

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, April 16, 2008 at 7:02P.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, Judy Stern Goldstein. Absent: Georgiana Torrella, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

<p>Mr. Kern said Council did not meet in Executive Session between last meeting and this meeting, but will go into Executive Session after the meeting to discuss potential land acquisition and personnel issues.</p>

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 yes, III.A. ATV Public Hearing.

III. PRESENTATIONS/HEARINGS

A. PUBLIC HEARING & CONSIDERATION OF ADOPTION – ORDINANCE 2008-02 – AMENDING THE LOWER SAUCON CODE TO PLACE RESTRICTIONS ON ATV OPERATION

Mr. Kern said Ordinance 2008-02 has been advertised for a public hearing regarding the hours of operation and distance from property lines regarding ATV usage. This does not pertain to home maintenance/agricultural use of an ATV.

This was taken off the agenda and tabled to a future meeting.

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B. PUBLIC HEARING & CONSIDERATION OF ADOPTION – ORDINANCE 2008-07 – AMENDING CHAPTER 170 – POLK VALLEY PARK TRAFFIC RESTRICTIONS

Mr. Kern said Ordinance 2008-07 has been advertised for a public hearing to set the traffic regulations including speed limits and stop signs in Polk Valley Park.

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

Mr. Cahalan said we have advertised the ordinance. It contains regulations for the code of the township to cover the traffic and parking regulations that are needed at Polk Valley Park.

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

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. deLeon moved for approval of Ordinance 2008-07.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

C. PRESENTATION BY LOWER SAUCON AUTHORITY (LSA) ON THE LEITHSVILLE AREA ACT 537 PLAN

Present – Mr. Gar Davidson, Administrator from Lower Saucon Authority and Mr. Bradley Youst from Hanover Engineering.

Mr. Davidson said they wanted to give you a quick update. 2007 activity – some of the issues raised by Hellertown and looking at what the next steps might be. The last presentation was last April 2007. At that time, they were trying to deal with the Hellertown marsh area as that's where the original path was. They got some help from Frank Pazzaglia and they walked it on April 17, 2007. They walked it and found out they had a greenway running right alongside of the marsh. He showed an overview of the area. Two miles go through Hellertown park lands to establish a gravity route. The route has changed a little bit from a year ago, and he showed the overview. There would be a crossing under the railroad track. You'd come along the ball fields and the Saucon Creek. He said it's a good illustration as there have been a lot of public comments that they are going right through the ball fields, and they are not. The most difficult passage is between the creek and the ponds and will take some special engineering to do that. He showed the original route as envisioned in the late 70's. The problem is the marsh is right up to the edge of the railroad. They have a route where there is a 50 foot wide greenway swath where they would be coming up through. They moved again into park lands and into the Thomas Iron Works. He showed Hellertown's existing system. There are two possible routes, one which would take them along the same path as they did and works its way over to manhole 3. Another alternate route would take them to an open area and could move up through the area. He showed the famous stinky manhole and that is manhole 3. It's unique that it doesn't have a manhole cover on it, but a hatch so you can read the sewer numbers. They walked the route with the EAC on July 24, 2007, and saw many opportunities to get rid of the scrub and replant with native species. They made a formal

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presentation to the EAC on August 7, 2007 and got some more input. They met with Hellertown Borough Authority on August 8, 2007 and made a presentation to Hellertown Borough Council in September 2007. The council then met with the Borough Authority and went over issues that are common to both Hellertown and us. The Borough Authority is very supportive of our efforts as they could eliminate a pump station at Springhill Plaza. Hellertown Council meeting on October 1, 2007, they asked what are the advantages to Hellertown, what's in it for us? LSA went through things like they'd be able to eliminate a pump station for you. Hellertown Council meeting on November 5, 2007, and they received the Borough Engineer's comments. There seemed to be confusion about the Act 537 process. They asked for clarification of that. December 3, 2007, they made the presentation on the process. They found the Council not to be supportive of the whole idea. They seemed to be leaning to having the fully engineering precisely where every manhole would be, and the whole concept of the 537 is to develop a generalized plan to say this is basically what we are trying to do and solicit their cooperation in granting an easement. They gave them where they would have input and felt there were numerous opportunities during the design to have input into the process. They then directed their solicitor, Michael Corriere, to summarize the issues that had to be addressed. December 17, 2007, they wrote the letter and sent it to the LSA. We have not, at this point, responded to the letter. We wanted to come here first before we did that and get your input and direction. Throughout the meetings, a number of concerns have been made. He wants to give you some of the issues and basic responses. There seems to be a lot of concern about destruction of park lands and ball fields. They wanted them to stay out of that area and use Front Street and the SEPTA rail bed and there are significant problems. Using Front Street would add \$3 million to the project. The estimate was \$2.7 million and Hellertown and LSA would share in that. They did not want to pursue it. They looked at their lines and said they could repair it more cheaply than we could collectively do a major construction project through a major street. It would be a very expensive job. The basic answer we've given them was it would not disturb the playing surfaces, maybe some area around it and the parking lot. Disruption of the playing season, LSA said they would work with the teams and Jack Cahalan said they would work with them to schedule and coordinate with the township facilities. Mr. Kern said the playing fields are just Grist Mill? Mr. Davidson said he's not certain, but it's a major part of it. Mr. Kern said they are used, but are not used heavily. Mr. Davidson said they talked to some of the coaches and they were fine and comfortable with it. Mr. Kern said the two baseball fields by Grist Mill are totally practice fields and not used for games.

Mr. Davidson said there is concern over manhole heights, visual effects and player hazards. They have seen the elevated manholes that you do have near creeks and in the flood plain. Normally the DEP requires manholes in these kinds of areas, to be above the 100 year flood plain elevation. With the DEP approval, we'd ask to put the manholes below grade and put mulch on them to avoid player hazards. Mrs. deLeon said how far into the flood plain are you? Mr. Davidson said you are next to the creek. Mr. Youst said we'd have to use water tight manhole lids with inner lids and provide additional sealing on the exterior which is doable, they would be below grade and be submerged. They would have to go through some hoops with DEP to get the approval, but would meet with DEP and explain this is the condition of the ability to obtain an easement for the route that is the best alternative. Until they get to the design phase, they can't guarantee this will happen. Those structures are readily available, but more expensive than the typical lids.

