

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, August 19, 2009 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session prior to this meeting to discuss potential open space acquisition and litigation concerning the Meadows banquet facilities. As a result of the Executive Session, could we have a motion to direct the Solicitor to contact the County and the Saucon Valley School District to forgive back taxes on the Marra property?

MOTION BY: Mr. Horiszny said so moved as stated above by Mr. Kern.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert’s Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Leslie or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. You can check the minutes on the website, which is www.lowersaucontownship.org.

III. PRESENTATIONS/HEARINGS

Mr. Kern said we will have a swearing in of a Police Officer and an introduction of another officer. Chief Lesser asked Jeremy Hantz to please step forward. He said Jeremy has been a nearly lifelong resident of Lower Saucon Township and a graduate of Saucon Valley High School. He also is a graduate of Northampton Community College with a degree in Criminal Justice and a graduate of the Allentown Police Academy. Jeremy worked for the Giant food chain with stores from Scranton, south to Blue Bell. In his first year he was the Rookie Loss Prevention Officer-of-the-Year. He also received their Loss Prevention Officer-of-the-Year, two separate years, which is indicative of his work ethic. We hired him as a part-time officer last year. He was recently promoted and he’s been sworn in as a full time officer. He has brought an extremely diligent work ethic with him to Lower Saucon, and from what we can tell,

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the ability to handle and treat people respectfully, exactly what we look for in an officer. We really welcome him.

Chief Lesser said Chuck Werkheiser is the officer who will be sworn in this evening. Chuck's a graduate of Philipsburg High School and he received a certificate in management from Villanova University. He worked in the private sector as a supervisor and in support software as a trainer. He's worked as a Public Safety Officer for Saw Creek Estates as well as a part-time Police Officer for the Borough of Tatamy. We're excited about his work ethic and the diligence that Chuck has also brought to the department. He worked as a part-time officer this spring and tonight we're swearing him in. Chuck has a wife and three children. His wife is here with their youngest child. The Chief asked Chuck to come forward. Officer Werkheiser was sworn in by Notary Public, Diane Palik. Chief Lesser said Chuck has also received an Associate Degree in law enforcement from Lehigh Valley College and is a graduate of the Lackawanna Police Academy. Both of these officers attended college and attained their degrees while working full time. That's part of the evidence of their work ethic. Council congratulated both officers.

Chief Lesser said Stanley Turel is here this evening and he can only imagine the number of hours he's volunteered to Se-Wy-Co Fire Company as a member of the Fire Police over the years. Ron Horiszny is also a volunteer with the Fire Police and we have a new member here tonight. You certainly have Chief Lesser's thank you, the Officers thank you, and also the community. The hours they put in, and sometimes the abuse they take, as they are not law enforcement officers. They are out there doing some similar tasks, and we appreciate them tremendously. There's no question that there's a very sincere and deep appreciation.

Robert Gearhart and Jim Petrowski came forward. They were both sworn in by Notary Public, Diane Palik. Council thanked both of them.

Mr. Kern said Item V.D. was moved up on the agenda regarding Special Fire Police. Resolution #65-2009 has been prepared to update the Special Fire Police list.

D. RESOLUTION #65-2009 – APPOINTING SPECIAL FIRE POLICE

SPECIAL FIRE POLICE

WHEREAS, following nomination by one of our Township fire departments of any of its members whom they have concluded is fit for duty, all nominees shall be appointed/confirmed by Lower Saucon Township yearly and be sworn in within thirty (30) days of their initial appointment/confirmation; and

WHEREAS, said appointment/confirmation shall immediately be null and void upon the termination of membership in any of the Township fire departments; and

WHEREAS, the fire department shall then insure that its special fire police are equipped with, at a minimum, a badge and identifying hat or uniform; and

WHEREAS, whenever a Township fire company is dispatched or whenever the Manager authorizes response to an event, such as a carnival, Lower Saucon Township shall be responsible for Worker's Compensation Insurance; and

WHEREAS, prior to participating in non-emergency activities and emergencies where their fire company has not been called out, unless they come upon an emergency and no police are on scene, in other municipalities our special fire police shall insure that they have written authorization from the governing body of that municipality stating specifically the date(s), time(s), location, and duties the

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fire police are requested for. The written authorization shall then be forwarded to the Township Manager for final approval; and

WHEREAS, all Township Fire Police shall complete the Basic Fire Police program and a yearly, in-house refresher program or other State certified course, and must produce documentation for such to the Township each year.

NOW, THEREFORE, BE IT RESOLVED, that the following persons, and only these persons, are confirmed as Lower Saucon Township Special Fire Police. This resolution supersedes all previous resolutions confirming Special Fire Police and all those operating as Lower Saucon Township Special Fire Police prior to this date shall no longer be active and unless listed herein are not confirmed.

Mr. Kern said for Se-Wy-Co, the list is Robert Gearhart and James Petrowski.

MOTION BY: Mr. Maxfield moved for approval of Resolution #65-2009.

SECOND BY: Mr. Horiszny

Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

A. RESOLUTION #61-2009 – HONORING BILL CSASZAR FOR HIS SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #61-2009 has been prepared to honor William (Bill) Cszaszar, Jr. for his years of dedication and service to the residents of Lower Saucon Township. This resolution will be presented to Bill at the Hellertown – Lower Saucon Community Day on Saturday, August 22nd.

**A RESOLUTION HONORING
WILLIAM (BILL) CSASZAR FOR HIS SERVICE TO THE COMMUNITY**

WHEREAS, Bill Cszaszar, a long-time resident of Lower Saucon Township, has been serving the residents of the Saucon Valley for over thirty-four (34) years in various capacities; and

WHEREAS, Bill joined the Se-Wy-Co Fire Company in April, 1975 and in 1976 he received his EMT certification, which he still keeps current; and

WHEREAS, Bill rose through the ranks of Lieutenant and Vice-President at Se-Wy-Co, and in 1978 was elected Fire Chief, a post that he held until 2002; and

WHEREAS, during Bill's tenure at Se-Wy-Co he served on the 50th and 75th Anniversary Committees, initiated a Building Fund and a Truck Campaign, and chaired truck committees that purchased apparatus such as the 1990 E-One Rescue, the 1997 E-One Ladder Tower and the 2002 E-One engine; and

WHEREAS, Bill continues to serve the Saucon Valley community as the Township Emergency Management Coordinator; and as a trustee, Safety Officer and Fire Investigator for Se-Wy-Co Fire Company; and

WHEREAS, even though Bill is retired from active duty with the fire company, he still responds to 2 a.m. calls and is always available to the fire company with his vast array of knowledge; and

WHEREAS, Bill will be saluted at the 2009 Hellertown – Lower Saucon Community Day for his community service to the Saucon Valley.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to commend William (Bill) Csaszar for his service and dedication to the residents of the Lower Saucon Township.

MOTION BY: Mr. Horiszny moved for approval of Resolution #61-2009.

SECOND BY: Mrs. Yerger

Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

B. RESOLUTION #62-2009- HONORING HARRIET FREY FOR HER SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #62-2009 has been prepared honoring Harriet Frey for her years of dedication and service to the residents of Lower Saucon Township. This resolution will be presented to Harriet at the Hellertown – Lower Saucon Community Day on August 22nd.

**A RESOLUTION HONORING
HARRIET FREY FOR HER SERVICE TO THE COMMUNITY**

WHEREAS, Harriet Frey, who was born in Hellertown and has been a long-time resident of the Bingen area in Lower Saucon Township, has been serving the residents of the Saucon Valley for over twenty-six (26) years in various capacities; and

WHEREAS, growing out of her desire to locate a variety of health food products in one store, Harriet and her late husband, Howard, established their own health food business, Frey's Better Foods, in Hellertown in 1982; and

WHEREAS, in 1983, Harriet and her husband moved the business to a storefront at 648 Main Street in Hellertown where it remained for nine years; and

WHEREAS, in 1992, the Frey's moved their growing and well-established business further up Main Street to their current location at 1575 Main Street; and

WHEREAS, while the Frey's sold the business in 1999 to their daughter and son-in-law, Harriet has continued to work daily at the store to assist her long-term customers; and

WHEREAS, Harriet has been very active for many years at her church, the Faith United Church of Christ in Center Valley, where she served as a Sunday School teacher for over 25 years; and

WHEREAS, Harriet will be saluted at the 2009 Hellertown – Lower Saucon Community Day for her community service to the Saucon Valley.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to commend Harriet Frey for her service and dedication to the residents of the Lower Saucon Township.

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MOTION BY: Mrs. deLeon moved for approval of Resolution #62-2009.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
ROLL CALL: 5-0

C. ORDINANCE NO. 2009-07 – AMENDING POLICE PENSION SERVICE INCREMENTS – PUBLIC HEARING & CONSIDERATION OF ADOPTION

Mr. Kern said Ordinance No. 2009-07 has been advertised for a public hearing and consideration of adoption which will revise Chapter 38, Pensions of the Code of Township of Lower Saucon, Section 38-13(H), to increase the maximum length of service increment for police officers.

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

Mr. Cahalan said this ordinance has been advertised and it's open for your consideration for adoption this evening. The Township completed negotiations with the uniformed officers on a contract and part of that agreement was to extend the length of the service increment. For each year of service in excess of twenty-five years, that's subject to a maximum increment of \$500.00. That is contained in this ordinance.

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

MOTION BY: Mr. Maxfield moved for approval of Ordinance No. 2009-07
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
ROLL CALL: 4-1 (Mrs. deLeon – No)

D. PRESENTATION BY SAUCON CREEK WATERSHED ASSOC. (SCWA) ON PENN STATE STUDENT PROJECT PROPOSED ON THE COAL YARD ROAD CONSERVANCY EASEMENT PROPERTY

Mr. Kern said Keri Maxfield from the SCWA would like to provide an overview of the proposed project that their organization will be undertaking with a group of incoming students from the Penn State Lehigh Valley Campus to improve the streamside conditions on the 40+ acre Dyer/Noble/Bracalente conservation easement property on Coal Yard Road.

Keri Maxfield said Penn State recently moved their Berks County campus to Lehigh County, Upper Saucon Township, which is in the wonderful Saucon Creek Watershed. We were contacted about a month ago by the Director of Student Affairs at Penn State University asking the Watershed Association if they could come up with an environmental project with the caveat that it had to be an educational experience. They went through a lot of project possibilities – a number of them on the Penn State campus, which they will probably be doing later. This is one they ran by the Chancellor and was approved by their board. This is off the main stem of the Saucon Creek. You can see the Saucon Creek winding through the property. It's 40 plus acres between Old Mill

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and Bingen Road. The Township conserved the property along with the three property owners to the north – Mr. Noble, Mr. Bracalente and Mr. Dyer. The conservation easement is also held with Wildlands Conservancy. We went out with numerous people from various organizations and took a look at the property. The mowed area now is a meadow. It's being mowed twice a year. We looked at the buffer along the stream corridor and there's a 70 to 100 foot area marked in red where it could use some help. Generally, this property is in excellent condition; it's beautiful. It's got a lot of native trees and the plus is that the invasives are at a level where they can be easily removed by shovel. It's a really good time for us to get in there and remove them before they get out of hand. We were told we were going to get between 15 and 50 freshmen and this is happening August 22, which is also Community Day. They will be working from 9 AM to 2 PM, and what we are going to be doing, with your blessing, is simply all hand work. We will be removing the invasives with shovels and we'll be taking some of the sycamore seedlings from the meadow and moving them to the buffer improvement area before the meadow is mowed. The rule of thumb is that you generally want to plant what already exists on site. We also got a donation of Red Oak, Black Cherry, Red Osier Dogwood, and Red Bud trees which are all native and good streamside trees. We're going to be erecting a number of blueberry boxes. It's going to be a short-term, one day enhancement project and the kids will learn how to identify natives and invasives and learn about what makes a healthy streamside corridor. She worked with Mr. Noble and got the approval of all three property owners. She also talked with Chris Kocher from Wildlands Conservancy and their new Director of Land Conservation, Amanda Stein and she got their approval. Amanda is asking Keri to do a follow up report on the state of the property. They are going out there on September 9 to do their annual monitoring of the site for their easement responsibility.

