size wise, it's 600 square feet by the builders, B&B Pools in Hellertown. Mrs. deLeon said normally, don't we have a calculation in these memos? Mr. Cahalan asked Mr. Zulli if they asked him to come back with some calculations? Mr. Zulli said that may be for the next meeting. Mrs. deLeon said that's one of our standard questions that we ask. Mr. Maxfield said if he has a number of 600 square feet, it says there is approximately 1,100 square feet of allowable pervious area. Mrs. Yerger said he's got leeway according to that. He's under the limit. Mrs. deLeon said she'd like to have the percentages figured out in these memos. Could she ask that Jack? Mr. Cahalan said sure.

Mrs. deLeon said what about the last bullet, about the fence, it is not permitted in the easement. Mr. Maxfield said that's a question for the Zoning Officer. Mrs. Yerger said there is a 10 foot wide general grading and utility easement that runs parallel to the rear lot line and the Zoning Officer questions the location of the required fence as they are not permitted in the easement. He's concerned that the location of your pool and fence around the pool has actually gone into this easement. Are you aware of that? Mr. Zulli said he thought it was typical for the neighborhood because it seems everyone who has one previously put in, they are all in that same easement on the property line. If it's an issue where it's a right-of-way, of course, if there were utilities there, they would obviously oblige.

Mr. Maxfield said you'd want to stay out of that easement altogether with your fence, would you have some wiggle room so you can back it up towards the house a few more feet? Mr. Zulli said not with the bowl effect and the way the water runs off at both sides of the house. He thinks every one has a 10 foot easement on their property line in that development. Mrs. deLeon said that doesn't mean its right, sir. Mr. Zulli said exactly.

Mrs. deLeon said is the fence relative or not? Mrs. Yerger said she thinks it is, but she's not sure and it's not stated specifically, but it could be. Attorney Treadwell said he doesn't believe it's one of the applicants at the moment. That was the Zoning Officer trying to notify the applicant that that's an issue and you can't put a fence in the easement. Mrs. deLeon said Mr. Zulli didn't know about the fence. Mr. Zulli said he never even considered it as being an issue at the time. Mr. Zulli said they might be able to put a fence immediately around the pool area. Mrs. deLeon said it's probably cheaper to go in with the two variances than have to come back. Mr. Zulli said he'd like to hook it, the two issues if that's what she is suggesting. Attorney Treadwell said the applicant should talk to the Zoning Officer tomorrow. Mr. Zulli said absolutely. Attorney Treadwell said the fence issue is not before you at the moment. It's just the setback issue for the pool. Mrs. deLeon said if he decides he needs a variance for the fence, and then we didn't decide on that, and if you went to the ZHB meeting on Monday, you'd only be able to deal with the one issue. Mr. Zulli said he's also doing timing, as he'd like it in on Memorial Day. He'd take the first variance and follow up with the second one, if necessary, or work the fence within the easement. Mr. Birdsall said he will also need a grading permit. It can be put in the motion. You traditionally have done that sort of thing with the smaller lot that it goes right in the motion.

**General Business & Developer
February 15, 2006**

- MOTION BY:** Mr. Maxfield moved to take no action, but ask that the ZHB insure that a grading permit is applied for this.
- SECOND BY:** Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

B. GREENWOOD COURT – ANDREW ROSKO – REQUEST TIME EXTENSION TO COMPLETE IMPROVEMENTS

Mr. Kern said the applicant has requested a one year extension to his subdivision improvements agreement in order to complete the improvements of his project.

“The LST staff recommends that the Township Council approve an extension until February 28, 2007 for completion of the improvements in the Greenwood Court subdivision, subject to the following conditions:

1. The developer shall enter in an extension agreement with the township satisfactory to the township solicitor and township council.
2. The improvements security shall be extended to at least March 28, 2007 to the satisfaction of the township solicitor.
3. The developer shall pay any outstanding Plans and Appeals Account invoices owed to the township”

Present – Andrew Rosko. Mr. Birdsall said basically the project is just getting underway right now. He’s not sure why the delay in the start, but he doesn’t have any problem with any extension as long as all the legal documents are in place and the security is in place.

- MOTION BY:** Mrs. Yerger moved to request time extension to complete improvements for Greenwood Court – Andrew Rosko, as per the staff recommendation letter of February 15, 2006.
- SECOND BY:** Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

C. POLK VALLEY ROAD – DISCHARGE STORM PIPE AT HEADWALL MODIFICATIONS

Mr. Kern said Hanover Engineering would like to present Council with the headwall modification subject to Boucher & James comments.

