I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 4, 2006, 7:14 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session to discuss two personnel issues regarding contract negotiations and one arbitration issue.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

III. PRESENTATIONS/HEARINGS

A. RESOLUTION 56-2006 – HONORING MAYOR FLUCK FOR RECEIVING MAYOR OF THE YEAR AWARD

Mr. Kern said resolution 56-2006 has been prepared honoring Mayor Fluck for receiving Mayor of the Year Award from the Greater Lehigh Chamber of Commerce.

Mr. Kern said Mayor Fluck is one of the good guys and really deserves this award. He's just a man who is not only, down to earth, but he also cares for his community. He read Resolution 56-2006:

LOWER SAUCON TOWNSHIP
RESOLUTION #56-2006
A RESOLUTION RECOGNIZING RICHARD T. FLUCK
FOR HIS SELECTION AS "MAYOR OF THE YEAR"

WHEREAS, Mayor Richard Fluck has faithfully served Hellertown Borough for the past 37 years, having been elected to Borough Council in 1968 and serving as Mayor since 1996; and

WHEREAS, Mayor Fluck has been a catalyst in bringing new businesses to Hellertown Borough and was instrumental in helping to establish the Saucon Valley Farmers' Market; and

WHEREAS, Mayor Fluck played an integral role in the formation of the Saucon Valley Partnership, the Council of Governments (COG) organization comprised of Hellertown, Lower Saucon and the Saucon Valley School District which is addressing key quality of life issues in the Saucon Region; and

WHEREAS, in recognition of this dedicated service to his community, Mayor Fluck was recently honored with the "Mayor of the Year" award at the Inaugural Lehigh Valley Mayors Dinner sponsored by the Greater Lehigh Valley Chamber of Commerce and Commerce Bank.

NOW, THEREFORE, the Council of Lower Saucon Township, Glenn Kern, President; Priscilla deLeon, Vice President; Thomas Maxfield; Sandra Yerger; and Ronald Horiszny do hereby recognize and congratulate Mayor Richard T. Fluck for this deserving honor and does hereby urge all residents to commend Mayor Fluck for his dedication to the community.

ADOPTED and ENACTED this 4th day of October, 2006.

MOTION BY: Mrs. deLeon moved for approval of Resolution 56-2006 – Honoring Mayor Fluck for receiving the "Mayor of the Year Award".
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

Mr. Fluck thanked everyone who made this award possible, and also his right-hand man, Charlie Luthar.

III. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. SHELLY MACENKA & NICK VASILOU – 1670 PLEASANT VIEW ROAD – VARIANCE REQUEST TO BUILD ACCESSORY STRUCTURE IN FRONT YARD SETBACK AND TO CONSTRUCT SECOND STORY TO EXISTING HOUSE

Mr. Kern said the applicant is proposing to construct a 16' x 22' accessory structure within the required front yard and construct a second story on the existing dwelling.

Shelly Macenka was present. Mr. Maxfield said the hand drawn map we got is pretty out of scale. As he was reading through it, he realized it was a 16'x22' shed which is about 4/5th the size of his barn. He wanted everyone to be aware of what they are putting in the front yard setback. On the map, it looks small, but it's pretty big. Ms. Macenka said it's not going to be like a pole barn. It will be a replica of their house. There will also be a second story to their existing house, and it won't be hanging out over the house.

Mr. Maxfield said he would like to propose to treat the two variances separately when the motions are done. He has no problem with the second story going on the house. He has a problem with putting a shed that size in a front yard setback, especially when it's nine feet from the property line. Ms. Macenka said it was nineteen feet from her fence. She said there was a mistake on the plan. She can't put this in her front yard on Pleasant View.

She's on a corner lot, so she has two front yards. The shed is actually in the back side yard. There is no neighbor by her back yard. Mrs. deLeon said she wants what Chris suggested in his memo about the limit. Mr. Maxfield said he is okay now with treating the two variances together. It does make a difference that the front of the house is on Pleasant View. He wasn't aware of that.

MOTION BY: Mrs. deLeon moved to take no action, but to send a letter to the ZHB saying that if they are going to approve this, we would like the condition imposed (the condition being the future second story must stay within the limits of the existing foundation).

SECOND BY: Mrs. Yerger

Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon would like the third revision on the plans of the nineteen feet instead of the nine feet.

ROLL CALL: 5-0

2. DERICK & ELSA BROWN – 1916 DARTFORD ROAD – VARIANCE REQUEST TO ENCROACH IN SIDE YARD SETBACK TO INSTALL A SHED

Mr. Kern said the applicant is proposing to construct a 14' x 28' shed approximately 12' front the side property line.

Elsa Brown was present. Mr. Maxfield asked where the Oak tree was that would have to be taken down. Ms. Brown went up to Council and pointed out the trees that would be taken down.

Council took no action.

B. DONALD & CAROL CORRIERE & CHRISTINA ANDRES – 2071 PHEASANT COURT – LOT LINE CHANGE REQUEST

Mr. Kern said the applicant is requesting a lot line adjustment shared by two existing single family dwelling lots. Lot 1 is proposed to convey approximately 3,167 sq. feet to Lot 2. A single family dwelling is proposed to be built on Lot 2.

Edward Andres was present. He had a copy of the signed staff recommendation for conditional approval. Addressing the September 26, 2006 HEA letter, B5, regarding easements being dedicated to the LSA, he didn't receive any comments from LSA. If there is a concern with the LSA, they'd be happy to address that. In the same paragraph, it talks about the typical drainage and utility easement around the boundary of Lot 1, and there is a shed on the larger Lot 1 that the interior lot line has moved closer. If there are any drainage issues, they'd like to address that at the time of the grading plan. They could have proposed a larger lot line adjustment that would have actually brought the shed on to Lot 2 instead of Lot 1, but what they decided to do was do the minimum lot line, the least change from what was already approved. He has no other comments for the HEA letter. The Engineers were discussing it and they can address all the conditions in the HEA letter. Mr. Brien Kocher said the easement around Lot 8 has to be shown on the plans which is a drafting issue. We need some acknowledgement from the LSA that the easement that you are extinguishing by moving the lot line, they have nothing in that easement. Regarding the shed in that comment, the line is moving closer to the existing shed which increases an already non-conforming situation. Mrs. deLeon said there was a lot of discussion over the pins. Mr. Andres said it was addressed. Mr. Kocher said they did not check to see if the

pins were set on Lot 8. They have agreed to add a note saying they'll look if the pins are there, they'll note they are there, if not, they'll set new ones.

