

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, August 15, 2012 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Dave Willard and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Linc Treadwell, Township Solicitor; Karen Mallo, Township Planner; Dan Miller, Township Engineer.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session between our last meeting and this meeting.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said if you are on the agenda, you have Council's undivided attention. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. If you are here for a non-agenda item, that would fall under Item VII. Public Comment/Non-Agenda Items. That would be your opportunity to speak at that point. If you do speak, we ask that you use the microphones as the minutes are transcribed verbatim and we want to make sure we get every word and please state your name for the record for the transcriptionist. He asked if anything has been taken off the agenda? Mr. Cahalan said no.

III. PRESENTATION/HEARINGS

A. RESOLUTION #59-2012 – HONORING BECHDOLT'S ORCHARDS FOR THEIR SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #59-2012 has been prepared to honor Bechdolt's Orchard, at the 2012 Hellertown-Lower Saucon Community Day on August 18, 2012.

A RESOLUTION HONORING BECHDOLT'S ORCHARDS FOR THEIR SERVICE TO THE COMMUNITY

WHEREAS, Bechdolt's Orchards, a family owned and operated business, has been in operation in Lower Saucon Township for over 85 years; and

WHEREAS, the business was originally established in 1927 by William Bechdolt in the Seidersville area of the Township; and

WHEREAS, in 1947, after service in Navy, William's son, John Bechdolt, moved the business to its current location at 2209 Leithsville Road and started with a 13-acre orchard; and

WHEREAS, John Bechdolt continued to expand the business to its current 72 acres, which makes its one of the largest orchards in Northampton County; and

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WHEREAS, in 1950, John's brother-in-law, William (Bill) Rowe, came as a young child to help out at the orchard and remained; becoming a full partner in 1985, and taking over ownership of the business in 2003 following the death of John Bechdolt; and

WHEREAS, with the assistance of his sons, William, Jr. and Richard, and daughter-in-law, Chris, Bill Rowe has established Bechdolt's Orchards as an area destination for apples and peaches, and a variety of fresh vegetables, eggs, baked goods, and the best apple cider in the Saucon Valley; and

WHEREAS, Bill and his family will be saluted at the 2012 Hellertown – Lower Saucon Community Day for their community service to the Saucon Valley.

MOTION BY: Mrs. deLeon moved for approval of Resolution #59-2012.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

B. RESOLUTION #60-2012 – HONORING KLOTZ'S BAIT & TACKLE SHOP FOR THEIR SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #60-2012 has been prepared to honor Klotz's Bait & Tackle Shop, at the 2012 Hellertown-Lower Saucon Community Day on August 18, 2012.

A RESOLUTION HONORING KLOTZ'S BAIT & TACKLE SHOP FOR THEIR SERVICE TO THE COMMUNITY

WHEREAS, Klotz's Bait & Tackle Shop has been serving fishing enthusiasts in the Saucon Valley for the past 29 years; and

WHEREAS, the business grew out of the worm-catching prowess of Tim Klotz and his buddy, Tom Moran, who started collecting night crawlers until they had amassed over 25,000 worms and figured that they should start selling them for a dollar a dozen; and

WHEREAS, when the boys' urge to go trout fishing won out over collecting worms, they relinquished the bait business to Tim's mother, Caroline Klotz, who with her husband, George, opened the business in a back room of their house on Hess Avenue; and

WHEREAS, while George worked full-time for the Borough, the Klotz's continued to pack all the worms themselves, and slowly grew the business to what it is today by expanding their worm collection and gradually filling their shelves with fishing tackle; and

WHEREAS, for the past six (6) years the business has partnered with the Saucon Valley Community Center for the Center's annual fishing contest at the Hellertown Grist Mill that benefits children with medical and disability challenges; and

WHEREAS, Klotz's Bait and Tackle Shop is widely known for its honest and courteous service and prides itself on a policy of checking everything before it leaves their shop since day one; and

WHEREAS, Klotz's Bait and Tackle Shop will be saluted at the 2012 Hellertown – Lower Saucon Community Day its community service to the Saucon Valley.

MOTION BY: Mr. Maxfield moved for approval of Resolution #60-2012.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

C. **RESOLUTION #61-2012 – HONORING BOB ZERFASS & THE HELLERTOWN ROYALS FOR THEIR SERVICE TO THE COMMUNITY**

Mr. Kern said Resolution #61-2012 has been prepared to honor Bob Zerfass and the Hellertown Royals, at the 2012 Hellertown-Lower Saucon Community Day on August 18, 2012.

A RESOLUTION HONORING BOB ZERFASS AND THE HELLERTOWN ROYALS FOR THEIR SERVICE TO THE COMMUNITY

WHEREAS, Bob Zerfass and the Hellertown Royals have been providing wholesome enjoyment and entertainment to Saucon Valley residents for over thirty-five (35) years; and

WHEREAS, Bob Zerfass, who was a standout player in high school and at Moravian College, and continued on as a player and manager in the Blue Mountain League, is celebrating his 50th year with the organization in 2012; and

WHEREAS, as a result of Bob's baseball exploits he has been inducted into the Moravian College, Northampton County Legion, and the Blue Mountain League Halls of Fame, and is the only individual in Blue Mountain League history to garner batting, pitching, home run titles in addition to receiving the MVP, Sportsmanship, President's and Manager of the Year awards; and

WHEREAS, in 1977 Bob and George Cobb founded the Hellertown Royals, and since that time Bob has managed the team to a record 801 wins and 420 losses, and led them to fifteen (15) championship series finals, winning the league title six times in 1978, 1979, 2005, 2009, 2010 and 2011, which is the second most in league history; and

WHEREAS, Bob coached many well known players over the years including Tim Fisher, George Cobb, John King, Gary Albright, and Ed Wandler who are all members of the Blue Mountain Hall of Fame; and

WHEREAS, Bob and the Hellertown Royals will be saluted at the 2012 Hellertown – Lower Saucon Community Day for their community service to the Saucon Valley.

MOTION BY: Mr. Maxfield moved for approval of Resolution #61-2012.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

Mrs. deLeon said she will be at Community Day on Saturday at noon, along with Mr. Willard.

D. **RESOLUTION #62-2012 – RECOGNIZING ALEX BRUENINGSSEN FOR RECEIVING THE EAGLE SCOUT AWARD**

Mr. Kern said Resolution #62-2012 has been prepared to recognize Alex Brueningsen for receiving his Eagle Scout Award.

A RESOLUTION RECOGNIZING ALEX BRUENINGSSEN FOR RECEIVING THE EAGLE SCOUT AWARD

WHEREAS, Alex Brueningsen been a member of Boy Scout Troop #318 since 2000 where he has served as a Patrol Leader, Troop Guide, and as an Order of the Arrow Troop Representative; and
WHEREAS, Alex has earned 26 merit badges and awards during his service with the Boy Scouts; and

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WHEREAS, Alex worked with his pastor earning the God and Church medal for the St. Stephen's Evangelical Lutheran Church in 2009, where he continues to be a part of the Youth Group; and

WHEREAS, Alex, who also attained membership in the prestigious Order of the Arrow, completed BSA National Youth Leadership training, and served on staff as a Troop Guide during the sessions in 2011 and 2012; and

WHEREAS, Alex, who graduated from Saucon Valley High School in June 2012, will be attending Northampton County Community College, majoring in culinary arts, with plans to become a pastry chef; and

WHEREAS, for his Eagle Scout project, Alex designed and constructed a Memorial Garden for Service Dogs at the Animals in Distress Rescue Shelter in Coopersburg, PA; and

WHEREAS, for his efforts Alex has earned the Eagle Scout Award, the highest honor in Boy Scouting.

MOTION BY: Mrs. deLeon moved for approval of Resolution #62-2012.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments? No one raised their hand.
ROLL CALL: 5-0

Mrs. deLeon said this is a great accomplishment for Alex and for his parents. You set an example for others, and we need more kids to do what you do.

E. PUBLIC HEARING – INTERMUNICIPAL TRANSFER OF A LIQUOR LICENSE TO FRANK HOSPITALITY SAUCON, LLC, 3717 ROUTE 378 – RESOLUTION #63-2012

Mr. Kern said a public hearing has been advertised to transfer a liquor license from an establishment in Easton, PA to an establishment known as Revolutions located in Lower Saucon Township at 3717 Route 378. Resolution #63-2012 has been prepared to allow for this transfer and is presented for Council's review.

A RESOLUTION OF LOWER SAUCON TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA APPROVING TRANSFER OF LIQUOR LICENSE R19674 FROM 1600 N. DELAWARE DRIVE, EASTON, PA TO OPERATE AT 3717 ROUTE 378, BETHLEHEM, PA, LOWER SAUCON TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA

WHEREAS, Frank Hospitality Saucon, LLC (Revolutions), owner of 3717 Route 378, Bethlehem, Lower Saucon Township, Northampton County, Pennsylvania and has, by application dated July 16, 2012, requested Lower Saucon Township Council's approval of an Inter-Municipal Liquor License Transfer pursuant to Act 141 of 2000, Pennsylvania Liquor Code, 47 P.S. § 4-461; and

WHEREAS, pursuant to Section 461(b.3) of the Pennsylvania Liquor Code, as amended by Act 141 of 2000, 47 P.S. § 4-461(b.3), the Council of Lower Saucon Township (Council) conducted a public hearing pursuant to public notice, including notice to nearby property owners and the Chief of Police with respect to the application for the inter-municipal transfer of a Liquor License and/or the issuance of an Economic Development License, on Wednesday, August 15, 2012, at 7:00 p.m., prevailing time, in the Lower Saucon Township Municipal Building, 3700 Old Philadelphia Pike, Bethlehem, PA 18015; and

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WHEREAS, Frank Hospitality Saucon, LLC will operate an establishment known as “Revolutions” at 3717 Route 378, Lower Saucon Township, Northampton County, Pennsylvania; and

WHEREAS, Frank Hospitality Saucon, LLC will file an application with the Pennsylvania Liquor Control Board for a Liquor License Transfer under the Act, as aforesaid, for use at said establishment known as “Revolutions”; and

WHEREAS, no evidence was provided at the hearing sufficient to demonstrate that transfer of the Liquor License as requested by Frank Hospitality Saucon, LLC to the aforementioned location would adversely affect the welfare, health, peace and morals of Lower Saucon Township or its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township hereby approves Frank Hospitality Saucon, LLC’s application for an Inter-Municipal Liquor License Transfer Pursuant to Act 141 of 2000, Pennsylvania Liquor Code, 47 P.S. § 4-461(b.3) for License R19674 to be used in conjunction with the operation of said establishment known as “Revolutions” located at 3717 Route 378, Lower Saucon Township, Northampton County, Pennsylvania.