Mr. Kern said it sounds great. Mrs. deLeon said it's great that the colleges are being more aware about non-profits in the area because the kids need to be involved with community activism and the non-profits need help. Keri said you are absolutely right and that's why she thought it was a good trade off to give up our Community Day to do some work on the ground.

MOTION BY: Mr. Maxfield moved for a vote of support as stated above by Keri Maxfield.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
ROLL CALL: 5-0

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. RAY & ELLEN SEIPP – 3551 NORTH DRIVE – REQUEST VARIANCE OF SIDE YARD SETBACK TO CONSTRUCT HOUSE ADDITION

Mr. Kern said the applicant is requesting a variance of the side yard setback to construct an addition to their home.

Ellen Seipp was present. She said they want to add two bedrooms and a bath to the front of their house. They already have it cleared for the sewage system. The setbacks are thirty feet and this is twenty feet. At the rear of the house on the same side, is an addition that was done by the previous owner, which is twenty feet. This would line up with that. This is to the front, and our neighbor's house is more to the back of their house so it wouldn't interfere with the neighbor's house. There are trees on the side as well and they enter their house on the opposite side of their lot. It's fairly secluded from where they are. The reason they want to do it there is because it's basically the only place to add on with the rest of the bedrooms. To the back of the house, there's a pond that was put there by the previous owners and a big paver patio across the back. This is the best and probably the only place to add on which

makes any sense for them. Mrs. Seipp said they will be out of town for the Zoning Hearing Board meeting. Attorney Treadwell said Mrs. Seipp should get in touch with Chris Garges, our Zoning Officer for an extension. Mrs. Seipp said they may be able to get the architect there to represent them. Attorney Treadwell said that is fine.

Council took no action.

2. GREGORY & MARY ROSE HELLER – 2405 APPLE STREET – REQUEST VARIANCE OF SIDE YARD SETBACK TO INSTALL POOL

Mr. Kern said the applicant is requesting a variance of the side yard setback to install an above-ground pool.

Greg Heller was present. He said they are requesting the variance for the side yard to be more like twenty feet instead of the forty feet. They bought a pool and they didn't think it would be such a problem installing it, but when the installer came out, they basically said anywhere else on the yard, they'd need a five foot retention wall. This is the one spot that is relatively flat as most of the property is a hill. He talked to the neighbor and they are in agreement and signed an approval form. There's a hedgerow and a big rock pile that goes up the property so you won't even see it from the other side of the property.

Mr. Maxfield said they received a map and it has a pool with an X through it and a new location. Mr. Heller said that was the first location they chose. He didn't think it was so steep up there, but when they measured it, it would have needed a five foot retention wall, so that was the first plan. The one on the side is the new location.

Mrs. deLeon said she would have had to abstain if they were voting on this as her husband has a financial interest in this, and she that wanted to be on the record.

Council took no action.

3. JOSEPH & LISA HOLUB – 2017 ALICE DRIVE – REQUEST VARIANCE OF IMPERVIOUS COVERAGE & REAR YARD SETBACK FOR DECK THAT HAS BEEN CONSTRUCTED ON THEIR HOUSE

Mr. Kern said the applicant is requesting a variance of the maximum allowable impervious coverage and rear yard setback for an existing deck.

Mr. & Mrs. Holub were present. Mrs. Holub said at the time they got their house from the builder, there was just a simple set of steps going out the back yard. Over the past few years, they've gotten dried by the sun and were splintery and warped. At this point, something needed to be done with them. They had the deck started on the property. At that time, there was some misunderstanding on their part what qualifies as impervious. Because it is a deck, it's not solid as concrete with the imperviousness, there's slots in between the boards so the water drains down. The deck is about two or three feet up, so there was question on their part about imperviousness. As far as the rear yard setback, they were unaware of that. The deck is supposed to be forty feet away from our rear property line and they are within six inches of being over the forty feet. They just asked for the variance based on the fact that all of the houses in the area in the development where they are, that forty foot rule didn't apply to them. There are a lot of other houses in their area where they have gone over the forty foot rule. They are just requesting a variance.

Mrs. Yerger said on your occupancy permit there's a very large note that said you were already at 25% of your maximum. It also said if you would add anything, and it specifically

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states, any impervious coverage, patio, deck, etc., will require a variance. You were not aware of this? Mrs. Holub said she was aware of the 25% impervious. Their misunderstanding was what constitutes impervious. Mrs. Yerger said even though it said deck, patio, etc., you just assumed that was a misprint? Mrs. Holub said not a misprint, it was a number of years ago, and they didn't pull out the occupancy permit to check that. They've enclosed plans with their request for a variance, and she believes it puts them at 25-1/2% of impervious area on their lot size. Mr. Maxfield said it's over 26% according to our Zoning Officer. In talking to our Zoning Officer, he was a little confused also. He told us when you built the house, part of the driveway had to be removed in order to meet that 25%. Mrs. Holub said correct, the driveway is impervious. She doesn't doubt that as it's macadam. She understands the rule for impervious and the 25%. One of their concerns is obviously at the time the plans for their house were submitted to Zoning for approval, they told the builder about this 25% rule. The first time they heard about the 25% rule is at the time when they did not get their occupancy permit. She would just think in the future, maybe the Zoning Officer needs to relay that to the landowner and not to just the builder.

Mr. Maxfield said they've tried to relay that message to all the builders in the Township and it doesn't seem to stick. Unfortunately, per the law, it falls down on your shoulders. Like Sandy specified, this note is really large and it even specifies patio, deck. You went ahead and built this deck regardless of the law, and unfortunately, sadly, you haven't given us really anywhere to go but to oppose this. We've held many people, as of late, to 25% and this goes over that and the Township did its due diligence in addressing the concerns to you as it was written right on the occupancy certificate. He doesn't know what else we can do.

Mr. Horiszny said he agrees with Mr. Maxfield. Is there any other driveway that can be removed? Anything else that is impervious? Mr. Holub said why is it impervious when the water can drain through the deck into the ground? Mr. Maxfield said our engineer can answer that better, but it's something that's been on our ordinance forever, the definition of impervious.

Mr. Kocher said that is the way the ordinance defines it. It's also for intensity of development. It's not necessarily strictly impervious, but you do get some runoff off of the end of the deck, it doesn't all go through. That's more of an intensity of development, rather than strict impervious. Mr. Kern said he's not clear, could you explain the intensity? Mr. Kocher said remember when Judy talked about that when you define the maximum percentage it also has to do how much do you want to see the lot built on, how much green do you want to see. If you are saying the deck is not impervious, and the deck took up the entire backyard, that's an intensity of development issue rather than a storm water issue. Mr. Kochanski said he would agree. It's a storm water issue and it's an intensity and lot coverage issue and you are dealing with the way it's currently defined in the zoning ordinance. The zoning ordinance defines it as such, so it would be considered impervious, at that point. Mr. Maxfield said we have the same condition with pavers where there's space between the pavers, but they are considered impervious.

Mr. Holub said he could see your point if you were covering the entire area and it looks out of place if you built a deck that was way out of proportion to the size of the house and lot. Their deck is not a very large deck. There is 3/16th inch space between the boards on the deck.

Attorney Treadwell said unfortunately for Council, they do not have that option. The way the ordinance is written, a deck is impervious, so that's what we are dealing with now.

Mr. Kern said this is Alice Drive? Mrs. Holub said no, it's actually part of Saucon Terrace, which is an old development. Mr. Maxfield said you mentioned your neighbors are well into

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forty feet. This is an older development, and probably our ordinances changed multiple times since the intensity of development increased and our impervious surface increases and we begin to have more and more water problems, then we tighten it up. Mrs. Yerger said that is an area that we have had past water problems. That's an issue that is ongoing. Mr. Maxfield said as we said to the other two applicants, we believe our impervious coverage zoning ordinance is very lenient at 25%. He's gotten our engineer to agree with him, that if the entire development was built out at 25%, we would have bad flooding problems in there, so at 25%, it's very lenient and he's disappointed that it's over that. He doesn't know what else to say. It was built without a permit and without anybody inspecting the plans first. With this existing note, it's a rough thing.

Mr. Kern said can you remove anything else? Mrs. Holub said the only option she would have is to rip up their sidewalk in the front and put in stepping stones. Mrs. deLeon said are stepping stones impervious? Mr. Kochanski said yes, there would be a portion of that you can consider, depending on how it was constructed, what areas it would be put in. Mr. Maxfield said what is the square footage of the deck? Mrs. Holub said 250. Mr. Maxfield said that would be a lot of stepping stones.

Mrs. Yerger said her concern is that you had to be aware this was in violation and you opted to do it anyway. If everybody took that option, it would be a little chaotic in the Township, and that's where she is having a problem. We make these rules, not just to make rules, but there's data behind them. We've had storm water issues throughout the Township. These percentages were decided upon because we are trying not to have these problems continue throughout the Township and her problem is you were aware of it and opted to move forward without picking up the phone and verifying it with the Zoning Officer. Chris would have been glad to help you, but you opted not to do that. She's having a real problem with that.

Mr. Maxfield said we're kind of stuck.

MOTION BY: Mr. Maxfield moved to oppose and send Attorney Treadwell and Chris Garges to the Zoning Hearing Board meeting.

Mr. Holub said what about all the other resident properties in the Township who are over 25%? He still would like to be treated fair. Attorney Treadwell said the percentage may vary from zoning district to zoning district, so we can't assume it's 25% for every lot in the Township. In addition, you happen to be in front of us tonight and it's Council's responsibility to act on the application that's in front of them. This Township and Council do not go around measuring everyone's property just to see if they meet the requirement. You are in front of us tonight with an application to the ZHB and Council's responsibility is to address that issue.

Mr. Maxfield said he'll make a prediction that as we get denser and denser, and as those left over lots are filled, and as more people buy those few remaining lots, the percentages will even get tighter as we know from personal experience that water problems do occur. We're just trying to do the right thing for the Township. Mr. Holub said are there other things we can do to the driveway? Can we take out part of the driveway and put in some type of Hollywood block that would let the water go down and keep the deck? Mr. Maxfield said that's a possibility for pervious materials. Mr. Kocher said it would still technically be impervious the way it's written; however, that might be justification in front of the ZHB to permit it, if you support that with calculations.

Attorney Treadwell said the applicant in front of you tonight always has the option to discuss this further with the Zoning Officer, and then in conjunction with that, they can ask that their hearing for Monday night be postponed for another month to give them some time to discuss those options. If that's what you want to do, then you need to contact Chris prior to Monday

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and let him know that's what you want to do. If Council is going to take a position, they need to do that tonight as this is this last meeting prior to the ZHB meeting. Mr. Kern said Council would be very agreeable to that proposal if you were to remove a portion of the driveway and put pervious material in its place, which would work.

Mrs. deLeon said we're not talking a lot, it's only ½%. We sat here until wee hours of many nights talking about storm water problems. Mr. Holub said our lot, the way it is now, we have this big drainage ditch overflow that flows down the back side of their yard, and turns 90 degrees towards Alice Drive, which they have well maintained since they moved into the property. The water actually does flow down through there. They wouldn't make anything worse than it is. Mr. Maxfield said what the ditch might say to us is there are existing water problems and every little bit adds to it. Mr. Holub said they maintain that ditch to the utmost care.

Mrs. deLeon said that swale was there when you moved into your house? Mrs. Holub said right. Mr. Holub said they had to put sod in there to get it to where it is today. Mr. Maxfield said he would encourage them to look into pervious macadam, pervious concrete, those type of materials for a driveway. He would encourage all residents to look at that in denser areas, or in areas where there are identified water problems. That would really help the situation. Mr. Holub said he doesn't know of this pervious concrete, where can he get information on that? Mr. Kocher said the best place to start is to talk with Chris Garges. If we can help in there, he'll let us now. Mr. Maxfield said Chris could help you out or guide you. If you are willing to postpone your case with the ZHB, and delay it, then that would make all of us happy if we could work out some sort of a solution. To oppose is not going to be good for you. Mrs. Yerger said if you want to see what it looks like, Polk Valley Park is all pervious concrete – both the parking lots, the walkways, so go up and take a look at it. There are other kinds, but it would give you an idea of what it looks like at the upper parking lot. Mr. Maxfield said even if you drive up there and have a bottle of water, pour it onto the parking lot, it just soaks right through it, it doesn't sit. Mr. Holub said they would definitely do that. Mrs. Yerger said Chris is a good resource and he'll work with you. Attorney Treadwell said we would always, just as a formality, make that motion just in case it doesn't get continued.

