

**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. 2010-03 – Establishing School Safety Zones – Public Hearing and Consideration of Adoption

**IV. DEVELOPER ITEMS**

- A. Estates at Stonehurst – Lower Saucon Road – Request Extension to Complete Conditions of Approval
- B. Saucon Valley School District – Request Extension to Complete Improvements

**V. TOWNSHIP BUSINESS ITEMS**

- A. Zoning Hearing Board Variance – Meadows Banquet Facility – 1770 Meadows Rd. – Special Exception Request for Expansion of Pre-Existing Non-Conforming Use
- B. Resolution #47-2010 – Recognizing 17<sup>th</sup> Annual Relay for Life
- C. Resolution #48-2010 – Transfer of Monies
- D. Recommendation for Revision to Parks & Athletic Facilities Use Policy
- E. Authorize Advertisement of Invitation to Bid for Polk Valley Park Bridge & Review of Polk Valley Road Trail
- F. Authorize Advertisement of Invitation to Bid for Road Materials and Pervious Concrete
- G. Authorize Advertisement of Ordinance No. 2010-04 – Incur Indebtedness
- H. Overview of Saucon Rail Trail Recommendations

**VI. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of May 5, 2010 Minutes
- B. Approval of April Financial Reports

**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 Planning Commission Meeting: May 20, 2010  
Next Council Meeting: June 2, 2010  
Next Park & Rec Meeting: June 7, 2010  
Next EAC Meeting: June 8, 2010  
Next Zoning Hearing Board Meeting: June 21, 2010

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 19, 2010 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Thomas Maxfield, Council Vice President, presiding.

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

**PLEDGE OF ALLEGIANCE**

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

**Mr. Maxfield said Council will have an Executive Session at the end of the meeting to discuss purchase of real estate.**

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

Mr. Maxfield said he would like to remind everyone in the public that if you speak, please use the microphones and please state your name as the minutes are transcribed. There is a sign-in sheet in the back of the room. If you are interested on what is on the agenda, you can go on the website which is [www.lowersaucontownship.org](http://www.lowersaucontownship.org).

**III. PRESENTATION/HEARINGS**

**A. ORDINANCE NO. 2010-03 – ESTABLISHING SCHOOL SAFETY ZONES – PUBLIC HEARING AND CONSIDERATION OF ADOPTION**

Mr. Maxfield said Ordinance No. 2010-03 has been advertised for a public hearing to establish school safety zones and to erect the appropriate signage within these zones.

**MOTION BY:** Mrs. Yerger moved to open the hearing.

**SECOND BY:** Mr. Horiszny

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

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

Mr. Cahalan said this is an ordinance that has been advertised for a revision to our vehicle code to incorporate school safety zone signs which lower the speed limit in the Lower Saucon portion of the Saucon Valley School District campus at morning and afternoon times which are specified. There is a series of twenty signs that have been erected following a PennDOT traffic study. There are seven in Hellertown Borough and fourteen in Lower Saucon Township. The ordinance has been duly advertised and is ready for adoption.

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

**MOTION BY:** Mr. Horiszny moved to close the hearing.

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**SECOND BY:** Mrs. Yerger  
Mr. Maxfield asked if anyone had any questions? No one raised their hand

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

**MOTION BY:** Mr. Horiszny moved for adoption of Ordinance 2010-03.

**SECOND BY:** Mrs. Yerger

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

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

**IV. DEVELOPER ITEMS**

**A. ESTATES AT STONEHURST – LOWER SAUCON ROAD – REQUEST EXTENSION TO COMPLETE CONDITIONS OF APPROVAL**

Mr. Maxfield said the developer is requesting an extension of time to complete the conditions of approval associated with this subdivision.

Mr. Cahalan said there is a draft motion. Mr. Kocher said there are no issues. This is just due to the economy. Attorney Treadwell said they haven't started building yet. Their plans aren't recorded yet. This is just an extension to meet their conditions of approval.

**ESTATES AT STONEHURST FOR THE MAY 19, 2010 LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township Staff recommends that Township Council approve the request for an extension of time to June 4, 2011 to complete the conditions of approval for the above-referenced subdivision.

This approval is also conditioned upon the Developer paying any outstanding escrow account invoices.

Mr. Maxfield asked if there was any public comment? No one raised their hand.

**MOTION BY:** Mr. Horiszny moved for approval to grant the extension to the Estates of Stonehurst.

**SECOND BY:** Mrs. deLeon

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

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

**B. SAUCON VALLEY SCHOOL DISTRICT – REQUEST EXTENSION TO COMPLETE IMPROVEMENTS**

Mr. Maxfield said the applicant is requesting an extension of time to complete the conditions of approval.

**SAUCON VALLEY SCHOOL DISTRICT LAND DEVELOPMENT IMPROVEMENTS FOR THE MAY 19, 2010 LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township staff recommends that Township Council approve an extension until June 4, 2011 for completion of improvements at the Saucon Valley School District Land Development. This approval is subject to the following conditions:

1. The owner shall enter into an Extension Agreement with the Township satisfactory to the Township Solicitor and Township Council.

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2. The owner shall pay any outstanding plans and appeals account invoices owed to the Township.
3. The Improvements Security shall remain in full force and effect until project completion or July 4, 2011, to the satisfaction of the Township Solicitor.
4. The Township Engineer is hereby directed to inspect the erosion and sedimentation controls for the project and notify the developer of any deficiencies. The developer must correct any deficiencies noted by the Township Engineer within 60 days of receipt of his report.

Mr. Cahalan said there is a staff recommendation. Mr. Kocher said they are just down to the pedestrian improvements along Polk Valley Road. Attorney Treadwell said this one is not an extension to complete the conditions of approval. It's an extension to complete the actual improvements.

**MOTION BY:** Mr. Horiszny moved for approval to grant the extension.

**SECOND BY:** Mrs. deLeon

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

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

**V. TOWNSHIP BUSINESS ITEMS**

**A. ZONING HEARING BOARD VARIANCE – MEADOWS BANQUET FACILITY – 1770 MEADOWS ROAD – SPECIAL EXCEPTION REQUEST FOR EXPANSION OF PRE-EXISTING NON-CONFORMING USE**

Mr. Maxfield said the applicant is seeking a special exception and several variances to allow improvements which were done without proper approvals to remain in place.

Dennis Benner, Attorney for the Meadows; Scott Mease, Engineer and Russ Lebkuecher, owner of the Meadows were present. Attorney Benner said most folks here on the Council and likely in this room tonight are aware of what the Meadows is. It's a facility that houses affordable wedding facilities throughout the Lehigh Valley. Mr. Lebkuecher bought this facility in 1990. Prior to 1990, this facility was in operation for almost thirty years. The purpose of them being here this evening is to make the Council aware of the nature of the relief they will be seeking at the Zoning Hearing Board. It's consistent with your policies in terms of presenting to Council what it is they are going to be seeking at the Zoning Hearing Board. They have been to the Planning Commission and they've made some recommendations in terms of what kinds of items they'd like to see on the plan as it advances forward. The application will then be heard by the Zoning Hearing Board and they are here this evening to answer any questions that anyone may have in that regard.

Scott Mease has prepared some exhibits. Mr. Benner said what you see depicted on that site plan is the Meadows as you know it today. There are some decks that have been put there. A trellis that has been put there, but that is the existing configuration of the various facilities at the Meadows. The vast majority of those facilities were there and predated many, but not all of the zoning laws in Lower Saucon Township. What's important here is that this pre-existing use at this location underwent a number of flood events. The most pivotal ones for the purpose of information tonight is the flood of 2005. In 2005, there was a flood event, FEMA came in and the insurance people came in and pretty much directed and requested that the owners get the facilities off the ground more. Because of the flood events, there were floor boards that were rotting, etc. After the 2005 flood event, with the insurance monies, Russ and his wife set a course of action to get things off the ground consistent with the request of FEMA and his insurance carriers.

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Mr. Mease had a plan that showed what existed, as best they know, prior to 2005. Mr. Benner said what they are trying to do this evening is to set a baseline as to what was there and what was predated so that any further activity at this location becomes a known quantity and certainly the subject of the permitting requirements of this Township. They are trying to bring it into conformance to the extent that they can, but they can't reverse the laws and the structures that were there when there were no laws to govern it.

Mr. Mease showed another plan. Mr. Benner said what you see depicted in red were structures that were added from 2005. Mr. Mease said there was an addition to the building in this area and the owner can give you more specific reasons as to why the additions were done. There was an above ground deck added and also another one. There is one in the back where he had a tent, and a deck was constructed so the tent could set onto top of the deck instead of the ground. Mr. Benner said was that part of the request by FEMA and the insurance companies? Mr. Lebkuecher said after the floods, they took the power washer and the tent was mud and the carpet was mud under the tent. Everything was floating down the creek like carpets, so they got everything off the ground, so now nothing can go down the creek. That was the reason for that. There was another deck to get the freezer and the store room off the ground so the floods could not take any food or any of our storage like salad bar tables, chairs and there was a place to keep the tables and chairs from getting destroyed. Mr. Benner said was that a result of the flooding and the experiences you've had with regard to flooding at this location? Mr. Lebkuecher said they lost almost \$100,000 between 1996, 1999 and 2005. There were also decks to keep the air conditioning units off the ground. When the insurance people came, they said there should be nothing in the water, so they got them off the ground so there would be no freon or explosions. Mr. Benner said there are eleven items on the exhibit. Those exhibits are attached, although there is an amendment that is forthcoming that will be consistent with the Exhibit A. Those are the various zoning variance relief that they believe at this point they need to make the plan come into conformity with existing rules.

Mr. Benner asked Mr. Mease to go down those eleven items and point to the site plan and advise the Council of what it is and why it is? Mr. Mease said item No. 1 on the list, titled Exhibit A, nature of variance sought is from Section 180.95.B.3.B which requires 100% protection from flood plains. The property is a pre-existing non-conforming use with structures erected prior to enactment of article 180.95.B and C. The hardship is the existence of the flood plain. The variances to permit development in the flood plain to include the smaller banquet facility, the tent cover deck and the shed. Mr. Benner said when you go item by item, will you point on the site plan where it relates to. Mr. Mease said that one is general in nature. Item No. 2 is a little more specific. It says from Section 180.91.B to allow intrusions into the yards as follows. He showed where the front yard of the property was located and this is labeled 2A on the plan and shows the location of the trash collection area. The plan depicts that it does extend into the front yard area. Item 2B, it says side yard, the holding tanks, the site was on an onsite sewage system, then a few years back they got a permit to put two holding tanks and there are two 5,000 gallon holding tanks located in this area, which is in the side yard setback. Item 2C, is a rear yard for a shed. He showed where the shed was and said it's been there for many years, but it does exist within the rear yard. The fourth item under 2D is a side yard for a small deck and that is labeled on the plan and is located within the side yard.

Mr. Mease said item No. 3 is 180-100B.3.C. is in order to exceed the 25% allowable expansion of a non-conforming use. That 25% would be 2,223 square feet. Expansion is 3,688 square feet which exceeds that 25%. Item 4 is from Section 180-34 C to permit the maximum coverage to exceed the pre-existing non-conforming coverage by 5,722 square feet. The pre-existing non-conforming coverage, they are basically looking at the 2005 date. The plan that was prepared shows what they believe existed in 2005 and earlier to what the plan looks like today is a difference of 5,722 square feet of coverage.

Mr. Mease said item No. 5 from Section 180.95.C is to seek relief from calculations of site capacity; all structures exist on the site to the extent any structure exceed permitted pre-existing non-conforming

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structures of variances requested. The total site is in the 100 year flood plain. Total development is already exceeding any site capacity specific to variance requesting to permit 5,722 square feet of coverage. Basically, the whole site is in the flood plain and when you do site capacity calculations, you come up with zero for buildable areas and that's the reason for that relief.

Mr. Mease said item No. 6, Sections 180.97.C(2)(a) and 180.102.C(2) to I to eliminate the need for buffer yards if required, the facility is pre-existing non-conforming use. All adjoining properties are residential except the adjoining shopping center which would be located to the east of the property.

Mr. Mease said item No. 7 from Section 180.98.C(1)(b), C(3)(a) and (C(3)(i) to allow the parking labeled as overflow parking on the plan to count towards meeting the required parking amount and to allow the overflow parking to remain in grass covered condition. On the plan, he showed the paved parking area and the grass parking area. That's where the overflow parking takes place at times when they need more parking than what the paved parking will accommodate. It states on No. 7 that adding the additional required 122 parking spaces as paved permanent parking would increase the overall impervious coverage further than what it already is.

Mr. Mease said item No. 8 from 180-98.D(4)(5) if required to provide off-street loading berth of 30' vs. 65' long and 12' wide vs. 14' wide. All off-street loading is pre-existing. They are saying the ordinance requires a certain size loading berth. What they've used for many, many years does not comply with that and their loading berth is tucked in between the building, so it couldn't be increased in size. What they have is sufficient.

Mr. Mease said item No. 9 from Section 180-102.C(2)(j) and 180-96.J, the present lighting is pre-existing and the type, design and shielding data is unavailable. The exterior lighting is on a timer that regulates the lights to turn off at 12:00 AM. This refers to the lighting section that requests that plans show the existing lighting fixtures and the shielding data for the lights. They are old and they can't come up with that information. They are just saying the lighting is there, they are not adding anything and that will continue to exist.

Mr. Mease said item No. 10 from Section 90-23.C.D.E. and 90-25.B.C. and 90-26A.B. to permit new construction in a floodway that would cause an increase in the base flood elevation. Everything is already existing, but if you looked at it comparing it to the current ordinance, that is where the difficulty for the variance would arise.

Mr. Mease said item No. 11, Section 90-26.D(1) to permit improvement of an existing structure that was not in compliance with flood proofing requirements. They were talking about the structure was built without a permit and so they have had a professional structural engineer review the design, make alterations of the design; however, they did not have the permit that was required with No. 11.

Attorney Treadwell said the plan you are referring to right now is basically an as-built plan, correct? It shows what is there today. Mr. Mease said that is correct. Attorney Treadwell said the relief that is being requested is not to build any new structures, but it's basically seeking retroactive approval of what is there today? There's no new construction proposed? Mr. Mease said that is correct. Mr. Benner said they are trying to bring this in conformance with as many laws as they possibly can to clean the plan up.

