

**I. OPENING**

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

**II. PUBLIC COMMENT PROCEDURE**

**III. PRESENTATIONS/HEARINGS**

- A. Ordinance No. 2011-04 – Saucon Rail Trail Regulations – Public Hearing and Consideration of Adoption

**IV. DEVELOPER ITEMS**

**V. TOWNSHIP BUSINESS ITEMS**

- A. Zoning Hearing Board Variances
  - 1. Gregory & Michele Morin – 1854 Clarence Dr. – Request Variance of Rear Yard Setback to Construct Porch
  - 2. John Sager – 2490 Woodland Hills Ct. – Request Variance of Side Yard Setbacks to Install Pool
- B. Resolution #41-2011 – Honoring Mayor Fluck
- C. Resolution #42-2011 – National Public Works Week Recognition
- D. Tax Collection Committee (TCC) Update – Notification Status of Bulk Mailing
- E. Review of EAC Selection Criteria Form

**VI. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of April 20, 2011 Minutes

**VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

**VIII. COUNCIL & STAFF REPORTS**

- A. Township Manager
- B. Council/Jr. Council Member
- C. Solicitor
- D. Engineer
- E. Planner

**IX. ADJOURNMENT**

Next EAC Meeting: May 10, 2011  
Next Zoning Hearing Board Meeting: May 16, 2011  
Next Council Meeting: May 18, 2011  
Next Planning Commission Meeting: May 19, 2011  
Next Park & Rec Meeting: June 6, 2011

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**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 4, 2011 at 7:01 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Tom Maxfield, President, presiding.

**ROLL CALL:** Present – Tom Maxfield, Vice President; Sandra Yerger, Ron Horiszny and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Karen Mallo, Township Planner; and Jr. Council Member, Eubin Hahn. Absent: Glenn Kern, President.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

**Mr. Maxfield said Council did not meet in Executive Session since the last meeting.**

**II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mr. Maxfield said we like to give everybody a chance to speak. We are asking that anybody who speaks from the public, please use the microphone

**III. PRESENTATION/HEARINGS**

**A. ORDINANCE NO. 2011-04 – SAUCON RAIL TRAIL REGULATIONS – PUBLIC HEARING AND CONSIDERATION OF ADOPTION**

Mr. Maxfield said Ordinance No. 2011-04 has been prepared and advertised for a public hearing to set the rules and regulations for people using the Saucon Rail Trail.

**MOTION BY:** Mr. Horiszny moved to open the hearing.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mr. Cahalan said this is an ordinance to adopt regulations for the Saucon Rail Trail, which will be opening this coming Saturday. At a previous meeting, we discussed taking the park use rules that we have in place at our parks and adding several other rules to the list, and then modify some of the park use rules. We put together the Saucon Rail Trail Regulations. They are in this ordinance and if Council adopts them, they will be effective for the rail trail opening this Saturday. Mr. Maxfield asked if the ordinance has been advertised? Mr. Cahalan said yes. Mr. Maxfield said does anyone have any comments?

Mrs. deLeon said she received an email today; and apparently there was an article where there was some paintball shooting within the Township. We don't have that included in there. Is there anyway we can address that in the ordinance, prohibiting paintball shooting. Mr. Cahalan said defacing, writing upon, mutilating any notice. Mrs. Yerger said setting off any firearms, air rifles, air pistols, fireworks including sparklers. Mrs. deLeon said is that inclusive of a paintball gun? Attorney Treadwell said a paintball gun is an air rifle. It propels it with air. We would then be covered.

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

**MOTION BY:** Mr. Horiszny moved to close the hearing.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**MOTION BY:** Mr. Horiszny moved for adoption of Ordinance No. 2011-04.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mr. Cahalan showed Council the laminated sign which will be displayed at all of the entrances to the Lower Saucon section of the trail. They will be at the Upper Saucon – Lower Saucon line; the future trailhead site; at both sides of the Old Mill Crossing; the Meadows Road crossing; and at the northern end where the trail meets the Hellertown portion. Those will be posted and it should be very visible to everyone who is on the trail. It does indicate it's open from dawn to dusk and it gives the emergency 9-1-1 number and also has the non-emergency number that people can call for the Lower Saucon Township police.

Mr. Cahalan said they did send out a notice about the Rail Trail opening. We are doing that jointly with Hellertown Borough, and that is scheduled for this Saturday morning, May 7<sup>th</sup> at 8:30 a.m. at the Water Street Park in Hellertown near where the new kiosk has been built on the trail. There should be ample parking for everyone who can make that. We'll have some remarks from the officials from Lower Saucon and Hellertown and the ribbon cutting and then the trail will be open from Hellertown down through Upper Saucon Township. We'll be finished in time for everyone to move on to the Annual History Day celebrations at the Grist Mill, Heller Homestead and Lutz-Franklin Schoolhouse.

Mr. Cahalan said in your packet are some cost figures for the fencing that was approved down at the Old Mill crossing the Ehrhart's Mill Historic District. What was discussed after the last meeting was about the length of the fencing, and they started off with 64 linear feet for each of the houses there. The houses belong to Mr. Fehlig, Mr. Humphreys, and Mr. and Mrs. Katz and we agreed to expand the length and the number that it came to was 224' for both houses. That area was marked out on the trail by Valerie from Boucher & James following the last meeting. Both of those homeowners have looked at the placement of the fencing where it would go and they are satisfied with that. Ms. Mallo said Valerie met with the Katz's out on the property and marked where it was to go. Mr. Cahalan said the other discussion was that vinyl fencing would not be approved, so they were looking at wooden pressure-treated shadow box fencing. There are two choices, which are the 8' and the 6' height. We got prices on both of those. We got three prices on the 8' fence and we got four prices on the 6' fence. The lowest for the 8' fence would be locally, Lehigh Valley Fence, who quoted us a total price of just materials as Public Works is going to install it of \$4,180.00 for the 224 linear feet. For the 6' fence for 224 linear feet, it would be \$2,730.00. You have approved the installation. It's basically whatever you wish to do. The homeowners prefer the 8' for the additional privacy. Mrs. deLeon said do we have any regulations in our existing ordinances that address heights of fences? Mr. Maxfield said 6' for front yards, 4' for side and rear yards.

