

I. OPENING

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

II. PRESENTATIONS/HEARINGS

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. Christopher & Stacey Blowars – 1502 E. University Avenue - Variance for Side Yard Setback for a Garage
 - 2. David & Nancy Cawley – 2092 – 2094 Easton Road – Variance for Side Yard Setback for Proposed Addition
 - 3. Andrew Dishong & Emily Miller – 2579 Kings Mill Road – Variance for Maximum Impervious Coverage for Inground Pool
 - 4. Michael & Martha Kreck – 2265 Apple Street – Variance for Front and Side Yard Setback for a Detached Garage
 - 5. Ben Franklin Technology Partners of Northeast PA – 116 Research Drive – Variance for Front Yard Setback and Exceedance of Maximum Allowable Building Height
- B. Presentation of Semi-Annual Financial Review
- C. Budget Advisory Committee Member Application

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of July 1, 2015 Minutes
- B. Approval of June 2015 Financial Reports

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Zoning Hearing Board Meeting: July 20, 2015
Next Saucon Rail Trail Oversight Commission Meeting: July 27, 2015 @ UST
Next Park & Rec Meeting: August 3, 2015
Next Council Meeting: August 5, 2015
Next EAC Meeting: August 11, 2015
Next Planning Commission Meeting: August 27, 2015
Next Saucon Valley Partnership: September 9, 2015 @ HB

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, July 15, 2015 at 7:02 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

ROLL CALL: Present: Ron Horiszny, President; Thomas Maxfield, Vice President; and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Cathy Gorman, Director of Finance; Linc Treadwell, Township Solicitor. Absent: Dave Willard and Glenn Kern, Council Members; Judy Stern Goldstein, Township Planner; Brien Kocher, Township Engineer.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did meet in Executive Session this evening to discuss property acquisition.

MOTION BY: Mr. Maxfield moved for approval to authorize the Township to proceed with a survey of Parcel No. 42-006-033, also known on the EAC log as No. 2015-2, and based on an information sheet provided to us by Attorney Clemons entitled the Riemann property.

SECOND BY: Mr. Horiszny

ROLL CALL: 3-0 (Mr. Kern and Mr. Willard – Absent)

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone.

II. PRESENTATIONS/HEARINGS – None

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES

1. CHRISTOPHER & STACEY BLOWARS – 1502 E. UNIVERSITY AVENUE – VARIANCE FOR SIDE YARD SETBACK FOR A GARAGE

Mr. Christopher Blowars was present. He said they applied for a variance so they can increase the garage size from 22'x32' to 26'x38'. Council took no action.

2. DAVID & NANCY CAWLEY – 2092-2094 EASTON ROAD – VARIANCE FOR SIDE YARD SETBACK FOR PROPOSED ADDITION

Mrs. Nancy Cawley was present. She said they would like to add on to 2094 Easton Road. Mr. Maxfield said these are two residences that have been on that property forever, so they are existing and are being used as two different structures with two different addresses. Council took no action.

3. ANDREW DISHONG & EMILY MILLER – 2579 KINGS MILL ROAD – VARIANCE FOR MAXIMUM IMPERVIOUS COVERAGE FOR INGROUND POOL

Mr. Andrew Dishong was present. He said they are requesting a variance to put a pool in towards the bottom of their lot. They are going to improve the drainage and storm water management on the side of their yard because of that. Mr. Maxfield said it looks like most of their property is eaten up in special features, floodplain, creek, so you probably have a limited area where you can do anything as far as percentages go. Mr. Horiszny said the buildable area is .66 acres out of a 5-acre lot which puts them over the impervious coverage rules the Township has. This one occurred before the rules were changed. Council took no action.

4. **MICHAEL & MARTHA KRECK – 2265 APPLE STREET – VARIANCE FOR FRONT AND SIDE YARD SETBACK FOR A DETACHED GARAGE**

Michael Kreck was present. He said he has an odd piece of property. His one-car garage is old and they'd like to replace it. They'd like to make it a two-car garage, which would make it 9' wider. Most of the extension is toward the center of his property. Council took no action.