Mr. Andres said referring to the Boucher & James letter, the introductory paragraph does say that a single family dwelling is proposed. Although that's ultimately what's going to happen here, it was merely shown for illustration to show the reason for the lot change. A lot of the comments they would prefer to defer until the time of the site plan and grading plan. With regards to the impervious cover, it appears they are within and can resubmit that the percentages for the larger Lot 1 is not the 2% number, it's a number that's just over 5%. It did not change the impervious coverage for the larger Lot 1 by very much. They are not proposing any impervious cover right now for Lot 2, so that's a 0%. What's depicted there is 17%. There is room to play with regarding the final configuration.

Mr. Tralies said part of their comment is actually asking them to make a correction. Mr. Andres said they did. It's not the 2% number, it's a 5% number and they are showing on the revision that it is moved from 5.17 to 5.29 for the larger lot. For the smaller lot, we believe it's going to come in at 17% when they finalize. Mr. Tralies said they don't see this as a major issue.

Mrs. Yerger said Section 2B, side lot lines should be radial to curved street lines. The proposed lot line is not proposed to be radial to the cul-de-sac bulb. The plan should be revised to realigning the lot line to be radial to the cul-de-sac bulb. Mrs. deLeon said you are looking at an August 9 letter. The September 13 letter is in the motion. Mr. Tralies said that has already been addressed.

Mr. Maxfield said the statements you had made about the house size, since there is a house depicted on the plan, could we get an agreement that the house will not exceed the square footage that is depicted on this plan? Mr. Andres said it is not going to exceed the 25% that is depicted there. The house isn't going to change at all. Mr. Maxfield said this is a separate issue other than impervious coverage. He's wondering about coverage of the lot itself. You have a depicted building that has square footage that can be worked out. He'd like to know if they are approving this, and this building is depicted on here, they won't be looking at a building much bigger in the future. Mr. Andres said he'd rather take it off. There's a note there saying it's just there for illustration. Mr. Maxfield asked our consultants if it's marked as being on it for illustrative purposes, is everyone okay with that? Or if we have a depicted house, what do you feel? Mr. Tralies said he would defer to Attorney Treadwell if there's a house on the plan and the Council approves it, what does that really mean? He doesn't have a problem with it either way. Attorney Treadwell said it needs to go through the grading process anyway. If they take the house off of this plan, they have to come back in with a new grading plan and show our consultants the plans. Mr. Andres again said he'll take the house off the plan. Mrs. deLeon said she'd be more comfortable also with him taking it off. Mrs. Yerger also agreed.

Mr. Andres said No. 6, the trees, that SALDO section says there were no existing trees and retained along street right-of-way. They shall be planted. They are not proposing a driveway or proposing a house at this time, so they are not proposing for any of the existing trees be removed. If your Council would like, he'd be happy to add a note that says the street trees planted by the developer pursuant to the Pheasant Run 2 final plan

shall be retained. It's his understanding the developer placed the Maple trees there on the lots and he'll add a note that those trees shall be retained. Mr. Tralies said that's okay with them. As it was, the plans hadn't addressed street trees at all.
Mr. Tralies said they need to go back to comment No. 3, environmental features on the site., natural resource calculations and site capacity calculations. He knows they are not proposing any disturbance at this point, but site capacity calculations really are separate from any disturbance calculations anyway. We are going to need site capacity calculations on the plan and he spoke to Carl about that. Mr. Andres said Carl said he spoke to Mr. Tralies and he doesn't know that he understood either as they are not seeking to change anything at this time merely to just move the lot line. Mr. Tralies said site capacity calculations are sort of an abstract calculation by measuring what's on the site. It tells you other requirements of how much impervious surface you may be permitted, things like that. It doesn't really have anything to do with any disturbance. You are doing a subdivision by moving the lot line, so you need to do site capacity calculations to give us those other numbers. As it's one lot and you're only going to do one dwelling, none of the numbers that come from the site capacity calculations should give you any problems anyway. It's still a requirement of the zoning ordinance. Please have Carl give Mr. Tralies a call again. Mr. Tralies said the second part is natural resource calculations which is something different from site capacity calculations. That has to do with disturbance. At this point, you are not proposing any disturbance so your chart for natural resource disturbance should basically be a bunch of 0's. That's okay right now.

MOTION BY: Mrs. deLeon moved for approval, per the staff recommendations per the Corriere & Andres, 2071 Pheasant Court – Lot Line Change Request.

SECOND BY: Mr. Kern

Mr. Kern asked if anyone in the audience had any questions or comments? Mr. Davidson said he missed the LSA August meeting and he is not sure whether the LSA reviewed the easement issue. He wants the opportunity to check that out.

ROLL CALL: 5-0

C. <u>NANCY NACHTWEY – 2185 MIXSELL AVENUE – WAIVER REQUEST TO INSTALL HOLDING TANK</u>

Mr. Kern said the applicant is proposing to install a holding tank to manage sewage on the property.

Ms. Nachtwey was present. She said she has a hardship. Back 24 months ago, she purchased a small bungalow in Steel City. It has a full bathroom with shower, washing machine, toilet, etc. She came to find out after she purchased it that the shared well and septic situation that she thought she had, she doesn't, unless she files suit. As far as the water supply goes, the water is available within 100 yards off the property, so that can be brought up, but her neighbor does not want to connect to that water. She doesn't have enough room on the site to put in a septic tank to take care of the sewage, so she's proposing to put in a holding tank as she believes her neighbor also has a holding tank. These were bungalows that were owned by the same person at one time and they shared facilities. Her thought is to put in a holding tank and bring up public water to service the property.

Mrs. deLeon would like some legal opinions as to what our options are. Mr. Kocher said they reviewed this today. Attorney Treadwell said you have the option, legally, of allowing the holding tank if you want to, but you don't have to. Mr. Kocher said your ordinance doesn't permit a holding tank. It must be permitted by Council. It's not something that the SEO can issue a permit

for. Your Chapter 130 code does have the provisions that allow you to allow a holding tank. They issued a review letter on this today. She needs to spend more time with the sewage enforcement officer working through the conditions that she has to meet. One of the very important conditions of Council granting a holding tank permit is she must be able to connect to public sewer within 18 months. If there is no way to do that, there's no provision within the ordinance to allow Council to grant a holding tank unless it's to correct a malfunction. According to the SEO, it is not correcting a malfunction.

