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- 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 #40-2012 – Recognition of Public Works and Lower Saucon Authority Employees for Clean-up of October 2011 Halloween Snowstorm

 - IV. DEVELOPER ITEMS**

 - V. TOWNSHIP BUSINESS ITEMS**
 - A. Zoning Hearing Board Variances – Paul & Karen Kane – 1564 Surrey Road – Variance Request of Side Yard Setback to Construct In-Ground Pool and Concrete Deck
 - B. Approval of Uniformed Contract
 - C. Approval of Contractor Estimate for Repair of Root Cellar at Heller Homestead
 - D. Proposal and Estimate for Gas Furnace Conversion at Heller Homestead
 - E. Approval of Saucon Valley Recreation Partnership Agreement
 - F. Approval of Special Events on the Saucon Rail Trail
 - G. Special Amusements at Township Parks and Historic Sites
 - H. Review of Draft Job Description of Animal Control Officer
 - I. Saucon Valley Compost Center – Recruitment of Volunteers
 - J. Authorize Execution of Community Drug Abuse Prevention Grant Program Grant Application
 - K. Clarification of Direction to Township Staff from IESI Presentation

 - VI. MISCELLANEOUS BUSINESS ITEMS**
 - A. Approval of February 15, 2012 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 13, 2012
Next Saucon Valley Partnership: March 14, 2012 at SVSD
Next Zoning Hearing Board Meeting: March 19, 2012
Next Council Meeting: March 21, 2012
Next Planning Commission Meeting: March 22, 2012
Next Park & Rec. Meeting: April 2, 2012

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, March 7, 2012 at 7:16 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, David Willard and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Linc Treadwell, Township Solicitor. Absent: Jameson Packer, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session just prior to the beginning of this meeting. Attorney Treadwell said the substance of the Executive Session was to discuss the potential acquisition of real estate.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said if you are on the agenda, you have Council and staff's undivided attention for the discussion period. At the conclusion of the discussion period, we do open it up to the public at each and every agenda item, so you have an opportunity to comment. If you do choose to comment, we ask that you use one of the three microphones that you see here as the minutes are transcribed verbatim. We want to make sure we get every word into the record. We also ask that you state your name for the record so the transcriptionist can duly note that.

III. PRESENTATION/HEARINGS

A. RESOLUTION #40-2012 – RECOGNITION OF PUBLIC WORKS AND LOWER SAUCON AUTHORITY EMPLOYEES FOR CLEAN-UP OF OCTOBER 2011 HALLOWEEN SNOWSTORM

Mr. Kern said Council would like to publicly recognize the efforts of our Public Works and Lower Saucon Authority employees for their hard work and dedication in clearing the Township roads of the Halloween 2011 storm debris. What a great job these guys did.

RESOLUTION RECOGNIZING PUBLIC WORKS AND LOWER SAUCON AUTHORITY STAFF FOR HALLOWEEN STORM CLEANUP

WHEREAS, Lower Saucon Township is served by a dedicated group of Public Works and Lower Saucon Authority employees who provide a variety of services to our residents to ensure their safety and health; and

WHEREAS, among these duties are keeping the Township's roads well-maintained and free of snow in the winter and providing sewer and water service; and

WHEREAS, on Halloween eve, October 29, 2011, a nor'easter storm produced an unusually early snowfall across Pennsylvania and the rest of the East Coast dumping snow on trees that were still in leaf, which coupled with high winds collapsed numerous trees throughout the Township; and

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WHEREAS, this tree damage and downed power lines closed twenty-two (22) roads in the Township and caused sustained power outages which lasted into the following week; and

WHEREAS, after seeing to it that all roads were opened within 48 hours, the Township Public Works and Lower Saucon Authority crewmembers began the massive job of clearing the storm debris from over seventy-seven (77) Township roads; and

WHEREAS, four (4) months and 3,472 man hours later, this task has been accomplished without incident or injury, once again ensuring safe travel and restoring the natural beauty to our rural roads.

MOTION BY: Mr. Horiszny moved for approval of Resolution #40-2012.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

Mr. Cahalan said he wanted to give some background while they were showing everyone pictures. It sounds funny to say that our biggest snowstorm this winter was on Halloween. It was back in October 2011 and the snowfall resulted in a white Halloween, which hasn't happened in awhile. There were trees down all over the Township and he showed pictures of what the Public Works crew was faced with. They had to do some plowing of snow. They also plowed trees to the side to clear the roads and get them opened. They had to deal with about 300 to 500 trees down in the Township. There was a total after they got done assessing it of 77 roads that had some form of debris. Some were worse than the others. We reported to you on November 2, 2011 that it was going to take them until springtime to get those roads cleared. He's happy to report that as a result of the hard work of these guys, both from the Public Works Department and the Lower Saucon Authority crews who do help out, all 77 roads are clear and they hopefully have restored the safety and natural beauty that was there before. He introduced the members of the Public Works Department: Rich Baran, Dennis Koehler, Gary Kichline, Neil Henn, Kevin Yeakel, Glenn Davis, Pat Connelly, Steve Yotter, Ty Johnson and Gary Trittenbach. Our Roadmaster Ken Luybli is here and our Director of Public Works, Roger Rasich. From the Lower Saucon Authority, Bill Reccek, Nate Frey, Toby Weaver, Lawrence Carl are here. Gar Davidson is also here.

Mr. Kern said thanks again for all your hard work.

IV. DEVELOPER ITEMS – None

V. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES – PAUL & KAREN KANE – 1564 SURREY ROAD – VARIANCE REQUEST OF SIDE YARD SETBACK TO CONSTRUCT IN-GROUND POOL AND CONCRETE DECK

Mr. Kern said the applicant is requesting a variance to construct an in-ground pool and concrete deck 20 feet from the property line. The required side yard setback is 30 feet.

Mr. Kane was present. He said he lives on Surrey Road and he would like to install an in-ground pool on his property. He's requesting a variance for 20' from the property line versus 30' that the ordinance requires. The reason he's requesting this is that the sewer line from his house to the Bethlehem sewer line actually runs through his back yard and is slightly offset from the center of his front yard. That prevents him from putting a pool in the middle of the yard or within the boundaries as defined by the ordinance. He needs to move it from one side or the other side. The side he's moving it to would require a 10' variance. The other option may require a 5' to 7' variance. The variance he is requesting would keep him in line with the building. His house is 20'

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from the property line. It was built there under some prior code. The pool would be no closer to his neighbor than the house is. He can't move it further back as he would impede on the Black River Creek that's in the back yard and there's a setback requirement on that. He can't move to the side because he, the engineer and the pool person are concerned about getting too close to the sewer pipes so they don't create a disturbance there or create a problem for the sewer line. He's being pushed in on both sides.

Mr. Kern said before it goes to the Zoning Hearing Board, Council can voice an opinion to support, oppose or take no action. Does Council have any comment?

Council took no action.

B. APPROVAL OF UNIFORMED CONTRACT

Mr. Kern said the Police Officers have ratified their contract and it is now before Council for approval.

Mr. Cahalan said the contract that the Township negotiated with the Police Officers Association is before Council for approval tonight. The ratification was completed by the Association on February 29th. The agreement runs for three years from January 1, 2012 until the end of 2014. It includes raises of 2.2% in 2012; 2.5% in 2013; 3% in 2014; increases in longevity; premium pay in the uniform allowance; and an increase in the life insurance coverage for the Officers.

Mr. Kern asked if there were any questions by Council or in the audience? No one raised their hand.

MOTION BY: Mr. Maxfield moved for approval of the uniformed contract.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

C. APPROVAL OF CONTRACTOR ESTIMATE FOR REPAIR OF ROOT CELLAR AT HELLER HOMESTEAD

Mr. Kern said the Township received an estimate from deGruchy Masonry Restoration for repairs to the interior of the Root Cellar at the Heller Homestead. The work will involve filling in the voids in the ceiling with natural hydraulic lime and sand mortar and applying two (2) coats of whitewash on the entire interior stonework. The proposed repairs have been reviewed and approved by the Pennsylvania Historic and Museum commission (PHMC).

Mr. Cahalan said the estimate and the letter from the PHMC is in your packet. There was a visit conducted out at the site back several months ago. Mr. deGruchy sent us an estimate for this work and we're recommending approval of that repair work for the Heller Homestead.

MOTION BY: Mr. Horiszny moved for the approval of the contractor estimate for repair of root cellar at Heller Homestead.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone in the audience had any comments?

Mr. Maxfield wanted to know if the natural hydraulic lime was imported? Someone asked the amount? Mr. Cahalan said the amount is \$2,470.50 to deGruchy Restoration, located at 266 Rockhill Road, Quakertown Road. Mrs. deLeon said if anyone is interested in looking at the root cellar pictures, you can go on the Saucon Valley Conservancy's website and go to photo

album and scroll down and you'll get to the root cellar. It's all stone inside and it's beautiful. She wants Mr. Cahalan to let her know when Mr. deGruchy will be out there. Mr. Cahalan said okay.

ROLL CALL: 5-0

D. PROPOSAL AND ESTIMATE FOR GAS FURNACE CONVERSION AT HELLER HOMESTEAD

Mr. Kern said the Director of Public Works has obtained an estimate from Tru-Comfort, our HVAC contractor for the conversion of the oil furnace at the Heller Homestead main house into a natural gas burner. This conversion, which would hook into the UGI line on Friedensville Road would decrease the amount and cost of fuel to heat the building and would eliminate the incidents where the fuel supply exhausted due to missed oil deliveries.

Mr. Cahalan said he put this on the agenda so Council could see it, but he's not prepared to make the final recommendation as they are still waiting for information and cost estimates from UGI. He also needs to correct what he believed the information to be was that it could be hooked into Friedensville Road. He understands now that the line is in Society Hill, and that's the nearest line and they have to go from the rear of the Heller Homestead and go up to the closest connection at Society Hill. We need to get some information from them about that and he needs to get a cost estimate. This will give you an idea of the cost of \$2,776.00 to convert the existing burner to gas if the UGI hookup is reasonable. He can bring this back at another meeting as soon as he has the information. This would be less expensive to heat the building and would provide an interruptible supply of fuel. We wouldn't have to worry about one of the suppliers failing to go in and do a refill, which has happened out there.