5. **BEN FRANKLIN TECHNOLOGY PARTNERS OF NORTHEAST PA – 116 RESEARCH DRIVE – VARIANCE FOR FRONT YARD SETBACK AND EXCEEDANCE OF MAXIMUM ALLOWABLE BUILDING HEIGHT**

Kate Durso was present on behalf of Ben Franklin. She said there's a very small sliver of a proposed expansion that lies within LST. The expansion is to match the existing building including the height and design. They are scheduled before a hearing at the City of Bethlehem next Wednesday. The City had no issues with the existing facilities. Council took no action.

B. PRESENTATION OF SEMI-ANNUAL FINANCIAL REVIEW

Ms. Cathy Gorman was present. She read a document that was developed at the request of Council to provide a mid-year status report of the Township's financial condition. She reviewed the General Fund, the revenues, and expenses.

Mrs. deLeon asked if we got part of the money back for the Host Municipal Inspector? Ms. Gorman said we do apply for a grant and receive the funding the following year. Mrs. deLeon said she's shocked that we spent \$24,000.00 for legal fees for the uniform and non-uniform negotiations. Ms. Gorman said it's still not settled. Ms. Gorman asked the engineers regarding the Black River Road project, for any additional costs, and was told it is going to cost an additional \$17,000.00 to prepare the bids and monitor the work being done at the site. Mr. Horiszny questioned the lawsuits. Ms. Gorman said the insurance company is handling the one and there are some legal fees resulting from some other personnel matters. Mr. Maxfield asked what resulted in the State Aid being \$16,000.00 more this year? Ms. Gorman said that was due to the increase in the gasoline tax. Mrs. deLeon asked about the audit report? Ms. Gorman said the auditor will be preparing the hard copy.

Mr. Gene Boyer asked about the landfill revenue and the overage going into next year. Ms. Gorman said last year they were told by the operators to budget \$1.2 million for 2015. Currently, we received over \$850,000.00 so there's about \$345,000.00 left. We're more than likely going to be over what our anticipated revenue was projected to be. If they are receiving more tonnage now, they will expect to receive less tonnage next year which means the budgeted amount will be less. Mr. Boyer asked what the expected life of the landfill is since they are cutting back? Mrs. deLeon said that would be in the next annual report we get. Attorney Treadwell said they have a finite amount of tonnage they can take in under their existing DEP permit. They only have X percent of that left. That's a business decision they have to make. Mr. Boyer questioned why the expenditure for the library of 73% was so high? Ms. Gorman said we're in the second year of a two-year arrangement with them to pay for capital improvements. That payment is issued at the beginning of the year. Next year the library contribution will be split up among twelve months. Mr. Boyer said on the last capital fund, he thinks Ms. Gorman was talking about participant recreation of \$1,472.50; was for the Steel City Park? Ms. Gorman said that was for some tree removal at the park. Mr. Boyer said is that the total expense so far? Ms. Gorman said yes. The rest of it was our Public Works labor. Mr. Boyer asked for the cost of the work done by Public Works.

C. BUDGET ADVISORY COMMITTEE MEMBER APPLICATION

Ms. Gorman said there are two people on the Budget Advisory Committee and she received a notice of interest from an additional person. She sent a request for a resume as she had to verify the requirements that Council had. She hasn't received it to date. Mrs. deLeon said they talked about that it would be nice to have a resident w/o financial expertise, as a balance to that. Mr.

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Maxfield said that was not a Council directive. Mr. Horiszny said the request was made for additional information and it didn't come in, so we can't act on this issue. Mrs. deLeon said let's table it until the next meeting to see if he'll submit something in writing. Ms. Gorman said she is trying to schedule the first meeting with those who have been appointed. She would like to ask Council to give her an extension of time and come back next year with a full report since the committee is getting such a late start. Ms. Gorman said the report was supposed to be presented to Council by October 1, 2015 but the extension would be for a final report given to Council by October 2016. Mr. Maxfield said would it help to have an update before that date?

Mr. Gene Boyer asked if it is possible that Council could enact some type of change to the listing of the landfill revenue in the budget. It is currently list under sanitation and would be easier to understand as a landfill host fee rather than sanitation. Ms. Gorman said she can, but so Council knows, the General Ledger accounting codes are derived from DCED, and they tie directly to the DCED formulas that are required by the State to process their reports and the Auditors use the same codes. She can see if her system can create a separate line item as each one has a category.