MOTION BY: Mr. Horiszny moved to open the public hearing.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

George Baurkot, attorney for the applicant was present. He said he provided Attorney Treadwell with the application. His client seeks opening of a first class operation and first class facility. The subject premises are not located near any schools, near any churches, nor any homes or playgrounds. With him, is the Director of Real Estate, Mr. Rick Albertson if anyone has any questions.

Attorney Treadwell asked if they could tell the Council and audience about the establishment. Attorney Baurkot said they intend to open a bowling facility and restaurant in the former movie theater across the street in the shopping center. They intend to improve the property. Mrs. deLeon said wasn’t there another name when you first advertised this? Attorney Baurkot said no, it’s always been Frank Hospitality LLC trading as Revolutions.

Mr. Kern asked the applicant to describe what the facility would be like. Mr. Albertson said they call them family entertainment centers. They have different concepts; they have theaters and entertainment centers and combo units. This is one of the entertainment centers. It’s bowling. It was based on their theory that they have seen a lot of bowling alleys that were built in the 50’s and 60’s, but when people his son’s age and their wives who are in their 30’s, want to go out on an evening and bowl and have a beer or glass of wine or food, there’s really no place for them to go. They open these up and it has good food and you do have a lounge in there. There is an electronics boutique which is the high end electronic games. The bowling is the main stay. There will be 20 lanes and you rent the lanes. They all have flat screen TV’s over them. You can program the TV’s and each one can play differently. You can rent two or three of them; there’s a screen that can go down and segregate you by means of this screen and you could have a movie playing up on the four screens where you are bowling if that’s what you care to do. In the meantime, there will be people who will guide you to the shoes, the balls, etc. It’s not the bowling alleys of old. They found they’ve been extremely well received and have been very busy. The ones they have now, if he walks in the door, he’s bringing up the average age in there, but it’s mostly young families that will go in.

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Mr. Kern said where have you had success with these in other locations, in Pennsylvania? Mr. Albertson said no, but they are going to do three more in Pennsylvania. The only thing they have opened now in Pennsylvania is in York. They have a combo unit, which is the theater and the entertainment venue together down in Murrells Inlet, SC, south of Myrtle Beach. They have one in Vero Beach, and some under construction in Delray Beach, Florida; Syracuse, NY; Palm Beach at City Place, which is entertainment only. They do the entertainment only if there is a good first run movie theater in the area close by. If there isn't one, then they do all concepts including the theater. In this case, the Rave moved in and the Regal was undersized and can't compete. If you are within five miles of another theater in suburban USA, you can't play the same movies. Hollywood makes sure that only one person gets a distribution of a movie, so if Star Wars is coming out with Star Wars 19 and you don't get it, you're out of luck. They are usually going to put the movie at the theater that will gross the most. In this case, it would go to the Rave, and Regal needed to close their doors. This was a good use for it. They were in touch with them about a year and a half before they agreed to have it transferred over. They wanted to make sure we weren't going to run a theater, and they assured them they weren't. He has a concept drawing of the exterior and a floor plan of the interior.

Mr. Horiszny asked what the hours of operation were? Mr. Albertson said for the most part, it will be like a movie theater which would stay open as long as people want to eat and bowl. They'll close the doors at 1:00 am to 1:30 am. The only time you open up is if someone comes and wants to run a league in the morning and that's usually a retirement group who has it at 8 am or 9 am. Usually you don't open until about 10 am or 11 am.

Mr. Maxfield said what sort of safeguards do you put in place to deal with underage drinking? Mr. Albertson said they have a lounge in all of their theaters, so they have hospitality and beverage people. They have a General Manager at each location full time as well as Security. There are clearly listed rules posted on the door and there's no second chance on them. If you get removed, you will not come back. In some locations, they have hired off-duty local policemen. The bars are run no differently than at any other place. They are very well aware that you lose your license and they have a lot of liquor licenses. The people that have been hired have been experienced. Mr. Maxfield said you'll have service like beer in pitchers and they can take it back to the bowling alley. Mr. Albertson said you'll see from the floor plan it's wide open and the General Manager is always walking the space and you have hostesses, and they are keeping an eye on everything that's going on. Somebody who bought the beer and if they try to give it to someone who is underage, they will be removed. There's no way they can stop them from handing it to someone, but they can remove them and stop it once it's happened. If they have a family there and they are with children, and the husband and wife want a beer or wine, they are going to serve it to them. Attorney Baurkot said there are electronic devices to check I.D.'s.

Mr. Willard asked what their planned opening date was? Mr. Albertson said hopefully before Thanksgiving.

Mrs. deLeon said she hates to see empty old business buildings. She thinks it's good that something is going in there. Mr. Albertson said the one they are doing, is going into second generation space, and it makes sense for the owner, developer and for them. In a lot of cases, it can work. This presented a lot of challenges with the auditorium, but they were able to get around it. Attorney Baurkot said there is ample parking there.

Mr. Kern said on the plan, there's a sports lounge. What is that? Mr. Albertson said they've done this because they are going into Rockhill, SC, which is a suburb of Charlotte. They are going into Syracuse into a place called Destiny, which is going to be a 3 million square foot mall. In the sports section, they have over a 100" plasma TV. There are 18 to 20 on either side, then it's tiered, horseshoe-shaped tables. You can rent a table. You can rent the whole place. In Syracuse, they'll

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make sure they have all the Syracuse games on, and whatever other sporting events may be on. In Rockhill, SC, they will have a lot of Nascar on. That's what it's for.

Mr. Willard asked if they are based in Florida? Mr. Albertson said the headquarters is in Jupiter, Florida. Mr. Willard said they are very happy to see a commercial business coming into that space. This looks like a beautiful design and concept and it's tried and true. He knows some of the other tenants in that center have been concerned about the vacancy.

Mr. Kern said hopefully this will be the seed for the growth of the rest of the complex. Mr. Albertson said they bring in a lot of young families. A lot of times it does help.

Mr. Kern asked if anyone in the audience had any comments? Suzette and Anthony Califano were present. She said their property borders the old movie theater on West Raders Lane. She has several questions. She'd like to know what type of liquor license is being transferred? Is it an R, a C, or a CC? Attorney Baurkot said it's an R. Ms. Califano said do you have any of these entertainment centers without liquor? Attorney Baurkot said he's not aware of that. Mrs. Califano said have you been working on this place for awhile now and it's almost ready to go? Mr. Albertson said just demolition. Mrs. Califano said you've signed a lease already? Mr. Albertson said yes. Mrs. Califano said you signed a lease, and you're applying for a liquor license, and then you decide to send out letters, so basically, this is a done deal. Attorney Baurkot said the lease is conditioned upon approval by the Liquor Control Board and approval by the Township. Mrs. Califano said why send out these letters to her? She has no say in this? Mr. Kern said you do have say, that's why there's a public hearing. Mrs. Califano said he's already signed the lease and he has no businesses that don't serve liquor. Attorney Baurkot said it's a conditional lease. Mrs. Califano said if it's a conditional lease, here are her conditions. She very quickly printed out, not quite seventeen days of entries from the police blotter of Lower Saucon Township. There is line after line after line of DUI's - Route 378, Bingen Road, Leithsville Road, Friedensville Road, Black River Road. There's DUI, DUI, DUI. We have a liquor license not more than 400' away from this building at Starter's Pub. Starter's Pub is owned by a local business man. It's been there for twelve years. It has the same things as you have, TV screens, so basically this guy who is struggling already, and we know he's struggling as she lives there, is going to be pushed out of business by these people who come from out-of-state. Has anybody thought of that? She's all for businesses moving in. She doesn't want to see anything empty, but this is at her doorstep. When the movie theater was there, they constantly had that gate open and it's been broken in the back. They come right up their driveway and it was a nuisance. She could talk to the police and there was no problem, but now she has to deal with drinking. She's sorry, but there is Yianni's Tavern, Starter's Pub, Belmont Inn is up for sale, doesn't that have a liquor license - all within 2,000', 3,000', and we're going to have four liquor licenses. They moved to Lower Saucon Township as there were rules and regulations that people followed. She didn't want abandoned cars next to her. Her property value is going to drop. She really would like to see a business, but she'd like to see a bowling alley and entertainment center without liquor. We don't need it. A lot of these DUI's are underage drinking. So you're going to have a family atmosphere where you bring your children into bowl, you know a 16 year old is going to pick it up and do something. Is this what we want in Lower Saucon? Mr. Maxfield said he doesn't see that much of a difference as the same thing could happen at Starter's since you can go in and take your family in to eat. Mrs. Califano said you are absolutely right, so why don't we do it some more and we'll have more DUI's. The police have their hands full. This is a lot. Let's have some more DUI's, some more drinking instead of good family entertainment, liquor with it. We're going to need more police and our taxes are going to go up. She pays a lot in taxes. When she built her house, there were many restrictions and things she had to do by the law. She would like to see something go in there, but she's going to have to argue about this and this is not the only point. The access road behind it has always been a problem. There used to be a no entry sign there, an emergency access on the road on the signs, they are gone. Mrs. deLeon said we have to address that and the Manager hears you. We will be looking into that. Mrs. Califano said she would like to know it's in writing. When the shopping center went in, there

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were many promises made to them. They were supposed to have 70 pine trees up there. Count the pine trees, there are ten. Mrs. deLeon said they fell down when we had that storm. Mrs. Califano said she can't call the pine tree police. Mrs. deLeon said she shares that feeling. Mrs. Califano said they were supposed to have public water and sewer when they put the shopping center in. They don't have it. They fought and fought for it. It was in writing. She remembers Mr. Treadwell fighting for that for you. They came up and paved up over the road and paved over the sewer pipes and it cost \$35,000.00 to get everything engineered and outlined to find out where the pipes were. They gave up on it. The promises you make, unless they can be policed and in writing, she wants to know about them. Mr. Maxfield said the promise came from who? Mrs. Califano said it really has nothing to do with the liquor license. You can say anything you want up here. There's no way for her to police it. He can say there's a hostess who's going to make sure nobody touches the liquor unless they are 21 or older. That's not true. A hostess or manager can't do that. If you do listen to her like the access road that was supposed to be blocked off and signage on it, then she would like to be notified in writing that it's going to be done so she can have something in her hand. She has no way to follow up on it or police it afterwards. It doesn't happen.

