

1 **I. OPENING**

2
3 **CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council
4 was called to order on Wednesday, June 18, 2008 at 7:09 P.M., at 3700 Old Philadelphia Pike, Bethlehem,
5 PA, with Mr. Glenn Kern, Council President, presiding.

6
7 **ROLL CALL:** Present – Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Sandra
8 Yerger, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager;
9 Dan Miller, Township Engineer; Township Solicitor, Linc Treadwell; Township Planner, Judy Stern
10 Goldstein, and Georgiana Torrella, Jr. Council member

11
12 Absent: Priscilla deLeon, Council member.

13 **PLEDGE OF ALLEGIANCE**

14
15 **ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

16
17

<p>Attorney Treadwell said Council met in Executive Session to discuss litigation with Heritage Building Group and potential litigation with Mr. Pichel and RHD.</p>

18
19 **II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

20
21 Mr. Kern said for citizen agenda items – Council operates under Robert’s Rules. What that means is during
22 agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the
23 conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda
24 items at the end of the meeting to discuss whatever your business might be. We do have a microphone and
25 there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your
26 name and address and email address. It is very helpful in transcribing the minutes. For those who want to
27 receive emailed agendas, please give your email address to Diane, Leslie, or Jack or call the Township
28 office. Please state your name and address. If you can’t hear, please let us know. Mr. Kern asked if
29 anything was taken off the agenda this evening? Mr. Cahalan no.

30
31 **III. PRESENTATIONS/HEARINGS**

32
33 **A. RESOLUTION #43-2008 – PROCLAMATION HONORING GEORGIANA TORRELLA –**
34 **JR. COUNCIL MEMBER**

35
36 Mr. Kern said Resolution #43-2008 has been prepared honoring Georgiana Torrella for serving as
37 Junior Council Member

38 **RESOLUTION #43-2008**
39 **PROCLAMATION HONORING GEORGIANA TORRELLA,**
40 **JUNIOR COUNCIL MEMBER**

41
42 **WHEREAS,** the Lower Saucon Township Council appointed Georgiana Torrella to serve on
43 Lower Saucon Township Council; and

44
45 **WHEREAS,** Georgiana participated in the meetings of the Council during the 2007-2008 school
46 year and provided input from a student’s point of view; and
47

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1 **WHEREAS**, Georgiana will be a graduating member of the Class of 2008; and

2
3 **WHEREAS**, Georgiana has done a great job and brought with her the eagerness of learning more
4 about local government in her community.

5
6 **NOW, THEREFORE**, the Council of Lower Saucon Township, Glenn Kern, President; Tom
7 Maxfield, Vice President; Priscilla deLeon, Ronald Horiszny; and Sandra Yerger do hereby
8 commend Georgiana for her exemplary performance on behalf of the Lower Saucon Township and
9 Saucon Valley High School.

10
11 **MOTION BY:** Mrs. Yerger moved for approval of Resolution #43-2008 – Proclamation Honoring Georgiana
12 Torrella – Jr. Council Member.

13 **SECOND BY:** Mr. Maxfield
14 Mr. Kern asked if anyone had any questions? No one raised their hand.

15 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

16
17 **B. RESOLUTION #44-2008 – PROCLAMATION HONORING VANESSA SEGALINE – JR.**
18 **PLANNING COMMISSION MEMBER**

19
20 Mr. Kern said Resolution #44-2008 has been prepared honoring Vanessa Segaline for serving as Jr.
21 Planning Commission member.

22
23 **RESOLUTION #44-2008**
24 **PROCLAMATION HONORING VANESSA SEGALINE,**
25 **JUNIOR COUNCIL MEMBER**

26
27 **WHEREAS**, the Lower Saucon Township Council appointed Vanessa Segaline to serve on the
28 Planning Commission; and

29
30 **WHEREAS**, Vanessa participated in the meetings of the Planning Commission during the 2007-
31 2008 school year and provided input from a student’s point of view; and

32
33 **WHEREAS**, Vanessa will be a graduating member of the Class of 2008; and

34
35 **WHEREAS**, Vanessa has done a great job and brought with her the eagerness of learning more
36 about local government in her community.

37
38 **NOW, THEREFORE**, the Council of Lower Saucon Township, Glenn Kern, President; Tom
39 Maxfield, Vice President; Priscilla deLeon, Ronald Horiszny; and Sandra Yerger do hereby
40 commend Vanessa Segaline for her exemplary performance on behalf of the Lower Saucon
41 Township and Saucon Valley High School.

42
43 **MOTION BY:** Mr. Maxfield moved for approval of Resolution #44-2008 – Proclamation Honoring Vanessa
44 Segaline – Jr. Council Member.

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

47 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

48
49 **C. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE NO. 2008-**
50 **08 – STOP SIGNS AT MEADOWS ROAD BRIDGE**

51
52 Mr. Kern said Ordinance No. 2008-08 has been prepared and advertised for a public hearing to
53 replace the current yield signs with stop signs at both entrances to the Meadows Road Bridge.

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- 1 **MOTION BY:** Mrs. Yerger moved to open the hearing.
2 **SECOND BY:** Mr. Horiszny
3 Mr. Kern asked if anyone had any questions? No one raised their hand.
4 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

5
6 Mr. Cahalan said this is the ordinance that we prepared. If Council adopts it, it will allow us to
7 replace the two yield signs at the Meadows Road Bridge with stop signs. The Township Engineer
8 performed a study and we determined that stop signs are warranted at the bridge to improve the
9 traffic safety at that location. Mr. Kern asked if Council or anyone in the audience had any
10 comment? No one raised their hand.

