

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 3, 2007 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

ROLL CALL: Present – Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Sandra Yerger and Ron Horiszny, Council Members; Assistant Township Manager, Leslie Huhn; Brien Kocher, Township Engineer; Township Solicitor, Linc Treadwell; and Township Planner, Rick Tralies. Absent - Jack Cahalan, Township Manager.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert’s Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Diane, Leslie, or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. Mr. Kern asked if anything was taken off the agenda this evening? Ms. Huhn said no.

III. PRESENTATIONS/HEARINGS

A. RESOLUTION 56-2007 – HONORING RESIDENT MINNIE POULTON’S 100TH BIRTHDAY

Mr. Kern said Pastor Weiser informed the Township that his mother-in-law, Minnie Poulton, who is a township resident celebrated her 100th birthday on September 27, 2007. Council requested a resolution be prepared in her honor.

RESOLUTION #56-2007

**PROCLAMATION HONORING RESIDENT MINNIE LILLIAN (HAFNER)
POULTON UPON CELEBRATING 100 YEARS OF LIFE**

WHEREAS, Minnie Poulton is a resident of Lower Saucon Township and was born September 27, 1907; and

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WHEREAS, while Minnie was in 10th grade at Broughal High School, she was run over by a car on Wyandotte Hill, during a time when there were very few cars on the roads; and

WHEREAS, Minnie's worked most of her life in silk and dress mills; and

WHEREAS, Minnie was married to Harold C. Poulton when she was 22 years old and they were married for 59 years before Harold passed away shortly before their 60th anniversary; and

WHEREAS, Minnie and Harold have a daughter, Jean, born in 1930 and a son, Harold E., born in 1942; and

WHEREAS, Minnie and Harold enjoyed traveling after his retirement from Bethlehem Steel, and;

WHEREAS, Minnie has always enjoyed traveling to visit her 6 grandchildren, 15 great-grandchildren and 5 great-great-grandchildren.

NOW, THEREFORE, the Council of Lower Saucon Township, Glenn Kern, President; Tom Maxfield, Vice President; Priscilla deLeon; Ron Horiszny; and Sandra Yerger do hereby honor Minnie Lillian Poulton for celebrating her 100th birthday.

MOTION BY: Mrs. deLeon moved for approval of Resolution 56-2007 – Honoring Resident Minnie Poulton's 100th Birthday.

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

ROLL CALL: 5-0

B. LYNN KOEHLER – BETHLEHEM LIBRARY REPRESENTATIVE – 2008 BUDGET

Mr. Kern said Lynn Koehler, our representative to the Bethlehem Area Public Library would like to update Council on the proposed cost for next year's budget and request funding for the library.

Lynn Koehler and her son, August Koehler, were present. She said August is a cub scout and is 10 years old and is here to earn a badge. She said she's been library representative for ten years. The library board approved the 2008 budget. This year two people on the board had some dissent and said the increase was too high which was 3.9%. The expected commitment from LST will be \$160,714.00 which is a part of a \$3 million budget. They discussed ways to keep the cost down. One of the reasons it went up was the State was going to give more money, but they took it away and used it somewhere else. They get a lot of money from grants and foundations, and it's very well managed. This year they feel they have to look at ways to tighten the belt. When the next census comes, it's going to go up even higher. The goods news is that the percentage of LST people have gone up and half the population maintains the library. She visited the LST website and it's an incredible website. She'd like a link from the LST website to the library. She is here tonight so it can be approved because November is the deadline for the library, that's why she needs a pre-approval. The November deadline is the 8th or 15th if LST does not want join the library. Mr. Kern asked how much the State was supposed to give. Ms. Koehler said the amount they are expected to get from the State is \$764,438 and she thinks they were supposed to get closer to \$900,000. They are asking for a matching fund program where that wasn't reinstated. The State does give a lot of money, it's the communities that don't. PA has wonderful libraries but they are on the lower end of per capita contributions. The per capita they are asking for is \$16.25. Mrs. deLeon said she'd like to support the library. She'd like Leslie to have the library link put on the LST website.