Attorney Baurkot said in addition to the controls his client puts in, you also have the Liquor Control Board who regularly patrols these establishments. If there's any kind of violation, they won't have their license for very long. Mrs. Califano said she would like it if they didn't have the license, then it wouldn't have to be policed. We have enough liquor licenses within 2,000 square feet. She doesn't know why you need another one. We do have an entertainment pub right next to it.

Mr. Maxfield said he's listening to Mrs. Califano's complaints, and he realizes they go along different agencies, but he doesn't know how to address half of those as they were associated with development and half are with things we don't have a part in right now. All we are dealing with right now is the liquor license. Mr. Kern said we are not aware of the access road issue. Attorney Baurkot said the DUI's could occur from home drinking, not necessarily a bar room. Mr. Kern said Route 378 is a big road and traveled not necessarily within LST. We have a vigilant police force that does its duty. Mr. Maxfield said our police win annual awards for picking up DUI's. We do get those police reports and it seems that most of the DUI's are coming from some other place. A lot are out of our area and just are passing through. Attorney Baurkot said his clients have strict controls when it comes to serving alcohol to minors or someone visibly intoxicated. It's not going to happen here.

Mrs. deLeon said she wants some of those other issues that Mrs. Califano mentioned addressed by the administration and have them look into them. Mr. Kern said the access road can definitely be looked into. Mr. Cahalan said are you talking about access to 78 or to this establishment? Mrs. Califano said it's behind the movie theater. Mr. Cahalan asked the same question. Mrs. Califano said it's from their establishment to West Rader's Lane. Mr. Cahalan said he'd have to look into that. Mrs. Califano said there's a road behind there and it used to be blocked off. There is what's left of it all bent up, and you can block people from going through. It used to have big black and red signs that said "restricted access, authorized personnel" on one side and on the other side it said "do not enter". It was always closed, nobody ever opened it. Somebody bashed through it, took the signs down, and if they do open up the gate, you can hardly get it shut unless you use a hammer and that's what they do. If you don't shut that gate and it's nighttime, the employees of the movie theater used to come in that way and go out that way. She doesn't know why they would do that. They would come right up their driveway, 60 MPH. Something definitely has to be done about that. She realizes you don't want to do anything about the liquor license, but it's a shame and our place has enough to do with DUI's. We don't need any others. How many people from the immediate area are going to visit this establishment? Everybody is going to travel to it - people from the casinos or from Upper Saucon. There aren't that many residents around it for somebody

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to walk there, so obviously people are going to come from far away but they are going to travel on our roads.

Attorney Baurkot said with the amount of money his client is investing in this property, there's no chance he's going to do anything to jeopardize his investment with underage drinking or DUI's. Mr. Maxfield said he's guessing that the alcohol is part of the business plan. People come for alcohol. We had a non-alcohol establishment there and it went out of business. He doesn't know how to address that other than he hopes they make a go of it and that it works for them. Nobody is benefitting from that empty building sitting there. We're losing tax money. It's another thing that will draw people to our area.

Mrs. Califano said other things could be there, but she's just addressing this issue here. She doesn't have a problem with something that is not alcohol related, a movie theater, or a bowling alley. When we first heard about this, nobody said anything about liquor. It was a bowling alley. Mr. Maxfield said you can't get any cleaner than Hallmark Cards, and they went out of business there. It's a place with problems and this might be the solution to keeping this building filled. As far as the access road, they are going to have to look into it. We're really not sure who is responsible for that access road. It's important we have it so it can be used. The fire department is going to have to be able to use it.

Mrs. deLeon said after the Halloween storm, whatever trees were left along the shopping center, they got toppled. We try to make sure that when you develop a plan, it looks pretty afterwards and you get the developers to put landscaping up. Now you have this shopping center that was approved 15 years ago, so now who is responsible for replacing those trees? Are they non-existent now? Mr. Maxfield said he asked Chris Garges about that as he didn't know why the trees were gone. He said we have no power to enforce that anymore. Mrs. deLeon said what can we do as a Township to put that back into a developer's agreement? Something should be done. Mr. Maxfield said all we can do is ask at this point.

Attorney Treadwell said it's going to be a perpetual obligation. It happens in residential subdivisions as well as when the street trees get planted, if the homeowner takes one down, the homeowner takes one down. Then it becomes an issue of well, I'm the homeowner, I don't want the tree there, and the Township says you have to put it back as it was there to begin with. Mrs. Califano said when you take five trees down; you need a permit for it. If her grass disappears, you will come to her and tell her to put her grass back. She was just using that as you can say anything and there is no way to police it afterwards. Right now, it's never cut; nothing is ever done to it. It's mostly poison ivy and sumac, which is a great deterrent from people coming up the hill, so they've always left that alone, but the gate is not, and it needs to be fixed. The liquor license, that's up to you. She understands what it's about and in this economy; you definitely have to have liquor as that's the only thing that's really making money.

Mr. Maxfield said have you ever called anyone about the gate? Mrs. Califano said they called Midland Management and the owner of the property for two years. Mr. Maxfield said as far as the Township goes, the police won't know about it until it's all complaint driven. You have to make a complaint to an official source. If you're not getting anywhere with the developer, call the Township and let us know. It's the first we've heard about any problems over there. If we know, we can try and do something about it.

Mrs. Califano said they have done that and they've been told they have to go to the developer, the person who is either managing it or the owner. We just gave up on it. The access road, when they built the shopping center, was supposed to be for fire and ambulance only as there is a fire plug there and that's the way it was presented to them, not for deliveries. Mrs. deLeon said she remembers everything, she was here.

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Mr. Maxfield said it looks like you came to the right place tonight to get some of these things addressed if you've gotten no response before. We will look into these issues.

Mr. Gordon Gress, resident, said a nursery replaced all those trees along Route 378 this morning. Mr. Maxfield said that's good news.

MOTION BY: Mr. Horiszny moved to close the public hearing.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments? No one raised their hand.
ROLL CALL: 5-0

Mr. Kern asked if Council wished to take action at this point regarding the transfer of the liquor license and Resolution #63-2012?

MOTION BY: Mr. Maxfield moved for approval to adopt Resolution #63-2012 that allows the transfer of the liquor license.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any comments? No one raised their hand.
ROLL CALL: 5-0

Mr. Maxfield asked staff to get back to Mrs. Califano with answers to some of these issues. Mr. Cahalan said okay.

F. PRESENTATION OF LIBRARY TASK FORCE REPORT

Mr. Kern said the Saucon Valley Library Task Force will be presenting its report on the feasibility of consolidating library services for Township residents at the Hellertown Area Library.

Mr. Cahalan said the Saucon Valley Task Force is here tonight to present its report on the feasibility of consolidating library services for Township residents at the Hellertown Area Library (HAL). The Council formed the Task Force in 2010 and with the cooperation of Hellertown Borough and the HAL, representatives were appointed to the Task Force. Present this evening from Hellertown are Joe Pampanin and Tina Krasnansky, the Finance Director, who is an ex-officio member; from the HAL is Rev. Lamar Handwerk, Mike Evangelisa, Alison Finkbeiner, Jessica Goedel, and Robin Rotherham, Library Director; from the Township is Kim LaBrake, Mike Karabin, Cathy Gorman, Tom Maxfield, and he was also an ex-officio member of the Task Force. They have been meeting on a monthly basis since January 2011. During the process they reviewed reports, collected data, interviewed key people, made field visits, conducted a survey of library users; and most importantly, they allowed the public to follow the process to provide their input. The report that they are going to present to you tonight only contains conclusions, and it's based on the data that was available to them. It's on the issue on whether it's feasible to consolidate library services. All of us view this report as a beginning, not the end of the process. The process will have to be carried on by the elected officials that will determine the future of library services in the Saucon Valley. When the Township was initially looking into the idea of a feasibility study, our staff contacted library consultants and we were told that a study like this could cost approximately \$25,000.00. This study cost the taxpayers of LST and Hellertown Borough absolutely nothing. It will serve as a valuable resource for the municipalities and for the HAL in determining how they will provide library services to the residents in the future. The volunteers who served on the Task Force the past year and a half should be commended for the time and the efforts they put into the study and working with them personally has been a real pleasure. A copy of the Task Force Report will be made available to the public on the Township website following this meeting and it will be on the Hellertown Borough website and the HAL probably following our presentations on August 20 and 28, 2012. Kim LaBrake has been the Chair of the Task Force and will take you through the summary of the report's conclusions.

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Kim LaBrake said there are a lot of hard workers here. Her task tonight is to just review the executive summary findings of the report. It's projected on the wall. They actually split the committee into four distinct groups so they had a focus on each group and each task. They met together and reviewed each other's information and this is the data of their findings in this report. She said the Task Force concludes that it is feasible, with the considerations addressed below, to consolidate library services for Lower Saucon Township residents at the Hellertown Area Library (HAL) for the following reasons.

- a. A significant number of Lower Saucon Township residents already use the HAL:
 - i. 50% of the 4,181 Lower Saucon Township residents who hold a Bethlehem Area Public Library (BAPL) card also have a card from the HAL
 - ii. Lower Saucon Township residents already comprise 35% of the cardholders using the HAL
 - iii. Lower Saucon Township residents checked out 30,637 materials from the HAL in 2011 which represents 35% of the library's checkouts. Lower Saucon Township residents checked out 35,464 materials from the BAPL in 2011 which represents 4.4% of the library's checkouts.
 - iv. Lower Saucon Township residents, on average, comprise one-half of the participants in many of the programs at the HAL.
- b. The HAL does not receive any funding from Lower Saucon Township for the library services provided to its residents.* We also listed an overview in the appendix, there's a list of the ACCESS program. LST residents are required to use HAL to have a BAPL card so we can track how many have the BAPL card and how many of those users do get the reciprocal card at HAL. Those are state regulations and included in the report.

