

REVISED

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

IV. DEVELOPER ITEMS

- A. Metro PCS – Leithsville Rd. – Conditional Use Decision and Site Plan for Co-Location of Antenna
- B. Orchard View – Route 412 – Request for Security Reduction for Improvements

V. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. Nicholas & Debra Mouhlas – 1876 Viola Lane – Request Variance of Impervious Coverage to Construct Patio
 - 2. Joseph & Alison Mawson – 3810 Wilhelm Rd. – Request Variance from Side and Rear Yard Setback to Construct Pole Barn
 - 3. L & P Holdings (Meadows Banquet Facility) – 1770 Meadows Rd. – Update on Zoning Hearing Board Status
- B. Stephen Bartakovits – Waiver Request for Well Isolation Distance to Install Replacement Sewage Disposal Area
- C. Resolution #67-2010 – Approving Participation in a Saucon Valley Library Consolidation Feasibility Task Force
- D. Ordinance No. 2010-07 – Amendment to the Vehicle Code to Restrict Truck Traffic on Frederick Street & to Provide Stop Signs on Meadows Road at the Rail Trail Crossing – Authorize Advertisement
- E. Ordinance No. 2010-08 – Amendment to Police Pension Fund to Provide for Killed in Service Death Benefits Under Act 51 of 2009 – Authorize Advertisement
- F. Resolution #68-2010 – Authorizing Submission of Local Share Municipal Grant Application to the Northampton County Gaming Revenue & Economic Redevelopment Authority for the Uncommitted Round of Funds

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of September 15, 2010 Minutes

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

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

IX. ADJOURNMENT

Next EAC Meeting: October 12, 2010
Next Zoning Hearing Board Meeting: October 18, 2010
Next Council Meeting: October 20, 2010
Next Planning Commission Meeting: October 21, 2010
Next Park & Rec Meeting: November 1, 2010

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 6, 2010 at 7:05 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present – Glenn Kern, President; Tom Maxfield, Vice President; Priscilla deLeon and Ron Horiszny, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Brien Kocher, Township Engineer; Linc Treadwell, Township Solicitor; Judy Stern-Goldstein, Township Planner; Jr. Council Member, Eubin Hahn. Absent: Sandra Yerger, Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did meet in Executive Session just prior to this meeting. Attorney Treadwell said it was to discuss the potential litigation with the Meadows in front of the Zoning Hearing Board.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said if you are on the agenda, you have Council and Staff's undivided attention and discuss the agenda item with you thoroughly. At the conclusion of the discussion, they do open it up to the public for public comment for each individual agenda item. If you do speak, we ask that you use one of the microphones and state your name clearly for the record. We transcribe the minutes verbatim and accurately and fully. If you go on our website, you can see that. We want to make sure we get everyone's name in there and what you've said accurately. If you do want to receive future agendas, there's a sign-up sheet in the back where if you put your email address, we'll email them or mail them to you if you don't have an email address.

III. PRESENTATION/HEARINGS – None

IV. DEVELOPER ITEMS

A. METRO PCS – LEITHSVILLE ROAD – CONDITIONAL USE DECISION AND SITE PLAN FOR CO-LOCATION OF ANTENNA

Mr. Kern said a Conditional Use Hearing was held on September 1, 2010 and the Solicitor has prepared the Conditional Use Decision to be approved by Council. After Council approves the Conditional Use Decision, they will need to review the site plan. A staff recommendation for the site plan has been prepared for Council to act on tonight.

Attorney Treadwell said no one is present tonight representing Metro PCS. He said the first issue is a conditional use decision which you have in your materials. There's a letter from him to the attorney for Metro PCS for the Leithsville Road co-location of antenna's on the existing tower. The one amendment to the letter you have is in paragraph 3 of the letter referring to the financial security to cover the antenna removal and site clean-up. He would insert \$16,000.00 as the amount of the removal bond. Other than that, this letter will allow them to add the three additional radio cabinets and six panel style antennas on the existing tower. The Zoning Hearing Board has already

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approved the extension of the height of the tower to 150'. If you are ready with the conditional use decision, you can make a motion to approve the letter that is dated October 7, 2010 for the approval of the Metro PCS Leithsville Road Conditional Use Application.

- MOTION BY:** Mr. Horiszny moved for approval of the letter dated October 7, 2010 for the Metro PCS Leithsville Road Conditional Use Application.
- SECOND BY:** Mr. Maxfield
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

Attorney Treadwell said the second item is the site plan. There is a staff recommendation that contains twelve conditions, some of which are the same as the conditions you just approved in the conditional use approval. Some are a little bit different, but this staff recommendation would approve the site plan that shows the addition of those antennas and the three equipment cabinets to that existing site.

**STAFF RECOMMENDATION FOR METRO PCS EXTENSION AND COLLOCATION
OF CELL TOWER, 1995 LEITHSVILLE ROAD TAX MAP PARCEL R7-17-36
CONDITIONAL USE AND SITE PLAN APPROVAL FOR OCTOBER 6, 2010
LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township Staff recommends that the Township Council approve the “Metro PCS Pennsylvania, LLC PH0553B – Leithsville” Plan, as prepared by Valore, LLC, last revised April 22, 2010, consisting of Sheets T-1, Z-1, S-1, and S-2, along with all exhibits received on August 19, 2010.

Subject, however, to the following conditions:

1. The Project is subject to the approvals of all municipal and governmental agencies having jurisdiction over the project.
2. The Applicant shall comply with all applicable provisions of the Township Ordinances that may be pertinent to the project, whether specifically enumerated herein or not.
3. The Applicant shall comply with the June 22, 2010 Zoning Hearing Board decision.
4. In accordance with the Ordinance requirement, the Applicant shall post security in a form acceptable to Lower Saucon Township in favor of Lower Saucon Township in an amount to cover antenna removal and site cleanup, and execute a Security/Hold Harmless Agreement to the satisfaction of the Township Solicitor.
5. The Applicant shall address, to the satisfaction of the Township, the review comments contained in the letter dated August 25, 2010, from Hanover Engineering Associates, Inc..
6. The Applicant shall address, to the satisfaction of the Township, the review comments contained in the letter dated August 11, 2010, from Boucher & James, Inc.
7. The Applicant shall provide two (2) Mylars and seven (7) prints of the Record Plans with original signatures, notarizations, and seals. Four (4) complete sets of Plans shall also be provided with original signatures, notarizations, and seals. The Applicant shall also provide two (2) CDs of all Plans in an AutoCAD format (jpeg-ROM).
8. The Applicant shall pay any outstanding escrow balance due to the Township in the review of the Plans and the preparation of legal documents.
9. The Applicant shall satisfy all of Conditions 1 through 7 within one (1) year of the date of the conditional approval unless an extension is granted by the Township Council, or this approval shall be considered withdrawn, null and void.
10. The Applicant shall have a continuing obligation, during the operation of the project, to provide Lower Saucon Township with immediate notification of any renewal, cancellation, or other change in the status of all Federal, State, and other outside agency permits required for the operation of the project.

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11. Any change to the type, size, or number of antennas shall require the Applicant to submit, and obtain approval of, a new Conditional Use Application.
12. Any violation of these conditions shall subject the Applicant to the same penalties set forth in The Code of the Township of Lower Saucon that would be imposed for the violation of a provision of Chapter 180 contained therein, as well as any other legal remedies available to the Township.