- 11
12 **MOTION BY:** Mr. Maxfield moved to close the hearing.
13 **SECOND BY:** Mr. Horiszny
14 Mr. Kern asked if anyone had any questions? No one raised their hand.
15 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

- 16
17 **MOTION BY:** Mr. Maxfield moved to adopt Ordinance No. 2008-08 – Public Hearing & Consideration of
18 Adoption – Stop Signs at Meadows Road Bridge.
19 **SECOND BY:** Mrs. Yerger
20 Mr. Kern asked if anyone had any questions? No one raised their hand.
21 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

22
23 **D. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE 2008-09 –**
24 **INTERMUNICIPAL AGREEMENT WITH HELLERTOWN BOROUGH AND SAUCON**
25 **VALLEY SCHOOL DISTRICT REGARDING PAVING AT THE SCHOOL DISTRICT**

26
27 Mr. Kern said ordinance 2008-09 has been prepared and advertised for a public hearing to enter
28 into an Inter-municipal Agreement with Hellertown Borough and the Saucon Valley School
29 District to provide joint paving work at the School District.

- 30
31 **MOTION BY:** Mrs. Yerger moved to open the hearing.
32 **SECOND BY:** Mr. Maxfield
33 Mr. Kern asked if anyone had any questions? No one raised their hand.
34 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

35
36 Mr. Cahalan said two documents are prepared for a cooperative arrangement between Hellertown
37 Borough and Lower Saucon Township. They included the SV School District this year in this
38 cooperative project to do paving. There's a list attached to the agreement of Exhibit A. They will
39 assist the school district with paving of Academic Way, student parking lot, bus driver's lot,
40 teacher's parking lot, and a portion of Panther Way from the loop to the Reservoir Road. The
41 school district will be providing the asphalt materials and the gas for the operation and we will be
42 providing the equipment and the township and Borough will be providing the labor.

43
44 Mr. Horiszny said he doesn't think we should pass this as of February 28, 2006, when Lower
45 Saucon Authority (LSA) bought some property on Chapel Lane that was going to be tax exempt,
46 and they went and got a tax exemption for that and they were still billed by the school district. We
47 asked them for a credit in April 2007 - no response. We asked again in August 2007 – no response.
48 Linc called them two weeks ago – no response. Mr. Horiszny called this afternoon – no response.
49 They owe us \$1,880.83 and we should wait until we get that money until we subject ourselves to
50 any other expenses.

51
52 Attorney Treadwell said this is a different subject for Council to consider...not to consider what
53 may be owed to the Authority.
54

1 Mr. Kern asked if anyone in the audience had any comment? Mr. George Torrella, resident, said
2 it's a wonderful opportunity to cooperate and create an atmosphere between the Borough, the
3 Township and the school district. If there's been some misunderstanding between the Township
4 and the school district about money owed, he can carry that message with him this evening. Mr.
5 Horiszny said he wished he would and he appreciates that.
6

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

8 **SECOND BY:** Mr. Maxfield

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

10 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

11
12 **MOTION BY:** Mrs. Yerger moved to adopt Ordinance No. 2008-09 – Inter Municipal Agreement with
13 Hellertown Borough and the SV School District to provide joint paving at the school district.

14 **SECOND BY:** Mr. Kern

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

16 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
17

18 **IV. DEVELOPER ITEMS**

19
20 **A. SADDLE RIDGE PHASE III AND PHASE IV – FLINT HILL ROAD – REQUEST**
21 **EXTENSION TO COMPLETE IMPROVEMENTS**

22
23 Mr. Kern said the developer is requesting a one year extension to complete the improvements in
24 Phase III and Phase IV of the Saddle Ridge Development.
25

26 **STAFF RECOMMENDATION FOR SADDLE RIDGE**
27 **PHASE III & PHASE IV EXTENSION**

28
29 The Lower Saucon Township staff recommends that Township Council approve an extension until
30 July 1, 2009 for completion of improvements at the Saddle Ridge Subdivision. This approval is
31 subject to the following conditions:
32

- 33 1. The owner/developer shall enter into an Extension Agreement for Phase III and Phase IV
34 with the Township satisfactory to the Township Solicitor and Township Council.
35 2. The Improvements Security shall remain in full force and effect until project completion or
36 August 1, 2009 to the satisfaction of the Township Solicitor.
37 3. The owner shall pay any outstanding plans and appeals account invoices owed to the
38 Township.
39

40 Mr. Kocher said they would like to add as a condition to this agenda item and the next agenda item
41 and any future items like this:
42

- 43 4. The developer shall correct any erosion sedimentation control issues with inspection to be
44 determined by the Township Engineer within sixty (60) days.
45

46 **MOTION BY:** Mr. Horiszny moved for approval, per staff recommendations, with #4 condition added.

47 **SECOND BY:** Mr. Maxfield

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

49 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
50
51
52
53

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- 1 5. In the even the required Financial Security Agreement executed within 90 days of this
- 2 approval, this approval shall expire and be deemed revoked unless a written extension is
- 3 granted by the Governing Body.
- 4 6. The applicant shall provide two (2) Mylar copies of the records plans, seven prints of the
- 5 record plans and four prints of the complete plan sets with original signature and seals.
- 6 Eight prints of the complete plan sets with original signatures and seals of the design
- 7 engineer shall also be provided prior to construction for use as construction plans. The
- 8 applicant shall also provide two (2) CDs of all plans in an AutoCAD format (jpeg-ROM).
- 9 7. The application shall pay any outstanding escrow balance due to the township in the
- 10 review of the plans and the preparation of legal documents.
- 11 8. The applicant shall satisfy all these conditions within one year of the date of the
- 12 conditional approval unless an extension is required by the township council.
- 13 9. All waivers granted shall be noted on the plans with the applicable section, requirements,
- 14 date of approval and any conditions approval.
- 15

16 If the Council is voting on this matter, it is requested that the Council authorize the township
17 manager to notify the applicant of Council's actions.

18
19 Present – Mr. Stephen Heiss and Attorney Richard Schaedler. Mr. Kocher said Planning
20 Commission has recommended approval based on any items in our review letters that are still
21 outstanding. Boucher & James and HEA have put those review letters together and prepared a
22 motion for your consideration.