Mr. Benner said just by way of further commentary, he has with him this evening, and he can present it to the Council, a petition signed by almost 1,500 people. They include neighbors, they include residents, and they are prepared to lend their support to this application. Should the Council wish to hear from them, they are here to give you an oral presentation. He can deliver this to the Township should they like or want this petition. Russ and his wife have done a lot of good things for the community. He thinks it bears it out by securing this kind of support. Were there mistakes made over the year? Sure. - everybody makes mistakes over the years. They are trying to clean this plan up to

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the best that they can. It's a facility that is good for the community. It really doesn't create any harm for the community. It gives an affordable venue for a whole laundry list of different things from weddings to sports facilities to fundraising events, for the football lights at Hellertown High School. They are trying to bring it into compliance as they can. There's a lot of community support here. On behalf of Russ and his wife and Mr. Benner, they thank the audience tonight who saw fit to take their time and come out and be willing to lend their support to a very important application.

Mrs. deLeon said do we need a motion to accept the petition? Attorney Treadwell said we can take a look at it and give it back to Mr. Benner.

Mr. Maxfield said that was a lot of information to digest. Council does have in their packet the list of the variances that are requested, and as the applicant stated, there are eleven variances.

Attorney Treadwell said since this is the first time this has been in front of Council, that it should be pointed out that this application for relief to the Zoning Hearing Board came about from a chronological standpoint as a result of a notice of violation that was issued to the property owner for various violations which basically revolved around the construction of those areas in red you see without the proper permits and the proper approvals. That's just to give you a little history of where this came from.

Mr. Horiszny said they continued in disregard of the zoning laws and permits required and they should be penalized in some way. That's just not the way to do business. It's not fair to the public, the Township or your neighbors. Mr. Benner said by way of comment, and with all due respect, the areas you see depicted in red are really a result of a flood that occurred in 2005. Russ was hospitalized for an extended period of time and his wife took it upon herself to get a lot of these facilities off of the ground and what you are seeing is some decking that was requested by FEMA and by the insurance companies to get things off the ground in flood events. Russ's wife unknowingly thought the contractors were getting permits and they didn't. It's a mistake, and we acknowledge it. As the old maxim goes, let he who is without fault cast the first stone. Mr. Maxfield said what Mr. Horiszny is trying to say is there's a process. There was a process in place for quite some time. That process may have changed over the years, but that process has been there, in essence, for quite some time. Whether Mr. Lebkuecher was assuming that the contractors obtained permits or whatever, he is ultimately responsible for that, as you know. We have a situation here where we have a blanket request for variances and they cover many different things. They cover anything from actual structures to things as simple as garbage cans with structures to surround them. As he said earlier, it's a lot of information, and it's not prioritized. We are only hearing this and can offer our comments before it goes to the Zoning Hearing Board who makes the real decision, but he personally would like to see some of those areas mitigated. There's room there for us to come to some sort of agreement. Right now, there is a wide variety of things and some can be cured very simply. Mr. Benner said a good number of what you see there results from a zoning ordinance that was written and complied with. For example, site capacity – that was a newer regulation in the Township. A number of them, while there are eleven, it seems like a lot, but it's not really that much. They tried to be very thorough because they didn't want to come before this body again or any other body and say we missed this or we missed that. It also has to go back to the planning process and we may find something or your reviewing engineers may find something that they missed. It's a very complicated process here. It may well be that we have to make a second trip to this Council and back to the Zoning Hearing Board again after it goes back to Planning review. In terms of the number of areas of relief, yes, it appears to be a blanket request. It's intended to be thorough because they'd like to be as thorough as they can this time around and a lot of it is not structure driven without permits. The bad things that you may associate with some of those kinds of things – yes, there were mistakes made and they will certainly sit here and acknowledge that, but it's not eleven bad things that were done here. There are eleven requests with eleven different items, but those items are not all a result of building a deck without a permit, for example. It's not the huge application as it may appear. One of the requests for a variance is lighting. What are the makes and models of the lighting? These lights were there for 20 years and there's no way to know what

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manufacturer, etc., candle power of some of these lights are, so they sought relief from that as there is no way of knowing. It's an attempt to try to cure to the extent that they can be compliant with zoning laws as they exist today.

Mr. Maxfield said when he said blanket, he meant the applicant is basically requesting to sort of draw a blanket of relief over this entire site and say everything is okay just the way it is or that we want it to be okay so we can just move ahead with business. He's uncomfortable with that. Mrs. Yerger said you are talking in terms of a decked tent. What was there before that? Are you talking about carpeting? Mr. Lebkuecher said there was a tent there since 1991. Every year a tent went up and they did the weddings in that tent since 1991. Mrs. Yerger said it had a floor? Mr. Lebkuecher said just the gravel on the grass. It was a tented area. Mrs. Yerger said what confused her was you said carpeting from the floor went down the creek. Mr. Lebkuecher said there were throw carpets where the bartender would work. Little things – there were beer barrels and there were cases of soda and his grills. He had \$6,000 worth of grills that went down the creek. There were port-a-johns that went down one time and crashed into the bridge. That was all during the early 90's. By getting it on the decks, there hasn't been anything going into the creek except for mulch. Mrs. Yerger said it was all stuff that could have technically been moved if you knew it was going to flood? Mr. Lebkuecher said it would be too much to move. He has pictures if you want to see it. Mrs. Yerger said she understands what it's like to live along the creek and when you have to move things away when you are going to have heavy rains and your creek is going to flood. What she sees is a huge decked area which is a huge component of compliance because of that impervious coverage that's decked. She works for a company that does parties all the time and they have tents all the time. They do not have permanent deck flooring all the time. That is not something that is considered a necessity. If the deck is a huge part of the problem, then maybe that needs to be looked at again as that can take a huge part of the impervious coverage away that you are looking for relief from and you wouldn't have to seek relief from. You can still put a tent up. It would be covering your guests and it would not be a permanent hard surface. Mr. Benner said what was there, he had a tent up and there was a gravel/grass area that he would use for wedding facilities. After the 2005 flood, FEMA and his insurance company came along and said get this stuff up off of the ground. What he did was put a deck there to get it off of the ground and then set the tent on top of that ground. Mr. Lebkuecher said what they did was they got all the buildings up, so now it's better as it's not non pervious at all. The water can go through the ground and they raised the building, 10,000 square feet of it, above the flood plain so that should help the neighbors because it's raised above the flood plain. It doesn't make the water higher in the neighbor's yards because everything is on pylons. Mrs. Yerger said a deck is an impervious surface because when rain hits, it causes it to go somewhere else. It doesn't soak into the ground. She does know that you can tent weddings and not have to have a permanent hard surface beneath them and still have a very elegant wedding. He has a permanent deck there. When you are done with the wedding, you take that tent down. It goes away. You have grass there. Mr. Lebkuecher said it goes up in April and comes down in November. Mrs. Yerger said what she is looking at it they do it all the time and it doesn't become a permanent structure and you can use tents all the time and they function as coverage. You don't store anything permanently in those tents as you serve from your main facility. Mr. Benner said one of the fortunate, and maybe in this case, unfortunate circumstances is that Russ is very successful in delivering very affordable weddings. He has multiple weddings every day. It would almost be impossible to put a tent up and then take it down and put a tent up and take it down. Mrs. Yerger said no, it's not. Mr. Lebkuecher said it would cost him \$4,000.00 to \$5,000.00 a weekend to put it up and down. Mrs. Yerger said they do anywhere from five to six weddings a day and weekends and it's not unusual to do this to accommodate a larger wedding. Mr. Lebkuecher said a 40' x 80' tent is anywhere from \$1,400.00 to \$1,800.00 and each time you put it up and take it down they are going to charge you and they charge you \$1,000.00 to put it up and \$1,000.00 to take it down. It would cost him \$3,000.00 to \$4,000.00 and that's what he charges for a wedding. Mrs. Yerger said it's something to consider. They are looking for ways to perhaps bring you into compliance. You are in a flood plain and yes, it is a pre-existing condition, but it's their job to make sure those situations are not made or exaggerated and made more difficult. Mr. Benner said they are lifting these structures up off the ground. Mrs. Yerger said it eliminates his problem, but it creates impervious coverage. Mr. Benner

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said it actually decreases that because now the surface area under the deck can absorb water. Mr. Lebkuecher said before it was like mud and as hard as a rock. Mrs. Yerger asked if we consider decks impervious coverage? Mr. Kocher said per the zoning ordinance, yes. Mr. Benner said what about practicality and in the real world? Mr. Kocher said are they more impervious than not being there - yes.

Mr. Maxfield said we are talking about a bunch of different things here. We're talking about water reaching the ground from a flood or water reaching the ground from rain or various ways, a tent being there, a tent not being there. He'd like to talk about the obstructions in the floodway which is a very important part of the ordinance too. As he looks out, he sees residents from Hellertown here. We have a great responsibility to our sister community, not to make their flooding situation worse. Obstructions in the floodway are proven to make downstream conditions worse for residents. He thinks we have a duty to mitigate this problem as much as we can. Who's to say how much Hellertown suffered additionally because of the Meadow's existence in 2005? Here we are where we can maybe mitigate it and we need to look at those kinds of issues. While you may be looking at this from a business perspective and an employment perspective for a lot of people, we need to look at it from a safety perspective. We need to look at it as having responsibility to our sister community. Mr. Benner said lifting these structures off the ground contributed to exactly what you are suggesting would be a benefit to Hellertown and to Lower Saucon Township because now those obstructions are not obstructions with the flood because it sheet flows right underneath it and does not obstruct it and back it up. The Army Corps of Engineers actually asked us to do that. Mr. Maxfield said we might be assuming the flood might be a four inch flood. We're not talking about that. Mr. Benner said these are a couple of feet off the ground, not a couple of inches. Mrs. Yerger said water runs off her deck and it contributes to flooding and storm water conditions. That's just a fact. It's just the way it is. Hard surface creates runoff and runoff creates flooding to the people downstream. She thinks it may be something you may want to reconsider. You obviously operated beforehand with a tent, without a deck. You were obviously successful with it before 2005. She's wondering if that is something you would want to consider again. The objects in the tent would have to be moved back inside. They sounded portable for the most part. They don't have to be left in a tent. When she's looking at the red areas on the map, what is the biggest is the decks. Mr. Lebkuecher said he could consider that, but he thinks he's in the flood. If you look down our road, the water comes down from the developments like rivers. You can talk to the neighbors. It doesn't come from his property. Mrs. Yerger said water comes from everybody's property and it's a cumulative effect. It all comes as you go downstream. That's just nature.

Mr. Maxfield said just so everyone understands where we are coming from. This entire site is in the flood plain. In the real world, the best case scenario for this site would be for this site to be simply absorption for when the creek overflows. That is the function of a floodplain. That is why DEP, state agencies, everyone says no structures in the floodplain. Obviously, we're not there, so we are trying to mitigate this thing. Anything that has occurred on that whole site is going to make flooding worse downstream. A parking lot, the buildings, anything that is on there that is not sucking up water is going to make it worse. Mr. Benner said they are not disagreeing, but the main building, that whole entire structure was sitting on the ground, and Mr. Lebkuecher lifted it off the ground a few feet. This is not an attempt here not to try to mitigate damage because while you are in charge of your regulations, in the real world, he has structures here that if he doesn't mitigate to the best he can do, they are going to wash away and that's what FEMA asked him to do so he was compliant in doing what FEMA asked him to do. Mrs. Yerger said they are not regulating just to regulate. They are regulating for the benefit of our residents. We have to try to be fair to Mr. Lebkuecher, but we also have to be responsible for the people who live downstream from him. This is a balance between his needs and the people who live downstream. Mr. Benner said one of the other items on this list is the area in terms of parking. He has some overflow parking, but if they were to macadam it, it contributes to your problem. Mrs. Yerger said she understands that. We are looking at some additional ways that we can help mitigate this situation. This is not all black and white. It's just something to consider. Mr. Maxfield said one other thing to consider on the overflow area is the compression that happens to

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the ground from parking on that makes it less absorbent. It's less able to handle flood waters. We have a situation where we are seeking some mitigation. The Township as well as the members of Council wants to see some mitigation. He's not happy and he doesn't think anyone else is happy with this blanket sort of variance and we need to parse it and select it. No one wants to see him go out of business. No one wants to see people lose jobs, but we need to strike some kind of balance and that balance is going to occur through some type of limitation of the site. We need possibly to examine this issue a little bit more.

Mrs. deLeon said the tents you use at Heritage Conservancy for your weddings, how large are they? Mrs. Yerger said it depends on the size of the party. They have small ones if they are needed and they accommodate to the given wedding party. Mrs. deLeon said as she drives around the Township she sees a lot of people with their backyard tents. Mrs. Yerger said that's why Heritage doesn't leave them up. They have them up for the event and then they come down and go away. Mrs. deLeon said your facility is available seven days a week? Mrs. Yerger said yes, and they do multiple weddings on a given day. They do sometimes three weddings a day. They do them on the same location and have been doing them for years.

Mr. Chris Garges, Zoning Officer, said one thing that has not been mentioned tonight going back to the initial NOV in October 2006, was the single family dwelling that was converted to a chalet/banquet facility without any approvals or permits. Basically, it was an expansion of the use even further without any zoning or planning, any building permits. The presentation tonight has surfaced around trying to mitigate flooding issues, but that portion of the relief that is going to be required, hasn't been touched on yet and he thinks that is a valuable piece of information that Council needs, not only were they out there trying to fix the problem, but they also were altering and increasing the use of their facility without any approvals. Part of the parking issues and the usage issues don't stem from the facilities they had, but they grew facilities there as well. He wanted to make sure that was clear as that is going to be discussed at the Zoning Hearing Board. Mr. Lebkuecher said they were using the house since 1991 and 1992 for small parties and functions. It was licensed by the LCB in 1993, so it was being used, but what happened was the roof was leaking, so he had bartered a wedding and a carpenter came in and fixed his roof. The roofer said if he stands up here, he can cover both your decks at the same time and that's where he made a mistake when he asked how much and the roofer said \$3,000.00 more lumber, so he covered the two decks and used the outside rooms for dancing and a buffet line, but the chalet was used since 1992 for parties. It was never not used for parties. It was always licensed by the LCB. They licensed the property from the front of the property to the back wall. Maybe the state has to be brought in also. Mr. Garges said when was the last time that structure was used for residential? Mr. Lebkuecher said 1993, and then they moved up on the hill after that. They were using the living room for parties as it was 24 x 24 feet and perfect for 40 to 50 people – funerals. Mr. Heintzelman would call us up almost every week with a couple of funerals. The Hellertown and Lower Saucon Lions have been meeting there since 1991. They are here and can testify to that.