Mrs. deLeon said she'd like to add a few things to Mr. Cahalan's list since this isn't ready for a final recommendation. She's been talking to several people and she knows nothing about this, so please bear with her. There's supposed to maybe be a new chimney liner? Mr. Cahalan said that is something he will look into. Mrs. deLeon said that's a concern they have. She had asked for a list of inspections and repairs going back several years from the Township regarding the existing furnace and she has not received that yet. Mr. Cahalan said Cathy had that this morning. He looked at it and she had to make some corrections to it. There is information on there that was not correct. It indicated there was a service contract for the entire complex, but he believes that contract was for the Widow's House only after the heat pump was put in. The Heller House furnace was not added to this contract until 2006 or 2007. She's correcting that and she'll get it out to everyone. Mrs. deLeon said it's also very important that we find out whether the existing furnace is efficient enough to make that switch. If it's not efficient, then switching it to another type of fuel isn't going to really save money. It's going to save money with the different fuel, but not if it's not running properly. There are some things going on as Jerry Holum, who is in charge of the maintenance at the Homestead, said he was there today and there's only a one-sixteenth of a tank of oil left. Their last delivery was on February 2nd, and they delivered 244.5 gallons, and we hardly used the Homestead in February. They are down to a 1/16th of a tank. Mr. Cahalan said they will look into that and see if the meter is not reading it correctly and will get an answer on that tomorrow. Mrs. deLeon said the Saucon Valley Conservancy is non-profit and they have to pay these costs. She doesn't know what happened to it. She said for Council's information, she had Cathy Gorman pull up a chart of expenses and last year total of fuel, water and electricity for both house at the Homestead totaled approximately \$4,190.00. That was their costs to be at the Homestead. Last year the fuel was \$1,571.13 and this year-to-date, it's \$893.00, not including this next bill. It's bad times for everybody and harder times for non-profits.

Mr. Maxfield said he has a question about gas as opposed to oil – considering a lot of times no one is there at the House, is safety a concern at all? There's not going to be anybody there to know if the furnace shuts down.....Mrs. deLeon said thank you, Tom. Following up on that, what

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happened was on February 2nd, fortunately, the Conservancy had a meeting scheduled at the Homestead and they showed up. Tru Comfort was there replacing a part to the furnace, the water pressure valve that had blown. They couldn't figure out why the furnace wasn't on. That was the coldest night, and if Tru-Comfort wouldn't have been there and the Conservancy hadn't been there for a meeting, they would have had broken pipes as it was freezing cold in there by 10:00 am in the morning. They have something at their vacation home that is hooked up to the phone and if it goes below a certain temperature, this device automatically calls a phone number. She had suggested putting in something like that so if no one is there and the temperature dips down, then the Township would be notified, is that what you're talking about, Tom? Mr. Maxfield said he just was talking about the tendency for gas explosions in the past or gas building up in a structure once the burner goes off or we lose power. He's not sure how these systems work. Mr. Cahalan said they have gas here in Seidersville Hall and that's not occupied 24/7 and then in the Public Works garage, the same thing. There are safety features on these systems. What Mrs. deLeon is talking about is a monitor that would alert people offsite if the fuel runs low or you could also have it alert you if the temperature drops, if there's water in the basement, or those types of things. We can install something like that, but what we felt was converting to gas with what the cost of gas is, it would be much cheaper for them to heat the building and he will find out if the current furnace is efficient. This is the way to go if you are going to heat it, and the system will work, it will be safe. Mr. Maxfield said he honestly didn't know if there were safety concerns. If you feel safe with it, it's okay with him. Mrs. deLeon said the phone device is \$100.00. Mr. Cahalan said the one Roger was looking at actually was from Tru-Comfort and it was almost \$1,200.00. We can come up with other ones. They will look into it. Mrs. deLeon said luckily they were there that day as they ran out of oil the beginning of the season, and they were there two times. They are supposed to be on automatic delivery and it doesn't happen sometimes.

Mr. Willard said the installation notes, No. 4, is removal of existing oil in the old storage tank of which he understands isn't much now, and removal of the existing oil tank is not included in this proposal. This would be an additional cost, so when you bring it for approval, we'll know that cost as well? Mrs. deLeon said right. The other thing is she was planning if we decide to do this, do it when they don't have a 300 gallon full tank. Then what do you do with the fuel that hasn't been used? Mr. Cahalan said you off-load it. They did that in Seidersville Hall. You put it in a temporary storage tank or they take it back. They can arrange that so the Conservancy doesn't have to pay. Mrs. deLeon said or reimburse them back again. She just doesn't understand where that oil went. Mr. Cahalan said they will find out tomorrow.

Mr. Cahalan said a couple of quick updates on the Heller Homestead besides the gas furnace, the roof issue, the flat roof in the back, the purchase order for that repair has gone out to Alan Kunsman, and that was approved previously by Council and they should be out doing that repair within the next two weeks, weather permitting. We have to notify Hanover Engineering as they want to come out and inspect while that repair is being done. The window and door painting bid, they put that out to bid sometime ago. They will be opening those bids this Friday, March 9th, and they will bring the bid results to the next Council meeting. There are several bids that have been dropped off.

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

Mrs. deLeon said they need to call the oil company again. Mr. Cahalan said if you are out, definitely. Mrs. deLeon said she wants to let Jerry know so he can be there.

E. APPROVAL OF SAUCON VALLEY RECREATION PARTNERSHIP AGREEMENT

Mr. Kern said this agreement, which forms the Saucon Valley Recreation Partnership for the purpose of exploring joint recreation opportunities between Lower Saucon Township, Hellertown

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Borough, and the Saucon Valley School District, was previously reviewed by Council and Council's recommendations have been incorporated into the final document.

Mr. Cahalan said the document we gave you shows the markups with the recommendations that this Council made for this agreement. It had to do with the representation, the quorum at a meeting, and you asked that it be indicated that the group is acting in an advisory capacity, and that the expenditure of any funds by the Partnership will require approval by each of the public bodies. That language has been added to the marked up agreement. If that is satisfactory, this agreement has already been approved by Hellertown Borough and the school district. It's waiting on Lower Saucon Township approval.

Mrs. deLeon said say the entities give the Recreation Committee money, and she's just comparing this to the Partnership. They would have a checking account. Since it's public money, do they need to be audited then? Now we have another entity spending public money, and they are not really audited. The Partnership is really not audited either. Mr. Cahalan said they now have an account for the Rail Trail Oversight Commission and that is something that you may want to consider. Mrs. deLeon said she thinks we have to look into that. We had talked about something at the Partnership meeting and Ed had wanted to pay for, something with the emergency call system, and she said why should the Partnership pay for it when the three entities can just split the money and pay it with a paper trail from them rather than the Partnership. A flag went up, so we should look at it. Mr. Cahalan said we can get a cost for those as she's sure it would be a very simple audit and much less cost than it costs for all of our accounts at the Township. We can come up with that cost and bring it to these groups and let them see if they want to support something like that. Mrs. deLeon said it may not even be necessary. Mr. Horiszny said it seems that since they get the money from us, and we're audited, that they are indirectly audited. It can't go crazy or it would show up in our audit. Your approving the expenditures, that's correct and that is tracked by our auditor from our account. Mr. Kern said our auditor actually tracks that it was spent by the Partnership? Mr. Cahalan said Cathy manages the account, so we have all the invoices and they are matching each of those to the expenditures, so yes, it is monitored. Mrs. deLeon said it doesn't mean the people we are paying spend the money. She's assuming they will, but there's no guarantee. Mr. Cahalan said all we have is an invoice for anything we buy, if they give us the product and service, they can do with what they want with the money. Mrs. deLeon said we are creating these boards, so there has to be some kind of paper trail.

Mr. Maxfield said on page 2, his questions are with Nos. 13 and 14. If an additional municipality wishes to become part of this subject, the municipalities shall submit a request. He's not sure how that process happens. If that's where an additional municipality would take the step to say we want to belong. We wouldn't be shopping for anyone for usage of other fields or anything like that? Mr. Cahalan said no. Again, this document does not commit you to do anything other than to continue to have your representatives continue to meet and discuss and explore opportunities. Basically at this point what they are exploring is to see whether they can use the athletic fields in Hellertown and Lower Saucon on a regional basis, which is basically what's going on now; and also to look into scheduling those fields from a central source of, and also maintenance. It doesn't commit you to do anything as far as our properties or parks athletic facilities. They are still maintained by the individuals municipalities and school district. If another municipality, such as our neighbor Upper Saucon, was interested in joining and they felt that there was some mutual benefit for them, they could approach us. Similar to when Northampton County approached the SVP and said they wanted to be a member and they submitted something and it was considered by the majority. It had to go to each of the municipalities for approval. Mr. Maxfield said No. 14, he knows as you are saying now, this isn't obligating us to anything but meeting. If a party was to withdraw from the agreement, this doesn't really say like in the future if you are scheduling fields for instance, it is assuming your fields in your municipality would come with you if you withdrew? Mr. Cahalan said they would stay with you. You're not ceding any ownership to this body. It strictly remains with the municipality and the school district.

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Mr. Willard asked how long this would be activated and have we selected our representatives? Mr. Cahalan said yes, we have probably been meeting for about a year. He and Glenn are appointed by Council as the representatives to this group, and there are two or three representatives from Hellertown. Bob Frey is the representative from the school district and we've been meeting for over a year. Mr. Kern said this is just a formalization of those meetings.

MOTION BY: Mr. Horiszny moved for approval of the Saucon Valley Recreation Partnership agreement.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

F. APPROVAL OF SPECIAL EVENTS ON THE SAUCON RAIL TRAIL

Mr. Kern said the Saucon Rail Trail Oversight Commission has drafted a Special Event registration form which they would like to use to register and review events that will be held on the Saucon Rail Trail.

Mr. Cahalan said the Oversight Commission was formed last fall. That includes representatives from Coopersburg Borough, Upper Saucon Township, Lower Saucon Township, and Hellertown Borough. We approved an inter-governmental agreement which sets down their duties and responsibilities. They have been receiving two or three requests for events such as races, primarily, bicycle races and tours on the Rail Trail. In order to review those requests, we put together a special events registration form which mirrors the form that the Township uses to approve special events on our parks and athletic fields. He gave Council a copy of the special events registration form. It's just in its beginning stages. It gathers information about the event, where it would be held, how many people would participate, where would they enter the trail, where would they park, and it runs through all of those items that are needed. What he is bringing it to Council for is to discuss with you that this form would gather the information and bring it to the Saucon Rail Trail Commission for their review and approval if that is okay with Council. What he pointed out was that they are capable of doing that as these events will only be foot races, bicycle races, or could be cross country skiing races. It will only be on the Rail Trail. They will make sure that everything is taken care of as far as the event proceedings and any trash or other things would be cleaned up afterwards. They can do a good job of monitoring these events if they are able to approve them. What he's asking is does Council want to retain the right to approve each of these requests? If you do, and that's done by all the four municipalities, then logistically, an event request would have to go through five different steps before it got approval for the event which might be daunting for some organizations. He's recommending that the Saucon Rail Trail Oversight Commission be allowed to review and approve these events on the Rail Trail, subject to meeting all of the conditions. Mrs. deLeon said she would go along with that, but with the provision that they would have to provide Lower Saucon, and she doesn't know about the other three, with a copy of approval within so many days and you could circulate it to Council. If they have a question, they can answer it. There should be some kind of leeway, but if they meet the guidelines, that's what they are asking for, and there shouldn't be a problem then. She asked if the Rail Trail was going to be open or these events going to be happening while other people are walking the trail. Mr. Cahalan said some of them can be held without any disruption to the rest of the trail users. They anticipate that someone may come and say they want to do a 5K and then the following year the race could get bigger and bigger in popularity, so there may be an event where we may have to have monitors at each of the crossings. You may have to have the gates open in order to let people through. Mrs. deLeon said should that be added to this? Mr. Cahalan said he thinks we can. It does say that in there. It asks them for a description of these activities. He thinks the Rail Trail Oversight Commission can look at these on a case-by-case basis and can make a determination about how much monitoring is needed and whether there's any police presence needed, anything like that, which we would do in the Township for a sports event at one of the parks. Mrs. deLeon said when we started about the trail, she envisioned things like this, but she wouldn't want it to be

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happening all the time so people couldn't use the trail. Mr. Cahalan said he doesn't think that's going to be the case. There's going to be events with participants, and again, if it grows into a big scale, then that's a whole other animal we'll have to look at and come back and discuss.