MOTION BY: Mr. Maxfield moved for approval of the staff recommendation.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

B. ORCHARD VIEW – ROUTE 412 – REQUEST FOR SECURITY REDUCTION FOR IMPROVEMENTS

Mr. Kern said the applicant has requested a security reduction for improvements completed to date. Hanover Engineering has conducted an inspection and is recommending a release in the amount of \$24,845.04.

Mr. Maxfield said didn't we have some communication from County Conservation that there was a problem, was that all corrected? Mr. Kocher said they are in the process of converting the sediment pond into a detention pond. Unfortunately, we had some bad weather during the conversion process, but they are addressing that. Mr. Maxfield said it's not a concern then? Mr. Kocher said no.

MOTION BY: Mr. Maxfield moved for approval to grant the request for security reduction for improvements at Orchard View – Route 412.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

V. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES

1. NICHOLAS & DEBRA MOUHLAS – 1876 VIOLA LANE – REQUEST VARIANCE OF IMPERVIOUS COVERAGE TO CONSTRUCT PATIO

Mr. Kern said the applicant is seeking a variance of the allowable impervious surface coverage in order to install a patio.

Mr. George Mouhlas was present and his mother, Debra Mouhlas. Mr. Mouhlas said they are here tonight to request a variance for impervious coverage to construct a patio. Their landscaper, Chris Colitas is also here, who they've requested to come along. They are requesting setbacks for the patio they want to construct, which are okay. There's not a problem there. They are basically asking that Council give them a variance to construct a patio that they feel is appropriate considering the size of their house. Under the current zoning ordinance, it would only allow them to construct just under a 10' x 10' patio, which is not very much. They'd like to fit a table on there and some other things and that would barely allow anything much to put on. It had never been brought to their attention by the developer in their neighborhood that they would have an issue. Had they known that, they would have built a slightly smaller house.

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Mrs. deLeon said over the years, they've had several conversations with the owner on the site on issues like this and they were supposed to advise purchasers on limitations. Mr. Mouhlas said when they came to fill out an application for the variance, the lady that they filled the application had said that. The developer had never sent anything to them. He believes there are neighbors from their development that are here tonight for something else, but many of them also had issues and had to request a variance as well. He said Council should have a copy of the design that they plan on doing. Mr. Maxfield said this is one of the applications they've had that have asked for the most relief because you are built so close to the impervious coverage and you are a half percent off of the maximum. In the past, we have recommended against these kinds of expansions because of the water and flooding problems in the area. Mr. Mouhlas said he's asking something reasonable and average for a house of their size. The house is close to 6,000 square feet. Mr. Kern said the 408 square foot paver patio, the other paver patio and walk, is that entirely paver? Mr. Mouhlas said it's entirely paver. Mr. Kern said in the past, it's been thought favorably of Council if the pavers are made of pervious material. That may be a thing to consider. Since it's not a wooden deck and made out of pavers, if the pavers are pervious, they would allow the water to go through.

Mr. Maxfield said it's very hard for us to do what we know we should do. We should probably recommend against this because of the identified water problems in the area. When you say things like you need a deck that's appropriate for the house, we also need conditions that are appropriate for the neighborhood, which is safety and water control. He wants them to enjoy their property and go outside and enjoy it, but at the same time, they have recommended against the granting of these kinds of variances a lot of the times for people in your neighborhood. He doesn't know how we could let this one go. That being said, we have looked favorably of pervious pavers in the past, so it's got to be some sort of mitigation going on.

Mr. Horiszny said it's a huge driveway, maybe some of that can disappear or you could do pervious concrete. As a person who's been called out in the middle of the night due to closed roads and flooding, he's really aware of flooding conditions right now, so he opposes it.

Mr. Maxfield said they've had more applications in this neighborhood than any other neighborhood in the entire Township and it is a problem. Mr. Mouhlas said this is not your fault, but it probably goes towards the developer. He knows they weren't made aware of it and most of his neighbors weren't made aware of it. It's not a fault of Council's or theirs. Mr. Maxfield said they have tried to contact the developer and work with him, but Council does not have power over what the developer tells you. When you build a house within a half of a percent of the maximum allowable coverage, that's a problem right from the beginning.

Mr. Kern said what if he goes to the Zoning Hearing Board and they suggest pervious pavers? Attorney Treadwell said because it's on the schedule for the October 18th ZHB agenda, you need to take a position tonight if you are going to take a position. If the applicant wants to continue his ZHB meeting until the November meeting in order to further analyze whether you can put pervious pavers in or maybe change the driveway, that's something you can consider. Since it's on the October 18th ZHB agenda, Council has to take a position tonight. Mr. Mouhlas said you are either going to take a position or no position, then they have to go before the Zoning Board.

Mr. Maxfield said you can reconsider if there are other ways to accomplish what you are trying to accomplish. The bigger issue, and it may not seem to you like 3% is a big

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number, but if everybody does 3%, it turns into a really big number. That's where Council is coming from.

Mr. Kern said you're probably the 15th person to come before Council and if it had been 3%, 3%, 5%, 10%, then all of a sudden you have a flooding issue in the neighborhood. Mr. Mouhlas said they completely understand where Council is coming from.

Mr. Kern said we have no power over the ZHB. We can either oppose, support or take no action. Mrs. deLeon said we would have no standing and to have standing, we have to have a recommendation for the ZHB, so this is our way of learning about your application so we know whether or not we want to oppose it or not. We do have standing. She doesn't want to say it's a pre-ZHB meeting because they are a quasi-judicial board. Mr. Kern said it's just to give you an idea of the process. The ZHB can totally ignore us. Mrs. deLeon said if they make a decision we don't like, we have the right to appeal. Mr. Mouhlas said he understands.

Mr. Maxfield said they made a couple of recommendations in the past and maybe you could scale back a little and use pervious materials. Maybe you could rearrange a little bit and come back again.

Attorney Treadwell said if it's something you want to do, you can postpone your ZHB October 18th meeting until the November meeting in order to re-evaluate what you want to do, you would then come back before Council prior to the November meeting to explain the new ideas you may come up with and at that point, Council would make a decision to support it, oppose it, or take no action. Mr. Mouhlas said if they decide to go with the pervious pavers, is that something they can bring in front of the ZHB, or do we have to come back here? Attorney Treadwell said Council is in the position tonight of having to take a position as you are on the October 18th ZHB agenda. Council does not have another meeting before that. This is their time to take a position. Mr. Mouhlas said if they have any changes to their plan, is it something they can bring to the ZHB or do they have to come back here? Attorney Treadwell said it would have to come back here. As of right now, your application is on paper and that's what is in front of Council now.

Mr. Maxfield said then you still would be going with a recommendation from Council to oppose regardless of what you suggested. It would be better for you to come before us and go with a better recommendation than a recommendation opposing. Mr. Mouhlas said do you have any other recommendations other than the pervious pavers? Mr. Horiszny said you can try to reduce some area on the driveway. He can't see from the configuration where that would be, but that would be something to look at, maybe add some curves to the driveway as you have with the deck proposal, just to reduce the square footage down to 25% or something close to it. Mr. Maxfield said it would be pretty much of an engineer's recommendations. Maybe you'd want to speak to Chris Garges and he might have some recommendations about which way to go with it. Mr. Mouhlas said they are going to go before the ZHB.

MOTION BY: Mr. Horiszny moved that we oppose this ZHB variance and send Attorney Treadwell and Chris Garges to the October 18th hearing.

