

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, April 2, 2008 at 7:10 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

ROLL CALL: Present – Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Sandra Yerger and Ron Horiszny, Council Members; Jack Cahalan, Township Manager; Assistant Township Manager, Leslie Huhn, Brien Kocher, Township Engineer; Township Solicitor, Linc Treadwell; and Township Planner, Rick Tralies. Absent: Georgiana Torrella, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

**Mr. Kern said Council met in Executive Session to
discuss personnel issues and potential real estate acquisition**

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

III. PRESENTATIONS/HEARINGS

A. IRON PIGS – PASSING OF THE FIRST PITCH BALL TO COMMEMORATE OPENING DAY

Mr. Kern said the Lehigh Valley Iron Pigs are days away from playing ball for the inaugural season at Coca-Cola Park and they invited local municipalities to be part of the first game by passing the first pitch ball. They have also invited us to be part of their time capsule which Lower Saucon Township would like to contribute to.

Mr. Cahalan said the Iron Pigs invited Lower Saucon Township to be part of the time capsule as well. Katie was present from the Iron Pigs. She said Mr. Kern will throw the out the first pitch. He threw it to Chief Lesser while Katie took a picture. Mr. Kern gave some things for the time capsule, which included, SauconFest mug, a patch from the Lower Saucon Police Department, decal of the Township, and a signed baseball from every member of the Lower Saucon Township Council. Katie invited everyone to come out to the park and see a ballgame. She said after people saw it on TV, they went crazy.

B. EMERGENCY MANAGEMENT COORDINATOR – BILL CSASZAR – PRESENTATION OF CONNECT-CTY EMERGENCY ALERTING SYSTEM

Mr. Kern said Bill Csaszar, the Township Emergency Management Coordinator, and a representative from the NTI Group will provide an overview of the Connect-CTY emergency call alerting system which in the event of an emergency would allow the Township's emergency services to alert thousands of residents in minutes via personalized voice, email and text messages. After reviewing several other alerting systems, Bill has made a recommendation, which is supported by the four (4) township volunteer fire companies, that the Township consider the purchase of the Connect-CTY system.

Bill Csaszar and Steve Linehan, Regional Manager, from ConnectCTY were present. Mr. Csaszar thanked Council for being able to make this presentation. Mr. Linehan, said they are a mass certification agent. They have created a platform across the U.S. so communities are able to communicate via telephone, email, and text messaging to all the residents and businesses in the township at the same town. The company was created 8 years ago. They are in 50% of the school districts right now. Three years ago, several clients asked if they could have a system for the municipalities to communicate time sensitive material. It's completely web based with access to the internet or the telephone. There is no additional hardware and allows you unlimited users and unlimited calls. They are a pro-active company. They are available 24 hours a day, 365 days a year. They have service level agreements, which you are able to generate 50,000 to 60,000 calls per hour across those lines and to your residents. Over 240,000,000 time sensitive calls were sent over the last twelve months. The system is used to find lost seniors, evacuation plans, missing persons, storm warnings, chemical spills, health warnings, detours and road closings, excessive heating warnings and things like that. He then showed the Council and audience how easy the system was to generate a call. When one of your departments has access to the system, all those municipal departments can have access and create user groups for the clientele they deal with on a regular basis without calling the entire town. There is an 800 number you can call 24 hours a day. When you send out a community outreach call, it goes to their primary phone number and if they don't pick up, it will leave a call on their answering machine. There is a priority communication or an emergency and will go out to the resident and business and ring their primary, and with every business and resident, there are breakdowns where they can put down the cell phones and emails. In an event of an emergency, when someone has populated all those fields, you're hitting them at six different points of contact. The third one is an interactive survey to send out a call and solicit a call back which are used for senior population. You could send a call out to the seniors, and it says if you are okay and don't think you'll need assistance with us today, press 1, if you think you'll need assistance, press 2 and it gives you a report back that will show you who pressed 1 and 2 and also who didn't respond back. This is much more than an emergency only tool. He explained them how it worked from the computer. One instance, there was an emergency situation at an elementary school, and there was supposedly someone on the property with a knife. He said he would go to the school and find out what's going on. His wife came out of the house and said there was a voice recorded message on the phone saying that all your children are safe and there is no visual sighting of anyone on the school property. Just hearing her voice, that made a difference to him.

Mr. Linehan placed a call, dialed the 800 number, entered his six digit ID, put in the message box number, recorded the message and pressed 1 and then pressed #. He sent his message to multiple cell phones. The calls have been recorded and downloaded to the system. You can edit it, listen to it, then choose who you want it sent to. All your resident data is in the data base. They also input the data information. You can send it to all or choose just certain types. You can also do it by street. There is a mapping feature where you can find a street within a one mile radius or a two mile radius. It will highlight that particular area and tell you how many residents are listed in that area, how many businesses and how many employees in that area. You can do it out to 10 miles. You can do it by group. You can create as many different user groups as you like. The call he put through came to all the cell phones that he had on the list within a matter of seconds. With ever call you send out, you get a report. The report will show you your successful and unsuccessful deliveries. If they were unsuccessful, it will tell you why they didn't answer. You can click on the details and show who answered it live and who answered it by answering machine.

