

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Resolution #37-2010 – Chamber’s Distinguished Service Award to Matey-Medei Agency
- B. Resolution #38-2010 – Phyllis Schnaible Merit Award to Stephen Prager

IV. DEVELOPER ITEMS

- A. Pierpont Slater – 3893 Route 378 - Request to Enter into Maintenance Period
- B. Paul Sell – 1985 Pearson Avenue – Variance Request Relief to Allow an In-Law Suite

V. TOWNSHIP BUSINESS ITEMS

- A. Authorization to Collect Delinquent Taxes
- B. Resolution #39-2010 – Alternative and Clean Energy Grant Program
- C. Council Ratification of Snow Emergency Declaration
- D. Authorize Police Department’s Submission of a Grant Application to the Pennsylvania Liquor Control Board (PLCB)

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of February 17, 2010 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: March 9, 2010
Next Zoning Hearing Board Meeting: March 15, 2010
Next Council Meeting: March 17, 2010
Next Planning Commission Meeting: March 18, 2010
Next Park & Rec Meeting: April 12, 2010

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, March 3, 2010 at 7:03 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

ROLL CALL: Present – Glenn Kern, President; Tom Maxfield, Vice President; Priscilla deLeon, Sandra Yerger, Ron Horiszny, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Brien Kocher, Township Engineer; Linc Treadwell, Township Solicitor; Kevin Kochanski, Township Planner. Absent: Kimberly Kelly, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session between this meeting and the last meeting, but they will be holding a brief Executive Session at the conclusion of tonight's meeting.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert's Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Leslie or Jack or call the Township office. Please state your name and address. If you can't hear, please let us know. You can check the minutes on the website, which is lowersaucontownship.org.

III. PRESENTATIONS/HEARINGS

A. RESOLUTION #37-2010 – CHAMBER'S DISTINGUISHED SERVICE AWARD TO MATEY-MEDEI AGENCY

Mr. Kern said Resolution #37-2010 has been prepared recognizing the Matey-Medei Agency which will be honored at the 88th Annual Banquet of the Hellertown – Lower Saucon Chamber of Commerce on March 13, 2010.

**A RESOLUTION RECOGNIZING THE COMMUNITY
SERVICE OF THE MATEY-MEDEI AGENCY, INC.**

WHEREAS, Bob Matey established the Robert K. Matey Agency in Hellertown in 1955 selling home and automobile insurance; and

WHEREAS, his daughter, Suzie Matey, followed her father's footsteps by joining the agency in 1975; and

WHEREAS, Craig Medei joined the firm in 1995 and in 1997 he and Suzie bought the company from Bob Matey and renamed it the Matey-Medei Agency; and

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WHEREAS, Suzie Matey has been a long-time member of the Hellertown-Lower Saucon Chamber Board, chairing the Light-Up Night Committee, planning and coordinating the Holiday Shopping Spree, and serving on the committee that selects the annual Phyllis Schnaible Merit Scholarship recipient. Suzie is also a member of the Board of Directors for the Saucon Valley Community Center Board and served as a member of the Hellertown Borough Council for four years; and

WHEREAS, Craig Medei has been active with the Saucon Valley Community Center, serving on the fundraising committee for their annual golf tournament for the past fourteen (14) years, and for the past eight (8) years has chaired the highly successful Hellertown-Lower Saucon Community Day; and

WHEREAS, in recognition of this long history of community service to the Saucon Valley, the Matey-Medei Agency, Inc. will be presented with the Distinguished Service Award at the 88th Annual Banquet of the Hellertown-Lower Saucon Chamber of Commerce on March 13, 2010.

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

Mrs. deLeon said she's a member of the Chamber Board and Suzie Matey and Craig Medei are very active in our community and they need to be commended. She said there are still tickets on sale for the banquet.

MOTION BY: Mrs. deLeon moved for approval of Resolution #37-2010.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

B. RESOLUTION #38-2010 – PHYLLIS SCHNAIBLE MERIT AWARD TO STEPHEN PRAGER

Mr. Kern said Resolution #38-2010 has been prepared recognizing Stephen Prager of Lower Saucon Township who will be honored with the Phyllis Schnaible Merit Award Scholarship at the 88th Annual Banquet of the Hellertown – Lower Saucon Chamber of Commerce on March 13, 2010.