23
24 Mr. Kocher said No. 1 to address our items in our June 13 letter. No. 2 to address the items in the
25 June 13, Boucher & James letter. No. 3 contribution of \$18,678 in lieu of land dedication. No. 4
26 that Council would be approving a conservation easement in lieu of accepting dedication of open
27 space. No. 5, that if the Financial Security Agreement is not executed within 90 days, the approval
28 is revoked. No. 6 is the number of plan copies for recording. No. 7 is making sure the escrow
29 balance is okay. No. 8 is satisfy all conditions within one year, and No. 9 is all waivers shall be
30 noted on the plans with the application section, requirements, date of approval and any conditions
31 of approval.

32
33 Ms. Stern Goldstein said the first issue is Zoning Ordinance 180-116.A(2)(c) that the open space be
34 deed restricted and it must be approved by Linc Treadwell. It requires if there is any open space
35 that they have protection on it so it can't be further sub divided or developed and the applicant
36 needs to provide the restrictive language and covenants to us for review. Attorney Treadwell said
37 they have that covered, we're fine. The second issue is the conservation easement prohibiting
38 future development and must be approved by Linc Treadwell also and they will stay there until
39 Linc tells her to remove them. Mrs. Yerger said would the EAC recommendations for the open
40 meadow be tied into the conservation easement? Ms. Stern Goldstein said the EAC
41 recommendations have been applied to the plan. When they revised the plan last week, their
42 landscape architect applied some additional information on the plan and it looks very nice. It was
43 appropriate and a comprehensive job on the meadow. Attorney Treadwell said they have been
44 very cooperative.

45
46 Mr. Kocher said there are no outstanding issues with HEA. The only plan change is to add the
47 street address. The detention basin is actually a constructed wetland so they want to make sure the
48 HOA documents are very specific and they agree with them.

49
50 Mrs. Yerger said they really appreciate them working with the staff.

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- 1 **MOTION BY:** Mr. Maxfield moved for approval of the final plan, per staff recommendations for the Estates
- 2 at Stonehurst.
- 3 **SECOND BY:** Mrs. Yerger
- 4 Mr. Kern asked if anyone had any questions? No one raised their hand.
- 5 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
- 6

7 **V. TOWNSHIP BUSINESS ITEMS**

8

9 **A. ORDINANCE 2008-05 – FLOODPLAIN ORDINANCE – AUTHORIZE**

10 **ADVERTISEMENT**

11

12 Mr. Kern said ordinance 2008-05 has been prepared for Council’s review and approval to be

13 advertised for a public hearing. The proposed ordinance will replace Chapter 90, which is the

14 current floodplain ordinance. The proposed ordinance is based on the recent LVPC model.

15

16 Mr. Kocher said the LVPC issued some model language that the municipalities might want to

17 consider to their flood plain ordinance. They incorporated them in the flood plain ordinance and

18 Linc’s office took the document and wrote a whole new chapter 90 to avoid confusion. If you

19 study the sections versus the old ones, it further restricts what you can do on a flood plain. Mrs.

20 Yerger said she really appreciated the language addressing the Zoning Hearing Boards and

21 reinforcing the importance of upholding this particular ordinance and she’d like to see it a little

22 more in ordinances that come down the pike. The Zoning Hearing Board should be aware of this

23 particular element of the ordinance. Mr. Kocher said it has been reviewed by the Planning

24 Commission and the EAC. If you want to advertise it, you should advertise it with the two

25 additional chemicals of PCB’s and mercury.

- 26
- 27 **MOTION BY:** Mrs. Yerger moved for authorization for advertisement of Ordinance 2008-05, with the two
 - 28 revisions.
 - 29 **SECOND BY:** Mr. Maxfield
 - 30 Mr. Kern asked if anyone had any questions? No one raised their hand.
 - 31 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
 - 32

33 **B. RIVERSIDE DRIVE – ROADWAY CONDITIONS REPORT**

34

35 Mr. Kern said Council requested an evaluation to be done on Riverside Drive. Hanover

36 Engineering has conducted an inspection of Riverside Drive and prepared a report listing items

37 they would recommend PennDOT consider repairing or upgrading for safety reasons.

38

39 Mr. Kocher said he doesn’t have anything to add to the report. Council asked them to look at the

40 items that PennDOT should be addressing as part of their maintenance responsibilities, safety type

41 issues and road maintenance, that may not be occurring and objects that are too close to the

42 pavement, as opposed to those that should be funded by PennDOT’s construction department. It’s

43 not saying that if PennDOT does these things, the road will be a great road. It’s just saying that the

44 township would like PennDOT to address these issues now.

45

46 Mr. Cahalan went through a slide show showing the photos of the Riverside Drive road condition.

47 There were pictures explaining what the issues are that HEA pointed out. Some utility poles are

48 very close to the pavement, there are non-standard guide rail with end treatments that are not

49 permitted under the current PennDOT specifications; fallen rocks on sections of the roadway;

50 deteriorated storm water cross pipe end wall; side view of end wall; rocks outcropping at edge of

51 pavement in one way section; unprotected cross pipe inlet near edge of pavement; signing at west

52 end of one way section appears adequate; washout along the edge of the pavement that they need to

53 address large tree near the edge of pavement. Mr. Kern asked what could be done about the fallen

54 rock? Mr. Kocher said they could go through and eventually pick them up. Mr. Maxfield said is

1 there anything your crew noted that was extremely dangerous? Mr. Kocher said nothing that he
2 could call Jack and tell him to tell PennDOT to close the road. Mr. Cahalan said PennDOT would
3 love to close the road. Mr. Maxfield said on the Reddington Road, where the macadam is breaking
4 down and falling down over the side of the road. You don't think that's extremely dangerous? Mr.
5 Kocher said it's a situation that PennDOT should address.

6
7 Mr. Cahalan said Priscilla made a request that we do forward this letter on to PennDOT pointing
8 out the deficiencies and have them addressed as quickly as possible.