SECOND BY: Mr. Horiszny
ROLL CALL:

MOTION BY: Mr. Maxfield amended his motion – we will oppose unless the applicant asks for a continuance at the ZHB meeting on Monday, August 24, 2009.

SECOND BY: Mr. Horiszny amended his second
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

B. ROGER RASICH –BANKO LANE – LOT LINE ADJUSTMENT

Mr. Kern said the applicant is requesting a lot line adjustment in order to consolidate three existing lots into two new lots.

Mr. Ed Dietz from Mease Engineering was present. He said they have three tax parcels. The total for the three parcels is approximately 6-1/2 acres. What the applicant would like to do is take the one lot, which is actually in the middle of the three, and split that in half and give half to one lot and half to the other so when the lot line adjustment is done, there will only be two tax parcels instead of three. None of the lots have any road frontage, and they plan to have it stay that way. They are supposed to be 200 feet wide, which they will be after the lot line adjustment. It's just taking the center lot and splitting it. Mr. Maxfield said it makes it a lot more conforming to the depth ratio that we recommend also.

Attorney Treadwell said you have a staff recommendation for preliminary/final subdivision approval dated August 19.

**STAFF RECOMMENDATION FOR
RASICH LOT LINE ADJUSTMENT MINOR SUBDIVISION
BANKO LANE TAX MAP PARCELS Q8-11-15, Q8-11-15A and Q8-11-15B-1
PRELIMINARY/FINAL SUBDIVISION PLAN APPROVAL
FOR AUGUST 19, 2009 LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township Staff recommends that the Township Council approve the "Rasich Lot Line Adjustment Plan," as prepared by Mease Engineering, PC, consisting of one (1) sheet, dated June 10, 2009, last revised July 22, 2009.

Subject, however, to the following conditions:

1. The Applicant shall address the review comments contained in the letter dated August 12, 2009, from Hanover Engineering Associates, Inc., to the satisfaction of the Township Council.
2. The Applicant shall address the review comments contained in the letter dated August 12, 2009, from Boucher & James, Inc., to the satisfaction of the Township Council.
3. In the event the lot pins and survey monuments have not been set nor is the required Financial Security Agreement executed within 90 days of this approval, this approval shall expire and be deemed revoked unless a written extension is granted by the Governing Body.
4. The Applicant shall provide two (2) Mylars and seven (7) prints of the Plans with original signatures, notarizations, and seals. The Applicant shall also provide two (2) CDs of all Plans in an AutoCAD format (jpeg-ROM).
5. The Applicant shall pay any outstanding escrow balance due to the Township in the review of the Plans and the preparation of legal documents.
6. The Applicant shall satisfy all these conditions within one (1) year of the date of the conditional approval unless an extension is granted by the Township Council.
7. All waivers granted shall be noted on the Plans with the applicable section, requirements, date of approval, and any conditions of approval.

It is also recommended that Township Council approve waivers from the following requirements of the following Subdivision and Land Development Ordinance (SALDO) Sections:

1. Sections 145-33.C(1) and (2) and 145-34.B so as to not require, per these sections, any further existing feature information, beyond that shown on the plan.
2. Sections 145-33.E(2), 34.C(12) and 34.D(1) so as to not require Sewage Facilities Planning.
3. Section 145-43.B(1) so as to not require the lots to have frontage on a public street.
4. Section 145-52.A so as to not require showing all trees with a diameter greater than 8 inches.

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If the Council is voting on this matter, it is requested that the Council authorize the Township Manager to notify the Applicant of Council's actions.

Mr. Kochanski said we have five comments. We would probably summarize them as clean up items requesting some notes be placed on the plans. For three of the comments, they are minor discrepancies. The last comment is just a reminder that there are some tires, and the applicant has notified the property owner that those need to be taken care of and he's indicated that notification has happened. We're looking at minor plan revisions from our end.

Mr. Kocher said their comments are also pretty minor. The lot line numbers should be put on the plan and also a certificate that the pins have been installed and security has been posted prior to recording. Mr. Kern said that is all on the staff recommendation letter? Mr. Kocher said correct. Mr. Deitz said he'd like to make a comment on the lot numbers. Right now there are three different tax parcels. We're not making any new lots, we're not subdividing, it's basically the one tax parcel is going to be consumed by the other two, so we didn't see where we need to make separate lot numbers as each tax parcel is already there as in a subdivision you would make new lots and you'd have Lot 1, 2, and 3, but in this case you have three different tax parcels and we're going to end up with two separate ones. We're not sure where the lot numbering came in. Mr. Kocher said you still need to have Lot 1 and 2 so you can reference them. Attorney Treadwell said when you go to the County and say add this, you'll be able to say add Lot No. 1 from the subdivision plan known as X2, whatever existing lot. Mr. Deitz said normally the way they've done it in the past for other projects is they've just used the tax parcel number as the reference. We can put lot numbers on there, it's not an issue. Attorney Treadwell said put Lot. No. 1 and 2 on there. Mr. Deitz said are how should we label each lot? Mr. Kocher said just label them proposed Lot. No. 1 and Lot No. 2. Attorney Treadwell said you are identifying the lots that will exist when that plan is recorded. You are not changing the tax map parcel, you are identifying the lot as Lot 1 and Lot 2. Mr. Maxfield said even though you are not creating new lots, you are consolidating lots, it's technically a subdivision. Mr. Kocher said yes. The waivers they are asking for is showing the existing facilities within 500 feet other than what's shown on the plan. They'd like a waiver of sewage facilities planning since they are actually less one lot than when they started. They would like a waiver from having to front the lots on the street since they don't currently front on the street, and a waiver so as to not require showing all trees with a diameter greater than 8 inches. The PC has reviewed those waivers and acted favorably on them. Mr. Maxfield said a few of them will be addressed later when actual building occurs? Mr. Kocher said there's a note on there that if and when they go to build, they do need to do sewage testing. Mr. Maxfield said what is the current access to those lots right now? Mr. Deitz said right now there is an access easement that is proposed once the lots are done. There's actually a driveway here and another driveway coming up the middle. Currently there is no access to the lots in the back. They are just vacant.

- MOTION BY:** Mr. Maxfield moved for approval of the staff recommendation for the Rasich Lot Line Adjustment dated August 19, 2009.
- SECOND BY:** Mr. Horiszny
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
- ROLL CALL:** 5-0

C. HIDDEN MEADOWS – 3588 LOWER SAUCON ROAD – REQUEST FOR SECURITY REDUCTION

Mr. Kern said the developer has requested a reduction of their security for improvements completed to date. Hanover Engineering has conducted an inspection of the work and is recommending a reduction in the amount of \$5,275.17.

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Mr. Kocher said if their escrow account is okay, they do not have any other conditions.

MOTION BY: Mrs. deLeon moved for approval of request for security reduction for Hidden Meadows – 3588 Lower Saucon Road.

SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. GEOCACHE REQUEST FOR THE LUTZ-FRANKLIN SCHOOLHOUSE PROPERTY

Mr. Kern said the Township received a request from residents who are geocaching enthusiasts to locate a small (2" x 2") cache in the woods separating Kingston Park and the Lutz-Franklin Schoolhouse which will require geocachers to answer questions about the Schoolhouse to get the final coordinates for the cache. The residents have discussed this proposal with the Lower Saucon Township Historical Society.

Rhett and Priscilla Oren were present. Mr. Oren said they are not requesting to put the cache at the schoolhouse, but adjacent to the schoolhouse in the Kingston Park. Mrs. Oren said they proposed over a year ago to the Parks and Recreation board the concept of geocaching because it's not new, but it's a phenomenon that they learned about in their volunteer work in Florida. They volunteer at a County Park in Sarasota and a State Park. Geocaching came to them because they were asked to help the Ranger at one of the parks they volunteer at. Knowing what geocaching is all about, they came and told the LST Parks & Recreation Board what it was all about because Priscilla had been a member of the Parks Board. Eventually people are going to want to do it in the parks. They proposed that there be a way of allowing this to happen under guidance. They worked with Mr. Cahalan and discussed it. It's time consuming to explain, so she has given everyone a handout. She said they have already initiated the approval form for allowing caches in LST parks. She and Rett are geocachers in that they find them and they hide them. They would like to do one that is a multi-cache. The idea of geocaching is to bring people to places that they wouldn't normally go – parks, historical areas, etc. She showed what a geocache looked like. They wanted to use the Lutz-Franklin Schoolhouse site so they could bring people there. Therefore, they made up a quiz that people have to take in order to solve the puzzle to get the coordinates to find this in the park adjacent to Lutz-Franklin Schoolhouse. For those of you involved with Lutz-Franklin, what bird part is the component of the weather vane? How many windows are in the schoolhouse? What date is on the stone over the front door? What object is just to the right of the front steps? How many slate pillars are on the fence surrounding two sides of the school yard? How many of the slate pillars are part of the original fence? They have to answer those questions by simply sitting somewhere and walking around the property. When they get the answers, then they will be able to solve the puzzle to find this in the adjacent park. It will not be on the property. If you are worried about a lot of people, there won't be. We have a cache at the Heller Homestead that is called "Heller Hide", and one at Town Hall called "Natural". He looked at records today and 42 people have found the cache here and 38 have found Heller Hide and they received an email today that someone found their very first geocache here at Town Hall. That's pretty cool. The typical comments are "they never knew this park existed. Thanks for bringing us here". They'd like to put one in every park in LST. Mrs. Oren said at Southeastern Park, they are going to call it "Meadow Lark". Mr. Oren said they still have Steel City Park to go and it's a challenge because it's such a small park. Where they propose to place this is in the woods between the fields and the outhouse. If the park was more developed, they would have put it over by the bat house, but because of the construction, that is pending there, they wanted to hold it closer to the woods. That's basically the idea. Mrs. Oren said it's very family oriented. Inside the box are items that

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are considered trade items that kids just love. People will typically go there, take something and give something back. You are supposed to sign the log sheet and trade items. There are travel bugs in the box that travel all over the world. Mr. Oren said to give you an idea how many geocachers are out there, he put his cache down the road. There are 1,200 geocaches within twenty-five miles of here. Mrs. deLeon said after the Oren's were at the Steel City Parks and the Recreation Board meeting last year, she listened to them, went on the website and got all these emails. It's amazing all the different places. Mr. Oren said the reason they want to do this is to bring people to the Lutz-Franklin and to look and read the signs. Mrs. Oren said there's a good cache in Bethlehem and one in Easton. Kids love this as well as adults. They put on geocaching presentations at different parks. They have found 900 geocaches so far. There are new ones popping up all the time. There's some in the Lehigh River where you need a boat to get there.

Mrs. Yerger said she looked at geocaching a couple of years ago and one of the goals was to get people outdoors and to be walking, hiking and moving. This is great as you are having people go to sites, but she would like to see them take one of the bigger parks and actually do a couple of cache sites on it so they literally have to walk the two to three miles of the trails to get the exercise and to be outdoors. That was really one of the goals on geocaching and that's why they had them in State Parks to get people out and about and exercising. She would like to see those types of geocaching. Mrs. Oren said there is one at Polk Valley Park and you have to walk. They are going to put another one there. Mrs. Yerger said great, that's all she's asking. Mr. Oren said all of the geocaches in the Township Parks require at least a quarter of mile walk. If you really want to do some walks, there are some on South Mountain that requires you to walk one mile one way up the hill. When you put a cache out, you rate the difficulty because some people just can't go that far. Mrs. Yerger said she understands you have to have a balance. Mr. Oren said there are caches down at the mall. There are very strict guidelines that are put out by www.geocaching.com. They are complying with those guidelines and are using that as a proxy here. There's a two level approval system here for geocaching. One that's locally with Jack, and then they have to go to the geocaching and that has to apply to all the regulations and you can't put it near RR tracks that are operating; you can't put it on a building; and you can't put it too close to another cache. It can't be in a dangerous area. Mrs. Oren said it has to be approved by a local approver, and www.geocaching.com. Mrs. deLeon said what's too close to another one? Mr. Oren said a tenth of a mile. They are going to put another one in Polk Valley and Southeastern Parks. There's another cache at Southeastern Park, besides them, that didn't know they had to fill out a form. They hope they can help their parks by introducing this. If you'd like to see the one in Polk Valley Park, they will take you out personally.