Mr. Birdsall said there is concern, with the headwall at the Polk Valley Bridge, that it is higher than the water level and several feet above creek level. They are suggesting a change in the headwall design. Since this was an HEA design, we are agreeing to pay all of the cost of the change, but we want to make sure it was okay with Council in order to start it. The Manager has asked Boucher and James to take a look at it also. Judy does have a memo in the packet tonight, which says “I agree with the concept of lowering the pipe is a good idea. The current condition is one that can cause significant scour of the stream bed. Conceptual solution proposed by Jim appears to be rational and practical. The only reason he would have included the word conceptual is that I have not seen and not reviewed any of the storm water calculations for the project. I trust Jim has reviewed the calculations and has prepared this sketch in accordance with sound engineering practices” Mr. Birdsall does want to confirm to Council they did test flow calculations and it is

very adequate to handle the flows and they'd ask Council's permission to go ahead and coordinate the details with the Manager.

MOTION BY: Mr. Maxfield moved to approve the modification of the Polk Valley Park discharge storm pipe at the headwall.

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

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. CITY OF BETHLEHEM ACT 537 SEWAGE FACILITIES PLAN – REVIEW OF COMMENTS

Mr. Kern said Hanover has prepared draft response comments to the City of Bethlehem's Act 537 Facilities Plan Update and would like to discuss these and obtain Council's authorization to submit comments by the February 28, 2006 deadline.

Mr. Birdsall said, as you know, the function of an Act 537 plan is to project into the future what your needs are going to be for sewage facilities and then a strategy of how you are going to serve the needs of the community and what the costs are and then also present a plan for how you are going to finance the improvements. As you've read in the newspaper, the city of Bethlehem has been receiving additional requests for increase in capacity for the treatment plant, primarily from Bethlehem Township and they embarked several years ago on preparing an Act 537 plan for their facility. They have checked with the township several times over the last couple of years to see if we wanted to participate with the expansion of the plant and your agreement from 1970 or 1971 does make provisions for you to be able to participate in any expansion and help pay for the cost of that expansion. Through a couple different analysis over these last years, you have found that your contract with the city is adequate and you don't need an expansion of the contract for additional public sewer facilities. The response you've given is an interim question, thank you, but we're okay and now their book has finally come together and they do show that LST has zero additional capacity allocated to them. They have allocated zero additional dollars because they recognize that you should not have to pay for an expansion that somebody else is going to be utilizing. All that part is fine and it is consistent with, not only your comprehensive plan, but also with the status of sanitary sewer capacity in the township right now. What is inconsistent is that they do still assign some cost that they believe LST would be subject to and we've reviewed this with representatives from the Authority, the staff, and their attorney and they also had a chance to review it at last night's meeting. The report he has before you speaks for itself. Mr. Davidson would like an opportunity to talk about this also.

Mrs. deLeon said over the years, there's back and forth letters, and there's always been an issue with the Township. They are not asking for any additional capacity at this time, but we do have reserve capacity that is not used. Mr. Birdsall said our numbers agree if they, in fact, have 15.5 million gallons for their true capacity of the plant. There is an argument out there that they have 20 million gallon capacity. The argument is the whole position of the 20 million is on the basis of an application that the City made to DEP and the DEP approved for re-rating the plant to the level of the 20 million gallons. If it is truly able to treat 20 million gallons in accordance with DEP regulations, then you have a right to more capacity than is on the face of your agreement. You have approximately maybe 200,000 gallons more of capacity than the 660,000 or 670,000. If they are enjoying an upgrade in rated capacity that did not take a capital contribution, if they turned some valves or reset some hinges, and are re-rating, then you're entitled to that pro rata share. The position they lay out in the books is that they do not have the capacity. There may be some legal

fallout because all of this difference of opinion from interested parties like Bethlehem Township. As far as LST is concerned, although we stated our position many times that we were entitled to a pro rata share of that, we do not absolutely need rock bottom that additional capacity for our community. You're right, we are preserving capacity for areas of need that were identified years ago that we're trying to find funding for service, Leithsville area, Hellertown park area and the Steel City area, being the primary candidates where we have dense housing which goes back before the turn of the century where we eventually are going to have to get sewer facilities.

Mr. Horiszny said the LSA did agree with Jim's review and Mr. Davidson is going to write a letter to the Manager indicating that.