**General Business Meeting
April 2, 2008**

Mrs. deLeon said she leaves all her message in her answering machine, what would happen if you called the number and it wouldn't go through. Mr. Linehan said it would go through as an unsuccessful delivery and they would keep trying until it went through. If a resident doesn't want to get these calls, they can go to the website and say they want to opt out for everything but emergency calls. Council and the audience listened to a very descriptive message where someone was out on the loose, and then at a later time, called everyone and said he was captured. A lot of the systems wouldn't make a follow up call because of the expense, but with their system, you can do that and let the community know what is going on and make four calls if they want to.

Mr. Maxfield said it was very impressive. Mr. Dan Andrews, Morning Call, asked what the charges were. Mr. Linehan said they haven't actually finalized what the cost would be to Lower Saucon yet. It's roughly about \$2.50 a household. They use that figure to try to get them a feasible fiscal number and that price will stay fixed for three years. They are trying to get to a flat rate fee that works for LST. Mr. Cahalan said it's about 3,900 households, which comes out to about \$9,700 and the businesses would be additional. Mr. Linehan said there are no fees for set up, web portal, training, client care. Mr. Maxfield said what does the training involve? Mr. Linehan said it only takes about 90 minutes. It's very user friendly.

Mrs. Yerger said does it show when phone lines are down? Mr. Linehan said they are at the mercy of your local switch. If that's down, that's why you'd like to have other numbers in place. The system will say it was an unsuccessful delivery.

Mrs. deLeon said in order for them to send a call out, you have to be live here. Mr. Linehan said it's internet based. Some of your emergency personnel will get a dial in message card and they can generate a call with their user number on it.

Mr. Horiszny said do they just try to assign one person to monitor the outgoing messages? Mr. Linehan said yes. They will get reports, what department is making those calls, and it's good from a budgeting point. Mr. Horiszny said could we have Bill and the Four Chief's be able to be send messages to their firemen and have a 911 center to contact fire personnel being called? Mr. Linehan said yes.

Mr. Maxfield said did you ever have a problem with two departments using it, who would have priority? Mr. Linehan said from a priority standpoint, those calls go out so quickly.

Mr. Cahalan said Bill has recommended this system. He feels this is the best system. Mr. Cszasz said his concern is emergencies. He doesn't want to see the system abused, so having selected groups communicating among themselves is fine, but to send out general messages out to the general public, he doesn't want to see that. He wants to prioritize based on sub groups. The County does have a system, but it's not as powerful as this system is. The County sent out a message last week, but the problem was, there was no follow up call afterwards. If we want to piggyback on their system, the problem is we can't do it ourselves, the 911 dispatch center has to call one of the administrators at home to be able to do it, and that's time lost. He's not downplaying the county's system, but for special use or custom use by our municipality, CTY fits the bill the best. They can create authorization levels that only allow certain people to call no more than 5% of the population or just people in their user groups, or only generate a call if it's authorized by someone else. The county service was in service since January and this past Saturday was their first opportunity to use it. There is redundancy, but redundancy in emergency communication systems is not a bad thing.

Mr. Cahalan said Bill thinks it's a good system, but since the county's system is just getting up, they'd like to take a little more time and talk to them about the system, see where they are going, if they can make improvements, what level they are at, before they come back to the Council with a recommendation. This is the best system Bill has reviewed over the past year.

**General Business Meeting
April 2, 2008**

**C. PUBLIC HEARING & CONSIDERATION OF ADOPTION – ORDINANCE NO. 2008-03 –
EQUALIZATION OF HELLERTOWN POOL PASS FEES FOR LOWER SAUCON TOWNSHIP
RESIDENTS**

Mr. Kern said Ordinance No. 2008-03 has been advertised for a public hearing and consideration of adoption to partner with Hellertown Borough through an intermunicipal agreement to offer residents of LST the same rates as Hellertown residents for seasonal passes at the Hellertown Community Pool. Instead of offering LS residents a refund, which required them to come into the township office and apply for a refund, the money budgeted for that will be used to compensate Hellertown for the rate difference.

MOTION BY: Mr. Maxfield opened the hearing
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Mr. Cahalan said this is one of the cooperative projects they are working with Hellertown on. Previously, there was a lot of administrative paperwork that had to be done.