SECOND BY: Mr. Maxfield
Mrs. deLeon said if we vote to oppose this, and you decide to go back and change your design, you have to go through the whole procedure again and pay all the money again. If you are having any thoughts of trying to work out a way to get underneath that 3%, if she were you, she would say "grant me an extension and don't vote tonight". Mr. Horiszny said there is nothing wrong with delaying going to the ZHB. Mr. Mouhlas said their concern is as far as scaling back the driveway, some of these things they already had conversations about. With

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the pervious pavers, there is stone in between them. It's not exactly an ideal setting to have a patio setting on pervious pavers. That's what their issue with that would be. Scaling back the driveway, there are four of them that live there and they each have their own car. That's part of the reason the driveway is the size it is. He respects the ideas Council is giving them, but they really don't see them as viable options. Mr. Maxfield said you are basically taking a chance. Mr. Mouhlas said okay, they understand.

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

Mrs. deLeon said this is going to go to the ZHB as an opposition to your application. Mr. Mouhlas said he understands.

2. JOSEPH & ALISON MAWSON – 3810 WILHELM ROAD – REQUEST VARIANCE FROM SIDE AND REAR YARD SETBACK TO CONSTRUCT POLE BARN

Mr. Kern said the applicant is seeking a variance of the property setbacks to construct a pole barn.

Mr. & Mrs. Mawson were present. Mr. Mawson said they are looking for a setback variance. They'd like to put up a pole barn, like a garage, with two doors. It's actually smaller than what the plan says. The plan says it's 24'x32' and they just might make it 24'x24' because the Township made them re-measure. He has no neighbor in the back as far as housing. His neighbor has the same similar one, 30'x30', less than 7' from Mr. Mawson's property. The Township is asking 50' from the rear and 40' from the side, which is his side. His property is on an angle and it really doesn't fit the way the Township would like it. His house barely fits the way the Township wants it. Mr. Maxfield asked if his front yard was sloped? Mr. Mawson said yes. Mr. Maxfield said the impervious coverage seems to be perfectly fine.

Council proposed no action.

3. L&P HOLDINGS – MEADOWS BANQUET FACILITY – 1770 MEADOWS ROAD – UPDATE ON ZONING HEARING BOARD STATUS

Mr. Kern said Council directed staff to work with the applicant to prepare a baseline of what has been done over the years at the Meadows Banquet Facility and from there develop some type of mitigation agreeable to both parties.

Attorney Treadwell said he has met with the applicant, the applicant's attorney and engineer, regarding the Notice of Violation (NOV) that was issued for the Meadows Grove property, as well as the variance and special exception request that the applicant has submitted to the ZHB. He thinks he made some substantial progress since the last time. This is scheduled for the October 18th ZHB meeting. He thinks we can finalize it by the November ZHB meeting. With permission, he'd like Council to make a motion to continue the ZHB meeting from October 18th to November 15th. He will ask the applicant to agree to that extension. If the applicant does not agree, then please include in your motion we will oppose their request to the ZHB.

MOTION BY: Mrs. deLeon moved for approval as stated above by the Solicitor.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

B. STEPHEN BARTAKOVITS – WAIVER REQUEST FOR WELL ISOLATION DISTANCE TO INSTALL REPLACEMENT SEWAGE DISPOSAL AREA

Mr. Kern said the applicant has a failing sewage disposal system and is requesting a waiver from Council for the well isolation distance. Replacement testing has been conducted, but due to the small lot size, it is not possible to maintain DEP’s regulated 100 feet isolation distance between the well and the proposed absorption area. However, the 100 foot isolation area will be maintained from the neighboring wells.

Mr. Kevin Hill, contractor, was present. Mr. Hill said he’s installing the system. They are elderly, so he’s here to help them out. Mrs. deLeon said we have all the background information, so she doesn’t have a problem. Mr. Kocher said they recommend the Hold Harmless Agreement. Mr. Horiszny asked if we had the indemnification letter? Attorney Treadwell said he would actually prepare an agreement that they would sign regarding this waiver request.

- MOTION BY:** Mr. Horiszny moved for approval of the waiver request for well isolation distance to install replacement sewage disposal area.
- SECOND BY:** Mrs. deLeon
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

C. RESOLUTION #67-2010 – APPROVING PARTICIPATION IN A SAUCON VALLEY LIBRARY CONSOLIDATION FEASIBILITY TASK FORCE

Mr. Kern said the Library Committee made a recommendation to Council on September 9, 2010 that a task force be established in conjunction with Hellertown Borough and the Hellertown Area Library (HAL) Board of Trustees to further study a proposal from HAL to determine the feasibility of consolidating Hellertown Borough and Lower Saucon Township library services with the HAL. This resolution sets forth the creation of the task force and outlines the responsibilities associated with their mission.

A RESOLUTION APPROVING PARTICIPATION IN A SAUCON VALLEY LIBRARY CONSOLIDATION FEASIBILITY TASK FORCE (“SAUCON VALLEY LIBRARY TASK FORCE”) TO EXAMINE OPPORTUNITIES AND PROVIDE RECOMMENDATIONS REGARDING THE CONSOLIDATION OF LIBRARY SERVICES FOR LOWER SAUCON TOWNSHIP AND HELLERTOWN BOROUGH

WHEREAS, during 2009, the Lower Saucon Township Council directed the Township’s Library Committee to explore alternatives for library services for Township residents; and

WHEREAS, the Lower Saucon Township Library Committee considered various options for library services, obtaining information on costs and services available, including meetings with the Hellertown Area Library (HAL) Director and Board of Trustees; and

WHEREAS, the Lower Saucon Township Library Committee made a recommendation to Lower Saucon Township Council on September 9, 2010, that in conjunction with Hellertown Borough and the HAL Board of Trustees, a Task Force be established with representatives of the three entities to further study a proposal from HAL and to determine the feasibility of consolidating Hellertown Borough and Lower Saucon Township library services at the Hellertown Area Library; and

WHEREAS, the Lower Saucon Township Library Committee made certain recommendations as to the Task Force composition, duties and responsibilities, attached hereto as Exhibit I; and

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WHEREAS, Lower Saucon Township Council at their regular Council meeting of September 15, 2010, voted unanimously to adopt the recommendations of the Library Committee and Township Council has invited Hellertown Borough and the HAL Board to join in this endeavor; and

WHEREAS, the Borough Council of Hellertown at their regular meeting of September 20, 2010 also voted to participate in the creation and functioning of the Saucon Valley Library Task Force in order to examine the feasibility of consolidating Hellertown Borough and Lower Saucon Township library services at the Hellertown Area Library; and

WHEREAS, said task force shall be known as the Saucon Valley Library Task Force and shall be composed of representatives from both municipalities and the Hellertown Area Library and be tasked and operate as outlined in the Library Committee's recommendations attached hereto as Exhibit I.

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

SECTION 1. Lower Saucon Township Council hereby agrees to nominate representatives and participate in the creation and functioning of the Saucon Valley Library Task Force in order to examine the feasibility of consolidating Hellertown Borough and Lower Saucon Township library services at the Hellertown Area Library. No function, power, or responsibility of the Township will be exercised through said Task Force unless ratified by Resolution of Lower Saucon Township Council.

SECTION 2. Lower Saucon Township hereby agrees to participate in the Saucon Valley Library Task Force for a term commencing with the adoption of this Resolution.

SECTION 3. The President of Township Council and Township Manager are hereby authorized and directed to execute and deliver this Resolution on behalf of Lower Saucon Township.

