

REVISED

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Presentation of Library Consolidation Report
- B. Resolution #63-2013 – Public Hearing – Acquisition of Townsend Property – Polk Valley Road
- C. Resolution #64-2013 – Public Hearing – Acquisition of Stephen Savitske Property – Reservoir Road
- D. Resolution #65-2013 – Public Hearing – Acquisition of Gerald Savitske Property – Reservoir Road
- E. Public Hearing & Consideration of Adoption – Ordinance No. 2013-05 – Amending and Revising Chapter 125 of the Township Code – Peddling & Soliciting

IV. DEVELOPER ITEMS

- A. Green Gables – 2142 Leithsville Road – Site Plan Approval and Waiver of Land Development Request

V. TOWNSHIP BUSINESS ITEMS

- A. Authorization for Emergency Repairs to Town Hall Park Pavilion
- B. Authorization to Advertise Ordinance No. 2013-06 – Williams Township Compost Center Agreement
- C. Request from Saucon Valley Conservancy for Renewal of Heller Homestead Lease
- D. Discussion on Establishment of an Economic Development Task Force for 2014

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of September 4, 2013 Minutes
- B. Approval of September 18, 2013 Minutes

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

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

IX. ADJOURNMENT

Next EAC Meeting: October 8, 2013
Continuation of Council Public Hearing: October 9, 2013
Next Council Meeting: October 16, 2013
Next Zoning Hearing Board Meeting: October 21, 2013
Next Planning Commission Meeting: October 24, 2013
Next Saucon Rail Trail Oversight Commission Meeting: October 28, 2013 @ Coopersburg Borough
Next Park & Rec Meeting: November 4, 2013
Next Saucon Valley Partnership Meeting: November 13 @ SVSD

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 2, 2013 at 7:03 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Tom Maxfield presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Maxfield said Council did meet in Executive Session tonight. Attorney Treadwell said to discuss a curative amendment and validity challenge to the zoning ordinance.
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II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Maxfield said if you are on the agenda, you have Council and Staff's undivided attention. If you chose to speak, we ask that you use one of the microphones. Everyone gets to speak. He'd ask that you give your fellow public the courtesy of the floor. We do transcribe the minutes verbatim and want to make sure the transcriptionist gets every word. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes.

III. PRESENTATIONS/HEARINGS

A. PRESENTATION OF LIBRARY CONSOLIDATION REPORT

Mr. Maxfield said the Township Manager, Finance Director and Hellertown Area Library Director will be presenting its report on the consolidation of library services for Township residents at the Hellertown Area Library.

Mr. Cahalan said he'll ask Cathy Gorman, the Finance Director and Robin Rotherham, the Hellertown Library Director to join him. About a year ago, the SV Library Task Force presented you with a report. It contained a lot of information and it concluded that it was feasible to consolidate library services for Township residents at the Hellertown Area Library (HAL). That was an accumulation of about a year and a half of meetings, surveys, and gathering of data. One of the items that was contained in that report was a recommendation that the Township look into the concept of splitting payments for library services and that was based on the data that was collected that showed almost half of Township residents were going to the HAL. We put that request formally to the Bethlehem Area Public Library (BAPL) Board of Trustees and we asked them to consider whether we could split the payments between the two libraries and that was rejected in June 2013. Back in April, Council directed him to form a working group with representatives from the HAL and from Hellertown Borough (HB). He did that and Robin Rotherham and members of her Board of Trustees joined them. Council member Gail Nolf, Borough Manager Cathy Kichline, and the Borough Finance Director Tina Krasnansky also were members of the group as well as Council Member Tom Maxfield, Jack Cahalan and Cathy Gorman represented the Township. They had a series of meeting and looked at the data that was collected in the Task Force Report and they were asked to come back with a report to you by the end of September. They did meet that goal and they are here tonight to present that report to you. This report is called the Library Consolidation

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Report and we'll start bringing it up on the screen. It's available on the Township website. It was posted there today. That's www.lowersaucontownship.org and it's under the library tab and it says "Library Consolidation". He'll go to the recommendation of the committee. The consolidation committee met on September 19, 2013 and they voted to recommend to the voting bodies of Lower Saucon Township (LST), HB and the HAL Board of Trustees that they adopt this proposal for consolidating library services at the HAL effective January 1, 2014. They are going to run through a concept or a proposal for a Consolidated Library (CL). They hope they covered all the bases in doing that. The first portion of it deals with how the CL would be governed. There would be a board, and in this area what they came up with was a transitional type of plan. It's keeping the existing Board of Trustees from the HAL Association and adding three members from LST and three from HB bringing it up to nine members which is what is the limit under the PA Library Code. Eventually, if this goes forward, the representation would become five members from the Township and four members from HB. The term of the board members we're suggesting would run three years. The board members can serve no more than two consecutive three-year terms. The library director is an ex-officio member of the board. The duties and responsibilities go into some of the general duties such as the board would have to plan and manage the CL and select the programs and activities that would be available at the CL. They'll have all the powers that are normally vested in such boards by law and they would have the authority to determine all matters of policy for the CL. They would appoint the Library Director. They shall elect officers, adopt by-laws, rules and regulations and determine the hours and place of library service and all of the policies that would be in accordance with the PA State law and library regulations. They also would be responsible for governing the selection, emphasis and distribution of the library books, all the resources in the library, the use of the facilities, the policies and the expenditures within the annual appropriation that would be approved by HB and LST.

Mr. Horiszny said eventually would those board terms be staggered? Mr. Cahalan said yes, that would be the intent. They didn't get into everything here as it's a concept. If this moves forward, that information would be put together into the legal agreement which would come back to Council, HB and the Library Board to approve. This is sort of a general outline. The board would have the right to accept any donations, requests, and endowments. They would adopt a personnel policy and salary scale for their employees, maintain insurance policies and would be required to submit an annual budget requests for the CL by September 1st of each year to HB and LST.

Mr. Cahalan said the next section gets into a description of the management and staffing at the CL. It says under the Director section the Board would appoint the Director of the CL and it would be somebody that would be qualified to act as the Librarian. They'll determine and set the compensation for that position. The Director would be the executive of the administration agent of the CL on behalf of the board and the Director shall recommend to the Board the appointment and specify the duties of other employees and would be responsible for the day-to-day operation of the library, the care and the maintenance of the facility, for the selection of books, materials and services, in keeping with the stated policy of the board, to the efficiency of library services, to the residents of HB and LST and for its financial operation within the limits of the budget. The reports require that the Director prepare and submit required reports to the board. It would report on any of the library activities of the library during the prior months and Ron suggested that we could alter that, so the meetings are on a different schedule and monthly. The Director would be responsible for preparing the proposed annual budget and that would be required to be submitted to HB and LST by September 1st each year. Currently, the staffing for the HAL is staffed with a full-time Director who works 40 hours a week, and two part-time staff members working a combined total of 32 hours per week which is the equivalent of 1.75 full-time people. The State Library Code requires that the library have a qualified staff member full-time or equivalent for each 3,500 persons in the direct service area, and that would require with the consolidation that the staffing be increased to 4.76 full-time equivalent employees who would be working a combined total of 180 hours.

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Mr. Cahalan said the next section is a kind of snap shot of the changes that we propose and would be made to the CL which is the current HAL building. In the Task Force report, there were several options given for the expansion of the facility and services and we chose Option A. That's reflected in this layout and also in the budget figures that Cathy will be covering. Tom Maxfield helped us out with this. Ms. Rotherham will describe the changes.

Ms. Rotherham said this is the first floor plan. They are changing things around a little bit in the physical location of computers and personnel. She's adding more personnel, but she doesn't have a lot of square feet to put them, so when you'd walk in the front door, there would be a reference desk with a staff person and computer work stations behind it. That's now the children's area. You proceed through the library and stacks space has not changed too much on this floor. You come to the circulation desk and that has been expanded to allow for additional people working there and additional computers there. One would be dedicated to checking materials in and the other dedicated to checking materials out. They would use the additional elevator alcove to add more shelving and also along the wall behind the circulation desk. That's not reflected in the picture. The area behind the desk is the library office which they didn't put furniture in, but it would also be reconfigured to suit more employees. Next is the basement level, and is the level of the library which is the most underutilized and where kind of the most changes were made. You'd walk down the steps on the left hand front side. They'd put some storage under there. Right as you turn the corner there would be two tutoring or study rooms. They are seeing a lot of tutoring every day. Today there were five tutors in the library sitting in the middle of the library with no dedicated space so here they would have space to tutor, study or for anybody to use. They'd add additional shelving down on this level. Her thinking is reference materials, but maintaining a big large open area in the middle for Girl Scouts, story times, things that are already in the library that they don't want to get rid of. Directly behind there, it says kitchen area, computer, meeting room, that's one big room at this point. The library servers are now housed in the office, so some days in the library office it's 82 degrees, so one of her biggest priorities was getting them out of there and into an area that is cooled and maintained for those servers, so that would be moved downstairs and they would keep the kitchen area as they all work and they all have to eat. They'd make the front room another small meeting room and a work room. The second floor, they didn't show the infill. The Option A was to infill. She's still on the fence about that. Tom may have to convince her otherwise. She thinks it takes the natural beauty out of the library that's so open and nice. We may have to do it to add additional space. Upstairs they put all the children's material, added a children's reference desk, not for children to answer questions, but for children's librarian to answer questions. They made a storage area that's already there and they added additional shelving in the elevator alcove.

Mr. Cahalan said the next section would be the CL operating budget. What they tried to do was to show two separate budgets. One would be for the first two years of the start-up which would be 2014 and 2015; then thereafter the ongoing budget which would be 2016. They didn't go any further than those three years. Cathy Gorman can walk through that.

Ms. Gorman said based on the Task Force reports and the Option A method that was discussed, they allocated \$113,947.02 that would be spent on the improvements to the mezzanine, children's and computer areas and additional main level stacks and the reading area. In addition to the parking area, which would be enlarged on the report, it says 529, but it would be 3,000 square feet which would provide an additional ten parking spaces. \$50,000 would be allocated for technology improvements and to provide additional computers, data bases and resources. They considered the addition of 2.11 full-time equivalent employees. LST would assume the responsibility for paying the initial \$163,947.02 in capital improvements over the first two years of operation. The projected cost of that in 2014 would be \$171,132.69 and the same for 2015. Once those improvements were made, the budget allocation would be lessened by that \$163,000.00 and HB's cost for the operating budget for those first two years would be \$48,734.62. When 2016 comes into play, the total projected cost for LST would be \$90,278.86 per year and HB's would be \$49,346.64 a year. That's based on the amount needed to maintain the budget and the per capita of each municipality.

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Mrs. deLeon said what do we currently pay now? Ms. Gorman said \$183,467.00, so the first two years we would be saving \$12,334.31 and then in 2016 it would be a projected \$93,188.14. Mrs. deLeon asked what the per capita amount was? Ms. Gorman said the per capita for LST in 2013 is \$17.03. Hellertown is paying a block amount which comes out to \$10.65.

Mr. Willard said the \$113,947.02 and the \$50,000.00 total to \$163,947.02 and the total cost is \$171,132.69 so the difference is \$7,000.00 or \$8,000.00 in 2014, 2015, what is that for? Maybe this is the first question, how is the 2.11 full-time employees being accounted for? Ms. Gorman said if you see in the budget they had estimated payroll and discussed this with Ms. Rotherham for the payroll costs that would need to be, which is in the Appendix page 21, and the salaries and annual amounts are listed there. They estimated on the first two years it would be \$126,560.00. The 2016 budget, hypothetically speaking, she increased the expenses by 3%. That's not a definite, but she wanted Council to be aware of certain increases that may occur or it may not. They would be in a similar situation with the BAPL where if their expenses go up, the amount they are going to be requesting from us on an annual basis will go up as well.

Mr. Maxfield said could Ms. Gorman or Ms. Rotherham explain about the 2.11 employees. That's a formula, how do we get at that number? Ms. Rotherham said it's a State formula that says you have to have so many FTE's per 3,500 people in your service area. That's how they came up with that number. Mr. Willard said the \$163,000.00 is the combination of the capital improvements and the technology improvements, then there's an additional \$7,000.00 to \$8,000.00 per year to get to the \$171,000 figure that we would be paying. His question was is that difference covering some of the personnel costs or how are the 2.11 full-time employees being accounted for in the budget? Ms. Gorman said are you referring to page 19? Mrs. deLeon said somebody has to pay their expenses. Mr. Horiszny said page 9. Mrs. deLeon said there's a dollar amount for each of the bulleted items except for the staffing. Who is going to pay that? Is Hellertown going to absorb that all by themselves? Ms. Gorman said if you refer to the appendix on page 19, the \$163,947.02 is the total amount of the capital improvements. The \$171,132.69 is covering the operational expenses for that year plus half of the \$163,947.02. The \$163,947.02 is for a one-time capital improvement to get us started and we're going to split that out over the two years. Then it drops. Once those improvements are made, then our annual amount will drop to \$90,278.86. If you look on page 19, you'll see it more clearly identified in the revenue line item. Mr. Willard said on an annual basis it's the \$163,947.00 divided by two, so about \$80,000.00, then the difference is an additional \$90,000.00 to get to the \$171,000.00 payment per year, right? Ms. Gorman said correct. Mr. Willard said \$90,000.00 towards personnel salaries, overhead, etc. Ms. Gorman said correct. That covers the day-to-day operating expenses.