Mr. Maxfield said he has a couple of concerns. One is he doesn't know that it's so important for us to know what's going on there, but he's really concerned about the communication to the public. If the public goes down to use the facility and there's an event going on where the trail is restricted, how are they going to find out? He thinks we need to build a communication system into this or specifics into it so the public knows what to expect on the trail any given day. Mr. Cahalan said currently the Rail Trail has a Facebook page which has a lot of users. You can go on Saucon Rail Trail, Facebook. They are also close to signing a contract with a website developer to create a website at www.sauconrailtrail.org. All of this information will be on there. In addition, there will be kiosks and bulletin boards at each of the trailheads that will alert people if an event is going on. There are some events that are being held close to the trail and they are trying to alert people about them. For example, at the Sportsman's Club in Upper Saucon, is having a turkey shoot coming up and we're putting out information about that as people are going to be coming along the trail and hearing guns being fired. We wanted to let them know. If there is something where the crowd is a little bit larger, we would ask that the event have monitors at each of the trailheads and crossings so they could assist with the movement of the race. Normally a race or an event like this is over usually in a half an hour to an hour. You aren't talking about something that runs all morning or all day.

Mr. Maxfield said this may not be popular with everyone on Council, or even with the other municipalities, but he doesn't want to sit here and say it's okay. He would like for us to have some sort of time scale built into it, not that we have the ability to approve, but we have the ability to deny. There may be something that happens that may be a little onerous for our Township, but not for any of the other Township's and they may think it's just wonderful and fine, and it may be a problem for us. Is there some way in there that we could go hold it, and put a brake on it and say we need to look at it a little closer. He doesn't want to build enormous amounts of time into it either. Maybe again, it falls under that communication thing we were just talking about. It could even be an email alert to everyone so they could say I have concerns about this or whatever. Mrs. deLeon said we can't really vote on emails. Mr. Maxfield said he's not saying vote. It would come to your attention on email. Mrs. deLeon said you're expressing your concerns in an email. Mr. Maxfield said you are taking what he said totally wrong. He said communication of events that are approved, submitted by emails to members so that if there is anything you are concerned about, you are alerted to it. He didn't say a darn word about voting, about anything. Mrs. deLeon said you said that we would be able to send our comments by email then. Mr. Maxfield said he did not say that. Mr. Willard said he thinks they both took the same position that maybe we want to reserve the right to approve it, so he'll take the opposite position that the Saucon Rail Trail Oversight Commission should have the approval rights and we should be notified. If any issues arise from that, we could review it, but he thinks that's what we put them in place for. To say we have a right to refuse it after they reviewed it, is saying we have the final approval, so he'd like to start this process giving that responsibility to the Rail Trail Oversight Commission.

Mr. Maxfield said he personally does not want to give that up. He thinks it could be a problem and he doesn't want to give up the ability to deny an event that could be a problem. Mr. Cahalan said speaking from a legal sense, you have complete ownership of the leased property in the Township, so any event on any part of the trail or in any park, you have final approval or denial of that event, no matter what the Rail Trail Oversight Commission says. Mr. Maxfield said how do we get notified? Mr. Cahalan said we can make sure we're asking people to send this to us at least forty (40) days before the event. Mr. Maxfield said he would also expect if we have communications to the public, that if the public had a problem with something occurring, like a huge race next to their house, that they would have an avenue for expressing their concern too. Mr. Cahalan said what they've been doing is putting it on the agenda for the Rail Trail meeting that is posted publicly for a meeting and this event would be on the agenda and the person can come, and people have come,

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and Jerry is on the Oversight Commission. They let us know what they feel about an event or an activity. That's what that's for. Mr. Kern said if there are issues, we can always change. Council can vote to have oversight. We can trust them in the beginning and if everything is fine, it's fine. If it's not, we can take over and change it. Mr. Maxfield said he kind of thought about it the other way, test the water first, and if it works, then go to them and give approval. He likes to see the wisdom in any way. Hand it over and not know what we're expecting at this point. Mr. Cahalan said he can let them know what is going on if that's what your concern is. Mr. Maxfield said not us, he wants the public to know what's going on there all the time, so everyone has the opportunity to express their concerns and support.

Mrs. deLeon said our website for the Rail Trail, we can put events up there on the front page. Mr. Cahalan said we've been hosting the Rail Trail information, primarily the agenda and the minutes. He doesn't know what we're going to do in the future once there is a separate Rail Trail website. We could link to it and see. Mrs. deLeon said there's an opportunity for the public to become aware. The agendas are public. The kiosks would provide the information. She doesn't know how other Rail Trails operate, but to her, that would make sense.

Mr. Cahalan said he understands Council's direction is the Oversight Commission would have your approval to review these events and approve them and keep you in the loop as far as communication.

MOTION BY: Mr. Horiszny moved that the Saucon Rail Trail Oversight Commission has Council's approval to review event requests and approve those event requests subject to keeping Council and the Township in the loop about these events and Council reserves the right to deny an event that they don't support.

SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any comments? Mrs. deLeon said that's not what we talked about. Attorney Treadwell said he doesn't want to put words in anyone's mouth, but he thought Mr. Willard said that's not what he wanted. He didn't want the denial option at the end. Mr. Maxfield said then we have to decide what we want here. Attorney Treadwell said you need to discuss it and vote on it so there's a clear direction to the Rail Trail Commission. Mrs. deLeon said she thinks that based on this event, they have rules to follow. Mr. Kern said as Mr. Willard had stated, they will be following those rules and they will make a decision based on those rules. They will keep Council informed prior to the event as to what the event is and what the event specifics are. If there are issues in the future, then that's when Council can take control. Mr. Willard said it's a matter of trust and control and we can play it either way. He realizes it's a relatively new body and we have the ultimate responsibility. He still thinks we should try it this way and let them do what they were chartered for. Mr. Kern said that was your motion? Mr. Horiszny said his motion was to have the Saucon Rail Trail Oversight Commission have the ability or the permission requirement to review and approve events and inform us prior to the events occurring.

ROLL CALL:

MOTION BY: Mr. Horiszny amended his previous motion and stated that the Saucon Rail Trail Oversight Commission have the ability or permission requirement to review and approve events and inform us prior to the events occurring.

SECOND BY: Mr. Willard
Mr. Kern asked if anyone in the audience had any comments? Mrs. deLeon when you said notify us, you mean after they approved it, just to notify us that this event is happening, but we don't have the ability to go back and say we don't want this to be, then we're going against to what we told them to do. Mr. Maxfield said do you really want to give that ability to them? Attorney Treadwell said he thinks, and this might go back to what Mr. Cahalan said earlier. Because you actually have the right to approve everything on that Rail Trail because you lease it, the portion that's in Lower Saucon Township, you always have the right to say no. What

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you are giving to the Rail Trail Oversight Commission is the ability to make those decisions and he would guess that the only time that this Council would exercise the right to say no is if you would see something that you found highly objectionable. Mrs. deLeon said if they meet the requirements, then she's trusting them until something happens that comes to our attention. Basically that was Mr. Horiszny motion. Mr. Maxfield said the way the motion was stated it basically took away our ability to say no and Mr. Cahalan and Attorney Treadwell is telling us that we have that ability. He wants to make sure we have that ability. Mr. Kern said we do. Mr. Maxfield said that's not what the motion is saying. Attorney Treadwell said the motion had nothing to do with your ultimate ability to stop anything from happening on the Rail Trail. You always have that. Mrs. deLeon said they can override the Commission if they want to. Mr. Willard said he'll withdraw his second and reverse it for this reason to say that we're going to have final approval means that all the Oversight Commission does is review the forms. Everything comes to us. If we want to keep that ultimate control, until we see the first several events, he'll certainly bring it up again, if we needed to keep the control here. He feels it's denigrating the Oversight Commission to say you can't approve them, all you are going to do is review them. That's where he was coming from, but he can take it either way. Attorney Treadwell said he thinks it was fine to say to the Rail Trail Commission that they have the ability to review and approve special events - period. As a Council, you know that you always have the ability whether you make a motion or not to stop it. Mr. Kern said exactly. Mrs. deLeon said Mr. Horiszny's motion was technically adequate and Mr. Willard's second was technically adequate. Whenever they make a decision, they have to inform us of that decision. Mr. Willard said he'll reinstate his technically adequate second. Mr. Kern said Mr. Horiszny's motion stands and Mr. Willard's second stands. Mr. Kern asked if anyone in the audience had any comments? No one raised their hand.

ROLL CALL: 4-1 (Mr. Maxfield – No)

G. SPECIAL AMUSEMENTS AT TOWNSHIP PARKS AND HISTORIC SITES

Mr. Kern said due to the requests to hold pony rides on Township parks and historic properties, staff is asking for direction from Council on the approval of these special amusements at these sites. The Township Parks and Recreation Board will be meeting on March 5, 2012 to review this and make a recommendation.

Mr. Cahalan said he put this together because of requests for pony rides at the Heller Homestead area that Saucon Valley Conservancy leases and also the Lutz-Franklin Schoolhouse that the Lower Saucon Township Historical Society leases. They would like to hold pony rides at their events. He wanted to put something down and he's calling it special amusements at these locations. It's not covered currently under the special events policy that you adopted, that's primarily for sporting events, and Boy Scout campouts, Civil War encampments, that type of thing. Also, the Township ordinance you adopted for the parks prohibits horses and horseback riding. The pony rides, petting zoos, inflatable play amusement such as moon walks, waterslides, etc., dunking booths, and climbing walls, etc., could be requested at some point by these organizations and he just wanted to get some direction from Council on how you would like to handle those requests.

Mrs. deLeon said she has something funny to say. The ponies, anything dropped would go into the herb garden, so we'd have a use and wouldn't have to be disposed so far.

Mr. Horiszny said he thinks it's a good idea to have the policy and forward thinking to include things like petting zoos and inflatable's and dunking booths, and climbing walls. He thinks we should have that. Mr. Cahalan said he wanted to cover all the bases on these types of amusements. He wanted to find out if Council would approve this type of activity, and have it regulated by the Special Events Policy. You would have to waive the restriction on horses and horseback riding that's currently in the park ordinance. We also would have to come up with areas designated on

these properties where you would allow these amusements to be placed and to be operated. That's something we can work on if you are comfortable with this type of policy.