SECTION 4. Lower Saucon Township is hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Resolution and said recommendations attached hereto as Exhibit I.

SECTION 5. It shall be the responsibility of the Saucon Valley Library Task Force to consider and make recommendations to the Lower Saucon Township and Hellertown Borough Councils on the proposal to consolidate library services for the two municipalities at the Hellertown Area Library and to complete the tasks outlined in Exhibit I, including preparation of a formal, written report of their findings by July 1, 2012 and to present their findings to the respective Councils.

SECTION 6. This Resolution shall become effective immediately.

Mr. Cahalan said the Library Task Force had come before Council at a previous meeting with the exploration of the feasibility of consolidating library services at the Hellertown Area Library (HAL). This resolution would form that Task Force that would be made up with representatives from the Township, Hellertown Borough and also from the library. The Library Committee recommended that the Township Council consider, in conjunction with Hellertown Borough and the HAL Board of Trustees, establishing a task force with representatives appointed by these three entities to further study the HAL proposal and to determine the feasibility of consolidating Hellertown Borough and Lower Saucon Township library services at the HAL. If such a task force is created, the Library Committee makes the following recommendations for its composition, duties and responsibilities:

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- A. That at least two representatives and one alternate be appointed by each entity. A Council member could be appointed as one of the representatives or as one of the Council liaisons to the Task force.
- B. Possible representatives from the SVP and the SV School District should be members of this body.
- C. The body could be referred to as the SV Library Consolidation Feasibility Task Force or simply the Library Task Force.
- D. The Task Force should choose a chair person to head up the meetings.
- E. The Task Force should be directed to meet a minimum of six (6) times or more as necessary over a period of a year to conduct its business.
- F. The location of the meetings should alternate between the Hellertown Borough Hall and the Lower Saucon Administrative building.
- G. The meeting should be held at a reasonable time, either 6:00 p.m. or 7:00 p.m.

Mr. Horiszny said does that mean they have to meet at 6:00 or 7:00 p.m. if they say that? Mr. Cahalan said no, these are just recommendations. You just have to have at a reasonable time.

- H. The daytime and location of the meetings should be advertised in the Valley Voice and posted on the Township and Borough websites.
- I. The minutes of the meeting should be taken and transcribed and posted on the Township and Borough websites.
- J. The Director of the HAL, the Borough and Township Manager's, and the Finance Directors from the Township and the Borough's, should attend the meetings to assist the Task Force.
- K. Either in the resolution or in a separate document, the two Council's shall set down a charge or a list of guiding principles that the Task Force to follow in doing its work.
- L. The Council's can determine the minimum period of time the Task Force should take to fulfill its mission.
- M. The Task Force will be required to write up a final report with its final recommendations.
- N. Several options to benchmark with residents to determine their opinions regarding potential library consolidation should be considered such as mail surveys, public meetings or voter referendum.
- O. That the Task Force be given the following charge. The charge would be it shall be the responsibility of the Task Force to consider and make recommendations to the Hellertown Borough and Lower Saucon Township Council's on the proposal to consolidate library services for Lower Saucon Township with Hellertown Borough at the HAL. In connection with the Task Force's responsibility, it is expected they should complete the following tasks:
 - 1. To familiarize themselves with the state library code requirements.
 - 2. Familiarize themselves with library needs of Hellertown and Lower Saucon Township residents.
 - 3. Gather and analyze current and future demographic data on Hellertown Borough and Lower Saucon Township.
 - 4. Evaluate the financial plan and timeline for library service to Lower Saucon Township prepared by the HAL Board.
 - 5. Evaluate the short-term and long-term financial impacts of a consolidated library system on the two municipal budgets.
 - 6. Evaluate the immediate and long-term location, building space, staffing, and technology needs to a consolidated library.
 - 7. Identify areas of analysis where professional independent consulting services would be necessary to supplement the Task Force's work.
 - 8. Explore regional opportunities for library services for Lower Saucon Township and Hellertown Borough.

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9. Serve as a conduit to elicit and receive public input on feasibility of consolidating library services.
10. Prepare a formal written report documenting the Task Force's findings no later than July 1, 2012, and make presentations of the report at Hellertown Borough and Lower Saucon Township Council meetings.

Mr. Cahalan said that's the extent of the recommendation from the Library Committee. At the Hellertown Borough Council meeting which took place earlier this week, they adopted this resolution and they will be prepared to join the Task Force and appoint members at a later date. The HAL Board of Trustees has also met. They have also agreed to become part of the Task Force and they have appointed representatives to the Task Force. This will be a move towards forming the Task Force and he will come back to you at another meeting with recommendations for representatives to sit on the Task Force.

Mrs. deLeon said she doesn't know if anyone saw the article in the Bethlehem Press that library funding could be affected. There's an error in it. Part of the article states Jay Finnegan from Hanover Township in his report to the Township Supervisors September 14, said that Lower Saucon Township has served notice of its intention to withdraw from the Bethlehem Library effective at the end of the year. Mr. Cahalan said yes, that's incorrect and he advised the Hanover Township Manager of that. He also met with the Director of the Bethlehem Area Public Library (BAPL) and told her that the Council, as at this time, has no intention of withdrawing from the BAPL. As Council knows, you have until November 15th of every year to sign a year-to-year agreement. We'll be coming to Council at our next meeting with the budget for 2011 for the library. There is no plan to stop participating in the BAPL. This Task Force will be doing its work and we'll be continuing with the BAPL during that time period.

Mr. Kern said to repeat his perspective on this, the Task Force's main mission is to explore the services currently offered by BAPL and make sure that we can obtain or attain at least similar or close to similar services for less money. Mr. Cahalan said we do have that information and are going to be in comparison. We are going to look at what's available and what can be available in the future. If, for example, you did move to consolidate library services there, it has to do with the building size, the location, the resources, the staffing, and the technology. All those things have to be looked at by the Task Force and we also have to look at the impact on a consolidation on the municipal budget in Hellertown and also in Lower Saucon Township. Mr. Kern said the driving force behind this was the BAPL budget, which is one of our main costs in the Township budget, \$166,000.00 a year, which is substantial, so we are exploring whether or not there are alternate, similar services which can be gained for less money.

Mr. George Lampros, resident, said he's not here for the library issue, but it seems this is the wrong way to go. The HAL cannot offer the services we get from the BAPL and it seems that this Task Force is just a cover for an eventual recommendation that we sever our ties to the BAPL and go with the HAL. That would be a mistake to the people of Lower Saucon Township and Hellertown who want more services than the HAL can provide now or in the foreseeable future.

Mr. Kern said he can assure Mr. Lampros it is not a cover. He knows of one board member and one of our library members who is opposed to it. They are doing a study to see the implications.

Mr. Maxfield said two years seems like a long time. With the census results coming out, we could get hit really hard next year. Is there any way to shorten that time line and get a report before the next budget meeting of next year? Mr. Cahalan said sure, we can try to do that. He was trying to provide them with enough time to pull together all that information. He doesn't know what types of issues they are going to run into and how much work they are going to have to do. They are going to have meetings and pull together information so they are prepared to come back and do both of the Council's and make a recommendation based on that. It's possible it could be less than

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two years. Mr. Maxfield said he doesn't want to squeeze it, so why don't we ask that if they think it's reasonable, to come back with a recommendation, but not to force the issue. Mrs. deLeon said would it be helpful to put a timeline and say that if a recommendation is possible by next year, and give a date, so that we can prepare our budget. If the recommendation is past this date, then it has to be the following year as we have to sign the contract in November. If they are unaware of the deadlines, it would be fair to give them a timeline. Mr. Cahalan said you can adopt this resolution with the proviso that the Task Force gives you an interim report back before your budget meeting in 2011.