Mr. Cahalan said the next section is funding of the CL. It says to go back to some of the board's responsibilities, the board would be required to prepare a budget each year and they would have to submit that to HB and LST each year by September 1st. To prepare that budget, they are suggesting that the Library Director would meet with the Borough Manager and the Township Manager no later than July 1st of each year to explain what the libraries financial requirements will be for the coming year and also to determine from the Manager's what level of funding they can anticipate from the municipalities for that year. They can initially discuss means and methods to adequately fund a CL. Then they would consider that budget request as part of their normal budget request like we do for other expenses that come in. It's subject to final approval by each of the governing bodies, it would be the intent of HB and LST to appropriate their proportionate share of the joint cost for the CL at an amount equal to the budget request that is submitted by the CL provided such costs are reasonable, justifiable, and in general conformance with the level of funding anticipated to be available pursuant to be to the process set forth in the section B or otherwise determined by the governing bodies. In other words, the library submits a budget to HB and LST. If for whatever reason, HB and LST cannot meet that amount, that would be communicated to the library and then in D, if one of those governing bodies does not fund its proportional share, the Library Director has

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to go back and redraw the budget and modify or reduce services to meet the anticipated funding level. It is a process that's laid out as to what would work with HB and LST to come up with a budgeted amount each year. Under the municipal appropriation, the shares that HB and LST would be making right now, they are suggesting it be based on the population of each municipality.

Mr. Cahalan said they will get into the resources and services at the CL. Ms. Rotherham said some of these things are already in place at the HAL. They've expanded upon them to include library services, a professionally selected young adult and children's collection, current periodic titles, local regional newspapers, reference service, a library collection that is selected to integrate with the SVSD common core, delivery service to Saucon Valley Manor which is something they already do. Summer reading clubs, current DVD title, current video game titles, book sale area, online computer catalogs, the same as SVSD's, online and remote renewal and reserves, a satellite library location at Seidersville Hall, and to explore the possibility of some kind of drop off service to remote areas of the Township. Technology access to wired and wireless internet connections, a fully integrated website, and library catalog, reliable broadband internet, black and white and color printing and copying, fax service, library laptop and tablet use, in library and remote use of all databases, downloadable E-books and E-audio books, secure cloud offsite backup, secure cloud wireless connection and use of social media to connect with the patrons. Programming for adults and children would include author visits, one new adult program per month, weekly story times for toddlers and pre-schoolers, special story time, special even story times, one-on-one computer classes for adults, exercise or fitness events or clubs, monthly family events, multiple book clubs, a Men's book club, band books, paperback books, connection with other area non-profits to share ideas and events, senior programming, use of facilities by Girl Scouts, Boy Scouts, Mom's Clubs and youth groups, and an active teen advisory board.

Mrs. deLeon said the satellite library location at Seidersville Hall, can someone fill her in on that? Mr. Cahalan said what they talked about there is utilizing the space in Seidersville Hall and also linking up with the senior program that currently uses Seidersville Hall to come up with some sort of a facility that is similar to the services that the HAL now provides at SV Manor. That was the primary objective. They would still have to work out the details, but they are suggesting that is a good location to start with that type of service. Mrs. deLeon said what space would you use over there. Mr. Cahalan said they have no idea at this point. Mrs. deLeon said there are people that use that currently. Mr. Cahalan said they'd have to discuss that with the Saucon Valley Community Center. Mrs. deLeon asked Ms. Gorman when was the last time she did a report on the costs associated with that building divided up by the square feet that the people rent out. Ms. Gorman said it has been awhile. Most of their services and utilities haven't gone up. Some have gone down since they switched to gas instead of fuel. She will have that for you in time for the budget when they meet.

Mr. Cahalan said the rest of the report is in the appendix section and they provided as much information as they could. The first one is a comparison of resources and services between the BAPL and the HAL, both before and after the consolidation. That covers everything from the size of the building, the staff, the types of resources that are used, and it goes all the way into the public internet computes, children's programs and so on. It breaks it out per capita. The other thing to add to that data are two reports that are available on line that are done by the Institute of Museum and Library Services from 2011. It gives you some additional information on the BAPL facility and the HAL for comparison purposes.

Mr. Willard said could you go back to page 13, the comparison of the two libraries. The line in approximately the middle that says total staff including volunteer staff, it looks like the volunteer staff was added to the BAPL, but not for HAL on that line. He doesn't think we are comparing 67 people to 3 people. We're comparing 67 to 26 including volunteers. Ms. Rotherham said you are correct. Mr. Willard said the volunteer staff was not added for HAL. Also, the hours open weekly, he did check on the BAPL website and their library hours at 53, not 55 hours. Your hours are

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identical on Monday, Wednesday and Thursday. They are open two hours more on Tuesday. They are open one hour more on Friday, and you're open the same number of hours on Saturday, so 53 versus 51. Mrs. deLeon said she'd like to make the comment that she's very disappointed that this option we're talking about tonight does not include a book mobile. She's sure there are a lot of residents in the Township that are very dependent on the book mobile. They have probably no clue that we are discussing this tonight. Mr. Cahalan said the advantage of this concept is the location of the HAL facility which is centrally located in the middle of the Township. Mrs. deLeon said that's fine, but she doesn't agree with that. Mr. Maxfield said one of the other things we should consider when we look at all these figures is that we are talking about a consolidated population of about 16,000 people. With these facilities serving 16,000 people, the BAPL is well over 100,000 people and initially when they talked about copies of things that would be available and all that, we didn't consider that the competition for those materials might be more intense if you have over 100,000 people. That goes with the book mobile too. They serve a much larger geographic area than we serve. You did see in the plan there's the ability to consider some sort of drop off for remote areas which would be akin to a book mobile, probably a lower volume possibly, but when we talked about Seidersville as a satellite library, we knew what was occurring at the SV Manor, but those are akin to those type of services also and closer to the type of population that would use those services.

Mr. Cahalan said they included the two budgets that Ms. Gorman referred to. The next page is a breakout of the management and staffing of the CL, it gives you an explanation of those additional full-time equivalent employees that would be added with the consolidation. There is a section that covers the technology, the databases, indicates what's there currently and what would be added under the consolidation. There is also one under page 24 that lists the current and consolidated software that would be available and the managed services, the current and consolidated. Page 25 is the hardware; it lists the current inventory and then what would be added with the consolidation. Lastly, they added some FAQ's to the report that they hope answer some of the questions that have come up in the beginning when the Task Force was started. They will correct the square footage in No. 3 for the parking, it should be 3,000 square feet for the ten additional parking spaces provided. That is the report. It's a concept. They think it's doable. They hope they described how that can be done. They are presenting that to you tonight. He will be presenting it to the HB Council on Monday night and the Board of Trustees at the HAL later in the month.

Mrs. deLeon said she wants to go back to the book mobile. Currently, how many stops do we have in the Township? Mr. Cahalan said the BAPL Library Director is here, maybe she can answer that for us. Ms. Fricker said she's not positive, but she thinks it's three. Mrs. deLeon said do we know where they are? Mr. Cahalan said they can look that up, it's on the website. Mr. Maxfield said one is at Town Hall, one is at the apartment on Black River Road, and he forgets where the third one is. Ms. Fricker said it's actually in the neighborhood, not by where the apartments are.

Mr. Willard said on page 11 on the resources, he thinks you said some are currently in place and some would be in place through the consolidation, so this is a desired state or planned state at the end of the two years, you would have everything on this list. Ms. Rotherham said correct. Mr. Willard said on page 21, there's a mathematical error here. Under the current staffing, the staff \$19.25 hourly rate, \$9.25 hourly rate type is twelve weekly hours, annually is \$57.72, not \$1,026.75, again, the discrepancy between the current staffing and consolidating staffing is less than what's on here, by \$4,000.00. On the FAQ's, No. 7, is that true now or is that consolidated? Ms. Rotherham said it's true now, you can return books at either place.

Mrs. deLeon said Leslie looked it up and Saucon Terrace, Society Hill Clubhouse, Town Hall, and Cherrywood. Over the years, the location changes, she doesn't have children, but there are people in the Township who depend on it.

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Mr. Maxfield opened it up to the floor. Mr. Karabin said he brought it up before and it comes to more curiosity than anything else. He reviewed and looked back. We had Bethlehem Township, Hellertown itself and now he just read where we have Salisbury looking to put it on referendum. Bethlehem Township and Hellertown have used the referendum and last meeting when we discussed that, he was told it's not a doable thing. His suggestion to the board would be to ask the solicitor or someone in the Township to do research and see what is so different and how they went about it and having our Township not putting it on referendum. To him, it's a pertinent idea to do. Mrs. deLeon said she read Salisbury is having a referendum on November 5th and Whitehall did or they had it. Mr. Karabin said it's a serious thought as it involves serious issues with the library here. Attorney Treadwell said he will look into it, but he believes the library code provides for a referendum to create a library in a municipality, not to switch or consolidate from one to the other. The referendum question solely involves the creation of a public library. Mrs. deLeon said not Salisbury, she read the newspaper. Ms. Rotherham said or a dedicated library tax. That's what Whitehall is doing. Mrs. deLeon said what about Salisbury? Mr. Cahalan said Salisbury has a library tax. They have a separate tax and the question is like open space. It's a tax.

Mrs. deLeon said their tax would be per income. Is that how they do a library tax, a set amount per person like our per capita? Ms. Gorman said it could show up on their real estate tax bill as a library tax because it's for that specific purpose.

Mr. Gene Boyer, 2161 Saucon Avenue said today was his first visit to the HAL. How many people does it technically hold today, occupants? Ms. Rotherham said she'd have to look into that. She doesn't know the maximum occupancy. Mr. Boyer said how much would it hold when we would do this addition. He couldn't tell if there was an addition of feet or whatever. This is the first he's seen the details. He didn't get on the website today. Ms. Rotherham said with the library infill, there would be an additional 400 square feet. Mr. Boyer said all the monies we are talking about tonight is going to create an additional 400 square feet plus the parking area? Mr. Cahalan said plus the additional technology and the additional staffing. Mr. Boyer said he doesn't mean to say this in anyway other than the fact that he has two daughters, one in NJ and one in Lancaster. One has three children and the other one has eight, and if he walked in that library today, with his eight grandchildren, it seems he would fill it up. He thinks that if the consideration of us taking 10,000 people dedicated to using that library, it doesn't seem there's a lot of books or space for all the additional people who now use the BAPL, use the HAL. Ms. Rotherham said half of the Township residents already are using the library now. She doesn't anticipate there's going to be a giant influx of children or adults coming. Maybe she's wrong, but the Task Force and the Consolidation Committee did not feel like their numbers would increase that number as they are already servicing people from the Township. Mr. Boyer said you couldn't figure out how many people actually used the BAPL without using the HAL. Mr. Cahalan said he's sorry, but he's not sure of your question of the BAPL. Mr. Boyer said his comment was that there are people using the BAPL. He uses the BAPL. He takes his grandchildren to the BAPL. His wife uses the BAPL. There are probably other people in the Township who use the BAPL as an inclusive library at this point. He understood and he can be correct very much so that earlier there was a consideration keeping track in the HAL, how many people out of the total population that goes through Hellertown, half of them were LST residents. There was not a way to keep track of the total number of people that are in LST that use the BAPL. If the numbers were arbitrarily, for example, a thousand people were using HAL, there is no comparison to say there is 1,000 people using the BAPL exclusively out of LST. There was no way BAPL could give us those numbers. Mr. Horiszny said he thinks the card numbers were about 4,000 at both libraries. Mr. Boyer said BAPL did give us numbers. Mr. Horiszny said the LST that goes to BAPL are about 4,000 and the same number at HAL. Ms. Gorman said the updated figures from last year's report, BAPL showed 4,391 LST residents were cardholders, of those 4,391 cardholders, 2,101 also had cards at the HAL. Reviewing their statistics to-date, as of July 2013, BAPL is reporting 3,495 LST cardholders, which is a 896 card drop and HAL is 2,451, which is a 350 card increase. Not that she's sure many use both libraries, if you take the two separate, it would make 1,044 cardholders going to the BAPL. Mr. Boyer said it could be

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at least a 50% increase in the number of people using the HAL because already they have people and the difference would they would come to the HAL because they wouldn't go to the BAPL. Mr. Cahalan said he's not sure. Mr. Horiszny said they have the ACCESS ability to go to the BAPL. Ms. Rotherham said they could go to either library or the Allentown Library or the Southern Lehigh Library or any library. Mr. Boyer said if we do this consolidation, the people will only in LST have the right to go to the HAL. Ms. Rotherham said no, they can go to any library in the State. Mrs. deLeon said they can't use the online things. Right now as cardholders in the BAPL, they can go online and have access. They won't have that ability if we switch to HAL. We'll have to use their online services which do not equal to BAPL. Ms. Rotherham said hopefully they will. Mrs. deLeon said they don't currently. Ms. Rotherham said currently they do not. Mr. Boyer said he was just concerned about the additional people going to HAL because of the size of the property. Mrs. deLeon said when you say half LST, you aren't talking about half of the 10,000 people, you are talking about half of the cardholders in the Bethlehem. Ms. Rotherham said probably half of the Township residents don't have a card anywhere. Mrs. deLeon said her card expired and she has to renew it. Mr. Maxfield said if only 4,000 plus have cards in LST, yes, that's less than 50% have cards. Mrs. deLeon said we'll have to do a plea out there to go to the BAPL and get your BAPL card.