Mr. Cahalan said you are talking about placing it in Kingston Park or along the tree line? Mr. Oren said just show them where the property line is in Kingston Park and they'll make sure they will put it there. Mrs. Oren said it will be in Kingston Park. People will just solve the puzzle at the Lutz-Franklin Schoolhouse site. They will make sure it will stay in the Kingston Park. Mr. Maxfield said anywhere in the tree line would not be a problem. Mr. Oren said they try to place them in a hollow of a tree or near a rock or something like that. Mrs. Oren said nothing can be buried, so nothing is going to be disrupted. What they might do is put some leaves or wood on top of it. The reason to put it like that is so passer by's don't take it.

MOTION BY: Mr. Maxfield moved to approve the geocache request.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
ROLL CALL: 5-0

B. RESOLUTION #63-2009 – PA CONSERVATION WORKS! GRANT APPLICATION

Mr. Kern said township staff working in partnership with the Alliance of Sustainable Communities – Lehigh Valley have prepared and submitted a grant application to PA DEP under the PA Conservation Works! Program for funding for energy reduction and conservation retrofits to Seidersville Hall, Town Hall, the Public Works Garage, and the E. House.

Mr. Cahalan said in your packet is a copy of the project description for the application they had to submit to PADEP by last Friday, August 14. This is stimulus money that is available to municipalities through the State of PA. What they are looking for are energy retrofits of municipal buildings that can achieve an energy savings of at least 25%. They've been working on this very hard for the past month and a half with our partners, the Alliance for Sustainable Communities Lehigh Valley, and have had to get several contractors in to provide us with estimates for the items on this project that could achieve these savings. They feel they put together a fairly good application. One of the things this was based on was last year they asked PADEP to do an energy audit of the Township Complex and they came in with a pretty detailed list of items that we could improve from lighting to putting motion sensors and things of that nature in the buildings to achieve energy savings. They took that as the basis and went further with some of the experts and the Alliance was very helpful. They needed an Environmental Engineer to certify to PADEP that we feel we can achieve this 25% threshold. They put together a package and it's for a total of \$250,000 in improvements to Seidersville Hall, Town Hall, the Public Works Garage and the E-House. The plan on the E-House is for the Alliance to make that into an energy demonstration house. In Seidersville Hall, they are proposing to replace all the windows with triple glazed units, replace the furnace with a high efficiency furnace and programmable thermostats. They want to put some insulation in there to seal it off and to cut down on the infiltration. All of the incandescent lights with compact fluorescent bulbs will be replaced with updated TA tubes with electronic ballast and the bulbs would be replaced with LED, where required. There would be motion sensors to make sure any of the equipment in use would only be used when necessary. In Town Hall, we would do upgrades of the lighting to more energy efficient equipment, and motion sensors would be installed. We have a lot of items on the police side that run 24/7 and this equipment would allow it to be only turned on when it is necessary. We will, under this project, be installing a domestic hot water heat pump system in the Public Works garage, and we will also put that lighting on a timer so it'll only be used when necessary, upgrading about 80 lighting fixtures. They are T12's so we're going to improve that down to a T8. The biggest thing we are proposing, if we are fortunate to get this grant, is to replace the current heating system, which is electric and very expensive, and it's going to even go higher in another year or two, with a geothermal heat pump system. With the zoning in this area, and the carbonate geology, there would be no vertical drilling allowed, so it would have to be horizontal piping. We have a perfect area, we discovered, in the multipurpose field for the piping. You'd excavate down five or six feet, fill it in, and it's back to being a multipurpose field. Mrs. deLeon said we had to wait a couple of years for it to get established, would we have to wait again? Mr. Cahalan said we would, but it's not used as much as Polk Valley Park. It was used by some of the Lacrosse groups when they started up. They are all out at Polk Valley Park now. It's underutilized now at this point. The good thing about the geothermal system is it would cut our electric usage by about 50%. It's something we ought to seriously look into even if we do not get this grant. This is costing us a lot of money to keep this building heated. In the E-House, they would propose to put in foam insulation in the exterior wall cavities and underneath the roof cavities and that would provide an efficient illustrated building envelope for that structure. It's a series of retrofits to the buildings. We're also proposing to replace the 113 traffic and crosswalk signals in the township and the traffic lights with high efficiency LED lights which last longer and save more energy. They feel they put together a good grant. They are indicating in this grant that the Council has, in the capital budget over the last several years, put a total of \$83,000 in the capital budget for projects of this nature, such as the window replacement, and some of the other items, so they are indicating that is a pledge of the match which comfortably puts us at a 25% match rate for the grant.

Mr. Cahalan said the resolution that is before you is #63-2009:

**RESOLUTION AUTHORIZING SUBMISSION OF PA
CONSERVATION WORKS! GRANT APPLICATION FOR
FUNDING FOR ENERGY EFFICIENT RETROFITS OF
TOWNSHIP BUILDINGS**

WHEREAS, Lower Saucon Township desires to undertake retrofits of its municipal buildings to increase their energy efficiency and conservation and to decrease operating and maintenance costs; and

WHEREAS, the Pennsylvania Department of Environmental Protection provides funding for energy efficiency, conservation and renewable energy projects for local governments through the PA Conservation Works! program; and

WHEREAS, Lower Saucon Township, has partnered with the Alliance for Sustainable Communities – Lehigh Valley to identify eligible projects in Seidersville Hall, Town Hall, its Public Works Garage, and in the E.House, such as replacement of furnaces and boilers; installation of windows, insulation, automated control systems, geo-thermal heat pump systems and solar energy systems, that will qualify for this funding; and

WHEREAS, Lower Saucon Township staff with the assistance of the Alliance submitted a grant application to the PA Conservation Works! program by the application deadline of August 14, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township hereby approves the submission of the application to the Pennsylvania Department of Environmental Protection for funding from the PA Conservation Works Program in the amount of \$332,644.00.

AND BE IT FURTHER RESOLVED that the Council of Lower Saucon Township has previously allocated in its Capital Fund municipal resources in the amount of \$83,330.00 to provide a match for said project.

Mrs. deLeon said if this had to be in by the 14th and today is the 19th, is this after the fact? Mr. Cahalan said it's in, we had to submit it by the 14th. Mrs. deLeon said shouldn't have the resolution come before we submitted it? Mr. Cahalan said it wasn't prepared. Mrs. deLeon said will this hurt us? Mr. Cahalan said we didn't have to submit the resolution with the submission. Mrs. deLeon said was this at the PSATS conference in April? Mr. Cahalan said yes, they spoke to Bob Pitcavage and did get his support. There are support letters from Representative Bob Freeman and Karen Beyer.

MOTION BY: Mr. Horiszny moved for approval of Resolution #63-2009.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone in the audience had any comments or questions? Mr. Oren asked what was the projected cost savings? Mr. Cahalan said it's 25%. We are projecting a 25% savings on these projects. With a geothermal system, we even project a higher number which is 50% in savings. For example, the annual heating and air conditioning cost in this building is approximately \$28,000 a year. With a geothermal system, we hope to get it down to between \$11,000 and \$14,000. That's a pretty major savings. Mr. Hobbs, resident, said you mentioned you were going to replace some windows with triple pane glass? Mr. Cahalan said triple glazed. Mr. Hobbs said what are you replacing, double pane? Mr. Cahalan said single pane with really airy storm windows. Mr. Hobbs said he recalls a comment by an expert at the American Optical Company in Connecticut back in 1967 and he said yes, you'll get a great

reduction by replacing single pane with double pane with Argon gas in between as a layer, but to go to triple pane is so marginally insignificant like 96% to 98%, 2% points. For that extra cost, he wonders if it's even worth it to go to triple pane rather than double pane. Mr. Cahalan said the cost of the window replacement is not that great. Council was planning to replace them anyway and the experts we are dealing with felt that the triple glazed windows were the way to go. He doesn't have a breakdown as to what the difference would be, but he can tell you that's what was recommended to them. Mr. Kern said we'll look into that, the double pane versus the triple pane and the difference in cost.

ROLL CALL: 5-0

C. RESOLUTION #64-2009 –ACT 32 DELEGATES

Mr. Kern said under the Act 32 legislation that requires the consolidation of the current 560 Earned Income Tax (EIT) collectors statewide into 69 Tax Collection Districts (TCDs), the governing bodies of school districts, township, boroughs and cities are required to appoint one (1) voting delegate and one or more alternate delegates to be their TCC representatives. Working through the Saucon Valley Partnership, the Township, Hellertown Borough and the Saucon Valley School District have agreed on and are recommending three (3) individuals from the school district be appointed as these representatives.

**A RESOLUTION APPOINTING ONE VOTING DELEGATE
AND TWO ALTERNATES TO SERVE AS LOWER SAUCON TOWNSHIP,
REPRESENTATIVES TO THE
NORTHAMPTON COUNTY TAX COLLECTION COMMITTEE (TCC)**

WHEREAS, the Commonwealth of Pennsylvania Act 32 of 2008 was established to reform the current Earned Income Tax (EIT) collection system by consolidating 560 EIT collectors into 69 Tax Collection Districts (TCD), formed mainly along county boundaries; and

WHEREAS, the Tax Collection Districts will be governed by a Tax Collection Committee (TCC) comprised of representatives of each of the municipalities and school districts within the TCD; and

WHEREAS, Act 32 § 505(b) requires the governing bodies of school districts, townships, boroughs, and cities that impose an Earned Income Tax to appoint one voting delegate and one or more alternate delegates to be their Tax Collection Committee (TCC) representatives, and Lower Saucon Township desires to appoint the required delegates to represent its interests; and

WHEREAS, Lower Saucon Township, the Borough of Hellertown and the Saucon Valley School District, working through the Saucon Valley Partnership Council of Government (SVP COG), have determined that their individual and mutual interests are best served by selecting delegates in common, and have determined that the individuals they have chosen have consented to their appointment to the TCC to represent their interests.

NOW, THEREFORE, BE IT RESOLVED by the Council of Lower Saucon Township, Northampton County, Pennsylvania, that the following individuals are appointed as TCC delegates for Lower Saucon Township and will exercise their duties on the Township's behalf in the following manner:

1. Primary voting delegate: Edward Inghrim
2. First alternate voting delegate: David Bonenberger
3. Second alternate voting delegate: Gina Dinino
4. If the primary voting delegate cannot be present for a TCC meeting, the first alternate voting delegate shall be the Borough's representative at the TCC meeting. If both the primary voting delegate and the first alternate voting delegate cannot be present for a TCC meeting,

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- the second alternate voting delegate shall be the Borough's representative at the TCC meeting.
5. These appointments are effective immediately and shall continue until successors are appointed. Delegates shall be appointed each year in November or December or as soon thereafter as possible. All delegates shall serve at the pleasure of the Council of the Borough of Hellertown and may be removed at any time.

Mr. Cahalan said this is something we've begun talking about and have continued our discussion with the SVP which includes the Township, Hellertown Borough and the School District. The Act 32 legislation is something that is moving ahead and will be going on for the next several years. All of the representatives will be coming together from Northampton County at this Tax Collection Committee, which is the TCC, some time in the Fall, and we felt we would have more strength going forward if we stuck together with our partners at the Borough and the School District. Ed Inghrim is a member of the school board and of the Partnership and is an excellent choice. Dave Bonenberger is the Business Manager at the SVSD and Gina Dinino also works at the school district. We discussed this at the SVP meeting and feel they are excellent candidates to represent us for the Act 32 deliberations.