**RESOLUTION RECOGNIZING STEPHEN PRAGER FOR RECEIVING THE
PHYLLIS M. SCHNAIBLE MERIT SCHOLARSHIP AWARD**

WHEREAS, Stephen Prager, a student at Notre Dame High School, served as Junior Council Member to the Lower Saucon Township Council during his Junior year of 2008-2009; and

WHEREAS, Stephen continued his participation in Township government by serving as a Junior Council Member to the Parks and Recreation Board during his current Senior year of High School; and

WHEREAS, Stephen has been juggling his Junior Council duties with a full schedule of after-school activities such as the school play and debate competitions; and

WHEREAS, Stephen created an organization called TAG (Technology Across Generations) which teaches email skills to seniors in assisted living facilities allowing them to communicate and connect with distant friends and relatives, and

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WHEREAS, in addition to all of these demands on his time, Stephen also managed to maintain a high level of academic achievement at Notre Dame High School which qualified him for acceptance at Dartmouth College, where he will begin studying International Relations and Politics in the fall; and

WHEREAS, in recognition of these achievements, Stephen will be awarded the prestigious Phyllis M. Schnaible Merit Scholarship Award at the 88th Annual Hellertown – Lower Saucon Chamber of Commerce Award Banquet on March 13, 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to recognize and commend Stephen for receiving the Phyllis Schnaible Award.

Mrs. deLeon said at our meeting, the representatives from the Chamber who went through the various applications were very impressed with Stephen. It was pretty unanimous that he should get this award. They also got a lot more applicants this year as usually it's awarded in June. They decided they would do it ahead of time to get more publicity and sometimes a student is not available to come to the banquet later on in the year.

MOTION BY: Mrs. deLeon moved for approval of Resolution #38-2010.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

IV. DEVELOPER ITEMS

A. PIERPONT SLATER – 3893 ROUTE 378 – REQUEST TO ENTER INTO MAINTENANCE PERIOD

Mr. Kern said the developer has requested a security reduction for improvements completed to date. Hanover Engineering has done an inspection and is recommending a reduction in the amount of \$3,471.17. The remaining \$58,636.50 should be retained as security if Council authorizes the start of the maintenance period.

Mr. Kern said we have a letter from Hanover. Mr. Kocher said they have no objection to start the maintenance period. Attorney Treadwell should incorporate those three items of February 24, 2010 right into the agreement, and then we are okay with it. Attorney Treadwell said he will make sure they complete those during the maintenance period.

MOTION BY: Mr. Maxfield moved for approval for request to enter into the maintenance period for Pierpont Slater – 3893 Route 378.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

B. PAUL SELL – 1985 PEARSON AVENUE – VARIANCE REQUEST TO ALLOW AN IN-LAW SUITE

Mr. Kern said the applicant is requesting relief to allow a relative in-law suite in a detached garage in the Mobile Home Zoning District.

Paul Sell, the applicant was present. He said he built a home at 1985 Pierson Avenue. Tom from Dream Homes built his home. They love it here. On December 12, his father-in-law who had leukemia passed away very suddenly. His mother-in-law lives over a half an hour away. It's really

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rough for him to be there and take care of her. They are requesting to put a mother-in-law suite on top of their garage. Tom, from Dream Homes said that he could get a home built from Muncy and get it to fit right on top of the garage as long as you would approve it and she would have a garage to park her car underneath. His mother-in-law has other children, but they are not as close as he and his wife are. His wife would be here tonight at the meeting, but she's a nurse at Phoebe and she couldn't make it. They are just trying to help his mother-in-law out and be there for her. She's in pretty good health and still works in East Greenville. If she does move up here, she'd like to get job in the Saucon Valley area.

Mr. Kern said before it goes to the Zoning Hearing Board, which is the board that makes the decision; it's just a review process for Council to take a look at it. We can suggest to the Zoning Hearing Board to approve, disapprove or take no action. Mrs. deLeon said the only issue is if we take no action and the Zoning Hearing Board approves it, then later on down the road if it's not used by a relative, what happens to it. That's the only tricky part. It can't be rented out to the public. Mr. Kern said there's really no way to check. Attorney Treadwell said it's an enforcement issue and in the past the Zoning Hearing Board makes that a condition that it's only for a relative and if the Township would discover that someone other than a relative is living there, then it's an enforcement issue. It's written in our ordinance that way, but the Zoning Hearing Board always puts that condition in for these types of situations. Council took no action.