Ms. Sandra Miller said how as a LST resident with a HAL card, can she go to Southern Lehigh and take out a book? She didn't know she could do that. She now has access as a BAPL individual to the Allentown Library which is a new addition that occurred recently and she goes to BAPL almost weekly, so she's a little confused as she didn't know she could go to a different library. She understands books sent through the ACCESS program, but didn't know there was access to an actual physical site where she could sign a book out. She doesn't think that was permitted when she first moved here. She had to get different library cards and has two in her wallet. Ms. Rotherham said through the current ACCESS PA State-wide system, your home library affixes a blue sticker to your card with the words ACCESS PA on it and it makes you capable of going to any other library in the State and getting a library card there and checking out a book. She lives in Emmaus. She has an Emmaus library card with an ACCESS PA sticker. It's the only way she could get a HAL card even though she works there. Is that clear? Ms. Miller said if you all decide to make this decision to eliminate BAPL as an option for them, she will still be able to go to the BAPL and get a Bethlehem card, use Bethlehem services the same way they've had. Ms. Rotherham said no, not all services. Mr. Maxfield said Priscilla said the loss of the book mobile. That they won't have. They talked about children's programs and stuff like that. They would not be able to participate in BAPL's programs, but they have those programs currently at the HAL, which already has a lot of LST people attending. Ms. Miller said she thinks a lot of the library services, from her experience, are the ones there with children as it is the locality where they take their children. She's not sure how many of the adults without children, and older adults, are as active as the younger children are. She knows their children's program is very well subscribed to. She does use the HAL. She used it the other day to take out three books as she was not close to BAPL. For someone who goes through three to five a week, she needs her books. Her concern is it will be the same occurrence that we are finding fault with now that we are using HAL and not paying for it as that wasn't part of the argument as we were all having access to services and they weren't getting paid. If she has the ability to do that, she can assure you, and she's sure this gentleman will as well, they will go and do the same thing and continue to use the ACCESS program to take books out because of the ability that is there. They are both fine libraries. She talked enough about how you should fund it, so she won't go down that road. She did not know that she would still be able to walk into BAPL and go and take out a book. It is frightening for some of them who use the library exclusively and to not be able to go into the BAPL, even though it will be a disadvantage to them. Mr. Maxfield said as with all issues lately, there's a lot of misinformation, and that was some of it.

Ms. Janet Fricker, Wilhelm Road, said she's the Director of the BAPL for the next month and a half at which time she's retiring and going to Maine. In answer to some of Ms. Miller's comments is that she wants you to please think ahead, not just two or three years, not five years, she has two

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points to make. One is said in one word, Obamacare. Currently, she doesn't believe, and correct her if she's wrong, that the employees of the HAL get any health benefits, is that correct? Ms. Rotherham said that is correct. Ms. Fricker said that is not going to be allowed in a year and a half. Ms. Rotherham said only if you have 50 employees or more. Ms. Fricker said no it's not. Ms. Rotherham said yes it is Janet. They will have to discuss that later. She has a husband who works for LV Health Network. He's the reimbursement coordinator. She's pretty sure it is true. Ms. Fricker said she would advise you to look into it as it's a very thick, no disrespect to you or your husband, but so that everybody understands that law. She doubts if Ms. Rotherham's husband understands it completely either because she doesn't think the President understands it. Ms. Rotherham said then you shouldn't be talking about it. Ms. Fricker said I beg your pardon, I have the floor. Ms. Rotherham said sorry. Ms. Fricker said that's a little rude. Mr. Horiszny said you should be talking to us anyway, not to Robin. Ms. Fricker said she should be, thanks for correcting her. Whether you believe it or not, health care issues are arising and the fact that no health care benefits are paid currently to HAL employees is going to bring you a certain type of employee over another one and is also going to act to influence costs in the future. She doesn't think anybody in this room can't say it isn't a possibility. You want to look ahead to that. It's just a small thing actually, the big thing is what Sandra was just saying that yes, you can now just do what HAL has been righteously complaining about, that serving people without being paid for it, being reimbursed for it. Now you are saying, well, gee, gosh, we're going to go to HAL because half of our people go there and the other half can just keep going to BAPL and get their books. Yes, they can. Right now we have lost Freemansburg a couple of years ago. Bethlehem Township has been talking about dropping out just the way you have. Hanover Township has been asking around to other libraries for a cheaper way to go. If we lose all of those places, do you think it's not going to affect our hours, our personnel and our collections especially. She has proposed for next year two budgets to their board, which Cathy Gorman can attest to. One of them is with LST, and one is without LST. The one without LST shows about a 33% decrease in their materials budget - 33% because of one community dropping. If everybody starts doing this, and she doesn't see why they wouldn't frankly, it's cheaper. Why not go with the cheapest deal around. If everyone starts doing it, there will be no big library over the hill for you to go to supplement your little libraries. Just remember that.

Alison Finkbeiner, 1020 Detweiller Avenue in Hellertown said she didn't prepare anything, but she gets emotional hearing people speak. One thing that is interesting about the HAL is its relation to the SV School District. She thinks that is something you should think about. There are so many kids walking into that library after school because they can. There's so many people coming to tutor and meeting people, who live in the Township to tutor them because it's close, it's convenient from the school. That's an added bonus to the consolidation is being with the school district. She kind of takes offense to the term little library. She's worked in both the big libraries and the little libraries and both have something positive to offer. Larger library, larger staff, larger salaries, larger budgets. You are talking about BAPL has a \$2.9 million budget compared to \$135,000.00 budget. She said this so many times. LST gives more money to the BAPL than our annual budget is.

Donna Louder, Lower Saucon Township, said this is Option A we are discussing for \$113,000.00 in the August 9, 2012 minutes. It also mentions Option B and Option C. Is Option A a stepping stone to Option B, then on to Option C. Option A starts at \$113,000.00, and Option C starts at \$877,000.00. She just didn't know if it was a stepping stone instead of an option. Mr. Cahalan said that would be up to the CL board and the Township and the Borough to decide what they want to do in the future. They just laid out in the Task Force several options that they suggested. They are not laying out any stepping stone plan here. That's strictly up to the municipalities to decide. Mr. Maxfield said just to be clear, what we presented was a modified Option A. He doesn't think we included the infill that was initially talked about. It's even less of an impact. Ms. Louder said she was out in the neighborhoods in the Township and over on Dennis Road she spoke to a few of the residents. They were very surprised to hear this was on the agenda. They were not aware of it.

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They didn't feel they were informed. They weren't given any information. They were taken back quite a bit. The other thing was the woman said when her children were young, she used the HAL and as they grew into the teen and adult years, they were going over to the BAPL because it was more conducive to what they needed as far as materials. In speaking to the elderly people in the Township, the loss of the book mobile is going to be detrimental. She really feels you need to rethink that or think of a way to accommodate all the residents of the Township.

Mrs. deLeon said we talk about the first and second year, but she's curious as to why you didn't do a five-year plan. To her, when you put something together, we usually look five years down the road, not two years down the road and two years down the road, isn't even including getting bigger. If more and more residents start using your library, where are you going and how much is it going to cost us? Mr. Cahalan said this was just a concept. If the Township Council is interested in moving further ahead, we could ask the Finance Director to come back with a five-year projection. Whatever you want. Mrs. deLeon said she's disappointed with the loss of the book mobile and when we started doing this, she said she would be willing to look at a switch if we didn't lose anything and we're losing services that the BAPL provides. She's sorry, she loves your library and she commends you for doing what you guys did for the library. She remembers those days years ago, but she also knows what the residents have.

Mr. Cahalan said since Ms. Fricker is here, we get reports from the BAPL. Mr. Maxfield said she left. Mr. Cahalan said we don't have a breakdown of how many Township residents use the book mobile. Mr. Maxfield said we asked for it many times. Mr. Cahalan said he agrees we are losing it, but he doesn't know how many people are using it at this point. We haven't been able to get that information from the BAPL. Mr. Maxfield said there are some things we are losing, but there are some things we are gaining too. Ms. Rotherham said she wanted to address something to Priscilla. She thinks the Consolidation Committee felt that let's start at this point and not be hasty with the Township money and add a \$500,000.00 addition that is going to house new books because you can bring your Kindle into the library, use our Wi-Fi. We don't know how this is going to affect our circulation. How many more feet are going to be in the HAL. She thinks a five-year plan would be something that could occur after consolidation and we see how the usage really pans out.

Mr. Maxfield said from doing the consolidation report, he thinks everybody would agree when we looked into it, that technology is changing libraries. Libraries are at a transition right now. In five years, they may be totally different things than they are right now. This is kind of putting our toe into the water and he thinks technology wise it's balanced with old technology and it does give us a map to move ahead if we want to. From this point, we can branch out any way we wanted to go.

Mr. Willard said there are no good and easy answers here. The equitable answer would have been to give some money to each library. We have attempted that. If he looks at the BAPL budget, and again, the figures that Janet had were slightly less than this, but \$2.4 million of their operating income is coming from local contribution, so our \$183,000.00 is 6% or 7%. Their offset is the salary staff expenditures, the exact same amount, \$2.3 or \$2.4 million of which 25% is employee benefits, as she mentioned. It's pretty clear that we're going to transfer people from one to another if we make our contribution to HAL, unless they can find another way to make up the money, collections or that sort of thing. He's very uncomfortable with the whole thing. He used both libraries today. He got the little blue sticker, nothing is going to change for him. As a member of Council, he'd like to find an equitable way to fund both libraries. We're not going to be able to do that so therefore we tend to look for what saves the taxpayers money. That's just what we're trained to do and that's what people expect. That's the situation we're looking at right now.

Mr. Maxfield said one of the feelings he personally had when he looked at the BAPL situation, it seemed to be on a path that we really couldn't do anything about anyway. There wasn't anything we could really do to affect it positively. They didn't want our money. They didn't want half of the money. They said absolutely no way. We tried. He doesn't know what else to do. He really

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doesn't want to say this publicly, but he feels it's on a path that it may not be able to recover from. He doesn't want to be part of that. We are going to have to decide something about this before we go into budget discussions. Mr. Cahalan said he would say by the end of the year you have to decide where you want to pay for library services. In the budget, Cathy will have figures from the BAPL amount. Ms. Gorman said she can tell you now that with both options that Ms. Fricker had provided to the board, there's no change in the contribution, so what they can do is appropriate what would be the \$183,000.00 for library service and if you decide to go with HAL, then we just pay whatever we're required to pay to HAL which would fall under the budget amount. If you decide to stay with BAPL, then we'll go with normal protocol. Mr. Maxfield said we've been presented with the information and there's plenty here for us to consider. He would like to set a date of early December as the budgeted amounts will be set anyway, so our budget amount of \$183,000.00 will either go to one place or the other. No later than the first meeting of December we should make a decision. It's only fair to the BAPL and our residents.