Mr. Joe Chunko from the Lions Club was present. He said Russell has always been good to them. He has always given them space. Russ does great service to the community. He's so generous, it's like a soup kitchen down there. Mr. Chunko said the Meadows is not the only problem. The problem is the Meadows Bridge and that should be taken down and be replaced as that contributes to the flooding. Mrs. Yerger said there was a study done that said that's not the case. It's a County bridge, so it's not our jurisdiction. This is not about trying to make the Meadows go away. This is about trying to make the best of a situation and some give and take on both sides so everybody comes out a winner. As our Planner always talks about a win-win situation, that's what we are trying to strive for here. Mr. Maxfield said we cannot speak for previous Council's. Mrs. deLeon said she was previous Council and we're out there as an elected official and we don't have access to all the permits and things that go on a regular basis. Mr. Maxfield said a lot of people were not aware of the changes as they occurred, but people in the community also.

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Pam Radogna, 146 Mill Street, Bath, PA said she's the President and Owner of Mocha Mike's Inc. She has been working with Russell on weekends. She comes out and gives him a hand and is working on putting some specialty drinks on the menu. She's known Russell for ten years and she agrees with what the previous gentleman just said. She did want to say the debate about the tent, yes, it is possible to take a giant tent like that down, but it causes tremendous wear and tear on the tent and it's an ungodly cost that shouldn't be necessary if you can leave it up. It's not up year round because of the snow and weather. Mrs. Yerger said the deck is what we consider the impervious coverage. The deck is the issue. Ms. Radogna said taking the tent down is unrealistic every single weekend as far as cost goes. She doesn't know where Mrs. Yerger works at, but it is unrealistic. Mrs. Yerger said it's a company and they put the tent up and take it down as that's their job. Ms. Radogna said Russell is extremely generous when it comes to weddings. In fact, there's a lot of brides that could not have what they get without Russell's generosity. His workplace is immaculate. It's run like a finely tuned motor. She's seen dozens and dozens of brides come and go and are so happy and pleased and they could have never had that without him. The man gets up every morning at the crack of dawn and works all day and all night. She's seen firsthand how hard he works. She knows there are issues here that need to be resolved and as a member of the community, she hopes they can be resolved and business can go on accordingly for him as he deserves it after twenty years. There are not many restaurants that she knows of that have employees who have been with them for twenty years. That says a lot for his character and how he runs his business and how he treats his employees. She hopes the Council will be generous with what they give him.

Stephanie Brown, 1830 Meadows Road, said she's a 37 year resident of Meadows Road. She said everybody says no one wants to see the Meadows go away – she would. It would be nice if it was a nice park. Being realistic, she knows that's not going to happen. Affordable weddings are not a necessity in life. The fact that the people who own these establishments are generous people who do good for the community has nothing to do with what's going on here. This is about breaking laws and not doing the proper thing when it comes to permits. She can't understand what that has to do with anything. The gentlemen who said the Meadows Road Bridge needs to be replaced, she guesses he's not aware of the fact that Lower Saucon Township has come out in favor of saving the bridge. The bridge is 150 years old and it predates everybody sitting in this room. It's been there a long time and it's very upsetting that he said that. Growing up, it was a picnic grove, it was not a restaurant. It didn't have concerts like advertised recently in the Penny Power, so the fact that there's a buffet and it is basically a restaurant is not the baseline for that establishment. It was a picnic grove. She is realistic and understanding that picnic groves have changed over the years and it can't be what it was in the 60's or 70's, but the fact is it's a restaurant and not good for the Meadows Road area. It puts a lot of unnecessary traffic on the road. She's seen a lot of bad things in terms of the intersection at 412 and Meadows Road. The Township has recently made that "no left turn", but she can stand there and watch a line of traffic turning left off of the Meadows Road coming out of the banquet facility. They totally 100% ignore that and she knows there are people who go there every week and do it. It's very stressing on the bridge and the people who live on Meadows Road. What's confusing to her is why would you want to have a business in a floodplain? Her father has been in business for almost 45 years. Why you would want to put people at risk and expand this facility, and put more people at risk, after what Ivan did, because anyone who has been around Meadows Road and the Saucon Creek knows how it floods down there. That's difficult to understand. In terms of the way Meadows Road is zoned, because it's so densely zone because it sits next to Hellertown, it's never been appropriately zoned for that area and there's nothing you can do about it. When Toll Bros. put their development in, they were required to pay fees to help upgrade the intersection of 412 and Meadows Road, and doesn't understand why this facility isn't as this is a bad intersection. If they want to have hundreds of people there on weekends for their buffets and weddings, they need to contribute something to the upgrading of the intersection. She's very disturbed as she knows what goes on down there. She's also very disturbed with how long it's taken the Township to do something about it. She thinks we're in a bad spot and as a resident is very angry about what's going on.

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Mr. Maxfield asked if they have a flood evacuation plan? Mr. Lebkuecher said usually the police call and give them a couple of hours notice and we vacate the place. They call us and say 911, Russell get them out and we get them out before the water comes over the road and there never seems to be a problem. It only takes them fifteen minutes to get off the property, even for a couple hundred people.

Barbara Diehl said they live right next door to the Meadows. As far as the traffic, they cannot blame all of the traffic on Meadows Road to the Meadows. It was built years ago and it was a tractor path to the farm above them. Over the time, it just got macadamed. It is also the short cut from people coming down the line from Bucks County. You can go right through Meadows Road and hook on to 378. You can go to Bethlehem that way, hook onto 22, go into Allentown, all of those things. It's a short cut from Saucon Valley to go to the Giant. That's been going on for quite some time so she don't feel it's fair to blame the people who make left hand turns. That's up to the police to regulate and she doesn't see them there too often. You cannot make a blanket statement that all of that comes from the Meadows. It does not. They have lived there for 41 years and have seen the progress of traffic over the years. Before Russell bought the property, the previous owners after a bad flood basically built a dike around the property. That was already there. That part of it, backing up into him, that was predated and nothing was ever said or done at the time that Clayton owned it. There was no backwash from that as far as reprimands. Mr. Maxfield said he thinks the Township is very aware of the traffic problems there and the traffic from the Meadows is not consideration for this. They are aware of the trucks coming down from the new construction on Meadows Road and things like that.

David Heintzelman, 326 Main Street, Hellertown, said he just wants to reinforce what everyone else has been bringing to light as far as Russell's commitment to the community. He also wants to stress what Mrs. Yerger and Mr. Maxfield had said is that you are not trying to close the Meadows down, you would just like to bring it into compliance. He's sure that with everyone's help, we can do this in a very civil way. He wants to reinforce that the Council is not the bad guy and neither is Russ. There have been some problems. You got to keep the communication line open. He's heard both sides and he sees validity in everyone's views. The mistake has been made, and they have noted that. Russ and Kim have been great to this community. He knows Council will do their best and work together.

Pastor Robert said he's actually from Hamilton Township and he literally found out about this meeting from Pam this afternoon. He wanted to be here to support Russell. He can see for the first time after being here that there are grievances. We are not alone in grieving. He's a minister and a big portion of his existence and his job has to do with dealing with grieving families and grieving widows. It's a big part of his responsibility. It's not easy, but thank God for weddings. His job is not always about grieving and he's so thankful and blessed to have the opportunity to be able to perform ceremonies at the weddings and he knows that affordable weddings are not a necessity, not much like the beautiful, historic bridge that we drive over the get to the Meadows. It's not really a necessity, we could have a more modern bridge, but there's something about us that appreciates history. He realizes when he's performing a wedding ceremony at the Meadows, we're actually creating history. Cameron's little sister someday will get married and that's an important part of our history as well. There are many, many brides who would have nowhere to have such a beautiful ceremony if it were not for the Meadows. He sees it firsthand all the time and had it not been for the Meadows, not only will brides and families have those beautiful photos, as he's made such beautiful landscape improvements to that land that would have been just a flood zone had he not been there. The deck and the tent we are talking about, this may be important to us at this meeting, but he doesn't want us to forget about the history that is being made every day at the Meadows. What if somebody would stop someone who made that bridge? What if they would have stopped them from making that history and we wouldn't be able to enjoy that today. He just wanted to be here to support not only Russell and the Meadows, but weddings themselves and people who go there for a safe haven and a beautiful environment. He is truly grateful and has heard firsthand from many brides and grooms. We want this to be a win-win situation, so many people win as a result of the Meadows. He believes it would be difficult to count the people that win and the generations to come that have yet to win as a result of the Meadows.

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Loretta Dutsch, 1773 Railroad Lane said Russ and Kim have been her employer for eleven years now. She loves working for them. She is a hostess at the Meadows. She's had many, many a bride say how wonderful this place is. She doesn't want to repeat anything, but one thing is she's inviting everyone out to see the tent. It's too hard to visualize and you can see the water goes underneath. It goes into the ground. That deck isn't stopping the water from going into the ground. Everyone - before you decide on anything should come out and see it.

Mr. Maxfield said we have no more comments, he would like to suggest to Council we consider what we heard tonight. We have two more meetings before the Zoning Hearing Board. Attorney Treadwell said the meeting is scheduled for June 21<sup>st</sup>. You have a June 2<sup>nd</sup> and June 16<sup>th</sup> meeting prior to the Zoning Hearing Board meeting. Mr. Maxfield said we could table this. Attorney Treadwell said we can have Staff put it on the agenda for your next meeting if you want to discuss it again. You do have two meetings before it goes to the Zoning Hearing Board, and if it's Council's intent to either take a position one way or another or not take a position, you can do that at either your June 2<sup>nd</sup> or June 16<sup>th</sup> meeting. Mr. Maxfield said this is great and we need feedback for these issues.

Council tabled this agenda item and will bring it back to the next Council meeting.

**B. RESOLUTION #47-2010 – RECOGNIZING 17<sup>TH</sup> ANNUAL RELAY FOR LIFE**

Mr. Maxfield said Resolution #47-2010 has been prepared been prepared to recognize the 17<sup>th</sup> annual Relay for Life to be held in Dimmick Park.

**PROCLAMATION SUPPORTING THE AMERICAN CANCER SOCIETY'S  
RELAY FOR LIFE**

**WHEREAS**, the American Cancer Society is holding their annual Relay for Life and 2010 marks the 17<sup>th</sup> year of this successful event and the 3<sup>rd</sup> year at Dimmick Park; and

**WHEREAS**, the Relay for Life is a 24 hour walk/run event involving teams of 10 – 12 members who will keep at least one team member on the track for a scheduled period of time; and

**WHEREAS**, the Relay for Life will be held at Dimmick Park beginning May 22<sup>nd</sup> at 9:00 a.m. until May 23<sup>rd</sup> at 9:00 a.m.; and

**WHEREAS**, The American Cancer Society is a voluntary community based health organization in Pennsylvania dedicated to eliminating cancer as a major health problem; and

**WHEREAS**, The Relay for Life is a community affair held throughout the State of Pennsylvania which presents an opportunity to dust off our camping gear, slip on our walking shoes and network with business associates, family and friends; and

**WHEREAS**, the Council of Lower Saucon Township does hereby proclaim the weekend of May 22<sup>nd</sup> as Relay for Life weekend and asks the community to support and encourages participation in the American Cancer Society's Relay for Life.

**MOTION BY:** Mrs. Yerger moved for approval of Resolution #47-2010 recognizing the 17<sup>th</sup> Relay for Life.  
**SECOND BY:** Mrs. deLeon  
Mr. Maxfield asked if anyone had any questions? No one raised their hand  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**C. RESOLUTION #48-2010 – TRANSFER OF MONIES**

Mr. Maxfield said Resolution #48-2010 has been prepared to transfer \$20,000 in funds from Contingencies Account to the Park Maintenance Repairs Account to cover expenses needed for the grading and seeding of the Clover View parcels that were acquired by the Township, and to the Ordinance Codification Account to cover the additional codification of ordinances during 2010.

Mr. Cahalan said the Township acquired the Clover View parcels. Some of them were in a bad state due to a lack of grading and so on. The plan out there is to grade the lots and to seed them with a meadow mix. They are also intending to naturalize the detention basin and finish some other improvements after the rest of the lots are sold. In order to do that, we needed to rent equipment to do the grading and we need funds for the seed to plant the meadow mix. We are requesting a transfer of \$20,000.00. \$15,000.00 of that \$20,000.00 would be used for Clover View and \$5,000.00 would be for ordinance codification. General Code has been very quick to add the ordinances that the Council has adopted. They have been codified and there was an unexpected cost for that so we are requesting an additional \$5,000.00.

**A RESOLUTION AUTHORIZING THE  
TRANSFER OF MONIES FROM ONE TOWNSHIP FUND TO ANOTHER**

**SECTION 1.**

The Council of Lower Saucon Township hereby authorizes the transfer of monies from one Township fund to another in accordance with Article XXXII, Section 3202 (f) of the Second Class Township code as follows:

<u>FROM</u>			<u>TO</u>	
<u>Amount</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Account No.</u>	<u>Account Name</u>
\$ 15,000.00	01.493.000	Contingencies	01.452.370	Park Maintenance Repairs
\$ 5,000.00	01.493.000	Contingencies	01.401.341	Ordinance Codification

**SECTION 2.**

The Township Manager is hereby directed to make the necessary transfers to implement this Resolution.