V. TOWNSHIP BUSINESS ITEMS

A. AUTHORIZATION TO COLLECT DELINQUENT TAXES

Mr. Kern said Council should authorize the Manager to direct the Finance Department to forward the 2009 delinquent tax list to Northampton County for collection.

Mr. Cahalan said we received the delinquent tax list and the County is responsible for collecting that, so this action authorizes us to forward that to Northampton County to collect those taxes.

MOTION BY: Mrs. Yerger moved for authorization to collect delinquent taxes.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

B. RESOLUTION #39-2010 – ALTERNATIVE AND CLEAN ENERGY GRANT PROGRAM

Mr. Kern said Township staff has prepared an application for the Alternative and Clean Energy Grant Program for funding for energy reduction and conservation retrofits to Seidersville Hall, Town Hall, the Public Works Garage, the E. House, and for LED lights.

RESOLUTION AUTHORIZING SUBMISSION OF ALTERNATIVE AND CLEAN ENERGY GRANT APPLICATION FOR FUNDING FOR ENERGY EFFICIENT RETROFITS OF TOWNSHIP BUILDINGS

WHEREAS, Lower Saucon Township desires to undertake retrofits of its municipal buildings to increase their energy efficiency and conservation and to decrease operating and maintenance costs; and

WHEREAS, the Pennsylvania Department of Community and Economic Development (DCED) provides funding for energy efficiency, conservation and renewable energy projects for local governments through the Alternative and Clean Energy Program; and

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WHEREAS, Lower Saucon Township, has identified eligible projects in Seidersville Hall, Town Hall, its Public Works Garage, and in the E.House, such as replacement of boilers; installation of windows, insulation and automated control systems that will qualify for this funding; and

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Northampton County, Pennsylvania hereby requests an Alternative and Clean Energy Program grant in the amount of \$178, 996 from the Commonwealth Financing Authority to be used for energy efficient retrofits of Township buildings.

BE IT FURTHER RESOLVED that:

1. The Council of Lower Saucon Township hereby allocates the amount of \$89,498 in municipal resources from its Capital Fund to provide a 50% match for said project.
2. The Council of Lower Saucon Township does hereby designate the Council President and the Township Manager as the officials to execute all documents and agreements between Lower Saucon Township and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant/loan.

Mr. Cahalan said if Council will recall, we submitted a grant application last summer to DEP for the PA Conservation Works!. That was for a grant for stimulus funding to do energy conservation retrofits. We wanted to do that for our township buildings. We did not qualify for that program, and through the assistance of Representatives Bob Freeman and Karen Beyer, they put us in touch with the Deputy Energy Secretary for the State of PA. Cathy Gorman, our Finance Director has been working with that office to identify other sources of funding for these projects. If we are eligible for this grant, we can move ahead with the projects that are listed in the description. For Seidersville Hall, we can replace all the windows, insulation to cut down on infiltration, replace the lights with compact fluorescent bulbs, update some of the other fluorescent lights and also put in motion sensors to make sure equipment is used only when it is required. In the Town Hall Complex, we will convert the existing lighting to a high efficiency system, install motion sensors to ensure equipment is only used when required, do some insulation in the attic portion of the building which is not insulated as it's very cold up there and our sprinkler system is subject to freezing which is important. We also would put in a hot water heat pump system in Public Works and upgrade about eighty of the light fixtures in the Public Works Garage to make it more energy efficient. In the E. House we would put foam insulation in the exterior wall cavities to make that more energy efficient. For our LED traffic lights, we would be responsible for the maintenance of thirteen traffic lights and cross walk signals to reduce energy consumption. With the installation of these items, we estimate it would reduce our energy consumption in these buildings by about 30% which would result in an annual savings of approximately \$22,000 a year. This is the first step to submit this grant. Hopefully we can be awarded the money. The next thing we'll be coming to Council with is an application for funding for a geothermal heating system for this building which would substantially cut down on the electric. Even with the rate we are capped at, we are still spending a lot of money heating this building. Geothermal would be the way to go. We'll come back in a month or two with some information on that.

MOTION BY: Mr. Horiszny moved for approval of Resolution #39-2010.

SECOND BY: Mr. Maxfield

Mr. Kern asked if anyone had any questions?