The Task Force concludes that it is feasible to consolidate library services at the Hellertown Area Library (HAL) with the following considerations. These are from the Building Committee:

- a. The physical features of the current HAL facility and parking can be expanded to meet state standards, plus most, if not all, of the resource needs identified by the Task Force.
- b. The HAL facility is centrally located for the consolidated service area
- c. The materials collection at the HAL already meets the state library standards for a consolidated Township and Borough population of 16,670
- d. Three (3) build-out options are proposed in the study to expand the facility and increase parking capability
- e. HAL staffing would need to be increased to meet state library staffing requirements
- f. Additional technology outlined in the report would have to be acquired to serve the consolidated population

The Task Force concludes that it is feasible to consolidate library services at the Hellertown Area Library (HAL) and that a consolidation with the recommended improvements would have the following impact on the financial support for library services from Lower Saucon Township and Hellertown Borough:

- a. For example, if the Option A – No Debt 2 Year proposal is chosen, it would have the following impact. This is using the existing library interior more efficiently, so it's basically adding space into the basement and using some mezzanine spaces:
 - i. \$113,947.02 would be spent on improvements to the mezzanine, children's and computer areas; and additional main level stacks and reading area. In addition, the parking area would be enlarged by 529 square feet.
 - ii. \$50,000 would be spent on technology improvements to provide additional computers, databases, and e-resources.
 - iii. 2.11 FTE (Full-time equivalent) additional staff would need to be hired.
 - iv. The projected cost in this scenario to Lower Saucon Township would be:
 1. Year 1 – \$127,528
 2. Year 2 – \$127,528

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3. Year 3 – \$74,542
- v. The projected cost in this scenario to Hellertown Borough would be:
 1. Year 1 – \$69,826
 2. Year 2 – \$69,826
 3. Year 3 – \$40,814

Funding options would be subject to negotiations between the Township, Borough, and the HAL Board of Trustees.

Mr. Kern said can you explain the discrepancy in the doubling to LST vs. Hellertown on those costs, \$127,528 for LST and \$69,826 for Hellertown. Ms. Gorman said there were different ways you could calculate it and they chose one that was strictly a per capita basis. They took how much would be required to maintain their budget and took the populous of Hellertown and the populous of LST and figured out what the cost would be, based per person. Mr. Willard said the year one and year two costs will pay off the \$113,947.00 and the \$50,000.00, is that the intention? That's why it drops after year 2? Ms. Gorman said yes. Mr. Kern said what is Hellertown's current annual library budget? Ms. Gorman said \$58,000.00. Mr. Kern said this is in addition to the \$58,000.00? Ms. Gorman said no, it would be in addition to, and it would be \$11,000.00 more. Currently we are spending \$183,000.00 at BAPL. Mr. Maxfield said if we were to consider consolidation, since there wouldn't be any need for any expansion and HAL is perfectly happy serving Hellertown now, that any of the additional cost to Hellertown could be easily borne by us and we'd still be paying much less. He'd like to stress something Kim said that we are not giving any money to HAL, yet we are using the facilities.

Ms. LaBrake said the Task Force concludes that it is feasible to consolidate library services at the Hellertown Area Library (HAL) and that this consolidation would have the following impacts or modifications on library services for Lower Saucon Township residents:

- a. There would be less materials available at the HAL than currently exist at the BAPL, although materials could still be requested through the inter-library loan system.
- b. Bookmobile services currently provided by the BAPL to Lower Saucon Township residents would be discontinued. Other book delivery options could be explored.
- c. Lower Saucon Township residents would still be able to utilize the BAPL and borrow materials under the ACCESS PA program

Ms. LaBrake said these are based on committees, the data, the surveys, and resident responses. If anyone has any questions, we have most of the team here.

Mr. Horiszny said if a person has a BAPL card, they can use HAL's library? Ms. LaBrake said yes. Mr. Horiszny said if a person has a HAL card, they can use BAPL's library? Ms. LaBrake said yes. Ms. Gorman said as a LST resident, since BAPL is your primary library, you have to get your BAPL card first, and then you can go to HAL and get a HAL card. A Hellertown resident if they wanted library services would get a card through the HAL, but then they would access any books through the ACCESS program. Mrs. deLeon said could they go to the BAPL and get a card, like the reverse? Ms. Gorman said they would have to have a HAL one first, and then they would get the BAPL. Ms. LaBrake said through the PA ACCESS, go there and receive privileges to use their library with the ACCESS program. Mrs. deLeon said equal to what a LST resident gets? Someone said no. Mrs. deLeon said she didn't think so, so there's a loss there.

Ms. Finkbeiner said how the ACCESS program works, you need to receive a library card from your home library, which your tax dollars support, and then you're able to take your library card with the blue ACCESS sticker on it to any library in PA. She's a Hellertown resident and could go to the Southern Lehigh library and get a card, or the Bethlehem library. The difference with her being a Hellertown resident and using the BAPL, she does not have access to their databases through the Internet, only the people whose tax dollars support the library can use their databases.

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If their programs require you to have a BAPL library card with a blue sticker, she would not be able to attend their programs. That's what you mean by a loss. She could utilize the bookmobile, but she would have to drive to a spot. Mrs. deLeon said the online services are a big deal to her. That's a very important thing for our residents to be able to do that. HAL doesn't have that service. Ms. Finkbeiner said they do have databases. Mrs. deLeon said equal to all of them? Ms. Finkbeiner said no, we do not, and that unfortunately, comes down to money. You're talking about two relatively different sized budgets. We have a few databases, but not as much as BAPL. Mrs. deLeon said she uses those databases and would not want to lose them. That's a good service. Ms. Finkbeiner said she agrees. She's a librarian so she understands, but she can also speak as she helps write grants for the HAL. They recently wrote a grant in order to get one of the databases that the BAPL does have. It comes down to money. Mr. Maxfield said the study we did does talk about consolidation and access for gaining new databases through this, so the consolidation would require new databases. We'd be pretty close by the time we'd consolidate. Mr. Cahalan said if you turn to page 22 on the report, which will show you what databases are available through the HAL and the BAPL. In that \$50,000.00 IT amount, there would be funding for additional databases. Mrs. deLeon said this doesn't have comparison as to what Bethlehem already gives us. Mr. Cahalan said Hellertown is the first one, Bethlehem is the second column. Mr. Maxfield said the aim of the Task Force was to try and get as close as possible to providing all the services theoretically that Bethlehem provides now to us as a community and he thinks we got pretty close. One of the thing we talked a lot about and what really hit him the most as a Task Force member, was that the roles of libraries are changing. Libraries in just a few years won't be the type of libraries they are now. They are heavily reliant today on digital materials. They are still trying to maintain systems to serve the paper dependent people, but younger people, our future, who are going to be using libraries, are much more conversant, comfortable and willing to use digital materials which will change libraries dramatically within the next ten or twenty years. Mrs. deLeon said that's why she feels the online things are very important as that's the future and to her, that's a loss as to what we have access to currently. To her, she doesn't know how to put a price on that. Ms. Finkbeiner said what online resources from the BAPL do you use? Mrs. deLeon said she researches old newspaper articles. Ms. Finkbeiner said you use NewsBank? Mr. Cahalan said it's ProQuest. Mrs. deLeon said you can put search words in there and they will tell you what's been in the newspaper. As an elected official, she likes that and would miss that. You couldn't provide that until what year?

Ms. Robin Rotherham said most databases, you pay by your area of population, so BAPL is paying a very large amount for their databases, whereas at HAL they are not because they are based on 5,800 people. She did get a quote from ProQuest when they started all this and some other databases, and ProQuest is very, very cool. She would love to have it. The cost would be less to the Township as far as for per population than you are paying now in the big Bethlehem system. Mrs. deLeon said if you were to purchase that, it would cost less because it's based on the population you are serving. Ms. Rotherham said correct. Mrs. deLeon said was that on the list you would get? Ms. Rotherham said they do not have ProQuest. It came down to the quote, and don't hold her to that, it was \$2,500.00 a year to access ProQuest, and then their air conditioner died, so there went ProQuest. Mrs. deLeon said when she approves this study, she wanted to see pros and cons and feasibility, she wanted to see columns next to each other so she could see what we were losing and what we were gaining. She thanked them for all their work.

Mr. Willard said he gathers from the reference to the term home library, you have to choose one and send your tax money there? Obviously, it's a totally inequitable situation with the usage of HAL vs. BAPL by our residents. On the other hand, it's about a 50/50 split in materials used and maybe some of that being driven to BAPL by being designated as the home library. Is there a solution that splits the difference? At the first public meeting, we had representation from the BAPL where they were talking about the impact if we withdrew completely. What are the rules and regs? Jessica Goedel said halfway through the process they had someone from the State come and talk and she had mentioned that LST can actually split their funding in whatever way they

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choose. If you were to split 50/50 between HAL and BAPL, BAPL would still get all the State funding for your area, but you can spend your money how you see fit. They have talked about this in the meetings, and it is in your appendix. What she understands is BAPL is not open to negotiations for that. As the HAL board, they have talked about that. Mr. Maxfield said in that article, it said something about one of the BAPL board members rejected it saying we wanted the same services for half the money, but we have to realize that by giving no money to HAL and probably close of 50% of our usage being at the HAL, we're probably paying BAPL for services we're not getting. At \$183,000.00 a year, a good portion of that is paying BAPL for programs, all this kind of things that are not being utilized by 50% of our residents. Ms. Goedel said basically their comment would have been the situation that we've had since ACCESS was defunded, half of our patrons are from LST, but we welcome everybody and we're happy to do it. Mr. Maxfield said you should be commended for that. Mrs. deLeon said that's what libraries do. That's nothing unusual. Libraries have the doors open. Mr. Maxfield said that's pretty unusual. Ms. Goedel said her being a Hellertown resident, she cannot attend some of the programs at the BAPL. LST residents are allowed to attend any of their programs whether they are story times, children's, whatever. They don't care. Everyone is welcome and that is what a library is. Mr. Maxfield said they had some complaints about LST residents who were unable to get into the children's programs at the BAPL, so we had asked about that, and they said that's not the case. There's no first-come, first-served, no preference for community. A couple of people testified and said they actually had been told by a representative of the BAPL that Bethlehem residents were scheduled first, then the outlying communities. Mrs. deLeon said didn't Janet testify at the meeting that wasn't so? Ms. LaBrake said she did, but through this process there has been emails sent and people who have actually tried to get in. We've heard testimony both ways.