MOTION BY: Mr. Maxfield closed the hearing
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

MOTION BY: Mrs. Yerger moved to adopt ordinance 2008-03.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? Mrs. deLeon said on page 2, No. 5, where it says “home rule charter”, should it say “optional plan”? Mr. Cahalan said yes. Mrs. deLeon said that needs to be changed. Attorney Treadwell said it can be changed and it doesn’t affect the advertisement.
ROLL CALL: 5-0

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCE

**1. EDWARD AND DOLORES HILL – 2021 SCENIC VIEW LANE – REQUEST
SPECIAL EXCEPTION TO ADD 4 ADDITIONAL DWELLING UNITES IN ONE
NEW BUILDING**

Mr. Kern said the applicant is seeking a special exception approval from the ZHB to expand an existing apartment use by adding another building housing four additional units.

Present, Douglas Hunsinger from Keystone Engineering and Dennis Benner, Attorney for the Hill’s. Mr. Benner said they are here prior to going to the ZHB. They met with the PC in February 2008, and as a result of that meeting, the PC made a recommendation to forward it to Council and then to the ZHB. One was to prepare a site capacity calculation. Mr. Hunsinger has developed a site capacity calculation. The second from the PC was to show primary and secondary systems. What you see depicted on the plan, the red areas are the structures, and they are primary and secondary backup systems. The third recommendation was that it would be presented to the ZHB before we got there, and here it is. It’s a four unit building. It’s one more of the same thing that is there and fits into that location very well. If the ZHB grants a special exemption relief, then it goes back to the PC and for Council’s review. What the site capacity calculations indicate is there are a

**General Business Meeting
April 2, 2008**

little bit over 14 acres which is in Springfield Township and LST. There are some right-of-ways and easement takeouts of 0.01 acres, so it's a base site of 14 acres or so. There is some resource protection land of about 9.2 acres allowing a little bit of 5 acres for construction purposes. They are garden apartments and they have been there a long time. It's a pre-existing non conforming use. If you did the calculations based on the allowable density for a garden apartment, in theory, it would yield 36 units, that is not permitted within your zoning code because of the special exception and gives you about 26 EDU's. What is being proposed here is one additional building, which would be 25 additional units on this site. What you see is it will be presented to the ZHB and if they see it appropriate to grant a special exception, they'll be back to the township.

Mr. Kern asked if the staff reviewed this information? Mr. Tralies said they reviewed the plans submitted for the special exception application. At that point, there were no capacity site calculations on the plans, which weren't required at that time. That came up at the PC meeting. They reviewed the plans previously, but not the site capacity calculations. Mr. Kocher said most of their review was related to the future land development plan submission if they get that far. They didn't have any specific zoning issues to talk about.

Mr. Horiszny said it looks heavily treed where the new building is proposed. Mr. Hunsinger said there are six trees which would be cut down for the new building and the septic system. It's heavily wooded at the northern end of the site and the slopes are generally above 8% which puts it into an environmentally sensitive woodland which is a key part of the site capacity calculation.

Mr. Maxfield asked if they did any site analysis from the perspective from Cook's Creek? Do they get closer to the actual building site? Mr. Hunsinger said in the northern part of the site, there are two streams that exit the site and that is the environmentally sensitive woodland area. Mr. Maxfield said the map he's looking at is the western part of the tributary starting down where the black arrow is, much closer to the site than is listed above. Mr. Hunsinger said there's no waterway in that part of the site. There are some trees, (6) which have to be removed, but there's no waterway. There's a driveway that comes across to a shed and an existing building. That's an existing infrastructure. The maps he's seen and looking at the site, the waterway starts off site.

Mrs. Yerger said this area falls within the headwaters of the Cooks Creek and there's a source water protection overlay zone? Was that part of your calculations? Mr. Hunsinger said it was not part of the site capacity calculations. That doesn't enter into your formula.

Mr. Horiszny said did you say there were two proposed septic lots below the arrow? Mr. Hunsinger said they tested two areas. The primary is beneath the arrow and then they tested for a sand mound area at the other area, which is an alternate area.

Mrs. Yerger said this is for use only? Attorney Treadwell said yes. If the ZHB grants their application for a special exception, it means it could not be built until the land development process takes its course. Mrs. Yerger said she knows that is the bottom line. Attorney Treadwell said it's an apartment use which would not be permitted under your current zoning. Mr. Maxfield said we don't have gobs of information here, it's a sloped site, there are waters around it, but as long as the other things will be handled and it's for use only, that seems to be okay.

Mr. Kern said when Mr. Benner was on Council in 1984, he voted against this development. Mr. Benner said he didn't remember that.

Council took no action.

2. **WADE & ANNA KUZEN – 1389 CLEARFIELD AVENUE – REQUEST VARIANCE OF REAR YARD SETBACK TO PLACE SHED ON PROPERTY**

Mr. Kern said the applicant has installed an approximate 160 s.f. shed with the required front yard (which is actually their rear yard) and is requesting a variance for approx. 17 feet of the required front yard setback of 25 feet.

