

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, August 20, 2008 at 7:09 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; Ron Horiszny, Sandra Yerger, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Brien Kocher, Township Engineer; Attorney Linc Treadwell, Solicitor; and Stacey Ogur, Township Planner. Absent - Priscilla deLeon.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Attorney Treadwell said Council met in Executive Session to discuss purchase of certain properties and personnel issues.

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 Diane, Leslie, or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. Mr. Kern asked if anything was taken off the agenda this evening? Mr. Cahalan said no.

III. PRESENTATIONS/HEARINGS

A. ALL-SITE LEITHSVILLE CELL TOWER – CONDITIONAL USE HEARING & SITE PLAN APPROVAL

Mr. Kern said the applicant is seeking conditional use approval to co-locate on an existing pole. The Planning Commission has reviewed the site plan and recommended conditional approval.

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

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Present: Kate Durso, Counsel. Ms. Durso said Verizon Wireless is seeking conditional use approval to co-locate on the existing wireless communication facility located at the Leithsville Volunteer Fire Company site. Your ordinance requires a number of exhibits to be presented to the Board. It’s A1 through A12. She also submitted A13 which is an affidavit saying the property was properly posted. If Council is not opposed, she has three witnesses who she can present the testimony through them. Attorney Treadwell said the offer of proof is fine. Ms. Durso said the first

**General Business Meeting
August 20, 2008**

witness is Jim Rodgers; he is the Site Acquisition Manager of Verizon Wireless. He would have verified Exhibit A1 in the package which is the FCC license and exhibit A2 which is the agreement between Verizon Wireless and the owner of the tower at the site. A3 is the PC recommendation. Mr. Rodgers would have confirmed he was responsible for negotiating the agreement with the tower owner and confirming that there was an ability to put equipment at the base of the structure as well as on the structure itself. Mr. Rodgers was sworn in. Ms. Durso asked Mr. Rodgers if that was a fair and accurate representation of what was just presented? Mr. Rodgers said yes, it was.

Ms. Durso said the next witness would have been Ken Farrall. He is with the Engineering firm that prepared the plans that were submitted with the application materials. He would have verified Exhibit A4, which is the site plan which was submitted with the application materials as well as a supplement to that which was explained at the PC meeting, rather than constructing a larger equipment shelter. Verizon Wireless would be proceeding with placing cabinets on a smaller scale at the base of the facility similar to the cabinets that are currently at the site. He also would have verified that there would have been 12 panel antennas placed on the existing monopole at the 115 foot elevation. He would have verified A5 which is the spec sheets for the antennas to confirm they are the size and dimensions in accordance with the zoning ordinance. He would also have verified A6, which is a structural certification from a professional engineer in his office confirming that the attachment and installation would be in accordance with the industry standards and the existing monopole would be able to accommodate the additional loading of the antennas. Mr. Farrall would also have verified A7, which is a cost estimate to remove the equipment by Verizon Wireless which is required by the ordinance. His estimate is to remove the cabling, antennas, the shelter and foundation is \$12,500.00. Ms. Durso asked Mr. Farrall if the above would have been his testimony tonight under oath. Mr. Farrall said yes.

Ms. Durso said the last witness would be Mr. Andy Petersohn, who is the Radio Frequency Engineer, outside consultant for Verizon Wireless. He would have verified Exhibit A8, which is a propagation analysis showing Verizon Wireless existing coverage within the site area of Lower Saucon Township and the surrounding areas. He also would have verified Exhibit A9 which is the propagation analysis showing what coverage would be obtained with the co-location on the proposed tower site. Mr. Petersohn would also verify the affidavit as signed by him and notarized confirming the equipment to be placed at the site that they would not cause interference with the radio spectrum, that the additional antenna would comply with the FCC maximum exposure limitations, and that the proposed antennas, from a visual standpoint, are almost the same as the antennas currently located at the site. Mr. Petersohn would also verify Exhibit A11 which is an analysis he performed to confirm that the cumulative effect of the emissions at the site are well below the FCC exposure limitations. He also would have verified Exhibit A12, which was his analysis confirming that the cumulative affect of the various antennas at the site would not cause any interference with each other or other users of the radio spectrum. Ms. Durso asked Mr. Petersohn if he verified and affirmed that the summary she just gave is a true testimony, under oath? Mr. Petersohn said yes. Ms. Durso said one of the issues at the Planning Commission (PC) meeting that came up that we examine the township files that there was a carbonate geology study done when the site was originally done back in 2000. They met with the Zoning Officer as well as looked at their files and they presented that report, as well as a letter that the Zoning Officer found the files from the outside consultant from the Township who must have examined the site and foundation and confirmed that it was in compliance. She submitted that to Attorney Treadwell.

Mr. Kern said do we have the geology report? Ms. Durso said yes, they found it in their files. It appears from the records of the township, there might have been an appendix, but they could not locate that. They found a letter from the Township Consultant that they received it and it was in compliance, as well as a letter that they went out and inspected the site after it was constructed, and that the foundation was done in accordance with the studies.

**General Business Meeting
August 20, 2008**

Mr. Maxfield said is there a reason the carbonate geology study is not part of your submission? Ms. Durso said she has one extra copy and if you want it, she can make a copy. She met with the Zoning Officer. Attorney Treadwell said he has a copy of it.

Ms. Durso submitted Exhibits A1 through A13 into evidence.

Mr. Kern said on the drawing which shows the tower, what is the new array? Ms. Durso said it's the one furthest down. These two are existing and it is just adding the new one? Ms. Durso said yes. Mr. Kern said the dimension of the equipment cabinets? Ms. Durso said they will be placed on an 18' x 11' concrete slab and the equipment themselves are smaller with a roof on top. Mr. Kern asked the elevation on the cabinet? Ms. Durso said probably about five feet high like what's out there now.

Mr. Kern asked if there was anyone in the audience that wanted to comment? No one raised their hand.

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

Mr. Kern asked what is the desire of Council? Mrs. Yerger said the PC made motion for approval subject to the Boucher & James letter of July 9, 2008. Is there any thing our Planner needs to say at this point? Ms. Ogur said in their letter, the only outstanding issues were the additional notes regarding maintenance and the contents of the shed and some of the dimensional standards and setbacks need to be addressed. Ms. Durso said when they were at the PC meeting, they were going to submit the revision, but the Zoning Officer advised them to wait until after this meeting.

MOTION BY: Mr. Maxfield moved to approve the conditional use for the All Site Leithsville Cell Tower and the Site Plan approval.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

B. ORDINANCE NO. 2008-05 – PUBLIC HEARING & CONSIDERATION OF ADOPTION – FLOODPLAIN ORDINANCE

Mr. Kern said Ordinance #2008-05 adopting Floodplain regulations has been advertised for a public hearing & consideration of adoption.

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

Mr. Kocher said last year the LVPC issued a new model floodplain ordinance to be considered by the municipalities. They looked at that and changed that to reflect your current flood plain ordinance and instituted all the changes that the LVPC recommended. The changes are hoping to clarify and define the materials that are prohibited to be stored in the floodplain area and restricts expansion, reconstruction, rebuilding of existing structures in the floodplain area, much more than your current ordinance did and classifies structures differently and doesn't allow for as much of an expansion of existing structures as your current ordinance. Those are the significant changes. Mr. Kern asked if anyone in the audience had any comments? No one raised their hand.

**General Business Meeting
August 20, 2008**

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

MOTION BY: Mrs. Yerger moved to adopt ordinance 2008-05.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Mrs. Yerger asked Jack to make sure, as it does make mention of additions and expansion, to get copies to the Zoning Hearing Board (ZHB) and PC members.

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. DONALD KRAJCZAR – 2088 SAUCON AVENUE – REQUEST SETBACK VARIANCE TO CONSTRUCT SHED

Mr. Kern said the applicant has constructed an accessory structure on a vacant lot and needs a variance of 14’ of the required front yard and 10’ of the required side yard, as well as zoning relief related to placement of an accessory structure on a lot which does not contain a principle structure. The applicant wishes to store motorcycles, garden equipment, etc. He is aware that he may not operate a business.

Mr. Kern asked if someone was here representing the applicant? No one was present. Mr. Garges said the applicant had called and he expected him to be here.

Mr. Krajczar did not show up. Mr. Garges said because he has the two lots, he was going to consolidate the parcels and he has been in touch with the County. He’s trying to move forward with that request. Chris did expect him here tonight. If you want to continue your previous recommendation and motion, we should have someone there at the Zoning Hearing Board meeting and oppose unless the applicant brings us an extension.

MOTION BY: Mr. Maxfield moved to oppose unless the applicants grants us an extension and the Township should have someone at the Zoning Hearing Board meeting.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

2. DAN FEHLIG & IAN HUMPHREYS – 1867 OLD MILL ROAD – REQUEST VARIANCE FROM REAR YARD SETBACK TO CONSTRUCT HOUSE ADDITION

Mr. Kern said the applicant is seeking a variance for approximately 39’ of the required rear yard setback to construct an addition approximately 1 ft. from the property line.

Mr. Dennis Reiss, contractor, was present. Mr. Kern said Council has the information in front of them including pictures showing the details. Mr. Reiss said in your packet there is a sketch marked B. He’d like to give you a new footprint with changes.

**General Business Meeting
August 20, 2008**

Mr. Kern said the survey was completed? Mr. Reiss said yes. Mr. Maxfield said the new sketch changes no information on the zoning application? Mr. Reiss said no. Mr. Kern said the new sketch indicates that on the previous one you are going to go to the extent of the house on the back, now you are going in 6'?" Mr. Reiss said yes.

Mr. Maxfield said the request is for 39' of relief, but it's not really clear with the application that there's already about 35' or more, so really, the relief is minimal. He has no problem with that.