Mr. Maxfield said he thinks we should say we open up this whole report. This is one of the toughest roles we had to play. The Task Force concludes that it is feasible. That says the Task Force is not recommending we do anything in any direction other than here are the facts, the Council and the Boards decide. It was reported in the press that we made up our mind. People assumed we made up our minds that we knew what we were going to do. The article in the Express Times said we made up our mind. No minds have been made up anywhere. This is the information, it's been presented to Council, please regurgitate it, read it, and think about it and decide. The board here can answer any of the questions. This is one of the best boards he has ever been on. They were dedicated. They maintained that balance between the feasible focus and not making recommendations. He was really, really impressed. He felt he was one of the people who knew the least on the board, which made him felt good. He thanked them for their hard work.

Mrs. deLeon asked if the Township would be putting this online so everyone can read it? Mr. Cahalan said we are working on that as we speak. It should be on the website by tomorrow. We will be presenting it to the Hellertown Borough Council meeting on August 20th and the report will be available on the Borough's website. They will be at the HAL Trustees meeting on August 28th to present the report. As Mr. Maxfield summed it up, here's the information and he thinks the Task Force has fulfilled its mission. Its job is done and we thank you for your efforts and your work.

Mr. Kern said he does look forward to reading and digesting it. For many, many years, he said the library is one of the biggest ticket items on our budget. He had expressed hope there was a way to explore other options. He doesn't know which way it's going to go, but it looks like it's going to be a great start as we are getting the information we need to make a decision. He appreciates that very much. Mr. Maxfield said he know that money was one of the things that triggered off their interest in looking at other direction, but please look through this report and look at the kinds of things Mrs. deLeon was looking at, the services, the comparisons. It was just as much about comparison of services as it was about money. Mr. Kern said after we do digest it, we may ask the Task Force back if they have any questions.

Mr. Willard said when do we need to sign a contract for BAPL? He remembers sitting in the audience and there was a timetable. Mr. Cahalan said we had an agreement that we had historically

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signed by November 15th which basically said we're going to go with the BAPL for another year. He thinks a couple of years ago the Solicitor was in discussions with the library and we didn't comply with that deadline. Attorney Treadwell said we actually opted out of it two years ago and said we didn't want to be part of the agreement anymore but we would continue to pay the amount, which the last two years it was the same amount.

Mr. Willard said what are the next steps and time table and will this November 15th deadline come into play in terms of evaluating this and taking some action? Attorney Treadwell said if you are going to take any action, it would only be fair to notify the BAPL of whatever that action is, but the big deadline is your budget when you determine what number to put in there for library services. Mrs. deLeon asked Ms. Gorman when she was going to finalize the input into the budget? She knows Ms. Gorman is working on it now. Ms. Gorman said she will probably have a proposed budget to you early in October, as they usually do. Mr. Cahalan said there are a lot of factors that go on in here. It also involves Hellertown Borough and the HAL. The BAPL is also preparing various scenarios on their end. It would take a good deal of work to go in another direction.

Mr. Kern asked if there were any questions from anyone in the audience? Mike Karabin said he was part of the Task Force, and this has nothing to do with the Task Force, and he appreciates you letting him serve and giving his input. He made public comments in some meetings, and wanted to stress when you go into deliberations and discuss all the information, he'd appreciate if you'd look at the benefiting of putting it on a referendum. It has nothing to do with the Task Force, but it's just his suggestion. He'd like you to look into the referendum. Mrs. deLeon said she brought that up over the years and that would be a good idea.

Mr. Cahalan said Allan Johnson was an alternate on the Task Force. Mr. Johnson said he'd just like to point out that if the Township would decide to go and merge with the HAL, you probably have the same situation you have now in reverse. You'd have a large number of LST residents going to the BAPL using the ACCESS privilege and not paying anything to the BAPL. You should really think about the option of splitting your funds and supporting both libraries. Mrs. deLeon said what if they won't let us do that. Mr. Johnson said you don't know until you ask. Mrs. deLeon said we did ask. Mr. Johnson said he was at the meeting over at the high school and he thinks the lady that runs the BAPL mentioned the idea of splitting the funding. Mrs. deLeon said she may have, but the article within the paper said there was a board meeting of the BAPL and our representative, Lynn Koehler, was there and made that comment and they were quoted as saying no. Mr. Johnson said as discussions and thinking goes on and they realize what that means, they may change their minds. You should still think about it and talk to the BAPL about it. It seems to be the fairest thing to do. Mr. Maxfield said in that article, Lynn Koehler also said that we had made up our minds already. He's going to discount that whole article.

Ms. Jessica Goedel said with the splitting of the funding, and this is coming from a Board Member of the HAL, she was frustrated to see that they right away said it's off the table. That was a pretty fair idea and personally it speaks a lot on how they run things. For what Mike Karabin is talking about, from a Board Member of the HAL, what little political experience she is aware of, her concern of a voter referendum is from what she understands you have to work very hard to educate the public in whichever way you choose, and from what she understands, that also costs money. That's money the HAL doesn't have right now and that would be a major concern on her part. She understands that's a fair way of determining your next step but by looking at who is visiting the library now, she wouldn't be surprised to see it's split evenly if people vote. That would be very tough on the library, both libraries as well. Right now our funding has been cut 50% in the last five years. If you could tell her you could do this referendum without spending any money, she's good. Mrs. deLeon said non-profits of the Township, we're not allowed to spend money on an election, so any resident that is in favor of supporting it, yes or no, you have to do a committee and it would have to not be charged to the Township. Attorney Treadwell said he's not 100% sure, but you just can't do a referendum on anything you want. There are certain statutory areas where you can put a

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question to the voters. You just can't put any question to the voters. He's not sure you can do one for a library. Maybe there's something in the statues that talks about allowing it, but you just can't do it for anything. Ms. Goedel said there was a library vote the last election. Mr. Cahalan said historically there were referendums in Hellertown Borough and also in neighboring Bethlehem Township regarding being in or out of the BAPL. He said part of the education process is right here in this report. You've been a member of the Task Force and that's public record. Ms. Goedel said she would like to point out in believing in library service this much to go through this process as that speaks volumes. It was never on the table to remove library service at all, and that is to be massively admired today.

Mr. Gabriel Cruz said he had a question about the split funding with regards to Township funding and State funds. As of this time, does the BAPL receive State funds for covering the library services for LST. If that's the case, and LST consolidates their library services with HAL, do those State funds transfer over to the HAL or will the BAPL still receive those State funds for those library services they no longer have to offer? Mr. Cahalan said the answer is no, they won't transfer, and yes, the BAPL will still continue to receive them. Mr. Cruz said what's the discrepancy on that? How much in the way of State funds do they get annually as opposed to Township funds? Mr. Cahalan said that's in their report. If you want that information, we do have reports from the BAPL and it has all that information. Stop in the Township or give your email address to the Finance Director. Mr. Maxfield said what it boils down to is it's an agency that's not quite working at this time. The distribution of the funds has been stalled. It's not working the way it's been designed to work. Therefore, even if consolidations happen, nothing has changed. It's not really going anywhere. Mr. Cruz said that being said, just as an overall idea of fairness as 50% of LST residents take library materials from the BAPL and they still would get those State funds, would it really be unfair to take all the Township money and invest it into the HAL?

Mrs. deLeon said the document you were talking about with the information about State funds. She thinks, but is not positive about it, if you go on BAPL's website, those reports are there. At least the annual report is there. Mr. Kern said it would list State funding in the annual report. Ms. Goedel said for their 2012 budget, they are planning on \$513,500 from the State. That would be broken down for municipalities, per service area, but they do not have that breakdown and their annual report would not show that. You'd have to ask them. Mr. Kern said that's valuable information. Ms. Goedel said they don't break it down by municipality. Ms. Rotherham said it's not per capita. It was based on local financial effort so the more local financial effort you had, the more money a library received from its municipalities. Since 2008, that's gone as the State has no more money to give for library service. Ms. Goedel said that's why they can't transfer that funding to HAL as it's basically impossible to figure it out what that money is from LST. Ms. Rotherham said the BAPL also receives about \$158,000.00 a year from the State to be the District Library Center. That's in addition to that amount of State funds. That's to provide library service to three other libraries in the district. Mr. Maxfield said they would keep all of that? Ms. Goedel said yes.

Mr. Willard said he's confused by the statement that the State doesn't have money for this anymore, could you clarify? Ms. Goedel said it's the status quo thing. Ms. Rotherham said this will be historical, but libraries enjoyed great successes under Governor Ridge. Governor Ridge really loved libraries probably because his wife was a Librarian. Not so, under Governor Rendell. Governor Rendell just cut their budgets every single year to the point where the funding formula for libraries can no longer function. The State did say this formula no longer works, so we will just give libraries the same amount every year. We will not increase. We will not decrease. They just get what they got in 2008 and they have to deal with it. They also cut funding to the State library and the Library Association for the Blind in Philadelphia. It's not only the little local libraries, it's everywhere in Pennsylvania. Mr. Willard said it would be accurate to say there's reduced funding and fixed funding, but not that there's no funding. Ms. Rotherham said correct.

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Ms. Goedel said if she could just reference, we had a guest, Jim Hollinger from the Pennsylvania Office of Commonwealth of Libraries come to their Task Force. You are able to view the minutes online at the Township website. The date of his meeting was Thursday, October 13, 2011. She highly recommends reading through those minutes. That might clarify some of the issues at hand.

Mrs. deLeon said is it very helpful to read the minutes online as we have them word for word pretty much? Ms. Goedel said yes. Mr. Kern said they will be digesting. Mrs. deLeon said thank you, volunteers are hard to come by and you all did a good job.

IV. DEVELOPER ITEMS

A. MORNING STAR ROAD WATER SYSTEM IMPROVEMENTS AGREEMENT – AUTHORIZE EXECUTION

Mr. Kern said the Hellertown Borough Authority has prepared a Water System Improvements Agreement that covers the water line extension that the developer of this subdivision, which is situated partly in Lower Saucon Township, installed without an inspection or approval of the Authority.