Present were Anna and Wade Kuzen. Mr. Kuzen said they've been there since 1985, and built a shed which was 12x20. They took it down and purchased a new shed and put it up, not knowing the zoning laws had changed. It was an existing building and no one bothered them about it at the time. They are asking that they don't have to take a big tree down. You can't even see it from the street. Any where else on the property would cause it to be in the neighbor's view. They would have to have it removed, dig a new hole, take the tree down which would be about \$3,000.00. Mr. Maxfield said the photos included were more revealing and you can see how restrictive the yard is.

Council took no action.

3. **TOM & KERRI JOHNSTONE – 1841 VIOLA LANE – REQUEST VARIANCE OF REAR YARD SETBACK TO BUILD PATIO**

Mr. Kern said the applicant is proposing to install a patio and walkway with a total area of 605 s.f. and is requesting a variance of approximately 20 ft. of the required rear yard setback of 40 feet.

Present was Kerri Johnstone. She said when they had purchased their home, they found out there was 40 feet of zoning that has to be from the structure of their home to the property line. They want to put a patio on the home and it might not go to the 20 feet, but they'd like that lead way. Mrs. Yerger said you are not sure you are going to need that full amount of variance? Ms. Johnstone said they are asking that, but they are not sure the patio will go to that, so they are looking for the variance and they want to be under the law. Her impervious coverage is fine. Mrs. Yerger said it sort of maxes you out. Ms. Johnstone said she does not want to put a pool on her lot or a shed, just a patio. Mr. Maxfield asked if the house was built right up to the setback? Ms. Johnstone said she has 10 feet from the setback. Mr. Garges said they were given ten extra feet.

Council took no action.

Mr. Maxfield said you are asking for 20 feet, but keep it as minimal as you can. Ms. Johnstone said when they moved in, she didn't know any of these rules. Mr. Maxfield said your builder should have known. Mrs. Yerger said there are certain parts of the township where we've had a lot of storm water problems. That's why we are very cautious about these kinds of things.

B. PIERPONT PROPERTIES – RT. 378 & COLESVILLE ROAD – CONDITIONAL FINAL PLAN APPROVAL

Mr. Kern said the applicant is seeking final plans approval for the installation of a new bank.

Present – Andy Warner, Owner, Gregg Feinberg, Attorney and Paul Szewczak with Liberty Engineering. Mr. Feinberg said they have made the rounds multiple times and they are at the point

**General Business Meeting
April 2, 2008**

where they have addressed all the engineering issues. They have their approvals from Planning. The one issue leaving Planning was a discussion of a right hand turning lane on Colesville Road and coming to terms with the township engineer for a mutual agreement upon which, at that point, they had the conditional approval from the PC based on getting that resolved. They got that agreement now. They've addressed that issue and he doesn't believe that there are any outstanding engineering issues on the letter that need to be addressed. Mr. Kocher said their letter is just the legal checklist for Attorney Treadwell and for the City of Bethlehem. Mr. Kocher said there are two waivers they are requesting which is part of the motion. They do not want to test for a second drain field area. They don't have the room. They discussed that with the PC and the PC feels that the four year fill they want to put in is sufficient to install a holding tank if necessary. They are going to use the existing on lot septic system which should have an even lesser use with the bank, PC was comfortable with that. Second is road improvements for 378 and Colesville with exception of an 8 foot shoulder on Colesville Road which is how they solved the traffic conditions. Mr. Feinberg said there is an additional six feet of macadam. The only other thing he'd like to call to your attention is one of the items of the rec fee contribution of \$3,113.00. This shoulder has cost them a lot and they've done it so they could go ahead and try to accommodate the township. He'd like to make the request that the rec fee be removed in consideration of the additional \$30,000 to \$40,000 used to build that shoulder. Council did not agree with that, and said they would like the \$3,113 rec fee.

- MOTION BY:** Mrs. deLeon moved for conditional final plan approval based on staff recommendation dated April 2, 2008.
- SECOND BY:** Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

V. TOWNSHIP BUSINESS ITEMS

A. DISCUSSION REGARDING TOWNSHIP LANDFILL CONSULTANTS

Mr. Kern said following the annual council reorganization meeting in January, Council asked that staff provide them with additional information outlining the duties and responsibilities of the consultants previously authorized and appointed to work on landfill related issues and projects. Jim Birdsall, the Landfill Engineer and Scott Brown, the Township Host Municipal Inspector are present this evening to review this information with Council.

Present: Scott Brown, Host Municipal Inspector and Jim Birdsall from HEA, the Township Landfill Engineer.

Mr. Cahalan said they tried to pull together as much information for Council as they could, and Jim and Scott weighed in on this to try to give you background on the responsibilities of the PA DEP and the landfill consultants and the host municipal inspector. Jim made some additions to the previous information about the duties and responsibilities to the landfill consultant. They are here if there are any questions.