Mr. Maxfield said he knows in the past they've had requests for 8' fencing and that they have been opposed. Mrs. deLeon said if we were approving a commercial subdivision, they'd have to abide by the ordinance, so she thinks we should too. Mr. Maxfield said will the fencing be installed at grade level or will it be on the bank, above grade level? Ms. Mallo said it's at grade level with the trail. Mrs. deLeon said 6' from the ground level up. Will there be a gap or will it be flush with the ground? Mr. Cahalan said they didn't get into that yet. They just did the location and the type of fencing. He'll have to get back to her on that. Mrs. deLeon said there should be somewhat of a gap so there is not snow leaning up against it and rotting it.

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Mr. Cahalan said the direction would be the 6' fence and the lowest cost we have is the \$2,730.00. If you are okay with that, we can proceed with that. Mrs. deLeon said is it pretty flat in that area? Mr. Cahalan said it's pretty flat.

Ms. Mallo said Section 180.97 indicates that fences in a residential district – fences, walls and hedges may be erected in the front, side or rear yards of properties or residential districts. The height shall be no more than 4' in the front yard and no more than 6' in a side or rear yard. Exceptions to the limited maximum heights may be granted by the Zoning Officer in the following situations: any enclosure of tennis courts or recreational facilities; enclosure of agricultural or livestock; necessity for height for security due to the nature of the use; and anything necessary due to any circumstances for which may negatively affect the public health, safety and welfare or property. Mr. Maxfield said security wouldn't apply there as someone could walk around the fence. If we require everyone else to do 6', he thinks 6' is good. Ms. Mallo said it does go up to 8' in industrial and manufacturing district.

- MOTION BY:** Mr. Horiszny moved for approval to install 224 linear feet of 6' pressure treated shadow box fencing at a cost not to exceed \$3,000.00.
- SECOND BY:** Mrs. deLeon
- Mr. Maxfield asked if anyone had any questions or comments? Mrs. deLeon asked if the road crew has to incur any additional expenses in addition to this? Mr. Cahalan said this is for the panels and the posts. The PW will install those. Mrs. deLeon said do they have equipment to dig post holes? Mr. Cahalan said yes.
- ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mr. Cahalan said there was an indication that Mr. Fehlig and Mr. Humphries also were asking if they could pay for additional fencing to be installed. That would be in addition to the length we are doing. The answer was we could not do that as part of this. We couldn't have our Public Works installing the fence on their properties. We are going to tell them if they want to do that, they have to put it on their property and have a contractor install it. Mr. Maxfield said he would hope it wouldn't be a solid wall of fence as there's always emergencies and access which that could get in the way of. Mrs. deLeon said could we ask them to have it match our fence? Mr. Cahalan said they will probably do that. Ms. Mallo said that's what they had planned to do and that's why they approached Mr. Cahalan about connecting it.

Mr. Cahalan said the last for the rail trail is the Meadows Road crossing. Jerry Holum from the Rail Trail sent in an email about concerns he had about the location of the Stop sign placement on the south side of the intersection. He was concerned that the Stop sign is located around the corner as the cars are going downhill and is next to the trail. He said his concern is safety related. His concern was if one car was stopped at the stop sign, and another one came down the hill, would he be able to see the other car stopped there. He was asking we consider placing the Stop sign further west on Meadows Road that would permit drivers a clear viewing area for stopping. If you've been down there, the stop signs are on the trail and on Meadows Road and the advisory signage is being put in place. The striping on the road will be done tomorrow. It was delayed because of the weather today. Mr. Kocher and his staff have taken a look at the Meadows Road crossing in the last few days and he will give us a report on what he has observed and what he recommends.

Mr. Kocher said if you've been down there, and see the location of the stop signs and the advisory signs, they are going to change as they are not exactly what they had hoped. The stop sign that Jerry Holum is talking about will be pulled back a little bit as they are suggesting stop bars be painted on the road; and therefore, they will be 10' away from the crosshatching trail crossing and the stop sign will be at the stop bar. That will improve the visibility. The stop ahead signs and the stop signs will have red blinking lights on them for all day long; for some period of time until people get used to it. He did observe the traffic patterns down there today and the fact that there's a new stop sign, speed is the concern there as you approach it. If you are going the speed limit, the advisory signs are fine and you can see the stop signs and you'll be able to see cars. He would

suggest that you talk to the Chief and have the Police for a few weeks hit that for speed so people slow down and get used to that stop sign. After tomorrow, the signs will be in the right spot, the pavement markings will be down, and it will be good to go. Mrs. deLeon asked if the stop signs are going to have the reflective strips coming down the sides? Mr. Cahalan said he's not sure they are on, he'll have to check. He will speak to Roger. Mr. Maxfield said on May 7<sup>th</sup> when the trail opens between the two communities, will there be any different signage down at Hellertown at Water Street? Mr. Cahalan said they have their own crossing diagram that was provided to them by their Borough Engineer. They don't have stop signs at Walnut Street. They need to advise the motorists to yield to the people in the crosswalks. Then down at Water Street, you saw that the flashing light that was previously at the entrance to the Water Street Park is now moved eastward to the Front Street side of the rail trail. There will be activators on the trail that people can push to activate those flashing lights. The other blinking light is up by Society Hill. Mrs. deLeon said she thinks by the time you see that lighting and go down the hill, you forget about it. There are near misses at that pedestrian crossing all the time. She knows for the SV Farmers Market you can program the blinking lights. She asked if it would be activated for Saturday? Mr. Cahalan said he can get it done. They were on for the SV Farmers Market last Sunday. They would call Signal Service and they would activate the lights.