Mr. Kern said he doesn't consider pony rides, horseback riding by any means. A one-day event of a pony ride is not a big deal. Mrs. deLeon said what about antique car shows and things like that, would that fall under this? Mr. Cahalan said that could be added to it. Mrs. deLeon said can anyone think of anything else? No one had any suggestions. Mr. Cahalan said if you are comfortable with that, he will come back with an amendment to the Township Special Events Policy that includes a section to address these types of amusements and review that and approve it. He's not sure, maybe Mr. Horiszny or Mrs. deLeon know, does the pony rides you are asking for need approval tonight or can that come back? Mr. Horiszny and Mrs. deLeon said no. Mr. Cahalan said he'll bring those back also then.

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

H. REVIEW OF DRAFT JOB DESCRIPTION OF ANIMAL CONTROL OFFICER

Mr. Kern said the Manager will update Council on the developments with our animal control agreement with the Center for Animal Health and Welfare and will review a draft job description for a Township Animal Control Officer.

Mr. Cahalan said he reported previously that the Center for Animal Health and Welfare mandated in their 2012 agreement that they sent us that we allow residents to drop off stray animals at the shelter and that we also allow the drop off of both cats and dogs. This was disappointing as it was a step back from the policy we had in place since 2007 where we restricted these drop offs to just Police Officers and to just dogs. We do have a Trap, Neuter and Return program that's been in place in the Township that deals with feral cats and that's been working well for at least five years. They had to reluctantly recommend that you approve that agreement. We did that and sent it back and put some extra money in the budget because the cost of the animals went up to \$150.00. Luckily, they have not had that many stray animals, dogs, and very few cats, so the cost has been contained so far. He happened to see an article in the Express Times about a month ago that said the City of Easton had reached an agreement with the Center that would allow their Police Officers or Animal Control Officers to drop animals off at the Center. He wrote to the Center and asked if they could give us equal treatment. We wanted to do the same thing. He heard from Mr. Dan Roman from the Center on August 13th, and he basically told me they would agree to that. That is, we could go back to restricting the drop offs to Police Officers and to just dogs only. Mr. Cahalan explained to him what we have with the Trap, Neuter and Return program. He was glad to hear that. He's waiting for a revised agreement to come. He called Mr. Roman today and was told it's going to be mailed this week. When it comes in, he will bring it to a Council meeting for approval and that will restore us to our previous policy which gave us control over stray dogs. The one thing that did concern him, and he sent Council a copy of the write-up of the email, was that Mr. Roman described a Center that seemed to be bursting at the seams with animals, and he indicated they can only accept small dogs at this point, which they put in crates in the hallways of the facility. He also said the Center doesn't accept any funding from the State because they would be required to accept all stray animals that are dropped off. The problem with that is they are the only facility that is approved by the State in Northampton County to accept stray animals. He's not sure what their funding is, but not accepting it, cannot be good for their financial viability. He also sent Council a copy of an article that came out this week about the preparation of the 2012-2013 State budget, and that indicated that the State raided \$4 million from the fund that should be used for dog enforcement. They are using it for other purposes. What it looks like is that both at the State and locally there aren't too many solutions available for us as far as dealing with stray animals. We have to protect ourselves and do something that we can control. One of the things he's suggesting is that we consider having an Animal Control Officer who works for the Township, who could augment the services we are getting from the Center now and if the Center goes out of business, or

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as Mr. Roman says, has a hiccup and has to shut down, we have something to fall back on. He put a draft job description in the packet for an Animal Control Officer. What they are looking for is a Township resident who has property and who has kennel facilities on the property where they could care for any animals that are picked up by our Officers until the owner came and retrieved them, or after the 48 hours if they are not claimed, then they would turn them over to the Humane Society or the SPCA. Mr. Kern said how many facilities like that currently exist? Mr. Cahalan said in the Township, he doesn't know, but the Chief had been in touch with one gentleman who does have a facility like that. It's something that he thinks we need to explore rather than having something here at the Township. That's another option - to build a pen similar to what Hellertown did at our PW garage. Upper Saucon has something like that, but you will still need someone as our Police Officers cannot care for the animals 24/7. You'd need someone who is responsible for them. This would be that kind of a set-up. We would give them an automobile and expenses would be covered. They just have to be on call to pick up animals and to keep them until they are retrieved or turned over to a shelter. Cost-wise, he would estimate that the cost of an Animal Control Officer would be less than the \$8,000.00 that we budgeted this year for the worst case scenario at the Center. It's something he is recommending we start to look at as he doesn't think we can look to the State or the County for any help with our animal control issues.

Mr. Horiszny said they are not a full-time employee, but a contractual employee? Mr. Cahalan said yes. Mr. Kern said then there would be cost of the vehicle. Mr. Cahalan said we would cover that. It would be one of the old police cruisers that could be outfitted with a cage. That's what the Animal Control Officer in Hellertown uses, one of our old police vehicles. Mr. Horiszny said he was wondering if we could approach Hellertown through the SVP and see if they could temporarily store animals for us if we let them use our microchip reader, which he doesn't think they have one as of yet, if we have ours yet. Mr. Cahalan said there facility is kind of limited. They are doing that strictly to address their needs. He's not sure if that facility can be expanded and we'd still have to share the responsibility for the care and maintenance of the dogs. Right now we do not need the microchip because every dog going to the Center is being micro-chipped up there for identity. If we do it ourselves, then we would need something like that. Mr. Kern said what about the possibly going in with the Hellertown Animal Control Officer and expanding his duties to become multi-municipal? Mr. Cahalan said we can ask if that's possible, but again, you'd still have to have some facility to keep the animals for at least 48 hours. He doesn't think their facility is big enough.

Mr. Kern said would it be possible if what you were talking about before, there were facilities in the Township like kennels and then maybe we could expand the duties of the Hellertown Animal Control Officer? Mr. Cahalan said he could put out an RFP. He did send out letters to about 30 kennels and animal hospitals at the beginning of the year. That didn't go anywhere as the problem is that State regulations restrict a lot of them from getting into this type of business and they are also concerned about integrating sick animals in with the healthy dogs and cats they are boarding. He can talk to Hellertown about the Animal Control Officer. The facilities we are talking about would be informal kennel facilities, not somebody who is running a business, as they can run into problems with the State unless they are properly licensed.

Mr. Kern asked if there were any comments from the audience? Mr. Alan Johnson said how many incidences have you had in the last year where you needed the services of an Animal Control Officer? Mr. Cahalan said it's probably about 25 to 30 dogs, and no higher than 50.

Mr. Cahalan said he will bring this back. The situation with stray animals is that it doesn't look like it's being controlled.

I. SAUCON VALLEY COMPOST CENTER – RECRUITMENT OF VOLUNTEERS

Mr. Kern said the Yard Waste Recycling Committee is recommending that volunteers be recruited to assist with the operation of the Saucon Valley Compost Center, which will be re-opening on April 13, 2012.

Mr. Cahalan said the Center will be reopening for its 6th season on April 13th. It will continue on the Friday and Saturday from 9 am to 1 pm through the end of November. The Center is getting more and more popular. Last year there were over 6,700 visits that Hellertown and Lower Saucon residents paid to the Center to drop off yard material wastes. There was a big increase after the Halloween storm. We actually opened up the Center for two straight weeks so people could take their storm debris up there. They really cooperated with us and we're grateful for the help residents gave us to help clean up after the storm. One of the things that resulted from that was that we have a large amount of really beautiful mulch that we produced by grinding up the debris up there. We have 770 tons of mulch available at the Compost Center. We'll be getting information out about that. He's going to invite the press to come up to the Center to take a look at that, and we'll get the word out so people can come up and load up. We do assist them with the loading. There's a small fee paid that is to load their vehicles with mulch and they can keep coming back as much as they want to get the mulch. With the increase of the visitors to the Center, the Yard Waste Recycling Committee had a meeting recently and they recommended that we begin recruiting volunteers to assist the Public Works employees from the Borough and the Township with the entrance gate, getting the visitors checked in, answering questions. That would free up the Public Works people to do the loading and to direct the activities in the yard. We put together a list of volunteer responsibilities at the Saucon Valley Compost Center. It went to the Hellertown Borough Council this past Monday and they approved it. If Council approves our use of the volunteers, we will have an application and a hold harmless agreement for them to fill out. We're hoping we can get people who will volunteer from different organizations that would really help out with the operation of the facility. He'll be putting out information to all the various organizations. He will do press releases and send it to the different groups to see if we can drum up volunteers. Secondly, the Yard Waste Committee is recommending we start issuing an ID card to users. What happens up at the Center is there is congestion at the entrance gate as we are now signing in individuals each time they come and some people are not happy about that as they can make multiple trips in one day and they have to sign in each time. We'd like to go to an ID card which can be issued at the Township building and at the Hellertown Borough Hall and they will also issue it to people who pull up at the gate house. The card will be numbered with their name and address and they just show that when they come to the Center. These volunteers would help with expediting the visitors into the Center. These are the recommendations from the Yard Waste Recycling Committee (Ron Horiszny and Roger Rasich) and representatives from Hellertown Borough. These recommendations will ensure another successful year at the Compost Center.

Mr. Kern said do you need any approvals from us? Mr. Cahalan said if you could approve the recruitment of volunteers. Mr. Willard asked if this was the first year for volunteers? Mr. Cahalan said yes, we have been manning it with Public Works employees since its start-up about six years ago.

MOTION BY: Mr. Horiszny moved for the approval of recruitment of volunteers for the Saucon Valley Compost Center.

SECOND BY: Mr. Maxfield

Mr. Kern asked if anyone in the audience had any comments? Sandra Miller said as a very frequent visitor to the Center, they probably go every other week, issuing the ID card at the gate on a Saturday would not be a tremendous plan. The lines get very long watiign to sign in. She loves the idea of just flashing the card. The gentleman get to know you and they wave and move you through pretty quickly, but issuing the card at the gate might defeat the purpose of having it. Mr. Cahalan said we'll have to make provisions and maybe have another aisle where

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people can pull off to get the cards. We don't want cars backing up on the entrance road. Mr. Kern said is there any way we can have a form on the website that can be filled out? Mr. Cahalan said yes, we can do that or they can come to the Township office, but it's numbered so he's not sure if we can do it online.

ROLL CALL: 5-0

J. AUTHORIZE EXECUTION OF COMMUNITY DRUG ABUSE PREVENTION GRANT PROGRAM GRANT APPLICATION

Mr. Kern said this grant program allows police departments to request funding to purchase two Preliminary Breath Test (PBT) devices utilizing grant fund. There is a 10% local match requirement. The Township's commitment would be approximately \$80 and the remainder would be reimbursed by the grant.

Mr. Cahalan said the grant would be for \$754.00. It would go to the Attorney General's Community Drug Abuse Grant program, and all our obligation would be is \$80.00 if the grant is awarded. Chief Lesser is requesting approval to submit this grant application.

Mrs. deLeon said she found it very amusing under grant assurance to read that the applicant possesses legal authority to apply for the grant and a motion, resolution, or similar action has been duly adopted or passed as an official act of the applicant's governing body. She tried to convince the majority of the Gaming Commission to do that, and they didn't think that is was appropriate, but our Attorney General finds it appropriate.