Mr. Kern said what would the alternatives be around the playing fields if it was denied by DEP? Mr. Youst said they would most likely end up having to abandon this route. There may be some places where they could work along the roadways north of the mill area and stay up against the railroad right of way and have the manholes elevated. In the playing field areas, there's no way to insure the safety of the players as well as to minimize the visual impact.

Mr. Davidson said the reality of the manholes from the playing fields, is there is a distance there. Conflicts you'd be concerned about is very minimal. Mr. Maxfield said the below grade manholes

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are just for the playing area? Mr. Youst said they would agree to work with them and tried to explain and they would look to meet with them through the design process to determine where special design elements are needed with regard to their land use.

Mr. Kern wanted to know if there were some kind of plantings that could be done for buffer for the manholes? Mr. Youst said there could be some nice plantings that could be done for the manholes. Ms. Stern Goldstein said the plantings would be some of the native grasses that can grow in nice clumps and get cut back once a year and could easily be removed and grow again very quickly when the manhole needs to be accessed. It could work very well.

Mr. Davidson said the greenway is like a lawn right now and some people told him it would be good to have some native grasses in there. Mrs. Yerger said any increased vegetation will help it as there is some erosion. Ms. Stern Goldstein said they can work with the LSA and the grasses can alert people in areas to stay away from the manholes.

Mr. Davidson said the concern over odors, these things are cast iron rings and pretty much odor free with the exception of the one and that has been fixed. Mr. Davidson said the concern over potential failure and environmental issues. They would be responsible for it and they are the operator. The likelihood of that occurring is pretty slight. If it would occur, it would be their responsibility.

Mr. Davidson said how has it gone – with Hellertown Council, it was suggested by them to charge a transportation cost for going across the land with addition to easement fees. Their answer has been they would pay fair market value for any easement. They would not do a transportation charge. Mr. Davidson said they want to know the precise route; they don't want to do a full scale engineering workout in case they would deny it.

Mr. Yerger asked what the engineering cost would be and what would be at risk if you did the engineering and it was denied? Mr. Youst said to design the sewer and focus on that area and not design the collection system in Leithsville and Bingen, they are looking at something between \$300,000 and \$400,000 and everything to go along with it.

Mr. Davidson said the only viable route would be through Hellertown park lands. Going through the creek would not work and there's a lot of rocks and structures there and it's not something they could do. Providing sewer to Leithsville area and Hellertown park area as they are having some immediate issues of failures of on lot systems. They feel they need a cooperative community approach to work through it and need a little bit of help in accomplishing that. They need to resolve the issues. It's been about four years since Hellertown Council denied the original routing. They are looking for alternatives. They could respond to Hellertown's letter and go before them again, at which time, they believe they will turn it down again.

Mr. Cahalan asked Mr. Davidson to go over the letter with some of the issues mentioned. Mr. Davidson said there were a series of technical issues which are mostly the type of things we've just been talking about. They want us to pay fair market value for the easement and consideration of the user fee. The user fee they would not do. Any and all engineering and legal fees associated with establishing the easement would be paid by LSA. The Borough of Hellertown would be permitted to connect to the system and they discussed that and said if they needed to put up a public facility they would work with them to accomplish that. They indicated within reason, they could look at that. Restoration issues, if we put it in, we would be responsible for restoration. The final easement would be 20 feet in width and most of the time that works occasionally if you had extra depth, you'd need something wider, but more or less, that's not unreasonable. Parties would agree the final easement would not create safety issues with the ball fields and that was the issue on the height of the manholes. Hold harmless and cost of clean up for the sewers, they have discussed

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that with them and said they would expect to be held accountable for that. LSA agreed to review if the sewer could incorporate the railroad bed right of way as a corridor of study if Hellertown obtained the property from SEPTA. Mr. Youst said they would like to try to use the railroad corridor. There are parts of it when they got north of Water Street and if they could move into the railroad, the grade difference between the park land and the railroad is not much. The railroad crosses the creek and parallels the mill race area and there's a high embankment and the bridge is high relative to the grade to the surrounding land. The railroad is on a tall embankment. If they were to get past the McDonald's area, there would have to be a tremendous cut being made and it would be very expensive and complex to dig through. Until the railroad is willing to abandon it, everything in that corridor would have to be designed to accommodate a railroad and loading associated with the trains which would be very, very heavy construction and make it virtually impossible to reopen the area if they should put a line there. Until that would be completely abandoned, it's not useable. Other places where they did not have to dig under the ballast and under the tracks, towards the north end it might be possible. The southern end it is not possible.

Mr. Maxfield said we're referring to a letter from the attorney from Borough Council which was drafted December 17, 2007. As of January 2008, they have a brand new council and they seem even less supportive than the previous Council. The first thing we need to do is find out if the letter is representative of the new council. We need to have the attorney's talk to each other and find out where we are. Mr. Davidson said we can certainly do that. Mr. Kern said what if Hellertown objects, what will happen? Mr. Davidson said they would have to go to alternative design and be out of their areas and go to pump stations and force mains and be less desirable, it can be done, and it's done every day. There's a whole bunch of reasons why the gravity system is a better idea as it puts less stress on everything down stream of it. This is a more natural approach. They felt all the way around the gravity was a better solution.