Mr. Maxfield asked her if she thought it was going to the neighbor's holding tank right now? Ms. Nachtwey said she believes there was a shared system and she does not know what has happened to that system. The neighbor said the township was fully aware that this property did not have sewer facilities. There are no records anywhere. There were probably shared systems that were probably too close to the well that was also shared, so a holding tank was put in the back of his property to get away from that situation. No one is living there now. Mrs. deLeon said when you flush the toilet, where does it go? Ms. Nachtwey said she would assume it would just go down in the ground below the house. Mrs. deLeon said is there a cesspool there? Ms. Nachtwey said you really can't tell. The neighbor said it just goes underneath the house. There's no evidence of a cesspool. Mr. Maxfield said if he has put in a holding tank, did he put it in by himself? Ms. Nachtwey said yes, she's guessing that it just got put in. He is a contractor, but she really doesn't know.

Mr. Maxfield said this situation has to be assessed before we go any further. Mr. Kocher said she needs to contact the Township SEO and let him investigate where he thinks it is going and the options she has to go forward. She'd gladly get together with HEA to talk about this problem. There are no plans to bring sewage to that street. Mrs. deLeon said when she bought her house, she made sure she had a working septic system and a well. She doesn't understand how she could buy a house and then find out there are problems like this. Ms. Nachtwey said she bought it at a Sheriff's sale. Mr. Maxfield said if you find that the septic is going right into the ground, there may be need for remediation of the property. We need to know what the entire problem is there. They can do dye tests, but they need to find out where it's going. Mr. Kocher said there are provisions that the SEO can work under if it's substandard conditions and they can use best technical guidance to get some systems in there.

Mr. Kern said what do the regulations say about a composting toilet system? Mr. Kocher said once you have running water, you get into a whole new realm of what's actually legal and he doesn't think composting toilet would be permissible if you want running water. Mr. Kern said they investigated composting toilets for the Lutz-Franklin site. The SEO from HEA investigated and he's pretty sure that was one viable alternative. Mr. Kocher said it is for a toilet, but not for a shower and things like that.

Mr. Maxfield directed Staff to find out what is going on with both of these properties as it sounds like a couple of homemade systems to him and that bothers him Mrs. deLeon said you might have an additional 40 or 50 feet wide paper street as after so many years, it reverts back to the adjacent property and you might have some room there to work with the septic system.

Attorney Treadwell asked when she bought the property and if she had an agreement of sale that said she had a sewer system? She said she bought it two years ago and it was a Sheriff's sale. Mr. Maxfield said another issue is the isolation distance with holding tanks. Mrs. Nachtwey said the well is not the issue, it's solving the sewage. Mrs. deLeon said the staff will get back to Council into looking into the other site. Mr. Kocher said they will get a report.

D. PAUL DREYER & ROBERT KOSTIVAL – HIDDEN MEADOWS 2 LOWER SAUCON ROAD – REQUEST AMENDMENT FOR CONSERVATION EASEMENT FOR SECONDARY SEPTIC SYSTEM SITE

Mr. Kern said the applicant is proposing to amend the language in a Conservation Easement document.

Mr. Robert Kostival, owner, and Mr. Michael Waldron from Ott Consulting were present. Mr. Waldron said the farmhouse lot needs an alternate reserve backup area for the on lot sewage system. The only areas that are suitable to fit on the lots and meet all the isolation distances is actually inside the conservation easement itself. Heritage Conservancy has drafted a revision to the easement agreement to allow the reserve area to be included in the Conservation Easement. They are here to ask Council to agree to the same changes.

Mrs. deLeon said she has major problems with that. She'd like to see a map so she could see where this alternate system is located. Mr. Waldron showed Council a map. He said the areas shown were originally tested when there was a different layout proposed for developing those lots. Mrs. deLeon said her issue is the state law and the township law and regs say that a lot has to show the alternate and the secondary. Mr. Waldron said they utilized one of the areas previously tested as the alternate which is further up the hill away from the house. The easement revision doesn't specifically tie it to that specific location. It just says an alternate system would be allowed to be tested and constructed in there. The easement is still within the lot, but also it is included inside the conservation easement area. Mr. Kostival said the request is basically to allow the language generated by the Conservancy to be added or amended to the original easement that you approved. Mrs. deLeon said what you just showed her is the alternate site and that is it. Mr. Waldron said correct. Mr. Maxfield said is that it? Can we put that into the easement as language as that is the site? There could be some destruction of habitat to put it in if it's in a different site. They'd like to make sure that is the secondary site.

Mr. Kocher said normally when a system if failing, if it ever does, you'd have to either use the area that is already tested or you have to find another area you want to test. If you want to keep it in that spot, then that's where it will be. They proved that the lot has an existing primary and a spot on the lot that is suitable. If you want to put another one in later at the time of permitting, that's where we go. Mr. Maxfield said the easement is stating you are allowed to have an additional septic area within the open space area. We want to know that it is this specific area and that area will not change, specifically because it has been tested and approved. We want it to be that site if you ever need a secondary site in the future. Attorney Treadwell said that could be put on the recorded plan that way. Mr. Kostival said he doesn't know why that would be any different than if our major subdivision showed secondary locations for all those systems. Mr. Maxfield said those are where you are expected to be. Because this is a conservation area, we want to know that is where it will be. Attorney Treadwell said are you comfortable with whatever tax benefits you might get out of this conservation easement that changing it won't affect that? He doesn't want them coming back to the township saying you approved this. There are certain tax benefits you can get from a conservation easement. He wants to make sure they are comfortable that they can still get the tax benefits that they think they might get by changing this easement. It's not the Township approving it. Mr. Kostival said he can't answer that as he's not going to get the benefits of the tax, the future owner will. That's a good point though. Mrs. deLeon said will that be lessened because now we're taking a piece of that and putting an alternate site in there? Attorney Treadwell said he doesn't know the answer to that and that's why he wants to make sure the owner and eventual buyer knows that the township is not saying they will get the tax benefit that they think they might get by changing this easement. Mr. Kern said does anyone here tonight have an answer to that question if it will affect the landowner and the tax implications. Mr. Maxfield said they should check into it to see how it will affect anyone.

Mr. Kern said this should be tabled until the landowner is made aware of this so they can make a decision. Mr. Kostival said if you are okay with the language, can it be approved and if we decide not to record the plan and have to change it again, we have to come back again. Mr. Maxfield said it's more of a situation of the future home owner entering into something he exactly knows what he's entering into. We're concerned about the resident. Mr. Kostival said if we don't record the plan, they can't close. They wouldn't sell the property until they were made aware of the situation. Attorney Treadwell is fine with the language for the conservation easement, he just doesn't know what the IRS will say.