Mrs. deLeon said it needs to be corrected as it says Borough of Hellertown. Mr. Cahalan said it will be corrected. The Township is approving, tonight, these delegates. Hellertown already did that and the school district will do it separately. We just need to change that to serve as the Lower Saucon Township, Representatives to the Northampton County Tax Collection Committee.

- MOTION BY:** Mrs. deLeon moved for approval of Resolution #64-2009, with the change.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
ROLL CALL: 5-0

E. LUTZ-FRANKLIN SCHOOLHOUSE – KINGSTON PARK PLAN DESIGN

Mr. Kern said the Township Planner will review the final design plan for the parking lot and walking trails at Kingston Park with Council.

Mr. Kochanski said they have been working on the rain garden location and design with Hanover Engineering. The plan before you represents the concept that was previously before Council with the addition of the location and grading for the rain garden. The grading has been designed to minimize site disturbance while maintaining ADA access. They have reviewed the conceptual grading with Dr. Kingston and he is ok with the grading concept. Dr. Kingston's primary concern was with the proposed plantings; which has not yet been designed. Once a planting plan has been prepared later in the year, they will share that with Dr. Kingston.

Mr. Cahalan said if Council approves this tonight, can Public Works move ahead with any grading or other construction on the trails and the parking lot? Mr. Kochanski said from a grading standpoint, Brien's office was comfortable with that, so he doesn't see any obstacles. Mr. Kocher said Roger will need cross sections from them for what they consist of, but yes, he can start. Mr. Cahalan said there will be some earth removal necessary for his project? Mr. Kocher said yes, it does generate a net amount of fill that has to be moved offsite. Mr. Cahalan said we do have to have a possible site selected for that? Mr. Kocher said yes, the Cloverview.

Mr. Maxfield said he has a question on the map, this doesn't have to do with the garden, but the trail layout on the map, it's one of the extensions across the Lutz-Franklin properties that comes off the parking lot area, did we not at one point say we weren't interested in having that section? Do you remember? Mrs. deLeon said we didn't need the two accesses to there? Mr. Maxfield said he

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can't remember if it was an objection from the Historical Society. Mr. Cahalan asked Mr. Kochanski if he had one of the three concept plans? Mr. Kochanski said he does not. Mr. Cahalan said he thinks what Mr. Maxfield is saying is correct. We took away one of the pathways on the schoolhouse side. Mr. Kochanski said he can check back on that and modify and coordinate with Roger on that. Mrs. Yerger said she remembers we didn't have a second one going across like that as we didn't want to interfere with the line of site to the schoolhouse and we felt that would detract from going this way. If you look at the schoolhouse, you now have this wonderful clear line. Mrs. deLeon said what's the crosshatch that says area possible overlap? Mr. Kochanski said that was a boundary issue. Mrs. deLeon said hasn't that been resolved? Mr. Kocher said all of that has been resolved. This is just to show you where Ella's Garden is.

- MOTION BY:** Mr. Maxfield moved to approve Ella's Garden conceptual grading plan, not for the walking trail plan for that section.
- SECOND BY:** Mr. Horiszny
Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.
- ROLL CALL:** 5-0

**F. ORDINANCE NO. 2009-08 – PROHIBIT PARKING ALONG TOWNSHIP ROADS
ADJACENT TO FUTURE RAIL TRAIL – AUTHORIZE ADVERTISEMENT**

Mr. Kern said approval is requested to advertise a proposed ordinance that would prohibit parking along Meadows Road and Old Mill Road adjacent to the future rail trail crossings.

Mr. Cahalan said those are the two crossings on the SEPTA rail line that we hope to convert into the Rail Trail sometime in the near future. We are moving ahead with ordinances that would prohibit parking along those roads that are adjacent to those rail crossings. We will hopefully be providing an area for visitors who want to access the trail to park and to get on the trail to walk or bike so there will be adequate facilities for that, but we don't want them parking along private property or township roads.

- MOTION BY:** Mr. Horiszny moved for approval for advertisement of Ordinance No. 2009-08.
- SECOND BY:** Mr. Maxfield

Mr. Maxfield said where the trail crosses Bingen Road and heads in the direction of Upper Saucon, are we concerned about that as it's relatively close to the road and it's private property. Mr. Kern said that's a trestle. Mr. Maxfield said once it gets past the trestle, it's in Lower Saucon then. Mr. Cahalan said they will address that separately because they have to look at that as far as access issues. Mrs. deLeon said eventually visitors will know where to park. Mr. Cahalan said yes, that's correct. The approved access points will have that information and will have a map where they can park, where there are other facilities, etc. Mrs. deLeon said and a restaurant guide? Mr. Cahalan said yes and information on historic sites.

Mr. Oren said they were involved with the one in Florida and there were a lot of problems with parking as there were only a couple of access points, so when you address that issue, make sure you have adequate parking. Mr. Cahalan said in Hellertown and at the Upper Saucon end, there is adequate parking as it's adjacent to the community park in Upper Saucon and also adjacent to the Water Street Park in Hellertown. The two access points for the Township are streets. We're working on providing other access areas for people to park and get on the trail.

Mr. Haller, a resident of Wyndham Terrace, said he's concerned about parking on Old Mill Road. Mr. Cahalan said this is for a specific area? Attorney Treadwell said he doesn't think we determined that as of yet. We still need to set up the exact location where the "No Parking" signs will go, but he doesn't believe it's the entire Old Mill Road. Mr. Cahalan said it's

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adjacent to the Rails to Trails. Mr. Haller said what about his street? People can possibly park there and walk down to an access point. Mr. Maxfield said is there currently parking on the street there? Mr. Haller said there are rather large lots there. Mr. Kern said that would be a bit of a walk. There's more convenient parking at the Hellertown end and the Township is trying to secure another location that would be in the Township that would alleviate any problem like that. Mr. Maxfield said hopefully the parking will be approved as Township parking, new lots. We'll try to keep them off of public roads and out of neighborhoods. Mr. Kern said if there is a problem in the future, it can be addressed.

Ms. Stephanie Brown, Meadows Road, said one of the things she's already seen, not only is the trail being actively used, but where the concrete barriers have been put up, there's significant distance between where they are and the actual crossing of the road. She's seen people parking in those areas, will that be addressed also? Mr. Kern said yes. Mr. Cahalan said the barriers are just temporary and were placed back from the road to allow access for maintenance equipment.

ROLL CALL: 5-0

G. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JULY 15, 2009 MINUTES

Mr. Kern said the minutes of the July 15, 2009 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the July 15, 2009 minutes.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 4-0-1 (Mr. Horiszny- No)

B. APPROVAL OF JUNE & JULY 2009 FINANCIAL REPORTS

Mr. Kern said the June & July 2009 Financial Reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the June & July 2009 financial reports.

SECOND BY: Mr. Horiszny

Mr. Kern asked if anyone in the audience had any comments or questions? No one raised their hand.

ROLL CALL: 5-0

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Joann Zarack, Easton Road, said she lives right across the street from the Bethlehem Fields Apartment project. You were just talking about lights. She can tell you about lights. They have lights on in the apartment complex that not only shine right on her house, but right through her house. She has no place to sleep. She has no air conditioning and she had to open her windows. She called Lower Saucon Township. She made about thirty phone calls about this. Finally she called the Sheriff and he told her she would have to go to a lawyer and get an injunction. When she talked to the Township, she was told to contact somebody in the City of Bethlehem, so she did. They put her on to Tracey Samuelson, who is in Planning. This project went from Lou Pektor to Allied Construction to Boyd Wilson, who is now the Manager of the project. It was Judy Ranier who was the Project Manager. They got in touch with her. They came down, while Allied Steel had it, they lit the lights on Building H, which is caddy corner and all the lights came on to Ms.

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Zarack's house. The guy came down the next day and had the lights turned off. In June, they built Building I, which is a four story building and over shadows every house in her neighborhood. That wasn't the original plan. The original plan was supposed to be townhouses which would only be two stories. That isn't what we got. Evidently, they consider us the back. We're on the road, but we're the back. Now we have this huge building which is going to be lit up. In the meantime, they put hoods on the building lights, but still she had four yellow lights, with the lowest wattage, shine into her house. An electrician came to her house, who is a friend of hers, and he said the lights should be in the roof of the porches so it shines on the doors. She called the Township again, and was told to go to the Bethlehem Council meeting and she did last Tuesday. She told them about this and that she couldn't even sleep in her bedroom; she had to sleep in the basement on a hot night. She couldn't open her windows. Mayor Callahan took her aside and said he was going to look into it. Thank God he did. He made the phone call and Joe Kelly, their legal counsel, called her the next day and said they are going to do something very soon. Friday they finally put the lights into the ceiling. They told her previously they weren't going to rewire, and she was told to "live with it". She is not living with this. She's lived there first. She's lived there for 70 years and she's going to take that. She called and went last night to thank them for doing this for her. Now there are still these other street lights that glow. They light up the whole sky. We have wildlife down there and according to the Internet, these lights are the worse lights for wildlife. They have birds, hawk, and all kinds of animals. If they don't bring the lights down, they are going to be up in the sky. She got a letter today from Tracey Samuelson saying they are going to put trees across the front to keep the lights from coming over to her. She's here tonight to tell you to please, if ever you have another jurisdiction across from LST's boundary, do not let them put lights up like that. LST should be involved. When we went in 2003, no one from LST was there. There was another meeting and at that meeting you did send someone, but that person resigned after that. All the lights facing Hellertown, they don't turn those lights on. Another thing LST has problems with is water. We have underground springs. There's a water problem behind her and she tried to talk the guy into giving the land to the Township, but he wants to construct homes up there, and no one wants to buy it so far. The water comes down her driveway and it comes down like a river. We were all there when Pektor had his guy there, and he said it's not wetlands, but she said, no, it's a drain field. They said we'll fix it. They put a lot of pipes in, but how are you going to pipe an underground stream. Mrs. Yerger said they do it all the time, unfortunately. Ms. Zarack said now the water is backing up. The drains are not taking it. It comes down Cherry Lane. It comes down Easton Road. She went down for her mail when it was raining, and she almost got drowned. She'd like to know what can be done. They claim there are no water problems, but she noticed in their parking lots, they are flooded, the streets are flooded, and it's not taking the water. Her basement under her coal bin is now wet. Her whole front yard is wet. She never had that much water. Mr. Kern asked Attorney Treadwell if there was anything that could be done as far as the change in the water situation? Attorney Treadwell said they would have to have someone go out and analyze how it actually runs. The quickest way is to have someone look at the plans for the project and see if the water is going where it's supposed to go. Ms. Zarack said they had a big roller out there rolling, it almost drove them crazy. All her pipes were rattling. They've all had the gas company come out. She went over and told them to stop. She told them her gas line was right there. The guy said no it's not, it's across the street. They construct and don't even know where anything is. She had the gas company come out as she smelled gas. Yesterday she had the Hellertown Borough Authority come to see if her water pipes were broken. They marked her pipe, but didn't tell her if she had a leak. We don't know if PennDOT should be involved. They repaved the street. They made it too high that the water doesn't go across anymore, so they don't know how to solve it. Mrs. Yerger said it could be that simple. PennDOT came out to her place and changed the pitch of the road. Now she has a lot of water running through her swale. Mr. Kern said is there anything that could be done, grading-wise on that? Mr. Maxfield said they did that all the way down Easton Road. The grading has been raised down into Hellertown. It completely changed the water patterns. Ms. Zarack said there's nothing that can be done? When they get a lot of rain, her whole front is full of water. Mrs. Yerger said she would think PennDOT has part of the responsibility. They have paved all the way out and some of the pitch has been changed. Ms. Zarack said what's

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going to happen when it snows and it fills up. Are they going to drag it all the way out to Cherry Lane and park it in front of her house like they had been doing? One year she had a medical emergency and if it wouldn't have been for Alan Kunsman, she never would have gotten to the doctor. He came down and plowed her out. PennDOT has that too, they do those streets. We're supposed to be rural, and that's what they are doing to us. They have a Bethlehem sign there and she told them to remove it. If you could help her solve these problems, she would really appreciate it.