Mr. Birdsall said there is a host municipal agreement between the operator and the township. These are things allowed as part of the permitting process and local involvement with the environmental issues in your township. Years ago, it said there would be two citizens from LST who would sit on the committee and two representatives from the landfill and they meet every month. There is only one representative from the consulting staff there which is the host municipal inspector. Any issues at that meeting that are before the township and the landfill are supposed to be reported at that meeting and vice versa with the township. They are recorded informally. The other party, IESI, have to come back if they think the minutes are not correct or want to say they

General Business Meeting
April 2, 2008

want to identify something. That working group keeps somewhat of a tab on the landfill operations. There are quarterly reports that the landfill is obligated to put out and they have a lot of detail on the environmental studies and the garbage coming in, and identifying how fast they are filling up and any leaking of the landfill because of the different test facilities they have on site. They have to meet certain thresholds of ground water quality, certain abilities to make sure that the leachate that comes out of the landfill that gets trapped above the liners when it rains, gets transported to the city of Bethlehem treatment plant properly. Those quarterly reports come in certain notebooks. The committee and Council have had to reach out to special consultants to review most of those documents. The permitting documents are very complicated, and the operation documents are above the expertise of HEA with regard to the construction of the liners and the underground system and interpretation of the results that come in on a quarterly basis. There was a firm that was hired to do the primary evaluations. When Council decided to move away from that consultant, they hired Tri C Corporation Laressa McNemar to fill the role that Walter used to fill and they hired Rich Sichler. There were time issues that came up beyond the scope of all of us and then during those times, the issue was brought before Council as a committee recommendation to hire special consultants to tackle those reviews. When a permit application comes in, there are two levels, a minor and major modification. There can be a new permit altogether. Within the site itself, ever since the city owned it, they've been operating under one permit limit under some grandfathering of regulations and have been able to expand. That's a major permit modification. Those are extensive in nature and there's a lot of public involvement. The state legislators have set up a user friendly system for the community to participate in those plans. The DEP has also been pretty responsive to LST in listening to the recommendations of the consultants of the township. The recent one was the pipe under the landfill, and they've been holding up the approvals until the township was comfortable in the proposal. That's what the committees and consultants have been doing. The quarterly time is when the consultant's ramp up and review the quarterly results. He has only been providing a coordination role. He's familiar with township zoning. He's familiar with the history of the landfill and he is in the role of consolidating reviews of other consultants and drafting his commendations to the committee and to the council, and drafting letters to DEP from Council decisions. His time ramps up and down depending on that particular need. He doesn't go to the monthly or quarterly meetings.

Mr. Maxfield said he is uncomfortable with the situation is that what we consider consultants at this point, outside people for special assignments, seem to be performing more monthly duties. When he reads the description of Scott's job, those are things Scott should do. Scott is reviewing quarterly reports and then our outside consultant is reviewing the same reports on an annual basis. Mr. Brown said Laressa's technical experience and knowledge is greater than his. He reads the first four pages and doesn't review all the reports and testing and analysis. His limit is to see if anything major is coming out. The getting very detailed and going through it is Laressa's role. His role is very limited. Mr. Maxfield said we see three or four engineers looking at this. We want to avoid redundancy. There was something that said you don't do detailed technical review unless requested by the township or township staff. He doesn't know what that means. When does it become detailed and technical that we need to pull in a consultant on a monthly basis? Mr. Brown said what he's talking about is the quarterly reports and that's when it ramps up. There's a lot of information and things he would never pick up on, and Laressa with her experience, knows what she's looking at. Mr. Maxfield said when it references the Form U's, those are relative things. Mr. Brown said they can be, but he'll see what the waste is, and Laressa recently picked up a fairly thick one that had an incorrect container to obtain the sample. He wouldn't have picked up on that, but Laressa did. There's some other wastes that come in that are different and you have to go through a more extensive testing process. Mr. Maxfield said it's bothered him, and we got the language from the host municipal agreement and it says that the Landfill Committee is advisory, but it doesn't say anywhere it's advisory to Council. It sounds as if the committee can be out there operating and submitting reports to the landfill and to Council as it sees fit. They need to keep that

General Business Meeting
April 2, 2008

in focus. Mrs. deLeon said in all years the committee has been in operation, since 1988, they've never done what Mr. Maxfield just suggested.

Mrs. Yerger said when she looks at the reports, she sees a lot of redundancy and multiple engineers looking at the same reports. Mrs. deLeon said have you ever seen a quarterly report? Mrs. Yerger said yes, she has. How many other Townships does Laressa work for? Mr. Brown said he didn't know and Mr. Birdsall said when this question came up at the end of the year, she provided a resume. Mr. Cahalan said that was provided to Council earlier. Mrs. Yerger said there were no parameters on her resume. Mr. Brown said in the quarterly reports, there are some things Rich pulled out and he reviews them, so there may be two consultants, but they aren't looking at the same paragraphs or sections of that report.

Mr. Cahalan said Laressa was a Project Manager and Design Engineer at Chester County from 1986 to 1993. Mrs. Yerger said she believes her company went away.