MOTION BY: Mr. Kern moved to table this agenda item until October 18, 2006.
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

E. LEE WALTERS – BUCK (SHOULD READ JEFFERSON) AVENUE – WAIVER REQUEST TO NOT HOOK UP TO TOWNSHIP PUBLIC WATER SYSTEM

Mr. Kern said the resident is proposing to build a house on Jefferson Avenue in Steel City and would like to supply the water to the house from a well as opposed to hooking up to the public water system as required.

Lee Walter, Owner, and Doug Hunsinger, Keystone Consulting were present. Above, Buck Avenue should be Jefferson Avenue.

Mr. Hunsinger said the house he proposes to build is on a lot that is basically at the end of the water system. The house is a single family residence and probably three to four bedrooms, 2-1/2 baths and for a home of that size, you should be able to supply 20 gallons per minute for a peak flow to the house. At the end of the water system, the pressures are very marginal at this site. The distance from the end of the water line to the corner of the house is 237 feet which is longer than what would be normally provided for a water lateral. The lot itself rises up 24 +/- feet from the end of the water line to where he is going to put his first floor. That 24' is a 10 psi pressure drop in the water pressure and the 237', if you used a 1" water line and tried to deliver 20 gallons a minute, it would not work. The pressure in a 1" water line, which is about the largest the LSA puts in for a single family residence, would just not work. You'd have to go to 1-1/2" for a home like this. The option that Mr. Walters has is to drill an on site well and just supply his own well water to his property. That is the water supply at his Fathers property adjacent to his property. A water test was taken last week and the water quality is very good in that well. It's moderately hard water, but there are no contaminants. It is feasible for him to put in a well and less feasible to connect to the water system. The DEP regulations in Title 25 indicate that if it was connected, DEP could determine if the water supply was not adequate. They could require the LSA to make whatever changes were necessary such as booster pump or additional lines in order to make the water supply adequate. We're trying to avoid that by allowing him to do is own water supply.

Mr. Walters said a big concern of the LSA was contaminants, and that's why they did the test last week. The well it was taken from would be approximately 120' or 125' from where his proposed well is on his site.

Mr. Davidson said he brought it before the LSA board. It is a tough situation as he indicates. He is near the end of the system. The issues, from their perspective, is the safety of the ground water in the area. The reason that the Steel City system was put in, in 1987, was because of contaminated wells and public health concerns. The landfill is behind and to the south and east of this site. He is close enough to hook up to water and the LSA Board felt that as long as the public water was there,

they felt compelled for him to hook up to it. They looked at the original records from the property that were assessed back in 1987, and this property was on the list and identified on the maps as being one that was supposed to be served by public water. At the time, it was a vacant lot. Mr. Walters said they have the test results for the water with them tonight. Mr. Davidson said at a future date, he could be hooked up to public water. The issue of the pressure, they felt it would be marginal. It would be they would have 26 to 28 lbs. at the front of the house which is not a lot. The minimum by the DEP is meant to be 20. Under the circumstances and given the choice of drilling the well or having public water available, they felt the addition of a small booster pump pressure tank arrangement would provide adequate service to the property. That is an additional cost to him to do that. It would be in the $1,200 to $1,400 range. They are looking for input on this.

Mr. Maxfield asked if we had historic well testing information that precipitated in the 1987 installation of sewer? Were there any wells polluted in that general area? Mrs. deLeon said she didn't know if it was where his dad was or it was in a more denser area in Steel City. Mr. Davidson said they did look at some old records and he saw testing that indicated there were a lot of good wells and a lot of wells with coliform contamination. There was one well with higher than normal chromium content. There didn't seem to be a lot of carbon activity which is a plus. Mr. Walters said his dad has his water tested at least once a year and it's been completely acceptable. When Mr. Walters did the test, they told them specifically what the concern was with the landfill and so they did the tests according to that. They also tested for purgible organics. They were all non-detected at .005 milligrams per liter.

Mr. Kern said since Mr. Walters is aware of the concerns, he'll be vigilant in monitoring his own water system. Mrs. deLeon said the LSA must make all water decisions. Attorney Treadwell said the Authority has operation and control of the water system, but this Council has the authority to require somebody to hook up. The Authority does not because it's a township ordinance. Council decided to allow Mr. Walters drill his own well, and to make sure he has water tests done every six months for the first couple of years. Mr. Walters should mail the results to the LSA. Mr. Walters said that would be fine.

Mr. Davidson said when the board first looked at this, the health issue was definitely there. There are wells operating in Steel City. The Board was looking at him signing a waiver that indicated he understood the full ramifications, health wise, of the well and what their concerns were, and that he should do some kind of testing. The waiver would say he'd be responsible for his own testing and responsibly notifying us if there are problems. Mr. Walters would be acceptable to that.

Mrs. Yerger said in case you should decide to sell in three years, we should have some kind of clause put somewhere. Attorney Treadwell said in a normal situation when you are buying a property, it says you have public water or a well and it's been tested.

MOTION BY: Mr. Kern moved for approval providing Mr. Walters sign a waiver and will do well testing every six months for the first couple of years.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0-1 (Mr. Horiszny abstained as he is a member on the LSA Board)

F. <u>AGENTIS BROS. – REQUEST COUNCIL ALLOW THE DEVELOPER TO APPROACH UPPER SAUCON TOWNSHIP FOR PUBLIC SEWER SERVICE</u>

Mr. Kern said the developer has approached the LSA to request sewer service, however, after the Authority did a preliminary review of this project the Board's position was that given the

economics and other considerations associated with the various alternatives, the most practical solution appears to be to allow the developer to connect to the Upper Saucon Township system.

Bob Bower, Attorney Jim Preston and Bob Agentis, owner were present. Attorney Preston said he and Bob Bower were at the LSA meeting where they took the final vote, the motion was the opinion of the Authority that they be allowed to pursue the connection with Upper Saucon Township.

Mrs. deLeon said if you extended the sewer in the township, it would be our allocation. Since you are going into Upper Saucon, whose allocation is it going to be? Attorney Preston said Upper Saucon's allocation. Mr. Horiszny asked if they talked to Upper Saucon? Mr. Bower said over the last year, they had several meetings with the Authority Engineer. Mr. Agentis went to one Authority meeting. Staff thought it would be a good idea if they would approach the Authority, if for some reason, Lower Saucon would want to serve them through their system.