- Mr. Alan Gross, Black River Road, said we have a quite a few neighbors as well that want to be heard tonight. They are here concerning the zoning and environmental issues on Black River Road on the Kipp and Williamson properties. Back on June 17 at a Council meeting, Attorney Roberts presented to Council our issues, and you've all read those. The first item is directly to Mr. Kern. At the June 17 meeting, you asked the question about the earth disturbance ordinance, and specifically, how large was this equipment parking lot that Mr. Kipp created. Very conservatively speaking, it's 3,000 square feet. The way he arrived at that, he measured the front footage along Black River Road from the street, and it's 50'. Obviously he didn't proceed on to his property, but based on the equipment that Mr. Kipp is storing in there, you can get a pretty good idea. It's about 60' in depth. Very conservatively, he's created an area of about 3,000 feet and being expanded as we speak. It's all in LST. Talking about the earth disturbance ordinance, the ordinance states that a permit is required for a lot of one acre or less if the disturbance is less than 1,000 square feet. It also states, or 1,500 square feet if the disturbance is no closer than 20' to the lot line, top of bank of any stream, water corridors, wetland or riparian corridor. He will add that this equipment storage lot is right up to the edge of the property line on the east end of his property, and it is entirely within the 100 foot riparian buffer. We have a couple of handouts with additional information. Mrs. Yerger said they've been out looking at it multiple times. Mr. Gross said they appreciate that. Regarding the handout, the riparian buffer ordinance is quite specific in the Township. He'll quote from Section 185 or the Township ordinance as amended, paragraph 11 states "the following uses are specifically prohibited within a buffer associated with a wetland, riparian area, lake or pond. 11a. removal or disturbance of vegetation in a manner that is inconsistent with erosion control and corridor protection. 11d. motor vehicle or wheel traffic in any area not designed to accommodate the type and volume, and 11e. parking lots, are prohibited in a riparian buffer. Attached to that first handout, is just a copy of the permitting approval letters that they went through back in 1999, when they built their home which is right across from the Kipp property. The process obviously, and the laws since 1999, have become much more stringent. The process they went through took one year to get all the DEP approvals and so forth. He has copies of those approval letters. At that time the approval was for a minor road crossing. They went over the water course with our driveway, so they considered it a minor road crossing. They consider that water course an unnamed tributary to Black River Creek. He may add that Black River Creek is part of the Saucon Creek Watershed, so it's a very important watershed we live in. The second issue that they want to address tonight is they've been working with this issue for about fourteen months without a resolution. For some reason, the Zoning Officer and Director of Public Works have taken the position that this was always a pull off area where Mr. Kipp created this equipment storage lot and that is absolutely false. The pictures that he gave you show actually three different kinds of photos. One they took from their property prior to Mr. Kipp creating that lot. He's lived there for 28 years. That was never a pull off area there. Those photos clearly show that. They were taken before they built their home in 1999. He also included two aerial photographs. One is from the Lehigh County Assessment Office taken in the wintertime which clearly shows the area is wooded, which is circled. There are two photos at different angles. The other photo is another satellite photo that is available on the internet. That photo was taken in spring because the leaves are just coming out on the trees. That shows it clearly. We would hope that the Council will take that issue off the table because the issue is if it was always a pull off, then certainly these violations are "grandfathered", and that is absolutely wrong. Mr. Kern said he would take it one step further. He doesn't even think it would be grandfathered. Mr. Gross said he's glad to hear that because they want that issue removed from the table and they want this whole thing addressed based on the zoning and

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environmental regulations. Mr. Kern said you were addressing his original comment about the grading ordinance, which he'd like to hear an answer to for himself. Mr. Gross said as Mr. Roberts presented, there's a whole lot of violations here, a total of at least eight that need to be addressed. The environmental violations are quite serious on both the Kipp property and the Williamson property. Mr. Kern said he'd be interested in hearing from our staff about the alleged violations that have occurred in Lower Saucon Township. Attorney Treadwell said originally when the issue of the Kipp property came up and he doesn't know anything about the Williamson property, there were two separate questions. The first question was it enforceable by LST and the second was is there a violation. The answer to the first question is yes, if it's located in LST, then the Township has the right to enforce the zoning ordinance for that property. The second one, does the violation of the zoning ordinance or any other of our applicable ordinances exist? As of tonight, understanding that some of the information that Mr. Gross has presented may be newer, the Township's conclusion was that there was not a violation existing. As late as 4:30 PM this afternoon, the Township Zoning Officer was at the property with Mr. Kipp. Attorney Treadwell got an email and the conclusion from that visit is that Mr. Kipp is willing to move the gate and remove some of the parking lot and return it to vegetation. Attorney Treadwell has not had a chance to discuss this with anyone. He doesn't know exactly what took place at the property today between the Zoning Officer and Mr. Kipp. This is just what was reported in the email he got. The Township is aware of the problem. The Township has been out there and looked at it. He understands from tonight's discussion that some members of Council have been out there and looked at it, and they will continue to look at it. That's the only update he can give you at the moment. Mr. Kern said based on the calculations that Mr. Gross had explained earlier on the disturbance on the lot, how could the Township not come to a conclusion that there was a violation? Attorney Treadwell said he's not comfortable interpreting the calculations regarding the size of the area. He's not familiar or comfortable enough with it to say these calculations either agree with this gentlemen or don't. He's not qualified to do that, but it has been looked at. Mr. Maxfield said we are going to continue to look at this and we need to answer questions like why is there a parking lot within the riparian corridor, and there is a part of a parking lot in the riparian corridor. If that is indeed the law, then we need to address it. On the Williamson property, when we went out there to look, we saw a lot of wood chips there. Wood chips make it really hard to see what happened underneath it. Was there any fill that occurred there? It looks very level there like a path was cut in? Mr. Gross said Mr. Williamson made a driveway out of wood chips. It's right next to the water course. The area just on the north side of Black River Road, on the Williamson side, where the water course is piped under Black River Road, he would estimate the fill is about four feet deep there. It was a very low area and those occasions where there is a lot of water flowing down, sometimes it flows down over that pipe and it used to go in that low area and collect in there before it proceeded down to Black River. He filled that whole thing in so you are right, you can't see what was underneath that fill. That's right next to the water course. Mr. Maxfield said the water course is markedly different from one side of the road to the other. On one side, it's relatively shallow and on the other side it's deep and he doesn't know how it got that way which tells him somebody may have done some fill. We need to get to the bottom of this. We really need to find out what is going on and if Mr. Kipp is in violation with anything, it needs to be corrected. The same with Williamson. It's entirely within Lower Saucon or most of it, unlike Kipp whose house is in Salisbury. We're not done looking. Mrs. Yerger said where these wood chips were put in by Mr. Williamson, does he actually use that as a driveway? It was hard to tell. Mr. Gross said it's not a driveway to his home. What he uses it for, he's got some vehicles that he uses on his property, like mini pickup trucks, for his yard work, and he has a loader as well. He goes back to the back part of his property, via that wood chipped driveway. That's what it's used for. Mrs. Yerger said his property they only observed from the road. It was hard to visualize what he was using that for. Mr. Kern said thank you for coming tonight. It has been a frustrating process. We've just become aware of it recently, and looking at it through fresh eyes, it's not over. Mr. Gross said they certainly appreciate that. Some of his neighbors would like to speak.

- Mr. Hobbs, resident, said he lives on Black River Road and he's been running on Black River Road for almost thirty years. He has looked on both sides of the road when he runs, so he knows that

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place very well. In his thirty years of running, that area that Mr. Kipp has turned into an almost impervious ground cover parking lot, was never a turnaround for anything. Now, any road can be turned around - you can turn around on any ten foot wide or twenty foot wide, but that was not ever, in his experience of thirty years, a turn around, so that is off the table. He hopes that is very emphatic.

- Mr. Steve Asbeth, resident, who lives next to Alan and Patty Gross said he's been there for about eighteen years, and he will concur, that it never has been a turnaround at all. The only time he saw a car in there, was when a power line snapped and a little sports car came along and it hit the brakes and slid off there into the gully where all those wood chips are now. It wasn't addressed tonight, but the parking lot at one time seemed to be a parking lot for commercial vehicles until the signs came off the trucks, which also would be in violation. In addition to that, and he knows there are several people here, that live on the upper side, we hear quite a bit of noise from the morning into the night, with backhoes and other vehicles. It seems to be in complete disregard of the quietness or in consideration of any other people who live there. It hasn't been that way for a long time, and all of a sudden with new neighbors moving in and commercial vehicles being parked there, it's changed the whole scenario of our territory. We've lived there because of the peace and quiet. Those are concerns for us.
- Mr. Kevin Balkahaskis lives on Black River Road on the other side of Patty and Alan. He's been there for seven years. The zoning person you said had been out there and done whatever he was doing out there, everybody always says, get a second opinion, and from previous experience, this particular gentleman knows several people on several different committees and boards. Not saying this particular zoning person doesn't know what he's talking about, but he would first ask that we get a second opinion of another zoning official that could go out and give the same report. As to the companies names being on the trucks, if anybody who has semi clear vision can walk up to the red dump truck and clearly see "Kipp Excavating" that used to be in yellow paint on the side, which is now spray painted over with a different color red than the truck was originally painted. He agrees with what everybody said here tonight. There's no way that was ever a turnaround. The car that went in there, it was a gully. There was no such thing as a turnaround there.
- Mr. Christopher Grys, who lives on Black River Road, said in addition, the only thing he would add it's also a safety issue because Mr. Kipp doesn't have enough clearance coming out of there. Last week, Mr. Grys was coming up over the little hill, and Mr. Kipp was starting to pull out, they couldn't see him until he got over the threshold and they had to quick stop. In addition to the noise, the fact was it was never a turn around. What the gentlemen said about the Zoning Officer who is going out there, he came up here a couple of weeks ago after that happened, before he even knew that the Gross's had even come up here, and made an inquiry to him, and the Zoning Officer said it's already under investigation. There's only one violation. It's a fence violation. He's agreed to move it. Mr. Grys said how was he allowed to build that there? The Zoning Officer's big push is he didn't build that there, it was always there. He only added the fence. The Zoning Officer said that's what our Public Works guy is telling us so that's what he has to go by. That was never open in that area and Mr. Kipp specifically did that himself.
- Mrs. Patty Gross said the picture of the truck she showed them, when she first called Zoning last summer, she was told by the Zoning Officer, Chris Garges that nothing could be done unless they could prove a business was being run out of there. She thought she'd better go get a picture of the truck with the sign on the door. She said what about the commercial vehicle, being the dump truck, with the name on the side. She went out the next day to take a picture of the truck and the letters were off. They came off the day after the Zoning Officer was out there. It was so new, that's why you could see what the truck said, "Kipp Excavating and Concrete". It's a safety hazard, there is some difficulty there to pull out a dump truck with a trailer and the construction equipment on top, so he really has to manipulate when he's coming out of there. On one occasion the dump truck with the trailer was parked on Black River Road for about ten minutes while they ratcheted down the chains. To have this long thing blocking the road where cars have to go around, for ten minutes, isn't good. There was even a time in January, when Lehigh Valley Landscaping backed in and put the trailer on the tractor and left. She has pictures of this. Chris Garges also said that employees have to be there. She has pictures of cars parked there in the turnaround while the

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equipment leaves. They've logged all the activity. It's very easy to do because both the Gross's leave for work between 7:00 AM and 7:30 AM and come home at 5:00 PM. They happen to be leaving at 7:00AM, so they have a log of all the times coming and going. When Mr. Treadwell said he's already going to have to remove some things and put some of it back, that was alarming. Some of it, does that mean there's just going to be a path for one truck to access the road there?