Mrs. deLeon asked if there was a cost estimate on what exactly what it is going to cost? Mr. Cahalan said the rental of the track loader probably will be under \$10,000.00 and the seed mix will be under \$5,000.00, so we'll be within the \$15,000.00. We just put a little more of a cushion in there for unanticipated expenses. Mrs. deLeon said if there's an excess left over, will that stay in that line item? Mr. Cahalan said what Council should probably be looking at in the next year's budget is to create a maintenance fund for those parcels of Township property that are going to need to be maintained. Mrs. deLeon said if there is a significant amount of money left over, it could go back into the contingency.

- MOTION BY:** Mr. Horiszny moved for approval of Resolution #48-2010.  
**SECOND BY:** Mrs. Yerger  
 Mr. Maxfield asked if anyone had any questions? No one raised their hand  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**D. RECOMMENDATIONS FOR REVISION TO PARKS & ATHLETIC FACILITIES USE POLICY**

Mr. Maxfield said staff is recommending that a revision be made to the Township Parks & Athletic Use Policy that would remove the penalty currently charged if an organization/individual cancels their reservation for a Township facility less than fourteen (14) days prior to the scheduled event.

Mr. Cahalan said they brought this policy to Council just a couple of months ago. It was worked on over a year or two with input from the Parks and Recreation Board and it encompassed all of the policies that have to do with our renting out of athletic fields and also the pavilions we have at three parks to the public. The pavilion at Town Hall is very popular and it's usually rented out on the day that the rental period opens up in February and people book it for the entire year. They have had a policy which was rolled into the Parks and Athletics Facilities policy for the pavilion primarily and it had to do with the deposits people had to put down for the rental. In that policy, it stated that if they had to cancel the use of the pavilion less than fourteen days notice before the event, they would forfeit a fee from \$100 to \$150. Then there's a \$10.00 non-refundable fee. This has happened just a handful of times and people generally have a valid excuse for this. They come to his attention, and in most cases, he will waive them because the Township is not out anything due to the cancellation. They don't have to mobilize any staff or equipment. Since they don't have a waiting list for people who want to fill in the slot, the pavilion is basically vacant for that date. They are requesting that we make a revision to the Facilities Use Policy to remove this \$100 to \$150 forfeiture fee that we think is excessive. We still will keep a non-refundable \$10.00 fee which covers our administrative costs for the cancellation. Mr. Horiszny said when we get cancellations; we should put it on the website as someone might rent last minute. Mr. Cahalan said that is an excellent idea. We will put it on the website as quickly as possible.

Mr. Ted Beardsley said he was just wondering if \$10.00 was much of a deterrent for just making a reservation and not worrying about if they are going to get enough people to use the facility as they are only going to lose \$10.00. Mr. Cahalan said it hasn't been abused. People have contacted us and cancelled for a valid reason. If it was subject to abuse, he would come back to Council and raise the fee. The language is on page 2 of 6 under the section entitled "Facilities Reserved". We are recommending that we remove the second and third bullet that deals with the forfeiture of the deposit if it's cancelled less than fourteen days prior to the event or activity.

- MOTION BY:** Mr. Maxfield moved for approval of the recommendation per Mr. Cahalan's description of the Parks and Athletics Facilities Use policy.
- SECOND BY:** Mr. Horiszny
- Mr. Maxfield asked if anyone had any questions? No one raised their hand
- ROLL CALL:** 4-0 (Mr. Kern – Absent)

**E. AUTHORIZE ADVERTISEMENT OF INVITATION TO BID FOR POLK VALLEY PARK BRIDGE AND REVIEW OF POLK VALLEY ROAD TRAIL**

Mr. Maxfield said Council should authorize the advertisement to request bids for the bridge design that was approved by Council at their 04/07/10 meeting. Staff will review with Council the Polk Valley Road trail design and provide an update on fiberglass bridges.

Mr. Cahalan handed out copies of the design for the Polk Valley Road Connector Trail that was put together by Hanover Engineering and by Boucher & James. That includes the bridge that will be spanning Polk Valley Run. They would like to move forward with the advertisement of the bid for the bridge component. At a previous meeting, it was discussed with Council several different types of bridges and Council selected an aluminum type of bridge, the Atlantis model. That's the type of bridge they would like to put specifications out for so they can move ahead with the construction components of the trail if the bids come back favorably. One of the items that was brought up was

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that the Council President said he saw some information at the PSATs conference on fiberglass bridges. At first glance they looked attractive for their cost and they asked the Mr. Kocher to look into that. Mr. Kocher said the fiberglass bridges seem to be best used in a location that's very remote, that you can't get equipment to. It's really easy to carry the bridge members out there and assemble the bridge out there as you can't get many power tools there. In a location like this, the advantage goes away as it's not very relevant and fiberglass bridges are flexible, which means once the kids discover they can go in the middle of it and jump up and down, it will flex a lot more than the other two. It's very susceptible to fire damage. You can't repair that and you'd have to replace that member. In this location, aluminum or steel is the best application. Mr. Maxfield said he's very glad to see this come forward. It's something he's been dreaming about for a very long time.

Mr. Kocher said he can walk you through the trail. If you start at the right hand side of the page, they have shown a crosswalk to cross Polk Valley into the school district campus and they are also proposing four of those yellow pedestrian crossing signs that actually go in the pavement on each location. What he didn't know was we always talked about a crosswalk in the location that we've shown here from south to north and he doesn't know if one from east to west is applicable or not. It's a school district driveway, but he's not sure where the students come out of there. Mr. Maxfield said there are no existing crosswalks there now. Mr. Cahalan said what they may do is get some input from the school district. Mrs. Yerger said they will have a better handle on where the students exit the most and where they are conveying on site. Mr. Kocher said obviously the trail is not there now, so we don't know which way the kids come out. Mr. Maxfield said if you were to go straight ahead on Polk Valley Road, they call it the service road at the school, the kids do need to cross that road to get to the baseball field too. Maybe the school would want crosswalks on at least three of those directions. Mr. Kocher said if we do that, we may as well do all four. As we move south, it's a pretty standard trail within the right-of-way until they hit some of the buildings. One of the questions he has is he's assuming Public Works is going to do this construction, so we should check with Roger as they have shown a 25 foot temporary construction easement on here. Roger may not need that, but if he feels it is necessary, we should have Attorney Treadwell talk to the property owner. As we move west, it's a standard macadam trail until we get around the trees that they've decided to save and Kevin did quite a bit of research to come up with a non-paved surface which is right on the surface of the ground held in place by interwoven material so the gravel stays in place. Mr. Kochanski said they brought this a month or two ago before you and we had several options. We went with the poured on acrylic. It's a gravel system and you can use a variety of gravel to your liking and you pour on the acrylic and it still maintains its porosity. Mr. Maxfield said the macadam trail you were mentioning before, is that not pervious? Mr. Kocher said it is not pervious. Mr. Maxfield said is there a reason for that? Mr. Kocher said they felt in this location that impervious was best. He and Judy Stern Goldstein both felt that we should go with a standard regular impervious material in this location.

Mr. Kocher said where the guiderail leads off, about 100 feet east of the driveway of the park, they are proposing to extend that guiderail with heavy duty post guiderail northward right up to the stone drive entrance into the property, which is just west of the barn to protect the pedestrians walking on the trail. If you saw the very large "SLOW" with an arrow, on the eastern approach on Polk Valley Road, just west of the driveway, that is to alert drivers to slow down. Once they pass the Herman residence and leave the roadway, they cross the new bridge and go up to the existing macadam driveway at the park.

Mrs. deLeon said when we approved the traffic signs for the school, it wasn't on Polk Valley Road? Mr. Cahalan said it doesn't go around the corner down by the park. Mrs. deLeon said is there a reason? Mr. Cahalan said we talked about that with Mr. Kocher. Mr. Kocher said they investigated that early on and PennDOT would not extend the School Zone down that far, but they did leave the door open that once they build this trail, maybe they'll consider allowing you to extend it down, but there's nothing there now, so they won't allow it. Mr. Maxfield said he would like to pursue that as that curve can be very bad.

Mr. Kocher said this is pretty much the final draft. Mr. Kochanski has some alterations we are doing to it. We thought it would be a good time to bring it to Council to see if you had any suggestions. Mr. Maxfield said it looks great. Mrs. Yerger said it's going to be a great asset to the kids coming over to the park. Mr. Maxfield said the guardrail will be standard steel? Mr. Kocher said yes, with very close spacing on the posts. Mrs. Yerger said is it going to have any of those reflective ones? Mr. Kocher said it can. Mrs. Yerger said only because of the safety factor if these kids are moving back and forth at dusk, especially in winter time when it gets darker earlier. Technically, the school hours will have ended, but you just don't know the flow back and forth. It may not be a bad thing to have those there. Mr. Maxfield said he could see it here very much. On the guardrails, they put the reflective standards and you can see them very, very well. Mrs. Yerger said PennDOT put some out on Easton Road. Mr. Maxfield said this would be a perfect application for something like this.

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

**MOTION BY:** Mrs. Yerger moved for authorization to advertise for the bids for Polk Valley Park bridge.  
**SECOND BY:** Mr. Maxfield  
Mr. Maxfield asked if anyone had any questions? No one raised their hand  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**F. AUTHORIZE ADVERTISEMENT OF INVITATION TO BID FOR ROAD MATERIALS AND PERVIOUS CONCRETE**

Mr. Maxfield said Council should authorize the advertisement for bids for pervious paving materials which are needed to complete the trails planned for Kingston Park. Council should also direct the advertisement of bids for the E3M Emulsified Asphalt for the summer paving work to be completed by the Public Works Department.

Mr. Cahalan said we have the trails out at Kingston Park which are cut in and they have to be paved with the pervious concrete and also the parking lot out there with asphalt. This will also cover materials needed for the summer paving schedule for the Public Works Department.

**MOTION BY:** Mr. Horiszny moved for authorization for advertisement to bid for road materials and pervious concrete.  
**SECOND BY:** Mrs. Yerger  
Mr. Maxfield asked if anyone had any questions? No one raised their hand  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**G. AUTHORIZE ADVERTISEMENT OF ORDINANCE NO. 2010-04 – INCUR INDEBTEDNESS**

Mr. Maxfield said the Township has been advised that we have been awarded a 10-year low interest loan of \$87,748 from the Commonwealth Financing Authority under the Alternative and Clean Energy Grant Program. This loan amount, in conjunction with a matching amount from the Township's Capital Fund, will be utilized to fund \$175,000 of energy reduction and conservation retrofits to Seidersville Hall, Town Hall, the Public Works Garage, the E. House, and for LED lights. Per the Local Government Unit Debt Act, an Ordinance must be adopted to approve the Township incurring this indebtedness.

Mr. Cahalan said we had talked at previous meetings about the goal of reducing energy usage that the Township incurs, primarily in the Town Hall complex. This will be part of the plan to move towards that goal. The goal we are looking at is an annual savings of approximately \$30,000.00 reduction in energy cost that we are currently incurring and this loan that we got, originally was put in as a grant and it came to us in the form of a 10 year low interest loan. The annual amortization of that would be

\$9,449.38 and these retrofits and improvements that we are proposing to make with this money and the funding that's in the capital fund would be for LED lights, for insulation, for electrical upgrades, for window replacements in Seidersville Hall, the savings that would be realized for these improvements would be over \$20,000.00 a year. This will comfortably pay the return on this loan and this will be moving again towards the goal of energy conservation. We still are looking into funding for geothermal system for this building and some HVAC upgrades and some solar energy potential funding for those. We will keep you posted on that. This ordinance is required by the local Government Unit Debt Act to borrow this money from the state and the solicitor's reviewed it and we are putting it up for approval for advertisement.

Mr. Horiszny said Section 5, the first line should read "The said Note is hereby declared to be a general obligation". Section 7, fourth line, should read "payment thereof on behalf of Lower Saucon Township. Section 8, fourth line should read "the same becomes due and payable".

**MOTION BY:** Mr. Horiszny moved for approval for advertisement of Ordinance No. 2010-04, with corrections.

**SECOND BY:** Mr. Maxfield

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

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

#### **H. OVERVIEW OF SAUCON RAIL TRAIL RECOMMENDATIONS**

Mr. Maxfield said the Township Manager and Planner will provide an overview of the recommendations for the installation of safety equipment at crossings, bridge railings, and surface material that will be needed for the development of the Saucon Rail Trail portion in Lower Saucon Township.

Mr. Cahalan said as Council knows, it's been about a two year period that the Township and the three other communities have undergone a process of securing a lease from SEPTA, who owns the eight mile rail bed between Hellertown Borough and Coopersburg Borough. We secured the lease in December 2009. While we were working to secure the lease, we moved towards the formation of a Rail Trail Advisory Committee. Lower Saucon Township and Hellertown Borough appointed representatives to that committee and that committee has been meeting and discussing rail trail development issues since September 2009. We've had participation by residents of Lower Saucon who have attended the meetings and come up with a lot of ideas and a lot of issues that we tried to boil down into some recommendations to put before Council. The goal that we are looking for is to see if we can open portions of the trail in Lower Saucon Township in 2010. Hellertown Borough also shares that goal and is working with us to see if we can get the trail open. In order to do that, we are going to have to address several issues which are the surface material, fencing for safety purposes over bridges, access management gates at the road crossings, signage and road markings. We've gathered recommendations and will share them with Council. At the end we'll make recommendations which are not final. We want to present this to the Rail Trail Advisory Committee on Monday to see if they are comfortable with it. We are talking about the Lower Saucon section. Hellertown has to come up with their own recommendations. They have their own issues. The two other communities, Upper Saucon and Coopersburg, he's not sure where they are as far as development. Right now because of a lack of funding, we did find out from DCNR that funding for trail development would not be available to us because we have a lease that is not 99 years long and in our lease, we have a right of reversion that means if SEPTA wants to come back and put in a railroad, they can give us notice and take back the Rail Trail. We are just leasing the surface from SEPTA. Because of those two things, DCNR indicated there would not be any funding forthcoming. We are basically relying on our own budgets at this point to develop the trail and what we're doing tonight is showing you that we think we can do that with the funds we budgeted in 2010.