Mrs. Yerger said there was some concern about notification to the SEPTA rail lines. Has that been done? Mr. Reiss said a member of Council gave him the address and he took care of it.

Council took no action.

3. CHRISTOPHER BILLY – 3582 MCCLOSKEY AVENUE – REQUEST VARIANCE FROM REAR YARD SETBACK TO BUILD A DECK

Mr. Kern said the applicant is requesting a variance from the rear yard setback to construct a deck.

Mr. Christopher Billy was present. He said the deck is going to be approximately 38x14 feet. It's for mostly recreation, sitting out. The property line in back of the house is like 15' and they need 30' for the zoning.

Mr. Maxfield said the drawing of the deck attached to the house, it has 8' from the front corner of your house to the line and 16' from the back corner of the deck. He's not sure the relief should probably be corrected to the front part of the deck where it attaches to the house, is somewhere about 13-1/2 feet. Mr. Garges said yes, the house is there right now, so we can amend that and bring it to the attention of the ZHB.

MOTION BY: Mr. Maxfield moved to oppose until the mathematics are altered and correct. If they do that, then Council will take no action.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

4. JUDITH ALBERTI – 1846 VIOLA LANE – REQUEST VARIANCE OF IMPERVIOUS COVERAGE TO ADD A DECK AND GAZEBO

Mr. Kern said the applicant is requesting a variance from the allowable impervious coverage in order to add a deck and gazebo in the rear yard.

Present – Ms. Judith Alberti. Mr. Kern asked if there was any comment from Council? Mr. Horiszny said it goes over the impervious. Mr. Maxfield said we've had lots of impervious requests in that area. Mr. Kern asked Ms. Alberti if she had discussions about impervious? Ms. Alberti said you are going to cover more of the ground. Mr. Maxfield said it's exceeded by almost the square footage of the gazebo addition on the deck. As he looked at the application, if the gazebo were not a factor, you wouldn't have a setback or impervious problem. He doesn't know if the design could be altered to correct the impervious. The gazebo is 12x16 square feet. That's just a little over. Mr. Horiszny said he'd like to see them adjust and get under.

**General Business Meeting
August 20, 2008**

Mrs. Yerger said in your particular area, they have had some storm water issues there. It's caused some runoff problems and there have been issues, and that's why we are somewhat cautious. Mr. Kern said we receive a lot of complaints and applications for variances for Viola Lane. The developer built the house big and you can't add impervious coverage to the lot. A lot of people in that area have been in here for pools, patios, etc. It's a major issue in the township and how many hours we listen to flooding problems. We're pretty adamant about the impervious coverage, especially in your area. If there's any way you can cut back on something to fall within the parameters, which would be great.

Mr. Maxfield said the fact that you are requesting a variance, what we are asked to do by applicants is to grant the minimum amount of relief to correct what is considered to be a hardship. This seems to go beyond that. This is a request to do something that is really not a hardship and not the minimal treatment of that area so it complies with the ordinance. This is why we're examining this one closely.

Attorney Treadwell said that is what the ZHB is asked to do. This Council is supposed to take a position one way or another in regard to ZHB application.

Ms. Alberti said what if you say no? Mr. Kern said we are advisory to the ZHB. We can offer our opinion. Mrs. Yerger said they are a dependent body. Mr. Maxfield said we are not making a recommendation based on our opinion, it's solely based on our ordinances. He doesn't want to destroy her dreams, but this might be something we might have to oppose unless the design was altered.

Attorney Treadwell asked if she could shrink the size of the gazebo? Ms. Alberti said no, it's a screened area, and yet they want some area where they can sit outside. She likes both. Mr. Maxfield said their designer should get a little more creative and reduce the deck or the gazebo. Ms. Alberti said no matter which way she goes, if she goes to the Zoning Hearing Board, or if she decides not to, and have it redesigned, it will be put off another month? Attorney Treadwell said yes, timeframe wise. Ms. Alberti said she is going to go to the Zoning Hearing Board with the design she has now.

MOTION BY: Mr. Maxfield moved to oppose this unless the design was altered.

SECOND BY: Mr. Horiszny

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

ROLL CALL:

MOTION BY: Mr. Maxfield amended his previous motion to have Ms. Alberti withdraw from the Zoning Hearing Board Hearing and redo the design to reduce the impervious coverage and have Attorney Treadwell go to the Zoning Hearing Board and represent them.

SECOND BY: Mr. Horiszny amended his second.

Mr. Kern asked if anyone had any questions? Mr. David Velho said he strongly opposes this. Viola Lane is behind them. There are very small lots there. If you let this go, it's going to get worse and worse there with the storm water drainage.

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

**B. REDINGTON ESTATES – REEN CONSTRUCTION – REDINGTON ROAD – DISCUSS
WAIVERS AND SANITARY SEWERS**

Mr. Kern said the applicant is proposing a five (5) lot subdivision and would like to discuss on-lot sewer options with Council.

General Business Meeting
August 20, 2008

Present: John Hacker, Counsel for the Developer, Tony DiMinchi, who works for the Developer, and Tracey Hollinger from Lehigh Engineering.

Mr. Hacker said this subdivision has been going along for quite some time. They started at nine lots and are down to five lots. They are hoping to get preliminary approval from the PC. One thing lingering is the sewage system. A community sewage system is being proposed and it's a pretty straight forward uncomplicated system. They need to know from Council so they can get this in final gear if they would want this to be a public system. If this is going to be a private system, the Homeowners Association would be the only common element and maintain it through reserve assessments and maintenance assessments. They are looking for guidance on the public-private issue.

Mr. Kocher said your sewer ordinance does allow for community on lot disposal system like this. We have a real concern that five lots is not going to make a viable HOA. It was at least worth looking at the Township asking the Authority if they could accept ownership of this system so it's being maintained properly. The staff recommendation is that Council either authorize us to discuss with the Authority, and let us know if you want us to pursue this to see if it's viable for the Authority for them to take a system like this or do you not want us to pursue it and let Attorney Treadwell and Attorney Hacker work out a HOA agreement.

Mr. Gar Davidson, from the Lower Saucon Authority, said he hasn't seen the last set of plans as he's a little bit out of the loop. He needs the last transmittals. They are willing to look at this and consider taking it over, but they need to talk with the Township and the staff on how to set up an ordinance on how to do this. They are not really in the community on lot business. There are a number of issues that make this difficult, so they'd like to work with you. If they can get together with Brien, Jack and Linc, they can probably proceed with this.

Mrs. Yerger said this issue has come up, it's not new. One of the things the communities in Bucks County have done was examine public systems and adopt uniformity so they know what they are dealing with. Is that something you would be looking at as well? Mr. Davidson said they would look at the on lot community system ordinances and regulations and bring those up to a certain level to make this not a new thing if it happens again. That was primarily their concerns. It is kind of new for them and you can get all kinds of headaches trying to operate these things if it's not done correctly. They are willing to work with them. Mr. Maxfield said he saw in the Authority minutes, the system be built to Authority standards. Mr. Davidson said they discussed that with the developer before and there was an agreement they would lay down the specifications and they would incorporate those into it. The issue is a little bit different and goes beyond that. There's things like you need to require these to be pumped out and filters cleaned on a regular system. Someone needs to inspect them to make sure they are operating correctly. He'd like to see those get into a community on lot ordinance. Mr. Kern said a community on lot is the only alternative at this site? Mr. Davidson said he believes it is. He doesn't think they can do individual on lot. He would prefer they were wells and septic, but they don't have that option. They are coming to them with a large sand mound serving all five homes.

Mr. Maxfield said when the PC looked at it, the one side of the lot was old fill. If we are going to approve a system, it's going to have to be a community system.

Mr. Hacker said we are looking for a decision. Mr. Kern said this is the starting point. Mrs. Yerger said that's where she'd like to see it as she's really leery about this also. Mr. Maxfield said Brien Kocher should be in these discussions.

Mr. Hacker said there are three waivers in this project and they'd like feedback as they are running out of time. The PC recommended all three. One is the configuration of lot 5. It's not a

**General Business Meeting
August 20, 2008**

rectangular shape as your ordinance prefers. No. 2 is bringing Redington Road up to standards and No. 3 is a waiver of swales along Redington Road. They are asking for a waiver of complete compliance. Mr. Kocher said right now the water runs on the road, so they are going to take the macadam berm out. The township ordinance requires a 6" swale be put next to the road.

Mr. Maxfield talked about the street trees. Mr. Hacker said the intent is to preserve the existing tree line. Mr. Maxfield said he was talking about the swale and the trees and how they would work together. Mr. Kocher said the swale comes off and heads down through Lot 5 before the majority of those trees. Mrs. Yerger said are we looking for a vegetated swale? There is some natural vegetation and our Planners would be able to help you with that. Mr. Hacker said they would certainly be able to look at that.

Mr. Kern asked about the odd shaped lot? Mr. Maxfield said it's basically the open space lot and it includes the septic system.

Mr. Hacker said the third one is improvements to Redington Road. Council said that's fine.

Mr. Horiszny said the sewer line to get to the sand mound was going to go along the right of way, so if that is going to be affected by the trees or the swale, we ought to watch out for it.

C. ADAMS OUTDOOR ADVERTISING – DISCUSSION REGARDING CONSOLIDATION OF BILLBOARDS ON ROUTE 378

Mr. Kern said the applicant would like to discuss with Council a proposal to consolidate three (3) existing billboards along Route 378 into one (1) billboard to be visible on Route 78.

Present: Lois Arciszewski, Real Estate Manager of Adams, David Pappentick of Adams, and Andrew Warner, deeded owner of the lots in question.