Mr. Davidson said this is Upper Saucon's allocation. They reviewed it and took the time to do a review of that area. There were 19 EDU's down in that area by the original plans. That included six across the street. Their concern was what ever they did, if that somehow precluded those people across the street on the east side of 378 from being served, that was a concern. After doing the study, there's a benefit to them doing it the way they liked to do it. There's a benefit to Upper Saucon in that they are going to be able to resolve some issues on East Oakhurst that exist in their Township. All the way around, it works out for the best to do it this way. There are solutions that they can take to serve those other six if and when that time would come.

Mr. Horiszny asked if there was any agreement we'd have to sign with Upper Saucon? Attorney Treadwell said yes, we'd have to enter into an inter-municipal agreement to allow the sewer service to flow both ways. They will talk to Upper Saucon about the agreement.

MOTION BY: Mr. Maxfield moved to allow the developer to contact Upper Saucon and see what occurs and see what the options are.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0-1 (Mr. Horiszny abstained as he is a member on the LSA Board)

G. <u>CHAFFIER/FILLER/THOMPSON – MEADOWS ROAD – REQUEST DISCUSSION WITH COUNCIL REGARDING THE RECREATION AREA</u>

Mr. Kern said the developer has requested to come before Council to discuss the recreation area for this subdivision.

Ms. Nina Seidel, Attorney Dennis McCarthy and Tony Maras from Heritage were present. Attorney McCarthy said the reason they are here tonight is to get guidance from Council regarding the open space requirements versus fees in lieu thereof for this project. Parks & Recs requested a recreation facility on this open space over a year ago. Attorney McCarthy said it's around 2 acres, at most. Mr. Tralies said he has an EAC Council recommendation dated July 31, 2006 that says "dedicate land for recreation and open space as opposed to a fee in lieu of". Attorney McCarthy said looking at your ordinance, there is some question of interpretation on how many lots there are for purposes of calculating the space.

Mr. Maras said we are all talking about Section 145-51 of SALDO. Attorney Treadwell said the fee is in the ordinance. It's just a question of how many lots and what the acreage would be. Mrs. deLeon said she read their carbonate geology study, and if this is supposed to be recreation space,

she wants to make sure the carbonate features that have been identified, the areas for recreation wouldn't be there. Attorney McCarthy said do you want space or do you want the fee? The plan proposes a maximum of 52 lots. The most it would be is 52 x 2,000 sq. feet or $931. Mr. Horiszny said no, it's $3,113. Attorney McCarthy said that's not what is in the ordinance. Mr. Kocher said with the amount for the fee, that was December 15, 2004, o did they come in before that? Attorney McCarthy said the April 06 copy of SALDO he has, it was $931. Whatever it is, they'll figure it out. Attorney Treadwell said let's figure out the concept. Is it space or is it fee? That's really the question. Mr. Maxfield said he thinks the application came in before the new rec fees were enacted which would be $931. Do you want the two acres of space or the money? They need direction as it affects how you lay out the plan.

Mr. Maxfield said the recreation space is going to service the residents of your development. Mrs. Yerger said she would go for the space also. It's a perfect place for a tot lot, a ball field. Mrs. deLeon said if we take this land and go by the two board's recommendations, is the township going to own this or is the development going to own it? She thought the reason for open space and recreation was to the township's benefit and not to the developer's benefit. Mr. Maxfield said it's the township's benefit in the way the residents will be able to use it. Mrs. deLeon said in all the subdivision's she's approved or not approved, she really dislikes pocket parks. There should be specific parks for residents to go to. We didn't require this of Long Ridge. Mr. Maxfield said there was an open space giving and it was large, and they didn't have 40 homes. When you look at how dense the development is in that area, there needs to be some relief in there, an area where kids can play, where kids can run. They shouldn't have to travel three or four miles to run. Mrs. deLeon wants to know what this piece of land is going to have on it and then is it just restricted to just this development residents or open to the township residents. Attorney Treadwell said it's either a township owned park which they dedicate to the Township or it goes to a HOA. Mr. Kern said we've dealt with HOA's in the past and have gotten negative feedback about having pocket parks that have to be maintained by the Township with equipment that has to be transported to that park to maintain it.

Attorney Treadwell said what does Heritage want? Mr. Maras said they thought the fee in lieu would be more appropriate. There are liability issues that run with a park if it's open to the general public. These are ½ acre lots. Kids are going to play in their yards. Their preference would be to make a contribution to the overall park systems that are utilized right now than it is to create an isolated park. They just need a clear consensus from Council. The fee makes more sense. Mrs. deLeon said in reading the regulations on page 100, the applicant shall be required to set aside and dedicate land for open space". The next section says "dedication to the Township". Mr. Maras said then the improvements become your responsibility. You need to come up with the funds to improve it. Mr. Maxfield said if the township desires it, he doesn't see a real maintenance problem. It needs relief from space, it needs relief from congestion, it needs relief for kids to go somewhere with their parents to enjoy a swing set. Mr. Maras said to say it cries out for relief now is unfair because you are penalizing him for the way it was zoned. Mr. Maxfield said it's an open space requirement in our ordinance gives us that out. Mr. Maras said Section D.1.A says "the dedication to the Township or the setting aside of 2,000 square feet of open space". It's one or the other. Attorney Treadwell said the ordinance says you either do A or B, land or a contribution.

Mr. Kern said he's a little uncomfortable having the township maintain it in an area where we don't have equipment and a shed or should it just be open space. Mr. Maxfield said we have a Public Works Department. That's their job to maintain it. We don't have equipment at any of the other parks now. Mrs. deLeon said when she agreed to put Polk Valley Park there, she wanted to make sure that was for the recreation use it was going to give us, but also didn't want to neglect our other parks. Mr. Maxfield said we are talking about the maintenance cost of two acres, not forty acres. You tell me how much that is going to cost? The money is a one time thing. Land is there forever and much more valuable.