9
10 **MOTION BY:** Mrs. Yerger moved that we forward the letter to PennDOT pointing out all the deficiencies and
11 have them address them as quickly as possible.

12 **SECOND BY:** Mr. Horiszny

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

14 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

15
16 **C. BETHLEHEM TOWNSHIP COMMISSIONERS RESOLUTION REGARDING CASINO**
17 **IMPACT GRANTS**

18
19 Mr. Kern said Thomas Nolan, President of Bethlehem Township Commissioners has forwarded a
20 letter to the Council President with a copy of the resolution adopted by their Township
21 Commissioners which proposes that the casino impact funds be distributed by Northampton
22 County to the five (5) contiguous municipalities on a "per capita" basis rather than the equal share
23 basis that was agreed upon by Lower Saucon Township, Hanover Township, Hellertown Borough,
24 and Freemansburg Borough. Mr. Nolan is also proposing that Bethlehem Township host a meeting
25 with each of the municipalities in an effort to resolve this issue.

26
27 Mr. Cahalan said we have kept you abreast of where we are with the casino impact grants. We had
28 agreements with the four of the five municipalities and came up with a proposal for equal sharing
29 of the casino impact money in 2009 when the Sands opens up in the city of Bethlehem. They were
30 not able to get agreement by Bethlehem Township and they proposed a separate procedure based
31 on a per capita sharing. The resolution we saw before is nothing new. He wanted to bring this to
32 Council to see what your pleasure was to meet with them to resolve the issue.

33
34 Mrs. Yerger said do we have any idea what their resident population is? Mr. Cahalan said he
35 doesn't have the number, but it's higher than the rest. Attorney Treadwell said it will change every
36 year, how do you recalculate? Mr. Kern said it's an irrelevant point as population has nothing to
37 do with the impacts. Mrs. Yerger said are there any ramifications if Bethlehem Township doesn't
38 come to agreement with the rest of the municipalities? Mr. Cahalan said the County General
39 Purpose Authority will be the disbursing agency and they have no experience dealing with grants
40 that are competitive, so they are going to need some sort of a framework to fall back on. Our
41 proposal is solid and straight forward. We feel confident that we have done what we were asked to
42 do and a decision will eventually be made at a County level. We have to make sure there is a
43 system that's being adopted or it's going to be thrown open to the whole county. The request to
44 sign off by the five municipalities was made by Mr. Stoffa's committee. The Chairman was
45 looking for agreement with all five municipalities before they sent it on. Attorney Treadwell said it
46 would be a lot easier if all five contiguous municipalities agreed so the County will have to make a
47 decision. Mr. Cahalan said Hanover Township and Freemansburg Borough have responded and
48 said they are not interested in meeting with Bethlehem Township. Hellertown Borough has
49 responded and said they will meet with them, but they want Mr. Stoffa present. Mr. Kern said he
50 would be willing to meet with them with Mr. Stoffa present. Mr. Cahalan will send a letter off to
51 Bethlehem Township.

52
53 Dan Andrews, Morning Call asked if they gave a reason why they wanted a bigger cut of the pie?
54 Mr. Cahalan said they feel they have a greater population. Mr. Andrews said it says a meeting with

1 each individual municipality? Mr. Cahalan said yes. Mr. Kern said the gist is that the other four
2 communities felt it was fairer to share equally in whatever money would be available. That
3 eliminates the need to do need studies, grant applications every year. We are the five communities
4 that are going to be impacted.
5

6 **MOTION BY:** Ms. Yerger moved to direct Mr. Cahalan to send a letter agreeing to meet with the Bethlehem
7 Township Commission with Mr. Stoffa being invited.

8 **SECOND BY:** Mr. Maxfield

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

10 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
11

12 **D. ENERGY HARVEST GRANT FOR SOLAR PANELS**

13
14 Mr. Kern said the Alliance for Sustainable Communities is preparing to submit an application to
15 the PADEP Energy Harvest Fund for a \$50,000 Energy Harvest Grant to purchase and install 12
16 KW (60 200W Panels) of solar panels on the roof of the police garage at a cost of \$103,000. The
17 installation of the solar panels would be the first step toward the Town Hall Park micro-grid and
18 other renewable energy systems which will reduce the Township's energy dependence in
19 anticipation of the 34% rate hike beginning in 2010. Approval of the submission of this grant
20 application would commit the Township to a 50% match or \$50,000. Council has previously
21 approved \$10,000 toward this amount in the 2008 Capital Fund budget.
22

23 Mr. Cahalan said this is one of several energy initiatives that Council committed to in the budget
24 discussions in previous years. One was to reduce our dependence on energy and to look at
25 renewable energy sources. We are using bio diesel now which is used by Public Works and our
26 fire companies. We are looking for energy savings in our other operations. We are currently
27 looking at the feasibility for hybrid vehicles for the police to reduce the gasoline consumption. We
28 have had a partnership for over a year with the Alliance for Sustainable Communities. They
29 approached us about the vacant Blair House and their goal was to have a building that would
30 become a demonstration for clean building techniques and renewal energy sources. They have
31 been very busy with this. They have come up with various plans and invited Judy and Rick Tralies
32 to their meetings and are working toward coming up with a model for reuse of that house that is
33 going to stand out in this section of PA as a leader in that area. The solar panels would be part of
34 that whole project that includes the Blair House, which is called the E House and it would also
35 supply some inexpensive electric to the township. We do use a substantial amount. Currently, we
36 are running about over \$3,000 in electrical usage a month. He showed a summary of the grant.
37 When we reviewed this, they have to submit this by June 20, 2008 to the PA DEP. It's a very
38 competitive grant and more money is becoming available. The Alliance has done an outstanding
39 job in putting together this application. From the cost standpoint, it's a substantial investment.
40 Could we pay off the system for the life of the solar panels which would last about 20 to 30 years,
41 and once it's paid off, would we see a return on the electricity usage? We did look at that and we
42 believe the answer is yes to both those questions and it's feasible. We looked at the cost of some of
43 the photo voltaic panels and we have some questions about the cost and we think if we go out to
44 bid the cost could be reduced substantially. If the grant is awarded, we can hold down the cost to
45 below what they quoted. In that cost, they would also include their assistance with the installation
46 and they would do some training and some other demonstrations. It would be used to benefit us
47 and to benefit the community. This system, which would be quite visible to the public, would
48 demonstrate not only that the township is a leader in the renewable energy, but also in the Lehigh
49 Valley as a whole. We need to take steps in this direction to get control of these costs and it is
50 financially feasible. The match needed would be \$53,760 and Council did agree to put \$10,000 in
51 the current 2008 budget, so we're talking about \$43,760 that would have to be committed as a
52 match. The award of the grants would not be until 2009.
53