Mr. Cahalan said they will work on the celebration with Upper Saucon. They indicated they wanted us to join them on June 11<sup>th</sup> for a ceremony they are having at their Community Park. We just have to figure out how we can join them. He pointed out to them that where the Upper Saucon Lower Saucon line is, there is no parking, so they can't really meet them there unless they walk down from Hellertown or up from Upper Saucon. Hellertown was invited also. Mrs. deLeon said have the other communities been notified of our soft opening of our trail on Saturday? Mr. Cahalan said they will be sending something out officially tomorrow. They were taking it down to the wire to make sure everything was taken care of and everything was in place. Now that everything is a "go", they will notify everyone about the ceremony on Saturday. Mrs. deLeon said she'd like Mr. Cahalan to go back to all the people who helped speed it up for the May 7<sup>th</sup> opening, she really appreciates it.

**IV. DEVELOPER ITEMS – None**

**V. TOWNSHIP BUSINESS ITEMS**

**A. ZONING HEARING BOARD VARIANCES**

**1. GREGORY & MICHELE MORIN – 1854 CLARENCE DRIVE – REQUEST VARIANCE OF REAR YARD SETBACK TO CONSTRUCT A DECK/PORCH**

Mr. Maxfield said the applicant is requesting a variance of the rear yard setback to construct a deck/porch. They will need approximately 8.5' of relief from the required rear setback of 40'.

Mr. Gregory Morin was present. He said they are looking to construct a 410 square foot screened porch off of the back of the house. It's not just a straight square as its jet ins and jet outs in the back of the house. In order to do that and make it the size, they need to build into the setback 8-1/2'. It's going to be professionally constructed by contractors and they have submitted the plans and the plans have been approved. Mr. Maxfield said from the information that was received by the Zoning Officer, they are within the allowable impervious coverage which is good.

Mr. Maxfield asked if anyone had any questions or comments? Mr. Horiszny said they should note it's pretty close to the 25% so you probably aren't ever going to be able to add anything else. Mr. Morin said he understands. They did that with careful calculations.

Council took no action.

2. **JOHN SAGER – 2490 WOODLAND HILLS CT. – REQUEST VARIANCE OF SIDE YARD SETBACKS TO INSTALL POOL**

Mr. Maxfield said the applicant is requesting a variance of the side yard setbacks to construct an in ground pool. They will need approximately 25' of relief from the required side yard setback of 40'.

Mr. John Sager, the applicant and Mr. Jeff Reninsant, the contractor were present. Mr. Reninsant said it's the construction of an in ground concrete pool. Per the plan the best location for the pool they determined was as shown. It's the flattest area in the yard. They positioned the pool to accommodate and put it linear on the side of the house to put it in as best of a tight of a location as possible. The furthest they can get away from the property in this particular design is 15'. That's what they are looking for relief from. Mr. Maxfield said they are fitting in between their septic field and the house and the corner of the property. The property has quite a sloped front yard. This is really about the only flat spot he knows about on the property. Mr. Reninsant said yes.

Mr. Maxfield asked if anyone had any questions or comments? No one raised their hand. Council took no action.

**B. RESOLUTION #41-2011 – HONORING MAYOR FLUCK**

Mr. Maxfield said Resolution #41-2011 has been prepared honoring Hellertown's Mayor Fluck for his community service to Hellertown and the Saucon Valley.

Mr. Cahalan said the Mayor is being recognized at the Saucon Valley Community Center's annual dinner on June 24, 2011.

**A RESOLUTION RECOGNIZING RICHARD T. FLUCK FOR HIS COMMUNITY SERVICE TO HELLERTOWN AND THE SAUCON VALLEY**

**WHEREAS**, Mayor Richard Fluck has faithfully served Hellertown Borough for the past 43 years, having been elected to Borough Council in 1968 and serving as Mayor since 1996; and

**WHEREAS**, Mayor Fluck has been a longtime advocate for the business community in Hellertown Borough and is a strong supporter for the revitalization of Hellertown's downtown business district; and

**WHEREAS**, Mayor Fluck played an integral role in the formation of the Saucon Valley Partnership and the Saucon Valley Farmers Market, is a charter member of the Saucon Valley Jaycees, and has been a longtime Board member of the Hellertown – Lower Saucon Chamber of Commerce; and

**WHEREAS**, in recognition of this dedicated service to his community, Mayor Fluck was honored with the first "Mayor of the Year" award at the inaugural Lehigh Valley Mayors Dinner in 2006; and

**WHEREAS**, Mayor Fluck has earned the title "Mr. Saucon Valley" and Lower Saucon Township is justifiably proud that he will be recognized for this outstanding service by the Saucon Valley Community Center on June 24, 2011.

**NOW, THEREFORE**, the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon; Sandra Yerger; and Ronald Horiszny do hereby

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recognize and congratulate Mayor Richard T. Fluck for this deserving honor and does hereby urge all residents to commend Mayor Fluck for his dedication to the community.

Mr. Maxfield said Mayor Fluck has been a fixture in Hellertown.

Mr. Maxfield asked if anyone had any comments or questions? No one raised their hand.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #42-2011, with gratitude and respect.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**C. RESOLUTION #42-2011 – NATIONAL PUBLIC WORKS WEEK RECOGNITION**

Mr. Maxfield said Resolution #42-2011 has been prepared to recognize Lower Saucon Township's Public Works Department during National Public Works Week.

Mr. Cahalan said Mr. Horiszny asked them to prepare this resolution. There was a notice in the PSATs. Mr. Horiszny said it mentioned that it is National Public Works Week. He thought we should do one for our road crew as they've done such a fantastic job, both in the winter time and the summer time and people really appreciate that. He was hoping we might be able to picture our equipment on the website so we know what we have and what they use. At their option, maybe have some of the operators included with their equipment, but that would be up to them. Mr. Cahalan said that's been a goal and we've been trying to do it. He doesn't know how fast we can do it. Mrs. Yerger said could we highlight a couple of things they've done that is over and above like their innovative work with the concrete up in the park. Roger really worked hard at getting that to be cost-effective and fulfill the desire of Council to have a pervious material down for the trails. One you are there, maybe you can put that on the website. Mr. Maxfield said every time they asked Public Works for something, they've responded positively and effectively and he really appreciates that. Mr. Horiszny said the rail trail idea surface came from them which is fantastic. Mrs. Yerger said people in the whole Township and beyond enjoy Polk Valley Park and the rail trail. Mr. Maxfield said years of practical experience going into these decisions, which is really good. Mrs. Yerger said and Roger's help with computers. Mrs. deLeon said we don't want to overlook the partnership we have with Hellertown and the team effort that they show and maybe we can focus on that. Mrs. Yerger said and the school district. Mr. Horiszny said the fact that they loan people to the fire departments during work hours for firefighting or accident response is admirable and very helpful.