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Mr. Kochanski said as Mr. Cahalan had mentioned, the development of this trail has been ongoing for some time now. You had seen previously the trail from the whole perspective from Hellertown to Coopersburg. We had worked with HEA and Township staff and that was to develop a trail development plan on the issues we need to address in Lower Saucon Township and that's the map he handed out to you and what's up on the overhead. The gray spine running top to bottom through the site is the rail bed and the solid green line is the portion within Lower Saucon Township. The dashed green lines are on the southern end of the site, Upper Saucon Township and the northern portion, Hellertown Borough. The first one is a railing at a culvert almost at the border of Upper Saucon Township. There are some safety issues there so we are making a recommendation that either be repaired or replaced. There are photos where it looks like something has hit that railing and we're concerned with the way it is broken and jetting out into the rail bed which could create some issues, so we're looking at some sort of pedestrian barrier. It could be fencing or replacing that railing to address those issues and we are recommending 20 feet from the center line of that culvert up and down on either side. That's where the 40 linear feet is coming from total protection on both sides of the rail bed.

Mr. Kochanski said the next one is for the maintenance and access off of the Reading Drive. It would kind of serve as a maintenance access. We would want to first obtain a lease from the property owner to utilize this as a trailhead and gravel parking area as well as some access management gates to let maintenance crews get on there, but also keep some of the bigger vehicles from getting on there. We are not going to be able to keep everything off of there. We are going to keep this for biking, but you will be able to keep some of the larger ATVs and trucks off of there. Along the entire trail system, there will be amenities such as benches, kiosks, picnic tables and some portable toilet facilities. Mr. Cahalan said Lower Saucon is unique in that we do not have any trailhead access. The trail doesn't run to any of our parks like in Hellertown, Upper Saucon and Coopersburg. It's important that we have an access point where people can park their cars and unload their bikes, get on the trail and go north and south and not be parking on people's front lawns or along other public streets to access the trail. Mrs. deLeon said what about emergency vehicle access? Mr. Kochanski said that's why they were looking at the access management gates and how those would ultimately be secured. It would be so that police could get on there with emergency responders. Those would be located in five areas. He pointed out where they would be located in the Township, two at Old Mill Road and two at Meadows Road. He's sure there are similar types of situations at Water Street and Walnut Street. They did provide a sketch detail of what that could look like to facilitate bike users. It stops a lot of the larger type ATV's. The access emergency gates are locked gates which would swing open. There would be a 20 foot separation off the edge of the road which will allow an emergency vehicle to pull off, unlock it and proceed down the trail. Mr. Maxfield said the stretch in between Old Mill and the southern part of the Township, if we had to do enforcement or rescue or maybe a police would need to access emergency gates, is that an accessible stretch through there being elevated on the railroad bed? Mr. Kochanski said more than likely, they would take access from this site here as it's easier to get to than Old Mill, as almost in essence, you have to drive past Reading Drive to get to Old Mill as it dead ends. The whole trail in LST is about two miles. If something is to occur in the middle, you probably would take it from Meadows or from the Reading Drive access point. Mrs. deLeon said the whole fire response is being discussed, but is that Leithsville or Se-Wy-Co? Mr. Cahalan said probably a combination of the two. When this facility is open, the fire, police and rescue will be formulating response plans to respond to emergencies on this site. That's something they will develop so if something does occur, they will know how to respond and how to access that facility.

Mr. Kochanski said the next area that needs attention is the bridge crossing over Bingen Road. Right now there are the walls to the bridge structure which are about 42" tall. As you can see from the photos, there's some severe drop offs on either end, so they are recommending some kind of pedestrian barriers, 20 feet beyond either end of the end of the bridge to provide a little bit of safety measures right in those areas. There are other elevated sections of the trail, but they felt these were pretty significant and you would want to provide some extra protection in those areas. The total length of the bridge is 80 feet on either side for a total of 160 feet. Mr. Maxfield said when you are extending

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a structure like that, it would also be the same type of fencing? Mr. Kochanski said they looked at a couple of different items which they can go into. That would be some of the input they are looking for tonight to see what your preference would be - anything from temporary to a little bit more permanent.

Mr. Kochanski said the next crossing is the bridge crossing over the Saucon Creek. There is 130 feet of bridge crossing that we would need to do something. There is existing railing there. Not all of it is in great shape, so they'd want to try to provide some additional protection there and then again, extend it about 20 feet beyond that crossing in order to provide a little bit more safety measures. That is where it does cross over the Saucon Creek and they'd want to protect that. In the upper and lower photos, there's a Jersey barrier there where the railing was broken. They looked at putting fencing along that entire bridge span.

Mr. Kochanski said the next is the Old Mill Bridge crossing. This crossing is a little different in the Meadows Road in that it is set in essence, dead ends, so there is not a lot of pedestrian or vehicular traffic in that area. We can probably handle the crossing with some stop signs and signage on the access management gates warning trail users that they are coming up to the intersection. We'd probably do some pedestrian signage along the road to warn motorists of potential crossing and do a painted crosswalk, but not look at doing anything other than those types of features. At the crossing, they would also have some stop signs. They do provide some examples of that signage that they could hang on the gates to let people know that they are entering a road way.

Mr. Kochanski said the next is the Meadows Road Crossing. Hanover Engineering did a brief traffic study. They looked at a cross alert system which is a pedestrian activated warning device which would be installed at the trail crossing and would have advanced warning up and down Meadows Road to warn oncoming vehicles. As you can see from the middle photo, right after the crossing as you are heading up Meadows Road, there's very limited site distance so they were very concerned with that speed at which the vehicles travel around that corner. They needed to do something more than just some cautionary signage. Other than that, you are still looking at the same kind of recommendations for signage as you are approaching the intersection from the trail at the intersection of the trail and along the roadway. Mr. Kocher said we did find that due to site distance it is warranted to sign the trail, post a 15 MPH advisory speed limit in that area and also install a pedestrian activated warning system. Mr. Maxfield said the signage that you would install, would it be a blinking light? Mr. Kochanski said that actually gets into our next couple of slides. There were a couple of different products out there from a pedestrian kind of warning type of system. This one we felt offered the most in protection for trail users and it can be activated one of two ways. You push a button or there's a motion sensor that will detect trail users or animals within 50 feet of the intersection. It works off a thermal type of situation, so it doesn't pick up tree branches, but is going off of body heat which is where it would pick up large animals and people walking, or you could hit the button. What that would do is signal right at the crossing, lights as well as installing an advanced warning sign with flashing lights on it up to 500 feet up the roadway in either direction. It would provide a stop sign and a stoplight for the trail users which are a visual warning as well as the yellow flashing warning for the vehicles. The advanced warning signs really don't look too much different other than there's a sign up above, but it just doesn't have the stop sign.

Jerry Holum, 1789 Meadows Road, said is that 500 feet, east or west? Mr. Kochanski said it's a maximum of 500 feet and given the configuration of the Meadows Road and the alignment, we really don't envision needing two advanced warning lights. He looks at the one going up Meadows Road more to the west than to 412. There's adequate site distance and pretty straight in that area. Cars coming up the hill, you have plenty of time to see down the road. It's the approach coming from the west which is very difficult. With a car coming around the corner, it's not that far away and with the rate of speed that the cars are moving along this road, we would probably look to have it just beyond that curve so that people are given the opportunity to slow down. As Mr. Kocher mentioned, we can do some other signage and speed limiting steps in the roadway itself to slow traffic down. Mr. Holum asked if it's 100 feet? Mr. Kochanski said it could be 100 feet maximum of 500 feet as they work off

of a radio type of setting. There are no wires that interconnect so the range between the transmitters is 500 feet maximum. Mr. Holum said what would you recommend, 100 feet? Mr. Kochanski said more than a 100 feet, just beyond the telephone pole and the tree up in that area which is where the road starts to straighten out again coming from the west, which would give people opportunity to see that before they get to the curve before they see the crossing and as they are coming around that corner, then picking up a second sign right at the intersection. The timing on the lighting is all programmable. You can actually get in there and do traffic counts and program it for a length of time as to how long you want it to blink. It's not a continuous blinking, which studies show lights that blink continuously really don't ultimately provide a lot of protection as people get used to it. This is motion activated so it's only on for a given duration of time when there is pedestrians using the trail or if a deer is in the area, it's not a bad idea to warn people to slow down a little bit. The system really comes configured in two different types. One is you hook it up to the electrical grid. The other, which they were a little bit concerned about, but after walking through it with the manufacturer, is solar operated, which is slightly more expensive from a product standpoint, in that it's about \$300.00 more. It runs off of solar. You need about an hour of direct sunlight a day for this to run and a fully charged battery can last up to a week. That was their recommendation and the manufacturer's recommendation that this site is definitely suited for solar. There's enough solar access there to even go with their smallest 20 watt panel of the solar and that should be more than adequate. If we find that it's not, there's a simple upgrade to go to a larger panel, but they really did not pursue that as they felt the 20 watt panel is more than sufficient. Mr. Maxfield said would the manufacturer be responsible for the alignment and adjustment? Mr. Kochanski said no. This site is really a southern exposure. It's going to be up to the installer, and in essence, these kits come in a crate. You basically stand it up on the foundation. It comes preassembled. It would be up to whoever is doing the installation. It sounds like relatively if you are not hooking it to the grid, it's something Public Works could easily accommodate by pouring a foundation, a footer, and then attaching it as you would any other post. Mr. Cahalan said there's one other issue he wanted to point out and that's the stormwater runoff from Meadows Road. That has been historically ponding down in the rail trail. You can see it on the picture he had. That will be addressed with the development of the rail trail. Mr. Holum said what will they do when the drainage system is going to be addressed? Mr. Cahalan said we'll rely on the engineer to come up with some solutions do deal with the stormwater. We discussed a couple of options out in the field for further channeling it down the trail. Mr. Kocher said they don't have that finalized. He can't say what it will be. Mr. Kochanski said right now it's ponding in that entire area. Several times they were out there, you could just see muddy residue and we don't want that along the trail, so it could be as simple as doing some grading in there to get the water out of the low spot. We need to get into a little more detailed engineering at the time when we need to move this further along. Mr. Holum said that is very significant and it's going to be big dollars to correct that situation. It's not a simple solution. Mr. Kochanski said it will be addressed.

Mr. Kochanski said the last portion of the trail shown on the map is at the Saucon Creek with the Borough of Hellertown. Their recommendation is to do some additional pedestrian access barriers along both sides of the bridge. Right now the one side has a railing which is in various states of disrepair and the other side is the Jersey barriers. They would be looking to do a little something more significant than the Jersey barriers as they are not that tall and they would extend it beyond 20 feet on the Lower Saucon side as you can see it starts to get really steep.

Mr. Ted Beardsley said at that bridge on Meadows Road over the Saucon Creek, a lot of fisherman use that as access to the creek and if you fence it, they are going to keep them out of there and the trail is going to attract them to come there, so there's a conflict. They walk on the trail to the bridge and then climb down the bank to the water. It's just up from his house. Mr. Kochanski said it's on the 412 or Hellertown side of the bridge. They are not looking at fencing it from Meadows Road through the bridge. The fencing or barrier would extend 20 feet beyond the current bridge. It's really to prevent someone from accidentally falling off. Will someone be able to walk around it? Yes. It's not a complete pedestrian barrier, it's just an extra measure. If someone wants to get around it, they'll be able to get around it. It's just we are doing some due diligence in creating a less hazardous situation.

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Mr. Maxfield said if we had an area like Ted was just mentioning where it was longer and had a steep slope on the edge of it, and it was identified as a fishermen access area, we could accommodate that and put a small break in the fence. He's seen like on the iron truss bridge there is snaking and keeps you from falling off, but at the same time, you get access. Mr. Kochanski said we are only talking 20 feet from the edge of the bridge, so they are going to walk up to the edge of the fence so it's just a matter of walking on one side versus the other side. The other concern is access management onto whose property and what they want to initiate by putting a opening in the fence or encouraging that versus if you stop the fence and someone chose to walk around it and then it's no different than it currently is now. Since there are going to be more pedestrians and bikes on here than fishermen, and because of the steepness, we did want to provide some protection. It's not going to be barriers to the point that people can't get around them. They looked at a couple different options and whether it's going to be a barrier at the very edge of the rail trail on either side of the rail bed or something kind of off of the trail itself. It wouldn't really prevent someone from stepping off the trail. The trail will actually be a 10 foot width and the rail bed is 30 feet. It's going to be centered within that 30 feet so it's possible that we look at any kind of barrier right at the edge of the trail itself which will give 10 feet of space between any barrier and the edge of the rail bed. There will be plenty of room for people to step off the trail, walk into the existing gravel around the barrier and maintain access that's currently there now. Mr. Maxfield said it probably wouldn't hurt us, especially an area like that where it's been identified to take note of those historic access points. Find out what the neighbors feel - if it's okay or not and just make sure we don't cut off a historical mode of entertainment for somebody. Mr. Kochanski said one of the options they were looking at could be best described as a cattle chute where it's kind of open and then all of a sudden you have this barrier that you are funneling the trail users in a certain direction. It doesn't prevent someone from going outside of that cattle chute type of situation. He doesn't envision, no matter which way they go, that access is going to be cut off. It would be maintained. Mrs. deLeon said we want to promote recreation.