Mr. Cahalan said Mr. Higbie was here at a previous meeting describing the situation on Morning Star. At that time, he did have this Improvements Agreement. He indicated it had been run by the Lower Saucon Authority and they were okay with it. He had another meeting he had to go to and he was going to bring back the agreement for your approval. Attorney Treadwell said the agreement is fine. It basically allows the Hellertown Authority to serve those couple of properties that are in Lower Saucon and the Lower Saucon Authority is okay with it.

MOTION BY: Mr. Maxfield moved for approval for authorization for the Morning Star Road Water System Improvements Agreement to be signed by the Council President.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. AUTHORIZE ADVERTISEMENT – LEWIS AVENUE ROAD VACATION

Mr. Kern said in conjunction with the improvements planned for Steel City Park, a portion of a paper street will need to be vacated in order to implement the approved plan. As Council has done with previous road vacation requests, the Township will need to follow the process starting with the first step of authorizing advertisement for a public hearing of an ordinance to vacate.

Mr. Cahalan said you have a copy of the approved plan for the improvements for Steel City Park and if you look on the right hand side of the plan, you can see Lewis Avenue is labeled there. A portion of that is needed to build out this plan and we're requesting your authorization to go through the procedure we followed in the past for vacating this paper street.

MOTION BY: Mr. Horiszny moved for approval of authorization of advertisement for Lewis Avenue Road vacation.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

**B. ORDINANCE REVISION TO TOWNSHIP RAIL TRAIL AND PARK RULES –
AUTHORIZE ADVERTISEMENT**

Mr. Kern said the Saucon Rail Trail Oversight Commission recommended that the Township consider language changes to the Rail Trail rules to conform to PA gun laws. The Solicitor has reviewed the request and concurs that minor language changes are needed to the Saucon Rail Trail and Township park rules.

Attorney Treadwell said the Pennsylvania permit to carry laws basically allows anyone who gets a permit to carry a handgun to carry them anywhere in the State of Pennsylvania and that includes a municipal park or on a municipal trail. The prohibition we had before which said you were not allowed to carry a gun in a Township park or on a trail, is in contradiction to the PA gun law and the PA gun law supersedes it. That's what the change to the ordinance is.

Mrs. deLeon said can somebody come into the Township meeting if they have a permit to carry? Attorney Treadwell said yes.

Mr. Maxfield said we had in one email where someone had asked the Police Department about carrying a weapon and if the police were notified someone had a weapon, they would go through all the checks and detain the person and make sure the permit was existent. That will still occur? Attorney Treadwell said absolutely. The change to the ordinance, and basically what he did was put "unlawfully" in front of the restriction that was there now. So now you are not permitted to unlawfully to carry a gun. The idea being if you have a permit, then you are lawful and if someone is on the trail or in a park with the gun, the police will check to make sure the proper permit and license necessary to do that.

Mr. Kern said in Northampton County Courthouse where you have to go through the metal detector, what if you have a gun? Attorney Treadwell said there are specific exclusion in the gun law and the permit to carry gun laws for Courthouses and Federal buildings. You could have one here sitting in the audience, but you can't have one in a Federal owned building.

Mr. Allan Johnson said he doesn't think you need a permit to carry if you carry a gun openly. Attorney Treadwell said he thinks there is a permit for that. You have a holster and you can see it. Mrs. deLeon said what if you are in a truck and are hunting and have a gun in the back on a rack? Attorney Treadwell said you don't need a permit to have a gun on a rack in a truck. That's not a handgun. That's a rifle. What is in front of you tonight is an authorization to advertise those changes to the Park and Trail rules.

MOTION BY: Mr. Horiszny moved for authorization for the advertisement of the ordinance revision to the Township Rail Trail and Park rules.

SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments? Mrs. deLeon said that means we have to replace all the signs then? Attorney Treadwell said he doesn't know if they need to be replaced. Mr. Cahalan said we got away from the metal signs. We have it on a material now that we can change if we have to.

ROLL CALL: 5-0

**C. HELLER HOMESTEAD ROOT CELLAR – ADDITIONAL WORK REQUIRED FOR
ROOF**

Mr. Kern said the Township received quotes for the installation of the slate tiles on the root cellar at the Heller Homestead and Alan Kunsman Roofing was authorized to complete this work. The contractor has advised us that the rafter work done by Marcus Brandt is not complete and is not in

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any condition to accept the slate roofing tiles. The Township requested he provide a cost estimate for this additional work which staff will review with Council.

Mr. Cahalan said you approved a contract with Walt's Professional Painting to strip the windows and the doorway on the exterior. The contractor has finished stripping the paint off of approximately 85% of the windows. He's had some stoppages due to staffing and weather issues. He did talk to Council about the moulding issue on the window. They also found that the moulding that was used had a rabbeted edge that promoted moisture infiltration. We did discuss purchasing correct moulding and you all looked at it. That will be put up once the rest of the situation is corrected. There was a question from the contractor about putting oil based paint on the stripped windows. He used a stripping product and Glenn was able to help us out and resolved that. He called the manufacturer of the product and came up with instructions that the contractor can use to neutralize the acidity and PH of the wood. He has that product and will be applying it. We have a moisture meter we are going to use to check and see what the moisture content of the wood is. Public Works is working with the contractor on that. When we took off the moulding on several of the window casings, there was some rot there from the water infiltration. On most of those, we can apply the wood filler and penetrant that was part of the scope of work. There was a suggestion from the contractor about replacing the wood casing on the window which would be the top piece and he suggested the two side pieces. We've discussed that with Mrs. deLeon and Mr. Kern has taken a look at that. They feel that it's workable. We have the wood for it. The contractor will be doing that on no more than three windows. On the rest of them he will use the wood filler and the penetrant. He's good to go on that. Public Works will be working with him to finish that. Once that's done, and all the stripping is completed, then all the neutralizer will be applied and if the moisture level is at an approved level, then he can do the painting with the two coats of the primer and the two coats of the finish paint that has been approved. Hopefully he can get back working on that, weather-permitting, and we can get the painting job done per the scope of work. Mrs. deLeon asked if he thought it could be done by their Barn Tour on September 15th? Mr. Cahalan said again, weather-permitting.

Mr. Cahalan said regarding the root cellar, after you approved the bid from Alan Kunsman to install the slate tiles, they went out there to begin the installation and they discovered that two of the rafters were not installed. We thought they were missing and it turns out they were onsite and they can be attached. All of the rafters you saw in the pictures were all notched and put in place, but they weren't fastened down. That is something that will have to be done. They are all there. They don't have to manufacture any more rafters to do that. That can be done and they can do the tile work that you have approved with the slate tiles that are there. The one issue that has to be finished is the rear stone wall. That remaining stone has to be completed before the slate tiles are put on. Kunsman gave us a price for that. Mrs. deLeon asked that we ask Ron Rickert to submit an estimate for that. Mr. Cahalan said he put together a revised scope of work for the masonry work. He put down some of the instructions that we had gathered, which was to install the stone on the interior of the rear wall and to re-point the stone on the inside and the outside of that wall with a lime mortar sand mix to match the existing color of the Portland cement on the root cellar. He supplied some pictures and this will be sent out if it's okay, to Ron Rickert to submit an estimate on to do the work. If that work gets completed, then Mr. Kunsman has also recommended that he could do two additional things, which would be to install a new frieze board and moulding around the entire perimeter of the building and close in the front gable with beaded wood siding. He gave you a depiction of what a freeze board is. It goes under the rafters around the perimeter of the building. It may close up some of the space, but he's not sure you need that. We discussed that when we were out there the other day. Mrs. deLeon said regarding the ventilation, when the roof comes down and rests, there was an air gap, air space, and she's afraid they are closing it in. Mr. Kern said it's a fascia board. Mrs. deLeon said before you would be able to stick her fingers through it. We want that to get as much air as possible. Mr. Kern said he doesn't think that is going to be an issue. Mrs. deLeon said she wants to make sure they are not closing it in. Mr. Cahalan said they can confirm that there will be air infiltration. Mrs. deLeon said she has a picture

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that shows that so she will look for it. Mr. Cahalan said the beaded wood siding is something that you had asked to be done previously. Mrs. deLeon said Jerry was donating that. She doesn't know where that is now. Mr. Cahalan said that is something they can do. With the exception of the stone work, you have before you Mr. Kunsman's estimate dated 08-13-12 and there's an additional cost of \$3,250.00 to install the rafters, attach the rafters to the header board, install the new freeze board and moulding around the entire perimeter and close in the front gable with beaded wood siding. If you want that work completed based on this estimate, he would need an approval of that amount for Mr. Kunsman. The stonework is a separate cost of \$1,625.00 and we can hold off on that for any action until Ron Rickert submits an estimate. Mrs. deLeon said when you look at this picture, these rafters are not even. She talked to Mr. Kern about this before. Is there anything that can be done to fix that now? She's talking about the wood and it will be evened up? Mr. Cahalan said yes, that will be fixed by Kunsman and it will be evened up. Mrs. deLeon said that work has to be done after that as there will be stone fill in there. Mr. Cahalan said yes. They can fix the rafters and then the stone work is going to have to be done after. Mrs. deLeon said they realize it's not even? Mr. Cahalan said yes, they do. They will straighten that out.

MOTION BY: Mr. Willard moved for approval of the \$3,250.00 for the Kunsman estimate.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone had any comments? Mrs. deLeon said going back to the masonry work, is the language in the estimate clear enough that he's saying after they reconfigure the gable, there's going to be a gap. Is this clear enough to say that's going to have to be filled in. All stone to be supplied by the Township on the interior of rear western wall, re-point stone on the inside and outside, it doesn't say fill in. That's the color difference. Maybe additional words have to be in there like installing stone in the gap from the unevenness. Mr. Cahalan said they can add that. That's what they are looking for so they can send it to Mr. Rickert. Mrs. deLeon said we have to live with the re-pointing on the sides. It's going to get covered with a piece of wood anyway. Mr. Cahalan said the frieze board would cover that. Mrs. deLeon said that would be right underneath, okay. Mr. Cahalan said if Mrs. deLeon could provide that information, they will fix it and revise the proposal and send it out to Ron Rickert. Mrs. deLeon said you can't just put in there to "fill in the gaps". Mr. Cahalan said they can add that. Mrs. deLeon said that means there's going to have to be stones chipped away. Mr. Miller said you would perform the masonry work necessary to provide the appearance of symmetry. Mr. Maxfield said it does say relay the remaining section of stone on the inside of the rear wall. Mrs. deLeon said this is going to go out and if the person goes out to look at it and Kunsman isn't finished with it yet, he's not going to see it's screwed up. Mr. Cahalan will get back to Mrs. deLeon on the ventilation.