Mrs. deLeon said she thinks we should be making a decision sooner than that. After all, we have draft language that put in dates or early summer we were supposed to talk and have numbers by September 1st if this thing went through and she thinks it would be rude to not tell the BAPL and waiting until December is just too late. They have budgets. They have to present it to City Council. It's just not right to not tell them sooner. Mr. Maxfield said that's why he said no later than December. Mrs. deLeon said December's too late. Mr. Willard said is there a legal notification period? He knows this came up last year and is there a date to let them know? Mrs. deLeon said we used to have a contract that said by November 15th, but there's some stuff going on with that contract. Mr. Cahalan said the Solicitor looked at that agreement and basically said it was just a notice from each municipality that you're going to sign up for another year at the per capita amount they give you. Traditionally and historically, Council voted on that before November 15th. Mr. Maxfield said we withdrew from that contract a year ago, so we really don't have a date. Attorney Treadwell said a couple of years ago, Council authorized the notification that we were opting out of that contract, but we would continue to appropriate funds for the BAPL for the next year and the next year we said we will do it again. Mrs. deLeon said when we have our budget hearing on October 23rd, she really thinks out of a courtesy to another municipality or another entity, we should really have a decision by then. She's ready to vote tonight. Attorney Treadwell said he would guess you would get some citizens who are not aware that you are going to vote tonight who would be upset, so he thinks it should be an agenda item with a specific thing that it's going to be a vote. Mr. Maxfield said do we have to advertise for a vote. Attorney Treadwell said no. Mr. Maxfield said we just saw the report, so let's give it some consideration. He doesn't care if we do it next meeting, that's fine. The public will have some time to look at the report as well as Council. Mr. Horiszny said do you want a motion for the October 16th meeting? Mr. Maxfield said we can put it on.

- MOTION BY:** Mr. Horiszny moved to have Council vote on the library decision at the October 16th Council agenda.
- SECOND BY:** Mr. Maxfield

Mr. Maxfield asked if anyone had any questions? Ms. Louder said you are going to earmark \$183,000.00 for the HAL in the budget? Not for the HAL, for the services period. She didn't mean to say Hellertown. Why would we earmark that amount of money, why wouldn't we just earmark just what is being considered for HAL? Ms. Gorman said because Council hasn't made a decision yet. She'll modify that to whatever the agreement is. If they are undecided at that point, she would budget on the higher end so the Township's covered financially covered for that cost for the year. Ms. Louder said she just wanted to be clear on that. Mrs. deLeon asked when are they going to get their budgets? Ms. Gorman said the week of October 14th she will try to have that out to Council. She has a meeting regarding the health care insurance. Mrs. deLeon said you are going to mail us a CD? Ms. Gorman said she can give it to them on October 16th. She will do her best to get it to her. Mr. Maxfield said the CD will show the \$183,000.00 on the library amount.

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ROLL CALL: 4-0 (Mr. Kern – Absent)

Mr. Maxfield thanked everyone for the time they put into doing these reports. Mrs. deLeon said perhaps the Township can on the announcement page put on there that there's going to be a library vote coming up on October 16th. Mr. Maxfield said it won't be listed with the agenda? Mrs. deLeon said it can be, but we have an announcement page and this is a really big thing for our residents. Mr. Cahalan said we can take care of that.

B. RESOLUTION #63-2013 – PUBLIC HEARING – ACQUISITION OF TOWNSEND PROPERTY – POLK VALLEY ROAD

Mr. Maxfield said Resolution #63-2013 has been prepared to authorize the purchase of Northampton County Tax Map Parcel No. R7-12-11G for the purposes outlined in the Open Space Act.

MOTION BY: Mr. Horiszny moved to open the hearing

SECOND BY: Mr. Willard

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

**A RESOLUTION OF THE COUNCIL OF LOWER SAUCON TOWNSHIP
AUTHORIZING THE PURCHASE OF NORTHAMPTON COUNTY TAX MAP PARCEL
NO. R7-12-11G FOR THE PURPOSES OUTLINED IN THE OPEN SPACE ACT**

WHEREAS, the Council of Lower Saucon Township recognizes that the Township contains open space, natural and historic areas, agricultural lands, park lands, and other culturally important areas that contribute to the quality of life and economic health of our community which are worthy of preservation and protection; and

WHEREAS, the Township prepared and adopted an Open Space Action Plan on April 4, 2007; and

WHEREAS, the Second Class Township Code, 53 P.S. 66503, and the Open Space Lands Acquisition and Preservation Act, 32 P.S. 5001 et.seq. permit Lower Saucon Township to acquire interests in real estate; and

WHEREAS, the Parks and Recreation Board, in accordance with the goals of the Open Space Plan, has recommended that the Township purchase a parcel of land from the Townsend Family Limited Partnership totaling 8.82 +/- acres and containing open lands; and

WHEREAS, this Resolution is intended to carry out the foregoing described purpose and to provide authorization for the execution of the documents necessary to acquire the property.

NOW, THEREFORE, BE IT RESOLVED by the Lower Saucon Township Council as follows:

1. Lower Saucon Township shall acquire the parcel of property known as Northampton County Uniform Parcel Identifier Tax Parcel No. R7-12-11G as more fully identified in the Plan attached hereto as Exhibit "A".
2. The proper Township officers and/or agents, including the Township Solicitor and Township Manager, are hereby authorized to prepare such documents and instruments as may be necessary for the acquisition of Tax Map Parcel No. R7-12-11G and to do all other things necessary to acquire said land for a price of \$380,000.00.

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

Attorney Treadwell said as you can see on the board, the first property is the top property outlined in red which is the Townsend property, which is approximately about 8.82 acres of land owned by the Townsend Family Limited Partnership. Under the Open Space Acquisition Act, Council needs to have a public hearing before you can enter into an agreement to purchase the property. In this case, it's the 8.82 acres. It's Tax Map Parcel R7-12-11G and the proposed purchase price based on the appraisal is \$380,000.00. Mr. Maxfield said can we point out the school district and Polk Valley Park and why it's an important piece of property. Attorney Treadwell said the school district is to the top of the photograph. Polk Valley Park is where the arrow is to the left of the three properties in red. Mr. Maxfield said it's a good connecting piece of property. Attorney Treadwell said the purpose of the public hearing is to take public comment on this proposed acquisition before Council would vote on the resolution that's in front of you.

Mrs. deLeon said we are purchasing this property, what are the proposed uses for the property? Mr. Cahalan said there have been discussions at the Parks and Recreation Board and at the EAC of passive recreation uses such as walking trails, bird watching, geocaching, or just leaving it in a natural state. Mrs. deLeon said would that require parking spaces where we were talking about the Dravec property? Mr. Maxfield said there's parking across the street at the school plus there's parking at Polk Valley Park. There's parking at both ends. Mrs. deLeon said she's just curious. She's supportive of buying the property, and doesn't want anyone to misinterpret that, but she's asking of future costs of the Township like maintenance and what are the uses. Mr. Maxfield said the idea from the EAC was to keep all costs minimal, no alterations to it at all. They didn't see a need for parking on the property since there was such adjacent parking, so it's almost nothing. Mrs. deLeon said in order to meet the criteria, and Linc might have to help her out, for tax exempt parcels, we have to have it for recreation for the County to exempt us. Attorney Treadwell said he thinks the County's legal position is that it has to be actively used as opposed to sitting vacant. As to whether or not a walking trail is enough active use, he doesn't know if he can answer that question. It's certainly not sitting vacant, but it's obviously not as active if it were a baseball field. Mrs. deLeon said can you find that out? Attorney Treadwell said it'll come down to when we file the new assessment, it'll be the Board of Assessment's decision at that time. They won't give you a prospective opinion whether it will or won't be taxed. Mrs. deLeon said we'll end up owning this property, but then we'll have to pay taxes on it. Do we know what the taxes are? Attorney Treadwell said he's not saying you will have to pay taxes. That's a possibility, but it will depend on whether what type of use goes on it and how the County Board of Assessment's feels about the use. Mr. Maxfield said it won't be that much more different than Dravec as Dravec is all trails. Mrs. deLeon said we don't know what the future cost for Dravec is. We talked about putting in a parking lot there, is she making that up? Mr. Cahalan said there's a plan for several parking spaces that are out of the riparian corridor. The rest of it is strictly trails. They are not talking about developing any other trail system other than the ones that are there. Mrs. deLeon said did we get the exemption for the Dravec property? Attorney Treadwell said we bought a couple of lots. Mr. Cahalan said the ones the trails are on are the ones we own. The easement is in the front. Attorney Treadwell said he doesn't remember the tax status. Ms. Gorman said she doesn't know, but she can look. Mr. Maxfield said while we're looking, he'll open this up to the floor. Ms. Gorman came back and said we did file for an exemption for Dravec and it was granted.

Ted Beardsley, 1783 Meadows Road said there is another option that might be considered by Council and that is basically it's being farmed now and he's assuming the owners aren't

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farming it as they are absentees for the most part. There's a farmer someplace paying to lease the property to grow crops. It could be leased hopefully for that farmer to continue his farming and the amount you get from the farmer for the lease would cover the taxes. We don't know those numbers, but there is a possibility and farm use which is a positive thing. Mrs. deLeon said she agrees with Ted, but the County might have a different idea. Attorney Treadwell said looking at the Act right now it states any open space property acquired by the Commonwealth or by a local government unit, under this Act is held for purposes and shall be exempt from taxation. The Act exempts it from taxation. Sometimes the County doesn't always go along with what the Act says as that public purpose concept is the same for any property owned by the Township. As long as it's a public purpose, it's supposed to be exempt from taxation. The County takes it a step further and says it has to be an active public purpose, but the Act says it's tax exempt. Mrs. deLeon said farming isn't tax exempt. Attorney Treadwell said if you own it, if you don't farm it, then it's tax exempt. Mrs. deLeon said we should win on that.

- MOTION BY:** Mr. Horiszny moved to close the hearing
SECOND BY: Mr. Willard
Mr. Maxfield asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mr. Kern – Absent)
- MOTION BY:** Mr. Horiszny moved for approval of Resolution #63-2013.
SECOND BY: Mr. Willard
Mr. Maxfield asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mr. Kern – Absent)

C. RESOLUTION #64-2013 – PUBLIC HEARING – ACQUISITION OF STEPHEN SAVITSKE PROPERTY – RESERVOIR ROAD

Mr. Maxfield said Resolution #64-2013 has been prepared to authorize the purchase of Northampton County Tax Map Parcel No. R7-12-11J for the purposes outlined in the Open Space Act.

**A RESOLUTION OF THE COUNCIL OF LOWER SAUCON TOWNSHIP
AUTHORIZING THE PURCHASE OF NORTHAMPTON COUNTY TAX MAP PARCEL
NO. R7-12-11J FOR THE PURPOSES OUTLINED IN THE OPEN SPACE ACT**

WHEREAS, the Council of Lower Saucon Township recognizes that the Township contains open space, natural and historic areas, agricultural lands, park lands, and other culturally important areas that contribute to the quality of life and economic health of our community which are worthy of preservation and protection; and

WHEREAS, the Township prepared and adopted an Open Space Action Plan on April 4, 2007; and

WHEREAS, the Second Class Township Code, 53 P.S. 66503, and the Open Space Lands Acquisition and Preservation Act, 32 P.S. 5001 et.seq. permit Lower Saucon Township to acquire interests in real estate; and

WHEREAS, the Parks and Recreation Board, in accordance with the goals of the Open Space Plan, has recommended that the Township purchase a parcel of land from the Stephen Savitske Trust totaling 4.65 +/- acres and containing open lands; and

WHEREAS, this Resolution is intended to carry out the foregoing described purpose and to provide authorization for the execution of the documents necessary to acquire the property.

NOW, THEREFORE, BE IT RESOLVED by the Lower Saucon Township Council as follows:

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1. Lower Saucon Township shall acquire the parcel of property known as Northampton County Uniform Parcel Identifier Tax Parcel No. R7-12-11J as more fully identified in the Plan attached hereto as Exhibit "A".
2. The proper Township officers and/or agents, including the Township Solicitor and Township Manager, are hereby authorized to prepare such documents and instruments as may be necessary for the acquisition of Tax Map Parcel No. R7-12-11J and to do all other things necessary to acquire said land for a price of \$170,000.00.

MOTION BY: Mr. Horiszny moved to open the hearing

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0 (Mr. Kern - Absent)

Attorney Treadwell said they are both Savitske and they both look similar. Mr. Cahalan said they are both 4.65 acres. They are owned by Stephen Savitske Trust and the other one is owned by Gerald Savitske and some of his family members. Whichever it is, it's one of the two long skinny ones at the bottom. The appraisal for this was \$170,000.00 and that's the proposed purchase price. As was indicated earlier, it's Tax Max R7-12-11J and approximately 4.65 acres. Mrs. deLeon said what is the use for this? Mr. Cahalan said connector properties between the schools and the parks. This brings us closer to the Authority Park on Reservoir Road, so there's a potential linkage down Reservoir Road to that park property also. It's the same discussions on uses, walking trails, some recreation uses have been discussed for these two properties. Mr. Maxfield said with the acquisition of these two properties, we're closer and closer to our real bonafide greenway if we can connect to the reservoir, that would be great. Mr. Cahalan said he'll also point out these encompass the Polk Valley Run that goes through the property. Mr. Maxfield said it's the blue line and it connects to Tumminello Park, in Hellertown which was made a sustainable park. Mr. Maxfield asked for any comments? No one raised their hand.