Mr. Kochanski said the next slide is the Water Street crossing. What was recommended and it is ultimately a PennDOT issue is that there is an existing flashing warning device that they are recommending be relocated. Mr. Cahalan said this is primarily in Hellertown, but when we talked about sharing the trail and continuing the trail up into Hellertown, Water Street is one of the two crossings. Walnut and Skibo and then Water and Friedensville Road is the most northern one. The Walnut and Skibo crossing will not present any problems. That's a Hellertown road and can just put signage and markings on that. Water Street is important as it's adjacent to the park, parking, other toilet facilities, amenities like that and access into the Borough. The signal lights are phased warning lights which were placed there when Society Hill was built. It was primarily to protect pedestrians who were walking along Water Street and crossing at the Saucon Creek Bridge on the Lower Saucon side and going up through the Heller Homestead Park into Society Hill. These pictures show the blinking light up by the Society Hill entrance going down into Hellertown. The next one is the push button that's at the pedestrian crossing at the Saucon Creek Bridge. The next photograph shows a vehicle going westerly up the hill past the Heller Homestead. This is a big issue primarily because of cost. PennDOT is requiring the Borough to move the flashing warning light that is near the Water Street Park entrance further across on the Hellertown side of the rail trail around the Front Street area and that's going to involve the relocation of lines, some possible trenching. We have to run lines and relocate the flashing light all the way up to the signal at the Friedensville Road by Society Hill and back again to the push button signal. That's going to involve a cost. If that cost is prohibitive, that will force Hellertown to put off utilizing Water Street crossing at least for 2010. That's a significant problem that Hellertown will have and we will be working with them to see if we can get that solved. They met with an official from Signal Service this morning to see if they could come up with an estimate of what the cost will be. Mrs. deLeon said would it be helpful to talk to the DEP liaison? Mr. Cahalan said he can check into that. Mr. Kocher said it is Charlie Paris. Mr. Maxfield said the current light that is there, is that under Hellertown maintenance now? Mr. Cahalan said yes the light that is to be relocated is in Hellertown by Water Street Park. The one at the top of the hill is our responsibility. It has some outdated mechanisms in it that are difficult to repair. Mr. Maxfield said the current one addresses the crossing from the Hellertown trail, the original one, which would be another access point

to the trail in front of Water Street Park. How do we address the safety concerns right there as that's pretty nasty? Mr. Cahalan said the marked crossing at the bridge? Mr. Maxfield said yes. Mr. Cahalan said these lights, the one at the top of the hill and now this other one would be at Front Street, so that's going to widen that area. We're concerned that if someone is coming down from Society Hill going into Hellertown, they may think it's for the pedestrian crossing at the Saucon Creek Bridge and slow down for that, but it might be because someone is crossing the trail and has pushed the button and activated the lights. They may accelerate their speed back up, so it is a concern that's going to have to be addressed by Hellertown. Mr. Maxfield said are there any plans to reduce the speed there? Mr. Cahalan said they attempted that and it was rejected by PennDOT. Mrs. deLeon said would they reconsider that? Mr. Cahalan said they could ask them again. Mr. Maxfield said when you cross from the Heller Homestead property across Water Street, what do you immediately walk onto? Mrs. deLeon said it's a macadam edge of the road. When you think of the bridge, the pathwalk is maybe ten feet up from it, so you have to cross the street and you're not going to be on the sidewalk for the bridge for maybe ten feet. You go on the edge of the road. Mr. Maxfield said it seems like a natural sort of place to go if you are on the Heller Park trails and then coming from Society Hills, you'd want to make that jump down to the trails to the Rail Trail. He wonders if there is any way in the future that it could be made a safer transition? Mr. Cahalan said they can work with PennDOT about that. The marking on that is pretty poor. That road is due for resurfacing and that's one of the things they can talk to them about. The connection here is we are trying to promote the people on the rail trail to visit historic sites, so we do want to make that a safe crossing. Mrs. deLeon said when Society Hill was planned, previous to that, when they changed the zoning to the UR district, in order to have a UR district, it needs to be next to more of a borough setting and then you have to have a amenities and they needed to have a place to walk into town. If they left the entrance of Society Hill, how would they walk down Friedensville Road? They'd be killed and Stever Mills wasn't there yet, and they'd still have to cross the street. That's why they figured they were going to donate the fourteen acres to the Township and they would put that macadam walkway in to meander through and how do you get them safely across the street? Unfortunately, the sidewalk on the bridge was on the opposite side. It would have been a lot easier if it was on the other side, so then they had to cross. PennDOT had to approve the blinking light and we could never understand as it's at the top of the hill and that's when the lights flash. By the time you get down the crest of the hill, then there's a pedestrian crosswalk. She always questioned that. Mr. Maxfield said some time in the future, maybe we can make it a more recognizable sort of crossing that would bring more attention to it. Mrs. deLeon said in the wintertime, nobody really shovels that sidewalk.

Mr. Cahalan said the next slide is to give you some details of the trail. As Mr. Kochanski mentioned, we are recommending a 10 foot wide trail and we'll talk about different surfacing materials for the trail. The fencing we're recommending about 54" high. The length of the trail is 7,800 linear feet which is the Lower Saucon Township section. The culvert is 40 linear feet. The Bingen Road bridge is 160 linear feet. The Saucon Creek at Old Mill is 2160 linear feet. The Saucon Creek Bridge at Hellertown is 220 linear feet. Recommended uses are walking, running, biking, cross country, and skiing. The days and hours of operation would be operated as a Township place just as the other parks are operated. It would be open year round, dawn to dusk. The Township park rules would be enforced by the Police.

Mr. Cahalan said there are three surfacing options which they looked into. They are primarily looking at laying down an initial surface on the trail that would allow them to open the trail during 2010. One of the things they wanted to avoid was a macadam paved surface because we are leasing the surface of the trail from SEPTA. If SEPTA does want to come back and resume train service, we would have to remove the pavement at our cost. The gravel would be the least expensive and provide a compact surface. The three options considered are: 3A modified crush crete, a product that is locally available. It's inexpensive and can be installed by our Public Works Department. The cons on that are there is some associated dust issues with that type of material. The No. 9 stone is a good material. It compacts well. We can do this all in-house and Public Works can lay it down and compact it. The cost is a little bit higher than the other two options, the crushed crete and the slag. The third one is the slag, locally a

lot of it available in Hellertown at the Thomas Iron site. The only thing that would have to be done with the slag is it would have to be crushed into smaller uniform pieces to a gravel type of composition. That again could be installed and compacted by Public Works. On the right, are samples they put down last year of the three stones. The slag one they put down near the Grist Mill actually held up the best out of all of them. It is a good product. They asked DEP to do a chemical analysis because of the materials that went into that as it's a byproduct of the steelmaking. They are still awaiting word on that. The other cons we have heard about odor issues. We believe that if it is dispersed and if it's spread and it's out in the elements and not a problem. Those are the three inexpensive, slag the cheapest, modified crushed crete next and then No. 9 stone. Mr. Maxfield said he has had experience with the slag. Even though it's crushed, there is probably a silicone component in it that can be glasslike. He has noticed the sulfur odor and takes about a year to go away, but it does go away. That sharpness worries him a little bit. Mrs. deLeon said they touched base on this a little bit at the SVP meeting last week, with all the things with the Thomas Iron Works, are they going to want to do that and disturb it? Mr. Cahalan said yes, they want that slag removed. They would like the area developed and to do that, you have to remove the slag mounds. He's heard they are working with the Lehigh Valley Economic Development Corporation on a Brownfield redevelopment in that area. The slag might be moved to another area and may be sold, so it may not be available. Mr. Maxfield said the Brownfield is a little scary because the proposal for that area was to open it back up to a floodplain. If you start sealing that off as a Brownfield area, that's worse than it is now. Mr. Cahalan said he doesn't know the details. They will have to discuss it further at a SVP meeting.

Mr. Cahalan said there's a sheet in your packet that goes into detail. What they did working with Cathy Gorman, was to try to pull together all the cost of all of these recommendations and options they've been talking about. On the surface material, going over the three types of material he just described. The slag, and they took the linear feet of the trail, the total cost would be \$2,600.00. The crushed crete material, total surface, \$7,735.00. The No. 9 stone for the entire surface, \$13,000.00. For fencing options, they looked at and tried to balance a temporary solution versus a permanent solution. The first one is the Jersey Barriers. They asked SEPTA to put the Jersey barriers up to block off the access when they cleared the rails and the ties and the other to put it along the Saucon Creek Bridge that had no railing on one side. That's where the Jersey barriers came from. If you look at the slide on the bottom left, there is a Jersey barrier and a fencing material is put on top of it. In looking at the length of the bridges that would have to be covered, all of these bridges have railings, but the railings are circa 1917, and they are not safe or reliable. Some have been struck and just crumble. They can't be relied on. The Jersey barriers, they looked at options for adding fence on top, and that would involve buying additional Jersey barriers with a cost of about \$11,000.00. Adding the fence on top would be an additional \$1,600.00 for four feet and \$2,900.00 for five feet of chain link. Then they looked over on the right for what they call temporary or permanent options and that is chain link, split rail, wood plank both three board and four board. All, except for the split rail, are about the same price. The chain link is \$6,600.00. The wood plank, three boards is \$6,500.00 and the four board is \$7,700.00. The split rail which we will use for the approaches that Mr. Kochanski talked about, are shown in the photo with the weathered board fence. The access management gate which we will need five of them are about \$4,000.00. For signage and road markings, for painting the crossings in the road, and for the signs that are recommended at the crossings and at intervals of the trail is about \$2,600.00. The cross alert system or a comparable type of system, the electric would be \$38,300.00 and that would include the system itself, the warning poles, and if it was hooked up to the electric grid, there would be an additional \$12,000.00 cost on the solar model we would save on the electric installation, so the cost would be \$26,500.00. That's some of the cost they gathered. Mr. Jerry Holum said there's no figure in here for the drainage situation here at Meadows Road? Mr. Cahalan said that would be handled as normal maintenance. We could do some of that in-house with Public Works. We didn't budget for that. Mr. Maxfield said we really don't know the extent of what we have to do yet. It's hard to budget it. Mr. Cahalan said that's not to say it's not going to be addressed. We just didn't feature that in here as improvements that are needed for the rail trail development. The fencing examples you can see a wood rail system on the right hand side. Some of them are pretty intricate. The two on the top are probably the three and the four board system we are referring to. The bottom is

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more of a bridge structure. The wooden three board system with the split rail approach, the one towards the left is a chain link if you can see it. It's chain link going across both sides of the bridge. It's a pretty old bridge, which is on the Perkiomen trail. The other one is fencing on the top of Jersey barriers.

Mr. Cahalan said the next is access management gates. Mr. Kochanski said there are five total gates - one at the Reading Drive, two at Old Mill and two at Meadows Road. There's a variety of different configurations you can have, but this is the basic type, a swing type of gate that could be secured in some manner and access to emergency systems. The detail they prepared would be set back 20 feet to allow vehicles to get off of the road and out of the flow of traffic. That's more important on Meadows Road than Old Mill because of the volume of traffic. Old Mill it could be a little bit closer. There's no magical number where it could be at that point but at least one car's length would be appropriate. The access gate would be in the middle of the trail and then you'd provide an area for pedestrians and bicyclists to be able to maneuver around that so they wouldn't be opening and closing the gate. The gate would stay closed and locked at all times. The trail users would have a way of walking around that, kind of at each end, off of the main ten foot wide trail, you would have fencing that would extend across so people couldn't drive off the trail through the existing gravel. There would be a physical barrier there, but would still allow pedestrians and bicyclists to get through. Mr. Cahalan said one of the things we want to encourage for safety purposes is for people to dismount wherever they can to cross these roads. Mr. Kochanski said one of the things advantageous to the rail trail in this area is it's relatively flat. People coming down the hill, you don't need to really worry about excessive speeds traveling on there. They can only go as fast as they can pedal as it is relatively flat. Mrs. deLeon said then they have to walk around the edges of this gate? Mr. Kochanski said yes, you can see in the detail, it would be paved with the trail surface and it would serpentine to slow people down so if you are on a bike, you would have to get off and go through that. Some people can navigate it. Ms. Brown said you are saying on Meadows Road you are going to have the gates back at least a car length, what is going to keep people from parking there? Mr. Kochanski said it becomes an enforcement issue. They have signage on the access gates saying no parking. Nothing is going to prevent someone from parking there. If people who live there see people parking there, they would encourage them to contact the Police Department and it becomes their matter at that point. They felt because of the conditions of Meadows Road, stopping a maintenance or emergency vehicle in the middle of the road to unlock it was putting more people at risk versus someone parking there. If we have signage on the gates that there is no parking, most people would not park there. Some people will and we'll have to deal with it at that point. Mr. Maxfield said maybe we need to address some specific fine that would be associated with blocking emergency access or egress to the trail. Mr. Cahalan said they can look into that. Mr. Maxfield said it would be good to discourage it if it were to begin to happen. Mr. Kochanski said when they were looking at some of the signage, this was based off what was prepared for the "No Mow" with the watermark developing a name and identification for the trail that could be universal, whether it was in Lower Saucon, Hellertown, Upper Saucon or Coopersburg and providing some mileage markers along the trail for people or right at the crossing to let people know they should dismount their bikes and walk across the street. These are more conceptual at this point. Mr. Cahalan said they've been trying with the Advisory Committee from the beginning to promote uniformity along the trail and the signage is one of those things they would like to be uniform. That's been held up because of the problem of not formalizing the committee. They had an intergovernmental agreement that this Council approved and Hellertown Borough Council approved. There are issues with it in Upper Saucon Township. In Coopersburg, it has not been approved, so the Advisory Committee is not formalized and really can't make any official recommendations to the elected officials until that's done. Issues like how do we want signage to look have been held up. We're moving along on our own at this point and trying to come up with a trail that we can hopefully all be linked with the eight miles from Coopersburg to Hellertown. Mrs. deLeon said she realizes you are being held up, but if she was at the beginning of the trail, you should have the start to the end with the mileage markers. Mr. Kochanski said the way it's broken down, where the municipalities are that are ready to move forward, it starts at Hellertown and Lower Saucon, so every mile, it would correspond.

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It would be mile 1, mile 2, mile 3 until you get to the Upper Saucon border. You would go north to start.

Ms. Joan Madzarac said people walk and take their dogs, are there going to be scoopers or cans with the signs? Mr. Cahalan said the same park rules would apply for canine's. They must be leashed and people must pick up after them. That's a Township ordinance. We don't plan on putting the mutt mitts along the trail. Those are primarily for the dog park people. People are going to be expected to pick up after their dogs. If there are any violators, that's something we'll have to deal with. Ms. Madzarac said on Water Street and Friedensville Road, there are horses, will they be allowed on this trail? Mr. Cahalan said as a Township park, currently, no park facilities allow horses or any other animals in parks other than canines.