MOTION BY: Mr. Horiszny moved for approval of Resolution #67-2010.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
ROLL CALL: 4-0 (Mrs. Yerger – Absent)

D. ORDINANCE NO. 2010-07 – AMENDMENT TO THE VEHICLE CODE TO RESTRICT TRUCK TRAFFIC ON FREDERICK STREET AND TO PROVIDE STOP SIGNS ON MEADOWS ROAD AT THE RAIL TRAIL CROSSING – AUTHORIZE ADVERTISEMENT

Mr. Kern said Ordinance No. 2010-07 has been prepared to amend the vehicle code relative to restricting truck traffic on Frederick Street due to its very steep incline and to provide for the placement of stop signs on Meadows Road at the Rail Trail to provide for the safe crossing of those using the Rail Trail. Council should authorize the advertisement for a public hearing and adoption.

Mr. Cahalan said these both came out of traffic studies that were done by the Township Engineer. The first one is on Frederick Street, the steep incline on that road as it comes out of Fountain Hill. What they were finding was that heavy delivery trucks were using that road and bottoming out as they reached the 378/Wyandotte incline. The engineer recommended that the truck traffic be restricted. In order to do that, they had to send a letter to the Borough of Fountain Hill in order to post the "No Trucks Ahead" sign on the approach, which is Moravia Street as it comes out of the Borough of Fountain Hill. The Fountain Hill Borough Council indicated they have no problem allowing us to post signs on the Fountain Hill Street. They have the advertisement for the truck restriction before you tonight. The second part of it is another traffic study was done for the Rail Trail development that's ongoing. There are two crossings. In the Lower Saucon Township portion, which runs from Bachman Street to the Upper Saucon Township lines, it crosses Meadows and Old Mill Roads. Old Mill Road is a dead end because the bridge is closed, which is not a problem. Meadows Road was because of the traffic coming down the hill heading towards 412. The engineer did a traffic study on that and recommended stop signs be placed on either side of the Rail Trail where it crossed over Meadows Road. In order to put those stop signs up, we have the ordinance advertised for those stop signs.

MOTION BY: Mr. Horiszny moved for approval to authorize advertisement of Ordinance No. 2010-07.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
ROLL CALL: 4-0 (Mrs. Yerger – Absent)

E. ORDINANCE NO. 2010-08 – AMENDMENT TO POLICE PENSION FUND TO PROVIDE FOR KILLED IN SERVICE DEATH BENEFITS UNDER ACT 51 OF 2009 – AUTHORIZE ADVERTISEMENT

Mr. Kern said Ordinance No. 2010-08 has been prepared to amend the Police pension fund to provide that the killed in service death benefit will be payable by the Commonwealth of Pennsylvania in accordance with the provisions of Act 600 of 1956 as amended by Act 51 of 2009. This has been reviewed by the Police Association and they have given their consent to the revision.

Council should authorize the advertisement for a public hearing and consideration of adoption of this ordinance.

Mr. Cahalan said the killed in service benefit was created with Act 600, which was enacted by the State legislature back in 2002. That created the benefit for municipal police officers who were killed in the line of duty. Their estate or their family was entitled to the payment of an equivalent of 100% of their salary at the time of their death. This payment was to be payable from the Municipal Police Pension Fund. After that was enacted, we amended our police pension fund in 2004 to include a provision of this payment. In order to cover these payments and protect the pension plan for any losses, municipalities took out insurance policies that the benefits could be paid from. We did that and we've added an insurance rider on our policy since 2003. That's at an annual cost of \$4,000.00. In October 2009, the State legislature adopted Act 51, which included a provision that the State would pay the killed in service benefit in the event a police officer was killed in the line of duty. Therefore, there's no further need for us to carry the insurance policy and in order to put this in effect, we had to get the agreement from the Police Association to amend the police pension fund ordinance. What you have before you this evening is an amendment to that ordinance that was prepared by the Solicitor and sent to the Police Association. It was reviewed by their Solicitor, and they have no problem with this. As soon as it's adopted, we can cancel the life insurance policy that we've been covering.

- MOTION BY:** Mr. Maxfield moved for approval for advertisement for public hearing and adoption of Ordinance No. 2010-08.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

F. RESOLUTION #68-2010 – AUTHORIZING SUBMISSION OF LOCAL SHARE MUNICIPAL GRANT APPLICATION TO THE NORTHAMPTON COUNTY GAMING REVENUE AND ECONOMIC REDEVELOPMENT AUTHORITY FOR THE UNCOMMITTED ROUND OF FUNDS

Mr. Kern said Resolution #68-2010 has been prepared to authorize the submission of grant applications to the Northampton County Gaming Authority for the uncommitted round of funds.

RESOLUTION AUTHORIZING THE SUBMISSION OF A LOCAL SHARE MUNICIPAL GRANT APPLICATION TO THE NORTHAMPTON COUNTY GAMING REVENUE & ECONOMIC REDEVELOPMENT AUTHORITY FOR THE UNCOMMITTED ROUND OF FUNDS

WHEREAS, pursuant to the Pennsylvania Race Horse and Development and Gaming Act (Act 2004-71), as amended, local governments receive a “Local Share” of gross terminal slot revenues of certain licensed gaming facilities to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

WHEREAS, Northampton County, as the host county to a licensed gaming facility receives gross terminal slot revenues which must be distributed as follows: 20% to the host city; 30% to the host county and 50% to the host county for the purpose of making municipal grants within the county, with priority given to municipalities contiguous to the host city; and

WHEREAS, Northampton County established the Northampton County Gaming Revenue & Economic Redevelopment Authority to administer these competitive municipal grants based upon impacts associated with licensed gaming facility operations; and

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WHEREAS, Lower Saucon Township is a contiguous municipality to the City of Bethlehem which is the host city of a licensed gaming facility; and

WHEREAS, Lower Saucon Township has prepared a Local Share Municipal Grant Application for submission to the Northampton County Gaming Revenue & Economic Redevelopment Authority for the uncommitted round of funds.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Council of Lower Saucon Township hereby approves the submission of Local Share Municipal Grant Applications for Lower Saucon Township projects and Hellertown Borough/Lower Saucon Township projects to the Northampton County Gaming Revenue & Economic Redevelopment Authority.
2. That the President of the Lower Saucon Township Council is hereby authorized to execute the grant applications and transmit the application to the Northampton County Gaming Revenue & Economic Redevelopment Authority.
3. That grant funds, if awarded, will be utilized in accordance with the provisions established by the Northampton County Gaming Revenue & Economic Redevelopment Authority.