Mr. Davidson said we did have the opportunity to review this over the last month and then did sit down on the 7th with Jim and go over it point by point. The issues that we had, he had already incorporated into and we did make a few minor adjustments which he did incorporate into the report. Basically, we're in agreement. We had our meeting last night, and he will write a letter indicating we are in full agreement with his view of it. Mrs. deLeon said she knows it costs, depending on the sewer system and how much it costs to treat it, we have the landfill leachate going into the sewer system, does that increase our costs in any way? Mr. Davidson said he's not sure, he'd have to defer that. Mr. Birdsall said there are ways to calculate what industrial waste costs to treat. Actually the city has an industrial waste program. They are supposed to be monitoring that leachate for quality and if it exceeds certain threshold parameters, they are supposed to charge through those extra costs of removal of the pollutant. There should be records of that and records of if there is industrial waste surcharges imposed upon them. He's not familiar with those, but there is a process in place. Mr. Horiszny asked if it was possible that the landfill leachate going in there is so highly diluted that it actually helps the sewage treatment plant? Mr. Birdsall said it's very possible that it is such a low threshold that it's adding to the hydraulics, but it's not adding to the organic and the other pollutant parameters. That's correct and highly likely.

Mr. Horiszny asked Mr. Davidson if he wanted to go over the cost figures he estimated. Mr. Davidson said when they looked at it, the city has recommended two different approaches here. Either the full scale build-out of the plant which is alternative 2. It's something like \$522,000 total to the township and their second approach is to say, do just phase I of the alternative until the year 2015 and then the initial impact on the finances will be somewhat less. He didn't bring that exhibit with him. Mr. Horiszny said Gar calculated those as being accomplished with a 5.5% bond issue. If the Phase I scenario occurred, it would take us to 2015 and the \$299,000 would cost our customers, on a ten year basis, about \$5.17 a quarter. If they went to the 2020 version at \$523,000 and a 15 year payout plan, it would be \$6.79 per customer, per quarter. Mr. Davidson said they are looking at a bond issue, but just how that would be dealt with wasn't made all that clear, so we did some rough calculations to get a sense of it. At this point, without all the changes, we are relatively comfortable with what they are recommending. Mr. Horiszny said would it be fair or wise to ask that question at this next juncture? Should we ask them what their plans for financing are? Mr. Birdsall said he suspects when they get all the community inputs from the various municipalities, hopefully, they'll have another piece of correspondence or a joint meeting to go over the preferred strategy of financing, whether that's financed by the individual communities or through one bond issue and the communities would have to come together on that. Mr. Horiszny said he was referring to the chance to submit comment by the February 28 deadline. Mr. Birdsall said that's a good idea.

**General Business & Developer
February 15, 2006**

MOTION BY: Mr. Horiszny moved we take the opportunity to meet the February 28 deadline of questioning to submit a question on how they plan to finance – if there will be an individual bond issue or single City of Bethlehem bond issue, and Jim’s draft response be submitted.

SECOND BY: Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon asked if he could reconsider his motion and ask how they are going to do it. Mr. Horiszny said that would really be better than trying to get his words in there.

ROLL CALL:

MOTION BY: Mr. Horiszny amended his motion as stated above by Mrs. deLeon.

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

ROLL CALL: 5-0

B. ACT 167 – LVPC WATER QUALITY AND DRAFT ORDINANCE – REVIEW OF RESPONSE COMMENTS

Mr. Kern said Jim Birdsall would like to discuss with Council review comments to LVPC’s Act 167 Water Quality Plan and draft ordinance.