Mrs. deLeon said we've been talking about this for years and now people are having concerns about their sewers and this is a health problem and the longer we sit here, we're spending more money and if plan B is looking better, maybe we should go to plan B. She's on the Saucon Valley Partnership (SVP) and they talk about the boundaries but they still have to get the sewage to the sewage treatment plant. Mr. Davidson said he knew the SVP wanted to do this, they might want to consider a gravity system and they may want to do this if they are going that way. Mrs. deLeon said we haven't even brought it to the public and the council's have to approve it. Mrs. Yerger said what would the cost differentiation be between a pump station and a gravity line? Mr. Youst said the actual construction costs from 2005, the cost differential is minimal. They are almost matching in the projecting cost but the maintenance and operation cost per EDU is slightly less expensive. In 2005, terms, \$300,000 on a \$7.5 million project. It's so close, it's too close to call. They are very similar. Some of the problems associated with doing the alternative, if we do go to the force main alternative, the Meadows Road Pump Station, we have to construct a new pump station. It would involve reconstruction of the existing pump station on Skibo Road. That project would also involve excavating and replacing at least one or two sanitary sewers in the Meadow View Subdivision. There are lines that would have to be reconstructed in Society Hill. There would be lines in Creek Road as you pass the Stever Mills area and be reconstructed to a larger size. There are many active, current sewer lines that would have to be excavated and the sewer kept operational while they are being rebuilt. It's a much more difficult project to design and has significant potential for things to go wrong during the construction process in the maintenance of the flow for the existing users who are served by the system. It can be done, but opens up environmental issues and potential liability associated with the temporary pump operations.

Mrs. deLeon said historically we all know that to get sewer from one municipality to another, it can be very expensive. We are not trying to service new developers, these are for existing residents. A lot of people are not aware of that. We are trying to help people with tiny lots. She thinks another couple years is too long. Mr. Davidson said he would agree.

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Mr. Davidson said they can finish up the response and see where they are at this point. He suspects they are going to turn it down. Mr. Maxfield said why don't we let the Attorney's talk and see what they can come up with. It will save time and they may say it's totally worthless. Mrs. deLeon said in all fairness the question should be put to Hellertown Council. Mr. Davidson said they have their response ready.

Mr. Kern said what is the downside to Hellertown? Mr. Davidson said he thinks it's a "not in my backyard" issue. He believes once it was put in and the dust settled, you wouldn't notice it anymore than you noticed anything else. Their entire town is sewer. Mr. Cahalan said the topic of advantages, what was put out there with regard to the Water Street and Grist Mill? The Borough Authority is in line to receive a sizeable grant from Congressman Charles Dent. Mr. Davidson said the presentation they made to them is the potential elimination for the pump station for Hellertown and they would be able to tie into them with gravity and essentially eliminates their operation cost of the station itself. We told them we would work with them in hooking it up. There is a sewage grinder pump system serving the Historical Society Building, it would put a gravity sewer in front of these guys which is a potential plus. Potential for rest rooms in the park was something that was mentioned early on but yes, they could do that for them. Protection of ground water and surface water from failing septic system, they have wells, but the unusual thing coming out of Leithsville have to be coming somewhere and the Saucon Creek and the watershed is close by. That's why the Authority is very much for this.

Mrs. Yerger said it looks like the Hellertown Water Authority is in favor of this, couldn't you go together in front of Borough Council? Mr. Davidson said they did do that and were very generous and have been with LSA pretty much throughout.

Mr. Kern said there is a slight cost benefit to LSA as far as to operating cost, what about offering some type of annual fee for running the gravity system through the township which would be less than the operating cost incurred? Mr. Davidson said they wouldn't be comfortable going there and not a concept to get into.

Mr. Maxfield said he thinks Hellertown Borough Council is worried about potential growth with the line, and this should be brought up by the Saucon Valley Partnership- the idea so Hellertown can be comfortable with the fact that this is not going to generate more development. We need to address their particular concerns. It is a realistic thing for them. Mr. Cahalan said with the SVP, they are looking for a build out scenario inside a municipal services boundary which is a line drawn which says inside this area you will provide public infrastructure and outside you will not. Inside the area, they are looking at areas of build out. Those are all on the table and being closely looked at. It does kind of lay out a road map for the future, but has some limits. Mr. Maxfield said maybe we can explore some kind of binding agreement that that's the limit.

Mrs. deLeon said each municipality has to decide if we want to do a joint zoning ordinance or do individual ones and our zoning ordinances have to mirror what we approved in the multi municipal plan. We would not extend sewer to areas where we'd be putting new developments. The zoning ordinance and comp plan can be changed by future council's, so don't get too comfortable with a line drawn for municipal services boundary.

Mr. Davidson said they made it clear that they were dealing with older neighborhoods. Mrs. deLeon said they are trying to help the people who are having problems now.

Mr. Maxfield said we have to insure this growth will not hurt as the potential is there and we can't ignore that. Mrs. Yerger said will you talk about an inter-municipal agreement and send it back to the Joint Planning process that's taking place now, did you say it might be in the Fall they will submit it? Mr. Cahalan said you'll have the draft of the multi-municipal comp plan in

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approximately 2 weeks. Mrs. deLeon said there is a public meeting the 5th week in June, and in September, they will bring it back to Council and the Planning Commission. Mrs. Yerger said perhaps we are looking for an answer no later than September. Mr. Cahalan said if the comp plan, which will include a 537 plan recommendation, and everyone is comfortable with this, and both the Township and Borough adopt it, it buys into the concept of providing this conveyance for development in the township through the borough. There's no other place to put it. The only thought would be to hold off going back to the council until that idea was more widely embraced and then start working on some of the other issues. The comp plan will include some engineering for this infrastructure. Mr. Davidson said given where we've gone so far, and waiting a few months, it may be the way to go. Mr. Kern said we did at a previous SVP meeting discuss this plan and showed the route and he asked a member from Hellertown what their objection was, and she said "I don't like the route". He asked for elaboration and the response was still the same. He doesn't even know how you address that. Mr. Maxfield said start with the letter and we can address them and if we can't address them, we know what our choice is. We do things that can live beyond the current council.

Mr. Kern asked if anyone in the audience had any questions? Mr. Joe Posh said they live south of McDonalds, north of Flint Hill Road. Does the scope of the current project encompass the area in which they live, water and sewage? Mr. Davidson said this project is only sewer and yes, they live within in the area. If you look at www.lowerSauconAuthority.org it will show you the parcels where the line will go. There are aerial maps at the LSA and they can walk him through it.