MOTION BY: Mr. Horiszny moved to close the hearing

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

MOTION BY: Mr. Horiszny moved for approval of Resolution #64-2013.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

D. RESOLUTION #65-2013 – PUBLIC HEARING – ACQUISITION OF GERALD SAVITSKE PROPERTY – RESERVOIR ROAD

Mr. Maxfield said Resolution #65-2013 has been prepared to authorize the purchase of Northampton County Tax Map Parcel No. R7-12-11K for the purposes outlined in the Open Space Act.

**A RESOLUTION OF THE COUNCIL OF LOWER SAUCON TOWNSHIP
AUTHORIZING THE PURCHASE OF NORTHAMPTON COUNTY TAX MAP PARCEL
NO. R7-12-11K FOR THE PURPOSES OUTLINED IN THE OPEN SPACE ACT**

WHEREAS, the Council of Lower Saucon Township recognizes that the Township contains open space, natural and historic areas, agricultural lands, park lands, and other culturally important areas that contribute to the quality of life and economic health of our community which are worthy of preservation and protection; and

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WHEREAS, the Township prepared and adopted an Open Space Action Plan on April 4, 2007; and

WHEREAS, the Second Class Township Code, 53 P.S. 66503, and the Open Space Lands Acquisition and Preservation Act, 32 P.S. 5001 et.seq. permit Lower Saucon Township to acquire interests in real estate; and

WHEREAS, the Parks and Recreation Board, in accordance with the goals of the Open Space Plan, has recommended that the Township purchase a parcel of land from the Gerald J. Savitske, Et Al, totaling 4.65 +/- acres and containing open lands; and

WHEREAS, this Resolution is intended to carry out the foregoing described purpose and to provide authorization for the execution of the documents necessary to acquire the property.

NOW, THEREFORE, BE IT RESOLVED by the Lower Saucon Township Council as follows:

1. Lower Saucon Township shall acquire the parcel of property known as Northampton County Uniform Parcel Identifier Tax Parcel No. R7-12-11K as more fully identified in the Plan attached hereto as Exhibit "A".
2. The proper Township officers and/or agents, including the Township Solicitor and Township Manager, are hereby authorized to prepare such documents and instruments as may be necessary for the acquisition of Tax Map Parcel No. R7-12-11K and to do all other things necessary to acquire said land for a price of \$170,000.00.

MOTION BY: Mr. Horiszny moved to open the hearing

SECOND BY: Mr. Willard

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

Attorney Treadwell said this is Gerald Savitske property. It's the same size and the purchase price is \$170,000.00 which is what the appraisal came in as, the other Savitske property. Mrs. deLeon said her same question be asked. Mr. Cahalan said same discussion. It occurred at the same time. It is connected to the Townsend property on Reservoir Road. It's access to the school campus, two park properties, protection of the Polk Valley Run that traverses it. Mr. Maxfield said he may be wrong, but the purchase of all three of these pieces probably makes it easier for us to get the tax exemption as its function as three pieces together is very clear. Mrs. deLeon said would we have to do a lot line adjustment to adjoin the properties? Attorney Treadwell said yes, it's a lot line adjustment. Under our ordinance, it's technically a lot line. You'd have to do that in order to make it one parcel. Mrs. deLeon said maybe we should even go one step further, can we join it to Polk Valley and have it be one gigantic parcel? How could they say no to us? Attorney Treadwell said that's a loaded question, how can they say no. Is that the Polk Valley Park it's touching now? Mr. Cahalan said it's across the road, Reservoir Road. Mr. Maxfield said it actually touches it about 200' of the property in the far left hand corner. Mr. Beardsley said you would need a surveyor to tell you that. Mr. Maxfield asked for any comments. No one raised their hand.

MOTION BY: Mr. Horiszny moved to close the hearing

SECOND BY: Mr. Willard

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

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MOTION BY: Mr. Horiszny moved for approval of Resolution #65-2013.
SECOND BY: Mrs. deLeon
Mr. Maxfield asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mr. Kern – Absent)

E. PUBLIC HEARING & CONSIDERATION OF ADOPTION – ORDINANCE NO. 2013-05 – AMENDING AND REVISING CHAPTER 125 OF THE TOWNSHIP CODE – PEDDLING & SOLICITING

Mr. Maxfield said Ordinance No. 2013-05 has been advertised for a public hearing to discuss amending Chapter 125 of the Township code regarding peddling and soliciting in the Township.

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

Attorney Treadwell said this is the Ordinance No. 2013-05 which we discussed briefly a meeting or two ago when we authorized it to be advertised, Chapter 125 of the Township Code and this chapter deals with peddling and soliciting. These revisions would require that anybody engaging in those activities obtain a permit from the Township. It would also revise the hours that those activities are permitted from between 9 am and 6 pm Monday through Friday. They would not be permitted on Saturday or Sunday. In addition, it makes some changes to the requirements for persons who wish to engage in those activities, they must when submitting the application for a permit, submit a criminal record, background check, and it also states that no permit shall be issued to any person who has within the last ten years from the date of the application been convicted or a sentence or probation from any felony or misdemeanor involving moral turpitude as defined in the PA crimes code. It also creates a no peddling registry that would be maintained by the LST PD by where a resident could contact the PD and ask to be placed on that list. What that would do is when the individual applying from the permit obtains the permit, they would also get a list who have requested that they not be contacted and any person who has a permit violates it by contacting that list, would have the permit revoked. Those are pretty much the changes proposed for the amendment to Chapter 125. This is a public hearing to take public comment, so if Council has any questions he will try to answer them.

Mr. Horiszny said does it say a resident does not need to have a sign saying no peddling, that the PD will handle it? Attorney Treadwell said yes, the list is enough.

Mr. Maxfield opened it up to the floor. Ms. Tammy Polak-Hutterer, 2368 Wassergass Road said she's here to discuss the peddling. She has nothing against anything that's been said except for the hours. If a person is soliciting door-to-door, most people are working 9 am to 5 pm. They come home, they are having dinner. They are not going to want to talk to someone before that. To cut that hour would only give that person soliciting a one hour block to do anything and to cut off the weekends altogether defeats the purpose of not going door-to-door and helping people out. As far as criminal records, most reputable companies will do that before even hiring someone who is going to represent their company. For the most part, that's all taken care of. She doesn't have anything against that at all, but as far as the hours, that's ridiculous. Mrs. deLeon said what do you think they should be? Ms. Polak-Hutterer said she knows currently it's 9 am to 9pm. She doesn't know anyone who goes out after 9 pm, unless it's summer time and it's relatively light outside. 9 would be great. She doesn't know of anyone who knocks on the door at 9. Mrs. deLeon said we changed them as we didn't want people knocking on the doors at night, but daylight savings time, it should be dusk. Ms. Polak-Hutterer said what you are dealing with is the public and they are there to help the public to inform them on what they are selling. She does that for a living and that's why she is here. She knows most people when they come rolling in the driveway at 5:30 pm, she

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doesn't even knock on the door. That is down time, they need to settle in. They eat dinner. Most are more than welcome to let her in and talk. That's where she was up to a half an hour ago helping two customers. She understands. If there's no soliciting, there's no problem with that. She obeys the sign if it says no solicitor and doesn't knock on the door. Mrs. deLeon said you go and knock on doors at night? Ms. Polak-Hutterer said absolutely. That's the only time people are home and weekends, Saturdays, Sundays. If you are trying to talk to people and solicit, that's when they are home. That's when you need to be there. If they don't want to talk to someone, no thank you, they aren't interested. She doesn't push you. She's very respectful of all that as with all the colleagues she works with. Mr. Maxfield said this may have been complaint-driven for us. He thinks it came from the PD and they may have made a recommendation. Mr. Cahalan said that's correct, they did. Mr. Maxfield said that may have been in response to people coming after dark. He thinks that he would be afraid if they extended the time, and they'll end up with someone shot on the front porch.

Mr. Cahalan said are you referring to actual sales or charitable sales? Ms. Polak-Hutterer said she's talking about actual sales. Mr. Cahalan said you make cold sales calls at night? Ms. Polak-Hutterer said yes, it's a little creepy. It's worse now that it's getting darker. For the most part, if they don't want to be bothered, they don't answer the door. She's not very intimidating. Most people will say what's up and she'll tell them and she helps them out a lot. She's very proud of what she does do. That's all she's done her whole life, some type of sales. She's pretty darn good at it. Mrs. deLeon said could we do Saturdays and not Sundays? Could we have different hours for Saturday? Mr. Willard said are we currently allowing Saturday and Sunday?

Attorney Treadwell said a lot of this came from a recommendation from the PD, but it doesn't mean you can't change it. We'd have to give another day notice as these would be substantial changes, but it's only a ten day notice this time. Ms. Polak-Hutterer said she didn't know if you needed a permit for LST, but Hellertown you are required a permit to do door-to-door. Attorney Treadwell said it's a license, but it's the same. Ms. Polak-Hutterer said it's a week in Hellertown and it's \$100.00. Attorney Treadwell said right now it's currently no activity on Sunday, and Monday through Saturday is 9 am to 9 pm. Mr. Maxfield said he's guessing the PD said there was some kind of problem after 6 pm or else they wouldn't have recommended the time change to us. Mr. Willard said based on your comments, it's a question of after dark it seems to be, so could it be until sunset which is a published time every day. Ms. Polak-Hutterer said she doesn't even know if she could say yes to that as especially now that the days are getting shorter, that cuts into her prime time. People are more relaxed. It's before the good shows start coming on at 8:00 pm and they don't mind those few minutes to talk and see what she has to offer. Mr. Willard said what he said would mean 4:30 pm in the wintertime. That's not practicable. Ms. Polak-Hutterer said she's been out in her ski pants in the winter with a flashlight. Mrs. deLeon said she wouldn't mind extending the hours on Saturday, but don't know if she'd do it the whole time. She doesn't see what would be wrong during the daytime on Saturday, but Sunday, that's a day of special time and she wouldn't want to do that. Ms. Polak-Hutterer said she would love to see Sunday added to it as that's when most people are home and relaxed. They are just out in their yard or watching football. Attorney Treadwell said should we ask the PD if they had numerous complaints or what the reasoning was for these hours and the limitations. Mr. Cahalan said the memo mentioned a night time, it didn't mention anything about weekends. Mr. Maxfield said if we are going to include Saturday's, we should do 9 am to 6 pm. Ms. Polak-Hutterer said that is fine. She would ask you to consider Sunday part-time too. If they aren't going to church, they are priming for the game or whatever. Mr. Horiszny said have they had the no solicitation list in the past? Attorney Treadwell said no, that's new. Mr. Horiszny said that might cover the hours. Attorney Treadwell said people who don't want it at all, have the right to solve that. Mrs. deLeon said it was based on complaints and had issues, but was it a one-time thing or a couple of times, ten times, twenty times? Can we find that out? Mr. Cahalan said it was less than ten times. Ms. Polak-Hutterer said do you know who they were complaining about? Mr. Cahalan said a sales person who had gotten a permit and came after dark. Mr. Horiszny said it also said the hours will be a maximum period of six months.