Mr. Birdsall said Sandy Yerger is on the Committee. One of the significant changes is that they are now saying that they are not encouraging 100% recharge of the runoff in a developed property. What they want to set as a goal is to recharge the amount of storm water runoff that would naturally percolate into the ground in an undeveloped condition. It achieves some of the goals, the township has had over the years, but not all of the goals so that is a concern of ours. It is somewhat similar to the Bucks County provisions that you have and faced on the south side of the township. The other thing that they are backing away from is in the area of carbonate geology. They backed away from requiring that the applicant test the soil and verify that for some special carbonate reason, permeability and infiltration is not possible. Instead of that approach, which they had in prior versions, they are going with an approach that would allow the developer to exempt himself altogether if they are in a carbonate area. That is a concern of ours and we tried to put it into the letter. The other concern we have are some of the setbacks that they are requesting from adjacent properties, from buildings, and for instance, they are recommending that the infiltration system is 40 feet from a residence. We are suggesting a 100 foot setback. With regard to the other problematic setback, they are specifying a minimum of 100 foot setback between a property line and the infiltration system. They have a caveat, and that is that if its part of a subdivision where you already know what other setbacks are going to be respected on the adjoining property, and you can prove to the township that the 100 foot setback or any other setback, let’s say to the drain field or a house on the next property is respected, then you can go slightly less than 100 feet. In our township, we have a setback of 40 feet to the property line, so the 100 foot as a blanket rule is going to make it very, very difficult for some people to fit infiltration systems on lots that already exist. We would hope there would be a little more flexibility in that rule. With regard to another area of differences and the list he has in the letter are the differences, not the ones that they agree with ours, but the ones they disagree, and that is the disagreement on the elevation change between the bottom of the infiltration system and the seasonal high ground water table. This has been a struggle for consultants back and forth across the state and nation on this issue since we all have different soils, different engineers and different experienced geologists recommend different things. The typical separation between an on lot sewer system and a high water table would be 20 or 24 inches. Our township says the bottom of the infiltration system has to be 36 inches above the high water table. LVPC is recommending 0 inches. Our concern is if there are any pollutants in the water, that would immediately go into the ground water system. The reasoning is they believe it’s essentially clean water and that may be true in some instances, and not true in other instances. In

some other municipalities, what we have done on this particular issue is reduce that to a minimum of 18 inches and we limit that to only roof water and single family home driveways. If the applicant can prove because it's a light use, especially the roof water, there's a low risk ground water contamination, then we allow down to 18 inches. To go down to zero, he can't really argue it. All the positive things associated with that as he doesn't see there is really a lot of positive reasons for going down to zero. The last time he looked at the state manual on storm water management design, and there's a state committee putting together a manual, they had 24 inches in there. They are refining that and refining that, and hopefully, we'll be publishing that for widespread usage. He hasn't seen the latest versions. If we'd want to go to zero, we'd want to put on some real heavy restrictions on what the source of that water could be and only roof water at that stage. These are things all open for discussion. They are recommending these comments be forwarded on to the LVPC if you support them.

Mr. Maxfield said to go back to your first point about instead of the 100% infiltration to whatever runs off, is that going to be based on formulas or will that be based on specific site evaluations? Mr. Birdsall said he can't give you an answer tonight on that. He will get an answer. Mr. Maxfield said if they balk at changing their recommendations, that we would stay as restrictive as we are. Mr. Birdsall said that's our recommendation as well that they provide a little more flexibility so that if we want to be stricter, then we can.

MOTION BY: Mr. Kern moved to forward HEA's staff recommendations to LVPC.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. AUTHORIZE FINANCE DEPARTMENT TO COLLECT 2006 REAL ESTATE TAXES

Mr. Kern said Council should authorize the Manager to direct the Finance Department to collect the 2006 real estate taxes in the amount of \$1,288,611.49.

Mr. Cahalan said Council is annually required to issue a warrant to do that to collect the taxes.

MOTION BY: Mr. Kern moved to authorize the Finance Department to collect the 2006 real estate taxes in the amount of \$1,288,611.49.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

D. UPDATE ON RIVERSIDE DRIVE (THE NARROWS)

Mr. Kern said Council would like to update on the progress of the work to repair/reopen Riverside Drive.

Mr. Cahalan said at the last meeting, he reported that the debris was being cleared and was started on January 20, 2006 after a meeting with PennDOT. They were surprised at that meeting to hear that the work had already started. He checked on it before the meeting on February 1 and it was in progress. Volunteer, Mark Walters Excavating, was on the scene with his staff and equipment helping out and last Monday, February 6, 2006, members, staff and members from Steel City Fire Company went out to Riverside Drive and they were pleasantly surprised to see the debris has all been cleared. There's a lot of work still to be done to restore the road to make it suitable for traffic. He put together a letter to PennDOT indicating to them that Walters is working on the project on a

voluntary basis and he even suggested if they wanted to expedite it, he could help with the stone that is needed for fill. That information was passed on to PennDOT. We don't know what their schedule is, but there is some more work that has to be done. Mrs. deLeon said tomorrow at the landfill meeting, remind the Landfill of their commitment. They said they would help out with the rock and the crushing. Mr. Cahalan said that was part of the suggestion if they wanted to donate the use of their rock crusher equipment. Mr. Maxfield said there was a question of the use of the site as a stockpile? Mr. Cahalan will follow up on that.