Dan Andrews, Morning Call asked how many properties are affected by this? Mr. Youst said it's slightly over 400 existing EDU's or equivalent dwelling units that would be benefited by the plan. Mr. Andrews asked how many gallons over a year? Mr. Youst said he doesn't have it computed in the terms of gallons, each EDU typically generates between 150,000 and 200,000 gallons per day. You can do the math from that. Mr. Maxfield asked how many of the 400 properties are affected by septic problems? Mr. Youst said both the Leithsville and Bingen area was a high area of needs. He doesn't have the percentages with him. Mr. Davidson said part of the issue is the lot size is so small and once it fails, there is no where to go.

IV. DEVELOPER ITEMS

A. HIDDEN MEADOWS – LOWER SAUCON ROAD – REQUEST FOR SECURITY REDUCTION FOR IMPROVEMENTS

Mr. Kern said the developer has requested a reduction in security for site work performed in this subdivision. Hanover Engineering has conducted an inspection and is recommending a reduction in the amount of \$52,840.20.

MOTION BY: Mrs. Yerger moved for approval of request for security reduction for improvements for Hidden Meadows on Lower Saucon Road.

SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.

ROLL CALL: 5-0

B. ESTATES AT STONEHURT – WALDHEIM ROAD – PRELIMINARY PLAN APPROVAL

Mr. Kern said the developer is proposing a seven lot subdivision on approximately 25 acres located on Waldheim Road. They are proposing a cluster development consisting of six single-family detached units and one lot consisting of approximately 14 acres of open space.

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Present – Steve Heiss, Owner and Attorney Richard Schaedler, Counsel. Attorney Schaedler said they have been before the Planning Commission and received preliminary approval from them. There were a few items which were suggested to be tweaked on the plan which have been completed. The major factor was the 14-acre seventh lot which is going to be a conservation area set aside. They've been in contact with Wildlands Conservancy and they are in the process of working with their Solicitor to prepare an easement. They received documentation from Wildlands and are expecting to have something for them to review to sign and agree to in the very near future. Mr. Kocher said the conditions of approval are essentially the Boucher & James letter and the conservation easement.

Mr. Maxfield asked if Judy could discuss the issues under Cluster Development, items A through D. Ms. Stern Goldstein said those issues really come down to the preference of Council and how the ordinance is written. Open space is supposed to be offered to the township first, and Council decides if they want that open space or not. The applicant is opting for conservation easement and are pursuing that but need Council's approval to do that first. That really encompassed items A through D as it handles the ownership, the maintenance of it, and the ongoing perpetual easement restricting it from development. The applicant is also offering a fee in lieu of the recreation area. That's at the discretion of Council. If you make any action tonight, she'd suggest you add that on to the staff recommendation. Their final comment is a comment that they deal with the issue of invasive and non native species and have the field grasses be reestablished as a native meadow. They are not prepared to deal with that at this point. This would be left for final. She would suggest it be a separate statement. Mrs. Yerger said for proper maintenance and evaluation of the environmental value of the property, should the invasive control and/or establishment of the wild grass meadows be part of the description in the easement? Ms. Stern Goldstein agreed and said yes, it should be in the conservation easement. It's an issue that needs to be worked out between preliminary and final.

Mr. Schaedler said he appreciates the comment as they are anticipating receiving their first draft from Wildlands. If Council has some input, they can then go back and make some recommendations on how to insert Council's wishes into our response draft and at that point, address your issues appropriately. In that way, if they know what you are looking for, they can add that or tweak it to the point that it will be acceptable to Council. They will make sure that takes place. Mrs. Yerger said the EAC made some recommendations at their March 2008 meeting. Mr. Schaedler said they have the copy. Mrs. Yerger said that pretty much covers the recommendations and it would be the guidelines. Mrs. Yerger said invasives, mowing, removal of invasives, trails, restoration to enhance preexisting natural vegetation. Mr. Kocher said it's already included in the staff recommendation.

MOTION BY: Mr. Maxfield moved to incorporate the EAC recommendations of March 5, 2008 into the conditions.

SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? Mr. Maxfield said in Judy's letter in 1D, there's a note that talks about the language of the conservation easement, and it says Homeowners Association has replaced the term "the municipality". He's not comfortable with that. Even though it's for use by the people in the development, it's still a part of the open space plan for the township. Ms. Stern Goldstein said in this case it should be "the Homeowners Association and the Municipality". Attorney Treadwell said we would be a third party to the conservation easement. Mrs. deLeon said when you talk about maintenance in the last paragraph, are you talking about the 18 month maintenance? Ms. Stern Goldstein said that is continuous maintenance and needs to be worked out. In this case, this would be contingent on you approving the conservation easement. The word "maintenance" has different situations and she'll take that back. Mr. Kocher said the motion, it's already written into the conditions.

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MOTION BY: Mr. Maxfield moved to rescind his motion.
SECOND BY: Mr. Horiszny to rescind his second.
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Ms. Stern Goldstein said the preliminary plan based on the recommendations by staff, the three sections, open space would be acceptable with the conservation easement in lieu of dedication to the township at final plan approval, the recreation fee in lieu of land would be a condition of the approval and the comment about the meadow grasses and non native species. You would expect them to comply with item 3 of Boucher & James review letter.

Mr. Kocher said his letter has issues about the invasives and maintenance issues regarding the landscaping and the detention pond. Mr. Kern asked if there was any comment from the audience? No one raised their hand.