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MOTION BY: Mrs. deLeon moved for pre-approval for line item, or \$160,714 for the library budget for 2008.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments?
ROLL CALL: 5-0

C. PUBLIC HEARING – ORDINANCE 2007-12 – VACATING PORTIONS OF LEWIS AVENUE

Mr. Kern said ordinance 2007-12 has been prepared and advertised for a public hearing and consideration of adoption vacating two portions of Lewis Avenue as requested by Geraldine DeSantis for the Estate of Oma Strain and as requested by Lower Saucon Township for property we own in Steel City.

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

Attorney Treadwell said Mrs. DeSantis is his Mother-in-Law, so he'd like to stay out of this conversation. Mr. Kocher said the portion of the driveway is 14,500 square feet which is adjacent to the Strain property. The township has determined there is really no interest in ever opening the paper street. The adjacent property owners have been notified. The Lower Saucon Authority asked that it retain easement rights.

Mr. Andrews from the Morning Call asked when it was put out for a paper street. Mr. Kocher said by the turn of the century, by the Steel City Subdivision. There's no physical street there, it was an alley.

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

MOTION BY: Mr. Kern moved for approval of Ordinance 2007-12.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

IV. DEVELOPER ITEMS

A. CHAFFIER/FILLER/THOMPSON SUBDIVISION – HERITAGE BUILDING GROUP – SKIBO ROAD – INCOMPLETE SUBMISSION OF PLANNING MODULE

Mr. Kern said the applicant submitted a letter and a copy of a planning module and requested approval. After reviewing the information that was provided, the Zoning Officer determined that the submission was incomplete and advised the applicant of the deficiencies. The PC affirmed that there was not enough information provided to allow the Township and its consultants to evaluate the request and that no further action should be taken until a complete submission is received. The Zoning Officer (ZO) is now presenting it to Council and recommending they also deem the submission incomplete.

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Attorney Treadwell said the township is currently in litigation with the Heritage Building Group over some issues regarding this property, but this submission has nothing to do with that litigation. This submission is for the township to sign off on a planning module. After the ZO looked at the submission, he sent a letter dated 8/29/07 back to the engineer, setting the reasons why the planning module was incomplete. It then went to the PC, and they agreed with the ZO, now it's here for you to agree or disagree with the Zoning Officer's determination.

Mrs. deLeon said what are the regs that establish what we do in a situation like this? We have a reservation agreement that's by resolution. Attorney Treadwell said that's for sewer EDU's. He believes the township has already granted 40 EDU's a year ago, that are available for that property, which is a separate issue. This planning module is requesting 51 EDUs, but the action before you tonight is the ZO sent a letter saying it's incomplete with 8 items listed on his August 29, letter. They have to submit a complete one but they have chosen not to do that.

- MOTION BY:** Mr. Kern moved to approve the Zoning Officer's August 29, 2007 letter for incomplete submission of the planning module for the Chaffier/Filler/Thompson Subdivision – Heritage Building Group.
- SECOND BY:** Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

B. AGENTIS BROS. – ROUTE 378 – CONDITIONAL FINAL PLAN APPROVAL

Mr. Kern said the applicant is proposing to construct a car wash and a second building on a combination of approximately ten existing lots with three existing homes, which are proposed to be demolished.

**STAFF RECOMMENDATION FOR
AGENTIS BROTHERS SUBDIVISION AND LAND DEVELOPMENT
3502, 3506, 3510 ROUTE 378 HIGHWAY 16 PARCELS
INCLUDING TAX MAP PARCELS Q6SW3-9-6/9/9A/12 AND Q6SW3-8-4/5/5A/5B/6
FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN APPROVAL
FOR OCTOBER 3, 2007 LST COUNCIL MEETING**

The LST staff recommends that the Township Council approve the Agentis Brothers Subdivision and Land Development Plan, as prepared by Base Engineering, Inc., consisting of Sheets 1 of 17 through 17 of 17 dated August 10, 2007.

Subject, however to the following:

1. The applicant shall address the review comments contained in the letter dated September 11, 2007 from HEA to the satisfaction of Township Council.
2. Site lighting shall have hours of operation found acceptable by the Township; see the letter dated August 30, 2007 from Boucher and James.
3. The applicant shall provide a contribution of \$3,113 in lieu of dedicating land for open space and recreation purposes.
4. The applicant shall provide a traffic contribution in an amount agreed to by Council and the applicant.
5. The applicant shall obtain legal permission, found satisfactory by the Township Solicitor to clean out the existing off site 18-inch corrugated metal pipe.