Ms. Arciszewski said as she was looking through the file this week, they started their discussion in February 2002 with Mr. Warner. Since their last appearance in front of you, they have done their homework and Mr. Warner has also purchased some adjacent parcels. Last week they met with Township staff to discuss comments, concerns they had, mainly the plotting of it and light indications of the billboard. They have provided to each of you an information packet with two sets of photographs. They prepared a photo ride sheet for Council also. They've provided a tax map to show the parcels the Warner party now owns and they've given you some lighting data information they collected on the existing and proposed bill boards. If you remember, Adams Outdoor has a billboard structure easement at 378 and Colesville Road. This is the corner lot Mr. Warner intends to develop as an Embassy Bank site. Adams is willing to accommodate the developer and remove the structure which is one advertising structure, with two advertising faces. Mr. Warner owns a property adjacent to 378. Again, an advertising structure there, Adams is willing to remove that structure. They will remove all those structures and construct one advertising structure with two sign faces that would not be intended for motorists traveling on 378, but intended for motorists traveling east and west bound on I78. It was a recommendation of your staff to show you a visualization of what the billboard would look like for motorists traveling on 378 and on I78. She showed a visualization of what the structure would look like driving west and east on I78. She showed the crane on the visualization so you could see how high it would be. There would be no billboard faces at the 378 level. At the recommendations of your staff, she showed what you would see driving on 378. The pole is tucked into the tree line on 378 South. At the request of Mr. Warner, if the bill boards are removed, he will put a "Welcome to Lower Saucon Township" sign at the border and she showed the visualization.

**General Business Meeting
August 20, 2008**

Mr. Horiszny asked how far from the edge of the road is the 36" pole? Ms. Arciszewski said between 12 and 15 feet. She said if you take a look at the map, the circle with the star in it is the location of the proposed structure and the site where they would remove one. They are numbers 1 to 8. They drove around with their crane in the air showing the height of the structure to see from those eight different locations if you would be able to see the bill board. Location 1 they went to the east, over to Manor Drive. If you look at the photograph, the bill board is to the left behind the trees. Between the proposed site and the Manor Drive, Mr. Warner owns an 8 acre piece. The second location, we're up on I78, your staff recommended we get up on the Hickory Road overpass, and the bill board is around the curb and behind it, not visible. Location three, we're at the beverage company, you can see the circle, and the top of the structure is the top of the plywood. They are at about 500 feet. What you are going to see is the only place that will be visible will be coming south on 378. They went further south down to Quakertown and took a photograph of a bill board structure, and they dropped it in a photo coming down 378, and that's a fair rendering of the size of the structure they would build. The fifth location, they went to Old Philadelphia Pike, and again, that billboard is to the right behind the trees. If you look at the aerial, you will see all of that vegetation to the east and west of the proposed structure. Mr. Horiszny said on location 4, above the blue car's roof is a pole going up, not vertical, is that nothing to do with it, it's not the 36" pole? Ms. Arciszewski said it's their crane. Mr. Horiszny said at the top where the sign is, there are two poles, and that is because it's the crane and there would only be the 36" pole? Ms. Arciszewski said there would be a 36" pole, but remember, the sign is two sided, the torsion tube. Mr. Horiszny said how big is the plywood? Ms. Arciszewski said it's only 4x8 for identification. The top of the plywood is the top of the sign. They are not digital signs, they are static. No. 6 would be on Oakhurst Drive. No. 7 is coming on I78 where the billboard is intended to be viewed from. No. 8 is the west bound. The top of the plywood is the top of the structure.

Attorney Treadwell said that is absolutely what we asked for. Ms. Arciszewski said there were questions about the lighting. Dave Pappentick did a lighting experiment. They went out at night with a light meter, took a light reading at the pole, 50' and 100' away. Underneath the existing billboard at 378, that was test result no. 1 and you can see the results. They went down in Quakertown and found a similar bill board and took a light reading at 0, 50 and 100 feet. The lights will be bottom mounted and are directed up. They are metro lux and specifically designed for the outdoor lighting industry. There was some discussion with your staff about top mounted lights, and out of 963 bill boards they have on the market, they have eight bill board faces top mounted on I78 by Hawk Mountain. They are open to that. You can see by the lighting tests, it is minimal. Mr. Horiszny said with the bottom mount, are they aimed that it shouldn't go to the top of the sign? Ms. Arciszewski said they are aimed to go to the top of the sign, but in their industry, it is called spray, which is the diffused reflection. There are other factors that go into it. It's not only the lights, it's the night, the weather and the color of the creative on that advertisement, so there are a lot of factors into that. Mr. Horiszny asked about the cost to have top mounted instead of bottom mounted? Ms. Arciszewski said it would be slightly higher. Mr. Maxfield said we are sensitive about lighting. When the car wash went through, we put restrictions on their lighting and if Council is in favor of this, we would probably want downward pointing lights. Ms. Arciszewski said those bottom or top mounted lights are interchangeable and Adams is willing to accommodate what ever the condition is. When the project is complete and you'd want it upward, Adams is willing to accommodate. Attorney Treadwell said the only question for Council tonight, is to trade those three signs for that one.

Mr. Kern said he's more in favor of it now than he was as long as the visualizations are right. Mrs. Yerger said the eight acre site is Mr. Warner's and if he doesn't keep that buffer, it's moot. Mr. Warner said if the structure is there, anyone who would purchase the parcel from him in the future, they would understand about the buffer. Mrs. Yerger said it will affect some of the houses that already exist. Mr. Warner said he doesn't expect to sell that anytime soon and it's a substantial buffer.

**General Business Meeting
August 20, 2008**

Mr. Horiszny asked the sign size? Ms. Arciszewski said 14 x 48 feet. When the bill boards on 378 were built, I78 didn't exist. Maybe it's the evolution. Mr. Warner said speaking from a Township residents view, it always troubled him of the bill boards on 378. It was deeded back in the 70's before he owned the property. It would be a lot more attractive without the double faced bill board and push it up to I78, and we have an opportunity to really be a win win from all perspectives. Mr. Kern said he's wondering about how it really will look like. Ms. Arciszewski said you're not going to see the sign face. It will be photograph no. 5. The color of the post is brown.

Attorney Treadwell said the applicant is looking from Council if it's a good idea to proceed.

Mr. Velho said (could not hear him, did not go to the microphone).

Mr. Kern said he would be in favor of this at this point. Mr. Horiszny agreed. Mrs. Yerger is concerned when the buffer is gone and the people who will have to live with a bill board. She's trying to visualize this as an improvement. Mr. Kern said what it is like in the winter time with no vegetation on the trees. Ms. Arciszewski said there were some pictures taken in the fall with some of the vegetation gone.

Mr. Kern said could you provide shielding if we have issues in the future, any view that might affect Manor Drive? Mr. Maxfield said tailoring where the light shines. Ms. Arciszewski said certainly we can address that. Can we guarantee that? She can't guarantee that and they can be 100% rectified if need be. They would be willing to accommodate if it's feasible. With the demonstration tonight and their participation with other municipalities, they never shy away from making it accommodating. Mr. Warner said he can certainly attest to that. They stood up behind every comment they ever made. He sees no problem if there's an issue and it can be addressed, it will be addressed. Attorney Treadwell said Mr. Kocher and himself can work out the details. If you like the idea conceptually, that's why they are here tonight. Ms. Arciszewski said it is their intent to move towards the Zoning Hearing Board.

Mr. Maxfield said it's a PennDOT road and what about the trimming of trees. Mrs. Yerger said she's not convinced it's going to be a better situation. Mr. Warner said it would be great coming into the township and seeing the "Welcome" sign. Ms. Arciszewski said because it's a state controlled roadway, because it's an interstate, PennDOT does have a vegetation control act and it is quite restrictive. Mr. Maxfield said he's in favor of conceptually. He doesn't like the bill boards that are there now. Mr. Horiszny said we benefit our residents with the new situation then with the current situation even though we might be offending the Interstate drivers. Mrs. Yerger said how is that going to benefit the residents? Mr. Horiszny said most residents don't travel that stretch of I78 and we don't have to look at those signs while driving through 378. The Lower Saucon people will not see that sign except for the little V on 378. Mr. Maxfield said it's important we have "Welcome to Lower Saucon Township". All the seminars we went to, they recommend exactly that kind of thing. Mrs. Yerger said won't this whole business section have signs? Mr. Maxfield said we have sign regulations and ordinances. At one point, Andy Warner had said to us, you don't even know when you come into Lower Saucon. Attorney Treadwell said they can move forward.

**D. CREEKSIDE MARKETPLACE – ROUTE 412 – GIANT FUELING STATION
INFORMAL SKETCH PLAN**

Mr. Kern said the applicant would like to discuss the proposed addition of a fueling station at the existing Giant Shopping Center.

Present: Dan Poplaski, Keystone Petroleum Equipment Co.; Bill Shroble from Giant Foods; Tim Diehl from J. Michael Brill and Associates; Joe LaCagnina from Giant Foods Real Estate, and James Strong, Land Use Attorney for Giant.

**General Business Meeting
August 20, 2008**

Mr. Diehl said it's a 16 acre parcel on Leithsville Road, zoned General Business, and built in 1999. The Giant is 60,000 square feet anchoring two small strips with other stores in them. The bank portion on the map was never developed. It's a vacant building pad at this point. With the fueling facility project, they would go into this area with three pads. Truck access would remain the same. Parking spaces, they are adding one space for the employee. Impervious coverage is a complete wash at this point until they get a detailed survey. Mr. Horiszny asked about the fill point. Mr. Diehl said if you see the striped area off the southern driveway there, there's a curb area, they indented it and it's an unloading zone and that will prevent the trucks from entering into the parking area. It would have to be in the green areas, unviable area, at the back of the shopping center. Their idea was to keep the trucks out of the parking area, create a loading zone and discharge to a remote fill area. Their plan does state there are sub surface tanks, per regulations, above ground storage tank. Attorney Treadwell asked how it protects the creek? Mr. Diehl said Dan will touch on all the safety issues. Attorney Treadwell asked what the architectural will look like? Attorney Strong said renderings were submitted already.