MOTION BY: Mr. Maxfield moved that we go for the land and we take it, rather than take the rec fee.
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)

IV. TOWNSHIP BUSINESS ITEMS

A. CASINO UPDATE

Mr. Kern said the Manager will update Council on the status of the proposed casinos. Mr. Cahalan said Glen Kern and Priscilla deLeon met with the legislative representatives on September 28, 2006. Representative Karen Beyer, Representative Bob Freeman, a representative from Lisa Boscola's office, representatives from Hellertown Borough and Freemansburg Borough were present. The meeting was to discuss with the legislators concerns they had about the revenue sharing bill. Since then, it has been adopted by the Senate. What the revenue sharing language did was it took the original language that was in Act 71 which set out formulas for the casinos paying the host county and host municipality certain amount of revenues from their gross terminal revenues (GTR). If the casino license went to Bethlehem, the City of Bethlehem would get $10 million annually and Northampton County, as the host county, would get 2% of the GTR. They tweaked that original language into a proposal that the money would be shared with both Allentown and Bethlehem and Lehigh and Northampton County. If it went to Allentown, a portion of the money that was going to go to Lehigh and Allentown, would come into Northampton County and also Bethlehem. The concern they had, and Council's original position, was if a casino was to be approved in the City of Bethlehem, they felt there was going to be impacts to our roads, EMS, police, etc. and felt those were not addressed in the impact statement by the license applicant. They estimated the cost to be $4 million or $5 million for infrastructure and about $100,000 for police and fire. With those impacts and costs, we were afraid we would have to ask the County for funding. What they got out of the meeting was that Senator Lisa Boscola had worked very hard to insert language in the legislation to give priority to the municipalities adjacent to the host, which she was looking out for LST, Freemansburg, and Hellertown, so that we would get first crack at any funding that was available. We also learned the way this was presented was a situation where if the casino goes to Allentown, we would wind up with nothing. Under this arrangement, if it does go to Allentown, we do get something. That was better than an all or nothing situation. We came out of the meeting with the consensus that we'd have to go to Northampton County and talk to the county executive about a procedure we are going to follow that hopefully will work for the municipalities when the time comes if we have to go to them to request annual grants for police, police cruisers, fire equipment, etc. We will set up a meeting with County Executive, John Stoffa, meet with him and work through some of these issues that we have. The legislation is moving its way through the assembly and there appeared to be not too much that the legislatures could do to that, as it's a concurrent vote which is an up or down vote. They wouldn't have too much of an opportunity to change the language. It was a productive meeting.

Mrs. Yerger suggested setting up a meeting with Stoffa and Cunningham, it's just a thought. Mr. Cahalan said we could invite him to the meeting. Mrs. deLeon said this is a major stride as the two cities were trying to work regionally and their committee was trying to work regionally with adjacent municipalities. She was really excited that they put that in there knowing it came from their committee meetings.

Mr. Horiszny asked if they had any comments on Bethlehem law that indicated when they approved casinos that they had something for the Lowe's property? It said it could be approved for either the steel property or at Lowe's. Mr. Cahalan said the issues about the zoning, they weren't prepared to answer that.

B. EDWARD STREET – AUTHORIZE ORDINANCE ADVERTISEMENT FOR ROAD VACATION

Mr. Kern said since Edward Street was cut off with the construction of Route 78 and is no longer a through street, the staff is recommending that the Township vacate this street through the normal road vacation procedure.

Mr. Cahalan said this was brought to our attention by the Police Department and they've asked staff for some input. There's a memo from Chief Lesser. The Township has no use for this road, so they are asking if Council would consider the recommendation to move through with a vacation of the road.

MOTION BY: Mrs. Yerger moved to authorize ordinance advertisement for road vacation for Edward Street.
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. REVIEW OF DRAFT OPEN SPACE PLAN

Mr. Kern said a draft of the Open Space Plan has been prepared and staff is requesting Council review the draft and authorize the distribution to the EAC and Planning Commission to begin the process of adoption of the plan.

Mr. Tralies said this open space plan is a little bit different from some other open space plans you may have seen. This plan is really intended to be a set of guidelines and a set of ideas to help guide the township rather than be a straight forward plan, rather than be something that could be looked at as a set of rules or procedures. In LST, we are starting to get hit with a lot of development, but there's still a lot of open space out there. They want to make sure this plan can work and change over time versus just being a piece of paper that's been prepared at this one static moment and only applies to this moment.

Page 2 is an introduction which is very brief and standard.

Page 3, "What is Open Space?" The first paragraph gives a very broad definition of open space including parks, recreational facilities, greenways, trails, natural areas, agricultural and historical areas in the community. These areas are not always what are considered typical open space, but in the township as we are trying to put together an open space network, all of these will function as part of an open space network. The section goes on to describe different ways open space can be used in different location, who it can function in different ways.

Page 5, "Community Involvement and Awareness" This is a very important section because as we've said 90 times at the EAC, this plan is only a piece of paper unless we get people to work with this plan and follow this plan, understand it, and embrace it. Part of that means the township has to educate the general public and make them aware of what our open space preservation really means. We need to get the general public to implement this plan. The way it was discussed to do that last night was to form a Sub-Committee of the EAC to act as an open space committee. Tom Maxfield recommended a three person Sub-Committee that would work with this document to locate parcels for preservation and they would be the driving force behind this. They would then make recommendations to the EAC who would then make recommendations to the Council. This section also talks about educating developers. We need to make sure Council, the PC, and the EAC also keep themselves informed on the latest techniques for preserving open space, the latest trends, and what's happening in the Township. Mrs. deLeon said page 5, the last paragraph "it's

strongly recommended that the Open Space Committee or other governing bodies review all submitted subdivision and land development plans. She thinks it should be a little clearer that they report to Council. Mr. Tralies said that is a fine suggestion. When she did prepare this last draft, at that item, they hadn't decided anything on a Sub-Committee. Some of the verbage on that actual committee is still a little bit unclear and he'll have to go back and revise.

Page 7, "Purpose". This section starts to summarize other important statements about preservation of open space that the township already has in many of their other documents. In preparing this plan, he read comprehensive plans and many open space plans and park and rec plans, and each of them had a paragraph or a line here or there about open space preservation and each paragraph alone in their separate documents doesn't amount to much. When we start putting all these different paragraphs together, there's a few pages of support for open space preservation that the township already has written. One of the most important documents is the Natural Resources Inventory (NRI) of LST. On page 8, the NRI becomes a backbone of this open space plan. The NRI already recommends numerous areas in the Township for preservation. He piggybacked off that document quite a bit to start forming ideas of where they could start doing some open space preservation. Mrs. deLeon said when you list all the various documents, she didn't see the Park and Rec plan. It should be in there. Mr. Tralies made note of that.

Page 10 "Township Characteristics" This is a summary of the geography of the township. For all of you that live here, these are things you know. For him, he did have to take a look at where is high density area in the township, where is lower density development, where are the commercial areas, etc. This section is a summary of that and gets into the different areas recommended by the NRI and gives descriptions of each. Mrs. deLeon said page 11, last paragraph, you talk about the Lehigh River corridor. She thinks since that area where the Steel City slopes are, the Reddington proving ground is eligible for listing on the register and that is adjacent to the river. It should be noted in here.