ROLL CALL: 5-0

D. RESOLUTION #64-2012 – AUTHORIZING SUBMISSION OF LOCAL SHARE MUNICIPAL GRANT APPLICATION

Mr. Kern said Resolution #64-2012 has been prepared authorizing the submission of 2012 Local Share Municipal Grant applications to the Northampton County Gaming Revenue and Economic Redevelopment Authority (NCGRERA) for funding for an additional police officer.

RESOLUTION AUTHORIZING THE SUBMISSION OF A LOCAL SHARE MUNICIPAL GRANT APPLICATION TO THE NORTHAMPTON COUNTY GAMING REVENUE & ECONOMIC REDEVELOPMENT AUTHORITY

WHEREAS, pursuant to the Pennsylvania Race Horse and Development and Gaming Act (Act 2004-71), as amended, local governments receive a "Local Share" of gross terminal slot revenues of certain licensed gaming facilities to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

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WHEREAS, Northampton County, as the host county to a licensed gaming facility receives gross terminal slot revenues which must be distributed as follows: 20% to the host city; 30% to the host county and 50% to the host county for the purpose of making municipal grants within the county, with priority given to municipalities contiguous to the host city; and

WHEREAS, Northampton County established the Northampton County Gaming Revenue & Economic Redevelopment Authority to administer these competitive municipal grants based upon impacts associated with licensed gaming facility operations; and

WHEREAS, Lower Saucon Township is a contiguous municipality to the City of Bethlehem which is the host city of a licensed gaming facility; and

WHEREAS, Lower Saucon Township has prepared Local Share Municipal Grant Applications for submission to the Northampton County Gaming Revenue & Economic Redevelopment Authority for projects that fall under the eligible uses of these funds.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Council of Lower Saucon Township hereby approves the submission of Local Share Municipal Grant Applications for:
 - Lower Saucon Township – Funding for Additional Police Officer
2. That the President of the Lower Saucon Township Council is hereby authorized to execute the grant applications and transmit the applications to the Northampton County Gaming Revenue & Economic Redevelopment Authority.
3. That grant funds, if awarded, will be utilized in accordance with the provisions established by the Northampton County Gaming Revenue & Economic Redevelopment Authority.

Mr. Cahalan said the rounds for the gaming monies this year have been split up. They have been changing the frequency every year. This is the second committed round. There was also a third uncommitted round which we already submitted the battery back-up and the cruiser. This is for funding for the additional officer. We are putting it in this one as there will not be another round by the end of the year. We'd like to get this before the Gaming Authority. The deadline is September 7th. Ms. Gorman will be submitting that. This is the resolution supporting it, which we continue to do although it's not required any longer.

MOTION BY: Mr. Horiszny moved for approval of Resolution #64-2012.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

Mrs. deLeon said she got an email from Susan Ackerman. She asked if LST Council would do a support letter. They are asking for a grant for the Dimmick Park stage project. They are submitting to Monroe County and you are allowed to send in letters of support. Since we already contributed \$5,000.00 to this project, and we support the project, not only as a Council, but in our Partnership, she asked if we could send a letter. She's assuming we can still do that. Mr. Cahalan said he thought that the Borough Council would be submitting the grant. Mrs. deLeon said can we do a letter. Mr. Pampanin said he's not sure of the deadline to submit the letter. Mrs. deLeon said it says the beginning of September. The grant is due by the end of September. Mr. Pampanin said then you would have time. Mr. Cahalan said you can authorize it and he will be sure he gets a letter out.

MOTION BY: Mrs. deLeon moved to have LST Council offer a letter of support for the grant.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

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Mrs. deLeon said she also asks for a letter from the SVP, but we didn't meet this month, so please put it on the agenda.

Mr. Cahalan said as an FYI on the grant we are submitting for the Gaming Authority, there's a photo in your packet of what the new type of police vehicle looks like. The Ford Crown Victoria is no longer being utilized. This is a new interceptor vehicle that Ford Motor Company is doing that we're purchasing. That's the utility model and then there's another cruiser model. They are all in the black and white color scheme now. Mr. Willard asked if we already had one like this in the Township? Mr. Cahalan said this is it.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JULY 18, 2012 MINUTES

Mr. Kern said the minutes of the July 18, 2012 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Willard said page 1, line 37, Mr. Glen Higbie, the first name should be Glenn.
Mr. Willard said on page 2, line 9, the last word should be Mr. Maxfield said

Mr. Horiszny said page 17, line 50, the vote should be 4-0-1 with him abstaining.

MOTION BY: Mr. Maxfield moved for approval of July 18, 2012 minutes, with corrections.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-1 (Mr. Horiszny – No)

B. APPROVAL OF JULY 2012 FINANCIALS

Mr. Kern said the July 2012 Financial Reports have been prepared and are ready for Council's review and approval.

Mr. Horiszny said the donation of his salary on the equipment fund doesn't show up yet. Is it better to wait until the end of the year? Ms. Gorman said she usually does those transactions at the end of the year. The auditors like it that way.

MOTION BY: Mr. Horiszny moved for approval of the July 2012 financials.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Gordon Gress said last month he asked about the retention pond on Fire Lane. He wanted to know if anyone had a chance to look at it? Mr. Cahalan said they haven't had a chance to finalize it. He has some information about the road improvements. The engineer has done some research at the office, but they still need to do a field visit. When they get the information, he'll get in touch with Mr. Gress.
- Mr. Gordon Gress said regarding the retention pond at Saucon Square, it seems to be working well, but in light of all this concern of West Nile Virus, is there anything that anybody watches with these ponds. Are these ponds a breeding place for mosquitoes? He really doesn't know. There's a big concern over the West Nile Virus this year. Mrs. deLeon said these are approved plans and at times they are going to have water in them. It's a scary thought. Mr. Maxfield said it takes two or three days for a mosquito to go through that cycle. Most of the detention ponds are designed to

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drain slowly but to drain fully unless they are a naturalized pond. Mr. Miller said correct. He's aware of one naturalized pond in the Township and all the others are dry ponds, so they'll drain in a matter of a couple of hours and it takes three days for mosquitoes. Mr. Maxfield said we're counting on the naturalized ponds to have enough native life to take care of mosquitoes. Mr. Gress said is Saucon Square a naturalized pond, or a pond with fish in it? Mr. Miller said naturalized ponds have certain types of plantings in them and they are designed to hold the water for extended periods of time. He's not familiar with Saucon Square, but if you see it and it's dry, it's probably not a naturalized pond. Mr. Gress said it's not dry. It always has water in it. Mrs. deLeon said who is responsible for that, the Township or the developer? Mr. Cahalan said the developer. Mrs. deLeon said not always. In the way, way past, it was the Township, and then we stopped doing that. Mr. Kern said if there's an issue as it's supposed to be draining and there's a clog in the pipe, can the Zoning Officer inform the developer there's an issue? Mrs. deLeon said it's probably never been dredged. After awhile, doesn't it accumulate silt? Mr. Gress said he's hoping to see a sign there that somebody is going to go in and explore. That pond always has water in it and he was just concerned. He doesn't want to pick on Saucon Square as he really wants to see something go in there. Mr. Kern said they will direct the Manager to request the Zoning Officer to inspect and determine whether or not it's supposed to drain or whether there's an impediment. Mr. Cahalan said they can check the plan and Mr. Miller can do that. He's not sure about an onsite inspection. Mr. Miller said the first thing he would do is see if it's supposed to drain. He'd only be able to know that by looking at the plans. Then it's pretty simple. He'd see if it's actually working and not clogged up with leaves. Mr. Maxfield asked when it was built? Mr. Cahalan said early 2000, but he's not sure. Mrs. deLeon said she would say mid-90's.

- Mr. Matt McClarin said he has a study of 19 pages. Over the last couple of months, they've been talking about the landfill and there have been a lot of words, but no pictures or maps. He doesn't know if you've been looking at the Comprehensive Plans or the LVPC Comprehensive Plan, but this Township wanted Boucher & James to do their own study on the potential of rezoning and he saw that they didn't go into enough detail on a lot of things in there. He was upset about it. It's on the website and it's public, but he feels a lot of things got missed that should have been in there swaying the opposite way. He broke everything down and hopes you can take a look at it.

VI. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said he got a resignation from the Parks & Recreation Board, Judie Rossell, who has been a member for a little over a year. She's leaving to relocate to another state. He's asking Council to accept her resignation and he'll send her a letter recognizing her service and thanking her.

MOTION BY: Mrs. deLeon moved for approval for Mr. Cahalan to send Ms. Rossell a letter, with regret.
SECOND BY: Mr. Horiszny
ROLL CALL: 5-0

- Mr. Cahalan said he got a notice from Bernadette Fong, who was on the Parks & Recreation Board in 2007-2008 and said she's interested in serving again, so he's recommending that Bernadette be appointed to the Parks & Recreation Board to fill Judie's expired one-year term that will run out December 31, 2012.

MOTION BY: Mr. Maxfield moved for approval for Bernadette Fong to fill in the vacant position of Judie Rossell for a one-year term which will end on December 31, 2012.
SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

- Mr. Cahalan said he has three recommendations from the Parks & Recreation Board for special events.

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- The first one is a recommendation for approval of the Hellertown Area Library 5-K race being held in Hellertown and Lower Saucon on Saturday, September 29th. This has been reviewed by the Parks & Recreation Board and they are recommending that it be approved.
- The second one is a recommendation for approval of the Town Hall Cyclocross event that's on Saturday, October 6, 2012 at Town Hall Park. Chris Garges has been holding this event for the past three years. It's a big popular draw for this type of sport. It's been reviewed by staff and they are recommending that it be approved.
- The third one we received was a recreation fee from the Harold Roth Minor Subdivision. The Park & Recreation Board is recommending that the \$3,113.00 fee that was paid by the subdivision be deposited in the Steel City Park Fund. Mrs. deLeon asked where the subdivision was located? Mr. Cahalan said Texas and Buttermilk Road out near Redington. It straddles Williams and Lower Saucon.