- Mr. Amos Kunkle, resident on Evergreen Drive, said he agrees with all of his neighbors. He is also concerned about the Black River. We do not see what is going on behind these properties, and from what he understands, Williamson is using that creek to cross over. He's not sure what the violations are, but he'd like to appeal to a representative from the Township to also look at those areas. The Black River is really under a lot of stress from the development, the runoff, things of that nature really put it at risk. It's a shame because it really affects all of us whether you're on the western end or the eastern end because of the sediment and things like that. He'd like to have the Township take a look at that area as well.
- Ms. Keri Maxfield said within the past year and a half, the Saucon Creek Watershed Association did a full walking stream evaluation of the Saucon Creek and all its tributaries, including the Black River. We were the first association in the State to take photographs of every reach of the stream and its tributaries. We have a very strong record of what the stream side looks like. If anyone is ever interested, this was done last year. She had the privilege over the last year of working with a lot of scientists from Lehigh and Lafayette, and when she hears that an area has been cleared, but the property owner agrees to put it back, it doesn't get put back. It was an eco system, and what she's hearing is that they change the course of the water, they filled in possibly a vernal pool, and she's really, really concerned that our riparian buffer ordinance get strengthened, not only to protect the trees, but to protect the understory and the systems that are already in place. An acre of wetland will hold over a million and a half gallons of water. A pond will hold a lot more. We need to value more the systems that are in place as they exist and we need to take more seriously the clearing of brush of the understory in these areas as it is those root systems that prevent the erosion that gets the silt into the stream and causes water damage.
- Mr. Bill Haller, from Wyndham Terrace said he agrees with the Gross's. He knows them for about twenty years. Going over there quite frequently in the summer, when they have parties outside, over the past year and a half, he's seen an increase in the "parking lot". He just wants to concur with Al's neighbors, that it was not there and then it slowly, over a course of time, has appeared. He's a resident of LST and he hopes the Council would seriously consider enforcing the laws on the books.

Mr. Kern said you've all been clear and he appreciates it. You're saying exactly what Council wants to see happen – enforcement of the ordinances if there's been a violation. You heard us tonight be strong with an individual who came to us with a deck that was 1-1/2% over impervious. This sounds a lot worse than that. If indeed there is a violation, and there needs to be some more investigation to make certain of what the violation is, it will be enforced. He will guarantee you. Mr. Gross said they would appreciate it. If you have any questions, when you are looking at the whole situation, please get in touch with him. Mr. Maxfield said thank you for your diligence. Mr. Horiszny said he sees that thing occurring also, but the turn around that the Township talked about, he's surprised you guys have never seen a snow plow turn around there. It's right at the Township line. It's the end of where they are going, so they must have turned around in that area. Either that, or they are using your driveway. Mrs. Gross said they use our driveway. Someone said the trucks stop and back up all the way to Saucon Acres. Never did it come past the Kipp property. Mrs. Gross said when this whole thing started after Mr. Kipp had first moved in there, maybe six months or so, he came to us and asked us if he could move their mailbox. Mr. Kipp said he'd like to clear a small area here so that when we have guests, there is somewhere for a car to park once in awhile. Being good neighbors we said, sure, you can move our mailbox. If this was a pull off area, why would our mailbox have been in front of it? Our mailbox was centered directly where he created this. As you look at the satellite photos, it was totally wooded and why would he have had to ask us to move our mailbox if that had been a turnaround for the vehicles of the Township. She really laughed a couple of week ago when she found out that the Zoning Officer had said he's talked to

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the snow plow guys, and that's where they said they turned around. She said she guesses they knocked over her mailbox.

- Thomas Anderson, 2282 Black River Road, said on a cold winter night, back up alarms are very loud. Actually, Salisbury's truck comes down and turns around at Black River and Evergreen. He doesn't know if they have an unwritten agreement with LST, but they may plow all the way down, but both Salisbury and LST turn around at Black River and Evergreen. Nobody turns around in the middle. Most of the time they turn around at Evergreen. Mr. Kern said we'll keep you updated on this. Mr. Maxfield said when we do come up with some sort of determination, that will be sent to Mr. Gross and then he can distribute it amongst his neighbors. Mr. Cahalan said the Solicitor is handling this. The first presentation was Mr. Gross's attorney, Mr. Roberts. Mr. Maxfield said is Mr. Roberts involved? Is he representing Mr. Gross? Mr. Gross said no. He's his attorney, but is not representing him in this case. Mr. Gross would appreciate being notified directly. We're citizens speaking to Council and asking for your help. Mr. Cahalan said they are doing an investigation for the Council. If Council wants to direct us to email the residents, they have to let us know. Mr. Maxfield said when you come up with something definitive, whatever action we're taking, or if none, then maybe it can come to Council first, then it can be distributed, however it's done. It should be distributed eventually. Mr. Gross said they will attend the next Council meeting if it's on the agenda. Attorney Treadwell said it will be an agenda item for the September 2, 2009 meeting.
- Ms. Stephanie Brown, Meadows Road, said she has a very grave concern about an incident that occurred last Wednesday on Meadows Road with a tractor trailer. About 7:15 PM on Wednesday, August 7, a tractor trailer came down Meadows Road. She was in her front yard and she saw this tractor trailer come down the road. She thought it's going to Giant, maybe to the Meadows. It wasn't a tractor trailer that she was familiar with that usually goes to the Meadows. She waited a couple of minutes and never saw the truck turn around and come back up the road. She went to the Giant and saw the truck was parked at the loading dock. She called the Police and they showed up. The Police Officer went back and spoke with the driver of the truck. He came back and told her there's no way the truck driver came down Meadows Road. The Police Officer said that he looked at the truck drivers GPS and he wasn't on Meadows Road. She doesn't know anything about GPS, but she spoke with a few people who know about GPS, and they said most likely the Police Officer was shown a route the driver was supposed to take, not the route he actually took. The most disturbing part was the fact that the officer stood there and insisted she was lying to him about the truck coming down the road. She would assume that most of the cops in the Township know she is trying to save the Meadows Road Bridge from being torn down and she is trying to keep overweight trucks off of it, and she has no doubt that this officer knows this. The fact is that this officer said she lied. It was very upsetting to her and she is planning on filing a complaint with Chief Lesser. If this is the kind of reaction she's going to get from the Township Police when she make a concerted effort to inform them that there are trucks going down Meadows Road over a weight restricted bridge, then she doesn't know what to do anymore. Mr. Kern said filing a complaint might be a good idea as the Chief's job is to make sure Police Officers respond in a professional manner when dealing with the public and if you feel that wasn't happening, then that needs to be addressed. Ms. Brown said it's been a couple of months, but she did make a complaint regarding an increase of truck traffic on Meadows Road ever since the construction on 412 started. She doesn't know if she needs to make another complaint as there is an increase in truck traffic at all times during the day. She was at Giant roughly for an hour waiting for the officer to talk with the truck driver and went into the Giant herself. When she left, she went behind the store, the truck was still there, and it was most likely full and overweight. What's really bothering her is that the weight limit on the bridge needs to be lowered. The County has talked about it and they have set a deadline or had said by September of last year they were going to come up with a decision. Well, nothing has happened. She is asking the Township to press the County to see if they are going to lower the weight limit. Mr. Kern said we will do that. She spoke with the Beardsley's and they are also very frustrated with just the amount of traffic on Meadows Road. The traffic has increased, but the blatant disregard for the weight limit sign has gotten out of hand. She can't call every time a truck goes down the road. She'd like to know what type of enforcement the township is taking

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for this. She doesn't know what else to do unless the Township is willing to install a traffic camera, which is very expensive. Mr. Maxfield said now that we have the stop sign before the bridge, the truck hopefully stops, but when a truck starts up again, it kind of kicks sometimes; think about the added force that is taking on the bridge. Mrs. deLeon said it's vibrating the bridge more than without the stop sign. She said any resident calling the Township, you would call the non-emergency number, and tell them there's a truck that went over the bridge. She thinks our police force should realize if they are in the area, and they should respond. Can they give a truck a ticket if they didn't physically see the truck go over the bridge. If a truck is on 412 or the Giant parking lot, Stephanie is doing a good thing about calling, but can they enforce a ticket then if they didn't see it themselves. Mr. Cahalan said it might be tough to uphold that. Attorney Treadwell said he doesn't think they can without observing it. Mrs. deLeon said having her call the non-emergency number and saying there's a truck on Meadows Road, they could be in the middle of something, but the police officers should know we are trying to save this bridge. Mr. Horiszny said we ought to ask them to sit down at the Meadows parking lot and watch a few trucks go over and arrest them if they are overweight and that will stop them. It's a reasonable request. He knows they have a lot to do, but we ought to ask for some help in that area again. Mrs. deLeon said you know how hard it was working with the landfill on Applebutter Road. She was on that road the other day and the truck in front of her, went around the curve, its back wheels went over the yellow line around the curve and fortunately it was a garbage truck and not a regular truck. She said the landfill can't do anything. If a car was coming, they would have been squeezed out. Ms. Brown said she's seen that truck months ago and let it go that day. She thinks it might be a regular route on a certain day. It was a specific truck. The trailer said Keebler on it. When she spoke with the Beardsley's they told her they have been down to Giant and talked to management. She's ready to talk to Corporate because she doesn't think they are doing much or really care about these trucks coming in. Mrs. deLeon said can we as a Township send Giant a letter saying could you notify your delivery trucks that this is a local concern. We have a GPS and it tells you where it goes, but it doesn't record where you've been. Mr. Kern said it's a good idea to send a letter to Giant so it gets on record. The good thing Ms. Brown's phone call does is it puts the driver on alert and now there's a record that it's been addressed. Mrs. Yerger said it's a good idea to follow up with the County to see if they want to lower the weigh limit. Mr. Maxfield said he still likes Leslie's idea about putting a height restriction on the bridge. It's a bar that goes across. Mrs. Yerger said since it's a County bridge, we'd need approval. Mrs. deLeon said what about the snow plows. What happens when the snow plow goes over the bridge? Ms. Brown said she believes a smaller plow comes down and plows the road. Mr. Maxfield talked about a small old stone bridge in Pleasant Valley that goes down across the creek. It might only be a one lane bridge that restricts the height. They did a very nice job on that bridge. Mr. Kern said did we discuss the bar idea in the past? Mr. Kocher said he doesn't think we officially did, but he'll look. Mr. Kern said the bar would have to be on the Meadow's side of the bridge. Ms. Brown said she's friends with cops in Upper Saucon and every shift has a Corporal on it. She knows LST isn't quite the same. With her experience, she asked the officer for the Corporal on duty. He said you can talk to Corporal Barndt if you want or Chief Lesser. He didn't understand she wanted to speak to his Supervisor. It ended up he basically refused to tell me who his Supervisor was. She doesn't know if every shift has a Supervisor, how does it work in this Township? Mr. Cahalan said it's a team leader. Ms. Brown said the Police Officer would not get his Supervisor for her. Mrs. Yerger said you need to let the Chief know that.

➤ Ms. Brown said she saw the repair work to the gully or swale next to Meadows Road where all the damage was from the dirt that washed down from the substation, is that complete? Mr. Cahalan said it was inspected and Mr. Kocher is satisfied with the work that was done. Mr. Kocher said they are as far down as they are going to go. Ms. Brown said hopefully that's going to keep the water in the gully, but with the Rails to Trail, what's going to happen with all the water sitting on the RR tracks? That hasn't lessened any. Mr. Cahalan said we'll have to look at that, and it might be part of the improvements being made in that area. Ms. Brown said now that you've removed the RR tracks, more water is lying in the bed. Mr. Cahalan said it's lower than the road surface. Ms. Brown said it could be quite a significant amount.

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- Mr. Kunkle said you talked about Rails to Trails and he would like to encourage the Township to have their work crews try to widen the roads and see what they could do. Mrs. Yerger said they have looked into this a little bit and there have been larger studies beyond our region and one of the unfortunate facts that have come to light over and over again is that to widen the road, the faster people go regardless of what the speed limit is. They have found, and she can vouch for Easton Road, the wider they made Easton Road, they are flying and decreases the safety. They are looking at it in certain areas.