Mr. Cahalan said on the last page, there are recommendations he is making tonight. They want to discuss these with the Rail Trail Committee. Council budgeted \$50,000.00 this year for rail trail development. This shows we are pretty close to that. If we go with the No. 9 stone, which is the better material, there are fewer issues and also if we go with a four board wood plank fencing, more permanent, safer, and can be 54 inches high and looks a little bit nicer, and a better material. The access management gates that we need; signage and the road markings and the solar powered road crossing system or comparable system on Meadows Road with the price tag of \$26,500.00, we come out to \$53,742.00. We can tweak that and work in the neighborhood of what we budgeted. This is favorable because he wasn't sure where the costs were going to come out, and he thought we were going to have to scale back the development to just a portion of the trail. This indicates that it's doable to do the entire Lower Saucon section this year. Most of this could be done in-house. The fencing can be done and we don't have to bid it out as it's under \$10,000.00. The signage can be installed. The cross alert system can be done by Public Works. We are very close and are happy to see that the cost did come into the neighborhood of what we budgeted. Mrs. deLeon said there could be grants available. Mr. Cahalan said eventually going forward, there will be fundraising and we will be looking for grants and donations, in-kind services, Eagle Scout projects, all kinds of things will be available once the trail opens up and you can promote it so people can get out and start using it. If this is implemented with all of the safety features, people can utilize the trail in a safe manner and enjoy it and we can work on different features like access for the fishermen. There are some issues that have been raised by residents about trespassing and privacy and we're going to also deal with those issues. This is your basic nuts and bolts that would be needed for opening the trail in 2010. Mr. Maxfield said from an aesthetic viewpoint, the four board wooden plank fencing, he would almost opt for the three board simply for the visibility through the fence. A lot of those times when you are crossing over water, you'd like to look through and look down. Four seems like it might block it off a little bit, but three would leave decent space open. Mr. Cahalan said they are trying to also keep that close to ten feet wide for the path, so you are still going to have an area of ten feet on either side of the fencing. Mrs. Yerger said do you have any idea where they are budgetary – Coopersburg, Hellertown, and Upper Saucon? Is it in their budgets for 2010? For 2011? Mr. Cahalan said he doesn't have those details. Mrs. Yerger said she would hate to see this a 7,000 foot stretch that goes nowhere. Mr. Cahalan said eventually it will all be connected. Trails have different development cycles. He thinks they are all committed; it just depends on what issues they are dealing with locally. He's not privy to that. Mr. Kochanski said to address your connectivity question, how long a stretch is in Hellertown, you add that to our 7,000 foot stretch and what happens is people start getting on there and you start to get public pressure to the other municipalities to come to the plate. Mrs. Yerger said money is money and some of the municipalities were having some financial constraints. It's not that nobody wants it, it's how realistic is it financially. Mr. Maxfield said Upper Saucon probably is not having financial difficulties. He likes the fact we are going ahead with it. At this point, we can't do any better than to set a good example and show what is possible. That will get municipalities behind us. Mr. Kochanski said people will still probably be able to walk along the trail, but it will be not as comfortable. He's walked it several times on the existing surface. You can do it, but people will still be able to do and you won't be able to have all the amenities. You'll probably have more walkers and joggers once you get outside of any of the improved areas. Riding bikes on that would be difficult.

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Mr. Horiszny said did you say what the cost would have been for pervious concrete? Mr. Cahalan said he didn't get a figure on that. They tried to avoid putting something down that we ultimately would have to tear up. Mr. Maxfield said we could probably even reuse the stone is we had to tear it up. Mr. Cahalan said he will discuss this with the Rail Trail Advisory Committee. They have to look at a couple of different options. They have to get some more detail on the cross alert system. He's hoping by June he can come back with a more firm recommendations on this.

Jerry Holum said he has a couple of follow up questions. If it sounds like he's negative about this, he's not. In fact, he attended all the Rail Trail Advisory Committee meetings and he's working on a project for the committee as it relates to the trail and history along the trail. Regarding the trail, his question relates to the mitigation and the Council and Manager's position as it relates to the privacy issue. How are they going to address the privacy issue and how are they going to mitigate any cost relating to property values that could affect the people that border the trail? Mr. Cahalan said the research that the Rail Trail Advisory Committee has reviewed is that property values will actually increase for properties along the rail trail. There have been various studies done nationwide on that issue with rail trails. One of the things that happens with homes that are put up for sale along rail trails, that's one of the first features that are mentioned in the advertising. He doesn't know that we have any information that the opening of a rail trail will decrease property values for residents. Regarding the privacy issues, we are leasing a trail with a 30 foot right-a-way from SEPTA who is the owner of the property and we're using it for recreational purposes. In the areas where there is a potential for people to go onto private property, we will try to erect some kind of barrier. It may not be fencing, it may be plantings or some other things, but we're not encouraging people to access the trail from private property. What we are encouraging is to have people access the trail from parks in Hellertown or from the future trailhead access that we are trying to acquire in the Township. Nothing that we are doing is encouraging people to wander onto private property. We're not planning on fencing the whole trail for the Lower Saucon section. Jerry has brought the issue up about "No Trespassing" signs and we don't plan on putting any signs up along the trail saying don't go onto private property. The privacy issues, those are predominantly down in the Old Mill Road area and then up at the Meadows crossing. The Advisory Committee doesn't have any recommendations for Council at this point. That's something they are listening and gathering information on to bring to Council. Mrs. Yerger said she would recommend you go and look at the Montgomery County Trail system. They have an extensive trail system that's been in place for several years now and there are sections that go very close to homes and they work very hard at addressing those concerns. They came up with some really neat solutions. If you google it, it may give you some ways it could be addressed. Mr. Holum said he has problems already as people are using the trails and coming onto his property. Physically, there's been a couple of them, and it's not a big problem, but he just noticed the other day the surface of the railroad track is No. 1 or No. 2 stone and he's getting a lot of kids that are throwing stones in his yard. He never had that problem before. Saturday when he mowed, he hit about four or five after picking some up, so there's activity on the trail. Mr. Cahalan said we haven't opened the Rail Trail yet, it's still a SEPTA property. If there have been acts of vandalism along the trail it is up to SEPTA to take action on. If there are incidents like that, you will have to get the Police and the Rail Trail Advisory Committee to make recommendations. He doesn't know what can be done if you have people on a trail or even in a park setting. We have vandalism in parks from time to time and that's something we have to deal with on a case to case basis. Mr. Holum said he thinks there is a remedy. If you are going to put the stone down, put the stone down all across the entire railroad track. Not all the way through it, but at those areas where people are complaining. Mr. Cahalan said the cost of that would be prohibited. What they are looking at is to keep the pedestrian and biking trail in the middle leaving an open area on each side of the trail for drainage and other types of things. We would not recommend paving the entire 30 foot right-of-way. Mrs. deLeon said she doesn't know if making it wider would help. Mr. Cahalan said he thinks Mr. Holum wants the ballast stone covered with other surface materials. Mr. Holum said the stone there now is the size of a softball. They are taking it and throwing it at the geese and everything else in the Saucon Creek. He doesn't have a problem with that, but he has a small golf course on his premises, and they are throwing the stones on that. You are looking at the problems on a case by case basis, so when you have a person with a problem, you are going to try to remedy it. Mr.

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Cahalan said the only thing he'd worry about is if you put down a surface 30 feet wide and it gets compacted, you are going to have increased runoff near the creek and some other issues. That isn't something they were thinking of doing. He doesn't know that is a solution. Mr. Maxfield said it seems more of a police problem than a design problem. Mr. Holum said he doesn't want to call the Police every week. His location is ideal for kids to hang out. No question about it.

Ms. Stephanie Brown said she is negative about this trail. Being that you are talking about access to Meadows Road for emergency vehicles, are we going to having fire trucks coming over the bridge then? Mr. Cahalan said no. Mr. Horiszny said they do not go over that bridge. Ms. Brown said she's seen it in the past. It's one thing when they are responding to a call, and it's another thing when they are leaving. She said Upper Saucon has posted their trail, "No Trespassing" and "Trail Closed" signs. She can't understand why this Township won't do it. Mr. Cahalan said he responded to Ms. Brown on three occasions about that issue. Ms. Brown said it's still a liability issue for a taxpayer, and that's not right. Mr. Cahalan said the answer is the property belongs to SEPTA, not to the Township. If there's any liability issue, SEPTA is responsible for it. Ms. Brown said Upper Saucon took it on themselves. Mr. Cahalan said we're not Upper Saucon. This is Lower Saucon Township. Ms. Brown said we're supposed to be working on a group community trail. You guys are pushing forward and totally ignoring what's going on with the rest of the trail. Mr. Cahalan said we have a trail development plan and they have a "No Trespassing" sign. That's equivalent? Ms. Brown said you should be doing the same thing that the rest of the trail is doing. She knows what Jerry is talking about with the trespassing on the trail and the kids hanging out by his property, it's a problem. Mr. Cahalan said we are developing the trail. This is a plan to develop it, not to post a "No Trespassing" sign and then have no activity behind it. Ms. Brown said you don't want people on the trail, but she sees a lot of people on the trail. Upper Saucon has the signs at every crossing. Mr. Cahalan said is that keeping everyone off the trail? Ms. Brown said she doesn't know, she doesn't have time to police it. She doesn't live in Upper Saucon. She said she's really concerned about this cross alert system at Meadows Road. If you look on page 10 where it shows it, is that what it's going to look like, open like that into the crosswalk? Mr. Cahalan said what we gave was a copy of several pages from the manufacturer. This was an example of the type of system we'd like to put up there. We don't have the final drawings for the system and we don't have the final design on how that is going to be implemented nor the distance. He doesn't know how it's going to look. Ms. Brown said is it going to be an open crossing or something like turnstile things that will keep bikers, kids from darting across that crosswalk? Mr. Cahalan said there's going to be an access management gate. They are at each of the crossings at both sides of the road. Ms. Brown said how do you get through that? Mr. Kochanski said the access gate crosses the ten foot trail so people just can't shoot straight down. In order to get around that, the trail would wrap around the one end and almost be ten foot wide at the end so people could get around but would still provide a block for cars or ATV's. Ms. Brown said she doesn't understand how you are going to put that crossing system in with all the water there. You say it's an existing problem, but please remember since the drainage went in for the Meadows Subdivision, Toll Bros., it has become worse, and it has to be addressed.

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF MAY 5, 2010 MINUTES**

Mr. Maxfield said the minutes of the May 5, 2010 Council meeting have been prepared and are ready for Council's review and approval. The minutes were tabled until the June 2, 2010 Council meeting.

**B. APPROVAL OF APRIL 2010 FINANCIAL REPORT**

Mr. Maxfield said the April 2010 Financial reports have been prepared and are ready for Council's review and approval.

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Mr. Horiszny said Check No. 1699, what is the E. M. Kutz Company? Mr. Cahalan said that's for the outfitting for the new truck for Public Works.

**MOTION BY:** Mr. Horiszny moved for approval of the April 2010 financial report.

**SECOND BY:** Mrs. deLeon

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

**ROLL CALL:** 4-1 (Mr. Kern – Absent)

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

- Mr. Ted Beardsley said several meetings ago, he mentioned to the Engineer about truck traffic on Meadows Road and he was going to look at alignment issues. Mr. Cahalan said it is coming and will probably be at the June 2<sup>nd</sup> meeting. Mr. Kocher said they have completed the study and they will go over with the staff at the next meeting. It does look favorable.
- Ms. Joan Madzarac, 2074 Easton Road, said this is about the Bethlehem Fields light. Mr. Cahalan had asked her about getting information on the wattage. Nobody is getting back to her anymore. She's not even allowed to go to the Bethlehem Council meetings anymore. Mrs. deLeon said they told you not to go? Ms. Madzarac said they told her they would rather her not be there anymore. Bethlehem is finished with this subject. Ms. Madzarac said in the fact sheet from the Niland Company, the 10 acorn lights were 360 degree streetlights and according to what they say, it's 50 watts each. That means there's 100 watts across the street from her house as they are double lights. There's a total of 500 watts as there's a total of five lights. The one floodlight we estimate could be 50 watts too. There's six porch lights and we're approximately they may be 25 watts. If they are those squiggle lights, they could be 40 to 50 watts. That's 700 watts of light coming onto her property. We want to know, do those lights pass the Lower Saucon codes? Does that lighting pass our codes as we are heading towards court now? She will be calling tomorrow to get an attorney. No one is answering any of her questions. Here's the suggested solutions for light problems: Jess Smith, the Allied contractor said live with it. Ken Miller, the City Inspector said get heavier drapes or move your house. The District Attorney's office said appeal to the City of Bethlehem or see a lawyer. Mayor Callahan said wear a sleep mask to bed. City Council members said shoot the lights out or move. Michael Alkhal, Director of Public Works said, urban sprawl, live with it. Greg Kreider, Lighting Engineer, said the lights meet city codes and are legal. Offer them \$1,000.00 to change the lights in front of you home. The matter is closed between Lower Saucon and Boyd Wilson. They will win in court because they have a bank of lawyers. Those are the answers she's gotten so far. She has a letter written to the Editor of the Morning Call on June 12, 2009. The letter says "A big thumbs down to the City of Bethlehem for allowing the building of Bethlehem Fields apartments near Hellertown. These apartments have ruined the Lower Saucon neighborhood across the street from them. The original blueprints we were shown at meetings changed without any input from our neighbors. The four story buildings were supposed to be built backing up to I-78, but instead were put on Easton Road. These buildings dwarf our homes and residents will be able to look directly into our homes. They redirected the flow of water that used to run down into those fields and now it backs up into our properties. The machines dig and pound, shake our homes, like small earthquakes. There have been gas leaks in the pipes in front of my home, probably from the pounding of the construction. Our homes were built in the 1940's and the pipes to the ground are old. The shaking could be causing cracks in the pipes and foundations of our homes especially with the excess of water that now backs up on our properties. The most recent problem has been flood lights perched on the roof of the buildings that are so bright that I can walk through the home in the middle of the night without turning on a light. My whole yard is lit up and the lights shine through my windows. With one side of the street belonging to the City of Bethlehem where the construction is taking place and the other side belonging to Lower Saucon and the water pipes belong to Hellertown, is not easy to find a sympathetic ear. Who would want to live here now? What can be done for the little people trying to live a simple life and now being trampled on. Where is the fairness? Can nothing be done to stop these big developers from ruining our neighborhood?" That's from Cecile Christman and they never published it. She said they also sent an email to Bethlehem Fields and they will not respond. If you are talking to PennDOT, who