Page 14 "Open Space Inventory" We get into an existing open space inventory. Mrs. Yerger said last night he wanted to have the word "existing" before open space inventory. Mr. Tralies said this is a list of all the different places in the township that exist, that could become part of an open space network. The items in the list go back to that first definition of open space. The conclusions of this section are that the township already has a lot of parcels that act as open space and can start to work as a framework for an open space network. Mr. Maxfield said under existing open space inventory, 3rd paragraph, 2nd line, there was an edit we made last night at EAC, "properties are all under third party conservation." Cross off "third party" as some things mentioned are private easements. Mrs. deLeon said she has this problem when open space is used for septic systems. That just takes the whole thing out of it. When she wants to preserve open space, that's it. Mr. Tralies said it's not addressed in this plan, but to do that, she'd probably have to make amendments to your zoning ordinance. Mrs. Yerger said the open space as far as our cluster ordinance is written, it does not recommend that septics be put in the open space. It's in the definition of open space. Mrs. deLeon said we should take out allowing the septic systems. Mrs. Yerger said it says it is prohibited. Mrs. deLeon said what about Reddington that we talked about at the last meeting. We're talking about putting a community septic system in the open space. That just goes against her grain. Mr. Maxfield said since the building envelopes and compounds were so small in Long Ridge, we put primary and secondary sites within the common open space around the houses, not nothing across the street where the big chunk of open space is. Mrs. deLeon said if we are going to be encouraging clusters, we really need to do something about that. Mr. Kocher said "required open space should be subject to permanent conservation easements, prohibiting future development into finding the range of permanent activities (for example, the clearing of woodland habitat should generally be prohibited except as necessary to create trails, active rec facilities, and to install sub surface septic disposal systems or spray irrigation facilities). Mrs. deLeon said to go forward, we need to think about preserving our open space. Mr. Maxfield said that is something the EAC and

staff could look at. Tom will put this on the next EAC agenda. Mr. Kern said get Judy's input on that wording. Mrs. Yerger said this will be edited "while the township does not currently own any dedicated open space" we are looking into that. Mrs. deLeon said parks would be dedicated open space. Society Hill when it was subdivided, part of their open space and rec ordinance contribution was Southeastern Park. We got the Heller Homestead and the Southeastern Park, we got two things. Mr. Tralies said when he wrote that sentence, he was thinking of the cluster developments that we're just seeing now. That sentence will be edited. He will work with Chris Garges to correct. Mrs. deLeon said where the different parks are broken down, the Heller Homestead doesn't talk about the nature trail instead of pathways.

Page 17 "Goals" The plan starts to take a turn. This is the first section which starts to describe how the township should start to think about choosing parcels for preservation. He tried to keep the goals general with the thought that these goals would be ideas the Sub-Committee should have as background information, common knowledge in their heads, sort of a starting point. These are meant to be general and they will get elaborated on later in the plan.

Page 18 "Methods and Procedures for Open Space Preservation" This section talks specifically about the function of the Sub-Committee. He talks about how the Sub-Committee should be prepared to meet on a regular basis. They should be prepared to review submissions for subdivision and land developments. They should be expected to regularly attend any conferences and seminars. They should actively investigate any opportunities for preservation. They should be expected to form relationships with similar bodies in neighboring municipalities or to work with the historic society here. They should be aware of the open space budget, have ideas what their budget is so they can make informed decisions on how to use that budget.

Page 20 "Open Space Preservation Checklist" It's an elaboration of the ten goals. It's a way to help the Sub-Committee evaluate a parcel they think may be suitable for preservation. It's meant to be a reference. This checklist gives the township flexibility. It can get the Sub-Committee talking about parcels. Mrs. deLeon said since this is a Sub-Committee of the EAC, it would report to the EAC and the EAC would forward their recommendations to Council. That would be the protocol. Would it be possible to include a liaison from the Parks and Recs boards to be one of those members? Mr. Maxfield said he would expect the Sub-Committee would talk with Parks and Recs as a body, or any body they need to talk to, to come to their decision. If we kept the Sub-Committee to just three EAC members, they would have the ability to communicate with whoever they want to communicate. Mrs. deLeon said it would be a nice gesture to include the Parks and Recs board. Mr. Tralies said the checklist is a starting point for further discussion. On page 20 and 21 is the blank checklist. Pages 22 through 25 they applied the checklist to Sandy Yerger's property and put a lot of notes after each checklist criteria. It's not possible to score the 27 points on the checklist as many of the criteria work against each other. After each of the criteria, he has a lot of notes that can point the Sub-Committee to different references on how to find out about these different features on the parcels. Most of them are contained on the maps on the back of your plan. The Sub-Committee would be encouraged to do their own research. There were 11 checks for Sandy's property. At first glance, you say this looks terrific, it is full of great natural resources we should preserve. This is where we'd need the Sub-Committee to look a little bit deer and say maybe we don't need to preserve this property. Maybe all our other requirements of our zoning ordinance coupled with all the natural resources here, actually make this property too difficult to develop it. Maybe we know this property isn't going to be developed any time soon and we should divert our attention to another property. That wraps up the body of the open space plan.

To conclude, it's really meant to be a set of guidelines and suggestions. It was a little bit difficult for him to write a plan that doesn't give a very specific direction and starting point. In working with the EAC, the people on the Council really do know the township very well. While this plan isn't very specific where to start, he thinks appointing the right people on the Sub-Committee will

do a good job of getting things started. They will be able to use this as a guide. Mrs. deLeon said will that be a Council decision for the Sub-Committee or an EAC decision? Mrs. Yerger said it would be an EAC recommendation and a Council decision. Mr. Maxfield said what we did make a decision, and they were pretty adamant about it, was that Sandy and himself will not be on that Committee as they want to make a clean vote if it comes to Council. Mr. Tralies said the Sub-Committee should look over this every year or two and make changes if needed.

Mr. Maxfield said email Rick with corrections or comments you have. Rick will make the corrections.