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1 Mrs. Yerger said if you are correct that the cost might be less if put out to bid, would that reduce
2 the township's half? Mr. Cahalan said yes. Mrs. Yerger said you cost this out as savings over 30
3 years. Is the life expectancy pretty assured that it's going to be functioning for 30 years? Mr.
4 Cahalan said the literature says they are pretty reliable and they also retain value if you decide to
5 sell them. Mrs. Yerger said are there any maintenance costs? Mr. Cahalan said after installation,
6 the costs are minimal. Mr. Maxfield said you state township hall micro grid, this would serve how
7 many buildings? Mr. Cahalan said they didn't look at that yet. They are looking at how much
8 energy they could reduce with the panels and it would serve more than one building in the
9 township. It would serve the E House. Cathy Gorman was saying that our current generation rate
10 of electricity is 4.94 cents per hour and one panel produced 1 KW or 1500 KW hours per year,
11 1500 KW for each panel would be \$15,000 per year of KW hours and the savings would be \$9,660
12 per year. Over the lifetime, over 20 – 30 years, you are looking at \$244,157 in electrical savings
13 from the use of the solar panels. Mrs. Yerger said Cathy's figures did not figure in the rate increase
14 from PPL in 2010, so the benefit would be much greater in the near future. Mr. Maxfield said can
15 this system be added onto in the future? Mr. Cahalan said yes, the thing with the micro grid, it
16 would take up most of the room on the police garage, so we'd have to look for supplemental type
17 of panels. They would have to look for other areas to augment this. Mr. Horiszny said does this go
18 back into the grid for credit? Mr. Cahalan said there are a limited number of days in this area you
19 can produce energy. If it's really good and you have excess energy, you can sell it back to PPL.
20 Mr. Maxfield said he went to an energy symposium and PPL has something worked out that it
21 actually costs you money to send the energy back to the grid. Most he heard it goes back and you
22 get credit.

23
24 Mr. Cahalan read some of the economic benefits. One of the key objectives to promote local solar
25 PV designed manufacture installation and commission, a preferred vendor. They mention a
26 preferred vendor, but we would go out and bid. On page 5, it says solar PD will generate electricity
27 otherwise purchased, reducing the operating cost for the township. This would reduce it by \$2,269
28 a year in today's energy cost factoring both incremental KW consumption and incremental KW
29 peak demand at current township electric rates, which answers Sandy's questions. With the case of
30 solar power, the peak demand impact is significantly greater than the consumption because solar
31 power is contributing during the time frame when the demand is highest. The value of the annual
32 savings is projected to grow \$3,063 by 2010 with significant additional increases expected in future
33 year. At a modest annual electrical cost the project will pay for itself in 20 years, not factoring in
34 the full benefit of demand reduction. He feels comfortable it is something that will pay for itself
35 and will cut down on electrical consumption.

36
37 Mr. Maxfield said they may be basing the preferred vendor selection on the fact it is a regional
38 business. Mr. Cahalan said they try to feature green manufacturers and suppliers.

39
40 **MOTION BY:** Mr. Horiszny moved to submit the grant.

41 **SECOND BY:** Mr. Maxfield

42 Mr. Kern asked if anyone had any questions? Mr. Wirth said with these solar panels, are the
43 zoning laws in the township going to allow a public resident to put solar panels on their house
44 if they are facing the southern facing or not impeding anyone's view? Ms. Stern Goldstein
45 said there's nothing in the zoning ordinance that would preclude solar panels on a house. If
46 they were solar arrays on a lot and they were functioning as the primary use, that would fall
47 under utilities and they would have to comply with everything there. If it's accessory or part of
48 a residential structure, it's accessory or part of the structure. Mrs. Yerger said she's seen down
49 in Bucks, it's the HOA that are putting in clauses because of the appearance and not allowing
50 them.

51 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

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- 1 **MOTION BY:** Mr. Horiszny moved to submit the 50% match of \$53,760, and not to exceed that amount.
- 2 **SECOND BY:** Mr. Maxfield
- 3 Mr. Kern asked if anyone had any questions? No one raised their hand.
- 4 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

5
6 Mrs. Yerger said there was an article with a big firm in NJ, a manufacture and they are working
7 with a lot of municipalities and get the most for their dollar.

8
9 **E. RESOLUTION 42-2008 – RESPONDING TO FIRE CALLS**

10 Mr. Kern said resolution 42-2008 has been prepared authorizing the release of Public Works
11 employees who are members of Township fire companies to respond to fire calls during the work
12 day.