Mr. Kocher said the waivers are: any further existing features as shown on the plan, no further widening to Waldheim Road that is shown on the road, the road is going to be constructed with the cartway and curb to a width of 22 feet. Per the staff recommendations, No. 1 is in compliance with HEA, No. 2 is in compliance with Boucher & James, No. 3 in compliance with EAC recommendation of March 5, 2008 and No. 4 is enter into a conservation easement agreement found acceptable to the township, No. 5 the proper number of plans, No. 6 is pay any outstanding escrow balance and No. 7 is to meet the conditions within one year. The waivers are the existing features, additional Waldheim road improvements, they worked out with the PC to have a 22 foot wide road instead of 28 foot wide road, allow the proposed retention basin be allowed to be located on multiple properties, to have permission to have a permanently wet bottom basin. Mrs. deLeon said what do the fire companies say about the review of this? Mr. Kocher said they had an opportunity to respond to this. Mrs. Yerger said they talk about terms of 150 foot easement at the back of the lots for access to the open space? Ms. Stern Goldstein said it comes out between two lots. It's 150 feet long. It's narrow. Mr. Kocher said this is one of the projects that the Leithsville Fire Company asked if the developer could put in water storage tanks, and the PC said we can't require that and without proper maintenance we don't want to require that. Mrs. deLeon said she's not a proponent of narrow streets, but from the discussion at the last meeting and about the big truck parking on a road blocking access to a fire truck, are we going to create problems now? Mr. Kocher said these are large lots and they have long driveways and parking on site. There's plenty of off-street parking available for these large six lots. Mrs. deLeon said when the fire companies saw the revisions to the plan, were they aware the road was going to be 22 feet or 28 feet? Mr. Kocher said every plan that is reviewed is submitted to the fire companies. Mrs. deLeon said they didn't respond to that? Mr. Kocher said he's not aware they ever responded in writing and there are verbal discussions that took place. We ask all the time and never received comments from the fire companies. Mr. Heiss met with Leithsville Fire Chief. Mrs. deLeon said she's concerned about this and not comfortable with it. Mr. Maxfield said 22 foot roads are what the PC always recommends and we'd better get comfortable with it. Mrs. Yerger said her driveway is less than ten feet and she had a five alarm fire and it was handled wonderfully by the fire company as she had sufficient room around her lot. She thinks the fire company is comfortable with a 22 foot road. Mrs. deLeon said how big is Saucon Road? Mr. Kocher said 18 feet, but the problem is the fact the houses are close. A 6" curb is not going to stop a fire truck from going up and going around. Mr. Kern said it seems like in this development you would not want to park on the street.

Mrs. Stern Goldstein said she likes to have separate lines, one that you are accepting the option so the conservation easement on privately held land in lieu of accepting dedication of the open space itself and that you are accepting the recreation fee in lieu of land. She likes it separate and spelled out. It's up to the discretion of Council.

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Attorney Treadwell said for the motion, approve the staff recommendation with the two items that Judy just added, that Council is approving the conservation easement as opposed to dedication to the township and the township is accepting the rec fees as opposed to actual construction of recreation facilities and/or land.

MOTION BY: Mr. Maxfield moved for approval as stated above by Attorney Treadwell.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? .
ROLL CALL: 4-1 (Mrs. deLeon – No)

C. LONG RIDGE – BERGSTRESSER DRIVE – REQUEST TO COMPLETE IMPROVEMENTS

Mr. Kern said the developer has requested a one year extension to May 4, 2009 to complete the improvements in the Long Ridge Subdivision.

**STAFF RECOMMENDATION FOR
LONG RIDGE EXTENSION**

The LST staff recommends that Township Council approve an extension until May 4, 2009 for completion of improvements at the Long Ridge Subdivision. This approval is subject to the following conditions:

1. The owner/developer shall enter into an Extension Agreement with the township satisfactory to the Township Solicitor and Township Council.
2. The improvements security shall remain in full force and effect until project completion or June 4, 2009 to the satisfaction of Township Solicitor.
3. The owner shall pay any outstanding plans and appeals account invoices owed to the Township.

MOTION BY: Mr. Kern moved for approval of Long Ridge – Bergstresser Drive – Request extension to complete improvements.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

D. MORTAGUA SITE PLAN – ROUTE 378 – RECOMMENDATION FOR PLAN REJECTION

Mr. Kern said staff is recommending that Council reject the Mortagua Site Plan for Aqua Net Environmental due to non-compliance with reviews conducted by Hanover Engineering and Boucher and James.

No one was present. Mr. Kocher said Council did approve an extension one time already. The objections in their letter don't meet the requirements of a land development plan and needs more detail. Attorney Treadwell said the township did send a letter to the applicant and did not get any response. He'd suggest you take action on it tonight. Ms. Stern Goldstein said there are quite a number of zoning issues on the plan and there was a quite a bit to do to have compliance. You are well within reason to reject this.

**STAFF RECOMMENDATION
FOR REJECTION OF
MORTAGUA SITE PLAN FOR AQUA NET ENVIRONMENTAL
3530 ROUTE 378
TAX MAP PARCEL Q6SW3-10-7
PRELIMINARY SUBDIVISION PLAN REJECTION FOR APRIL 16, 2008
LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The LST staff recommends that the Township Council reject the Aqua Net Environmental Site Plan prepared by F. E. Jarrah, PE, dated September 4, 2007, consisting of two sheets, due to noncompliance with the following:

1. The review comments contained in the letter dated November 8, 2007 from HEA which addresses Subdivision and Land Development Ordinance requirements which apply to this Subdivision proposal.
2. The review comments contained in this letter dated November 8, 2007, from Boucher & James, Inc., which addresses Zoning Ordinance requirements which apply to this subdivision proposal.

MOTION BY: Mr. Maxfield moved for denial of the Mortagua Site Plan.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. RESOLUTION #35-2008 – AUTHORIZING SUBMISSION OF DCNR GRANT APPLICATION FOR FUNDING TO ACQUIRE OPEN SPACE INTERESTS IN DRAVECZ PROPERTY

Mr. Kern said the open space sub committee of the Environmental Advisory Council (EAC) has recommended that the Township take steps to acquire, through fee simple purchase or conservation easements, property interest in the 66.5 acre DravecZ parcels on Apple Street and Alpine Drive in the township. The township is in the process of submitting a grant application to the Department of Conservation and Natural Resources (DCNR) for funding to accomplish the acquisition of this property.