Mr. LaCagnina said he'd like to thank Council. A little history of their fuel program...the first was opened in 1999 and they have opened over 60 fuel stations. They plan to open six to eight fuel stations per year. Giant looks as fuel as an important amenity so they can have that one stop shopping, go shopping, fill your car up for the week. Fuel is an extension of their store. They have a bakery, seafood, pharmacy department. They have the Giant gas extra awards program. If you shop with your bonus card, you save points and for every \$100 you spend in the store, you get 10 cents off the pump. Their vendors have been joining in on the program so the shopper can get additional points and redeem them at the fuel station. In today's economic time, it's important for customers to have that option. Giant considers safety to be the number one factor. They use double walled fiberglass tanks. Between those double walls, they have a monitoring system. They have double walled seamless pipes. That connection takes place with a containment box. Those are the major safety features. They are proposing a vault system. To summarize, Giant is here to discuss the fuel program and why we believe it is important and at the same time, save everybody a little money.

Mr. Strong said this project dates back to 2003. It has been under discussion for quite some time. The issue has been that the proposed facility is in a carbonate geology area, that overlay district regulates uses within that district and one use that is not permitted is an underground storage tank. That has been the question as to whether or not this proposed site was, in fact, underlying by carbonate geology. There are two aspects to using vaults. One is the safety aspect. The other aspect is the fact that an underground vault with a storage tank located inside it, changes the nature of that tank both from the federal perspective, the state perspective and the township perspective of the ordinance. It is classified as an above ground storage tank. In terms of what is changed in the five years since we've been looking to develop fuel at this site, the major change in the discussion has been the proposals that is currently being offered by Giant and take these tanks and locate them in these underground vaults.

Attorney Treadwell said he's not sure and he doesn't want to get into an area he should not get into, they have not had any review by our Engineers or Planners. You can let this go as long as you want, but it's all going to be testimony with the applicant as we didn't review it. Mr. Kern said the issue with Council is putting something like this in a carbonate geology area close to the creek and whether not that is an appropriate thing to do and how supportive the legal definition is of an above ground tank. We'd like to hear what you have to say.

Mr. Poplaski said when you look at these vaults, it's a concrete structure built with two pads. The bottom half is 10% containment of the fill storage tanks. The bottom half is constructed of seamless concrete. It's factory made, down in Telford at the Old Castle Concrete Plant. It's casted as one solid piece, 110% of the capacity of the tank. The top half of the vault seals the whole thing

**General Business Meeting
August 20, 2008**

as one complete system. Inside that vault, is a UL 142, which is classified as an above ground storage tank. You can go down and walk around and inspect that tank. When you register the tank with PA, because it's a UL 142 tank, it's registered as an above ground storage tank. DEP, view this as above ground. On the handout, you can see how the vaults go together and you can see the tongue and groove seal and creates a single bond. The inside and the outside of the vaults, there's a seal that goes around to seal the two pieces. Coming off the tank is where we have all of our connections. With 110% containment of the bottom half, we have no penetrations coming out into the environment. If something would happen, it would stay contained in that bottom half. Several companies that use these tanks are PA State Police who have ten at their barracks. In Ottsville, Turkey Hill has one of these in because it's near a quarry. The monitoring of these systems, they do a lot of monitoring as they do with underground storage tanks. Giant Food will monitor the system, the containment areas, and then we also monitor the primary storage and secondary containment storage area between the primary and second storage tanks. There is a constant ventilation system for the vaults. If that ventilation would stop or turn off, the system that's in place would automatically shut down the submersible pumps. On top of that, when we install these systems, the ventilation system, there's also a fire suppression system that is installed. The fire company can connect to it and flood the vaults. The third page is an artists sketch of the underground vaults and an actual manufacturers diagram of the vaults. There's two vaults proposed. One is a 15,000 gallon tank for regular unleaded and a 10,000 gallon tank for super unleaded. The 15,000 gallon tank would be 34' long and 10'10" wide and a total height of 10'4" inside. The 10,000 gallon tank would be 26' long, 10'10" wide and 10'4" inside. On page 2, the picture of the two vaults, there is a rebar cage coming off the bottom of the vaults, basically what you do is there are points going along the bottom half vault and there are rebar's screwed in and then will mesh the two of those together with the rebar and pour that as one big concrete pad. With the two vaults side by side, the inside would be three feet larger than each vault as it will have a four foot space between each vault. There will be three feet of concrete along the outside edge and four feet between the two vaults and 8" thick. The concrete walls are 4" thick. The floor is 6" thick and the roof is 6" thick. It's all rebar cage before it's poured. Giant installs state-of-the-art equipment and facilities, and is above and beyond a safe installation to address concerns that were addressed previously. We are exceeding the requirements for the storage tanks for this installation and going way and above what is required by the State. There are water separators for the run off of the property. Any surface runoff or petroleum product being spilled on the pavement, any inlets, catch basins, tributary to these areas, we will install products which absorb the gasoline being that this is an environmentally sensitive area. Further down the line, they would put something at the ultimate discharge of the basin, something that would catch any additional surface runoff. The flow guard is the item that goes into the catch basins and has absorbent material in it. The oil water separator, you put further in, on line at the ultimate discharge point.

Mr. Schable, from CMX is here tonight. If you have any questions, he is also available. Mr. Maxfield said we saw the geology soundings and it sounded pretty stable. He has questions about the installation. The sump, where does that drain to? Mr. Poplaski said when we used the terminology sump, they are designed to contain everything. It would require a service tech to come out and pump it out. The bottom of the vault, at the lowest point, they put a liquid sensor in there as the vaults will all pitch to that point. Mr. Maxfield said on the plan, it talks about a spill bucket and fill riser, since you are filling remotely where will they penetrate the tank? Mr. Poplaski said the line will come across the top of the vault and into that concrete riser to where the spill containment would be. The line will come across and tie into that point. There will be two remote containment spill buckets near the offloading area and a double wall pipe where the driver fills over to the vaults.

Mr. Maxfield said the current creek that's encased right now, it was put into a conduit, will the fill line run below or above that pipe? Mr. Poplaski said it will run above it. You get about 10' of cover in that area.

General Business Meeting
August 20, 2008

Mr. Allan Johnson, resident, said the consideration of the fuel situation in the U.S., and it's becoming a lot more scarcer and people realize there are alternative fuels. He'd like to have Council consider Giant to install one pump that's capable of dispensing automobile alcohol fuel in the future.

Mr. Tom McCormick said in light of the township ordinances, and it being in a carbonate geology area, that the township would consider this.

Mr. Scott Krycia, Leithsville Fire Co. said was there any consideration about additional traffic flow in and out of the Giant on 412? Mr. Diehl said for these fueling facilities, they've done some investigations and found the majority of the users of the fueling facilities are actually trips that are generated by the shopping center, so it's considered a shared user plan. It was 10% for the trip generations are primary trips to get fuel. That area was considered for a drive through facility in its original planning of it as a bank with the drive through lane. This is another drive through facility. Mr. Maxfield said make sure the local fire companies get a plan of this. Mr. Krycia said is there any reverse system for pumping out of fuel? Mr. Poplaski said we would pump it into a tanker truck and take it away. The Giant facility, there are no vaults at Coopersburg, so no suppression system. We'd come to the fire companies and see what kind of thread you would want and supply you. If you'd ever have to hook up, you could do this.

Mr. Beardsley said when you talked about traffic, wouldn't more people come to the Giant to take advantage of the gas discount. Mr. Poplaski said most of the time what we find, is because of the awards program, we have to customers purchasing more products and earning their points. We have the same customers in the store and they are using the fuel station. It's not a Wawa, not a Sheetz, it's just a small fuel station. It doesn't create a destination for people to just come and fill it. It's an amenity to the store like was mentioned before. Customer's can have the one stop shopping. There might be some new, additional traffic, but not by much more. Mr. Maxfield said we've been asking layman's questions, other than the fire companies, do you want to make a formal submission and allow our consultants to review this as none of us are prepared to give any kind of opinion on this until our consultant's review this. Mr. Strong said we just wanted to present this to Council. We can file a formal submission. We can sort that out as either it's permitted or it's not permitted. If the indication is the next step would be to make a plan submission, we certainly can do that. Mr. Maxfield said we would like you to do that. Mr. Kern said Council will err on the side of safety and it's still only 50' from the creek. Mr. Strong said we can proceed with the plan submission, and after they file it, Council says you are an underground storage tank, he doesn't know how we specifically resolve that. Mr. Kern said meet with staff and they can then present it to Council. Mrs. Yerger said it's proximity to an environmentally sensitive area and we take our environmental areas quite serious in the township. Things happen so the potential for problems exist. We are going to have to really think about this. Mr. Strong said we take those same concerns and considerations really serious as well. We can certainly take what we discussed tonight and prepare plans. Mrs. Yerger said from her end, you are going to have to really, really prove to her that this is really, really safe. The monitoring, everything all the way down the line. You have to prove that this is not going to be an environmental issue. Mr. Maxfield said step 1 is proving it to our consultants.

Dan Andrews from the Morning Call asked if there have been any problems or accidents with any gas stations in the township? Mr. Maxfield said there's been fuel spills from industries. The only thing he can think of is leaky tanks after the business has closed up. Mrs. Yerger said there was one where the tanks did leak and it did contaminate the ground around it and that was years ago. It was the old Texaco Station on Route 378. The chemicals showed up in the Black River.