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6. The applicant shall provide two Mylar's and seven prints of the plans with original signature and seals. Four complete sets of plans shall also be provided. The applicant shall also provide two CD's of all plans in an Auto Cad format (jpeg-ROM).
7. The applicant shall pay for 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 year of the date of the conditional approval unless an extension is granted by the Township Council.

Present – Peter Terry, Traffic Expert, Attorney Jim Preston, Bob Agentis, and Amit Mukherjee, Engineer. Mr. Preston said they have a draft motion which recommends approval subject to certain conditions. The conditions include the letters from HEA and Boucher & James and are identified by date. They have no objections to the conditions, but have two items they want to seek clarification on. The HEA letter, comment No. 4, there was a note on the plan that dealt with a retaining wall being removed, and the note and details will be put on the plan. Mr. Mukherjee said the note is on the plan already. It was suggesting that the appropriate details of the wall and calculations would be provided at that time prior, for approval purposes, to the construction. Mr. Kocher said correct. Attorney Preston said B1, which talks about confirmation from the Fire Chief. The fire companies have reviewed the plan again for a second time, and Attorney Preston said they got the same comments back from the Fire Chief. Mr. Kocher said the plan addresses all the fire chief's comments except for sprinklers. What the applicant worked out with the PC, was if the building code required sprinklers, they would put sprinklers in. If not, they wouldn't put them in and it would be served by the fire hydrants. They will be guided by the code. Mr. Kern said what type of building would require sprinklers? Mr. Mukherjee said there is a certain square footage that is required whereby sprinklers would be used. A lot of times they put fire walls there to eliminate the need of sprinkler systems. It is all set up already if they do need the sprinkler system.

Mr. Kocher said A2, the Police Chief recommended street lights at the intersection and the PC said street lights weren't something they were looking for. Mrs. deLeon said what about the businesses that are going to locate there. Mr. Mukherjee said there is a significant amount of internal lighting that has been proposed. The ordinance required that the ISO foot candles of the lights proposed are shown on a plan and it has been already reviewed by Brien's office. As shown, relative to the location of the different lights, within the property, it meets all the criteria. Relative to whether there were street lights at the exit and entrance points they did provide for street lights where they could. In a sense, the site lighting plan does address, if that's what the Police Chief was looking for. Their position is that they believe the site lighting meets the code. They can't propose it any closer than where the lights are proposed.

Attorney Preston said the draft motion does have two open items. No. 2, site lighting should have hours of operation found acceptable by the Township. He doesn't know where the township wants to go with that. It's a little premature as they don't know what's going to go there yet. Mrs. deLeon said the one business is open 24 hours, how will that impact the other building? Mr. Maxfield said the lighting schemes can be separate. If the one building isn't used for 24 hours, that building's lights can be off. Mr. Agentis said he'll have to deal with that when the other building is up. The lights will be on at the car wash for security purposes. Mr. Mukherjee said the applicant has a big burden of proof which relates to glare and spillover of site lighting when you are on a main road. That burden has been met. One of the things they had to try to do was have it barely adequately lighted for safety, but it's not like the Giant where there are lights shining all over. Even if the car wash is open 24/7, it would make sense to have the lighting the same instead of looking at it as two separate entities. Mr. Maxfield asked what was the closest structure? Mr. Agentis said Mr. & Mrs. Edwards are the closest residents, but they won't be right under the lights. Mr. Mukherjee said there is significant buffer criteria that is required by the ordinance, so that would preclude glare going onto another development. Council was okay with the lighting issue.