Mr. Cahalan said they are in the process of working with Sandy Yerger and Rick Tralies from Boucher & James to put together a DCNR grant application which is due in April 25 and one of the requirements is to have an enabling resolution from the governing body which is before you which would authorize Glenn Kern to sign the grant application they will be submitting.

RESOLUTION #35-2008

RESOLUTION AUTHORIZING SUBMISSION OF DCNR GRANT APPLICATION FOR FUNDING FOR ACQUISITION OF OPEN SPACE INTERESTS IN DRAVECZ PROPERTY

WHEREAS, Lower Saucon Township (“Applicant”) desires to undertake the acquisition of open space interests in the DravecZ property located at Apple Street and Alpine Drive in the Township; and

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WHEREAS, Lower Saucon Township desires to apply to the Department of Conservation and Natural Resources (“Department”) for a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled “Terms and Conditions of Grant” and a document entitled “**Signature Page for Grant Application and Grant Agreement**”; and

WHEREAS, Lower Saucon Township (“Applicant”) understands that the contents of the document entitled “Terms and Conditions of Grant”, including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department **if the applicant is awarded a grant.**

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The “**Signature Page for Grant Application and Grant Agreement**” may be signed on behalf of the applicant by the Official who at the time of signing has the **TITLE** of Council President.
2. If this Official signed the “**Signature Page for Grant Application and Grant Agreement**” prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the “**Signature Page for Grant Application and Grant Agreement**”, signed by the above Official, will become the Applicant/Grantee’s **executed** signature page for the Grant Agreement, and the Applicant/Grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of the signing of the amendment, has the **TITLE** specified in paragraph 1 and the grantee will be bound by the amendment.

ADOPTED and ENACTED this 16th day of April, 2008.

Mr. Andrews, Morning Call, said would this be taken out of the open space funds? Mrs. Yerger said the Open Space funds would be used for the match required.

MOTION BY: Mr. Kern moved for approval of Resolution #35-2008.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

B. RESOLUTION #36-2008 – APPROVING ESTABLISHMENT OF SEPARATE ACCOUNT FOR SAUCON VALLEY COMPOST CENTER

Mr. Kern said in accordance with ordinance 2007-11 which established articles of agreement governing the joint operation of the SV Compost Center between the Borough of Hellertown and LST, the expenses to operate the facility are to be shared equally between the two municipalities. To properly administer these expenses, the municipalities have agreed to establish a separate account for the sole purpose of paying for expenses related to the operation of the SV Compost Center.

Mr. Cahalan said this is another action we need to carry out in order to get the joint operation of the compost center fully functioning. This will be made up of funds split 50/50 between the township

and the borough. The budget would be submitted to the council for approval along with any other receipts or expenditures.

RESOLUTION #36-2008

**A RESOLUTION AUTHORIZING THE TOWNSHIP
TO TRANSFER FUNDING TO A SEPARATE ACCOUNT
FOR THE SAUCON VALLEY COMPOST CENTER**

WHEREAS, the Council of Lower Saucon Township adopted Ordinance 2004-11 on November 3, 2004 for the Township to participate in an association of municipal subdivisions known as Saucon Valley Partnership

WHEREAS, pursuant to Section 1 of the aforementioned ordinance, no function, power, or responsibility of Lower Saucon Township will be exercised through the intergovernmental cooperation with other member municipalities unless ratified by Resolution of Lower Saucon Township; and

WHEREAS, Section 5 of said ordinance states that the Lower Saucon Township Council is hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and said Articles of Agreements; and

WHEREAS, in Section 6, one of the purposes of this cooperation is to formulate plans and programs to meet regional needs and community facilities and services; and

WHEREAS, the Council of Lower Saucon Township adopted Ordinance 2007-11 to enter into an agreement with Borough of Hellertown to establish the Saucon Valley Compost Center; and

WHEREAS, Section 4 of the Articles of Agreement forming the Saucon Valley Compost Center states that the expenses in operating the facility will be shared equally; and

WHEREAS, the two municipalities have decided to create a separate account to pay for the operating expenses of the Saucon Valley Compost Center. The funding used to create this bank account will be the budgeted amount allocated in each Municipal General Fund for 2008 minus any costs for the program that are directly for the purpose of the individual municipality. The monetary allocation will be a 50/50 match.

NOW, THEREFORE, LET IT BE RESOLVED that Lower Saucon Township will enter into an agreement with Hellertown Borough to open a bank account for the sole purpose of paying for expenses related to the Saucon Valley Compost Center.

Section 1. Funding for this account will be disbursed from the General Fund Recycling Department. The amount to be withdrawn will be in equal amount to Hellertown Borough.

Section 2. The account will be maintained by the Hellertown Borough or the Lower Saucon Township Finance Departments.

Section 3. In the event of a closure, the remaining balance in the fund will be split evenly.

Section 4. The Township Manager is hereby directed to take the necessary steps to implement this Resolution.

ADOPTED and ENACTED this 16th day of April, 2008.

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MOTION BY: Mr. Horiszny moved for approval of Resolution #36-2008.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

C. RESOLUTION #37-2008 – AUTHORIZING ESTABLISHMENT OF YARD WASTE RECYLCING COMMITTEE

Mr. Kern said Ordinance 2007-11, which establishes Articles of Agreement governing the joint operation of the SV Compost Center between the Borough of Hellertown and LST calls for the establishment of a Yard Waste Recycling Committee, comprised of representatives appointed by two municipalities who shall be responsible for developing and recommending policies and procedures relating to the day-to-day operation of the Compost Center; developing and recommending an annual budget, and recommending the setting of the annual schedule for the operation of the facility.

Mr. Cahalan said this is a joint committee with Hellertown Borough, with one elected representative from each governing body, the Director and Supervisor of Public Works, one citizen representative of each municipality, and the Borough and Township Manager.