**General Business Meeting
August 20, 2008**

E. HIDDEN MEADOWS – LOWER SAUCON ROAD – REQUEST FOR SECURITY REDUCTION FOR WORK COMPLETED TO DATE

Mr. Kern said the developer is requesting a reduction in the security being held for improvements in this subdivision. Hanover Engineering has completed an inspection of the work and recommends a reduction in the amount of \$11,673.83 with the condition that their escrow account balance is acceptable to the Township.

Mr. Horiszny asked if the escrow was okay? Mr. Cahalan said yes.

MOTION BY: Mrs. Yerger moved for approval per staff recommendations.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

F. ROEDER’S GLEN – BLACK RIVER ROAD – AUTHORIZE SOLICITOR TO DRAW DOWN SECURITY TO COMPLETE PUNCHLIST ITEMS

Mr. Kern said the developer has been sent several notices advising what work needs to be completed in this subdivision and no response has been received. The developer also has not reimbursed their escrow account since 2006. Staff is requesting Council authorize the Solicitor to draw down the security being held to complete the punch list items in this subdivision in order to take dedication.

Mr. Kocher said there are some items remaining hanging out there, very minor type items, but need to be addressed. You should take this specific action so the Solicitor can draw down the security.

MOTION BY: Mr. Maxfield moved for approval of Roeder’s Glen – Black River Road – Authorize Solicitor to Draw Down Security to Complete Punch list Items
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

G. COBBLE CREEK – SKIBO ROAD – REQUEST EXTENSION OF TIME TO COMPLETE IMPROVEMENTS

Mr. Kern said the applicant has requested a one-year extension to August 28, 2009 to complete the improvements in this subdivision.

Mr. Kocher said they still have some outstanding improvements to do. They are asking for another year. They know what the items are and the escrow is current.

MOTION BY: Mr. Horiszny moved for approval of Cobble Creek – Skibo Road – Request Extension of Time To Complete Improvements.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? Linda Gilbert, Mary Lou Renaldo, and Diane Mumau were present. Ms. Gilbert said they are all residents. They have been continually delayed on several items from Ashley...this is going to get done...that is going to get done. They have three safety issues they’ve gotten three different delays on. They are skeptical on Ashley coming through and fulfilling anything. They have a problem where a road is not paved and it’s unsafe in the winter because of ponding, a large dead tree that could come down on two properties, and there are supposed to be lights at the intersection and on Skibo Road, so they are not confident Ashley is going to fulfill their obligations. They are worried they are

**General Business Meeting
August 20, 2008**

going to end up paying for it. Mr. Kocher said the only option you have is not to approve the extension, have Linc get the money, and have the Township do the work. His concern is with the escalated asphalt prices, there is not going to be enough money. What you may want to do is to account for that, and address their safety concerns, we could do that and you could have Linc to build into the extension agreement that they have 90 days to address the safety items determined by the Township Engineer. If they don't do this, then you could have Linc get the security. Ms. Gilbert said the impact of fuel prices, the paving would be more expensive if it's delayed. Attorney Treadwell said if we take the security, we have to do it, and sub it out. Mr. Kocher said we may not have enough money. In the extension agreement, tell them they have 90 days to address the issues. Next year they have to get everything done. Attorney Treadwell said he doesn't think we want to draw down the security and do these things ourselves. Then we have to bid it and it's a two month process to bid it. Ms. Renaldo asked if it was feasible to release the escrow money to the Condo Association? Attorney Treadwell said the legal question he would have is if we would release the money, are you going to perform the work? Ms. Renaldo said it looks like we will be finishing it ourselves and take the tree down ourselves. Attorney Treadwell said that's why we have the security so they do this work. They've been fairly cooperative with the township. Ms. Renaldo said she'd like to have them address the issue of the tree. She's concerned it's going to come down on the houses. It's in where our homes are, right next to one of the homes. Mr. Maxfield said the three safety issues would be the road, the tree and the lights? Ms. Gilbert said yes. Attorney Treadwell said based on their request tonight for an extension, Council can grant it and put on the extension the conditions that the tree has to come down in so many days. Mr. Kocher said there could be a safety list drawn up. Ms. Gilbert said they only have three safety items. As winter comes on, it gets darker, the intersection of Cobble Creek and Creekside, it's dark and a light would make it safer. That was in the original plans. We even voted on it at one point. The paving, because of it being left incomplete, it creates ponding in the winter and it freezes and you get little ice rinks. It would be nice to have the landscaping done, but that's not a safety issue. Mr. Kocher said he would be happy to put the safety list together. Ms. Mumau asked if there was any limit to the number of extensions a developer may request? Mr. Kern said there really isn't any. Ms. Mumau said the paving is a huge safety issue. If it's raining, every time we pull in with stone and water and if it's freezing, it's a real hazard as far as walking is concerned. Mr. Kocher asked if they have an Ashley representative to get in contact with? Ms. Gilbert said yes, they keep telling us they will do it in June, then August, then September. There are very few people working for Ashley now as there are in financial trouble. We are afraid we are going to get stuck. Mr. Kern said there is money there. Mr. Maxfield said 30 days to get the trees down, 90 days to get the paving done and the lights and this be put in the extension.

ROLL CALL:

MOTION BY: Mr. Horiszny moved to amend his motion for approval of Cobble Creek – Skibo Road – Request Extension of Time to Complete Improvements and add the three items listed above, 30 days to get the tree down, and 90 days to get the paving done and the lights done.

SECOND BY: Mr. Maxfield amended his second.

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

V. TOWNSHIP BUSINESS ITEMS

A. APPROVAL OF DISPOSAL OF SPOILS POLICY

Mr. Kern said staff has drafted a policy covering the proper disposal of any spoils (e.g. excess soil, tree roots, blacktop, concrete, cinders and rocks) that may be generated by Township Public Works projects, to ensure that these spoils are disposed of in conformity with all applicable Township, State and Federal requirements.

**General Business Meeting
August 20, 2008**

Mr. Cahalan said they put the policy together and want to insure any of the spoils products from any of our projects gets disposed of properly. This puts it through a few steps and they will check that the site is approved by the Township, State or Federal government, that all the permits are in order, and will set up a policy for residents who want to obtain any of the spoils and have some handle on where the spoils will be disposed of.

- MOTION BY:** Mrs. Yerger moved for approval of the disposal of spoils policy.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

B. RESOLUTION #47-2008 – HONORING DIANE REPYNECK AT COMMUNITY DAY FOR HER YEARS OF SERVICE AND DEDICATION

Mr. Kern said Resolution #47-2008 has been prepared honoring District Justice Diane Repyneck for her years of dedication and service to the residents of Lower Saucon Township. This resolution was presented to D.J. Repyneck at the Hellertown – Lower Saucon Community Day and the Manager is requesting Council ratify the resolution tonight.

**RESOLUTION #47-2008
A RESOLUTION HONORING
DIANE REPYNECK FOR HER SERVICE TO THE COMMUNITY**

WHEREAS, Diane Repyneck of Lower Saucon Township, has served as District Justice for Hellertown and Lower Saucon Township for the past twenty-three (23) years and will be retiring effective December 31, 2008; and

WHEREAS, Diane, a graduate of Saucon Valley High School and Indiana University of Pennsylvania, began her career in 1981 working as a dispatcher for the Lower Saucon Township Police Department; and

WHEREAS, in 1985, at the age of twenty-six (26) Diane was first elected as the Northampton area District Justice in an upset defeat of the incumbent District Justice at that time; and

WHEREAS, Diane has been re-elected to three (3) successive terms as District Justice and has seen the Court move from Hellertown to its current location in Lower Saucon Township; and

WHEREAS, Diane has adjudicated thousands of cases ranging from speeding tickets to homicides with fairness and compassion during her years as District Justice; and

WHEREAS, during Diane's tenure she established alternative sentencing programs for juvenile offenders, truancy intervention programs with the County Department of Children and Youth, and mediation programs where offenders underwent behavioral counseling and face-to-face intervention with their victims; and

WHEREAS, Diane will be saluted at the 2008 Hellertown – Lower Saucon Community Day for her long, distinguished career as District Justice and her dedicated public 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 Diane for her service and dedication to the residents of the Lower Saucon Township.

**General Business Meeting
August 20, 2008**

MOTION BY: Mr. Kern moved for approval of Resolution 47-2008.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

C. RESOLUTION #48-2008 – RECOGNIZING THE HELLERTOWN – LOWER SAUCON COMMUNITY DAY

Mr. Kern said Resolution #48-2008 has been prepared commemorating the 7th annual Community Day which was held August 16, 2008.

**RESOLUTION #48-2008
RESOLUTION RECOGNIZING THE ANNUAL
HELLERTOWN – LOWER SAUCON COMMUNITY DAY**

WHEREAS, the 7th annual Community Day celebration, a joint initiative of Hellertown Borough and Lower Saucon Township under the sponsorship of the Greater Lehigh Valley Chamber of Commerce, will be held on August 16, 2008 in downtown Hellertown; and

WHEREAS, over the past six years activities such as the popular cemetery tour, scavenger hunts, blood drives, and evening entertainment in Dimmick Park have been added to this celebration; and

WHEREAS, throughout its 6-year history, over 70 local business and service organizations in the Saucon Valley have been steadfastly committed to the Community Day celebrations; and

WHEREAS, organizers are anticipating that the number of businesses and organizations who will be participating in the day long event will reach an all-time high this year; and

WHEREAS, two (2) individuals who have served the Saucon Valley for many years, Pearl Bodor and Diane Repyneck, will be recognized during this year's celebration for their service and contributions to the communities; and

WHEREAS, Community Day provides residents an opportunity to celebrate the spirit of community pride and cooperation between Hellertown Borough and Lower Saucon Township which is carried out by our civic leaders, organizations, and citizens throughout the year.