MOTION BY: Mr. Horiszny moved for approval to authorize execution of Community Drug Abuse Prevention Grant program grant application.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

K. CLARIFICATION OF DIRECTION TO TOWNSHIP STAFF FROM IESI PRESENTATION

Mr. Kern said there have been some questions as to the direction given to the Township staff following the landfill presentation at the last meeting. He asked this to be placed on the agenda. At our last meeting, his mind was thinking one thing, but his mouth was saying another thing. He thought he was being in clear and specific, but in retrospect, when he looked back, he was way too general with his motion for the staff to look at pros and cons of the landfill when the next step in order for the landfill to proceed would be to initiate a rezoning. That's the only way it would happen, so his motion meant to say was to explore the pros and cons of the rezoning of the landfill. Whatever issues would surround the rezoning of the landfill was what he had meant to say and it's brought to you tonight for clarification on that issue and also to be presented in a motion.

Attorney Treadwell said you said rezoning of the landfill. He wants to make sure the Council and the public is aware a zoning map amendment is a completely separate and distinct item from approval of an expansion of the landfill. Obviously, the two are somewhat related because the landfill could not expand in the future without a zoning map change. The first thing Council needs to decide, and you really need to look at it as an issue on it's own, separate and apart from the landfill is, is there an area of land out there on Applebutter Road contiguous to where the existing landfill is now that this Council wants to change from a zoning perspective and that decision has to be made in a vacuum. You have to put whatever the landfill may or may not want to do aside and, using good planning and zoning practices, decide whether it makes sense for this Council to rezone any of the land that's out there, and you can't use as a reason for the rezoning what an individual property owner may or may not want to do. It's a bigger picture than that because you don't know

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what an individual property owner wants to do. You don't know what an individual property owner will do. We could have a property owner that says today I'd like to sell my house, but I changed my mind tomorrow and I don't want to sell my house. When you are rezoning it, that's the bigger picture and that zoning will stand until you change it again. He just wants to caution everyone that the zoning question shouldn't be based on what any one or more than one individual property owner intends or doesn't intend to do. That's the big picture issue that Council needs to take a look at. Mr. Kern said he appreciates that as he misstated that. It was based on the landfill when we have to look whether it's good no matter who it is or no matter what would occur there. In other words, would a rezoning to an industrial or commercial area out there be appropriate no matter what, whether the landfill does it or not. That's what the discussion from staff about the pros and cons would involve.

Mr. Maxfield said he's confused because Attorney Treadwell is saying it depends on good zoning and planning, but at the same time, in order to do good zoning and planning, you have to know what's going on. You have to know what could happen to the area. You have to know the aesthetics. You have to know all those things. Are we being instructed to put blinders on at a point? Attorney Treadwell said no. He thinks what he was trying to say is you have to look at the rezoning issue leaving aside individual property owners. Let's use the landfill for an example. The landfill has said to the Planning Commission and to this Council that it would like to expand. However, if you change the zoning, the landfill could change its mind after you've changed the zoning and then there are a bunch of other things that could happen on that property because you've changed the zoning so you can't rezone it counting on the fact that the landfill has said that they want to expand because they may not. He thinks they said their lifespan is 3.84 years or something like that. Anything could happen in that four years. Somebody could buy them out. They could go bankrupt. There's any number of things that could happen and you have to make that rezoning decision based on the overall picture. He said look at it in a vacuum, obviously, everyone knows the landfill is there and that they've said they want to expand, but you can't count on that. You don't know.

Mr. Maxfield said we didn't even look at the area for rezoning until the landfill said they wanted to expand. Attorney Treadwell said that's how it would normally come up is someone would come in and say what do you think about this. The other way it comes up is you do your comprehensive plan and you realize that the comprehensive plan says a future land use should be x and we have it as y, so you want to do it to make it consistent. Generally, it comes up in municipalities when someone asks for it. Your reasons for doing it have to be bigger than somebody asking for it. Mr. Kern said it doesn't make sense regardless. Mr. Maxfield said he still stands by what we said at the last meeting with IESI which was he knows that the process is set up a certain way. Certain things happen at a certain time. The first thing that they ask for is the zoning change. However, that's not convenient for us as a municipality so we still need to find out as much as we can to find out what is going to happen, when it's going to happen, and how it's going to happen before we even think about a zoning change. Mr. Kern said Councilman Willard had brought up a good point regarding the timing as well.

Mr. Willard said he actually thought of this after the presentation last time, but he did want to communicate it to the Council members. He thinks it would be reasonable to ask IESI for a timeline of their proposed expansion because as he knows from visiting with them, as was stated, they have about four years of life left on the facility, and he knows there is certainly a plan being contemplated to execute the expansion within that timeframe. He's sure there are many steps that have to be taken between now and then, but there are certainly some critical milestones in terms of the timing and decisions that this Council or the Planning Commission would have to make in the timeframe where it would be very helpful for us to have visibility of IESI's timetable to achieve an expansion within four years.

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Mr. Horiszny said the other question is if we are changing the requirement of the staff and we emphasize zoning, do we give them more time? We wanted it for the next meeting. Attorney Treadwell said no, we're fine. Changing the zoning is not an extremely complicated procedure. The ramifications of it aren't that complicated either. You take a look at the uses that are permitted the way it's zoned now versus the uses that would be permitted if it gets changed. It's not something that takes a long time to put together. For Council and the public as well, any change in the zoning map goes through a process. That process involves the Township Planning Commission; it involves the LVPC; it involves a public hearing; advertisement of the public hearing; so you haven't even, as a Council, taken that first step yet. The next decision that you would make if you indeed decide to look into the zoning change, is to start that process. That decision does not mean that the zoning gets changed. You will get the opinions of your own Planning Commission, the LVPC, and the public when you have a public hearing and all that will come out before you even get to the point of actually having to make a decision on whether you want to change the zoning or not.

Attorney Treadwell said are you amending your motion now to ask for the zoning pros and cons? Mr. Kern said he is.

Attorney Treadwell said the motion at the last meeting was to have the staff present the pros and cons for the March 15th meeting and we don't have a March 15th meeting. Your next meeting is March 21st. He thinks procedurally it would be correct for Mr. Kern to withdraw the motion he made at the February 15, 2012 meeting and make a new one.

MOTION BY: Mr. Kern moved to withdraw his motion made at the February 15, 2012 meeting.

SECOND BY: Mr. Maxfield withdrew his second

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

ROLL CALL: 5-0

MOTION BY: Mr. Kern moved to have the staff focus on to the pros and cons regarding the zoning changing and issues surrounding the landfill for our March 21, 2012 meeting.

SECOND BY: Mr. Maxfield

Mr. Kern asked if anyone in the audience had any comments?

Mr. Ken Blose, Riverside Drive, said this falls into what Attorney Treadwell was talking about with the zoning and approval. He was doing some forward research here and looked in the IESI website and found their parent company and they describe in their terms a word called "closure", which he found rather intriguing. Closing, the construction of a final cover for a landfill including the placement of a compacted soil layer that may or may not include a manmade material over the way service, topsoil, and other materials as may be required. Surface vegetation and means to control emissions of landfill gas to the atmosphere. Modern landfills are designed at the outset, and he's not sure what we know here, to become useable neighborhood assets after they close. Today's landfills, in fact, may become tomorrow's soccer fields, hiking trails, airports, golf courses, ski hills, shopping malls. That's part of their literature on their website. Their green space that they communicate and as Attorney Treadwell was saying, he's not sure if you look at your variances and what your zoning is going to look at, do we know what the end game is going to be? They could go bankrupt and we end up with a sludge pile. If there's closure on the existing landfill and they don't expand, is that closure he understands is going to be open space. What does that mean? Does that mean the walls stay up? Does that mean there's public access to it? Does that mean there are fences around it? Is it a hiking trail? He thinks if he can recall the discussion last time on the percent radiance, it was pretty high, probably within some standard, but you're not going to hike up there the way he can see it from the road. Then if the closure after the expansion, what is that going to be 16 years from now and as you improvement your projects and your zoning, it's prudent to understand and try to understand what are we leaving our grandchildren. What are we leaving the Township and the residents as far as closure? You may have more information on

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closure. He maybe hasn't been privy to it or heard it. He thinks it's something you need to understand and have explained as to where the closure will be with the landfill. Mr. Kern said that's a very good point. Mrs. deLeon said she sits on the Landfill Committee and you may call her. She can try to answer some of his questions. Mr. Blose said is there a meeting at the landfill next week? Mrs. deLeon said they meet the 3rd Thursday. Sam is here tonight from the landfill and the courtesy has been to ask the landfill if a resident can come, and then they usually say yes. Mr. Blose said he doesn't know if he'd be available, but just know where this is going to go, and looking at zoning today for a landfill and then at the end of the day, what are we really going to end up with at the Township. That's farther than just the impact of local residents. That's an impact on the whole Township. Mr. Horiszny said we may need another Landfill Committee volunteer, so keep that in mind, and then you can go to the meetings. Mrs. deLeon said they are usually on the 3rd Thursday at 1:00 pm.

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF FEBRUARY 15, 2012 MINUTES

Mr. Kern said the minutes of the February 15, 2012 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. deLeon moved for approval of the February 15, 2012 minutes.

SECOND BY: Mr. Willard

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

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

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Sandra Miller said as a concerned citizen who has lived and resided on Colesville Road since 1968, it was disconcerting to find out that the land development process has been waived for the corner of Colesville and Route 378. You received the request on January 28th and voted on February 1st. She appreciates the comments by Mr. Maxfield. It is a small residential road and the major entrance for the bank and restaurant development will be on Colesville Road. We, as residents, were not notified. She's under the impression that the majority of that little activity that's been coming on and off of Colesville, must be a construction entrance. The entrance on Route 378 is going to be a right in and a right out only, so the major part of that traffic will have to come from Colesville Road. She stopped by and spoke with the gentleman from your Zoning Department and requested a copy of the map. Her familiarity with zoning is not limited to Pennsylvania. They have property in Florida and New Jersey and have received notifications repeatedly of every single change that occurs to those locations, to the neighborhoods, to the roads, and to even the most minor impact to them as residents. To find out that this process has been waived because it wasn't deemed based on what she's been told. Your minutes don't express why it was approved, only concerns by Mr. Maxfield and that it was approved because the majority of the land and the development is going to occur in Upper Saucon. The majority of the traffic will have to enter through Lower Saucon land. In the past, when she's inquired, as she's concerned as a school board member, as well, that the majority of this property, the way it was concurrently configured, as she had asked, and was told it's not going to be a taxable resource for us. The majority of the activity will be on Route 378 and Upper Saucon and imagine her concern when she finds out that the entrance will be right in Lower Saucon and will be impacting the residents of Lower Saucon and they have no further say of what will occur there, and they get no income from any of the activities that will be occurring. They will only have the impact and no benefit. She's here to request what is the next step? What can residents do? She has yet to meet anyone that knew that this was going to be approved on such a short three-day turnaround. She couldn't find the agenda or she doesn't even know how to get to your agendas. They have been waiting for some notices or some kind of alert, something to come to the people who live in that area to find out what is going to happen. Her father has been here,