**RESOLUTION RECOGNIZING NATIONAL PUBLIC WORKS WEEK**

**WHEREAS**, citizens are served everyday by public employees at the federal, state, county and municipal levels; and

**WHEREAS**, the actions of these public employees enhance the quality of life in communities across the nation; and

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

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

**WHEREAS**, the Public Works Director, Roadmaster and crewman have received many positive comments from our residents for the excellent job they do every day.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra

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Yerger, Council Member; and Ronald Horiszny, Council Member; hereby recognizes and salutes the Township Public Works Department and hereby proclaims the week of May 15, 2011 as National Public Works Week in Lower Saucon Township.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #42-2011.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**D. TAX COLLECTION COMMITTEE (TCC) UPDATE – NOTIFICATION STATUS OF BULK MAILING**

Mr. Maxfield said in accordance with Act 32 all Northampton County Municipalities and School Districts will have a single EIT Collector, Keystone Collection Group, beginning in 2012. The Manager will update Council on various aspects the Township will need to implement for this transition.

Mr. Cahalan said Cathy Gorman provided a memo that was included in your packet indicating there was a meeting that was held on April 24<sup>th</sup>. It's dealing with the transitional issues to go from Berkheimer to the new collector, Keystone Tax Collection. The primary thing they will be doing here is trying to get the word out to employers and employees about the change that is coming and to do that, one of the things they wanted to do is send a letter. The draft is attached to her memo. That would be sent out sometime within the next couple of months to bring people up to date. The rest of it is basically the transition between Berkheimer turning over the documents to Keystone. The letter is very informative. It provides critical information regarding the local earned income tax collection. She makes an estimate of the postage to send this out would be approximately \$1,346.80. She indicated we would split that three ways with the Saucon Valley School District and Hellertown Borough who are the three members of our TCC Committee. One of the things he would ask if he could have approval of the one-third of that amount to cover the cost of postage for the mailing of this letter.

Mrs. deLeon said it says in the next sentence, "we did not decide if we should target every taxpayer or household". She feels everyone should be targeted. How do you select who gets targeted and who doesn't. She thinks everyone needs to know this. Mr. Cahalan said what she's saying in there is that there could be multiple taxpayers at an address. Mrs. deLeon said then maybe that's the wrong word. It should maybe say households. Mr. Cahalan said do you send three letters to one address or just one letter? That's what they need to look at.

Mr. Maxfield asked if any of the other entities voted on the three-way split yet? Mr. Cahalan said he doesn't think so. Mrs. deLeon said that number may be off depending who they are going to target? Mr. Cahalan said he doesn't know who they are going to do. He can bring this back. Mr. Maxfield said they could conditionally support this at one-third as long as everyone else decides that's equitable. Mr. Horiszny said do we need not to exceed? Mr. Maxfield said we are kind of obligated anyway.

**MOTION BY:** Mr. Maxfield moved for approval of the three-way split for the cost on the bulk mailing with the school district and Hellertown.  
**SECOND BY:** Mr. Horiszny  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**E. REVIEW OF EAC SELECTION CRITERIA FORM**

Mr. Maxfield said the EAC Open Space Sub-Committee has revised the scoring chart for the selection criteria for Open Space acquisition projects and the EAC has recommended the revision be sent to Council for their review and approval.

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Mrs. Yerger said they wanted to have it revisited. Laura Baird look at it and compared it to other scoring sheets for other municipalities that have similar geographical features. What they had before was a little bit more generic. This really addresses what our Township looks like so that we can score it accurately according to the geographic features of our Township. We do have a lot of hydro features as we do have a lot of steeply wooded slopes so that's really why it was sort of fine-tuned. Mr. Maxfield said this doesn't lock the Township in. Mrs. Yerger said it's strictly a recommendation. This is a more accurately score sheet so they can give Council a more accurate assessment of the properties. It really didn't change a whole lot.

Mr. Maxfield said he feels we should make a support vote for this if everyone is in agreement. Mrs. deLeon said what do you mean by a support vote? Mr. Maxfield said that we need to support the fact that the criteria is changing and it is criteria that the Council will be looking at as they decide. Mrs. deLeon said if Council approves the criteria, the EAC is making a recommendation to Council to change the criteria, it's our decision.

Mr. Maxfield asked if anyone had any comment? No one raised their hand.

**MOTION BY:** Mr. Maxfield moved for support of the recommendations made by the EAC to Council on the new selection criteria form.

**SECOND BY:** Mr. Horiszny

**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF APRIL 20, 2011 MINUTES**

Mr. Maxfield said the minutes of the April 20, 2011 Council meeting have been prepared and are ready for Council's review and approval. Does anyone have any changes or corrections? No one had any corrections.

**MOTION BY:** Mrs. deLeon moved for approval of the April 20, 2011 minutes.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 2-0-2 (Mr. Kern – Absent; Mrs. Yerger and Mr. Horiszny abstained as they were not at the meeting)

Motion failed. Mr. Maxfield said they will bring the minutes back to the next meeting.

**VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None**

**VIII. COUNCIL AND STAFF REPORTS**

**A. TOWNSHIP MANAGER**

➤ Mr. Cahalan said in your packet is a special events request that was received from the Cub Scout Pack 349 and they would like to hold an overnight camp out at the Heller Homestead Park on Saturday, May 21<sup>st</sup>. It would begin at 3 p.m. and end on Sunday morning of May 22<sup>nd</sup>. They did complete the Special Events application and they indicated that less than 35 Cub Scouts and their adult leaders will be camping out. They will be building fires and using grills and camp stoves to cook. The Special Events request was reviewed by the Parks & Recreation board at their last meeting. The board voted to recommend that his event be approved by Council. Mrs. deLeon said they have no conflicts that evening with the Saucon Valley Conservancy. Mr. Cahalan said they would also need to submit proof of insurance. They are allowed to build fire rings with the stones there and the Township will notify the police, fire department and the County 9-1-1 center that they will be having controlled fires at that location. There are no fees for this event. Mr. Maxfield said he likes the "leave no trace" plan they eluded to do. Maybe that's something we should do at

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all of our parks. Mrs. deLeon said that's the policy of the Historical Impressions campers. They clean up and don't leave any trace. Mr. Cahalan said the port-a-johns have been delivered.

**MOTION BY:** Mr. Horiszny moved for approval as stated above by Mr. Cahalan.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

- Mr. Cahalan said on the additional opportunities for Jr. Council persons, these were discussed at the last meeting and staff provided a list of those opportunities. There was a question about whether the on-line training offered by PSATs involved any cost. He checked on the PSATs site and the training is free. We also revised the list of opportunities based on the comments that were made at the last meeting. We'll notify the Jr. Council members of these opportunities.
- Mr. Cahalan said the Volunteer Recognition picnic is scheduled for Monday, June 13, 2011 at the Town Hall Pavilion from 6:00 p.m. to 8:00 p.m. Diane has sent out the invitations to all of the volunteers. In your packet, we gave you a list of the years of service. He asked Diane to indicate who has completed 5, 10 and 15 years of service as a volunteer on our boards, committees and commissions. The question is would you like us to prepare certificates like the one that is in your packet to recognize the years of service? Mr. Maxfield said that's a great idea.
- Mr. Cahalan said the last meeting there was a discussion and it followed the list of opportunities. Stephanie Brown had mentioned about a ride-along with the Police Department. He was asked to obtain the ride-along guidelines that the Police Department have. Those are being provided for your information. He will see that a copy gets to Ms. Brown. The only comment after looking at these and after discussing it with the Solicitor is we are going to review this and make some suggestions to update the ride-along guidelines. He will go back and update them.

**B. COUNCIL/JR. COUNCIL MEMBER**

**Eubin Hahn** – No report

**Mr. Maxfield** – No report

**Mrs. Yerger** – No report

**Mr. Horiszny**

- He said he has an announcement of the Lehigh Valley Clean Water Summit which he will pass on to Mr. Cahalan for possible interest by Staff, Council and by the EAC. It takes place May 21<sup>st</sup>. Mr. Cahalan said Jim Wilson sent that to him and it is distributed already.

**Mr. Kern** – Absent

**Mrs. deLeon**

- She said they were talking last meeting and there were only three Council persons present and the vote was 2-1. She made a comment that she thought she read that it was a majority of the whole board. She went back into the Administrative Code and she looked up "The Rules of Procedure for Council". The administrative code says "the Council shall determine its own rules of procedure consistent with ordinance or statute. A majority of the whole number of members of the Council shall constitute a quorum and no ordinance or resolution shall be adopted by the Council without the affirmative vote of the majority of all the members of Council. Every legislative act of Council shall be by ordinance or resolution. No ordinance or resolution shall be introduced unless in written or type-written form. Actions not legislative in character shall be by resolution or motion". She

remembers years ago former Solicitor's would say that developers would cringe when they would get to a Council meeting and they'd only see three Council members there because they knew that it had to be all three. That kind of sat in her head all these years and that's why she said that. Our rules can't be inconsistent. The Administrative Code is an ordinance. The Sunshine Law is a state rule. Robert's Rules cannot conflict. Ordinance or resolution must be made by the majority of the whole number of Council; and it doesn't really say about who is present or not. Again, is a motion or resolution interchangeable? Can the Solicitor explain? Attorney Treadwell said the explanation for the opinion he gave at the last meeting is based on the Second Class Township Code, the Township's Administrative Code that was adopted as part of the optional plan of government and also Robert's Rules of Order. The Second Class Township Code says "a majority of the entire board is necessary to transact business". Your Administrative Code says a majority of the entire Council, which would be three, is necessary to adopt an ordinance or resolution. Mrs. deLeon said right, which is also a motion. Attorney Treadwell said not necessarily. Mrs. deLeon said it doesn't say that one way or another. It's subjective. Attorney Treadwell said right. Given that, it's subjective, the next place he went to was Robert's Rules of Order which this Council generally follows and Robert's Rules of Order says "a motion can be adopted by a majority of the members present." In his opinion, there's a difference between the adoption of an ordinance and a resolution which is specifically stated in your Administrative Code means three members of this Council versus a motion which was on the floor at the last meeting. Mrs. deLeon said again we can have ten lawyers and you'd all come up with ten different reasons and explanations and she doesn't understand why we have an Administrative Code when everybody goes back to the Second Class Code. It's like a waste of time. Those people who came up with that Task Force and came up with changing from Second Class to Home Rule Optional Plan, she doesn't know why they did that. Attorney Treadwell said we don't have an answer to that. Mrs. deLeon said she doesn't agree 100% with his definition. Attorney Treadwell said that's okay. If we want to clarify it as a Council, you have the right to make changes to your Administrative Code. If you want to say that from such and such a date forward, a majority of the members of Council, the entire members of Council is needed to take any vote, you have the right to do that. Mrs. deLeon said she just wanted to clarify her response from the last meeting. Mr. Horiszny said it seems it would be a good idea to clarify it. Attorney Treadwell said the question becomes, when you are in a situation as we were at the last meeting where there are only three members of Council here, if one member of Council votes no, then you technically don't do anything other than discuss it. Your Administrative Code is very clear that if you are going to take a legislative act, which is the adoption of a motion or a resolution that you need three Council members to vote for that, so you can't pass a law, which what a legislative act basically is, a law, rule or regulation, without a majority of the entire Council, which would be three members. Mrs. deLeon said that would be a good thing to do as that shows a clear majority. Attorney Treadwell said that's what it states in your Administrative Code. The difference last meeting was it was a motion to approve a list of possible opportunities for Jr. Council people to explore, not a legislative act. Mrs. deLeon said it says actions not legislative in character shall be made by resolution or motion, so it doesn't matter, a motion or resolution. You can call it whatever. Attorney Treadwell said your Administrative Code clearly defines the difference between a resolution and a motion because it says a resolution must be in written form. A motion does not have to be in written form. Mrs. deLeon said that's true, but that leaves it up to interpretation, like everything else. She just wanted to go on record that's why she questioned it.