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; hereby recognizes and salutes the Hellertown Borough – Lower Saucon Township Community Day 2008 upon its annual celebration.

MOTION BY: Mrs. Yerger moved for approval of Resolution #48-2008.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

D. RESOLUTION #49-2008 – BUDGET TRANSFERS

Mr. Kern said Resolution #49-2008 has been prepared authorizing various transfers in the 2008 budget due to some adjustments based on current conditions as outlined by the Director of Finance.

**General Business Meeting
August 20, 2008**

**Northampton County, Pennsylvania
Resolution #49-2008**

A Resolution Authorizing Budget Changes

Revenue

<u>Amount</u>	<u>Account No.</u>	<u>Account Name</u>
+\$50,000.00	05.310.220	EIT Open Space Prior Year
+\$80,000.00	01.310.220	EIT Prior Year

Expenses

<u>Amount</u>	<u>Account No.</u>	<u>Account Name</u>
\$ 600.00	01.402.452	Payroll Services (restructuring design approved 7/16/08)
\$15,000.00	01.402.453	Contracted Services (increased EIT amount in collections)
\$15,000.00	01.409.230	Diesel Fuel
\$10,000.00	01.409.231	Gasoline
\$15,000.00	01.414.312	Planning Consulting
\$ 1,800.00	01.407.314	Website Maintenance Contract
\$ 1,800.00	01.401.420	Library Survey Mailing
+\$20,000.00	01.493.000	Contingency Increase
+\$50,000.00	05.493.000	Open Space Contingency Increase

Mr. Cahalan said this is some things have gone up, which is good news and some things have gone up which is not good news. The good news from the EIT has increased, and that's also for the open space funds for the prior year and the EIT for the prior year so we have to adjust the budget to accommodate that. We have some increased expenses in the bad end, and that's diesel fuel and gasoline, so we have transfers to cover those costs. We have some increased planning consulting cost because of all the projects that Judy, Valerie, and Stacy are working on. The website maintenance contact which was approved by Council and this also covers the Library Survey funds which was spoken about at the last meeting. Mr. Horiszny asked if this would be a good time to move some money, maybe \$500 or so to have a picnic for the volunteers? Mr. Cahalan said money isn't the problem, it's staff and organization. We're trying to push it ahead on the priority list and will bring some ideas back to you.

- MOTION BY:** Mrs. Yerger moved for approval of Resolution #49-2008.
SECOND BY: Mr. Horiszny
 Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

E. RESOLUTION #50-2008 – ESTABLISHING POLICY FOR TERMINATION OF HEALTH INSURANCE COVEARGE FOR RETIREES (DEPT. HEAD AND NON-UNION) AT AGE 65

Mr. Kern said Resolution #50-2008 has been prepared to put in place a policy that correlates with the regulations in place with our current health care provider and the non-uniform contract relative to retirees reaching the age of 65.

**General Business Meeting
August 20, 2008**

Mr. Cahalan said this puts in a definite cutoff point for the coverage for retirees. It's in conformity with federal statues and with our current health insurance policy. It complies with our non uniformed contract. Retirees can continue on the township policy if they retire before 65, then at 65, that coverage would end and they would be eligible for Medicare. They offer a Medicare Prescription and that is for beyond the age of 65.

MOTION BY: Mr. Maxfield moved for approval of Resolution #50-2008.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

F. RESOLUTION #51-2008 HONORING PEARL BODER

Mr. Kern said Resolution #51-2008 has been prepared honoring Pearl Boder.

**RESOLUTION #51-2008
A RESOLUTION HONORING
PEARL BODOR FOR HER SERVICE TO THE COMMUNITY**

WHEREAS, Pearl Bodor has been serving the residents of the Saucon Valley for over sixty (60) years in various capacities; and

WHEREAS, Pearl began helping out in her parent's floral business, Pondelek's Florists, in South Bethlehem when she was young girl and continued working for them when the business moved to Easton Avenue in Hellertown in 1948; and

WHEREAS, in 1961, Pearl and her husband Paul purchased the business from her parents in 1961 and operated it until her retirement in 1993; and

WHEREAS, Pearl was an early supporter of the Chamber of Commerce in Hellertown and was very active in the annual Christmas celebrations sponsored by the Chamber, dressing up as Mrs. Claus for many of the celebrations; and

WHEREAS, Pearl was one of the instrumental members of the committee formed to erect a band shell at Dimmick Park in Hellertown; and

WHEREAS, Pearl was also very active for many years with the Hellertown Chapter of the General Federation of Women's Clubs and assisted with the annual strudel production at the First Hungarian Reformed Church in Bethlehem; and

WHEREAS, Pearl will be saluted at the 2008 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 Pearl Bodor for her service and dedication to the residents of the Lower Saucon Township.

MOTION BY: Mr. Kern moved for approval of Resolution #51-2008.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

G. REVIEW OF MEADOWS ROAD BRIDGE REPORT

Mr. Kern said Council authorized a payment of \$200 for Andrew deGruchy from deGruchy Masonry Restoration of Quakertown, PA to conduct a site visit of the Meadows Road Bridge (County Bridge No. 15) and provide us with a report on his findings and recommendations. Mr. deGruchy's report was received on July 10, 2008.

Mr. Cahalan said there was a variety of pictures that Mr. deGruchy provided and they were given to Council for discussion.

Mr. Cahalan went through the photographs. Mr. deGruchy visited the bridge several weeks ago. The first twelve photographs are from the October 2007 visit. At that time because of the height of the water, he couldn't get under the bridge and make any inspections. Photos 13 – 24 were from the visit he took a few weeks ago. He was able to see a crack that is close to continuous separation at the arch ring and can be seen in photo 19. There's a plywood section propped up under the arch, photo 22. This was a temporary measure to stop chinking stones which were falling loose and allowing a larger section of the barrel to drop to help inhibit the arch barrel from getting worse. The plane of the wall and the arches on the upstream side are in fairly good condition, photos 18 and 23. However, the fact that material has fallen out from near the center underside and that the wall on the downstream side is far out of plumb causes much concern in the remaining service life of the bridge in its current condition, photo 16 and 17. He thinks the bridge may have been helped in a better manner in the past had the tied rods been placed not in the center top of the arches but between the arches. Taking in these observations, and if there is a historic preservation goal in mind to keep this unique 4 span stone arch bridge in service, but into a more robust condition so that it is capable of future traffic and load demands, he believes preservation models can be achieved, restoring it "as found" and remaining a one lane bridge. If the goal is to make the bridge a two lane bridge, then he thinks it is possible to document the current position of all the stones and utilize them in reconstructing outer walls, full stone arch "veneers" and parapets to be laid in a similar fashion as what currently exists. This approach would be sympathetic to the aesthetic value of what now exists and to honor the hands of the original builders even though the sub-structure would actually be concrete and steel. In any event, the engineering work must be carried out by a firm with experience in dealing with old mass-masonry structures and historic preservation work coupled with knowledge in modern bridge engineering. He can direct you to a first class firm that is well versed in both of these areas and has a successful history in achieving substantial remedies required by the highway departments as well as meeting the needs of maintaining local cultural heritage for the county and its residents. We are to contact him at our earliest convenience.

Mr. Cahalan said we have not shared this report with anyone. If you want us to share it with the County, we can. Mr. Kocher said yes, send it to John Stoffa, tell them we had this done and take it into consideration. Mrs. Yerger said ask him to get back to us. Mr. Kern said does Council want to preserve the bridge as a one lane bridge? Mr. Maxfield said it should be as is. Mr. Kern said express that we would like to maintain it as a one lane bridge.

MOTION BY: Mrs. Yerger moved to request Township Manger to forward a copy of Mr. deGruchy's report to Mr. Stoffa at the County along with a letter indicating that we would like him to review it and also respond with the indication of to consider Mr. deGruchy's report for the future of the Meadows Road Bridge as restoring it as a one lane bridge.

SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? Mr. Beardsley said when you come from the intersection from Stabler and going towards Meadows, there's no sign that says Weight Limit 10 Tons until you are already on Meadows Road. Anyone turning on to Meadows Road is stuck. They can't back out and they can't go forward, but they do go forward. There should be a sign before you come to Meadow's Road & Freidensville Road. His wife suggested that

**General Business Meeting
August 20, 2008**

we have the County reduce the weight limit to 3 tons so we don't have to worry about a weight limit on the bridge? Mr. Cahalan said there is already a weight limit on Meadow's Road. Mr. Beardsley said the stop sign as you are approaching Meadow's Road going towards 412, there's a little rise there, and the stop signs needs to be where the yellow and black striped warning sign is so people on the other side can see if someone is there.

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

H. APPROVAL OF LIBRARY SURVEY

Mr. Kern said as a follow-up to the discussion at the last Council meeting, the Library Committee is requesting Council approval to mail out a survey form to 1,000 randomly selected residents asking for their feedback on library services in the Township. A copy of the Library Survey form has been submitted to Council for their review and approval. The cost to mail out the survey and provide stamped, return envelopes will be approximately \$1,600 which we are asking Council to approve by resolution transferring these funds from the Contingency Account.

Mr. Cahalan said he gave you a draft copy the Library Committee worked on and are interested in seeing what the residents think about library services with the Bethlehem Public library system and report to Council this fall on what are the current issues with the services. This will be a vehicle to do that. It was going to go online, but they are suggested it may not get a lot of attention and they may get duplicate entries. It's a mail out with a return envelope. They hope to get 20 to 30% back. There are a couple of different options available to them.

Mr. Kern said on the survey, question 15, do you support the townships continued participation as a member of the Bethlehem Area Public Library system for library services? He thinks it is important that we put in an amount we are paying for library services. Mr. Cahalan said we kicked that around if we wanted to influence it in any way. Mr. Kern said he wrestles with that every year that it's \$160,000 a year. Mr. Maxfield said instead of putting it with that question, maybe you could put a brief summary in the beginning of the survey and say what the budget is.