13
14 **RESOLUTION #42-2008**
15 **RESOLUTION AUTHORIZING RELEASE OF TOWNSHIP PUBLIC WORKS**
16 **EMPLOYEES TO RESPOND TO FIRE CALLS**

17
18 **WHEREAS**, the number of new members joining volunteer fire companies across the country has
19 been decreasing for the past twenty (20) years; and

20
21 **WHEREAS**, since 1985, the number of volunteer firefighters in the State of Pennsylvania has
22 shrunk by more than half - from about 152,000 to about 70,000 or fewer today; and

23
24 **WHEREAS**, in the Township, fewer members of our volunteer fire companies are employed in
25 jobs located in the Township or work on shifts that would make them available to respond to fire
26 calls during the 6 a.m. to 6 p.m. period Monday through Friday; and

27
28 **WHEREAS**, this lack of volunteers has the greatest impact on our Township volunteer fire
29 companies when they are called out for Monday-Friday daytime fire calls, which, were it not for
30 mutual aid agreements with neighboring fire companies, could put them at risk of not being able to
31 adequately respond to these emergency service calls; and

32
33 **WHEREAS**, Lower Saucon Township Public Works employees, who maybe trained as
34 firefighters, are working in the Township during these Monday - Friday daytime hours and would
35 be available to respond to fire calls; and

36
37 **WHEREAS**, these Public Works employees, who at a minimum are qualified to drive fire
38 apparatus to the fire scene, and potentially provide additional support at working fires, would
39 provide critically needed manpower to supplement the mutual aid response to local fire calls; and

40
41 **WHEREAS**, the Township Council, in recognition of this critical need for manpower during the
42 Monday-Friday daytime period, directs that Public Works employees be released, with full pay,
43 except in those instances where their release would compromise public safety, to respond to fire
44 calls with the Township volunteer fire company they are a member of.

45
46 **NOW, THEREFORE, BE IT RESOLVED**, that the Council of Lower Saucon Township, Glenn
47 Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra
48 Yerger, Council Member; and Ronald Horiszny, Council Member; do hereby authorize the release
49 of Township Public Works employees, who are trained as firefighters and are members of
50 Township volunteer fire companies, to respond to fire calls during working hours subject to the
51 above conditions.

52
53 Mr. Cahalan said this is an issue the fire companies brought to us two years ago. They met with us
54 on a quarterly basis and one of their concerns is the period of 6 AM to 6PM Monday to Friday

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1 when they are having problems getting volunteers who work the area to respond to fires. Luckily,
2 they have mutual aid agreements where another fire company will help them out. It is a critical
3 problem nationwide and also state and local because things have changed. People no longer work
4 close to home like they used to. Residents don't work on shifts. Our population gets in their car
5 and drives somewhere to work and they aren't here during the day. The Fire Chiefs came and
6 discussed this problem with us and one of the things they pointed out was that we have members of
7 the fire companies working in the Public Works Department. Several municipalities have
8 addressed this. Hanover Township came up with a job description where they are actually hiring
9 Public Works personnel who are also a fire fighter. There are certain times public works personnel
10 cannot be released, such as when there is an open trench or when they are paving and they can't be
11 interrupted, they would have to pass on this. The resolution puts it down in writing to release the
12 Public Works person with pay. Mr. Maxfield said if someone is a volunteer fire fighter and they
13 are paving roads in a company vehicle, what do they do? Mr. Cahalan said they would authorize
14 them to take the company vehicle to the fire house. Mrs. Yerger said you talked in terms of
15 specifically listing the times it would "compromise" public safety, has that list been compiled? Mr.
16 Cahalan said one of the ones would be snow plowing or a paving project. Another one could be an
17 open trench, other heavy equipment being used, and for safety reasons, or they need flaggers if
18 work is being done on the road. He can make up a list for you. The other commitment from the
19 fire fighters, once the fire is over, they are released right back to Public Works. We are discussing
20 all these on a regional basis. Hellertown Borough has the same situation and their public works
21 employees are being released to respond to fires. It addresses a critical need for our area fire
22 companies.

23
24 **MOTION BY:** Mr. Horiszny moved for approval of Resolution 42-2008 – Public Works Employees
25 Responding to Fire Calls.

26 **SECOND BY:** Mr. Kern
27 Mr. Kern asked if anyone had any questions? Mr. Torrella asked if there might be an
28 endorsement by the insurance company? Mr. Cahalan said we're all covered under the same
29 workmen's compensation policy. Mr. Andrews asked who is the decision maker? Mr.
30 Cahalan said the Public Works Director. Mr. Maxfield said the buddy system should be in
31 effect so no one is left doing something themselves. Mr. Horiszny said you might have a
32 Leithsville fireman that's on the Lower Saucon Authority crew and a Leithsville fireman in the
33 township and the way the coverage is, Leithsville might be covering with Se-Wy-Co anyway
34 in this area. Mr. Cahalan said yes, we do have someone in the LSA and he does respond also,
35 so we have two people here and will be adequately covered for emergencies.

36 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

37
38 **F. BID AWARD FOR E3M EMULSIFIED ASPHALT**

39
40 Mr. Kern said an invitation for bids for E3M Emulsified Asphalt was advertised for a bid opening
41 on June 13. The Director of Public Works is recommending that Eastern Industries who was the
42 low bidder, with a price of \$81,900 for 35,000 gallons at \$2.34 per gallon, be awarded the bid.

43
44 **MOTION BY:** Mr. Kern moved that the road material bid be awarded to Eastern Industries as the low bidder.

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

47 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

48
49 **G. REVIEW OF APPLICATION FOR APPOINTMENT TO THE VACANT CONTROLLER**
50 **POSITION**

51
52 Mr. Kern said due to the resignation of the Township Controller, advertisements were placed in the
53 newspaper and on the website to request letters of interest to fill the position. Council will review
54 the application for possible appointment.