RESOLUTION #37-2008

RESOLUTION AUTHORIZING ESTABLISHMENT OF A JOINT YARD WASTE RECYCLING COMMITTEE

WHEREAS, the Borough of Hellertown and Lower Saucon Township adopted Ordinances in 2007 permitting each municipality to enter into an intergovernmental cooperative agreement with the other entity to construct and operate a joint yard waste recycling center; and

WHEREAS, on August 6, 2007 the Borough of Hellertown and Lower Saucon Township executed an Intergovernmental Agreement Regarding a Joint Yard Waste Recycling Center; and

WHEREAS, the Articles of Agreement in said Intergovernmental Agreement call for the establishment of a Yard Waste Recycling Committee which is to be composed of members to be determined by the two governing bodies; and

WHEREAS, the Yard Waste Recycling Committee shall be comprised of one (1) elected representative from each governing body; the Borough and Township Managers; the Director or Supervisor of Public Works from each municipality, and one (1) citizen resident of each municipality; and

WHEREAS, the members of the Yard Waste Recycling Committee shall be appointed annually by each municipality; and

WHEREAS, the Yard Waste Recycling Committee shall be responsible for developing policies and procedures regulating the day to day operation of the Saucon Valley Compost Center which shall be approved by both municipalities; and

WHEREAS, the Yard Waste Recycling Committee shall develop an annual budget for the Compost Center which will include costs for manpower, materials and equipment, supplies, utilities, maintenance services, professional services, and capital items which shall be shared equally between the two municipalities; and

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WHEREAS, the Yard Waste Recycling Committee shall annually recommend to the governing bodies for their approval the hours of operation and the days of the year the Compost Center will be open.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; do hereby authorize the establishment and formation of the Joint Yard Waste Recycling Committee.

ADOPTED and ENACTED this 16th day of April, 2008.

MOTION BY: Mr. Horiszny moved for approval of Resolution 37-2008.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

D. APPROVING APPOINTMENTS TO YARD WASTE RECYCLING COMMITTEE

Mr. Kern said Resolution 37-2008 which established a Yard Waste Recycling Committee recommends a composition of one elected representative from each governing body, the Borough and the Township Manages, the Director or Supervisor of Public Works from each municipality, and one citizen representative of each municipality. The Township Manger is recommending the following appointments to this committee be approved for 2008:

Council Representative:	Ron Horiszny
Township Manager:	Jack Cahalan
Director of Public Works:	Roger Rasich
Citizen Representative:	Paul Pagoda

MOTION BY: Mrs. deLeon moved for approval of the annual appointments to the Yard Waste Recycling Committee from now until December 31, 2008 which will be stated in their letter.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

E. RESOLUTION #38-2008 – SETTING ON-LOT SEWAGE PERMIT FEES

Mr. Kern said Resolution #38-2008 has been prepared to set on-lot sewage permit fees including testing and application fees.

Mr. Kocher said Chris Garges asked they take a look at the fee schedules and all this does is represent a more accurate fee to cover the cost.

RESOLUTION #38-2008

**A RESOLUTION AMENDING RESOLUTION #21-2001 ESTABLISHING
A PERMIT APPLICATION FEE SCHEDULE FOR
ONLOT SEWAGE SYSTEMS IN LOWER SAUCON TOWNSHIP**

MOTION BY: Mr. Horiszny moved for approval of Resolution 38-2008.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

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**F. ORDINANCE 2008-06 – AMENDING PARK RULES REGARDING CANINES –
AUTHORIZE ADVERTISEMENT**

Mr. Kern said ordinance 2008-06 has been prepared to amend the township park regulations to provide for specifics relative to dogs in township parks. The ordinance also sets rules and regulations for the future dog park.

Mr. Cahalan said these are amendments to chapter 118. On page 1, we looked at the current regulations covering dogs in parks, which will require them to be leashed at all times and the owners are responsible to clean up of the dogs feces. This is ready for advertisement. Mrs. Yerger said there were people in the park today with pet dogs all on leashes everywhere. Mr. Cahalan said this covers all township parks. Ms. Stern Goldstein said the adult has to have a leash with them to get the dog out of the dog park. Mr. Cahalan had a call from a resident about some dogs running up at the Polk Valley Park without leashes.

Mr. Dan Andrews, Morning Call, said are sticks and balls allowed in there to throw to the dog? Mr. Cahalan said it says something about no toys for children allowed. It's not prohibited under the dog park rules. This is within the fenced area.

MOTION BY: Mr. Horiszny moved for approval of Ordinance 2008-06.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF APRIL 2, 2008 COUNCIL MINUTES

Mr. Kern said the April 2, 2008 Council minutes reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Maxfield moved for approval of the April 2, 2008 minutes, per Ron's earlier recommendations.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No)

B. APPROVAL OF MARCH 2008 FINANCIAL REPORTS

Mr. Kern said the March 2008 financial reports have been prepared and are ready for Councils' review and approval.

MOTION BY: Mrs. Yerger moved for approval of the March 2008 financial reports.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

VII. PUBLIC COMMENT / CITIZEN NON-AGENDA ITEMS

Mr. Joe Geisber, from the Motorcycle Club was present. He said he sent an email to Council on March 12, 2008 asking to give Bushkill Valley Motorcycle Club the same consideration grandfathering Bushkill from the ATV Motorcycle Ordinance as they gave to the gun clubs with their firearms ordinance dated February 7, 2007, section 82-1, paragraph 12. Attorney Treadwell said this is an issue Council can consider. He

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doesn't know specifically if Council chose to adopt the ATV amendment, how that would affect your club. Do you have people that ride within the 100 foot setback? Attorney Treadwell said that Mr. Geisber should just give him a small map of the property and what he is talking about. Mrs. deLeon said they didn't require that from the gun dubs. Attorney Treadwell said he just wants it for information. Ms. Stern Goldstein said come in and see Chris Garges and he can do an aerial. Mr. Maxfield said he saw a track relatively close to Riverside Drive, was that a club track? Mr. Geisber said that's a track for their younger children. Mr. Maxfield said he has no problem with giving them a waiver. It's been there for years and there's not a lot of residences around there. Mrs. deLeon said it has to be written in the proposed ordinance. Attorney Treadwell said he'll add it and it will be readvertised. It was taken off the agenda tonight as he went back and looked at some of the minutes and Mr. Horiszny had a question about how the definition of an ATV was written, it was two or four wheels and his suggestion was put two or more wheels. They had a conversation with the police chief and he liked them to cover three wheels also, so that's why they are putting two or more wheels.