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and she can't tell you how many times, requesting lights at the corner of Colesville Road and Route 378. They have been trying for decades to keep that road safe. It's gone from 25 MPH to 35 MPH. The bank was added without a light and she was told they should be pleased that now at least they will have their light. Being they asked for a light for decades, it's not their pleasure now. They are really, really concerned that the amount of traffic that will have to access this site. Anybody from Hellertown is going to be coming down Colesville Road, everybody coming from Route 378 to get into that place will have to go on Colesville Road. That is a residential small road. When they moved there, there were three small houses on the right-hand side. Now it's grown, and there are several properties there and many, many children and many, many bus stops. It's now been opened as a commercial road. She would like to know what is the next step and what can residents do to express their concern, who should they go to next? She's just expressing her concern that as residents, they had no further discussion or say in this process. Mr. Kern said his recollection of the waiver of the land development, the reason they waived the land development was that there was no major construction going on with that parcel. Attorney Treadwell said he believes the plan shows there are no buildings to be constructed in Lower Saucon Township. All the buildings are in Upper Saucon Township. There is a driveway, if he recalls, that goes to a portion of the project. Ms. Miller said what she's been told is there's a possibility that at least three houses that are going to be built there. Attorney Treadwell said that's not part of the waiver. They will need to come in to subdivide and create three lots if they want to do that. Ms. Miller said there are multiple things that occur on that road. The road will go through and enter into the bank and restaurant pad as well as the potential, supposedly, that they will be the access for residential locations and they'll have to come for your approval as that's something separate and it has not been noted that it could be, but not remotely known yet, it could end up being a major entrance into the Old Saucon. Attorney Treadwell said it's not on the plans now. Mr. Kern said it's not the plans they looked at. Ms. Miller said they will have no say. They will have no review once it gets to that stage as those approval and those activities is not Lower Saucon land. If they open up that parking lot as the side of the bank, what happens? Attorney Treadwell said if they change the plans that this Council waived the review process of, they are still required to submit and go through the engineering studies on traffic counts. That's still part of their requirement. If they change what this Council waived on the plan, then the waiver is no good. If they decide to take that entrance that goes to the bank and the restaurant, and make it a through road into the rest of the bigger project that's farther south on Route 378, that's not on the plan now, then they don't have a waiver for that. Ms. Miller said her concern is that the project is deemed that this part will be first. They were told that the major part of the development in Upper Saucon was a five-year, a seven-year plan. Recent information came out that within a year, they'd like to start construction. That section will be starting within a year, the section in Lower Saucon. The back road is going through. They completed or they are near completion of repairing the sink hole, and that access road will now be coming in and out of Colesville Road. Attorney Treadwell said he doesn't believe Lower Saucon will permit them to use the entrance on Colesville Road as a construction entrance for the entire project. Ms. Miller said she's not saying that. That road entrance will end up, could end up, possibility end up, being access for people to get to the supermarket. Attorney Treadwell said not without coming back here. Mr. Kern said it absolutely cannot. Ms. Miller said you have the right to say they cannot open that access road. Attorney Treadwell said if they do that, Lower Saucon will close the entrance on Colesville Road. The waiver was approved based on their representation that the driveway only serves the bank and the restaurant. Ms. Miller said she had heard from more than one source, and the possibility that there will be at least three houses in that location and that would be the only access road and they'll have to use that access road to get to those homes. Attorney Treadwell said there is a possibility, that there will be like any landowner, they could come in here in the future and say they want to take this 15 acre parcel, which he is making up as he doesn't know what it is, and turn it in three 5-acre parcels. They could do that, but that wasn't waived. They have to come back and go through that process. Ms. Miller said as of right now, there's nothing left for residents to do? You approved it and they are now allowed to do that and there's nothing we can do to stop them. Mr. Kern said to do what? What do you think can be done? Ms. Miller said she cannot believe that anyone in this room would want

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their home street to be used as an access road for two major commercial properties. Mr. Kern said we just said that's not happening. Ms. Miller said a bank and a restaurant, that is how they would get in and out. That is the only right and left turn entrance into that lot. The road off of Route 378 would be only to enter in right and to enter out right. It's not going to be an open coming and going, so the majority of the traffic, most likely, will be directed onto Colesville Road because that's the only way if you are coming from Lower Saucon to this, that you can get onto. Mr. Kern said to go to the bank and a restaurant? Are you talking about the Embassy Bank? Ms. Miller said no. They are adding a new bank and a new restaurant on that corner. Mr. Maxfield said they showed us one thing, that kind of lessened the concern a little bit. He believes there was the corner that was cut off with three buildings that they showed us, but between that and the rest of the development, he thinks there were storm water facilities in there, maybe detention ponds, which they couldn't open up that road and they assured us that couldn't happen, and it didn't look like on the plan like it would happen. Ms. Miller said when you look at the plan, the width of that road and the building there, that is going to be the main entrance to the bank and the restaurant. Mr. Maxfield said it's a commercial sized road. Ms. Miller said it is not a small, little maybe people leaving coming out of the back way. That will be the main entrance to that part of Old Saucon. It was waived by this Committee and she's concerned and only three days notice. Mr. Maxfield said like Attorney Treadwell said the waiver of the land development does not get rid of every bit of review we do. That is just a few specifics that are associated with some commercial development. There are still traffic studies to be reviewed. There are still some sorts of things we need to look at to make sure it's okay and there's the route of going to Upper Saucon and attending their meetings and making sure that all of the residential concerns are addressed too. Ms. Miller said as an individual who is familiar with some of these processes, and the way the tax burden and non-residents to have say in. Her biggest concern is the lack of notice and she can't imagine a project of this nature could have had either a period of review, a notification you were going to be voting on something of this magnitude and that the residents of that location should have known about it. She needs a permit to put up a shed in their back yard and it's on the agenda and everyone knows about it, and they approved a major commercial road off of a small residential street. It just seems rather incredible that could happen in a three day period. Mr. Maxfield said especially when there's a change of use. It's a farm field, then it turns into a commercial use. Ms. Miller said boom, boom, boom, and suddenly now it's done. It's just remarkable to her that this has occurred. Mrs. deLeon said she has something on her computer. Attorney Treadwell said is that the actual motion, the approval of the waiver or is it just a letter? Ms. Miller said it all happened on the same night. She read your minutes on February 1. Attorney Treadwell said he's asking Mrs. deLeon, she has something on her computer and he's wondering if that's the actual approval. Ms. Miller said she just needs Council's advice on what is next or if there is nothing next. Attorney Treadwell said he's trying to find the actual motion that approved the waiver as it had conditions attached to it, and his recollection is one or two of them had to do with traffic. Mr. Maxfield said traffic and lights. Mrs. deLeon said he doesn't have the actual motion in front of her, but it was probably based on a Hanover letter dated January 26, 2012. Mrs. deLeon said No. 1 says the waiver will be granted only for the construction of a driveway and only on the area identified to remain with the Upper Saucon Township parcel(s) identified on the Waiver Request Exhibit. Mr. Willard said he has the motion which was "Mr. Maxfield moved for approval to grant the waiver for the full-blown land development process, subject to the Hanover letter of January 26, 2012 and the Boucher & James memo dated January 27, 2012; and also subject to go through the subdivision process to create that parcel". Mr. Kern said Mrs. deLeon was reading the specifics of the letter. Mrs. deLeon read the following:

2. Any further development and/or subdivision in Lower Saucon Township will be subject to land development and/or subdivision plan review as applicable.
3. Any further creation of PR Lot 2 would require a subdivision plan. The Township will reserve the right to impose a Recreation Impact Fee upon any development including a single dwelling upon PR Lot 2.

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4. Any impervious cover for the driveway within Lower Saucon will be accommodated with the stormwater design for other improvements which has been or will be reviewed by Upper Saucon Township. If Upper Saucon Township review did not include this, it will be subject to stormwater management requirements of Lower Saucon.
5. Clear site distances per PennDOT standards shall be provided for by the driveway access.
6. The proposed driveway should be aligned with the opposing bank driveway.
7. The Township shall have the right to review (per the Zoning Ordinance) any lighting or signage proposed within the Township.
8. The Township shall be able to review any Traffic Analyses prepared and any proposed improvements to the intersection of Colesville Road and Route 378.
9. Easement maintenance for the drainage culverts shall be addressed in a manner satisfactory to the Township.

We also believe the Township may wish to reserve the right to comment on the following:

10. Copies of the stormwater Design should be provided to Lower Saucon Township (as it relates to the flows along and under Colesville Road) for review by the Township Engineer.
11. The Plan identifies “waters of the United States” along Colesville Road; we understand that this label is under review by the Designer.

Ms. Miller said she appreciates that you are concerned about stormwater and traffic flow at that intersection, but it doesn't address the traffic that is going to be on Colesville Road. It doesn't address what's going to happen on Black River Road to get to the entrance. It doesn't address those things. That's not what it expresses when she reviewed the Hanover letter. Mrs. deLeon said you did see the Hanover letter? Ms. Miller said the gentleman briefly expressed to her when she was here, she didn't show her the letter but read off what would happen. He explained to her what was under review and that there was still steps that were going to take place. She wants to make it perfectly clear, as she has discussed this in the past with some of you, she is not saying she's against this development. She's not saying she's against the use of land along Route 378. That is a really fine road to be having activity, but the idea they are forcing the traffic off of Route 378 and using it as the main entrance, Colesville Road is inappropriate. Route 378 is the highway, the commercial zone, and they should come in and out on Route 378. We, as residents of that street, had no expectation that the majority of the traffic would be directed on the street. They knew it was going to be an issue. Mr. Kern said the majority of traffic is not going to be going there. The majority of traffic is going into the other end of the development where the major development is. Ms. Miller said a restaurant and another bank, in that corner, the only real true access. Mr. Kern said that is not the focus of the development, it's the major shopping center that is a mile down. Ms. Miller said they differ. For somebody who is going to have to deal with the traffic on their road, she would think if it was occurring on your street, and you knew the only way in and out because of the right hand restrictions and left hand turn requirements will be on your home street, you would be concerned. Everyone on this Council has expressed concerns about many different things and she's just expressing her feelings. Mr. Kern said right. Mrs. deLeon said are you on our email list to get agendas? Ms. Miller said she is not on the email list. She couldn't find your agendas. She went to the Council section and the minutes section and you don't have agendas there. The agendas are on the “About/Info”. She would have never looked in that section. Those are usually the contact information in that section, but that's where you have your agendas. You go to Council, you would think under that section where you have your minutes and members, you'd have your agendas. Mrs. deLeon said you can go on the website and pick which Boards you want to receive your agendas. Ms. Miller said they truly, truly thought they would get some notice. Attorney Treadwell said let me talk about the notice, and again, I'm going off my head as I didn't know this was going to be an issue tonight. He thinks your ordinance requires notice of anybody within 500', so he doesn't know if Ms. Miller lives within 500' or how far it is. Ms. Miller said she will ask the Hecker's or the Foring's across the street if they received anything. If they didn't, that may be a way for us to _____ (could not hear what she said here.) I got to tell