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Attorney Preston said No. 4 the applicant shall provide a traffic contribution in an amount agreed upon by the Council and the applicant. This came up at the PC meeting. They are going to make an offer that would be an amount equal to the amount if they had to do a traffic study. There was a traffic study done already. The cost to provide a traffic study would be \$4,000, so they are offering that to the Township. They don't believe they have to do a traffic study because they do not meet the minimum count. There was some confusion. They were talking about trips, but the ordinance talks about vehicles. Let's say they are required to do a traffic study they will voluntarily contribute to the township what it would cost them to do the traffic study. Mr. Kocher said the traffic study that might be warranted would be a light at Colesville Road. Upper Saucon eventually will have to permit that signal and have a traffic study. Do you want the study or the money that you can use to help pay for the light some day. Attorney Treadwell said the light is in Upper Saucon Township. The traffic study will show basically what the increase is in trips that this project puts into the intersection to what's there now. Upper Saucon's position would be that this development and also the one across the street, the bank, would contribute to more traffic, and that's why Upper Saucon would come and ask to help LST to contribute to the light. Mr. Kern said his question was does the developer pay for the traffic light or the township? Attorney Treadwell said because the light would go into Upper Saucon Township and the development is in LST, we don't have anything in our ordinance which require the developer to pay for that traffic light in another township. Mr. Kern said if it was in our township and the light was required, the township would not be responsible? Attorney Treadwell said at that point it would be a different story and you always get in to that with most developers, they want to pay their fair share instead of the total \$90,000 or whatever the amount would be.

Mr. Terry, Traffic Expert, was present. He said he has the traffic analysis for Upper Saucon which says the traffic light is not warranted today, which was dated July 2007. There's plenty of traffic on 378, and this development certainly isn't going to increase the cross traffic. Mr. Kern said what about this development with the bank? Mr. Terry said it would get you closer to getting a light. There is no exit on the side street for the car wash. It's only one main entrance and exit. Mrs. deLeon said the \$4,000 would be given to the township. Attorney Treadwell said you should put it in the general traffic fund. Mr. Terry said there will be some traffic improvements. Mrs. deLeon said whatever this unnamed use it, would that use make a difference in the traffic? Attorney Preston said prior to the traffic analysis, based on the proposed uses and it anticipated the most intense use of the named use, so it's been built into the assumptions. More likely, they will fall below it.

Mrs. deLeon said you mentioned the two letters, but pulled out certain things from your letter and put into the staff recommendation, why? Mr. Kocher said they were non standard legal checklist items and engineering details and he usually pulls them out. Mrs. deLeon asked about the clean out pipe. Mr. Kocher said they have to get permission from the property across the street that they need to run storm water through. Mrs. deLeon said who is going to maintain this? This is No. 5 on the staff recommendation. Attorney Preston said that pipe that's offsite and they need to clean. Having worked with Mr. Treadwell, there will be a reasonable outcome to No. 5. It's not their pipe. It's the natural direction of the storm water. Mr. Kocher said maintenance is done by whoever owns it now. Mr. Mukherjee said part of it is PennDOT. Mr. Maxfield said who do we go to for ongoing maintenance? Mr. Mukherjee said there is rigorous township ordinance criteria as well as LVPC criteria relative to storm water discharges. One is the obligation of the developer to reduce the rate of runoff coming out of his property. The potential for that pipe to get clogged will be less. Mr. Kocher said it's a PennDOT drainage system. If it's not maintained, it will affect PennDOT or the development. Attorney Treadwell said they will put the \$4,000 amount in the developer's agreement in lieu of the traffic study.

MOTION BY: Mr. Horiszny moved for approval per staff recommendation for conditional final plan approval.

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

C. KATHLEEN SHERMETTA – 2272 BLACK RIVER ROAD – REQUEST FOR SEWER ALLOCATION

Mr. Kern said Kathleen Shermetta is requesting that Council approve a sewer allocation to her property. She would like to be able to hook up to sewer in the event her current system ever fails.

**STAFF RECOMMENDATION FOR KATHLEEN SHERMETTA
2272 BLACK RIVER ROAD
TAX MAP PARCEL Q6SW1-3-5
SANITARY SEWER EXTENSION APPROVAL FOR OCTOBER 3, 2007
LST COUNCIL MEETING**

The LST staff recommends that the Township Council approve the request to permit the extension of sanitary sewer as outlined in the letter prepared by Kathleen Shermetta, dated August 12, 2007.