- MOTION BY:** Mr. Maxfield moved for approval to extend the date of October 2015 to October 2016 with the end of the year update included from the Budget Advisory Committee.
SECOND BY: Mr. Horiszny
ROLL CALL: 3-0 (Mr. Kern and Mr. Willard – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JULY 1, 2015 COUNCIL MINUTES

Mr. Horiszny said the July 1, 2015 minutes are ready for Council approval. Mr. Horiszny had some typo corrections made.

- MOTION BY:** Mr. Horiszny moved for approval of the July 1, 2015 Council minutes, with corrections.
SECOND BY: Mr. Maxfield
ROLL CALL: 2-1 (Mr. Kern and Mr. Willard – Absent; Mrs. deLeon – No)

Attorney Treadwell said he issued an opinion before that the minutes just needed a majority of Council members present, so that motion would pass. He has stated a couple of times before, because of the differences in the language of the Second Class Code and your own LST Administrative Code, the issue keeps coming up as to which types of vote requires a majority of the entire Council versus which types require a majority of the Council members present at a meeting, so with Council's permission, he'd like to come up with a list and give it to Council for their consideration and then you can adopt a policy and everyone would be on the same page. Setting a policy based on what the Administrative Code and the Second Class Code say would be an easier way to resolve it. If he comes up with a list and you want to remove or change something, you can. He will develop this procedure and draft it as a policy.

B. APPROVAL OF JUNE 2015 FINANCIAL REPORTS

Mr. Horiszny said the June 2015 Financial reports are ready for Council review and approval.

- MOTION BY:** Mr. Maxfield moved for approval of the June 2015 Financial reports.
SECOND BY: Mr. Horiszny
ROLL CALL: 3-0 (Mr. Kern and Mr. Willard – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan he has four special event application requests that have been reviewed by the Parks & Recreation Board and they recommend approval of all events. The first one is for May 14, 2016, which is a wedding at the Lutz-Franklin Schoolhouse. Doug Kingston met with the LST Historical

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Society about the use of the schoolhouse and they will do some rearrangement of the inside. The only impact is the parking which staff has looked at and has no comments. The second one is the Hellertown Area Library's annual Get Booking 5K Race on Saturday, September 26, 2015. They made a request for road closures and that was reviewed by PD and they recommended that this not be done because we would incur additional cost for the PD and PW. The 6th annual Cyclocross Race will be on held at Town Hall Park. No food will be prepared. No comments from staff. Lastly, Cub Pack 319's Rocket Day at Polk Valley Park is planned for July 28, 2015. No comments from staff.

- MOTION BY:** Mr. Horiszny moved for approval of the four special application requests per the staff's recommendations.
SECOND BY: Mrs. deLeon
ROLL CALL: 3-0 (Mr. Kern and Mr. Willard – Absent)

- Mr. Cahalan said there is an offer through the Saucon Creek Watershed Association for the Penn State University Lehigh Campus students to do some work and the suggestion was to help out with completing the plantings in the landscape plan for at the Heller Homestead with a date of August 20, 2015 under the supervision of Boucher and James. The SVC is in favor of the plan and would like to include some plantings in the flower beds as part of the project. A meeting is set for next week to go over the proposed scope for this project.

B. COUNCIL

Mr. Maxfield

- He said there is an E-cycling event on August 1, 2015 at Heintzelman Funeral Home. It's posted on the website. There are a lot of items that are free.

Mrs. deLeon

- She asked how the Township handles fireworks and if they are legal? Mr. Cahalan said he doesn't believe they are legal by state law. If residents have a complaint about fireworks, they can call the PD and they will respond.

Mr. Kern – Absent

Mr. Willard – Absent

Mr. Horiszny

- He said the request for the 35 MPH speed limit on Route 412 from Rosalie Drive to Hellertown has been denied by PennDOT.

D. SOLICITOR – No report

E. PLANNER – Absent

F. ENGINEER – Absent

VIII. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 8:00 p.m.

SECOND BY: Mr. Maxfield

ROLL CALL: 3-0 (Mr. Kern and Mr. Willard – Absent)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President