Mr. Cahalan said with the opening of the Bethlehem Sands Casino in Bethlehem, the State legislature under the Gaming Act that was adopted several years ago directed that a portion of the gaming funds be sent to the host county in which the casino was located, which is Northampton County. Northampton County then formed a Gaming Authority. They asked that representatives be appointed. Council member, Priscilla deLeon, is the member from Lower Saucon Township. In that Gaming Act, they referred to the municipalities that surrounded the City that the casino was located in as contiguous municipalities. There are five of those, which are Lower Saucon, Hellertown Borough, Hanover Township, Freemansburg Borough and Bethlehem Township. Those five municipalities, plus the City of Bethlehem and the County of Northampton are eligible to apply for gaming funds. The title is "local share grants" and we have to put in applications for projects which are related to infrastructure, emergency services. There's a list of items we must apply for. Generally, it's for ambulances, police cars, for additional police officers, for fire trucks, and for infrastructure like traffic signals, intersections or road repairs. The first round of those applications just took place recently. We did submit eight applications for the first round of committed funds. That was just for the contiguous municipalities. They submitted four joint applications with the Hellertown Borough. They partner with them in the Saucon Valley Partnership and they joined together on several projects having to do with fire services, emergency services and also the funding for a traffic light that we are applying for a permit for on Polk Valley Road and Route 412. On those applications, they had to appear and make presentations on August 23 and September 27, 2010. The Gaming Authority will be taking up those applications and making decisions on awards at either their next meeting on October 25th or November 22nd. We hope to hear a positive result from that. There is also funding called uncommitted funding. That is funding that any municipality in Northampton County can apply for, which includes us also. There's a second round of funding and that has a deadline of October 15th. We are submitting four new projects. One of those is with the Township and three of them are with Hellertown Borough; again, police, fire, rescue, those types of items. We have to also submit the applications that we submitted in the first round because the Gaming Authority will not be making its decision on the first round before the application deadline, so we have to do this all over again. This resolution is before you and authorizes us to submit those applications to the Gaming Authority; and hopefully, within the next couple of months, we'll have news on the awards from the Gaming Authority.

MOTION BY: Mr. Horiszny moved for approval of Resolution #68-2010.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 15, 2010 MINUTES

Mr. Kern said the minutes of the September 15, 2010 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said page 19, line 6, the motion says "August 2010 minutes" and it should say "August 2010 financial report".

MOTION BY: Mrs. deLeon for approval of the September 15, 2010 minutes.
SECOND BY: Mr. Maxfield
ROLL CALL: 3-1 (Mr. Horiszny- No; Mrs. Yerger – Absent)

Mrs. deLeon said we are very, very fortunate to have minutes which are pretty much verbatim. You can go on our website and we might have not have caught something that may not sound right, but basically they are there. It's not like that everywhere. She's very proud to say that we have very good minutes and thank you to the staff.

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Hugh Dugan, 1859 Springwood Road, said thank you to the Council for permitting him to express his concern and opposition to the proposed expansion of the definition for land that is zoned R20 suburban residential. He said many of us were stunned when we read the report in the September 3rd edition of The Morning Call. We all asked the question how did we not know this topic was before Council and the Planning Commission since June 16, 2010. We were angry that no one told us of the proposed CCRC. We started to blame everyone involved in the process, but ourselves. That was until we started researching the proposal. Now I say, shame on us for not paying closer attention to the issues to the place we call home. However, we are now awake and paying closer attention, and we are researching and we are organizing. We have spent countless hours educating the residents of Lower Saucon and we will continue to spend more hours. We want Council to know our position on the proposed amendment to expand the definition of the R20 zoning to include Continuing Care Retirement Community. Our position is simple. Our position is clear. We want our elected Council to vote no on any amendment that would expand the definition of the R20 zoning classification. Our reasons for opposing this project are not directed against the ministries, the developers, or the current landowners. We simply don't want to change the zoning codes that were designed to protect current and future generations in our Township. We want to maintain a rural, residential complexion to the Township. We don't understand why this land was selected by Phoebe Ministries. We have not been provided with any concrete data that indicates a Continuing Care Retirement Community needs to be placed in this area of Lower Saucon Township. We are not opposed to a Continuing Care Retirement Community where they make sense and do not cause any obstructions that the current residents enjoy. We are not opposed to the good work that has, but will continue to be done by Phoebe Ministries. We are not opposed to appropriate development of this land that complies with our current zoning in keeping with our communities. We want the current landowners, the developers, Phoebe Ministries and the Council to respect the zoning codes that took years to develop and get approved.
- Sandra McClaskie, 1803 Meadows Ridge Court said she has lived here for 16 years and she strongly opposes any amendment to the R20 zoning that will permit Phoebe CCRC or any organization to change the current zoning ordinances that govern our residential neighborhoods. She thinks the concept of a facility like this CCRC is a wonderful concept, but it is not suited for this site that is situated in a well-established residential community. It is inappropriate for Phoebe to compare this residential site with their location in Berks County. The Phoebe Berks County CCRC is not landlocked. The proposed site in Lower Saucon Township is landlocked with over 1,000 homes in abutting neighborhoods. She would like to thank the Town Council, the Planning Board for their outstanding efforts for adopting zoning ordinances that govern and insure the

intelligent development set forth by our comprehensive plan of development of our Township. She would like to thank the Town Council, the Planning Board, Township employees and our Zoning Officer for their due diligence for enforcing our zoning ordinances that protect, preserve and maintain Lower Saucon Township and its residents. Once we start exchanging our open space and farmland in our residential communities for big buildings and commercial businesses, our rural setting is gone forever. Her family goes back to 1873 to her great-grandfathers shoe store in Bethlehem. Her father, Kenneth George, a Lehigh graduate and Bethlehem Steel Executive served on the Hanover Township Planning Commission in the 60's and 70's and while living with her for 15 years, served on this very Lower Saucon Township Planning Board from January 1995 until his passing in 2002. He was very much a part of the planning process of this community, volunteering many hours of his time and working with Town Council and Township employees, and his fellow Planning Board members, to create, implement, and adopt zoning ordinances which would insure the preservation of the rural and historical character of our community. This was done with great intelligence, thought process based on residential surveys, geological studies, environmental impacts, traffic studies, sewer, water allocations and overall consideration for the residents of Lower Saucon Township. He shared with her many concerns about the planning of this community over the years and what was most important was the preservation of the integrity of our community. The number one reason we have all come to love and enjoy Lower Saucon Township is for the rural character, the quiet nights, the star lit skies, the historical buildings, the grist mills, the rolling hills, the open space and farmland. The Comprehensive Plan adopted by Town Council has served as a model for our town officials to guide this community to what it has become and what it will be for future generations. After being out of state for three months, she was very disturbed to find in her mailbox, a Morning Call article dated September 3rd informing the residents that Phoebe had gone before Council, the Planning Board and our Township employees to discuss the proposed CCRC for this site. What was further disturbing was that none of the abutters were ever notified. She realizes the laws do not obligate you to inform us that and Phoebe has the right to go before Council. This is a drastic and radical change in the use of our residential zoned areas within our Township. She is grateful to Mr. Kern and Mrs. Yerger as they had the foresight to remind everyone that they needed to hear from the neighborhoods. From September 16th, she and Hugh Dugan have spent countless hours educating thousands of residents by mailing and circulating flyers to homeowners, sending emails to many of the residents in an attempt to inform them and make them aware of the impact that this proposed amendment will have on our residential zoning. They have read the comprehensive plans, minutes of the Planning Board and Town Council as far back as 2004 when Heritage was proposing the 54 unit single family dwellings, which was denied. The Phoebe's proposal, which includes 350 housing units with a mix of residential and commercial uses with structures, could be as high as 80' tall, and impervious soil to be increased from 25% to 45% is not acceptable. The Phoebe's presentation on September 16th was very general. It lacked justification as to why a CCRC should be constructed on our site. They feel that Phoebe needs to present to Town Council and the Planning Board a more and clear detailed definition of what the CCRC would be on this site. It is unclear whether Phoebe developed this proposal for this site based on current statistical data or if they based it on the information submitted by Heritage back in 2004. The definition being composed by Phoebe for CCRC includes commercial, open to the public, outpatient surgical diagnostic and treatment within a 20,000 square foot building and additional 10,000 square feet of retail businesses and services that would also be open to the public. In addition, it would include a multi level skilled nursing facility. This leads her to believe this is more like a health care campus than it is a residential Continuing Care Retirement Community. Surgery belongs in a commercially zoned area, not in the backyards where our children play. Given the fact that healthcare is governed by many federal regulations and requires strict guidelines, they were also amazed that Phoebe has stated it would only require 90 employees to run a massive facility providing outpatient surgery, treatment, care, food services, housekeeping, security, administrative duties, running 24/7 at this facility. They had no numbers as to residents, volunteers, guests, or daily drop off of daily care. They would venture the traffic impact alone would be severe in this area. They have further researched the history of our community, Saucon Valley. They have concerns about the extensive mining that went on at