Subject, however to the following conditions:

1. All construction design and details shall be subject to technical review by the LS Authority.
2. The applicant shall pay all fees related to the design, review by LSA, and installation of the facilities (including any inspection costs required by LSQA) associated with the sanitary sewer extension.
3. The applicant shall pay all tapping fees required by LSA.
4. The applicant shall enter into an operations and maintenance agreement found satisfactory by the LSA for any facilities proposed.
5. The applicant shall enter into an agreement with and found satisfactory by the LSS which requires, in the event that a more permanent and/or lower maintenance system is constructed near the property that:
 - a. The lot shall connect to the permanent, lower maintenance system, abandon its existing connection, and pay all costs associated with this connect.
 - b. The applicant shall pay for any front foot assessment or special district tapping fees associated with said permanent/lower maintenance system, as determined by LSA.

Ms. Kathleen Shermetta and Tom Anderson, neighbor, were present. Ms. Shermetta said her system has failed. It should not say “if it ever fails”. Mr. Kocher said similar to the request a month ago, they put conditions together that Council found acceptable, at that time, to allow the allocation of one EDU to allow this connection. That’s in your packet. It’s the same issue, but a different property. Mr. Tom Anderson, neighbor for 20 years, was present and said he came along to support her request. Mr. Kocher said this is a direct connection that she’d work with the LSA. Ms. Shermetta said she is agreeable to the conditions in the recommendations. She assumes they are the same conditions that were for other people as well. As long as that is the case, she agrees.

MOTION BY: Mr. Kern moved for approval of this application.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

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D. BRUCE & SHARON ROGORA – ZONING VARIANCE – AUTHORIZE STAFF ATTENDANCE AT ZHB MEETING

Mr. Kern said at the last Council meeting, Council voted to oppose this zoning variance and to advise the ZHB of their opposition. In conjunction with Council's decision, they would like to authorize staff to be present at the ZHB meeting to represent Council's decision.

Attorney Treadwell said at the last meeting, you did authorize the staff to notify the ZHB of their opposition, but you did not authorize anyone to attend. Ms. Huhn said the ZHB meeting will be November 19 and the applicant was notified.

- MOTION BY:** Mr. Maxfield moved for approval to authorize staff attendance at the ZHB meeting.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 4-1 (Mrs. deLeon – No)

V. TOWNSHIP BUSINESS

A. WILDLANDS CONSERVANCY – DISCUSSION OF CONSERVATION EASEMENT – COAL YARD ROAD PROPERTY

Mr. Kern said Wildland's Conservancy would like to discuss with Council the preparation of the conservation easement for the property being conserved at 1800 Coal Yard Road.

Mr. Chris Kocher, President of the Wildlands Conservancy was present. He said it's been brought to the Wildlands Conservancy's attention that there's a portion of township property that includes a significant portion of the Saucon Creek that the township is going to buy a conservation easement. The Conservancy has been contacted by the property owners for them to hold the easement. It was discussed that the first step was to come here to determine whether the township would want Wildlands Conservancy to serve in that role. Once that is made, the Conservancy would move forward and work through the entire process of being a co-holder. There are some things the Conservancy can do being a co-holder, and some things the Township can do. Currently, the Conservancy holds 48 conservation easements for a total of 6,000 acres. They are looking for a green light from the Township to enter into a contractual easement with the property owners.

Mr. Maxfield said how many times will the property be monitored? Mr. Kocher said it's monitored annually and they look to cover their direct and indirect costs and have a pot of money available for monitoring. They have a calculation they use and add to it what they feel is a comfortable number that the property can be monitored. The township can get a copy of the monitoring report on an annual basis. Mr. Maxfield said on this property, we know there are some special arrangements as per any easement, and you've reviewed some of those, which will be future requests from the landowner. Is Wildlands okay with those requests? Mr. Kocher said if it is approved, then he will look into that and go out and see the property, and then that begins their process. Mrs. Yerger asked Leslie to forward that meeting date to the Sub Committee of the EAC so they could attend. The date will be Tuesday, October 9 at 9:00 AM. Mrs. Yerger would like to propose, if ready by November, to request that the EAC look at the baseline report. Mr. Kocher said absolutely.