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you, she can't imagine that the individuals on that street, and she can't imagine John Foring wouldn't have had something to say about what's going on across the street. She will check with him. Attorney Treadwell said please don't quote him on this as it may be a zoning issue and may not be a requirement on the subdivision. He's going off the top of his head as he didn't know this was coming up. Ms. Miller said it would be something that the Council would want to consider as a courtesy to the residents of the community that if you are making such a major change to their street, they'd have a right to know what's going on. Mr. Maxfield said the speed limit was changed to 30 MPH on Colesville? Ms. Miller said yes it was. Mr. Maxfield said there are things we want to look at and he would support making Colesville Road as uncomfortable to someone, especially commercial traffic like restaurant deliveries at night, things like that. Ms. Miller said someone had asked her how will the trucks get in to deliver to the restaurant? How will all those delivery activities go on? What's going to happen now? It was one thing with the nice, simple Embassy Bank and they are good neighbors and that's appreciative. They still have great access off of Route 378. With limited access off of Route 378, and she's not sure why, and doesn't know why it's right in and right out, she couldn't find that. She finds that a major highway couldn't allow people to come and go. Unless Upper Saucon decided it was right in and right out. She has no idea. Mr. Kern said it could be PennDOT. Ms. Miller said why would PennDOT do that, the car wash doesn't have a right in and right out rule. None of those other locations on Route 378 have a right in and right out only rule. They are allowed to have their major accesses in and out of Route 378. For PennDOT to be allowed how we are going to direct our traffic and force it onto a residential street when a perfectly great commercial road is there, and much more appropriate for trucks and traffic, it makes no sense. Mr. Maxfield said if we can, let's look at Colesville Road to see what we can do there to keep it residential. Ms. Miller said you are talking about a road with no sidewalks. At least, four bus stops, that is now 30 MPH, and we now regularly have people running through the middle of the property. At least once a year they have a car that lands in their yard. Now it's 30 MPH and they have continuously complained about the speed limit, and you have been responsive and once in awhile policemen are there. Everyone has made an effort, but this last step has just pushed this road to a level that she doesn't think anybody who has lived here wants it to be. It is just is not an ideal situation and she wants to reiterate. She is not against businesses and development. It's appropriate for where it's located to have those types of activities there. She just thinks it's a shame we are allowing a residential road to take the brunt of the commercial traffic. We have to figure out a better way to do this in the future. Mr. Kern said you're concerned about traffic coming in off of Route 378 and then going in to the restaurant, you are concerned about traffic coming in from Hellertown and going across Colesville Road? Ms. Miller said she has yet to figure out if you are going past Embassy, you will not be able to, based on the road, as it's only right in and right out, you cannot enter coming from Lower Saucon and Wyandotte Hill, any of that traffic won't be able to enter the restaurant based on the right in and right out rule. They are going to have to go to the light, turn onto Colesville Road, and they are going to have to go in through Colesville Road, as well as all the traffic from Hellertown will have to come up Colesville Road. All the traffic from anywhere, Route 412, all that whole area, they are going to have to use Colesville Road. Mr. Kern said he needs to see a picture of that and what her concern is. Attorney Treadwell said can we look into this? He's certainly not comfortable answering these specific questions without any of the materials or documents in front of him. We need to look into the issue and have our Engineer take a look at some of these traffic issues. He's trying to picture as well. Mr. Kern said a visual representation of what your concern is would be very helpful. Ms. Miller said if you look at the map, you can see the way the entrances are. It's pretty straight-forward that Colesville Road becomes a major entrance for those commercial properties. Attorney Treadwell said what about Saucon Valley Road. He's just trying to picture it. Could you not take Saucon Valley Road to Route 378 and then go up Route 378 and go in that way? Ms. Miller said she supposes you could if you want to go that far out of your way. Attorney Treadwell said he's just asking the question. He's just throwing it out there. Ms. Miller said she suppose you can. Attorney Treadwell said depending where you are coming from. Ms. Miller said people from Hellertown will be coming up Bingen Road, Black River Road, Colesville Road to get there. That's the direct way to get there. That's how you do it. That's how we all go to

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Hellertown. Mr. Maxfield said you heard the motion. The motion was we waived what we called the full blown development plan and that means we did not give up all of our rights to review, like traffic review and all that kind of things. This is not a dead issue and it's something we can further comment on, so we need to gather some information. Ms. Miller said you are also trying to be cooperative with Upper Saucon because we are neighbors and we try to do those things. She's not trying to disrupt the apple cart, if we could find justification from PennDOT why in the world they would not commit that to be an access especially with the turning lane in the middle of Route 378. Of all the places to come in and out, we got a turning lane right in the middle of it, it makes no sense to her. That would obviously be the choices to pursue. Mr. Maxfield said if he's not mistaken, Colesville Road is probably undersized for a regular Township road, a little narrower. Ms. Miller said it's hard sometimes for two cars to go by each other. Mr. Maxfield said so why do we have an entrance or exit plan there? Let's look into it. Mr. Horiszny said he's sure PennDOT would not allow you to go in off of Route 378, that close to the corner of Colesville Road. It's 100' or 200' from Route 378 to the driveway. Mr. Maxfield said if a redesign of their stormwater facilities allows access to the entire development from Route 378, maybe it was just a design of convenience at this point. We can't reach this, we have stormwater facilities there, let's just put the entrance over here. That's what we need to look at closer. Seeing neighborhood destroyed like that and traffic can do it so fast. We've heard so many traffic complaints in the past about small neighborhoods and people find a cutoff and they go through it and it just trashes a neighborhood. He doesn't want to see it happen. We won't drop it. Mrs. deLeon said can we find out what the process is in Upper Saucon Township as maybe they've already approved it. If they haven't approved it, we can maybe send a letter saying we're reevaluating this. Attorney Treadwell said he doesn't know enough of the details. Mrs. deLeon said we don't meet again for two weeks, so if they can have direction. Mr. Maxfield said who would be best to make the initial inquires? Linc or Chris? Mr. Cahalan said we can get Brien from Hanover to look into these issues and he could report back at the next meeting. Mr. Kern said that would be great. Mr. Maxfield said with a map. Mrs. deLeon said please get an agenda. Go on and sign up and tell your neighbors to do the same.

- Joan Madzarac was present. She said another traffic problem. One of her neighbors gave her an article that was in the Morning Call. It said on February 4, GPS units sending rigs down narrow roads. Since Easton Road and Cherry Lane are considered under PennDOT now, they are getting overwhelmed with trucks. You're saying that it's the GPS, they are saying the Waffle House. Evidently, Bethlehem never does an impact study and they put a restaurant by a highway with no access for trucks. The trucks were coming down Cherry Lane. They go to the Waffle House to eat and they can't around, so they come down Cherry Lane. They are 100' trucks. They are backing up into Hellertown to make the turn to go back up Cherry Lane to get on the highway. This is happening all during the night. They shut off that beeper for the backup so they don't wake us up, but they hear them anyway. They shift one hundred times until they get up the hill. She stopped a Lower Saucon Police Officer and told him about it. He didn't believe her. He said they can't shut those beepers off. She said they most certainly can and he said no, they can't. She talked to someone who worked at Mack Trucks and he said they certainly can turn those signals off. She stopped a Hellertown cop and told him about it. He said he was going to look into it. Nothing happened. They still were doing it. She called Mr. Luthar. He has since retired. He said he was going to look into it. It was Lower Saucon's problem. She said no, it's your problem. They are backing into Hellertown. She said it's an accident waiting to happen. He said he'd look into it. She didn't know the first victim was going to be her. She was down in Hellertown at the plaza and there was a traffic jam and this big truck pulled up into Easton Road and she did too, but she was a couple spaces behind him. When they got to the hill at St. Theresa's, he slowed down as he had a load and she caught up to him. When he passed High Street, another truck, evidently he had eaten at the Waffle House, and he pulled up High Street and he got behind her. They got to Cherry Lane. The truck in front of her was going to turn left to go up Cherry Lane. She was behind him and the other truck was behind her, so she was squashed between two trucks. He couldn't make the turn and he backed up. She didn't know what to do. She froze. She couldn't even blow her horn; she couldn't jump out of her car. She didn't know what to do. Thank goodness the truck behind her

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blew his horn and the truck in front of her stopped. He was only inches from her bumper. All she could think of was what a dumb way to die. Evidently, he finally made the turn and when she pulled up her driveway, she looked back and here there was a car parked right on the curb. There was no way he could make that turn without backing up. Then one of her neighbors called PennDOT. She wanted that 45 MPH speed limit, as they were flying down Easton Road, changed. One day she was working in front of her house and PennDOT was working down below and this truck flew by her. She had a yellow bucket that she put behind her so they could see someone was working there, and her bucket flew, and she flew. Evidently it was the foreman and he came up to her and said "lady, please don't work here today. They are working down the road and the trucks are flying by and you are going to get killed". She didn't work that day. She thought Sunday was a good day. She went out to work on a Sunday and as she was working in the front pulling weeds, this lady came by and she rolled down her window and said "go to church". She said what day can she work out here. Then PennDOT came and did a study and now they said that is a blind intersection, and they put stop signs there. A truck pulled across her driveway and she was coming down Cherry Lane and she stopped as she's going straight. She goes no, I'm going straight. He went no, straight. All the traffic is tied up, and finally he gives her the finger and pulls ahead. She saw him turn around at Wilhelm and came back and she went into her driveway. She's not going to turn around and come back with him sitting there. Why should she do that, she's going straight. Now we find out this morning at 3:30 am, these trucks are moving. Evidently there's a warehouse down below and they have these trucks going in there instead of using Commerce Center Boulevard. We want them to extend that boulevard all the way to Applebutter Road to where that dump is. They made Applebutter Road as super highway from Ringhoffer on. That curvy road the trucks are going down. When they closed Shimersville at Applebutter Road, those Chrin dump trucks were coming. They are huge and they are heavy. Her dishes were rattling. Her cups were flying in her cabinet that when she opened the door, one fell out and broke. Mr. Kern said it was Chrin and not IESI? Ms. Madzarac said Chrin dump trucks. They are going down Easton Road. Now they made a depot for them. They disconnect the trailer and are coming up with the cab. Well, the cab is still a truck. They are heavy and they bounce around. She's outside bouncing with these trucks going by. Nobody cares. Bethlehem doesn't care. Why don't they connect that warehouse to that Commerce Center Boulevard. They made a beautiful boulevard and you never see a truck come out there. You never see a truck go in there. One day she finally saw a flatbed come out. She thought he was going to go on the highway, and instead, he turned up Cherry Lane, went all the way down to that company, loaded up and a couple hours later she saw him come back with a load of steel, and go up Cherry Lane. Why are we involved in this? When did we become a part of that industrial park? We are a community and one winter a truck and a school bus were trying to pass each other, and they hardly got past each other. That's a narrow road. When she talked to one of the guys from Bethlehem at the Bethlehem Fields, she said what if they have to make this Easton Road wider. He said they are going to take it from you and us. Why us? We are always the ones that have to suffer. She doesn't know what's with Bethlehem. You can't deal with them. They are terrible. They never ask you anything. They never ask how is this going to affect you. They don't care. We're the back. Route 412 is the front. They don't care what kind of garbage they throw on us. We're picking up the dog poops from the Bethlehem Fields. They throw their bags any old place. They throw their garbage any old place. Everything is thrown on Lower Saucon property. She doesn't know if Lower Saucon can help them out and get in with Hellertown and ask them to keep those trucks off of Easton Road and have them go through Commerce Center Boulevard. Why are they going all around to pick up stuff there. Today a Moyer's truck went by to pick up some housing equipment. Why couldn't he go to Commerce Center Boulevard. Why when there were so many accidents on I-78. We had busses, Transbridge, Beiber, other busses came down Cherry Lane and Easton Road. Why can't they go down Commerce Center Boulevard up to the corner of Applebutter Road and then go out. One day she followed a truck. He pulled out of Cherry Lane and she was going to Easton. She thought he'd go into that company. Instead, he kept on going. Usually she turns up Countryside Lane and she thought she'll follow him as maybe he's going to Route 611. No, he turned up Lower Saucon Road. She went 5 MPH behind him and he went all the way up across Pichel's Bridge, up the little