VI. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said there is a memo from Cathy Gorman in your red folder. In the 2009 budget, Council allocated funding for the replacement of two of our police vehicles and also for several PW vehicles. Because of the economic picture we were facing, we held up on the approval of any of the purchases if they were not essential. We've held to that throughout 2009. The Chief has requested that the vehicle that is being used by the K-9 officer, a 2003 Ford Crown Victoria, has 109,500 miles on it and he's requesting approval to purchase a Dodge Durango SUV at a cost of \$22,302.00, which is a good price for that vehicle. The Director of Public Works is requesting to purchase a replacement for truck no. 5, which is a 1999 Sterling dump truck. That was scheduled to be replaced. We would get a trade in for that as it's been kept in pretty good shape. The trade in would amount from somewhere between \$20,000 and \$30,000. We do have state funding that we can utilize in the budget. This will not cause a major problem and will not cause us a major problem going forward into 2010. He'd like to see if we can replace these vehicles as they aren't going to get any younger. They are going to be coming up with more mileage on them. The dump truck, because of the process they have to go forward, probably would not be able to be purchased until 2010, so we're just scheduling it now so it can be accomplished at that date. He's requesting Council approval for an amount of \$171,877.00 and that would be lowered with a trade in of \$20,000 to \$30,000. We're talking about \$151,000.00 and that would come out of the State Funding account so that the amount in the Capital Amount would be maintained going into next year.

MOTION BY: Mr. Horiszny moved for approval as stated above by the Manager.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

- Mr. Cahalan said in your red folder was a recommendation from the P&R board. This issue of the agronomist RPF has been out here some time. As you know, we sent out a request for proposals for agronomist services for an expert to look at our athletic fields and park properties to evaluate the turf and plant material there and to make sure it was being maintained properly; to make recommendations for aeration and seeding; and to make recommendations for any changes to our Park Maintenance Policy. We only received one (1) response and it was from the Del Val Soil & Environmental Consultants down in Doylestown. They gave us a cost for each of the tasks we had listed in the RPF. The total cost they gave us was \$7,740, but after looking it over with the P&R Board and after speaking with Judy, the majority of these tasks, at least 60%, are one time only. They would be done once by the consultant such as classifying the turf grasses, doing the soil testing, identify weeds and diseases on each athletic field, and also they would provide recommendations for any changes to the Township Integrated Pest Management program and also the Township Park Maintenance Policy. Once those are accomplished, only annual tasks would be needed such as conducting an annual review of all park plant materials; reviewing the use of the Township athletic fields; and making recommendations for any maintenance of those and any recommendations or changes to the Township IPM and Park Maintenance Policy. The P&R board recommended that if Council feels they

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don't want to move on this at this point, at least they would like to see these items considered in the 2010 budget going forward for the maintenance of the parks and the athletic fields. Mr. Kern said is there money in the budget now? Mr. Cahalan said no, not specifically for that. It would have to come out of the maintenance monies that we have budgeted for each of the parks. Mr. Kern said he would really like to see the turf conditions improve dramatically at Polk Valley Park. The sooner we jump on this, the better the turf conditions will be. If we can find the money now to do it, he'd like to see it done now rather than later. Mr. Cahalan said we do have the money to do that now. Mr. Maxfield said his initial understanding was they were going to hire the agronomist for the fields only. Is this going to extend beyond the fields? Mr. Cahalan said one of the things we added in there was to conduct a review of all park plan materials, which is the landscaping. Mr. Maxfield said not the natural areas? Mr. Cahalan said we didn't have that delineated at that point, so it wasn't added to the RFP. That is something that could be looked into. Mrs. Yerger said she thought this was for field maintenance. Mr. Kochanski said there may have been some concerns that there are no ongoing issues with the plant materials that are there so it's not migrating from the shrubs and trees over to the turf. Mr. Cahalan said one of the things when we did the park plan back when Rick put it together, he made a recommendation that there would be an annual inspection of park plant materials. The PW is not equipped to do that, so we asked that be looked at by an expert, and that's why it was included in the RFP. Mr. Maxfield said he's a little nervous when we start talking about managing natural areas. He just wants to make sure the recommendations made aren't going someplace where the Township doesn't want to go for these natural areas. Mrs. Yerger said we are talking about recommendations. When we are talking about plants migrating, one man's weed is another man's natural plant, and we've seen that before. He wants to make sure that doesn't occur, other than going in and identify multiflora, which any group can do. When you start using that term "managed" that makes him nervous. Mr. Cahalan said these professionals would simply make observations and recommendations and any management or maintenance would be carried out by Township staff and that would flow into the Park Maintenance Policy or the IPM policy. Mr. Kochanski said if he misspoke on the plants migrating, pests and diseases migrating to other plants, they'd be looking at it and identifying problems and looking at it from the Pest Management Policy to see what the best approach is and how to treat it. Mr. Maxfield said you are in favor of this? Mr. Kochanski said they thought the services Del Val was providing were reasonable.

MOTION BY: Mr. Kern moved to approve the Del Val proposal in the amount of \$7,740.00

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

- Mr. Cahalan said he received the resignation from Dennis Aranyos from the EAC. He indicated he had to resign as he was moving from the Township. He's a voting member.

MOTION BY: Mrs. deLeon moved for approval to accept Dennis Aranyos resignation, with regret, and thank him for all his years.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

- Mr. Cahalan said the 412 milling has started in Hellertown and parts of LST. Down at Polk Valley Road and 412, we have been working on submitting a traffic signal package to PennDOT for approval of the signal at that intersection. One of the items we wanted to get accomplished before 412 was paved was the conduit needed under 412 and to get it cut in the road and get that in. Originally, Jim Milot felt that would be done by the contractor who was doing the milling. Mr. Kocher said PennDOT told them they were going to put it in their project initially, but they didn't. They got a quote from PennDOT contractor and it

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was outrageous. They went back to the PennDOT contractor and they told us they would do it again within the scope of the project, and now today, they said they won't do it. We got another quote from TELCO not to exceed \$4,000.00. We're better off to do it now, then go back and cut 412 open now. Mr. Cahalan said he would need approval to get back to Jim Milot for not to exceed the cost of \$4,000.00 for TELCO to do the road cut and install the conduit.

MOTION BY: Mrs. Yerger moved for approval as stated above by Mr. Cahalan.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.

ROLL CALL: 5-0

- Mr. Cahalan said we had discussed this at the SVP meeting. Northampton County is looking for representatives from the COG's to serve on the County Solid Waste Advisory Committee. That came to the COG's. They are looking to revive the dormant Solid Waste Advisory Committee at the County level. They would like representatives. They don't want 38 representatives from each municipality. We brought this up at the SVP and if anyone is interested, let him know. Priscilla has indicated she is booked up and will be busy with the Gaming Authority.
- Mr. Cahalan said Community Day is this Saturday, August 22. The resolutions for Harriet Frey and Bill Csaszar will be presented to them. Mr. Kern will check to see if he can do it, and if not, Mrs. deLeon can do it. Mr. Cahalan said there will be a tent there for officials from the Township and the Borough

B. COUNCIL/JR. COUNCIL

Stephen Prager - Absent

Mr. Maxfield

- He said after hearing what we heard tonight and after what Keri said, he'd like us to look into strengthening our riparian ordinance. Sometimes it almost feels like we have a designation that we don't do anything with. The ordinance does say things you can do in a riparian buffer, but doesn't have the punch and protection that we're looking for. The other day, after all the public information we put out about not cutting riparian corridors, traveling down Lower Saucon Road, he sees somebody just hacking away everything that sticks up next to the creek. It's not what we need for water control and water quality. If the staff could over the next couple of months, look into what we could do. In particular, he's thinking about cutting any kind of vegetation, whether it's a major tree or not - things we allow incursions into, if we could beef it up a little bit. Mr. Kern said he learned tonight something we can't put into it, a parking lot.
- He said he'd like Council to give the okay for our staff to look into something that's been brewing for a couple of months. We all received a letter from Mr. Kocher in May about maximum impervious coverage requirements and this went all the way back to when we had some zoning issues in the Meadows area and we were always being hit for the impervious coverage and we knew we were going to have problems with it. He talked to Brien and Chris, and referring to Brien's letter, there's a couple of different reasons to do impervious reductions. He also says in his letter that in comparing us to other municipalities, our zones like R80 and RA are a little bit more lenient than other areas. Chris actually made the recommendations that we might want to look at those larger zones. For various other reasons, we can go back and look at the impervious coverage in areas like R20, R40, which are currently set at 25%. Brien said a reasonable reduction might be 20%. Chris suggested a reduction from the 20% in RA and R80 to a 15%. If we could pursue that, it would be really beneficial to us. In the higher density areas, it is really going to send a message stronger than the one we've sent so far, that things to get worse the denser the area gets. It will help to address that problem. If we build everything out 25% in those areas, we are going to have problems. Chris's statement about the

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RA and R80 that 20% was really a large area of some of these lots we have in those zones, so reducing that to 15% might be more reasonable. Some of our surrounding municipalities have it as low as 10%. Springfield has 10%. If everyone is in agreement, he'd like to look into that. It would really help us out in areas like the Meadows.

MOTION BY: Mr. Maxfield moved for approval to have staff look into impervious coverage percents.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

Mrs. Yerger - None

Mr. Horiszny

- He said he's going to miss the September 2nd meeting, and he missed the June 17th meeting when his Black River Road neighbors were here before.
- He said he had a couple of questions on the audit where it said the Township does not have a custodial credit risk policy. He thought we had put one in. He knows the LSA did. He believes the LSA checks with their bank on an annual basis and gets them to confirm that all the funds we have with them are protected and it works to that effect. Mr. Cahalan said he believes that did come up and he'll check it again, and get something back officially from the Auditor. He believes it was not necessary because our accounts are within the limits that are covered by the banks insurance.
- He said in the Audit on page 52, we didn't have anything on the Fire Equipment Fund, but yet the financial reports we just approved tonight said we had \$500,000.00 in there. He doesn't understand what that discrepancy is, whether he's misreading it or if it's just that nothing happened last year in the fund and that was from before. He thought we had added to it and it was a good fund. Mr. Cahalan said we are carrying a balance on the fund. The Fire Equipment fund is the replacement fund. He's not sure what they are referring to with the Fire Protection fund. He thinks this is a dormant account and the balance is \$1,700. He'll check on that to make sure there's no activity there. The Fire Equipment fund is alive and well.
- He said we were talking about the energy savings. We need to look into a motion detector for the basketball court. At 6:30 PM one night, the lights were on, the court was wet, no one could possibly be on them, and the lights are burning. We need to get a motion detector and have a cut off time like 10:00 or 11:00 PM.

Mr. Kern - None

Mrs. deLeon

- She said she's wearing her Saucon Valley Conservancy hat and she wants to thank Jack, Leslie, Chris, Roger, and the road crew for the many things they've done at the Homestead over the past several months. They were really good to work with. She hates filling out all the things for the UCC and the permits, but everything worked out and we have new lights in the art gallery. The garage is gone. The barn ruins are cleaned out and the guys were really good to work with.
- Tomorrow we have a Landfill Meeting and she sees there is a letter sent to PADEP. She wanted to know if there were any updates on this? Mr. Cahalan said we had nothing.
- She said if you haven't gone to the cemetery tours for Community Day, you need to do that. It's really a great experience and then there is Community Day.
- Sunday is an Artist Reception at the Heller Homestead, Lee Brannigan. The public is invited from 2 PM to 4 PM.
- Next Wednesday at the Township, the Chamber will hold their annual clambake. It's one of the oldest clambakes in the Lehigh Valley. It will be from 6 PM to 9 PM.

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- She said the Saucon Valley Conservancy has their annual barn tour coming up on September 11. You need to come to it. There are some exciting barns on the tour. It's a fundraiser to preserve some of the ruins at the Heller Homestead barn.

E. ENGINEER - None

F. SOLICITOR

- He said one thing from tonight's meeting was the resolution and Jack pointed it out to him, #65-2009 that appointed the Special Fire Police, it appointed two Fire Police for Se-Wy-Co. Are those the only two or are those in addition to? Mr. Cahalan said those are in addition to. Attorney Treadwell said he'll need to clarify the wording of the resolution to make sure these are in addition and not the only ones. Mrs. deLeon said why weren't the other ones approved annually? Attorney Treadwell said he's guessing the other ones were approved as part of the reorganization meeting. Mr. Cahalan said they were. Mrs. deLeon said does the resolution amend the previous resolution? Attorney Treadwell said that's the wording he'll need to change as this one says it supersedes, as it does not as you are adding two extra ones. He'll change the wording to that.
- He will talk about the library in two weeks.

G. PLANNER - None

VII. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 10:40 PM.
SECOND BY: Mr. Maxfield
 Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn Kern
President of Council