ROLL CALL: 5-0

C. COUNCIL RATIFICATION OF SNOW EMERGENCY DECLARATION

Mr. Kern said due to a snow event which occurred on February 25, 2010, the Township Manager declared a snow emergency. Per Council Resolution #24-2004, this action must be ratified at the next regularly scheduled Council meeting.

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Mr. Cahalan said he will give a quick update of our winter costs for snow removal. You've seen there are a lot of municipalities, cities, and boroughs who are tapped out because of snow removal costs. We are actually hanging in there. We are not totally depleted. Basically the two big items would be the winter materials and also overtime cost. What we have done on that with the overtime cost is we have used up about 56% of our budget for overtime funding, and we've used up about 62% of our budgeted funds for winter materials. We do have some funding left over. For the materials, after the storm on February 10, 2010, Roger did go out and stockpile some more antiskid and salt, but in this last storm, they used about 240 tons of salt, so that depleted about half of that stockpile. We have enough materials for another storm if we get one; and hopefully, that will be it for the wintertime, and then we do have a cushion left in the budget if we do have storms at the end of the year in November or December. We're okay as long as we don't get two or three more storms, then we are going to be depleting the budget for materials and also for overtime. For overtime, what we've done on that is we proposed to the Public Works crew that they use some of the overtime in comp time and we can schedule the time so it's not a concern. That will cut down slightly on the amount of money that's being spent on that. We also, with the change in the summer hour schedule, are cutting down by a couple thousand dollars on overtime that we would have used to man the compost center. We're trying to keep that down. We're in good shape compared to a lot of our neighbors, and hopefully, spring is here.

Mr. Horiszny said it probably should be mentioned here that we have had compliments from citizens about the job the road crew has done so it's part of the public record. It's been exemplary. There was a lawsuit-size pothole at 2371 Black River Road and he thinks they've already patched that. Mr. Cahalan said they've done a good job and the roads have been cleared fairly rapidly compared to some of the other roads and PennDOT roads and we've had very few complaints. We've had a couple of mailboxes that were knocked over, and we're handling them if we were responsible, as a claim. Other than that, they have done a really good job.

Mrs. Yerger said they have done a good job as she travels through several Townships from her home to work and she can tell you exactly where our Township line ends. They are doing a great job.

Mr. Kern said he was at a soccer event indoor with his daughter and someone from Hellertown asked if we could plow their streets. That's the ultimate compliment.

- MOTION BY:** Mr. Horiszny moved for council ratification of snow emergency declaration for February 25, 2010.
- SECOND BY:** Mrs. deLeon
- Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

D. AUTHORIZE POLICE DEPARTMENT'S SUBMISSION OF A GRANT APPLICATION TO THE PENNSYLVANIA LIQUOR CONTROL BOARD (PLCB)

Mr. Kern said the Police Department is requesting approval of their submission of a grant application that was submitted to the PLCB by the February 25, 2010 deadline for grant funding in the amount of \$3,337.50 which will be utilized for strategies to reduce underage and dangerous drinking.

Mr. Cahalan said they had to submit this by the deadline on February 25, 2010, and it's for funding for strategies to combat underage drinking. They are going to be specifically addressing underage attendees and drinking at Lehigh University football games.

Mr. Horiszny said on page 6, where we checked 10,001 to 20,000 under population, are we officially over 10,000 now? Mr. Cahalan said it's not official until the census comes out. We're at 9,998. Mr. Horiszny said do we need to change that? Mrs. Yerger said it's definitely over 10,000.

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MOTION BY: Mr. Maxfield moved for authorization to submit the Police Department's grant application to the Pennsylvania Liquor Control Board (PLCB)
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF FEBRUARY 17, 2010 MINUTES

Mr. Kern said the minutes of the February 17, 2010 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the February 17, 2010 minutes.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No)