Mr. Allan Johnson said he's an advocate of the Bethlehem Library. He said the services are terrific. He would suggest that instead of using the figure of \$160,000, it's much more easier to understand if you use the dollars per person we pay. It comes out to be about \$16 per person. That certainly sounds reasonable.

Mr. McCormick said if we cite the cost, also mention the benefits. If you are going to insist putting do you want to continue spending this money, let them know what features would be lost if we weren't in the Bethlehem Library services.

Mr. Cahalan said that's why they didn't mention the \$160,000 as it carries a lot of weight for a survey. Mrs. Yerger said some surveys she's seen, they ask would you pay \$10, \$20, and it gives them a ballpark of what it's worth to them. Mr. Maxfield said if you X the money factor out all together, when you get your answers back, you can figure out if it's a good bargain. Mr. Kern said he's changing his mind, don't put the money in. Mr. Maxfield said money makes a big difference.

MOTION BY: Mr. Horiszny moved for approval to send out the library survey.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

**General Business Meeting
August 20, 2008**

I. POLK VALLEY PARK IMPROVEMENTS – LANDTECH PAYMENT REQUEST NO. 2

Mr. Kern said Boucher & James has conducted an inspection of the work done to date at Polk Valley Park and is recommending a payment of \$71,491.50 to Land Tech Enterprises, Inc.

Mr. Cahalan said with the Phase III improvements, there is the landscaping, fencing, back stops, dug outs, and we will be putting up a sign that the dog park will not open until the spring of 2009. They need time for the turf to get a little sturdier. This has been monitored by Boucher & James and inspected and they made the recommendation to do a payment release of \$71,491.50 to the contractor Land Tech Enterprises, Inc.

MOTION BY: Mr. Kern moved for approval of Land Tech payment Request No. 2 for \$71,491.50.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JULY 16, 2008 MINUTES

Mr. Kern said the July 16, 2008 minutes have been prepared and are ready for Council's review and approval.

Mr. Horiszny said on page 2, line 51, he thinks the third person attended was Ray Campbell, not Randal Sachs. Page 5, line 32, it should be "requested" extension.

MOTION BY: Mrs. Yerger moved for approval of the July 16, 2008 minutes, with corrections.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-1 (Mr. Horiszny – No, Mrs. deLeon – Absent)

B. APPROVAL OF JULY 2008 FINANCIAL REPORTS

Mr. Kern said the July 2008 Financial Reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the July 2008 financial reports.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Richard Jacobs, 1772 Arden Lane, Bethlehem, said he addressed a letter to Council. He's here to discuss the situation with the gate going across Stover Road. They live at the bottom of the corner of Stover Road. It's their house that is right next to Stover Road. He was aware there was discussion about barricading the road in some manner. He knew the situation would have to be brought to a close. They understood while the subdivision was being developed, the road had to be closed for safety reasons. They lived with the situation. They barricaded it with some horses, it didn't work, boulders, it didn't work. They went around them on their property. He adjusted the horses, it didn't work. He asked Toll Bros. to move the boulders, it didn't work. Why did he write the letter now? He came out and was surprised to see they were actually building the gate. You told us it was going to happen when Stover Road was completed. He found to the gate is going up

General Business Meeting
August 20, 2008

on Friday. Council approved a plan that said when Stover Road was completed, they would determine if a gate is needed and the type of gate, and they would have a chance to talk about it. He hopes we can solve this problem with a little bit more thoughtfulness. The police, fire and EMS people are not in favor. We are concerned about the public safety of barricading the road, on the Arden subdivision side. In Williams Township, there was an argument if a particular EMS service was going to respond to calls over there, they were going to have this other organization do it. The guy warned them and said you have to get there when it is needed. What happens, it took them a little bit longer to get there from this organization and the guy died. This is our concern. You are going to barricade a public road and for what reason. We don't understand this. Mr. Kern said it's not a frivolous thing. This has been in the works since 2000. At that point, the issue was brought up because it was on paper to go through to the new development. As part of the comprehensive plan of the township, it's to preserve the rural character of the township. Mr. Jacobs said at the expense of the public safety. Mr. Kern said at doing so, it was one of the decisions that had to be weighed. We asked the Township Engineer to do study on the affect of opening Stover Road, and the affect it would turn Old Mill Road into a major thoroughfare which is against one of the SALDO ordinances, not to make a development with a through road and the analysis of our Township Engineer indeed said it would be a through road and Old Mill Road could not sustain. Mr. Jacobs said you told us this wasn't going to be done until Stover Road was done. Mr. Kern said he doesn't know who told you that. Mr. Jacobs said he's getting it off the plan you adopted and signed and sealed and recorded. Mr. Maxfield said even if it was true, what made you think the road was going to be open even though Council had numerous discussions about changing it. Mr. Jacobs said the guarantee was that it wasn't going to be opened until Stover Road was finished. Attorney Treadwell said he'd have to see the plan. Mr. Kocher said the plan says after Stover Road is constructed. At some point, when this decision was made last year, it was paved and constructed, useable and that brought up the question should traffic be able to go through there. Attorney Treadwell said Stover Road was constructed and Council made the decision to gate it. Mr. Kern said in 2000 the Fire Department was not in favor of it as they wanted to respond quickly. It doesn't affect Se-Wy-Co as they come down Old Mill Road. They come the same way. The other alternative was what's the response time from Leithsville which is 6/10th of a mile quicker. Mr. Jacobs said you want to take a risk with our property and life? Attorney Treadwell said he doesn't think anyone wants to take a risk with your property and life. Mr. Jacobs said is this the only way the traffic concern be resolved? You can't do it with restricting the traffic on Old Mill Road – Local Traffic Only. It seems you did it with the Wagner Farm. Aren't there any alternative ways to meet the Fire Dept., Police Dept. and EMS. Mr. Maxfield said let's stop citing agencies you haven't spoken to. Mr. Cahalan said the police aren't on record opposing the gate. Mr. Jacob's said the police aren't in favor of it. Mr. Cahalan said the police have no record of opposing. Se-Wy-Co did oppose it, on record. There's nothing from the Police Chief. Mr. Jacobs said would it matter if they were against it? Attorney Treadwell said they took it into consideration whatever the opinion was of the Police and Fire Dept. Mr. Jacobs said what was the opinion? Attorney Treadwell said we don't have one from the Fire Dept. Mr. Jacobs said thank you. Couldn't we explore this? Mr. Maxfield said please don't put words into our mouths. This was discussed many times already. One of the main reasons that it is there now, is that the residents of Arden wanted it there. Let's read the minutes and find out why that gate is there and cite the studies that are already there. Attorney Treadwell said they can look at the traffic study. Mr. Maxfield said you have to get the public information and research it. We don't have anyone on record that the police are opposing this. Mr. Jacobs said closing a public road because of a petition by a few people. Mr. Kern said it's an engineering recommendation to have the gate.

Mr. David Velho purchased the property in 1999, and built there in 2005 on Arden. It was his understanding that there would be a gate there and never be a thoroughfare. Arden was a very quite community, and that if it was a thoroughfare it would lead to a lot more traffic and not something we would want, plus Old Mill is a very delicate road. That being said he's in favor of the road being closed. His wife's suggestion was why can't the residents of Arden have a remote

General Business Meeting
August 20, 2008

to open the gate, then it's not a thoroughfare, just a way to get a quicker way to get into Hellertown. In speaking to other residents on Arden, they agree they do not want to have that as an open thoroughfare. Mr. Maxfield said the reason Stover Road is even there, stub roads were good planning. It's been proving not to be good planning of stub roads. We don't do stub roads anymore. That road probably shouldn't even exist. Old Mill Road is an undersized road. Mr. Cahalan said there is going to be a Knox box for all emergency services and they have the access to open the gate and get through and have access through Arden. They won't be blocked and have to go all around. It can be activated by the County 911 center and opened remotely by the County center. There will always be a police vehicle who will respond. Both the police and emergency responders will have access through that gate.

Mr. Brian McCall, said originally on the record, he and his wife were in favor of have the gate, but now they'd like it open. Whenever you go into map quest or Garvin system, it shows Stover is a public access road. Many times we have people come to deliver things and they all use Stover Road. He's diabetic. If it made a difference of five minutes, it certainly overrides any preserving a rural character. He feels the public safety outweighs the rural character. When they moved in their house in 1997, there were 26 homes in that section that only has the one method of egress. Since that time, 21 homes have been added. Rural character is starting to decay now. It doesn't look like there's a lot of favor for it being closed, so please revisit this issue.

Ms. Janelle Cheatham, a resident of Arden Lane from 1992. Stover Road was always supposed to be open. A lot of the residents now are senior citizens, heart attacks, allergic reactions to bee stings, and minutes are vital in our health and safety. It's a long way to go around. Whether or not you live there, we have power outages there constantly. Trees blocked it one time, you just have to stay there. Snow, when they are plowing, it's very likely they will plow snow right up to that gate. She called the township this morning as something was there blocking the road. She thinks you should give it six months. She doesn't think there will be much traffic coming and not be a major thoroughfare. The rural character is gone, times change, things change. She truly feels with one way in and one way out, it is a safety issue and an inconvenience. It takes so much longer to get around when there is traffic at Stabler. Maybe you should think before this lock goes on Friday and see how your traffic is going to be. One access road is not convenient.

Mr. John Stella, resident of Arden Lane for ten years, said maybe we have an issue that might be readdressed at some time, sooner than later. He echoes the sentiments you heard tonight especially on the safety. He was involved twice of being unable to get to his home because of obstructions on Old Mill Road. He thinks that it could be frustrating to a resident, not being able to go home when there's a road just 300 meters away. He hopes you would revisit the opening of this road sometime in the future.