this immediate area and the impact of structures of this size and height and how it will impact the environment and safety of our residents. They have researched information published by the LVPC, the Comprehensive Plan for Development, the environmental and traffic impact studies that are published on local websites, the Lehigh Valley website and the PA websites. They have also reviewed US geological reports, DEP reports, coarse geology which is carbonate gas, and given the fact that this is zoned as an R20 residential, carbonate geology area, this site is under the environmental protection in an ordinance as defined by carbonate geology. So again, she is still not sure why they've chosen this site for their proposed CCRC site. Given the enormous impact, environmentally, the drastic change in our quality of life impact all of our zoning ordinances that govern our residential zoning, the traffic impact to the neighborhood roads and the impact to protect rivers, streams, watersheds. The impact of the carbonate geology alone, which we have an ordinance 180-24, which was adopted to maintain low density, residential development in areas of our Township that are environmental sensitive to carbonate geology which this site is designated within that area. The caution of development in this area where there are trace fractures, sink holes, which are recorded in the state reports in this area, the intelligent distribution of septic allocation, which not all residents are on public sewerage. She is not on public sewage and she lives across the street. Where do they put the current residents with private septic if they give it all away to the Phoebe's CCRC? What happens to the people who have a well and a septic that don't conform to the current ordinances that are set by Town Council? What happens to them, do they tear down their houses because they can't have a septic as it was given away or do we go to Bethlehem and they tell us we have no more sewer allocations for Lower Saucon. Do we then face the fact that we'll have to find someplace in the township for a sewage renewal plant, an increase to the tax dollars. Town Council has been asked to consider this amendment because we do not have this defined use within our community, but we do have this use in our community. We have the Mary Ellen Convalescent Home on 412. We have the Saucon Manor Care on Main Street in Hellertown for skilled nursing. We offer the Four Seasons, a 55 and over community. We also have St. Luke's Hospital and Network, one of the top 100 hospitals in the country, located less than five miles from this site and from where we live. Hugh Dugan and myself have taken the leadership role in this opposition and we feel this would be a gross misuse of our residentially zoned areas. We have started an online petition. We have rallied the community to protect the quality of life, preserve the zoning ordinances that govern our zoning districts and hope to send to you the support of your no vote to this amendment to our R20 residential zoning.

- Donna Baur, 1866 Caryn Drive, said in mulling over all of the information that's come forth in regard to this proposed community, five questions keep cropping up and coming to the forefront of her mind. 1. Is the proposed classification compatible with surrounding land uses? The answer is no because the re-zoning for the subsequent Phoebe project uses commercial facilities in a residential, rural and tranquil area. 2. Will the tax exempt status help anyone other than Phoebe or will it benefit Lower Saucon Township? No, because Phoebe will not pay any taxes - federal, state income, sales taxes, property taxes or payroll taxes. 3. Will this re-zoning be a once and done deal? No, because this change is applicable to any other Lower Saucon Township commercial project zoned the same. 4. Do those who are proposing this re-zoning change understand the traffic impact? Obviously no, because they seem to consider their three different entrances on our already three very busy roads and our already congested intersection. 5. Does Phoebe have the same values as the Township? No, because if they had researched the characteristics of our neighborhoods, they would have seen Lower Saucon Township's website where it proudly states that Lower Saucon Township is recognized for its pastoral farmlands, tranquil woodlands, and gently rolling hills. In fact, that statement is why she and her husband moved here, for that tranquility and those farmlands. Granting the proposed re-zoning will absolutely compromise that. Please vote no.
- Mr. Boris Stefanov, 1845 Viola Lane said he would like to state his family's strong opposition to the re-zoning of the proposed development. The proposed amendment will impact many areas of our Township in a very negative way. Also, the previous discussions about the pervious coverage. There are many different changes that will be very negative. The proposed development will impact our Township in the area adjacent to the development and negatively in an environmental

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aspect, a safety aspect, and also an aesthetically aspect. Imagining an 80' building on that property makes him cringe. In addition to that, his family and many other families and residents of this neighborhood use the adjacent roads for either jogging or bicycling. The added traffic will make that extremely dangerous and also the plan has proposed straightening some areas of Meadows Road which likely increase the speed on that road, which will also make it very dangerous. He expects that the unusually high population density on that site will lead to traffic. He can imagine the traffic will overload Friedensville Road, especially the left turn on Meadow Road from Friedensville Road, very, very dangerous. He would like to strongly urge the Township Council to vote no on both the amendment and on the proposed development unless this development is significantly reworked to address safety concerns, environmental concerns, and aesthetics in the Township.

- Dolores Arcuri, 1898 Felicity Lane said she is right next door to the proposed development and she would be directly affected. She's right on the tree line, right on the border. According to the plan, her home would be right next to where they have the assisted living and the independent living. In back of a building like that, you would have dumpsters to collect the garbage. You would have the trucks coming in to deliver the goods. It would be constant. The access road would be right along the tree line. Although they said there's a 50' buffer, and they would cover it and muffle the sounds, you can't muffle the sounds when the garbage trucks are emptying dumpsters, and trucks coming in. It would really be noisy, smelly, and it would be right next to where her home is. The value of the homes would go down from what they are now. Who would want to move into a home next to a facility that's built 80' tall, have other high buildings, and they propose it's going to look nice along the perimeter, but they don't care what the people are living there next to that have to put up with. The impact with traffic would be horrendous and also the taxes. There are a lot of things to be considered for that facility to be able to build in that area. She pleads with you to say no to this.
- Jeff Kline, 1889 O'Brien's Court said directly out his back door would be the proposed entrance to the CCRC. He wants to call your attention to two issues that haven't been addressed yet. The first is bus stops for children. He has three school age children that go to schools in Saucon Valley. There's a bus stop location on Meadows Road and Red Hawk Way. The road is fairly well traveled as it is. During school hours, he has seen cars pass through a stopped bus many times. He fears for his children's safety. He spent a lot of time talking to his children about being safe around the bus. He can only imagine with the new development, the traffic impact would be substantial with a lot of drivers coming in and out, both elderly and visiting people who are unfamiliar with the area. He fears for his children's safety and he urges you to strongly consider your decision because he cannot fathom that he is going to be able to get his children to the bus safely. The second thing he calls your attention to is he moved here from California six years ago, having previously presided in New Jersey, and they too chose this area for the description that is on the website. They looked at a lot of areas. They looked at areas in Easton, Palmer Township, and they chose this area because it's beautiful. There are a lot of great choices of houses and we live on two acres of land with a lot of privacy. He was also not opposed to the EIT that they had a while back to preserve open space, and so far, he doesn't know for sure, what exactly got preserved besides the beautiful fields right next to the high school. He would one day like to see some preserved farmlands, some other opportunity for that money to be put into use. He doesn't understand why this would be a good addition for Lower Saucon Township. He would urge a no vote and thank you for your consideration.
- Ron Pesta, 1847 Gregory Place said he lives in Four Seasons. We all pay about \$6,000.00 in taxes. We create no burden for the students. We are self contained. This is a big impact to the community. This would be a slap in the face to us. A lot of us are 70-80 years old and we enjoy this community and this Township and we want to be here for the rest of our lives. We appreciate you voting no to this re-zoning.
- Marjorie Mainhart, 1933 Delaney Street said their one street will be impacted. She sees no positive things from this proposal. When she goes out each day, there are so many school stops on Friedensville Road, which should be a big concern. There is so much traffic in an already congested area. She personally was wondering where the facilities water would come from. We