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1
2 Attorney Treadwell said we only received one application and he does not live in the Township, so
3 he cannot serve. At the moment, you have no one qualified for this position. His suggestion is we
4 leave it vacant and see if anyone else applies.
5

6 **MOTION BY:** Mr. Maxfield moved to table.
7 **SECOND BY:** Mr. Horiszny
8 Mr. Kern asked if anyone had any questions? No one raised their hand.
9 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

10
11 **VI. MISCELLANEOUS BUSINESS ITEMS**

12
13 **A. APPROVAL OF JUNE 4, 2008 MINUTES**

14
15 Mr. Kern said the June 4, 2008 minutes have been prepared and are ready for Council’s review and
16 approval.
17

18 Mr. Horiszny said on page 4, line 34, SECOND BY: change to Mr. Horiszny; Page 11, line 35,
19 MOTION BY: change to Mr. Horiszny, line 36 Second by: Change to Mrs. Yerger; page 12, line
20 21, Tom Maxfield was a second and not Glenn Kern.
21

22 **MOTION BY:** Mrs. Yerger moved for approval of the June 4, 2008 minutes, with corrections.
23 **SECOND BY:** Mr. Kern
24 Mr. Kern asked if anyone had any questions? No one raised their hand.
25 **ROLL CALL:** 3-1 (Mr. Horiszny- No; Mrs. deLeon – Absent)

26
27 **B. APPROVAL OF MAY 2008 FINANCIAL REPORTS**

28
29 Mr. Kern said the May 2008 Financial Reports have been prepared and are ready for Council’s
30 review and approval.
31

32 **MOTION BY:** Mrs. Yerger moved for approval of the May 2008 Financial Reports.
33 **SECOND BY:** Mr. Maxfield
34 Mr. Kern asked if anyone had any questions? No one raised their hand.
35 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

36
37 **VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

38
39 No one raised their hands.
40

41 **VII. COUNCIL AND STAFF REPORTS**

42
43 **A. TOWNSHIP MANAGER**

44
45 ➤ Mr. Cahalan said the landfill sent in a drawing that we distributed and it had to do with a
46 realignment of the discharge pipe from basin 7. The landfill was here several months ago
47 and asked for township support for routing a pipe under the landfill and they wanted to go
48 to DEP. DEP has turned them down on that request and they would like to have an interim
49 route. The comment period on this is up on June 23. Mr. Kocher said if it’s a new
50 location, and he hasn’t seen the plan yet, the Landfill Committee had some preferences and
51 somebody should probably look at that. Jim Birdsall is on vacation. If Jim can’t look at it,
52 Scott and Mr. Kocher can look at it, but Jim should look at it. He will let Mr. Cahalan
53 know. Mr. Maxfield said he’d like to ask for an extension for comments.
54

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- 1 **MOTION BY:** Mr. Maxfield moved to request an extension of DEP for the landfill's location map for the
2 pipe.
3 **SECOND BY:** Mr. Horiszny
4 Mr. Kern asked if anyone had any questions? Mr. Kern said what happens if DEP doesn't
5 grant the extension? Attorney Treadwell said we need to find out right away as someone needs
6 to look at it. Mr. Cahalan said he will put a call into Mr. Tomayko from DEP and make a
7 verbal request. It came in on May 21 and Leslie Huhn distributed it to everyone.
8 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
9

- 10 ➤ Mr. Cahalan said on the township newsletter, at budget time last year, he had made a
11 request to Council to forego the printing because of the cost and printing of the mailing,
12 and to go to the electronic newsletter. For the summer and late fall editions this year, he'd
13 like to go back and mail the newsletter. The accumulation of the email addresses is going
14 very slow. People have not voluntarily submitted email addresses, and secondly, there's
15 been a demand for residents to get the printed copies. They gave Council a sample of the
16 newsletter for Summer and the late Fall/Winter edition. Leslie said even though the
17 newsletter is posted on the website, we are not reaching a large portion of our residents.
18 One of the things, is the newsletter has grown and it keeps growing and we need to look at
19 what we need as the optimum size to keep down the cost. There are other ideas as funding
20 the newsletter from businesses through the community. He's requesting Council's
21 authorization to go back and print two editions, the summer and fall, and the cost would be
22 \$7,500.00. Mrs. Yerger said we expanded the number. Mr. Cahalan said we went from
23 three to four issues. You aim for four, and the fourth edition gets kicked into the next year.
24 Mrs. Yerger said she doesn't have a problem going back to three issues. Mr. Cahalan said
25 we need to look at articles that are repetitive and take them out. Mrs. Yerger said if you
26 time it right, three printed copies a year is more than sufficient. Mr. Maxfield said what
27 does a normal print run? Mr. Cahalan said about 3,500. Mr. Maxfield said he still believes
28 that it seems to be the way everybody is doing it. It's something that has to happen. Could
29 we cut down on the next few issues as there are people who are going to get it online? Mr.
30 Cahalan said it's hard to determine who is reading it on line. The mailing list needs
31 updating also. We should try to reach every household in the township. Mr. Maxfield said
32 maybe the transition is too fast. Mrs. Yerger said people change email addresses
33 constantly, so keep an updated viable email list is an overwhelming challenge. We're
34 constantly struggling with that at the Conservancy. Mr. Maxfield said the sample copy is
35 10 pages. It's online at the Township website, and anyone can print it off. Maybe that's
36 what we need to do. Mr. Cahalan said they were telling people it was on the township
37 website. Mrs. Yerger said they are now down to two newsletters, Spring/Summer and
38 Fall/Winter. The ultimate goal is to swing everyone over to email. Ms. Stern Goldstein
39 said there are a lot of issues. They see the good, the bad, and the ugly. It all used to be
40 distributed by mail and a bulk rate, you know when it's leaving your building, but not when
41 they are going to receive it. They seen a lot of municipalities go totally electronic and
42 everyone has had the same headache with people changing their email addresses. If you
43 do enough planning ahead, and let the residents know and insert it in the resident packets,
44 put in a post card, and get all your current resident information and then let it go to
45 everyone. Let them know it will be published two times a year and let them know it will be
46 available at the township and if they give you their email address, you will email it to them.
47 Mrs. Yerger said if you have any important information that needs to get out; you need to
48 send it through the newsletter. Anyone who gets 60- 70 emails a day, you don't read
49 anything. Ms. Stern Goldstein said the first things she reads first is a post card, something
50 that is eye catching. Try a post card and it's a lot less expensive for postage. Mr. Maxfield
51 said he likes reserving the idea to mail for something real important. There is a lot in the
52 newsletter that is not time sensitive. If we have to mail the next couple of issues, that's
53 fine. Mrs. Yerger said maybe for the next six months, try to get down to two newsletters.
54 She does newsletters and she could look at it and help them out and cut the printing in half.