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Ms. Joan Madzarac said she went to the Bethlehem Council meeting last night and before the meeting started, Mr. Donchez, who is the President of Council called her aside and he asked her if she was going to speak and she said yes. He asked her if somewhere in her speech she would ask to request a meeting between Mr. Alkhal, who is the Director of Public Affairs and Mr. Callahan, the Mayor to meet with her sometime to talk about the Bethlehem Fields lights. He said you may not get a reaction, but in order for him to send a memo, she would have to say that, so she said okay. She read what she said: "In the February 24, 2010 issue of the Bethlehem Press, Mr. Alkhal did an interview with Cynthia Underhill, where he stated as Director of Public Works and City Engineer, his duties were to oversee a number of bureaus, maybe too many. If you have been sitting here listening to my complaints about the Bethlehem Fields project all these months and done nothing but put band aids on situation, shame on you. If I am going to come here and allow these lights to continue to light up the interior of our homes, shame on me. We are not going to be held hostage by a light meter. This is not a case of humans against machine. This is real life and you are saying a light meter reading has precedence over what people see, feel, and are telling you. This is a serious problem to us. Please don't take it lightly. It is now ten months and the problem is not solved. Next month is house cleaning time and the heavy drapes will come down from our windows. I believe those lights should also be removed to give us peace and return our lives to normal. Light meters are useless when the quality of human life is at stake and should not be accepted as the final judgment on the intrusion of lights from Bethlehem fields into our homes and property into Lower Saucon. We own our homes and are permanent residents. Bethlehem Fields is owned by absentee landlords and occupied by itinerant residents. Why must we bow down to them? Isn't it enough we have to pick up their garbage and dog excrements, rake their leaves and put up with their using our driveways and lawns to make U-turns. Our police and fire companies will have to answer any call to that project if Lower Saucon residents call 911. You are asking so much from us and all we are asking for is the removal of those offending lights in the parking lots and on Building I. I don't think that is too much to ask for. What we are asking for can end this problem, while what you are inflicting on us will continue forever and that is only part of the problems we are having with that project along Cherry Lane and Easton Road. I won't go into that tonight, so I am asking again that the City of Bethlehem step in and solve this problem as I am told only you can do that. So be a good neighbor to us as we have been to the City and Bethlehem Fields. May I request a meeting with Mr. Alkhal and Mr. Mayor to finally resolve this problem. It has gone on far too long". When she said that, she looked over at the Mayor. She looked back at Mr. Donchez, and he said so noted and thanked her. Mrs. deLeon said they will get in touch with you for a meeting? Mrs. deLeon said Mr. Donchez said he can send a memo, so maybe she and Mr. Cahalan will get a memo. Ms. Madzarac said she warned them that she will come to each meeting and make up a speech each time. Mr. Cahalan asked Ms. Madzarac if she received the

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response from Mr. Donchez on the letter he sent to them? Ms. Madzarac said yes she did. She gave you the minutes from the last meeting. Mr. Maxfield said you are doing a good job. Ms. Madzarac said her neighbor who has a computer sent an email to Judy Ranier, the Manager of that project and they haven't gotten any response from her at all. The Nolan Company is the designer and manufacturer of these lights. If they are not going to block them, they would really like them removed completely. They said they are \$500 each for the lights and they are double globes. They looked it up on the computer and they found lights for \$300. She said that's the story.

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said we have a vacancy on the Pension Advisory Committee for a resident representative. Lou Mahlman, our newly elected Controller indicated an interest to the Director of Finance in filling the vacancy. He asked the Solicitor for an opinion if there would be any conflict and he indicated there would not be any conflict. He's recommending that Lou Mahlman of 3835 Strauss Avenue be appointed to the Pension Advisory Committee to complete the remainder of Fran LaBuda's term which expires 12/31/2010. Mrs. deLeon said that's wonderful.

MOTION BY: Mrs. deLeon moved to appoint Lou Mahlman to the Pension Advisory Committee to fill in for Fran LaBuda's term until 12/31/2010.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Mrs. deLeon said the next meeting of the Pension Committee would have been next Wednesday, but because of the workshop they had to move it to Thursday. Mr. Cahalan said the Pension Committee meeting is on March 11th. He said they've requested a representative for the Police Pension Fund, but no one has come forward, but at least we have two citizen representatives now. Mrs. deLeon said can you nudge the police officers that it would be nice to have a representative there. It's been a while since we've had one. Mr. Cahalan said Officer Koszi was the last representative and it's been over a year.