E. IESI BETHLEHEM LANDFILL – AUTHORIZE STAFF COMMENTS ON NPDES APPLICATION

Mr. Kern said the IESI Landfill has submitted a NPDES application and Council should discuss submissions of comments before the 30 day comment period expires.

Mr. Birdsall said they are not ready with their comments. They are just asking for Council's blessing to proceed with the review so that they don't lose any time. It hasn't been submitted yet. Mrs. deLeon said why would we need permission, wouldn't that be an automatic review thing? Mr. Cahalan said Laressa said that we just put this before Council and ask for authorization for the landfill consultants to submit comments. Mrs. deLeon said this is part of the review of the landfill. Attorney Treadwell said he thinks Laressa was just looking for an extra level of approval to do this. Mr. Cahalan said there is 30 days once it is submitted. Mr. Birdsall said correct and it hasn't been submitted yet. Mrs. deLeon said okay, so we're being prepared.

- MOTION BY:** Mrs. deLeon moved for approval for the landfill consultants to submit comments on the NPDES application.
- SECOND BY:** Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

F. COUNCIL'S GOALS AND OBJECTIVES

Mr. Kern said Council has asked to discuss 2006 goals and objectives.

Mr. Cahalan said this was asked to be put on the agenda and they pulled together the list that they've been working off of. You can see in the packet where it was broken down in different areas and we've been crossing them off as each of these goals or objective have been met. They sent out notice to council members and asked them to submit additional goals and objectives.

Mrs. deLeon said this was something when we approved the budget in December. She'd like to prioritize things and have an idea of when things will be accomplished for the year. This goals and objectives list started when Mr. Morrison was first elected. Five years ago, we went to a training session together and it was highly recommended that we do goals and objectives. She's very happy about that. Her ideas:

- First of all, the residents. We need to concentrate on casinos. We talked about that a little bit at the SVP meeting. We really need to decide where we're going with casinos, i.e. roads, traffic issues, etc. Mr. Cahalan said it was also the impact on neighboring municipalities regarding the casinos.
- The MFS, which is an important issue.
- Storm water issues
- Open Space
- Environmental

General Business & Developer
February 15, 2006

- Roads – we talked about a maintenance, Meadow Road, 412, the Applebutter Road curve. Other traffic issues that would all go in with the casinos.
- We're working on the website
- When Glenn took his oath of office at the reorganization meeting and he said about the laws we have to obey and uphold, she decided to go to the administrative code and look and see, and this is something we really need to prioritize, which is the annual report. The code says we should have an annual report and that should be given a priority and try to do that in the next couple of months. The last report was in 2002 and it had all the departments and gave a report with different meetings, who attended, approvals, people from various boards and it was all in this report. There are various places in there that talks about personnel documents and she would like to ask Jack to go through the administrative code and pull out all the different areas of reports and things we need to have done and what needs to be updated. If you could provide that, that would be really good.
- She'd like to see LST work with the Governor's center and sponsor training sessions for Boards and invite other municipalities, and maybe we can do that with the COG.
- Financial areas – she talked about the budget and we need to pull out things from there and prioritize and if Jack can come forward with a list of the budgeted items and kind of tell us when they are going to be accomplished and kind of give us an idea.
- When we did the budget, we talked about this plan for when the landfill closes, the administrative code talks about capital project for the next five years. That needs to be on the list.
- Public Works – we talked about road surfaces being done to prevent storm water runoff.
- Coming from her end of the township she has to go over the South Mountain Drive, and she hits those culverts so many times. They need to be looked into fixing them.

She said these were her goals. In summary, building maintenance program, annual report, budget priorities, employee issues, EMS Coordinator, storm water, casinos, MFS, Meadows Road, Road Surfaces, Recycling, Act II brown fields, and grants

Mrs. Yerger said she would like to see

- Completion of LST's open space plan.
- The completion of the conservation ordinances that would support that plan.
- Program for remediation of existing detention basins that are in need of it
- Storm water as Priscilla said, to elaborate a little further, is she would like to see those ordinances coordinated on a regional approach. We are in preliminary discussions with a regional EAC and we could really incorporate that in both watersheds that exist in our township
- The establishment of some architectural guidelines and the ordinances to support that for commercial development. We need to explore that area more and need guidelines in place.
- Investigate further how we can increase recycling, composting, within the township.
- Like to see the township complete a five year plan and then maybe a ten year plan financially to see where we are going to be ten years from now.
- We need some historic identification and determine some use for some of the buildings and what kind of restoration projects we want to prioritize.