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We could reduce that or make a change. It says permits shall be valid for a maximum of six months. Mrs. deLeon said other municipalities have 9 am to 5 pm, Doylestown, Radnor Township, Manheim. Mr. Cahalan said the research says that most of the municipalities have reduced the time and eliminated the hours in darkness and kept it to daylight hours for the safety of the residents and sales people. Mrs. deLeon said she would personally be nervous if someone rang her doorbell. Ms. Polak-Hutterer said if it's dark, absolutely. Most people don't answer the door. They are required to work from 11 am to 9 pm for her company. That's what she was hired for. She rarely goes out at dark. Mr. Maxfield said he's getting the sense the only change they would be okay with would be 9 am to 6 pm including Saturday, not Sunday. Why don't we ask the PD if they have any objection to a Saturday set of hours and put it on our next meeting. Attorney Treadwell said we have to put it on in ten days and our next meeting is seven days. Attorney Treadwell said you would propose to leave it 9 am to 6 pm and just add 9 am to 6 pm on Saturday. Ms. Polak-Hutterer said that's not leaving her much of a pocket to talk to anyone if she was in Lower Saucon. Most people are just strolling in at 5 pm or 6 pm. Mr. Maxfield said we have to take the advice of our PD. That's where it came from and what's motivating it. Attorney Treadwell said the PD has a fee schedule for license. He doesn't what it would be. He thinks it's month-to-month. Ms. Polak-Hutterer said she knows that most companies that do solicit door-to-door, those hours are not a problem as they are just sticking things in doors or doing door tags. That's all their doing; they are not talking personally to the person, so they don't rely on that. Mr. Maxfield said he thinks the PD asked us to reduce what was currently in effect. If were to follow your suggestions, we'd be increasing what was in effect. He thinks we're going to be safe with the Police and if we provide a Saturday from 9 am to 6 pm, and we get the okay from the PD, that's where we'll be with this. Ms. Polak-Hutterer said you're all opposed to Sunday and a little block of time? Council said yes. Attorney Treadwell said they'll talk to the PD and get the okay, change the ordinance and re-advertise it, and bring it back to a future meeting. Mrs. deLeon said she doesn't want to advertise it until you bring it back to Council. Attorney Treadwell said the only change he would propose would be to add Saturday from 9 am to 6 pm. Mrs. deLeon said why are we asking the PD then? Attorney Treadwell said to ask them about Saturday. Mr. Maxfield said currently they have Saturday hours, but they are asking we get rid of Saturday hours. Mrs. deLeon said if they say no, she want to know why and would like to talk about it at a meeting. Attorney Treadwell said if they say no, then he will come back and say they said no, and here's why. If they say they are fine with it, then they can just change it and advertise it and bring it back.

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

Mrs. deLeon said we have to vote no or table it. She doesn't like the way it is. Attorney Treadwell said you can table it pending us bringing it back to amend it. Mr. Maxfield said plus if the PD has a reason for not having Saturday hours, he may want to keep it.

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

IV. DEVELOPER ITEMS

A. GREEN GABLES – 2142 LEITHSVILLE ROAD – SITE PLAN APPROVAL AND WAIVER OF LAND DEVELOPMENT REQUEST

Mr. Maxfield said the applicant is seeking site plan approval and waivers of subdivision/land development ordinance provisions and procedures. They are proposing a riding stable and single family dwelling unit.

**DRAFT MOTION FOR CONSIDERATION FOR GREEN GABLES LAND
DEVELOPMENT 2142 LEITHSVILLE ROAD TAX MAP PARCEL R7-23-7 WAIVER
APPROVALS FOR OCTOBER 2, 2013 LOWER SAUCON
TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township Staff offers the following approval motion for consideration by the Township Council relative to the waiver requests for the “Green Gables Site Plans,” as prepared by Mease Engineering, PC, dated May 14, 2013, last revised July 29, 2013, consisting of Sheets 1 of 10 through 10 of 10:

- A. Waivers from the following requirements of the following Stormwater Management Ordinance (Chapter 137), Subdivision and Land Development Ordinance (SALDO, Chapter 145), and Zoning Ordinance (Chapter 180) sections:
1. Sections 137-19.F(4), 37.B, C, D, and 145-46 – to require neither drainage easements over the stormwater facilities, nor drainage and utility easements along property lines.
 2. Section 137-18.D – to not require an impervious liner in the detention basin BMP 1, subject to any indemnifications as may be required by the Solicitor.
 3. Section 137-19.G(15) – to not require the driveway trench drain to connect to the fixed pipe collection system in Leithsville Road.
 4. Section 145-18 – to not require the project to go through the land development submission process.
 5. Section 145-45 – to not require frontage improvements, except as noted in the conditions of approval.
 6. Sections 145-51.D and E – to provide neither recreation land of 23.51 acres, nor a fee-in-lieu-of-land in the amount of \$62,890.
 7. Section 145-52.C(1) – to not require planting a tree for each 500 square feet of impervious cover.

Subject to the following conditions:

1. The Applicant shall address the review comments contained in the letter dated August 16, 2013 from Hanover Engineering Associates, Inc. to the satisfaction of the Township Council.
2. The Applicant shall address the review comments contained in the letter dated August 14, 2013 from Boucher & James, Inc. to the satisfaction of the Township Council.
3. The Township Engineer shall be given the opportunity to review all materials to be submitted to PennDOT prior to their submission.
4. The Designer shall report on any pre-existing flooding problems along the frontage of the project and shall incorporate any mitigation deemed appropriate by the Township Engineer.
5. The Applicant shall contribute \$13,650.00 to the Township Tree Fund in the Capital Account.
6. The Applicant shall provide two (2) Mylars and five (5) prints of the BMP Operation and Maintenance Record Plans with original signatures, notarizations, and seals. Four (4) complete sets of Plans shall also be provided with original signatures, notarizations, and seals. The Applicant shall also provide two (2) CDs of all Plans in both a functional AutoCAD format (e.g. .dwg) as well as a static image format (e.g. .jpeg or .pdf).
7. The Applicant shall pay any outstanding escrow balance due to the Township in the review of the Plans and the preparation of legal documents.
8. The Applicant shall satisfy all these conditions within one (1) year of the date of the conditional approval unless an extension is granted by the Township Council.

9. All waivers, modifications, and deferrals granted shall be noted on the BMP Operation and Maintenance Record Plans with the applicable section, requirements, date of approval, and any conditions of approval.

**DRAFT MOTION FOR CONSIDERATION FOR GREEN GABLES SITE PLAN 2142
LEITHSVILLE ROAD TAX MAP PARCEL R7-23-7 SITE PLAN APPROVAL FOR
OCTOBER 2, 2013 LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township Staff offers the following approval motion for consideration by the Township Council relative to the "Green Gables Site Plan," as prepared by Mease Engineering, PC, dated May 14, 2013, last revised July 29, 2013, consisting of Sheets 1 of 10 through 10 of 10:

Subject to the following conditions:

1. The project shall require an approved Grading Plan and Stormwater Management Application(s), prior to any earthmoving.
2. The Applicant shall address the review comments contained in the letter dated August 14, 2013 from Boucher & James, Inc. to the satisfaction of the Township Council.
3. The Applicant shall provide four (4) complete sets of Site Plans with original signatures, notarizations, and seals. The Applicant shall also provide two (2) CDs of all Plans in both a functional AutoCAD format (e.g. .dwg) as well as a static image format (e.g. .jpeg or .pdf).
4. The Applicant shall pay any outstanding escrow balance due to the Township in the review of the Plans and the preparation of legal documents.
5. The Applicant shall satisfy all these conditions within one (1) year of the date of the conditional approval unless an extension is granted by the Township Council.
6. All waivers, modification, and deferrals granted shall be noted on the Site Plan with the applicable section, requirements, date of approval, and any conditions of approval.
7. This approval is subject to the final resolution of the Zoning Hearing Board appeal filed relative to this project. The Applicant may need to submit revised Site Plans depending on that final resolution.

It is also offered that Township Council approve modifications from the following Zoning Ordinance sections:

8. Section 180-102.C – to not require the building description, elevation, and exterior light fixture design until the time of the building permit application, and to not require the submission of the sign design until the time of the sign application.

Mr. Scott Mease, Mease Engineering; Luke Delmire, and Kathy Mills were present. Mr. Maxfield said he'd like someone to explain to him how this was changed from the last time they had a discussion at Council.

Attorney Treadwell said the last time there appeared to be some confusion about whether a site plan approval was required. A site plan is in fact required and this Council needs to make a motion to either approve or deny the site plan. What's different this time around is you have two draft motions for consideration. The first one is to waive a couple sections of the storm water management ordinance, a couple sections of the SALDO, and there are conditions that go along with those waivers. The second motion for your consideration is the approval of the site plan with some conditions that go along with that approval. There are a couple of different waiver requests from the storm water management ordinance and a couple from the subdivision and land division ordinance. You as a Council can vote on them as a whole or one at a time. We can go through them if Mr. Mease so chooses. At the last meeting there was some question about whether the next

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step was a grading plan approval. They will need a grading plan approval, but the applicant also needs Council to approve the site plan which is in front of you tonight.

Mr. Mease said there are some reviews from your engineer. Part of the resolution is that they comply with those and those are fine. They will make some plan revisions. The waivers they wouldn't have to go over those unless you wanted to. The only item under the subject to the following conditions that they had a little concern with No. 5, the applicant shall contribute \$13,050.00 to the Township tree fund in a capital account. The only question that came up in working with the engineers was possibly they could plant some trees along the portion of the driveway and so they will either pay that full amount or if it would work into the plan, plants some trees and have a tree by tree reduction. Ms. Stern Goldstein said as long as it's submitted on a plan so they know what they are proposing and they meet the proper sizes, species and spacing, yes. You just chose not to put them on your plan yet, so right now you have 91 trees to deal with. Mr. Mease said that is correct. Since they still have some revisions, they could incorporate that. Mrs. deLeon said how did we get to this tree thing? Mr. Mease said basically they require certain tree plantings and with the use of the property, you want to have as much pastureland as you can, so that's what they were asking for, the waiver and the fee in lieu of so they can have as much pastureland free of trees as possible. Mrs. deLeon said that was discussed at the P/C. Ms. Mills said do you have a list of trees and regulations of what is appropriate? Ms. Stern Goldstein said it's all in the ordinance. It's pretty clear. Call her if you have any questions. Ms. Mills said that's fine. Mr. Maxfield said there are specific recommendations on spacing to insure the long life of the tree. Does any of the consultants have any problems with any of the waivers? Ms. Stern Goldstein said she didn't. Mr. Kocher said they are fine. Mrs. deLeon said they talked about this at the last meeting, so it's nothing new. It's just organized differently.

Mr. Maxfield asked if anyone on the floor had any issues? No one raised their hand. Attorney Treadwell said you have two draft motions. The first one is the approval of the waiver requests with conditions and then the second would be the approval of the site plan with the conditions.

MOTION BY: Mrs. deLeon moved to approve the draft motion for consideration of Green Gables Land Development, 2142 Leithsville Road, Tax Map Parcel R7-23-7, waiver approvals for October 2, 2013, LST Council meeting.

SECOND BY: Mr. Horiszny
Mr. Maxfield asked if anyone had any questions? No one raised their hand.

ROLL CALL: 4-0 (Mr. Kern – Absent)

MOTION BY: Mrs. deLeon moved to approve the draft motion for consideration of Green Gables Site Plan, 2141 Leithsville Road, Tax map Parcel R7-23-7, site plan approval for October 2, 2013, LST Council meeting.

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

V. TOWNSHIP BUSINESS ITEMS

A. AUTHORIZATION FOR EMERGENCY REPAIRS TO TOWN HALL PARK PAVILLION

Mr. Maxfield said the Manager will discuss the emergency repairs that are needed for the Town Hall Park pavilion.

Mr. Cahalan said he has photographs of the pavilion. He's bringing it up now as it requires immediate attention. This is the picnic pavilion at Town Hall. There are four photographs. This has been on their list for repair of the roof for some time. Because of the wind and rain storm, some of the fascia has fallen off and revealed some rotted boards underneath it. One of the posts, the one in the photograph, is rotted, so there's a sag in that section of the pavilion. They are

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concerned about a snowfall or windstorm that could cause some major damages to it. They asked a local contractor and he has given an estimate for the repairs of the beam, the rotten fascia, to check the roof for any leaking as there are some drips when it rains, and any other rot found during repairs. That estimate is for \$4,460.00. They have funds in the Town Hall Park fund to cover that. Mrs. deLeon said is this the estimate. Are you going to get more? Mr. Cahalan said they can get other quotes, but this is just to give you an idea. It was done also as an inspection because at the time there were groups scheduled to use it and they were concerned about their safety. They've held up reserving the pavilion from now on until it's repaired. They'd like an approval for repairs based on this estimate.

MOTION BY: Mrs. deLeon moved for approval for emergency repairs to Town Hall Park Pavilion of \$4,460.00.
SECOND BY: Mr. Willard

Mr. Maxfield asked if anyone had any questions? Mrs. deLeon asked how old is this pavilion? Mr. Cahalan said 1978. The SV Lions put that up there. Mr. Mushlitz who passed away recently did all the brickwork. Mr. Maxfield asked if the stage next to it was useable. Mr. Cahalan said the roof needs attention, but that's in the plans. That's used for Chris's race. There was a group up there playing music. The floor is in good shape. It's the roof structure that needs attention.

ROLL CALL: 4-0 (Mr. Kern – Absent)

B. AUTHORIZATION TO ADVERTISE ORDINANCE NO. 2013-06 – WILLIAMS TOWNSHIP COMPOST CENTER AGREEMENT

Mr. Maxfield said Ordinance #2013-06, which will approve an agreement between Lower Saucon Township, Hellertown Borough and Williams Township to allow Williams Township to dispose of yard waste that is collected at their municipal drop-off site at the Saucon Valley Compost Center, has been prepared for advertisement.