MOTION BY: Mr. Kern moved for approval of the draft with the changes that have been discussed tonight and send it out to the adjacent municipalities, school district, LVPC, PC and the EAC for additional review and comments.
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

Mr. Maxfield thanked Rick Tralies for a job well done.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 20, 2006 MINUTES

Mrs. deLeon said on page 6, line 32 & 33, "The commenter's asked them to look at cluster development and try to do open space". Page 7 of 25, line 43, add "emergency" vehicle. Mr. Horiszny said page 14, line 20, "arrears" should be "escrow". Page 23, line 20, "bought" should be "brought". Line 27, take out "franchising". Page 28, "Bicycle & Safety", it should be "Bicycle Safety". Line 41, after "look", add "over".

MOTION BY: Mrs. deLeon moved for approval of the September 20, 2006 minutes, with corrections.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No – Too long)

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

None

VIII. COUNCIL AND STAFF REPORTS

A. COUNCIL/JR. COUNCIL

Mrs. Yerger

- Computer electronic recycling day is November 11, 2006 from 9 AM to 2 PM, rain or shine as there is a drive-through. No TV's.
- Friday at 8:00 AM is the LV Watershed Conference - the first time we had one here in the Lehigh Valley.
- Last night at EAC, the LST Historical Society came before us and proposed an idea of having these paper retriever recycling bins placed at town hall. They would use it as a fundraiser from $5 to $20 a ton. They will be approaching the school district. Maybe we should have it up in the fenced in area. When taking to the reps, they had four down in

Palisades and no problem dropping illegal materials off. The containers are designed to be not unsightly.

Mr. Maxfield

- The EAC referendum – currently having brochures and yard signs printed, will be manning the poles. October 17 is an open space meeting here at the Township and talk more about the referendum. The consultants (HEA, Boucher & James and Linc's office) have contributed lots of money –100 foot riparian corridor – he thought we voted on that. It still reads in our document 75 feet. Mr. Cahalan said he asked staff to look into that. Mr. Maxfield asked to get that back on track.
- The Rec fee – Dennis McCarthy picked up a document from the township from April 2006, we definitely should have had updated rec fees in there, please get them updated.
- Last time we talked about how we were going to address the smaller open space or conservation areas that agencies or associations may not be interested in preserving. That is one of the early jobs we're going to put the Sub-Committee on and they talk to Linc and Terry Clemmons about it.

Mr. Kern

- Stephanie Brown sent Glenn an email about the Meadows Road bridge. The County is looking for direction from the Township regarding the bridge. Tom Koehler, Northampton County Bridge Superintendent is opposed to saving the bridge and has a list of reasons. We could form a resolution based on an informed decision on the pros and cons of saving the bridge. We need to get that list from Tom first. Mr. Cahalan will talk to Jim Birdsall to see if he can get any more information from Tom Koehler. Mrs. deLeon asked if there was any effort to put on the register? Mr. Cahalan said not at the township, they've asked the County to do that. He talked to a representative from Bob Freeman's office to get some funding. It would be a good idea to come up with a position through a resolution so it was a clear position of Council regarding the bridge. Mr. Cahalan said Stephanie has reached out to Lafayette College, who are not interested, and is also reaching to Lehigh University.

Mrs. deLeon

- Toll Bros. – Keep Council updated on this.
- Strauss Avenue update – the residents were here at the last meeting. Mr. Cahalan said Rebecca Thomas and Greg Trexler were at the last meeting who had storm water issues on their property. He took a look at the area and one of the things were waiting for was the PC to discuss the McCloskey minor subdivision, and now that the developer is aware, he is in the process of revising his plans. McCloseky Avenue was taken off the PC agenda.
- Jr. Council update – Mr. Cahalan will report on this.
- Diane Eliot, Lafayette Minor Center – she talked about putting together municipal data – did we ever get anything? Mr. Cahalan said she did talk about collecting some data, but when she sent out the questionnaire, it was 25 – 35 pages of data. She started it but hasn't been back out again in a year.
- Had their special meeting and a draft concept with a map for the grant, was that finalized? Mr. Cahalan said it was submitted by the deadline to DCNR last week.
- At the landfill meeting, they talked about Brown is our host municipal inspector for the landfill and he's the only one. Sometime over the years, we've had two. Mr. Cahalan will talk about this.
- Explain the Hellertown Water Authority tax rebate – Mr. Cahalan said they paid their taxes, and then asked for a rebate based on a decision. A check is being sent to them. Mrs. deLeon said this was ongoing the past 8 months and she was unaware of it. Attorney Treadwell said the court case came down and said you have to give it back. It was not litigation that involved this township. It involved airport authority's.

- Did we go on October 2 for the…Mr. Cahalan said that was postponed. There's three properties. One says Lower Saucon Township, 3700 Old Philadelphia Pike and the other two say Saucon Valley Road. Someone needs to check that it shows the Township address, not the President of the Historical Society. Mr. Cahalan said that was the one Karen Samuels' brought and it was corrected.

Mr. Horiszny

- He took the ICS 100 course on September 25. He'll be away and will miss the Halloween parade and the Upper Saucon Township joint meeting.

B. TOWNSHIP MANAGER

- Jr. Council Members – Interest from two students. Township Jr. Council member will be Vanessa Segaline, a Senior, and PC Council Member will be Steve Kirsher, a Junior.

MOTION BY: Mr. Kern moved to approve Vanessa Segaline as Jr. Council Member.
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

MOTION BY: Mr. Kern moved to approve PC Jr. Member, Steve Kirsher.
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

- Scott Brown from HEA is recommending that Jacob Schray who is employed at HEA, one of our SEO's, be approved by Council to serve as a backup to Scott in the event Scott is absent. Need approval for Jacob to attend the training for the host municipal inspector certification through DEP.

MOTION BY: Mrs. deLeon moved for approval for Jacob Schray to undergo DEP training leading to his certification as host municipal inspector for the township.
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

- Michaelann Berger from EAC resigned. Mr. Maxfield said Rett Oren and Tom Conlon are also resigning. These three positions will be advertised.
- Joint Meeting with Upper Saucon Township is October 24 at Upper Saucon at 6:00 PM. Harry Roth will present the joint park and recreation plan to both bodies and ask for its approval.
- The Hidden Meadow Estate Subdivision paid a recreation fee in the amount of $3,113 and at the last Park & Rec meeting, they voted for it to be deposited in the Southeastern Park fund.

MOTION BY: Mr. Maxfield moved for the recreation fee of $3,113 to go to Southeastern.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. SOLICITOR
Nothing to report

D. ENGINEER
Nothing to report

E. PLANNER
Nothing to report

III. ADJOURNMENT

MOTION BY: Mr. Kern moved to adjourn. The time was 10:50 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	Glenn Kern
Township Manager	President of Council