Mr. Kern said his wish list:

- Researching the possibility of an open space referendum
- Develop a commercial area within the township and see how that can be accomplished. It will be challenging with the layout of the township.
- He's echoing Sandy with the architectural review as we are a rural township and we do have something special going on here in LST. It's important we have an architectural

General Business & Developer
February 15, 2006

review for commercial areas so we don't have neon signs and huge McDonald's arches sprouting up. We can mimic kind of a Vermont style where somehow they put a McDonalds into an old house with no arches out front and they still make a ton of money.

- One of the most important tasks before, us and for the next ten years, will be some type of a plan for where the finances are going to come after the landfill closes and he'd like to see some type of recommendations this year before the end of the year what ideas would be surrounding that.
- Council members have mentioned historic, he'd like to put his vote in for no. 1 priority being the Old Mill Bridge. It's in dire need of restoration.

Mr. Horiszny said his wish list is:

- Preservation of open space
- Restoration of the Riverside Drive Narrow Area
- Improvement of the 412/Meadow's Road area
- Resolution of the MFS situation
- See us support and emphasize the Saucon Creek Watershed Study. Mrs. DeLeon said we really need to know a status of grants also.

Mr. Maxfield said his wish list was:

- To touch back on a couple of other items people mentioned, the remediation program for existing detention ponds. Our tour we took with Judy showed us some really creative ways to deal with these things. He'd like to set up a library of examples that we could choose from and decide how we want to approach these things.
- Storm water – he would like to look at storm water, not necessarily sub water issues, but sub areas. Different conditions exist in different watersheds – different geology, different soils and have all those work into how we approach it in more of a regional way so we can predict if we are going to have problems and then we can treat it. Attacking the whole regional idea by looking more minutely at the smaller areas so you don't have a blanket treatment for the whole area, but you have more of an individualized area.
- Long term solution for Meadow's Road.
- Acquisition of connecting trail easements through LST. Seeing what's happening in South Bethlehem and they are aiming right towards us and he sees missing RR tracks in Hellertown. He knows they are looking at greenways, and it would be nice if we could begin to look at possible connections from Bethlehem to Hellertown and make a real nice travel way through there.
- Ways to reduce impervious coverage's especially in problem areas.
- Look at historic sites creatively and get some creative uses that will not affect the historicity of the sites.
- Prioritize this list.
- Reducing paper to electronic media

Mrs. deLeon said Jack will bring this back to us and prioritize. Mr. Cahalan will get this set up and bring it back to Council.

Mr. Birdsall said his goal would be to have better use of the official map especially when you begin to hone in on what areas you want to protect for open space and public lands and get that updated.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF FEBRUARY 1, 2006 MINUTES

Mr. Kern said the minutes of the February 1, 2006 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved to approve the February 1, 2006 minutes, with corrections.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Nothing

VIII. COUNCIL AND STAFF REPORTS

A. COUNCIL/JR. COUNCIL

Mrs. Yerger

- She said Ron carefully covered both the DEP and the DCNR proposals for assessment.
- She had an interesting conversation with the firm of Carter VanDyke Consulting. They have worked with various municipalities and are under some of the same constraints we are – looking into rural municipalities and allowing for commercial use, maybe some mixed use, and be sensitive to the township in keeping the rural characteristics. They approach it on a broad base. Not only do they provide architectural guidelines, but what those buildings should look like and take it to the actual streetscape. They would like to come and give a presentation to Council on some of the projects they've done. Council agreed and she can work with Jack to set it up.

Mr. Maxfield

- EAC's last meeting, they talked about the need and desire to ask Council for a hand held GPS unit in order to plot out streams and any features in the future. It would dovetail nicely with a concern expressed earlier about missing streams not on maps.

MOTION BY: Mr. Maxfield moved that we look into purchasing a hand held unit with accompanying software so we can begin to work on this.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

- He would ask that since we have Springfield Source Water Protection Plan, that we would adopt their watershed protection areas into our watershed area map. Mr. Birdsall said it's hopefully what we already have on the zoning map that is in the process of being advertised. We should continue to make sure that accomplishes what you are saying. It could be put on the official map which is land you intend to buy or use for public use.
- He'd like to attend the Watershed Conference on the 24th. Sandy would also like to attend.