Mr. Kern said the major concern he's hearing is the perception of some overlap in consulting services. The best thing would do is to come up with certain lists you see overlap and Jim Birdsall could address that. Mr. Birdsall said it's probably more important for Laressa to look at the Form U's. Just send her the Form U and make sure she gets it and deal with Jack and DEP and keep HEA advised by copies. We could keep that out of the circulation and let Scott know if there is something he should be aware of. That could be taken out of the loop and concentrated in one direction. The ground water reports could only go to Rich and have him make the decision. His summaries are phenomenal. He can explain in five minutes and make it clear to the rest of the committee where it wouldn't mean that much if he saw it tabulated in a book prepared by IESI. We like to be apprised because we feel we are partly responsible what's happening. The flow of paperwork could be reduced.

Mr. Maxfield said he sees PA DEP does split sampling and then he sees Rich does the same split sampling and Rich hasn't ever found a lapse in DEP's work, so now we're paying twice to get that done. Mr. Brown said Rich doesn't do all the split sampling. He may choose two or three wells and DEP does the rest. He is not redoing everything.

Mrs. deLeon said the annual reports and trend in some parameters going up as there is pollution there we should all be aware of. It's still there polluting the ground water. Mrs. Yerger said his role seems very different and a specified role. She's looking at multiple people looking at the same report. Mrs. deLeon said the quarterly books are at least three inches thick. Rich might look at the quarterly report, but not looking at the entire thing.

Mr. Birdsall said we could all be a little more precise at what we are looking at and put down what section of the report we are looking at. Mrs. Yerger said that would be very helpful. Mr. Kern said that was part of the purpose of the discussion tonight to get lines of communication open. Mrs. deLeon said we meet April 15, are we having this meeting. Do you have a problem on us meeting on a quarterly basis? Mr. Kern said no. Mr. Maxfield said we need to know a little bit more sometimes about the issues and finding out exactly what it is. Mrs. deLeon said she's very concerned about the leachate chambers 6, 7 and 8, and there's something going on in the liners. Mr. Brown said that's where Laressa comes in and she understands that. There is something going on there. Mr. Birdsall said DEP is a thousand times better than they used to be, but sometimes we come to an issue or a pump failure and DEP didn't worry about it until we kind of buried and dug into it a little bit. The same with the expansion on the western end of the landfill, they were abandoning some of the wells and Rich got the best configuration of the wells. It's going to have a better indication of what's happening in that corner of the property. Would it be helpful if quarterly or semi annually Scott or Laressa gave an update on what's going on to keep you

**General Business Meeting
April 2, 2008**

informed instead of reading reams of paper and reports you may get. It may make it more accountable for everyone. Mr. Maxfield said he would agree with that.

Mrs. deLeon said we all know what happened with Ivan and the breach of the pond on top of the landfill and we have to keep on the landfill to keep the north slope access open. Scott goes on the monthly inspections and she'll go on a few and one time she went and the thing was overgrown. That shouldn't be. When they met with DEP after Ivan, she was talking about the access roads and they didn't know what she was talking about. Haz Hijazi is our other member and we do a good job. If it wasn't for this monthly meeting, who would be watching this landfill? Mr. Kern said the question is not about who is watching the landfill, is it being overly watched because of the money being spent. It's not that the committee is not doing it's job, that's not even part of the discussion. Mrs. deLeon said she expects to show up at the meeting on April 15 and their core group will report on what happened and most of the time they will call Bill Tomayko up right there. She's been going to the landfill meetings for years, and they finally changed the map which has all phases of the landfill.

Mr. Cahalan said going forward, Council has appointed Jim Birdsall as the Landfill Engineer and Scott Brown as the Host Municipal Inspector. After the reorganization meeting, they pointed out there were issues about the Form U and the groundwater reviews and Council directed any reports on groundwater were to go to Rich Sichler for review and he'd report back to the landfill committee. Currently, Laressa is only looking at Form U's and reporting back what her findings are. Going forward, he would need clarification about the quarterly meetings, as Laressa is not reviewing all of the reports that she used to do in 2007, she's looking at Form U's. Mrs. deLeon said who is going to be reporting at this meeting? Mr. Birdsall said it would be best not to have the meeting right now and postpone it so Laressa could have a chance to look at the quarterly's. Mrs. deLeon said we need somebody reviewing that. Mrs. Yerger said currently what is not being reviewed by anyone? Mr. Birdsall said the engineering details in the quarterly report. Like a nurse, then a GP, then a specialist, and then you had a brain surgeon and Scott is taking care of you on a day to day basis, he knows your fingers work but the brain surgeon figures out what went wrong and how we can make it better, and right now Laressa is the brain surgeon and she's been put on hold. Mr. Cahalan said it would be better if just Laressa reviewed the quarterly reports. Mr. Birdsall said the executive summaries they would like to have. Mr. Brown said the executive summaries are about four pages. He's looking at that to get a basic idea. Laressa needs to get into the meat of it. She looks at the annual operation report and annual ground report. They can put a better summary chart of all the reports as each quarter two come out. They are different reports. Mrs. deLeon said over the years, they would just send them the data from the monitoring of the wells. There would be pages of lab tests. They'd ask what does this mean? The host agreement made it mandatory for the landfill to give us their summaries and that's what they look at. The landfill committee doesn't even get that summary anymore so to they depend on the consultants.