MOTION BY: Mr. Maxfield moved to add the waiver above along with the ATV ordinance.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said there was a memo from the Zoning Officer which describes current zoning regulations dealing with wind mills and other power generating equipment and he suggested in light of recent trends for alternative energy sources, he wanted to have Council take a look at the zoning regulations and know if they want any updates or changes.
- With the opening of Polk Valley Park, he received requests from groups, other than the SV Youth organizations, to use Polk Valley Park to run Youth Sports camps and boot camp exercise classes for adults. These are for profit businesses and would be charging fees to the businesses. He'd recommend that we restrict the park to non-profit, tax exempt groups in the SV Community and put into place restrictions the selling of food by any group without Council's permission. He will work with the Solicitor on this. Mrs. deLeon said if the fields are vacant and we have a group that would be willing to pay a fee, wouldn't that help to offset with the maintenance? Mr. Cahalan said if you are allowed use of the field, there is a fee charged, but we have no control over the fees they are charging and it's a business that's being run on public property. Mrs. Yerger said the fields are being used heavily and they need time to rest. The use factor will be an issue by the end of the year. Mrs. deLeon said she's not rushing into it, but trying to get an overall cost. Mrs. Yerger said she's not sure the small fee they would charge would offset the impact. Mr. Maxfield said he wouldn't ever want to get to the point where we have a for profit function going on and we have to deny children from that field because it's already being used. Mrs. deLeon said we would not say no to the kids. Mr. Horiszny said when you make these recommendations who is going to say when the teams can't use the fields because of weather. Mr. Cahalan said we have that system in place already and it's being done by the Director of Public Works. He makes the decision on that and gets the information out to all the different sports group that are registered to use the fields. Mrs. Yerger said some of the groups are not non profit. One of the soccer groups, it's a youth sports group, but never went through the process of going through a non profit. Mrs. deLeon said when we implement the emergency notification system, this would be a way to notify the participants that the park would be closed. Mr. Cahalan said for any group who is registered to use the fields right now, we have a program where they go through Carol, and

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if there's any notice of closure to go out, it will go out through that system. Mr. Kern said Mrs. deLeon is talking about the Bill Csaszar system. Mr. Kern said he hears some sports groups their desire for setting up a table for food or drinks. Mr. Cahalan said they would have a permit for this type of thing that they would come to Council to get it approved. Ms. Stern Goldstein said that its a good idea to do it this way as you would have less people leaving the park to go and get food and drinks. It helps with the park traffic and it helps with safety. Usually the sales would be offsetting their expenses. Mr. Maxfield said some one may want to use the park just to raise money. Ms. Stern Goldstein said some parks have gala events to raise money for future recreation and park improvements. Don't close the door on any options you may have in the future. Mrs. deLeon said she agreed. Mr. Maxfield said we can work slow and work it out as we have to. We are going to have to consider litter. Mr. Cahalan said our agreement would require the gourps to clean up their litter.

- Mr. Cahalan said the compost center will be opening up this weekend, April 19, 2008.

B. TOWNSHIP COUNCIL/JR. COUNCIL MEMBER

Mrs. Yerger

- She said Lower Saucon Historical Committee met with Hellertown Water Authority and they requested that they give permission to do an application for the log cabin that sits on their property to PHMC to see if it's eligible for the National Register. It's going to be done by two committee members with no cost to anyone. They were pleased to have us do it and they have inspected the site and it's really a neat log cabin and been unaltered.
- The EAC is sponsoring an electronics recycling day here at Town Hall on April 26 for all electronics except TV's, and they will be recycling batteries and CFL's, the light bulbs, from 9 AM to noon.

Mr. Maxfield

- Nothing to report

Mr. Kern

- Nothing to report

Mrs. deLeon

- She said the PennDOT response to our letter about Riverside Drive, the TIP program...it took awhile for them to open the road with Ivan, and we missed the boat with the previous TIP. Mr. Kocher said the TIP money is mainly focused on bridges. The Governor has turned the TIP money to bridges right now. Mrs. deLeon said when is our next opportunity. Mr. Kocher said he didn't know. Mrs. deLeon said let's not forget about this. Mr. Kocher said the LVPC keeps a file on all these projects and they are very good and when some opportunity comes up, they'll let us know. Mrs. deLeon said they never let us know about money for the TIP program. Mr. Kocher said they didn't have any money either.
- They are having a Civil War encampment for History Day this weekend at the Heller Homestead. There will be public demonstrations from 10 AM to 4 PM and from 7 PM to 8 PM candle light tours. It's free, you are welcome to come.

Mr. Horiszny

- He asked if we had gotten any results from the newsletter survey about the community garden or the campaign free zones? Mr. Cahalan said nothing yet.
- He said Se-Wy-Co Fire Company was wondering if the town road crew could pave a 25 by 150 foot area of our street. The fire company would want to pay for the materials. We also need a swale cut to get the water away from the driveway. Mr. Cahalan said we have

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assisted the other fire company and he will ask Roger to speak to the fire company to see if he can help them out.

- C. **SOLICITOR**
➤ Nothing to report
- D. **ENGINEER**
➤ Nothing to report
- E. **PLANNER**
➤ Nothing to report

Council recessed and went into Executive Session to discuss property acquisition.

Council reconvened at 10:03 p.m. and Council President Glenn Kern stated they met in Executive Session to discuss the Martha Chase litigation, property acquisition and contract negotiations.

- MOTION BY:** Mrs. deLeon made a motion that Council directs the administration negotiating team to continue to proceed with the direction as discussed in Executive Session.
- 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

IX. ADJOURNMENT

- MOTION BY:** Mrs. Yerger moved to adjourn. The time was 10:05 p.m.
- SECOND BY:** Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council