- She said on April 25<sup>th</sup>, Hellertown and Lower Saucon presented information regarding their grant applications, uncommitted funds to the Gaming Authority. The 2010 grant application requests – the Authority has about \$650,000.00 to award to uncommitted. That's a ballpark figure as we can't obviously spend all the money we have in uncommitted for the Authority because we need operation expenses and whatever. We received 45 applications totaling \$9,851,645.00 which were submitted to the Gaming

Authority for the uncommitted funds. The top 20 applications, the figure totals \$1,287,643.00. That leaves us short \$637,643.00 so some of those 20 applications are going to be the losers. Eliminations will be made and it takes five votes as the majority. The uncommitted applications were due October 15<sup>th</sup> prior to the awarding of restricted money, contrary to her request for changing the date so the municipalities wouldn't have to double submit applications like they did, and nobody except Stephanie wanted to hear that. We all had these duplicate applications. Some of them were funded and restricted and withdrawn. The other ones moved forward, but technically, they were based on proving impact. The uncommitted applications do not have to prove impact. The two she's going to be talking about tonight are the rail trail and the police cars applications. She showed a chart that Guy Lesser presented to the Gaming Authority members. She was questioned about the straightness of the lines as it really didn't say much. The below chart compares the total amount of each statistic that occurred in the 18 months prior to the casino's opening and to the 18 months after its opening – vehicle stops, traffic citations, non-traffic citations, criminal arrests, and total incidents. She would like to make a recommendation that this chart be changed to show variations. If you quickly look at this, it looks like someone took a ruler and just drew straight lines. Mr. Horiszny said two points determine a straight line and there were only two numbers. Mrs. deLeon said that's exactly what she said. Look this way and that way, and that tells you. Mr. Nolan made a comment at the very end and asked over the last 18 months, everything has increased; how can you say this was casino related? The Chief advised that we can't blame it on anything else as we haven't approved any major subdivisions; our statistics for occupancy permits and everything else has been down, so this shows something. She'd like this revised and presented to the Authority. That would be a little more clear on the picture. Mr. Maxfield said what do you mean revised? Mrs. deLeon said instead of having a straight line, it's plotted different. Mr. Cahalan said you are talking about a lot of points on a chart. He understands what Mrs. deLeon is saying, but this data did not have to be submitted. It was not a requirement as part of the application. It was submitted optionally by the Chief to give them an update on what was going on in the Township. He did not have to justify an impacts need for the police cars, so he innocently provided this chart and put the figures together that way and there were some questions on the Gaming Authority on how it was constructed. He suggested to Mrs. deLeon that we just provide the figures to the Gaming Authority and not do another chart. Mrs. deLeon said she didn't understand that. Mr. Cahalan said and an explanation of what the figures represent. Hopefully that will clear up some questions about the chart. Mr. Horiszny said do we have monthly figures? Mr. Cahalan said sure. Mr. Horiszny said then it would be jagged because of all the numbers. Mr. Cahalan said we could, but when you do figures like that, there are going to be ups and downs. If he did another chart, it could open up new issues and they could say this isn't really all due to whatever. We didn't have to provide it, but we did. In the future, we won't do it again. Mrs. deLeon said that leaves \$647,643.00 that's going to be a no vote. Mr. Cahalan said we should just provide the numbers. Mrs. Yerger said she agrees that the numbers would help. Mrs. deLeon said the next one was the rail trail and Mr. Cahalan sent an email to Alicia Karner saying some of the costs that were submitted with the application that was filed in October, were already paid by the Township. The Authority does not reimburse for things already spent. Mr. Cahalan said as you indicated, they presented this application to the Authority in October 2010 and at that time we were in the planning and development stage of the rail trail. At that point, we were shooting to get the trail open in 2011. As you remember, we kicked around several ideas for the development of the trail, one of which was a flashing light type of apparatus at Meadow Road. After that was submitted, we reconsidered and went with the stop signs. We also had in the list of expenses for this application, items such as the surfacing, the fencing, gates and bollards. Because we moved from development to actual construction in order to get the trail opened, we spent that money. He submitted a request to the Authority to consider allowing us and Hellertown to substitute new cost items for this \$65,000.00 grant. He gave them a list of several items that we would use it on. Mrs. deLeon said the policy has been that we