- Mr. Cahalan said the Police Department has hired another part-time officer, Robert Winters from Fountain Hill. That gives them a total of six part-time officers to fill in for the absences of our full-time officers.
- Mr. Cahalan said we received from the Landfill a copy of the minor permit modification that they submitted to DEP. They are proposing to design a 2-1/2 acre cell along the NW perimeter of the currently permitted disposal area that would tie in with cells 4B, C, D and E. The design includes a mechanically stabilized earth and berm. The creation of cell 4F would result in the elimination of Basin 7 by allowing the gravity flow of stormwater to the east and south into existing basins. He's bringing this to Council to ask them if they would like a review of the minor permit modification to be done by staff or consultants. Mr. Kocher said don't allow the word "minor" to fool you. They think this may be a modification to their land development plan as well because of the stormwater impact, so they may find it has to go to Planning and then back to Council. He doesn't know yet. Mrs. deLeon said you can check with Scott, but she thinks when they wrote that letter before, there was something else in that letter that may necessitate a change in their approved plan. Something with the layers of the liners. As a concept, the Landfill Committee pretty much was supportive of this design because the alternative would be to go down the north slope and they didn't want to do that. They can't tell them how to design their landfill, but this is the berm that was 25 or 30 feet high. Mr. Kern said what's the reason for the modification? Mr. Kocher said it has to do with the direction of the stormwater. We discussed this before and they are moving in the direction we have asked them to move, so it's a good thing, but do you want someone to check and make sure? Mr. Maxfield said he thinks they had questions before about the height of the berm, and the stability of it, so yes, we should have someone review it. Mrs. deLeon said when a basin

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discharges, they were in some violation of a discharge pipe because it wasn't going where it was supposed to go. Mr. Maxfield said he thinks it was something about the angle, it didn't have the proper drain angle or something like that because they rerouted it. Mrs. deLeon said whatever it was, it wasn't permitted, something was keeping it from being permitted and she doesn't remember what it was.

MOTION BY: Mrs. Yerger moved for approval to send the report to the Landfill Consultants and have Mr. Kocher look at it for land development purposes.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

Mrs. deLeon said with a minor permit modification, she doesn't think we get a 30 day comment period. She thinks it's something that DEP, out of courtesy, lets us do. You might want to send DEP an email or a letter saying that we are having our professional staff look at this so they don't quickly make a decision and it's approved without our input. We won't meet as a committee again until May. Mr. Maxfield said they can't jump over our land development process? Mrs. deLeon said no, but there are two different things. They could approve the DEP thing, and it doesn't matter, they've done it before. The DEP regs doesn't state a time. She would feel more comfortable if we left them know we are reviewing it. Mr. Maxfield said we have a time period associated with our land development process, so they have no time period associated with their DEP approval, so if they receive that, then can they move on it, are they able to do that? Can they go ahead and begin construction without even finishing the land development process? Attorney Treadwell said not if it requests them to go through us for land development, which is what Brien is going to look at. With a major permit modification, we get a specific time frame to comment to DEP. With this type of modification, we may not have a comment period. That is why we should send them a letter and tell them we are preparing to comment. With the land development, it depends on what's changing out there. If it's actually changing in the field the way the storm water goes, then we would need to look at that as well. Mrs. deLeon said at the last landfill meeting on February 18, Sam Donato did say he was going to contact Mr. Cahalan to set up a meeting to meet with the staff. Mr. Cahalan said he just dropped off the minor modification and he brought it to the meeting tonight. Mrs. deLeon said as a Landfill Representative if there is a meeting, please let her know when it is. Mr. Cahalan said there's no meeting planned. Mr. Maxfield said is this the one that had alterations to an existing completed cell? Mrs. deLeon said it was Basin 7 up on top. It's up where the old building was. Mr. Maxfield said he thought it also had something to do with the establishment of the cell and where it was being established. He thought they were going to have to modify an old, already completed or under construction cell. Mrs. Yerger said there was some modification up there. Mrs. deLeon said what she is remembering is it's not really changing their capacity because they are swapping. There's no increase. Something tells her the discharge pipe was over or under. Mr. Horiszny said they were going to go under. That was decided against. Mr. Maxfield said the fact that it was on the perimeter, it didn't meet the slope percentage, but we'll find out.

- Mr. Cahalan said the Saucon Creek Watershed Association will be conducting a litter clean up with the students of the Penn State Lehigh Valley campus. They are trying for this Saturday and they are going to do the Rail Trail in Hellertown and Lower Saucon Township and also some streamside cleanups. We'll be assisting them by picking up the trash that is collected. Mr. Maxfield said he thinks that might be a couple weekends from now.