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hill, all the way out, and he really went lickety-split at the SPCA. She doesn't know where the heck he was going. If they are going to be using Lower Saucon Road as well, we're all stuck with these trucks. She is here because her neighborhood is all concerned about these trucks. They are waking us up, you can't sleep after 3:30 am. This has been going on quite awhile. They are concerned, she doesn't know if you can do anything as PennDOT now controls these roads. They are asking Council to please get them off their road. Mr. Kern said he's not sure there's a lot we can do. It probably has something to do with interstate commerce. Ms. Madzarac said why can't they use Commerce Center Boulevard and Route 412, why Easton Road? Mr. Cahalan said he's not sure the Eastern Engineered Wood Products on Easton Road, can get through to Commerce Center Boulevard. Ms. Madzarac said she went to school in Lower Saucon. There was a road that went through from Easton Road, through the Coke Works and to Route 412. Now she sees they gave that property to the church. She even saw a truck parked in the church parking lot one day. They can still connect that company to Commerce Center Boulevard. That rail terminal, why are they bringing stuff out of there and going around to put things into that company. Why can't they go through? Does anybody know? Mr. Maxfield said he drove up once last year and you can get to the Wood Products Company from Route 412. You are right, there's absolutely nobody up there. There's a bunch of trailers parked and nobody driving around. After the lumber products place closes at 3:30 pm or 4:00 pm, they gate off Easton Road so trucks can't come in that way. The rest of the day, there's no excuse why they can't use Commerce Center Boulevard. It's easily accessible. Ms. Madzarac said in the summer time, she has to wash her windows with dawn. They are so oily from the diesel and it's all smoke. That's dangerous and a hazard. They want the trucks to stay on Commerce Center Boulevard, go on Route 412, go on I-78, and if there's an accident, why can't they go on Commerce Center Boulevard and go out to wherever they have to go in Easton. Everyone is complaining about this. She talked to a guy who used to work for the City of Bethlehem, and she asked him why can't they use Commerce Center Boulevard for all these trucks and the warehousing. He said you can't collect taxes from a road. She said you mean there are not extending the roads to those companies as they want to use all the land for warehouses. He said what do you think. They want the tax money. She said that's not right. They should have built that road straight through and have the warehouses go along the road, but they didn't do that. She just asks that they connect every warehouse in Industrial Park to go onto the boulevard, then Route 412, and then to the highways. That will take all the traffic off of Easton Road and alleviate Hellertown as they are suffering with traffic coming up High Street and the by plaza. We have to get rid of them, it's much too much to handle anymore. Mr. Maxfield said the majority of the problem might be stemming from Bethlehem. Mr. Kern said Mr. Cahalan can look into this between now and the next meeting for possibilities to extending that road. Mr. Cahalan said he thinks the problem is access. Mr. Maxfield had said there is access, so he doesn't know why they are not using it. He could find out. He can't do anything, but can bring the information back. Mr. Maxfield said he drove from Route 412 within 20' of Easton Road and the only reason he couldn't keep going as there was a metal gate there that was closed by the lumber company. Ms. Madzarac said evidently they open up at 3:30 am, as those trucks are flying. One morning she counted nine trucks on Cherry Lane and Easton Road and she could see I-78 going east, and there were no trucks on I-78. They are all in front of them. Those nine trucks that early in the morning, you aren't going to sleep after 4:00 am. They are making us suffer. You could get with Hellertown and ask that they use that access road instead of coming through them. She's surprised people on Cherry Lane aren't complaining. She talked to the caretaker at Bethlehem Fields and they are having a hard time renting those apartments on Easton Road because they can't stand the noise. Everyone requests that they get a rear apartment. The front ones were empty for a long time. She told Pektor it was very noisy. He said they were going to block the noise. She didn't mean from I-78, she meant the noise right in front. They made no provisions for moving vans, so now the moving vans have to make a U-turn to come back on the right. She saw two moving vans back up into Rasich's driveway to come around so they could park and the cars don't move. They are double-parking, they can't even move in. Greed is taking over this country. They don't care about the little guy anymore. If you can find something out, that would be great.

VI. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said the regional police study, he got a call from Ron Stern from DCED and he said the draft of the regional police study is finished. He and the Peer Consultant, Joe Kirschner, would like to come and present that. He suggested the week of April 23rd. Mr. Cahalan asked him about a joint meeting with Hellertown and he indicated the meeting had to be during the day. Mr. Cahalan indicated that would probably be a problem because both Council's want to have a night time public meeting that the public can attend. There's also a conflict with Chief Lesser the week of April 23rd. Hellertown discussed this on Monday night and would like to have a night time meeting and a meeting with Lower Saucon Township Council. He will relay this to Ron Stern. He was looking to meet with the same group that had the kick-off meeting at the beginning of the study. You probably want a formal public meeting. He will relay that the Ron Stern.
- Mr. Cahalan said he received a special event request from the Boy Scout Troop 319 for a campout at the Heller Homestead Park. The form is in your packet. It's the weekend of March 23rd to the 25th. They've done this several times before. It's a group of about 12 to 15 Scouts with tents. They build campfires in designated areas. The Township notifies everybody. Parks and Recreation Board reviewed this on Monday night and they recommended Council give approval to the Boy Scouts to hold this event and it would be subject to providing the required forms and fees.

MOTION BY: Mr. Maxfield moved for approval for the Boy Scouts to hold their campout at the Heller Homestead March 23rd to 25th, subject to providing the required forms and fees.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

- Mr. Cahalan said good news. He was contacted by Haz Hijazi who we all know. Haz had to step down from several positions to care for his father last year. He is now available and asked to be appointed to fill vacancies on the Landfill Committee and one of the Associate positions on the EAC. He's recommending Haz Hijazi be appointed to both of those Committees. The Landfill he would be filling in for a two-year term that would expire December 31, 2013. The Associate position on the EAC would be a one-year term that would expire on December 31, 2012.

MOTION BY: Mrs. deLeon moved for approval that Haz Hijazi be appointed to the position on the Landfill Committee and the Associate member on the EAC as stated above.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

Mrs. deLeon said there is still one vacancy on the Landfill Committee.

- Mr. Cahalan said the other position that he thought would be hard to fill would be for the Hugh Moore Parkway Commission. A Mr. Roger Whitely who lives on Caryn Drive contacted Mr. Cahalan said stated he's familiar with the position as he was on the commission as a board member for 12 years and also served several times as the interim Executive Director. He's recommending Roger Whitely be appointed as the Township representative to the Hugh More Parkway Commission. He'd fill out a remainder of a one-year term that expires December 31, 2012.

MOTION BY: Mr. Horiszny moved for approval for the appointment of Roger Whitely to the Hugh Moore Parkway Commission as stated above.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

B. COUNCIL

Mr. Maxfield

- He said he mentioned this a couple of meetings ago with PPL meeting with Chris Garges and Chris mentioned there were some things he would like to address. If he could make some suggestions to Council, and try to keep PPL under control in the Township. Mr. Cahalan said you are talking about the tree cutting? Mr. Maxfield said yes, the tree cutting and some of the other things. He's seen some things lately where they have easements in place and they go cut through and don't clean up the litter and it just looks awful. This isn't in Lower Saucon. He doesn't want that to happen here, so maybe we could put something in place to have that not occur.
- He said he goes down Applebutter Road and he sees garbage trucks every day. He counts, for fun, and he counted 17 trucks coming up the hill with cars stuck between them. He feels very bad for the cars that are stuck. Today he saw one garbage truck going 2 MPH up the road, on his cell phone with a car stuck behind him and it was about 7 A.M. That guy shouldn't be driving truck. It was just rude to the person behind him. That's really excessive for someone stuck behind someone like that. Mr. Donato said he will look into it. He'll see if he can find out who came in at that time period.

Mr. Willard – No report

Mr. Horiszny

- He said he did attend the Yard Waste Recycling Center meeting.

Mr. Kern – No report

Mrs. deLeon

- She said February 29th she attended a Chamber mixer at the Melt.
- She said March 5th, they held an Artist Reception at the Heller Homestead for Jim Heller and his exhibit goes until April 22nd.
- She said on Sunday, March 11th, the kick-off is going to be for the "Passport to History". They got emails asking for them to reply. The date was March 1st, but she will be there. She's been reporting on this. The Heller Homestead, Grist Mill and the Lutz-Franklin Schoolhouse are in this book. For the public that doesn't know about this, it's a passport to History and it's a great tourism booklet. It lists 19 or 20 historic sites around Northampton County. These are free while the supplies last. All three entities have the booklet. On Sunday, they are celebrating the 250th year of the incorporation of Northampton County and it's from 2 pm to 4 pm. John Stoffa is going to be there. They will have other speakers. It will be a nice kick-off. Thirty-eight of the municipalities were invited to come.
- She said March 29th, Hellertown-Lower Saucon Chamber will hold a breakfast from 7:30 am to 9 am at the Hellertown Diner for \$10.00.
- She said on April 28th, Saucon Valley History Day, it's the 5th annual history day. There will be events at the Heller Homestead, the Grist Mill and the Lutz-Franklin Schoolhouse. The Hellertown-Lower Saucon Chamber wanted to do something as a kick-off for Spring, so they decided to go in with the day and it'll be "Spend your day in Saucon Valley". They are going to have a pathway to progress, look at the present in honor of the past, and Chamber members are going to be invited to set up a booth at Water Street Park along the rail trail and try to get the community to see what we have to offer as far as businesses. That will be in conjunction with History Day. When the poster is finalized, she'll send it and the Township can put it on the bulletin board.

Jr. Council Person – Absent

**General Business & Developer Meeting
March 7, 2012**

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

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:54 PM.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn C. Kern
President of Council