- MOTION BY:** Mr. Kern moved for approval to proceed with Wildlands Conservancy as co-holder for the conservation easement for the coal yard road property.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments?
ROLL CALL: 5-0

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Mrs. deLeon asked what does this have to do with the other easement of this property? Attorney Treadwell said the agreement to purchase the easement is separate than the actual easement. Wildland's will do the draft and do the whole easement. The agreement to purchase the easement was sent out to Council with comments from the owners. She said that was supposed to be done at a public meeting. Ms. Huhn said they are waiting for responses from Council so they can put that on the next agenda if you want. Mr. Kern said it can be put on the next agenda and people who are interested can come.

Mr. Andrews from the Morning Call asked how many pieces of property the Conservancy has under contract with Lower Saucon Township? Mr. Kocher said this is the first. They have done this particular process 48 times and they have 8 to 12 projects in progress right now.

B. APPROVAL OF ELECTRICAL WORK AT HELLER HOMESTEAD FROM WENDLING ELECTRIC

Mr. Kern said the electrical system in the main house at the Heller Homestead requires upgrading. We have received three quotes for this replacement/upgrade work which involves replacing the existing 100 amp service with a 200 amp service, installing some new outlets and tracing a wire under the crawl space. The low bidder was Wendling Electric at \$1,475.00.

Ms. Huhn said Roger contacted three electrical contractors and Wendling was the low bidder. Mrs. deLeon asked what was wire under the crawl space? Ms. Huhn said it's probably an alarm for the old septic system. Make sure Mrs. deLeon is contacted when they are out there doing the work. Mrs. deLeon asked what stonework was Roger referring to? Ms. Huhn said on the front step and he's waiting for a response and Roger is trying to get it done before the open house and she knows it has to be approved by PHMC. Ms. Huhn will check it out. Mrs. deLeon said they have an open house on December 13 and they also have on October 27 a function also.

- MOTION BY:** Mr. Kern moved for approval of the electrical work at the Heller Homestead from Wendling Electric.
- SECOND BY:** Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

C. RESOLUTION 57-2007 – TRANSFER OF MONEY

Mr. Kern said resolution 57-2007 has been prepared to transfer money from various funds to cover the payment for the new website which was approved at the last Council meeting, additional street lighting costs, and additional engineering fees and to repair the transmission in the Zoning/Fire Marshall's vehicle.

RESOLUTION #57-2007

A RESOLUTION AUTHORIZING THE TRANSFER OF MONIES FROM ONE TOWNSHIP FUND TO ANOTHER

SECTION 1.

The Council of Lower Saucon Township hereby authorizes the transfer of monies from one Township fund to another in accordance with Article XXXII, Section 3202 (f) of the Second Class Township code as follows:

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<u>FROM</u>			<u>TO</u>	
<u>Amount</u>	<u>Account No.</u>	<u>Account Name</u>	<u>Account No.</u>	<u>Account Name</u>
\$ 2,100.00	01.493.000	Contingencies	01.407.314	Website Exp.
\$ 10,000.00	35.493.000	Contingencies	35.434.360	Street Lighting
\$ 8,000.00	45.452.311	Legal	45.452.310	Engineering
\$ 5,000.00	39.493.000	Contingencies	39.452.310	Engineering
\$ 15,000.00	40.493.000	Contingencies	40.452.310	Engineering
\$ 1,600.00	01.414.460	Seminars	01.414.371	Vehicle

SECTION 2.

The Township Manager is hereby directed to make the necessary transfers to implement this Resolution.

RESOLVED AND ENACTED this 3rd day of October, 2007.

MOTION BY: Mr. Horiszny moved for approval of resolution 57-2007 – transfer of money.

SECOND BY: Mr. Maxfield

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

ROLL CALL:

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 19, 2007 MINUTES

Mr. Kern said the minutes of September 19, 2007 are prepared and ready for Council’s review and approval.

Mrs. deLeon said when we were talking about the agenda items, the one reporter asked about the addresses and she said we need to put in the addresses for the Cottages, Orchard View and the O’Brien Tract.