Mr. Horiszny

- He attended the Saucon Creek Watershed Assessment meeting last night which was attended by the Lehigh County Conservation District, DEP, DCNR, Upper Saucon, Lower Saucon, Hellertown people, Wildlands Conservancy, and Trout Unlimited. There were a lot of people there in support of a study and use of Growing Greener grant and matching

General Business & Developer
February 15, 2006

grant from DCNR in order to do first an assessment. The assessment is a vital first step and will provide valuable information to the Township about the Saucon Creek Watershed.

MOTION BY: Mr. Horiszny moved to have a resolution to support that study and also that we authorize a letter of support for it as soon as they notify us of what the exact titling should be and who it should go to.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

Mrs. deLeon asked about the cost. Mrs. Yerger said there is going to be some match required from the township, but split out it's not going to be a whole lot. What the township can do is it can be inkind services so they can utilize our GIS system. Maybe you want to wait for the resolution until you know what it will cost. The grant is going to be put in for March 3, so she's not sure how the timing is going to be for that. Mr. Horiszny said that's why he moved for both the resolution and the letter of support now. The resolution wouldn't be needed until April, but March for the letter of support. Mr. Cahalan asked if the information would be ready for the March 1 meeting. Mrs. Yerger said it should be and if you call Rebecca and request that. Mr. Cahalan said if they need a letter of support, you could direct him to prepare that. Mr. Horiszny said they said they'll even send a draft letter. Council directed Jack to send a letter of support.

- He attended the LSA meeting last night and knowing the LST does not want to buy Chapel Lane, LSA decided to go ahead and purchase the land without requiring the Township to purchase it. They indicated last night they are going to go ahead and purchase the land, and then when engineering studies are done, they will submit them to the township and not go forward without the approval of the proper township agencies. Mrs. deLeon said they are just going to hold the land until whenever they are ready, and then they will go through the variance, etc. Mr. Horiszny said the idea is it's an ideal site for a tower to cushion the system and also as a backup supply. But again, probably nothing for ten years. Mr. Davidson said basically what they looked at was they were kind of struggling with the issue of trying to determine exactly what this thing would look like or what would be required in a two year time frame that we've been discussing. It would be very difficult to accomplish that. We really look at this as a long range strategic kind of move probably not required for something in the range of ten years out. Instead of doing a full engineering study now and then having to redo it that far out in the future, it was felt it was probably just to preserve the property and come back and address it at that time. This also gives us an opportunity to talk about strategic issues with the Township. They were more comfortable with this approach. Mr. Kern said he has a challenge with the decision. The reason for the two years was not to address engineering, but pertinent issues regarding the tower. One was potential for future development as a result of the tower being there and where that area of development would occur, if at all. The second issue was the environmental aspect of the tower. He sees very little difference between this tower and the FAA tower that this Council has fought so vigourously for three years. The issues are exactly the same. He's very disappointed. Mr. Horiszny said two years – the land will be there and we'll have the opportunity as a Council to do any studies we would want to do. He agrees we don't need an FAA tower. The development issues as he understands it, the size of the tower is ½ million gallons and it is not anything but aid to the hydrostatic pressure of the system. It doesn't really expand the system, it just makes the system possible and completes the piping we have available to us now. Mr. Davidson said we're more than willing to talk with you and deal with some of those types of issues. Putting a tower there would not be the same thing as adding new feeder lines into the area. It basically makes the existing system operate better and gives some backup to it. They can certainly discuss these things in that timeframe. Their time was almost up on buying this

and that's why they decided to take the action and buy it and then work with LST. It wasn't meant to be non-cooperative. Mr. Kern's further discomfort with the ten year idea is that Council's come and Council's go. Projects get put on the back burner and are forgotten. Ten years from now, who knows who is going to be on Council. In ten years, it could resurface and get passed with out any thought and a tower goes up and it's done. We had a solution. Mr. Maxfield said they have every right to do what they did. We're still going to talk, things have not been cut off. We just don't have the comfort we had before.