really don't allow applicants to resubmit an application, but this instance was because there was a delay in the funding of the money and these things were changed. Alicia said to Mr. Cahalan that he should put together a chart and explain the details when he got there. She didn't see the chart until it was handed to them and she doesn't understand Hellertown's is yellowed, but yet it's down here, so the yellow was supposed to be things that were already spent. Hellertown's flashing light was already spent? Mr. Cahalan said what that indicated is there's a legend at the bottom that corresponds to that and it indicated that at the time we submitted this, Hellertown was hoping to get that money from a grant from the County. They have since received that money, so that's another item that has to be taken off the list along with the items we spent money on. 98% of the items on the application have either been spent or eliminated. We were asking to substitute other items. The Authority found the project worthy, and it has value to the community. We were asking to be able to spend the money on other items in that application. Mrs. deLeon said the one thing that wasn't on this chart that was stated at the meeting was the acquisition of property with part of this money. Another item that is part of the rail trail development is the trail had property on Reading Road that the Township is negotiating with the property owner to purchase. Mrs. deLeon said unfortunately, that is not a viable project yet as it's still in negotiation stages and the Authority does not fund something that does not have a sale agreement, that doesn't have something that's already in place. If the negotiations with the property owner take another year, then you are going to have to return the money if it's awarded to you. Mr. Cahalan said if we had already purchased it, we'd be too late as we spent the money. Mrs. deLeon said the projects are for projects, not for acquiring property. Mr. Cahalan said the only thing he doesn't understand about that is if we had not spent the money yet for the surface materials, the gates and bollards and the fencing, we would have not purchased those items either until we got the grant. What we're saying here is we won't purchase the property until we get the grant from the Gaming Authority. Mrs. deLeon said we may not get that property and negotiations may fail. Mr. Cahalan said then we would return the money to the Gaming Authority. Mrs. deLeon said we don't want to duplicate that work. The email Mr. Cahalan sent to Alicia was not sent to the rest of the board, so she doesn't think they knew everything and his presentation stated a lot of that. She's just trying to help here, and she doesn't know how to fix this. Things already submitted in the application can't really be changed because that's not allowed. Mr. Cahalan said then we get eliminated. Mrs. deLeon said some of these things for materials, like the fencing, is a viable project. It's not her fault that this award has been delayed like this because of one person's inability to understand the matrix. This should have been done months ago and it wasn't. Mr. Cahalan said are you saying we could substitute other cost items, eliminate the acquisition? Mrs. deLeon said absolutely. Mr. Cahalan said we have fencing and some other things that we need on the rail trail. Mrs. deLeon said she would strongly suggest eliminating that. The Board, and rightly so, is looking to eliminate \$650,000.00 worth of applications. Make it real easy. Mr. Cahalan said the only other comment he has is that it was not apparent to him that acquisition was not an eligible item from the application and from the documents they reviewed. Attorney Treadwell said if tomorrow the property owner were to agree to the price that we've offered for the trail head, then it would be eligible for the grant? Mrs. deLeon said it would be under consideration for the grant. The Gaming Authority, according to their solicitor, says we can come up with our own criteria. She's just telling you what the conversations have been and our criteria is, and if you look at the gaming law and read the sections for facilities and emergency management, and it does say among other things, but it doesn't say acquisition of property. There's a line for it on the chart as we're trying to evaluate viable projects. Mr. Cahalan said the reason that it's on the chart is he believes the Authority borrowed the format from other Gaming Authorities and other Gaming Authorities in the State allow land and building acquisition costs. The Erie Gaming Authority does, and so does the one near Hershey. They allow acquisition and he thinks that it's on the application that the Northampton Gaming Authority used. Attorney Treadwell said does the Northampton Gaming Authority have a list that is gives out to the municipalities who apply telling them

what is eligible and what isn't? Mrs. deLeon said she will give Attorney Treadwell the grant criteria. Mr. Cahalan said the grant criteria is the same grant criteria used in Erie County and also in Dauphin County. They allow acquisition for land and for buildings. Mrs. deLeon said it talks about public infrastructure improvements; municipal public facilities. Mr. Maxfield said wouldn't that be a municipal public facility if we acquired land for a parking lot? Mrs. deLeon said all the conversations they had from September 2009 and formulating the by-laws, formulating the criteria for restricted and uncommitted, there's nine members on this Authority. Unless you can find on this sheet, land acquisition, let her know. Mr. Maxfield said the one for Erie County criteria says uses of funds, reimbursement of hard or soft costs relating to land acquisitions. Mrs. deLeon said it doesn't matter what it says. That's fine, but we are the Northampton County Gaming Authority and we were told we can have our own rules, and our rules do not mimic that. Attorney Treadwell said his only question is, where are the Northampton County Gaming Authority rules that say land acquisition is not a viable project? He's just asking from a theoretical perspective as all the municipalities who are applying for grants should know before they apply that land acquisition isn't going to be allowed. Mrs. deLeon said remember when you read something and it doesn't have it in there. This is what was approved at a public meeting and this is what we go by. They did the best they could for the first year and we're not moving ahead with an application for the restricted until they get through with these uncommitted funds, so they can fix anything that needs to be changed. You can look at Erie all you want, but you have to look at the regs for Northampton County. Mrs. Yerger said when Mr. Cahalan did his presentation, it was discussed? Mrs. deLeon said he made a comment and nobody asked any questions. Mrs. Yerger said what she's trying to come up with, who made the decision that land acquisition, if it's not in the writing, is it somewhere in the minutes? Mrs. deLeon said the minutes are very skeletal. It's not like our minutes. Mr. Maxfield said it seems that all the criteria for all the other places have land acquisition, so that means our Authority voted to eliminate land acquisition. He doesn't think that is right. He doesn't understand the role of this whole group. We have representatives from the participating Township's, but then the representatives make the criteria that apply to their own municipalities, and it's like this dual kind of weird role that makes no sense at all. Mrs. Yerger said she's just trying to figure out at what point in this process land acquisition was eliminated at Northampton County. Mr. Maxfield said if it's allowed at every other County, why not Northampton? Mrs. Yerger said where was that consensus made and how can we track back to it? Mrs. deLeon said this wording for these facilities and categories came right out of the wall. We didn't make it up. Mr. Maxfield said somehow these other Gaming Authority's decided that it was within the law to do that. Mrs. deLeon said that was their prerogative. Mr. Maxfield said that's our prerogative. You are our rep, and you know we want to acquire land. Why wasn't somebody in there fighting for land acquisition? Mrs. Yerger said what she's saying is to Attorney Treadwell's point, where is our criteria then? If it's not that, then what is it, and where does it reference land acquisition one way or another? Why should we put in an application that fits the criteria when it's not what we need. What we need is land. Mrs. deLeon said then I guess you don't submit the application. Mrs. deLeon said she's only one of nine people. She's made a lot of recommendations to this Authority that weren't supported by this majority and the motions failed. Mrs. Yerger said her point is where, it's got to say somewhere that this decision was made. Where was that decision made and where was it? Mrs. deLeon said why don't you do a "Right to Know" request and then you can find out. Attorney Treadwell said we can do that. The point he was getting at was similar to what Mrs. Yerger was saying, it's kind of unfair to all the municipalities who are applying if they apply for land acquisition because land acquisition is never considered, but they didn't know that going in. Mrs. Yerger said it may not just be land acquisition. There may be other things, either listed or not listed, and she'd hate to see everyone waste their time. Mr. Maxfield said or interpretation. Mrs. deLeon said and it's all subjective. You're exactly right. That was the whole thing. With the restricted money, there were nine members up there and it was all subjective. Mr. Maxfield said