Mr. Horiszny said they corrected all the motions to 4-1 (Mrs. Yerger – Absent)

MOTION BY: Mr. Kern moved for approval of the September 19, 2007 minutes, with corrections.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-1-1 (Mrs. Yerger – Abstained, Mr. Horiszny – No)

B. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Harlan Breisch, 2014 Springtown Road was present. He said this Saturday it as a disgrace again and at 9:00 AM, the first truck pulled up to go into the compost center. There was no one there yet. Next thing you know, there are 8 of them there, lined up the road. He was going to call the Police Department, but then at 9:18 AM, someone came and opened the gate and the trucks all went in. He asked what the Township decided to do with the driveway? Mr. Kern said that Jack talked to the Borough Manager and they are going to pave 150 feet back into the property within the next couple of weeks. Mr. Breisch said he thinks they should pave back more, but that’s better than nothing. He made a statement there were 7 children were involved, he’s wrong, there were 8 children. He hopes they will go and blacktop all of it. Ms. Huhn said it will be done in the next couple of weeks. He

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thanked Council. Mrs. deLeon said Jack did bring this up at the SV Partnership meeting, but she didn't know the dust problem was as bad as he said. Leslie will keep Council updated on when this is going to happen. Mr. Andrews, Morning Call, said how long is the road? Mr. Kern said it goes back pretty far. Mr. Breisch has a range finder and will call Mr. Kern and let him know how long the road is.

VII. COUNCIL & STAFF REPORTS

A. ASSISTANT TOWNSHIP MANAGER

- Nothing to report.

B. TOWNSHIP COUNCIL/JR. COUNCIL MEMBER

Mrs. Yerger

- She said on October 13 is the computer electronic recycling at the township from 9 AM to noon, no TV's.

Mr. Maxfield

- Nothing to report

Mr. Kern

- He said a resident emailed him about a 3 way stop sign at Bingen & Black River Road. It should duplicate Apple's Church and Bingen Road, which Mr. Kern is not in favor of. It is somewhat dangerous there. Mrs. deLeon said she would like the Police Chief to look into this and report back at the next meeting.

Mrs. deLeon

- She said last Thursday she and Leslie attended an emergency alerting system meeting at Hellertown. It was interesting. She'd like to ask Gar, as it's as similar system they have in place when there's a malfunction. Mr. Davidson said it's very similar. The cost for LSA is 10 cents a completed phone call. They use the system for hydrant flushing or main replacement, or a major break. Usage is at the minimum of 2,000 customers a year. He said this is something that they might be interested in. (Did not get everything Gar said as he could not be heard as he didn't go to the microphone). Mrs. deLeon said this system could be used by the two entities (the Borough and Township). The school district does have some type of notification system. Ms. Huhn said she did talk to Gar about this and she will get back to Council with some information about this and some comparisons.
- She said she'd like to know the procedure for notification of agenda items. Finding out on Tuesday or the date is not responsible. Ms. Huhn said they fax it on Friday. If they have a phone number, they call them on Friday. If they have nothing, they mail it to them on Friday.

Mr. Horiszny

- He said on October 13, at the Se-Wy-Co Fire Company, 8:00 AM to noon they are having an open house if you want to come and see demonstrations and their equipment.
- He said the Black River Road entrance for Black River Plaza should be closed as it's very dangerous there when you are pulling in there from Black River Road. It's too close to the corner. Mrs. deLeon said that driveway has been there forever. He hasn't heard anything back on that yet.
- He said election time is coming and he'd like to have a limit on the setback on the people who are handing out pamphlets, etc. to be back 150 feet. Mrs. deLeon said the state law is 10 feet. She's not in favor of 150 feet. State law is state law. She said she is not in favor of the concept and not in favor of having the Solicitor look into this. Mr. Horiszny said

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people don't belong that close to the polls. People shouldn't be harassed. Attorney Treadwell said he will look into it and see what the possibilities are.

C. **SOLICITOR**
➤ Nothing to report.

D. **ENGINEER**
➤ Nothing to report.

E. **PLANNER**
➤ Nothing to report.

IX. ADJOURNMENT

MOTION BY: Mr. Maxfield moved to adjourn. The time was 8:45 PM.

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

ROLL CALL: 5-0

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council