MOTION BY: Mrs. deLeon moved for approval to support all three of the above recommendations from the Park & Recreation Board.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

- Mr. Cahalan said there is a letter dated July 23, 2012 from Jim Birdsall at Hanover Engineering. In the letter, it states the Township Landfill Consultants have been monitoring the efforts of the IESI Bethlehem Landfill to address the excess leachate flows in the leachate detection zones and the consultants are recommending that the Township notify PA DEP of our concern about the excessive leachate flows to the area labeled LMC8. They also ask that we ask DEP to require the landfill to identify the source of the flow and to take additional corrective actions to reduce the flow. Mrs. deLeon said this has been ongoing since 2000 and we keep spinning wheels getting reports and it really needs to be identified. Mr. Maxfield asked if DEP wasn't aware of this? Mr. Cahalan said it's been reported. Mrs. deLeon said they are aware of it and have had studies done, but it's been ongoing since 2000. There was a study done a year and a half ago that they were supposed to do, but it's a good idea to remind DEP. Mr. Maxfield said what are we going to ask them for a concern and an update? Mrs. deLeon said DEP has had a lot of cuts and there's not a lot of people watching. It's a good idea and the Committee requested it.

MOTION BY: Mrs. deLeon moved for approval to send a letter to DEP regarding the LMC8 excessive leachate issue.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

- Mr. Cahalan said we received a notification from our Workers Comp insurer, which covers the Township employees and the fire fighters. It's MRM Trust. They have informed their municipal customers that they are going to be discontinuing Workers Comp coverage for volunteer fire departments by October 1, 2013 due to receiving major firemen's major cancer claims in the past six months. This is primarily due to the passage of PA Act 46 of 2011 and that act designated cancer as an occupational disease for fire fighters and it increased the filing period from 300 to 600 weeks. Cathy is in the process of obtaining quotes from our insurance brokerage for other coverage. He's notified the volunteer fire companies we will continue providing the Workers Comp coverage to them.

B. COUNCIL

Mr. Maxfield

- He said he's guessing that everyone received a copy of what we're calling Option C for the landfill. He finds it pretty interesting. One of the first things he noticed is there's a large

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area that runs across the top of the proposed area that actually cuts through a few different properties. It seems to be entirely wooded. When he looks at that section, if that scenario were to occur, begging for some sort of buffer insurance, he would like to ask just because it may happen, the Open Space Committee and staff to look into a possibility of preserving land for our Open Space program across that whole top border above the landfill to provide a buffer. He thinks it would make everybody feel a little bit better if we had that buffer there and as the language goes, would be in perpetuity. There would be no way to violate that. He would just like to have them look into it, investigate it and come and get info from Chris Garges. He would like to see a feasibility study. Mrs. deLeon said isn't this premature? Shouldn't we wait until after? Mr. Maxfield said when we've preserved open space, it has taken a year to two years to do it. He'd rather to go into it knowing. If we were sitting here considering Option C and knew that area was preservable and we had willing landowners, even if they are absentee property owners, and were willing. Mr. Kern said regardless of whether the landfill expands or not, it might be a good idea to preserve that area for the future. It's not actually what the Natural Resource plan identifies as the Steel City slopes, but it does form kind of a greenway across the top of the mountain that almost connects down to the Lehigh River and almost goes over to the Steel City slope. He'd like them to look into it. Mrs. deLeon said she's thinking of a lot of options in her head. Mr. Maxfield said that's what this is about, determining one option. It's not necessarily going to be the option, but it's an idea. Mrs. deLeon said she doesn't support any rezoning. Mr. Maxfield said this isn't about any rezoning. It's about preserving some space up there. Whatever use happens in that area, there would be a buffer between residences and even if it was light manufacturing, you'd have a warehouse there; it would be nice to have a buffer there.

- MOTION BY:** Mr. Maxfield moved for approval to ask the Open Space Committee and staff to explore preserving space as stated above.
- SECOND BY:** Mr. Horiszny
- ROLL CALL:** 4-1 (Mrs. deLeon – No)

Mr. Willard

- He said last meeting we had a discussion on minutes and posting the draft minutes and he believes that did pass by a vote of 5-0. There was also some discussion on having a written policy in terms of our minutes, and he wasn't sure it was required before we started posting the draft minutes. He thinks by motion we agreed to post minutes. It has not happened yet. Mr. Cahalan said they were posted last week. Mr. Willard said he's on the website now and he doesn't see it, but please check.
- He said there was a motion last meeting that failed for lack of a second to post distribution of landfill funds report prepared by the Director of Finance. We didn't have it in our hands at that point. That has now been issued, so he'd now like to make a motion that we post it on the website. Mrs. deLeon said she'll second that, but she has a question. She said to Ms. Gorman that she's asked for additional information, is there any way she can compile that information on one page? If it could be by year and it should just be more concise. Looking at just one page would be more helpful. Ms. Gorman said okay. Mr. Kern asked Mr. Willard to restate his motion. Mr. Willard said there was an original report, then there was additional information requested and then there was an updated corrected report, so what he's asking is to have the final report with all information on the distribution of landfill funds posted on the Township website. Mrs. deLeon said he said all information. Does it have the breakdown of over the years of what we actually spent, like there are three funds and like Polk Valley Park, there's a lot of money spent on Polk Valley Park. What sections do we spend it? We just looked at the pavilion last meeting, didn't we approve that? Mr. Cahalan said we looked at models. Mrs. deLeon said she asked the question if we had money in the budget to pay for this and the answer was yes. Is that new money, is that extending the loan? Do we say yes it was approved in the budget, or it's in the

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budget? Was that approved in the 2012 budget for a line item for a pavilion? Mr. Cahalan said there's funding in there for all of the items approved by Council for the development up through Phase III of Polk Valley Park. Mrs. deLeon said if we haven't spent the money, are we paying for that amount in the loan or as we spend those wish lists, are we drawing down on that money? Mr. Cahalan said there's a balance we've been carrying over for Polk Valley Park. That money if it's not spent is carried forward in each year's budget. We are paying off the debt service, but he's not sure of the correlation. He knows it's money for the park. Mrs. deLeon said when she shows the loan against Polk Valley Park, and then as we go through our wish list, have we already borrowed that money? Mr. Cahalan said the first loan for Polk Valley Park was just spent on the construction of Polk Valley Park. For phases II and III where additional money had to come in for that and, in addition, went to the construction of other parks, such as Kingston Park. Some of it has migrated over to the Steel City Park fund. Some of it went to the Nor Car property where the dog park is. The money from the second loan has migrated to other funds other than Polk Valley. The first one was used just for the construction of Polk Valley. Mrs. deLeon said the current loan that we have, is there unspent money in that amount? Mr. Cahalan said yes. The balance from that loan is in those accounts. Mrs. deLeon said how much in excess do we have? Ms. Gorman said she can put all that information in the chart and try to get it on one page. It's quite a few years. Mr. Cahalan said what Dave was asking for was the original report and the corrected copy of Cathy's report to be posted? Since then, there have been requests of additional information by Priscilla, which we distributed to everybody. Just to clarify, are we asking Cathy to put all that information on one page and that's what you want posted on the website? Ms. Gorman said she thinks everything you are asking for will not go on one page. If you are asking for every expense that was tied to one of these loans, it's going to be quite long. Mrs. deLeon said she doesn't mean every expense, she means the pavilion, like the main things. How do you break it down? Mr. Cahalan said it's under construction and it goes for consultant costs. Ms. Gorman said there's a whole lot of costs involved in this. Mr. Cahalan said you'd have to break out each one of those items, for the construction costs; you could have ten pages of expenses. Mr. Willard said from the standpoint of public consumption, what you prepared was pretty concise and the only thing he was asking, he knows there was a correction made to the original report, so we posted the corrected report plus the additional information that Priscilla requested on as few pages as possible. He's not sure it's possible on just one page. Mr. Maxfield said do you have to pay additional money for the website for all these pages? Mr. Cahalan said no, we can get it on. Mrs. deLeon said she'll look at it, and if she wants more information, she'll just ask for it. Mr. Willard said that's right. That's his motion.

- MOTION BY:** Mr. Willard moved to post the final report on the website with all information on the distribution of landfill funds prepared by the Director of Finance.
- SECOND BY:** Mrs. deLeon
- ROLL CALL:** 5-0

Mrs. deLeon said there's a lot of curiosity out there of where the monies are going. Mr. Kern said it's all there in the budget for all to see.

Mr. Horiszny

- He said he'd like to thank the road crew for our new great double lines on Black River Road. They were painted fresh just recently. We need to try to figure out a way to slow people down going around the two right angle bends, either with more paint on the road with slow down signs or bumps or humps. He'd like Dan Miller or Roger Rasich to look at that area as there have been two recent accidents and excessive speed is the reason.
- He said they've had 5,000 visitors to the Compost Center year-to-date since April 13th.

**General Business & Developer Meeting
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- He said he will miss both the 8-23-12 Planning Commission meeting and the first Council meeting in September.

Mr. Kern

- Mr. Kern said when Mr. Maxfield was speaking of the open space issue, there was something he wanted to bring up. Awhile ago, Ron had requested the Open Space Committee to explore the property off of Bingen Road that is contiguous with the Saucon Creek, has there been any progress with that? Mr. Maxfield said it didn't come up on their radar. He didn't see any listing of it on the property list. Mr. Kern said if we could get that on the burner, which would be great. Mr. Cahalan said we'll see that Diane gets it on an EAC agenda for a future meeting.

Mrs. deLeon

- She said Community Day is from 10 am to 5 pm. The Conservancy will be at booth 17.
- She said September 15, 2012 is the Barn Tour if you love old barns. It's a fundraiser for Saucon Valley Conservancy.

C. **SOLICITOR** – No report

D. **ENGINEER**

Mr. Miller said he'll be checking into the Saucon Square basin. Ron brought up traffic calming and he didn't know if there was a general consensus at looking at the traffic on Black River Road, with the speed. Mr. Cahalan said let's discuss it at staff level, and we can come back if we want to move it to something formal, then we'll bring it back.

E. **PLANNER** – No report

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:33 pm.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn C. Kern
President of Council