Mr. Kern

- We had met with the SV Partnership last week and a minor discussion occurred with crossing guards at SV School District and the fact that Hellertown splits the bill with the school district. We're talking a \$5,000 total. Mr. Cahalan said last year it ran about \$4,000 which the Borough paid. Last year the total amount was \$3,388 for three crossing guards and it was split 50/50. The question came up as to whether LST should contribute to that in any way. His initial reaction was no, because it's mostly kids from Hellertown who are walking. Then after further discussion, it was brought up that LST parents drive their kids and let them off by the school at a crossing guard area and do utilize some of the crossing guards. Should we contribute in any form? Mr. Cahalan said the figures they handed out at the meeting were not for the full year. For 2005, the full amount would be \$10,408. Hellertown paid \$5,204 and SVSD paid the same. For 2006, they are paying \$9.50 an hour plus the Social Security, Medicare, Unemployment taxes for three crossing guards at St. Theresa's, Constitution Avenue, and Walnut Street and Easton Road. The cost for the township, if Council agreed, would be \$4,700 for 2006. Mr. Horiszny said in view of it being a partnership, we ought to do our part, but he questions the same as Glenn did. Is it our kids walking. He's not even sure it would even be right for us to finance a crossing guard in another community. It seems to him it would be a school district expense, but we ought to be good partners. Mr. Kern said that's a good point because if it was a school district expense, then we would be sharing the cost equally through our taxpayers. Mrs. deLeon asked who pays them? Mr. Cahalan said the Borough pays and handles the payments, then they send a bill for the share to the school to be remitted. Mrs. Yerger said can we recommend that the school district pay the bill and then we split the bill with them. Mr. Cahalan said a year ago that issue came up at one of the partnership meetings and Hellertown Borough was asking the school district to foot the bill and the school district didn't take any action on that. Mr. Kern said maybe if LST and Hellertown suggests it, they might change their mind. Mrs. Yerger said she's concerned about LST paying part of technically a Hellertown employee. She's not sure about that. She'd rather see the school district have jurisdiction of that. At the next partnership meeting, this will be addressed.
- He has a request from our township historian to put into motion putting the Old Mill Bridge on the National Historic Register, whatever may be involved with that, the LST Historical Society can assist in any way.

Mrs. deLeon

- At the PSATS conference in April 23 – 26 and she'd like to do the workshop from 1 to 4 on developing a personnel manual and there's an extra fee involved. Leslie will submit her application.
- She received a letter from Northampton County and apparently tonight they are having a municipal meeting for the County's 911 communication system meeting. Her question is if anyone is aware of any problems the dispatching center may be having? Mr. Cahalan said he sent that to Chief Lesser and asked him if he had any issues and communicate them back. Mrs. deLeon asked if Jack would contact the fire companies and police and see if there are any issues. Mr. Horiszny said they were trying to send us to Glenn's street this morning and wouldn't put us on the right channel.

General Business & Developer
February 15, 2006

- She was cleaning and found an old letter from October, Keystone, Gregg Knoll regarding an inquiry about a parcel up on Kistler Avenue. Was that taken care of? Mr. Cahalan said they normally go to the Zoning Officer and he would respond.
- Jack, you got a letter from the City of Bethlehem for unaccounted water reporting procedures. What's that all about? Mr. Davidson said basically they list them so that we know how much water is used. It's a standard form letter that goes out from the sewer and water department.
- Please, please, when we get memos regarding places and events, we need to know the address identifying it as a parcel number. Just a name doesn't tell her anything.

Ms. Rasich

- Absent

B. TOWNSHIP MANAGER

- Orchard View Subdivision paid a rec fee of \$5,586 and at the last meeting they voted to recommend to Council the fund be deposited in the Polk Valley Park Fund.

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

SECOND BY: Mr. Kern

ROLL CALL: 5-0

- FAA Tower – Lehigh University Board of Trustees met last Thursday and Friday. We had sent letters to them about this issue and they took the issue up and discussed it and voted to direct the Administration at Lehigh to send a notice to the FAA to ask them to choose another site for the radar tower. Council thanked Jack for all his diligent letters. Their reasoning behind this was it appears there are other suitable sites for the tower and the university has plans for the future development of that area. Mr. Maxfield asked that an official thank you note be sent to them.
- He has a request from a township resident who lives along Friedensville Road to put a "Duck Crossing" sign along Friedensville Road. It will cost about \$85. There's a group of ducks that cross the road from Society Hill over to the Saucon View Apartments every day and then they go back. Because of the hill, it's hard to see them. Several of them have been killed or injured. This person wrote a letter to PennDOT and they indicated they would consider issuing a permit if the Township on our side agreed to pay for and maintain the sign. The other side is the City of Bethlehem.

MOTION BY: Mr. Kern moved for approval of the duck sign.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. SOLICITOR

Nothing to report.

D. ENGINEER

Nothing to report.

III. ADJOURNMENT

MOTION BY: Mr. Horiszny moved to adjourn. The time was 9:35 PM.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

General Business & Developer
February 15, 2006

Mr. Kern said Council was going into Executive Session to discuss personnel issues.

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council