what's happening is it's costing us a lot of money to jump through all these hoops and go back and redo things and to attend meeting after meeting after meeting, for very little payback. This is an exercise of futility. It doesn't make any sense. Mrs. deLeon said this was all for the matrix and it was given points, so you wanted to score a higher point. You fulfilled this criteria, which was record. It was on the website. It was attached to the application. They were the rules. She can't say she's 100% pleased with this as she wasn't. Mrs. Yerger said maybe we need to file a "Right to Know". Mrs. deLeon said her suggestion is the land acquisition is not here. You can do what you want. She's just giving you her opinion. Mrs. Yerger said her concern is what else is not there that they aren't aware of? Mrs. deLeon said she can't answer that question. Mr. Maxfield said they need an "eligibility criteria". Mr. Maxfield said spelled out. Mrs. deLeon said she doesn't know what that is. Mr. Cahalan said if we are going to have a category that says infrastructure and facilities improvements, if we're hoping for this money, and he's speaking for all the municipalities for new municipal buildings or new police stations, or new fire stations, he doesn't know where they are going to be built unless you already have a plot of land somewhere that you can build it on or you are going to do a re-build on an existing site. Land acquisition goes hand in hand with creating new facilities. Mr. Maxfield said if you can have land acquisition if it's an accepted project already in the stream, that's one thing. If you can't reimburse money, that's something else. That window then is very, very small that it can fit into for what we need. Mrs. deLeon said maybe she should back up a little bit when she says land acquisition, it should be a current thing. Right now we're trying to acquire it. There's no agreement of sale. If there was an agreement of sale, but there's none. Attorney Treadwell said that was his initial question. If the property owner tomorrow agrees to the price we've offered for that trailhead property, then does it get considered by the Authority? She's not the whole Authority. Attorney Treadwell said he's just trying to understand the process. If an application that includes land acquisition will never be approved, then all the municipalities would need to know that so you don't waste your time applying for it. Mrs. deLeon said she wishes she would have brought her little yellow book as the law was in there. That was the Power Point presentation. Attorney Treadwell said the Gaming Authority log gives you the purposes for what it can be spent. It doesn't tell you what specific items you can spend it on. It's the purposes behind spending the money. Mr. Maxfield said that's pretty straight forward. Mr. Horiszny said can we ask the Gaming Authority solicitor to supply this list or the Power Point, or whatever proves these things. This is not Mrs. deLeon's fault. Mrs. Yerger said no one was suggesting it was Mrs. deLeon's fault. It's just how do we move forward from here. Mrs. deLeon said she's trying to help. She's giving you her gut feelings. Mr. Horiszny said do you think the solicitor would give us that information? Mrs. deLeon said he doesn't have it. What would he have? This is all the public documents. This is what we whittled down to and came up with. She doesn't know if he would have another list as she would also have that list. Mr. Horiszny said if the Commission is rejecting it, there is something they are basing it on. Mrs. deLeon said we need five votes. We have to eliminate \$650,000.00. This was for \$65,000.00. Mr. Maxfield said what Mr. Horiszny is saying is if for instance you say we don't reimburse spent money, or we don't fund projects that are not committed, somewhere there is a basis for those decisions and it should be written down. We're asking for copies of that. There has to be a record of it somewhere because decisions were made because of something. That something has to exist somewhere. Mrs. deLeon said decisions are made on discussions at the meetings. From September on, there are videos, listen to them. She doesn't know what to tell you. Mrs. deLeon asked what the conclusion was to this so when she goes to the meeting at the end of the month, she can report back. Are we going to do anything on this? Mr. Horiszny said we'd like to see a list of the criteria. Mr. Maxfield said we can't amend what we already submitted, so we're stuck with that. Mrs. deLeon said we can cure it and Attorney Treadwell can explain that. Attorney Treadwell said he has no idea what cure means. It appears to him that curing an application and amending an application are the exact same thing. He doesn't know how the Authority's solicitor or

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whoever it is that came up with the word “cure” is using the word. Mr. Maxfield said as far as our land acquisition application, can we make a step on making that happen and contact the landowner tomorrow? Attorney Treadwell said he talked to her yesterday and she informed him that her daughter was coming in for Mother’s Day and they were going to discuss the Township’s offer. Mrs. deLeon said the next meeting is May 23<sup>rd</sup>. Mrs. Yerger said we have a meeting before then, so we can hear back from Attorney Treadwell. Mr. Maxfield said can we make that as a direction as if we can’t change that application, then we do have to try to cure it our own way. Let’s reach out and try to get the contact there, and get an okay with it. Then it becomes a viable project in the works and then becomes a viable application. Mr. Cahalan said Mrs. deLeon is saying the Authority will not approve it because it’s acquisition. Mrs. deLeon said we have a ranking thing. These things take priority over certain things. If you have all these categories, you get 15 points. If you have something less than that, you get fewer points. In order to be the 20 applications, they got the most points. The rail trail, if you look on this list, was the 20<sup>th</sup> one. She’s just telling you what rises to the top. These things and these categories rise to the top. They get the points. Mr. Maxfield said that 20<sup>th</sup> position was allotted to the rail trail by discussion. Mrs. deLeon said this is what the sub-committee gave us and then the 20 people were asked to come in to give presentations. The rail trail was the last one on the list.

➤ She said we talked about History Day, and she hopes to see everyone there.

**D. SOLICITOR** – No report

**E. ENGINEER** – No report

**F. PLANNER** – No report

**IX. ADJOURNMENT**

**MOTION BY:** Mr. Horiszny moved for adjournment. The time was 8:39 PM.

**SECOND BY:** Mrs. Yerger

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

**ROLL CALL:** 4-0 (Mr. Kern – Absent)

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn C. Kern  
President of Council