B. COUNCIL/JR. COUNCIL

Kimberly Kelly – Absent

Mr. Maxfield – No report

Mrs. Yerger – No report

Mr. Horiszny

- He said he noticed in PSATs amongst other things that its local government week from April 12 – 16, and we might want to consider having our volunteer appreciation event during that week if we are going to have one. The other thing they mention is an open house and he doesn't know if we want to do an open house of our road equipment, just have it out on the lot shined up for people to see.

Mr. Kern – No report

Mrs. deLeon

- She said the Gaming Commission met on February 22, 2010 and they approved the by-laws, grant criteria and the application for the grants. It's on the website. Thank you to whoever put the links on the Township website. You can see the approved documents. She did ask her questions, but wasn't forwarded a written handout the night of the meeting, so it was very uncomfortable trying to ask questions back, but we all know how the game is played. Unfortunately, she was in the minority. No one saw the percentages or the other way to do it. That was the way they wanted it. She made the point that when we were talking to Boscola's office and looked at the legislation as it was written, there's no caps on the amount of money that the municipality is supposed to get. It's almost like it's an annual. They didn't say that after so many years we're not going to get it. That point has to be taken and has to be remembered because every year the adjacent municipalities are supposed to be given priority. You're not only allowed to get so much money. It's a yearly thing. They didn't write that in the regs, so that's a good thing for the adjacent municipalities. The money, if unspent, will just roll over to the next year and we're trying to develop a budget so we can understand it as an Authority. The county has their own way of doing it. When you look at it, it's not real clear. It doesn't say on one piece of paper that this was the money given by the state. This is the money we got for the quarter. She thinks the county takes out 2% for fees, although she doesn't want to be quoted on that. Then we are going to see if we want a different administration, if we want the County do to it. Mr. Horiszny said you said if the money is unspent, they don't give to us what is owed. Mrs. deLeon said when you say us, Lower Saucon, anybody can submit a grant, then you get scored. Then it's reviewed, and you have to come and make a presentation. If you meet the criteria, then you'll get the money. They are going to have two deadlines each year. Mr. Horiszny said that's for grant money only. The money that is owed to us out of the 60% will automatically come? Mrs. deLeon said they didn't see it that way. Mrs. Yerger said you have to justify your request. Mr. Maxfield said which means you could lose every year. Mr. Horiszny said what happened to the guarantee that Freeman and Boscola put the law into? Mrs. deLeon said you're not talking table games. The table games we're getting that directly. Mr. Cahalan said he's not sure. There's no priority given to contiguous municipalities. The slots were given. They brought Easton to the table and they spread it out between Northampton and Lehigh County and Allentown, Bethlehem and Easton. He doesn't know if the county gets anything or that there's anything in there earmarked for the contiguous municipalities. Attorney Treadwell said there is no guaranteed number for any adjacent municipality. Mr. Horiszny said isn't there a guaranteed percentage of the total slot revenue? Attorney Treadwell said no, there's a guarantee percentage to be divided up, but you have to compete with the other neighboring municipalities for that money. Mr. Horiszny said at one time, was it not guaranteed that 60% of it? Attorney Treadwell said at one time Lower Saucon Township proposed that all of the five contiguous municipalities agree to split all the money 20% each, but nobody went along with it. Mr. Kern said four of them did. Mr. Cahalan said when it got to the county council and the rest of the county heard about the amount of money coming in, then they went ahead with this whole formal authority and they are setting the rules now. Mrs.

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deLeon said when it is time for the pre-deadline you should be able to see how much money is available and just figure it out. They are trying to develop the money part of it. Mr. Cahalan said is the grant application looks like it will be around June or summertime? Mrs. deLeon said yes, that's on line.

- She said on Tuesday, March 9th, the Northampton County COGs will be meeting at Bushkill at 9:00 AM.
- She said Saturday, March 13th is the Chamber banquet. Mr. Cahalan said he will be at the banquet.

D. SOLICITOR – No report

E. ENGINEER – No report

F. PLANNER – No report

Mr. Kern said Council will recess and go into Executive Session to discuss potential property acquisition. The time was 7:55 PM.

Mr. Kern said Council reconvened. The time was 8:36 PM.

Attorney Treadwell said in the Executive Session, they discussed the possible acquisition of conservation easements on the Mease property, the Petrie property, the Shelly property, and the Dravec property.

IX. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 8:37 PM.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn Kern
President of Council