Mr. Cahalan said you may have seen this already as it was covered in the local news as it was discussed at a Hellertown Borough meeting. The background is that they were approached by Williams Township earlier this year and Williams Township was in the process of setting up policies to collect leaves and yard waste from their residents. Their problem was they had no place to dispose of the leaves and yard waste. Their plan is to set up a drop off site at their municipal garage and that would be open four hours Saturday every month with a roll back container for residents to drop off leaves and yard waste and they would also do the twice yearly collections of leaves in the Township. They approached us with a request to dispose of the yard waste at the SV Compost Center which is jointly operated with Hellertown Borough. They had some discussions with them and what resulted was a proposed agreement which will come to you when this advertisement is completed. The agreement states they will be allowed to take the rollback container when it's filled from Williams Township and bring it to our Compost Center during non-business hours which would be Monday through Thursday. They would be let in by somebody from Public Works, either the Township or the Borough. They would then drop off that material on our pile at the Compost Center. The material that is being dropped off would be inspected to make sure it is meeting our requirements. If it doesn't meet the requirements, the load would be rejected and would be taken back. In return for that, they will pay us \$3,000.00 per year. We feel it's a good proposal, both for Williams Township which allows them to dispose of the yard waste and it gives us the \$3,000.00 which we will use to grind the material that's up there and produce the compost that our residents can take home with them and use. Right now we have set up a process where we charge the residents coming up there for machine loading of the mulch. This year we already reached about \$3,500.00 in fees that we collected for that. Between the money collected for machine loading and this amount, we would be over \$6,000.00. Our annual cost for grinding runs about \$9,000.00. He thinks we came up with a solution that will work for all of us. It's a

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year-to-year agreement that you will be seeing. If the situation gets out of hand, that is, there's just too much of the material for us to handle, we can cancel it after one year. We're going to bring it back to you. Initially, it will be for the period whenever it's approved to the end of this year. They will pay us \$1,500.00 for that and if we go into it in 2014, they will pay us \$3,000.00 for that period. This is to advertise the ordinance that you need to adopt in order to approve the agreement.

Mrs. deLeon said when you say \$3,000.00, this gets split between Hellertown and LST? Mr. Cahalan said they have a budget set up for the Compost Center where we contribute jointly to that for the operational cost during the year. Mrs. deLeon said who is in control of that? Ms. Gorman said we maintain the fund. If for whatever reason the agreement is dissolved by both parties, whatever is left remaining will be split and we go our separate ways. Mrs. deLeon said if you go and look at Hellertown's budget, you won't see anything? Ms. Gorman said you would see under their expense an appropriation to the Compost Center and on her reports, you would see the actual budget they are operating under. Mrs. deLeon said someone asked her about that and said Hellertown doesn't pay anything and she said we split it, but didn't know where it ends up. Mr. Cahalan said this does not allow anyone from Williams Township to the Compost Center. It's strictly just the waste. Mrs. deLeon said it's just their delivery. She was curious how you came up with \$3,000.00. Mr. Cahalan said if we go into this and continue and feel our costs are higher, we can increase that in future years.

- MOTION BY:** Mr. Horiszny moved for authorization to advertise Ordinance No. 2013-06 – Williams Township Compost Center agreement.
- SECOND BY:** Mr. Willard
- Mr. Maxfield asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Kern – Absent)

C. REQUEST FROM SAUCON VALLEY CONSERVANCY FOR RENEWAL OF HELLER HOMESTEAD LEASE

Mr. Maxfield said the Township has received a request from the Saucon Valley Conservancy for an extension of the lease for the Heller Homestead property which is due to expire on May 31, 2014.

Mr. Cahalan said they've included the letter they received from Mrs. deLeon, the President of the Saucon Valley Conservancy dated September 26, 2013 and she indicated that they would like to request an extension of the current lease per the lease document. The term of this lease may be extended by the landlord for two additional terms of twenty years each provided tenant provides to landlord a written request with the extension at least six months prior to the expiration of the lease and provided landlord approves the request of the extension. The expiration date of the current lease is May 31, 2014. They did meet the requirement to give notice at least six months prior to that date.

Mr. Horiszny said how is the rate of \$10.00 per year arrived at? Mrs. deLeon said it's the same thing as the schoolhouse. Somebody just came up with \$10.00 and they pay expenses. They pay electric and heat. She wanted to get a total, but it's between maybe \$3,500.00 and \$4,000.00 a year for electric, heat, water, and insurance. It all adds up. Whoever wrote the lease back then, she didn't write the lease. Mr. Maxfield said \$10.00 almost seems like nothing these days. Mrs. deLeon said some leases are \$1.00. Mr. Maxfield said twenty years, let's face it, we'll all be gone. He's thinking of a couple of ideas and Mrs. deLeon made him think of it earlier, a five year plan. He would like to ask that we have a five year plan from the Homestead, the Lutz-Franklin, from anybody like that who works with us. We require it of our consultants. He would request we have a five year plan and look at what's going on. Have in there the grants that were applied for and received, kind of a recap of what has happened and where is it going to go. You have a lot of plans for the property which are really cool. He feels we're getting into a financial area, where if we don't have the landfill, we're definitely going to be cutting costs for things and everything is going to be under review, all the extraneous costs. It would make more sense for us as a Township to be

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looking at this every five years instead of every twenty years. He was hoping we could see the sense in that.

Mr. Horiszny said twenty years does seem like an awful long time to him.

Mrs. deLeon said the Conservancy is there to run programs and to provide to the public. This was given to the Township from Hovnanian for their open space and rec. It's supposed to be perpetually used for recreation. She thinks the Conservancy, and she's part of that, they have volunteers here and because of efforts of the volunteers, they have really contributed to the open space and rec for the Township. They provide programs. They just had a very successful barn tour. They have people really working hard trying to raise the little bit of money they make. Ron knows with the schoolhouse how hard it is to raise money. Unfortunately, for them, they have to pay heat which the schoolhouse does not. It really just seems you skim off the expenses that they have for the utilities and it doesn't leave much left. Mr. Maxfield said maybe \$10.00 a year is the answer, but do you think it would be smart to review it every five years? Mrs. deLeon said Hellertown has a 99-year lease with them. They put twenty years on it. She can't believe twenty years has passed. She recalls trying to draft and work on this. She thinks that at any time the Township can step in and say you aren't doing what you are supposed to. She doesn't think they ever had reason to suspect that they haven't been doing what they were supposed to be doing. Mr. Maxfield said he knows there's between roofs and chimney's it can get expensive. He asked Ms. Gorman how much we spent on the Heller Homestead in the last five years? Ms. Gorman said she can get that information. Mrs. deLeon said you'd be spending that as the homeowner. Mr. Maxfield said let's face it. If we have dire financial times, we are going to be looking at everything. Mrs. deLeon said we can't sell the Homestead. It's open space, perpetually for recreation. You cannot sell that property. When you say you are going to be looking into it, we own the property. It's a historic site. You'd still be maintaining it. Mr. Maxfield said you could put a conservation easement on it and sell it. He's not saying he would want to and not put that as an idea, but you could do that. You know how we aren't supposed to bind future Councils, that's what he's talking about. In five years from now, none of us may be here on Council anyway. He'd rather not approve something for twenty years. Maybe we do it for twenty years, he was just hoping we could look at a sense of a five year plan and a five year review of the lease and see if that makes sense. Mrs. deLeon said she's looking at this at the Homestead at a Council level for the schoolhouse and she's happy with the terms of the existing leases. It made sense all these years. They copied from other historic sites. They could have gone with 99-year leases, but they didn't. They thought they would put a real number on and that's where they came up with the twenty years. She doesn't think we can sell open space property that was given to the Township. Attorney Treadwell is shaking his head no for the record. Attorney Treadwell said he's shaking his head as he doesn't know the answer to that. He doesn't know what was given to use nor does he know what restrictions were put on it when it was given to the Township. Mrs. deLeon said she remembers over the years we paid a Solicitor back then what the word perpetual meant and not that she doesn't want to pay you money, but she knows there's an open space and rec ordinance with the Township, and there's legal documents running with that tract. Attorney Treadwell said maybe there are, but he's never seen them. He can't answer your question without looking at the documents. Mr. Maxfield said can we gather that information. Maybe we can do a five year plan by gathering the information that we talked about tonight. He asked Ms. Gorman how hard would it be to find financial information? Ms. Gorman said she wouldn't imagine it would take that long. She knows we had done it in the past for Mrs. deLeon, we would just have to add on. Mrs. deLeon said she didn't ask her for expenses, she just asked her for utilities. Ms. Gorman said in the past, since she's been here, there have been times Mrs. deLeon has asked her for everything that the Township had spent on the Heller Homestead. She would just pull out those records and add to. Mrs. deLeon said to her a five year plan coming from the Conservancy to her when she hears that on the Board is what we want to do for the Township to provide our recreation and if you want to call it recreation or our services that we're giving to the Township. To her, that's not the same as a lease. This is the lease. She can provide a five year plan for their activities, but to her, the lease is

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the lease. Mr. Maxfield said he was not comfortable within that twenty years, if you approve it, it's a binding document for twenty years and he's not comfortable with that.

Mr. Willard said he hears three things discussed. One just ownership, occupancy of a historic property and for a 270 year old Township, twenty years is not that long. Then there's the operation of it which should be governed under a plan which he's sure the Conservancy will have and maintain. Then there's the cost of it, and the \$10.00 a year kind of jumps out in a twenty year lease. Maybe there's something that could be done with that to extend for twenty years, but to have some option on the rent, depending on the financial circumstances of the Township. You have to be able to operate it, so we can't charge \$100,000.00. Mr. Maxfield said we don't want to strap it. Mrs. deLeon said she thinks that's where the \$10.00 came from because we were paying for all the other utilities and providing a service to the Township. Mr. Maxfield said for the next meeting, he'd like to gather information and see how much we spent and where we're going with it. Mrs. deLeon said again, she doesn't see where the expenses for maintaining a building has to do with extending the Conservancy's lease. They are not responsible for maintenance. You are suggesting we should? Mr. Maxfield said he's suggesting we gather information and if that's the case, then it will be pointed out to us. He agrees with what Mr. Willard said. It's a good reading of what we were talking about. Let's look at it and see where we're at. Mr. Cahalan said can he ask we make it in a meeting in November as the Solicitor can also look at the legal documents. The next meeting is going to be busy. Mr. Maxfield said November is fine. It doesn't expire until May 31st.

Mr. Roger Jurczak said the five year concept that you are thinking about, is there a concept of a five year plan for all of the parks? Mr. Maxfield said he thinks there is. There's a five year plan for all the groups like the EAC, the Parks & Recreation board. Everything has a five year plan as to where they are going. Mr. Jurczak said you are looking for a five year projection of what activities? Mr. Maxfield said maybe you need the roof needs work, but maybe it doesn't need it immediately. Maybe it can be done in two years or how you see programs growing or not growing in the next couple of years. Maybe there would be an effort to bring kids to the Heller Homestead - nothing tight, but just a loose kind of idea about where we're going. All the groups have goals where we're going to try to look into and do. Sometimes you meet them, sometimes you don't. It's nice to have a plan and kind of know what's going on. Mr. Jurczak said when he heard this, he heard a linkage to the lease. He's thinking if Polk Valle Park doesn't have any growth for two years in terms of activities, would you close the park? Mr. Maxfield said no, and that's not what he was suggesting for Heller Homestead either. He was suggesting we look at things on five year chunks. The lease idea that he was talking about, there are certain conditions that are associated with the lease that the Township is responsible for and citizen's money goes into paying for that. When you lease an apartment, you don't lease it for twenty years; you lease it for a year. He thinks that there's nothing wrong with reviewing the lease every five years. He thought it was probably liberal as it could be every year as a landlord to a renter. It's just his opinion, there's the rest of Council here. He just wants to talk it over and see if there's any sense to it. If not, we'll know and continue. Mr. Jurczak said are there three historic properties that the Township is responsible for? Mr. Maxfield said Lutz-Franklin, Heller Homestead and the Old Mill Bridge. Mr. Jurczak said the Grist Mill is Hellertown. Mr. Maxfield said that's privately owned. Mr. Jurczak said would this be a condition that would only apply to the Homestead? Mr. Maxfield said no, if it made sense for the Homestead, it's got to make sense for Lutz-Franklin too. Like Mr. Willard was talking about the \$10.00 Lutz-Franklin pays that amount too, so it's kind of like just looking at these historic properties in the year 2013 and 2014 to do an assessment of them and where they are going to be in 2020, that kind of idea.