Mr. Cahalan said he'd like clarification. Laressa is only authorized to review Form U's. If we are talking about going forward, there would have to be Council direction to increase her scope of responsibility. Mrs. Yerger said maybe Jim could expand and break it down, all the responsibilities of everyone and then get her up and running. Mr. Kern said based on what Jim said tonight, Laressa has to get moving on it.

MOTION BY: Mr. Kern moved to have Laressa proceed, based on Jim's recommendation and direction, for this month, to get ready for the quarterly report.

SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? Mrs. deLeon would like to meet in April. Mr. Birdsall said he will have to see how far Laressa gets, and they would get back to Mrs. deLeon.

ROLL CALL: 5-0

**General Business Meeting
April 2, 2008**

B. ORDINANCE NO. 2008-07 – AMENDING CHAPTER 170 – POLK VALLEY PARK TRAFFIC RESTRICTIONS – AUTHORIZE ADVERTISEMENT

Mr. Kern said a draft ordinance has been prepared to set the stop and speed limit signs on the road located within Polk Valley Park. Council should authorize the advertisement of the ordinance for a public hearing and consideration of adoption.

Mr. Cahalan said this is for internal roads for Polk Valley Park which is opening this Saturday. This came from the traffic study done by the Police Department.

- MOTION BY:** Mr. Horiszny moved for approval of the advertisement for Ordinance No. 2008-07 for a public hearing for amending chapter 170 – Polk Valley Park Traffic Restrictions.
- SECOND BY:** Mrs. Yerger
- Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

C. AUTHORIZATION TO EXPEND FUNDS TO PURCHASE NEW DOUBLE DRUM ROLLER

Mr. Kern said Council has budgeted funds to purchase a new roller for the Public Works Department. The Director of Pubic Works is recommending a quote from Powerco, Inc. at the price of \$30,465. Council had approved the line item at \$30,000, however, the LSA had requested to purchase the old roller at a price of \$2,500 which would reduce the actual cost of the new roller.

Mr. Cahalan said there is a letter from the LSA that they will pay \$2,500 for the roller. It was budgeted in the 2008 budget.

- MOTION BY:** Mr. Kern moved to approve authorization to expend funds to purchase a new double drum roller.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

D. LUTZ-FRANKLIN SCHOOLHOUSE – AUTHORIZE SUBMISSION OF NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION FORM PREPARED BY WISE PRESERVATION

Mr. Kern said Wise Preservation has completed the registration form for the National Register of Historic Places to be submitted to the U.S. Department of the Interior for the Lutz-Franklin Schoolhouse.

Mr. Cahalan said Mr. Wise informed him he has the document ready to go to the PHMC. Everyone has a copy as does Lower Saucon Historical Society. This is an opportunity to make any comments or corrections and he'll transmit them to Mr. Wise. Ms. Lorraine Torrella said on page 1, line 5, it should be 4216 instead of 1216. Section 8, page 6, the spelling of "Rasely", it appears twice, but then every other time it appears incorrectly.

- MOTION BY:** Mrs. deLeon moved for approval of the Lutz-Franklin Schoolhouse to authorize submission of National Register of Historic Places Registration Form Prepared by Wise Preservation, with corrections.
- SECOND BY:** Mrs. Yerger.
- Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

**General Business Meeting
April 2, 2008**

VI. MISCELLANEOUS BUSINESS ITEMS

C. APPROVAL OF MARCH 5, 2007 COUNCIL MINUTES

Mr. Kern said the March 5 Council minutes reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Maxfield moved for approval of the March 5, 2008 minutes.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 3-0 (Mr. Kern and Mr. Horiszny Abstained – they were absent from this meeting)

VII. PUBLIC COMMENT / CITIZEN NON-AGENDA ITEMS

Ms. Lorraine Torrella said regarding the paper recycling contest, she'd like to enroll the Township in "What's your Goal" from May to August. The prize is \$200.00. Council agreed for her to enroll them in this program.

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said last meeting there was discussion on no parking ban on Saucon Avenue. The staff is reviewing that situation. They are looking into some recommendations. He contacted residents at Saucon Avenue as it was going to be discussed at tonight's meeting, and he told them when they came back with recommendations, he'd let them know.
- They received the report from Dr. Dru Germanoski on the Woodland Hill Tributary. When they originally brought this to Council in 2006, it was an estimate that he could complete the report in 30 hours for \$100 an hour. Council at that time approved a do not exceed figure of \$3,000. It actually took him 100 hours to do this report. It's a valuable resource for the future. Based on the additional time, the recommendation is that we pay Dr. Germanoski an additional \$2,000 over the \$3,000 that was authorized for a total payment of \$5,000. Mrs. Yerger said that's still a bargain.