Mr. Scott Cheatham, son of Janelle, said in regards to the traffic study, he'd like to take a look at it, and would also like to ask and call for another view on this closure, but have someone else look at the possibility of traffic flow. Maybe keep the gate open and unlocked to see if there is any change in flow of extra vehicles through that area. He doesn't foresee it to be a through traffic. Wood Hills doesn't get a whole lot of through traffic. He doesn't see how the township sees that there is going to be a larger increase in traffic. He would ask Council to revisit that and have another study done.

Mr. Maxfield said this is to any resident of Arden, if it does become a thoroughfare, are you willing to lose the secluded nature, the convenience? He wasn't on Council at that time, but what they heard at that time, that it was secluded. Are you willing to lose that if it does become a thoroughfare? The residents said things change. It's very inconvenient if you're blocked in there. Mr. Kern said since 1992, he's never been blocked in. Apparently, they cleared the blockage relatively fast. Someone said remember the death of Mrs. Cressman, the road was closed for two

**General Business Meeting
August 20, 2008**

days. A fire truck was wedged in Old Mill Road one time. There was a tree down and he had to go home and saw it up. Mr. Maxfield said considering the fact that Toll Brothers is not completely built out, the traffic could increase. Ms. Cheatham said the traffic has increased. Mr. Jacobs said it's going to be a balancing test. Ms. Cheatham said if her granddaughter had an allergic reaction and the EMS couldn't get there, in a matter of seconds is vital, to open the gate, takes seconds...time is of essence. Mr. Maxfield said the convenience is a tough thing to think about...convenience helps us and convenience hurts us. Ms. Cheatham said what if the school called you that your child was sick, you'd have to go all around. Mr. Kern said there was an incident on Arden that was an emergency before Stover was open and the emergency vehicle got in through Old Mill Road and the child was rescued. The father of that child signed the petition. Now Stover Road is accessible, you can judge the emergency on the 911 call and they can crash through the gate. It's not as serious as he thinks they are making it out to be.

Marilyn Jacobs said you are telling us that 911 will be there to save us if something happens. We all heard of 911 calls that have gone very wrong. It doesn't happen every day. If it's you and you need that person to respond to you, she hopes that none of her neighbors are the ones that the 911 calls goes bad on and they can't get through to save them. They had an incident where they were barricaded in their upstairs and they had to wait for the township to get there and there is someone downstairs and you don't know what's going to happen and our safety should be considered.

Mrs. Yerger said she lives very rural, at the edge. Unfortunately, she's used 911 a lot. They have come across a flooded private bridge. If this does get revisited, until that point, she has to tell you that the police will come across anything. She's had ambulances get stuck in flooded areas. They are there. Our 911 works and it works in all kinds of conditions and all kinds of situations and they are amazing. She wants to reassure you that they are incredible people and get through no matter what. If they have to go through that gate, they'll go through that gate. She had a house fire and no one knows what two or three seconds mean. She knows what seconds mean. If they know you have a crisis situation, they will get there.

Ms. Denise McCall said how many other gates are proposed in Saucon Valley? Mrs. Yerger said she didn't know. Ms. McCall said what is the real driving factor of this gate and this road, why not other sections of the township? Mr. Kern said when you see the traffic study, you'll understand what the rationale was. It was an analysis of the existing flow of traffic. The study was not concerned about the Old Mill traffic, or developments in Arden, or Toll Bros. It was introducing a new through street for people to be accessible from Saucon Valley Road, Bingen Road and they will be accessing that to get to Giant. It was significant enough for the engineer to question it. SALDO said do not design a development with a through street. Mr. Maxfield said it also cited traffic coming from Coopersburg, Quakertown way, a short cut to cut across town.

Mr. Stella said the question he would have with respect to that traffic study in 2000, did that envision the Toll Brothers development as it is today with Stover Road being chopped at Viola? Mr. Kern said the reason Viola is chopped is because of his input at a Council meeting as he asked it to not put it straight through.

Mr. McCormick said unlike so many rural character decisions, once they are made, they cannot be addressed. Once things happen, there's no going back. This is a situation you could go back. It feels there's enough sentiment to go back and do another traffic study. With all the emotion, it can be remediated if it should be and easily fixed. He would argue you should have a hearing about it and think about it.

Attorney Treadwell said he and Mr. Kocher will look at the traffic study and come back at the next meeting. Mr. Maxfield said let's get a current update from the fire and police and instead of looking at the old traffic study, let's do a current traffic study. If things have changed, we need to

**General Business Meeting
August 20, 2008**

know. Mr. Kern said there's a petition that was signed, so we need to hear both sides of the story. Mr. Maxfield said we need a current read of what's going on. We were told it wasn't a problem. If the engineering study upholds what we told before, then so be it, but if it doesn't then so be it also.

Ms. Cheatham asked if the gate could be left open until this gets resolved? Mr. Kern said it was a Council decision so it has to be kept closed. Mr. Maxfield said we could also keep it open and put a traffic counter there. Attorney Treadwell said you close it now, but if you leave it open for a week and you could see how many cars go through it. Mr. Kocher said we may have to wait six months for people to know it's open. Mr. Cahalan said Hanover Engineering Associates has made certain recommendations about the Meadows Road corridor. The one way should be factored into the study also.

Mr. Richard Jacobs said was there any consideration in putting a sign on Old Mill Road, No Trucks Allowed or Local Traffic Only? Mr. Maxfield said it hasn't worked on the Meadows Bridge so far. Signs don't seem to work very well. Mr. Kern said we'll revisit it and put it on the agenda and you'll get to meet all of your neighbors.

Mr. Maxfield said what do we want to do with the gate? Attorney Treadwell said the last decision of Council was to close the gate. Mr. Kocher said the next meeting is not the appropriate time to invite the entire neighborhood. He would be able to tell you at the next meeting what he found between now and then. Mr. Cahalan said he'd like to have the EMS at the next meeting also. Attorney Treadwell said at the next Council meeting, Mr. Kocher will come back and give you a recommendation on how long it will take to reconsider the whole matter. The last action this Council took was to close the road with that gate, and that is the status quo until you vote. Mr. Cahalan said he will get the word out to all the residents.

VII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said the Northampton County Open Space Grant was approved for \$92,000. That will go towards the Polk Valley Park Improvements and the Connector Trail with SV School District.
- In between meetings, he did authorize a contribution to the Sustainable Community Parks Conference of \$250 made to the Delaware & Lehigh Natural Corridor. He would like Council to do a motion.

MOTION BY: Mrs. Yerger moved for approval of \$250 to the Sustainable Community Park Conference in October.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- The repairs for the Lutz Franklin Schoolhouse was approved by the PHMC.
- There is info about geocaching that Priscilla and Rett Oren dropped off. They are recommending we have some regulations governing that. Mrs. Yerger said it's usually done in State Parks where acreage is significant. Polk Valley Park, she doesn't know if that would be a good site. Maybe for kids, it would be good. Mr. Cahalan said it's something to think about.

**General Business Meeting
August 20, 2008**

B. COUNCIL

Mr. Maxfield

- He said Polk Valley Park will be a focus of the DCNR Conference and Sandy Yerger, Judy Stern Goldstein and himself will be speaking there. You can be proud of your township.
- He said our Attorney we've used in the past, Charles Elliott, gave us information on MFS. He talked to a DEP representative and MFS is making some overtures to the state. They are trying hard to reopen and they don't want to do any of the thing we want them to do. They want to pay a fine and keep going. He'd like to know if Mr. Elliott could look at it again and give us a status report. He'll talk to DEP and EPA and find out what's going on.

MOTION BY: Mr. Maxfield moved for approval to have Charles Elliot give us a status report and talk to DEP and EPA to find out what is going on with MFS.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Mrs. Yerger

- She said EAC approved a request and recommended the Township Council review the proposed plans from Salisbury Township as there were concerned citizens thought that since it might impact the Black River Creek, they requested we may consider have our Township Planner and Engineer review the plans as they felt it was going to alter the flow of the actual watershed and the way the water was going to drain. Mr. Horiszny said it's too late now, they took down lots of trees. Mrs. Yerger said she'd like to have staff review it to the extent necessary and determine if there's any environmental impacts that will affect Lower Saucon Township. In the middle part of the property there was a water divide, and they had already had problems on the side that ran down to Salisbury and there were two sources of water that ran towards the Black River and they thought the water changed the direction and the water was being diverted away from the Black River and it would dry up. They did leave a set of plans. They did seem to be not trusting of the Township Engineers in Salisbury and wanted our Engineers to review the plans. Sandy has the contact names.

MOTION BY: Mrs. Yerger moved to have our Planner and Engineer review the plans as stated above.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Mr. Horiszny

- He attended LSA meeting last night and the Redington Estates system came up and he'd like to consider using the Bucks County Representative Gar has been talking to, as he did have a lot of good points and we need to be pretty cautious moving into that type of situation.
- The other thing is the Historical Society has a new president, who happens to be his wife, and do we need to have a new alternate liaison? Council said no.
- They had a request to have a wedding in the schoolhouse and the board said no to that event as they thought it would have to come through Council and they'd say no also. Can we allow weddings on township property? Attorney Treadwell said we could, it's not a reception. Mr. Horiszny said they didn't think it was appropriate anyway, and he would have voted against it anyway. Mrs. Yerger said a natural wedding itself, she doesn't see as a problem. Mr. Cahalan said he can look into this and bring it back at the next meeting.

**General Business Meeting
August 20, 2008**

Mr. Kern
None

Mrs. deLeon
Absent

C. SOLICITOR
None

D. ENGINEER
None

E. PLANNING
None

VIII. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 11:35 PM.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council