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does the Cherry Lane and Easton Road, this winter they had so much snow problems because of that building. They are asking if they could make Cherry Lane and Easton Road a snow route to get those parked cars off the street. When they are parked there, the snow plow comes up and when he has to go around them, he brings the snow into the middle of the street. When he comes back the other way, it ends up in their driveways, especially her driveway. Her driveway was so packed this year, she could barely get out. She can't lift it because of the stones. She can't push it. One day she was out there trying to push it and he was beeping his horn and she didn't know what wanted, but he was telling her to get out of the way. She can really get hurt down there. If she has an emergency, she cannot get her driveway open. They come down Cherry Lane and instead of going straight where the drain is and leaving the snow there, they make the curb and push it right up her driveway. When the snow was finally melted and she went out there, the front of her yard was so full of stones. They broke every bush. They tried to push that snow into her property up to her bank, that's how high they put it. She doesn't know what to do anymore. They want that addressed if you could tell PennDOT there's a problem. Years ago, there was a road down by the Lower Saucon Road that went through the Coke Works out to 412. During the war, they were afraid of sabotage, so they closed that road. She'd like to know if they could possibly open a road from Easton Road to that Commerce Way and come out before you get to the park. If they could put another road in there, that would take some of that truck traffic, especially the Chrin garbage trucks that come through there. They really barrel through. Cherry Lane and 412 is so backed up at certain hours, you can forget it. It leaves about three or four cars out. That's it, and you are stuck there for a long time. If there is a possible way to make a road through one of those companies, that would be great. She said they haven't gotten anywhere with these people and she's going to be heading for a lawyer. Last year she had a constant headache in the summer as she doesn't get any sleep because of those lights. Mrs. deLeon said she doesn't know what else to do and said good luck. Mr. Maxfield said as far as the lighting level, you wanted to know if it met the Lower Saucon ordinance, you might want to talk to Chris Garges, our Zoning Officer. Attorney Treadwell said there's a difference between the existing light is violating our ordinance versus whether the wattage we may think is being used on the Bethlehem Fields lights would meet our ordinance requirements. Ms. Madzarac said would he have to come out and check that out? Mr. Maxfield said there would have to be a measurement. Attorney Treadwell said the ordinance is written in terms of whether the light spills over at a certain wattage on to neighboring properties. The question as to whether the lights that are currently in the Bethlehem Fields development, whatever that wattage is, would meet our ordinance requirements, he doesn't know. He thinks Joan's question at the beginning of the meeting, "are the lights that are there that are x amounts of watts, would they be in compliance with our ordinance?" Ms. Madzarac said they asked them what is the wattage coverage, bulb size and voltage of the street lights, who order the lights and the series name of the lights. They never answered us. Mrs. deLeon said that should be on their plans. Ms. Madzarac said they don't have a lighting plan. That was done in 2003. It was in the paper a far 30 years and all these things they did to us, they are going to update their code. Imagine that, Bethlehem did this without even updating their code. When a builder comes in, the first thing a builder does is look at your codes to see. Mrs. deLeon said they don't. They get hired to do a plan and they say, municipality, who cares, they are going to do it the way they want to. Submit it, if it gets passed, okay, if they have to redo it, they get more money. Ms. Madzarac said she was here once and the builder submitted a plan that was turned down the first time. He changed his plan and came back and it was passed. Someone caught him as he was going back to the original plan when he was building and they put a kibosh on that. She knows somebody does watch every once in a while. Bethlehem has all that open land from the steel and never updated anything, and this is what happens when they do this, and then someone has to suffer. They are being sued by their own people and she will be on the list too. They are telling her she won't win.

- Ms. Stephanie Brown said when did we put time limits on these meetings? She thought this was a public forum.
- Ms. Stephanie Brown said she got an email today from Nathan Holt who owns a website, Historicbridges.com. He's coming out Memorial day weekend to document the Meadows Road bridge and the Walnut Street bridge. That's what she was told and she said she would pass it on.

Mrs. deLeon said would like to see the report as it would be good for the county as they are recognizing the bridge is historic.

**VIII. COUNCIL AND STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- Mr. Cahalan said Northampton County advised us several months ago they were forming a Solid Waste Advisory Committee and they were looking for representatives from the COG organizations. Tom Maxfield had volunteered to serve as the SVP representative, but they decided to hold the meetings during the day and he can't attend. There have been two meetings so far. This committee is working on updating the Solid Waste Plan which hasn't been updated in about ten years. At the last SVP meeting, they had a discussion about getting some other representatives to attend these daytime meetings. The SVP came up with the recommendation that Jim Birdsall, our Township Landfill Engineer, be designated as the SVP representative. He's bringing this to Council to designate Jim to attend. There's only going to be a couple more meetings as they are planning on getting this Solid Waste plan updated and to County Council by the end of the year. Mrs. deLeon said they won't be meeting then? Mr. Cahalan said he's not sure. Mrs. deLeon said the reason they chose Jim was the County, under the Act, has to designate capacity issues and designate where everyone's trash goes. We are a host to a landfill and get host money. Jim, with his experience on the Landfill Committee, would be good. If Jim was available, she thought that would be good to protect the Township's interested. The document that Mr. Cahalan circulated to them, they are going to need comments in three weeks, has anyone looked at it? Mr. Cahalan said he sent it to the Landfill Committee. Mrs. deLeon said was that a formal request to have one of the consultants review it? Mr. Cahalan said it was sent to all the representatives of all the various municipalities. He just got the copies and distributed it. She asked that she would like Council to approve a more formal review from someone who understands the Solid Waste Plan requirements and see if Lower Saucon's needs are met in the plan. Mr. Cahalan said he knows time is of the essence, but could he get a scope of what that review is going to entail and bring it back to Council. Mrs. deLeon said we are running out of time. Mr. Maxfield said we need to do that. It's costing us money if we use Jim. Mrs. deLeon said a professional has to look at this plan to make sure that we're covered. The County is asking us for review comments, and who is going to comment? Mr. Maxfield said can we make a motion we get a scope from Jim and Jack approves the scope and if it's okay with Jack, Jim can go ahead and do it? Mrs. deLeon said yes, she would like something done.

**MOTION BY:** Mr. Maxfield moved to get a scope from Jim Birdsall and give it to Mr. Cahalan. If Mr. Cahalan approves it, Mr. Birdsall can go ahead and do it.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mrs. deLeon said you'll just have to determine who would be the reviewer. Mr. Cahalan said he thinks Jim should be able to do it. They are putting together the sections of the plan and several sections are in draft form. They are targeting the fall to get it to County Council and then they have to get it to DEP for approval. Mrs. deLeon asked Mr. Cahalan to let the Landfill Committee and Council know what's going on. Mr. Cahalan said okay.

- Mr. Cahalan said we have some bids for used Public Works vehicles. Since we started using the states co-stars program to purchase new vehicles, it has helped us to get lower prices and also not having to prepare bid documents. The one drawback is that we're not able to trade in our current vehicles to further lower the purchase price. We have very good used vehicles that are available for sale but per the Second Class Township Code, any property must be disposed of through a public auction. We had two trucks that had been

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replaced. A 1994 Ford 350 dump truck and a 1990 Ford LN Dump Truck. We advertised for bids for those two vehicles. We received three bids for both of the trucks and opened the bids on May 5, 2010. For the 1994 Ford 350 Dump Truck the highest bid was from George Rasich, \$3,625.00. The next highest bid was Mike Veneziano, \$3,101.00. The third bid was Ethan Ward of \$2,653.00. George Rasich made the highest bid on the 1994 Ford 350 Dump Truck. On the 1990 Ford LN Dump Truck, the highest bid was received from a Christine Mann in the amount of \$4,265.00. The next highest bid was from John Deegan, \$4,100.00 and the third bid was from Mike Veneziano of \$2,711.00. The Solicitor has reviewed all of the bid documents and he's recommending we accept the bid of George Rasich of \$3,625.00 for the 1994 Ford 350 and Christine Mann for \$4,265.00 for the 1990 Ford LN.

**MOTION BY:** Mr. Horiszny moved for approval as stated above by Mr. Cahalan to accept the high bids regarding the two trucks for sale.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

- Mr. Cahalan said they did receive notice from PennDOT that they conducted a traffic study on Easton Road portion from Ringhoffer Road to the Williams Township line. They've agreed to reduce the speed limit on that road from 55 MPH to 40 MPH. They will be preparing the necessary changes to the vehicle code and will bring that back to Council for approval.
- Mr. Cahalan said he sent notice out that we hired a new Crewman in the Public Works department effective May 14, 2010. His name is James (Ty) Johnson. Ty holds a CDL license and has a great deal of experience in operating equipment and per the Township and Borough policy which we adopted last year, he is also a member of the Southeastern Fire Company where he is the Assistant Chief there. He will be able to respond to fire calls with our other Public Works Employees, Ken Luybli the Road master and Crewman, Ken Yeakel.
- Mr. Cahalan said the Volunteer Recognition picnic, Diane said she sent out an invitation with an RSVP for May 28, 2010. It is scheduled for June 14, 2010 and she only received RSVP's from only four people. The response has been very light and she has only heard from one Council member.
- Mr. Cahalan said the Relay for Life is this Saturday at Dimmick Park and if any Council members can bring the resolution that was adopted tonight, that would be great. Mrs. Yerger said she will be able to present the resolution on Saturday.

**B. COUNCIL/JR. COUNCIL**

**Kimberly Kelly** – Absent

**Mr. Maxfield**

- He said the Saucon Creek Watershed, working with volunteers from Olympus removed a really nice substantial amount of bamboo up at Polk Valley Park including the roots. They worked very hard. It was a really great crew. One of the workers had an interesting suggestion. He wanted us to look into some sort of markers on the trail just for distance at Polk Valley Park. He thought maybe we could lay out some natural pattern on the trail and just give distances.
- He said please don't forget about the house on the Nor-car property as it rots while it sits. Mr. Cahalan said it will be on at the next meeting. Mrs. deLeon said she wants to arrange to go and see that.

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**Mrs. Yerger**

- She said June 22<sup>nd</sup> she and Tom are involved with the Sustainable Landscape Tour in conjunction with DCNR and some of the other local organizations. Polk Valley Park will be featured as one of the sustainable landscapes in the area because of the work we are doing up there. We are glad to be part of it.

**Mr. Horiszny**

- He said Kevin Yeakle and the town crew helped with tree removal on Bingen Road, which was much appreciated.
- He would urge that everyone get back to Diane on the volunteer picnic.

**Mr. Kern** – Absent

**Mrs. deLeon**

- She said June 4, 2010 the SV Community Center is having an evening honoring Stanley (Bud) Prosser from 6:00 PM to 10:00 PM.
- She said on Wednesday, May 26<sup>th</sup>, the Hellertown-Lower Saucon Chamber is having a business spotlight at Starter's Pub from 5:00 PM to 7:00 PM and the cost is \$10.00.
- She said she's on the board of the Historic Barn and Farm Foundation. They are having an annual barn tour coming up on June 18<sup>th</sup> and 19<sup>th</sup>.
- She said awhile back, maybe a year ago, a lady by the name of Kathryn Mason called her up and she was in touch with Greg Huber. Ms. Mason doing a book on stables and she told Mrs. deLeon she knows Mrs. deLeon does barn tours and has several years behind her, and she said she's looking for barns that have horses. Mrs. deLeon said okay and gave her the information. Ms. Mason is coming to the Barn tour this year on October 11<sup>th</sup> and she's going to do a book signing. Mrs. deLeon passed the book around. She happened to look at our guides and took a picture of a barn on Lower Saucon road and went out to Donna Bristol's barn and took a picture of that with her horses. They went to Tommy Rowe on Lower Saucon Road and took a picture also. It's very exciting.
- She forgot to mention when she got back from the PSATs conference that she did attend a workshop presented by Judy Stern Goldstein on Sustainable Parks. She featured four parks, and of course, Polk Valley Park was one of them. It was very, very nice.
- She said August 21<sup>st</sup> is Community Day and thanks for putting it on the website. It's on the announcement page and you can click on a registration form.
- She said Monday night, May 24<sup>th</sup> at the gaming meeting, they are going to hopefully approve the draft grant application.

**D. SOLICITOR** – No report

**E. ENGINEER**

- Mr. Kocher said tomorrow night at the Planning Commission, Dravec will be on review. If you remember, Dravec is going to retain about 26 acres with about 16 of them in conservation easement. To delineate that line between what's on the easement and what's not on the easement, there's about 20 points that irregularly follows the stream and the ponds, what is your preference to mark that? Do you want concrete monuments or iron pins or a combination? At Dyer, they put an awful lot of monuments out there, but this one is a lot closer and a lot less obstacles between them. Council said iron pins.

**F. PLANNER**

- Mr. Kochanski said to add to the trail marking at Polk Valley, some municipalities use the thermoplast. He's not quite sure how durable that will be on the pervious concrete. It's done on asphalt, but that's an option. It may be a little more durable than paint. Mr. Maxfield said many of the places it might be able to put on the side slant where we wouldn't have regular foot traffic. Mr. Kochanski said Public Works generally puts that

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down for stop bars and things along that nature. Mr. Maxfield asked Mr. Kochanski to make an official recommendation on that.

Mr. Maxfield said Council will recess as they are going to go into Executive Session.  
The time was 10:55 PM

Mr. Maxfield said Council reconvened. The time was 11:04 PM.

Attorney Treadwell said he will contact Mr. Skraban and Mr. Reis to offer them the appraised value for the conservation easement on their property.

**MOTION BY:** Mr. Horiszny moved for approval as stated above by Attorney Treadwell.  
**SECOND BY:** Mrs. Yerger  
Mr. Maxfield asked if anyone had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**IX. ADJOURNMENT**

**MOTION BY:** Mrs. Yerger moved for adjournment. The time was 11:05 PM.  
**SECOND BY:** Mrs. deLeon  
Mr. Maxfield asked if anyone had any questions? No one raised their hand.  
**ROLL CALL:** 4-1 (Mr. Kern – Absent)

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn Kern  
President of Council