Mrs. deLeon said it just amazes her that Old Mill Bridge was fixed at how much money, \$200,000.00 and some? Mr. Cahalan said about \$130,000.00. Mrs. deLeon said that was the last go-around. There's no historic organization for the Old Mill Bridge. The Township pays it as it's a historic site as she supports. Mr. Jurczak said he's not seeing apples and oranges here. He's not

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seeing the equivalency. Are there as many people to go across that bridge as come to the Heller Homestead during the course of the year? Is that an important known? Mr. Maxfield said he didn't see the apples and oranges either. He didn't see the correlation there. His feeling is that we owned a historical property in the Heller Homestead and another in the Lutz-Franklin and as long as we're spending public money on it and as long as we're talking about losing a possible \$2 million out of our budget, we better be looking at how we spend our money and have reasons why we're spending our money. Maybe if we have a five year plan and it says we need a new roof, we can decide after examination that we shouldn't do it for this five year increment, maybe six years. Something like that. He wants a guideline and to him, if you don't have an idea on what you are going to do in the next five years, what are you doing? Mr. Willard said he thinks he understands the direction and it should probably be stated that this organization will have a strategic planning meeting on October 15th and we'll be in a position to address some of these things. Ultimately, the lease will be approved whether it's one year, five years, ten years or twenty years remains to be seen. Mr. Maxfield said it's an accountability more than anything else.

Mrs. deLeon said she guesses if you are talking about accountability, then since we still have the lease until May 31, 2014, the Township should be presenting us, in fact, she'd like to make that request for all the Lutz-Franklin and the Heller Homestead. Come up with a five year plan on your maintenance as you are responsible for maintenance until next year. She'd like to hear from the Township. Mr. Maxfield said the maintenance is covered in the leases for the properties. Now we are absolutely talking about groups that are maintaining, working and making money from inhabiting historic properties owned by the Township that are paid for by citizen money. All he's asking is for some accountability for the citizen's money. Someone asked him a question, he wants to be able to give them an answer. Mrs. deLeon said they aren't supposed to be maintaining the roof. The roof is the Township's responsibility. Mr. Maxfield said he said that earlier. Mrs. deLeon said you said you wanted to hear about the roof. They are not responsible for the roof. Mr. Maxfield said if you don't know that you need a new roof, and inform the Township, how will the Township ever know. Mrs. deLeon said they do tell the Township and the Township's responsibility is to ... Mr. Maxfield interrupted and said he didn't say you were responsible for the roof. He said you were responsible for letting us know about the roof. All he's asking for is accountability. What is wrong with that? Please be accountable. Mrs. deLeon said are you suggesting they aren't accountable? Mr. Maxfield said he's suggesting that he doesn't see a five year plan in front of him and he doesn't know what they are doing for the next five years. Please let's not argue about this. It's a simple request. We requested a five year plan out of everybody else except for Heller Homestead and the Lutz-Franklin. This is not a strange concept. Can we just do it and not argue. Mrs. deLeon said Cathy, for the budget hearing on the 23rd, she'd like to have copies of everyone's five year plan. Ms. Gorman said okay.

Mr. Cahalan said let him make a clarification. There are no five year plans setting on his desk. Mr. Maxfield said there are goals. Mr. Cahalan said well some of the committees have set goals, not all of them have done them. He wants to be clear you are asking for something that does not exist in all cases. Ms. Gorman said what she was referring to is your capital plan encompasses a lot of the park infrastructure improvements, Lower Saucon Township's capital plan. That encompasses the parks and your open space and all the things the Township is responsible for including the historical buildings. She thinks what Mr. Maxfield might be requesting is more information so that we can encompass that into our LST capital plan so they have a direction of what we need to be saving for. Mrs. deLeon said as a representative of the SV Conservancy, we always tell the Township if a repair is needed. Jack was over at the site the other week and they pointed out there were shingles missing off of the roof. When we see things that need to be repaired, they tell the Township. They are responsible about that. That's what they have been doing for twenty years.

Mr. Willard said this could be approved in the November meeting with a six month timeframe and he would suggest we'd like to look at all the goals and plans that may be available. At our October

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15th meeting come up with goals to meet that format. Mr. Cahalan and Mr. Horiszny said it's October 16th. Mr. Willard said he's sorry, it's the meeting for SV Conservancy that he was asked to moderate. It's a planning meeting, good timing.

D. DISCUSSION ON ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT TASK FORCE FOR 2014

Mr. Maxfield said the development of an economic development task force for 214. Councilman Dave Willard would like to discuss this.

Mr. Willard said this is the reason for the revised agenda because he had asked for this to be on this evening. We all know from the various meetings that occurred over the last year and a half that the Township is relying on one business for revenue and the figures that have been stated is that we're only generating \$65,000.00 or in the range of that from all the other businesses besides the landfill in the Township. He can find references in past Council meetings and in Comprehensive Plan that we need to be looking forward and address this for the time that the landfill closes. As Tom alluded, if that's in three years or thirteen years depending on what happens with the rezoning, this is something that we should focus more on. He brought an example from Lopatcong Township in NJ. In the Express Times today, there was an announcement of a Walmart distribution site and a warehouse bringing 800 jobs to the City of Bethlehem. We're not the City of Bethlehem. He doesn't know that we have the zoning, the land, the regulations to create this kind of business, but it's the kind of thing we need to be studying as we look forward to this landfill decision upcoming. It occurs there are retail businesses. There are medical businesses. He looked at all the facilities that have been opened by the two major hospitals in the Valley, offices, warehouses possibly, data center possibly, entrepreneurial businesses, which could be brought to the Township. He thought when the gentleman came from Revolutions to say that he was going to spend \$1 million to refurbish the bowling alley that had been closed for several years. He'd like to suggest we establish an Economic Development Task Force for next year, not a Council necessarily, unless we decided we need it based on their recommendations, but a Task Force in 2014 of qualified volunteers and individuals who would like to study how to bring more businesses and more business revenues to LST.

MOTION BY: Mr. Willard moved to establish an Economic Development Task Force for 2014.
SECOND BY: Mrs. deLeon

Mr. Maxfield asked if anyone had any questions? Mr. Maxfield said there is one person who is interested in that from meetings, Atom Kallen. Mr. Willard said it's almost two years, and he doesn't know what efforts were made in the past, but we need to create more focus going forward. Mrs. deLeon said what we need to do is ask residents to submit letters of interest and have a date and then we can come up with a number, should it be five or seven, she's just throwing numbers out there. We should have a date. When would you like to see this happen? Mr. Cahalan said what he suggests is he can work with Dave to bring back a framework of a possible organization and you can look at that and make some decisions. Mr. Willard said fine. There is probably not a need to improve the concept, unless you'd like to approve it as an affirmation of what he's saying tonight. Mr. Maxfield said we should say the concept of establishing an Economic Development Task Force.

MOTION BY: Mr. Willard amended his previous motion and moved to approve the concept of establishing an Economic Development Task Force for 2014.
SECOND BY: Mrs. deLeon amended her second
ROLL CALL: 4-0 (Mr. Kern – Absent)

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 4, 2013 MINUTES

Mr. Maxfield said the draft minutes of the September 4, 2013 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said page 22 of 33, line 36 and 37, Tom made a motion and it had no motion behind his name. The motion ends up behind his second on line 37, saying "moved for approval to exonerate ourselves from the back taxes". The motion should be by Tom's name.

MOTION BY: Mr. Willard moved for approval of the September 4, 2013 minutes, with corrections.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 3-1 (Mr. Horiszny – No; Mr. Kern – Absent)

B. APPROVAL OF SEPTEMBER 18, 2013 MINUTES

Mr. Maxfield the September 18, 2013 minutes have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Willard moved for approval of the Septembers 18, 2013 minutes, with corrections.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 3-1 (Mr. Horiszny – No; Mr. Kern – Absent)

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

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER – No report

B. COUNCIL

Mr. Willard

➤ He said he was pleased to see the Saucon Rail Trail is being considered for a sustainable community award from Delaware Valley Green Building Council, LV Chapter. He'd like to attend on October 17th. He's sure that Roger and others that are involved would like to attend. Mr. Cahalan said they've asked Roger and Joe Pampanin, the Secretary to see if they can attend.

Mr. Horiszny

➤ He said he did attend the Compost Center meeting last week and discussed business that was handled on the Williams Township request.

Mr. Maxfield – No report

Mrs. deLeon

➤ She asked what was going on with the Fox properties grading thing with DEP. Have they been given an update? She knows there was an email circulating. Mr. Cahalan said there's a review letter that Boucher & James sent out and they requested they provide information, and he doesn't think it's been done. Ms. Stern Goldstein said nothing has come into the Township or to her or she would have notified the Township. Mrs. deLeon said we have

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two issues going on here. We have the Township's grading for the Fox property and we also have, remember in the summer time we sent letters to DEP about concerns we had with the Mining Dept. in DEP. They should be updated on what's going on with the property. Mr. Maxfield said is there any activity going on, on the property? Mrs. deLeon said weren't we supposed to get back to DEP? Mr. Horiszny said they got their mining approval. He thought he remembered seeing something about it. Attorney Treadwell said we haven't seen anything from DEP. The last thing we sent to DEP was the letter that Mr. Birdsall brought in front of Council on the comments that the professional landfill consultants had on their application. Mrs. deLeon said would it be appropriate to send, and she has the dates, September 18th Boucher & James and the September 6th Hanover Engineering letter regarding the property and send to DEP to update them. Currently, it's not an allowed use of the property and it's in violation of our host agreement. The letters say that and it would be appropriate to inform DEP. There are several places to send it. Attorney Treadwell said the Mining Dept. is the one who received the application to the property owner.

MOTION BY: Mrs. deLeon moved to send DEP the September 18th Boucher & James and the September 6th Hanover Engineering letter and a cover letter saying we would like to update them on the status of the mining permit application.

Attorney Treadwell said they are reviewing a mining permit application. Mrs. deLeon said it's basically at the technical quarterly meeting Chris Taylor was directed to contact Bill Tomayko. Bill's out of the office. It's just a loose end that needs to be cleaned up.

SECOND BY: Mr. Willard
ROLL CALL: 4-0 (Mr. Kern – Absent)

Mr. Kern – Absent

B. SOLICITOR – No report

C. ENGINEER

➤ Mr. Cahalan said a little update on the Meadows Road streambank stabilization project. They will show photos while Brien is giving a quick update. Mr. Kocher said when we talked at the last meeting he reported that PW was about to start the project and they had special permission from DEP to work past a certain deadline which was imposed by the permit they issued. Roger did get right on that the following week and completed everything in accordance with the permit and the special conditions that DEP had given us to work beyond the deadline and beyond the scope of the permit because storm damage had actually made the area worse. Mr. Cahalan said can you explain this? Mr. Kocher said those are diversions in the stream. They actually divert the stream away from the road back out toward the other side. Mr. Cahalan and the plastic materials? Mr. Kocher said that's just the coffer dam so they could work in the area that they armored the bank. Those are temporary. There are permanent ones in there, and hopefully we'll see those. If you go out there, from the edge of the road into the stream to the original bank, it's armored with very large rocks and there are three rock diversion channels that extend into the stream area which you can see the construction of here to divert the stream away from the road back towards the other end of the stream so it can go down towards the bridge. The Fish Commission was out yesterday and said PW did a fantastic job. Mrs. deLeon said what caused the blockage? Didn't something block the bridge? Mr. Kocher said there was a platform from the Meadows that washed down and got caught in the bridge. That was thought to have created extra turbulence. Mr. Cahalan said a tree fell down which is still hanging over the wires. Mrs. deLeon said was it from the Meadows or did everyone just

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think it was from the Meadows? Mr. Kocher said he's not sure. Mrs. deLeon said do we know where the platform came from? Mr. Cahalan said it came from a resident up on Saucon Creek. Mrs. deLeon said it wasn't the Meadows, although they got blamed for it. Mr. Maxfield said the time before their gazebo clogged it up. Mrs. deLeon said did he have his name on it? How did you know it was his? Mr. Cahalan said they identified it and had him remove it. Mr. Cahalan said this is a piece of equipment the Township PW is able to operate. It was rented for this job and they are putting these very large rocks along the streambank. Mr. Horiszny said a side issue of something similar. On Wildlands website, they have a dam removal at Jordan Creek if you want to go on there. It's reverse of this, but it's pretty neat. Mr. Cahalan said they should be done by the end of this week.

D. PLANNER – No report

V. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 9:59 pm.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0 (Mr. Kern – Absent)

Submitted by:

Jack Cahalan
Township Manager

Tom Maxfield
Vice President of Council