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1 When it comes down to dollars and cents, then you give the person who is putting
2 something in the newsletter so many words, and after that, they have to pay so much a
3 word. Mr. Maxfield said give them a link, then they can read the entire article. It's going
4 to have to happen. Mrs. Yerger said we have to think of the older population who do not
5 have computers. She will help Leslie out with the newsletter and give her some
6 recommendations. Mrs. Yerger said she'd like to get it printed on recycled paper. That
7 will be slightly less. Mr. Maxfield said don't print full color. Mr. Cahalan said it is black
8 and white. Mr. Kern said this will be discussed at budget time.

10 **MOTION BY:** Mr. Horiszny moved for authorization to go back and print two editions, the summer and fall,
11 not to exceed \$7,500.00.

12 **SECOND BY:** Mr. Kern.

13 Mr. Kern asked if anyone had any questions? Mr. Andrews asked how many agendas are
14 being emailed? Mr. Cahalan said hundreds.

15 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

- 16
- 17 ➤ Mr. Cahalan is working with Upper Saucon Township and Hellertown Borough in setting
18 up a public meeting to present the plans for the Rails to Trails project. Judy will help him.
19 They will have it here. He has three dates, July 23, 30 or 31 and let him know your
20 availability. They will advertise it as a public meeting and have the three municipalities,
21 state legislators attend, and do a presentation and they hope to have the right of entry
22 permit from Septa so we can go on the rail lines. Mr. Kern asked if there were any
23 available dates in August? Mr. Cahalan said he'd have to go back to the municipalities and
24 see if they are available. We are hoping we can get some agreement by September.
- 25 ➤ On Monday, August 4, the Park and Rec meeting, is scheduled to be a Steel City to conduct
26 a visioning session with residents of the township and other recreation groups to talk about
27 a vision for improvements on Steel City Park. It is a park we want to make some
28 improvements in. Judy Stern Goldstein is in charge of that.
- 29 ➤ The draft of the multi municipal plan will be presented to the public on Monday, June 30 at
30 6:30 PM at the Saucon Valley School District. We're looking for input from the public and
31 community stakeholders throughout the summer. It will be going to the Planning
32 Commission tomorrow night for a presentation. It will be recommended to the Council and
33 then distributed. We hope to come back to Council sometime in September to adopt the
34 comprehensive plan.
- 35

36 **B. COUNCIL/JR. COUNCIL**

37

38 **Mr. Maxfield**

- 39 ➤ Mr. Maxfield said the PC meeting tomorrow night, it's the only thing on the agenda, so
40 he'd like to encourage all council members and anyone else to come. You need to hear it a
41 couple times for it to sink in.

42

43 **Mrs. Yerger**

- 44 ➤ She got an email from Rep. Freeman's office. It says today he stood with colleagues with
45 the General assembly and reps from environmental groups to call upon the PA DEP to
46 require 100 foot buffers on all rivers and streams. These water sheds have become
47 increasingly compromised by development over the years. One of the best ways to
48 stabilize a water way is to preserve its natural corridor. These buffers would do this by
49 preserving a 100 foot wide strip of land along the stream bank with native vegetation and
50 trees and that native vegetation acts as filter for the water and as a barrier and haven to
51 overflowing river banks in periods of rain. This initiative will not affect existing
52 structures, but will only govern future developments. It's a great step and we have a 100
53 foot buffer. She'd like Jack Cahalan to send a letter of township support to Bob Freeman
54 with his request to DEP to make this statewide.

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- 1 **MOTION BY:** Mrs. Yerger moved to direct Mr. Cahalan to send a letter of township support to Bob Freeman
2 with his request to DEP to make this statewide.
3 **SECOND BY:** Mr. Horiszny
4 Mr. Kern asked if anyone had any questions? No one raised their hand.
5 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
6

7 **Mr. Horiszny**

- 8 ➤ He said in a newsletter, they put in about a survey about the campaign free zone, did you
9 hear anything? Mr. Cahalan said the other one was community gardens. They only
10 received two responses.
11

12 **Mr. Kern**

- 13 ➤ Mr. Kern said Ron had mentioned at a previous meeting about having live in firemen and
14 have college students live at the fire station. They presented that idea at the Fire Company
15 meeting and everyone listened, but there are no live in quarters at any of the facilities.
16 You'd have to build live in quarters, and that would be a major expense.
17

18 **Mrs. deLeon**

- 19 ➤ Absent
20

21 **Ms. Georgiana Torrella**

- 22 ➤ She said the Class of 2008 graduated on June 6, 2008.
23

24 **C. SOLICITOR**

- 25 ➤ Nothing
26

27 **D. ENGINEER**

- 28 ➤ Nothing
29

30 **E. PLANNING**

- 31 ➤ Ms. Stern Goldstein said the quarry trail at Polk Valley Park - they made the
32 recommendation that the trail not be made of porous paving. It's steeply sloped and it
33 would do more harm than good to the surrounding area. They were asked if there would
34 be alternative surfaces and why they are not recommending any of them because of the
35 steep nature of the area and for any of these materials to wash away and cause more
36 damage and wash down the slope into the quarry and have more of a problem. The only
37 other benefit to paving is it is fully ADA accessible. They suggest it reluctantly to be made
38 of traditional bituminous paving.
39

40 **VIII. ADJOURNMENT**

- 41
42 **MOTION BY:** Mr. Horiszny moved for adjournment. The time was 9:00 PM.
43 **SECOND BY:** Mr. Maxfield
44 Mr. Kern asked if anyone had any questions? No one raised their hand.
45 **ROLL CALL:** 4-0 (Mrs. deLeon – Absent)
46

47 Submitted by:
48
49
50
51

52 _____
53 Mr. Jack Cahalan
Township Manager

52 _____
53 Glenn Kern
President of Council