MOTION BY: Mrs. Yerger moved for approval to pay Dr. Germanoski an extra \$2,000 for his house.

SECOND BY: Mr. Maxfield

Mr. Kern asked if anyone had any questions? Mrs. deLeon said was he aware that he wasn't supposed to go over the 30 hours? Mr. Cahalan said he was told the rate was not to exceed, and he didn't come in and request a change order for the additional hours. Mrs. deLeon said in the future when we hire a consultant, we let them know this is the cost Council is anticipating and if there is a problem, they bring it back to Council. Mr. Maxfield said the hours were less than 50% of what was quoted.

ROLL CALL: 5-0

- Part of our agreement with Hellertown Borough to cooperate the SV Compost Center, was to establish a yard waste recycling committee and that is comprised of one elected rep from each governing body, the Borough and Township Managers, directors and supervisors of the public works from each municipality and one citizen from each municipality and the committee would meet on a quarterly basis and develop an annual operating budget and set polices, procedures and operating schedules, make recommendations to Council for adoption. He has a township resident and needs a Council member who is willing to serve for this meeting. Mr. Horiszny said he would be willing. Mr. Pagoda is the township resident and he would be a good candidate for the committee.

**General Business Meeting
April 2, 2008**

- There was a concern raised about the lack of fire police particularly for Southeastern and Leithsville and Priscilla asked that I look into that. Basically the response from the Chief's about the lack of fire police for those two companies was a lack of volunteers and Southeastern indicates they have historically not used fire police and go to mutual aid when necessary.
- Our former canine dog passed away this past weekend, Caezar after eight years of service. He had a neurological type of condition where he had to be put down. He sent letters of sympathy out to the officers and they are looking into a memorial for Caezar. They have a request from the police department to bury his remains on the town hall property. Mr. Heintzelman donated a casket for Caezar. They are also working for a donation for a headstone. They are asking how you feel about Caezar being buried on the township grounds. Mrs. Yerger said do they have a location in mind? Mr. Cahalan said not right now. Mrs. deLeon said she buries her dogs in her back yard and she doesn't have a problem with it. She doesn't know where. Mrs. Yerger said she has no problem with it either. Mr. Horiszny said possibly by the garden and by the police department. Mr. Cahalan said the police would be responsible for the care of the site. Mr. Kern said he'd like to see a plaque instead of a headstone. Mrs. Yerger said unless it's a nice little doggie stone. Mr. Cahalan will let them know.
- Mr. Cahalan said since 1999, the Police Department has been applying for bullet proof vest partnership grant funds. These funds are issued by the U.S. Dept. of Justice. We've been receiving funds and they pay for ½ of the cost of a vest, so the PD has to apply for the funds and they are going to renew that application.
- Polk Valley Park is opening on Saturday, April 5, 2008, rain or shine. They will include the plaque dedication for Manny Tavormina and have either a soccer or lacrosse games.

B. TOWNSHIP COUNCIL/JR. COUNCIL MEMBER

Mrs. Yerger

- She said April 26 is electronic recycling at the township. They are going to add another component. PPL will recycle the new light bulbs with the mercury in them. Bring those as well. Mr. Horiszny asked about flashlight batteries. Mrs. Yerger said she can bring a bin as they recycle them through work. Mr. Horiszny said maybe we need to look at a spot where we could keep them at Town Hall. Jack said he'll look into it.

Mr. Maxfield

- Happy Birthday to Leslie today.

Mr. Kern

- Nothing to report

Mrs. deLeon

- She said SV Conservancy will have the "Meet the Artist Night" on April 5 to May 11, 2008. You are all invited this Sunday and the exhibit is beautiful. Come see the young student's talents.

Mr. Horiszny

- He said the Se-Wy-Co Fire Police and the Hellertown Fire Police do back up for Southeastern and Leithsville and they backed up Upper Saucon today.

C. SOLICITOR

- Attorney Treadwell said the staff has met with Giant Supermarket and they would like to put in a gas station. Their attorney called and asked to request if any members of Council

**General Business Meeting
April 2, 2008**

would like to meet at the next staff meeting. Mr. Kern and Mrs. deLeon said how are they going to come up with additional parking spaces. Mrs. deLeon said what ever spaces they needed, they put in. Attorney Treadwell said the one big issue is the carbonate geology. They have a way they can satisfy this with underground storage tanks. Mr. Kern and Mr. Maxfield will go to that meeting.

D. ENGINEER
➤ Nothing to report

E. PLANNER
➤ Nothing to report

IX. ADJOURNMENT

MOTION BY: Mr. Maxfield moved to adjourn. The time was 9:36 PM.

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

ROLL CALL: 5-0

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council