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are at the beginning of the water line for Lower Saucon Township and our pressure already causes problems, so is this going to be the end of our line and we are going to have more problems and less pressure. She doesn't know if that has been addressed. That's a real concern to us. She sees absolutely no positives to this. It would be great if we could do a park there.

- Rene Fischer, 1615 Woodfield Drive said he doesn't live anywhere near this place, but he'd like to make a suggestion that Council looks at. You asked for a section through the buildings, profiles, he doesn't see anything that he has access to, but he'd like to see it, and he thinks everyone else would like to see it and it would be a good idea that you follow through on that because when you look at a section through these buildings and their height and you look at the people who came from that 55 and over, you are going to see something drastically different. Those buildings are high. These buildings in the existing 55 community are low. Sections through this development, one cross wise, north and south and one east and west, will give you folks a good view of exactly what that's going to look like and that alone will add some credibility to what these other people are asking for as he lives next door. Mr. Maxfield said that information is available and we can provide it for you. They did provide us with two cross sections. If you talk to our Manager, he's sure he can get it to you. Mr. Cahalan said you have to file a request to get material on that, and then we can provide that to you. Mr. Fischer said people who do things like this usually make 3D models, do you have that? Mr. Cahalan said no, we just have a copy of this document on a disk. Mr. Fischer said we should ask the engineering firm that did this work if they have a 3D model of this. It too, would add a lot of perspective that nobody has right here unless they have the same experience as he does. Mrs. deLeon said because that land sits higher than Four Seasons, you are saying the distance is even going to be higher. Mr. Fischer said the buildings are significantly higher than the buildings in Four Seasons, at least double. Mrs. deLeon said that's a good point. Mr. Fischer said if you look at a section, a person who lives in this one particular house in Four Seasons, his home is half the height of those buildings. He'd like to see those drawings.
- Stephanie Brown, 1830 Meadows Road said she's a 37 year resident of Meadows Road. She grew up there. She lived most of her adult life there and as she had said earlier when she first heard about it, she is opposed to it. It's not the right use for the neighborhood. For the last five years, she has been working with the Township to help save the Meadows Bridge. This type of development will do nothing to keep the trucks off of the Meadows Road Bridge, which she has been fighting for. We're on the same page about that, but we're not if you are thinking about this type of development. She wants to remind you that you are developing a Rail Trail. Meadows Road and Skibo Road will be two of the access points to this trail. If you allow increased traffic that goes along with this type of development, you're basically going to have all kinds of problems. She has walked on Meadows Road and Skibo Road down to Hellertown for the last 21 years of her life. It's not compatible to walk through that area with that much increased traffic with this type of development unless you put sidewalks in, then you get into the whole issue that she's had for the last five years with the impervious coverage and all the water runoff issues. You talk about not letting people put big patios in, but you put sidewalks into the development by her house, which was not necessary. It just added to the water runoff problems. She has seen more and more of her neighbors using Meadows Road to exercise and do physical activity. She doesn't think that's what we want. It's suburban and people want to be able to go out and walk their dogs, walk their kids. You have a main access to a Rail Trail, the trail hasn't been developed where it has a lot of parking. It's for the people who live in the Township who border the trail. You are going to walk to it. You are going to bike to it and you have to consider that. You already have enough problems on Meadows Road with the rail trail and the crossing there. You have been talking about that for a long time. Increased traffic on Meadows Road is not compatible with the lifestyle on Meadows Road and the Rail Trail. For years we've been discussing lights in the Township, and that there's too much light in this Township. We've been discussing the Giant and the glare of the Giant that she can see from her backyard. What's basically going to happen is she is going to live in a neighborhood where she has glare coming off the Giant and then a glare coming from this development. Not something she's really looking forward to. It's not an appropriate use. Back when Toll Bros. was developing Saucon Valley Meadows, they ended up with a small sinkhole in their backyard, which they never had before. Sinkholes can open up at anytime, anywhere. That

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whole area, the geology is bad. Why do we want to put any more on that land to make it worse. It's something they never expected to happen, but because of the blasting, that's what happened. They know what the geology is in that area. Just because Meadows Road sits next to Hellertown, it doesn't mean it's appropriate to develop it high density residential. When she was doing research on the bridge, she found plans for a very high density development where the Meadows Banquet Facility sits. It goes back to 1919, and it was never developed. It was like a town home development and she can't imagine that there. These days there's a lot of flooding goes on down there.

- Joan Lombardi, 1964 Martin Street, Society Hill said she is President of the Board there. They have a major problem there with water. They have a lot of runoff from Four Seasons. They have a runoff right in the back. That means the people on Mattis Street, where they are going to build this thing which stands much higher, are they going to have twice as much runoff from Four Seasons and now this. They are not going to be able to handle the runoff at all. They have the runoff from Four Seasons, and they are trying to get that fixed. The whole backyard of Mattis Street is filled with water whenever we have any kind of rain. There's no way to get it out of there. They've tried everything. We are going to have twice as much water if that is put in.
- Pat Brogol, Red Hawk Way said we've heard many reasons tonight why the Council should vote no to this. Council should look at it as if they lived there.
- Carol Ellinwood, 1922 Mattis Street said her backyard abuts this property and when Joan spoke of the disaster, she's also concerned about the 80' high structure that will have a large impact on the people who live along Mattis Street. There's going to be a parking deck there. There's going to be lights from that facility which will be shining into the backs of all the people living on Mattis Street. She's a part time resident. She lives in Maine part of the year. They moved to this beautiful Township because it's halfway between their children in New Jersey and Pennsylvania. They chose the particular spot they have on Mattis because their back yard is this beautiful pastoral field with trees. She does not want a 350 unit high rise, 80' building in her backyard and she does not think the zoning should be passed for the whole Township because it will impact the entire Township, not just the area on Meadows and Friedensville Road. She urges you to vote no.
- Marilyn McDonald said she lives at Saucon Fields Condominiums. Her main concern is traffic. When you are trying to turn into Saucon Fields on Friedensville Road, it is not an uncommon story to hear of someone being rear ended and people are impatient. If we have more traffic, it will be even more dangerous to enter and exit. The second point about traffic is with this type of community, you have to think about the noise pollution, not only the vehicles coming and going, but the higher number of ambulances and sirens. It is a quiet area and we chose it because it's quiet. Thank you for your consideration. She does truly ask you to vote no.
- Ted Beardsley, 1783 Meadows Road said he wants to agree with what everyone said already. A lot of good points were made. One of the things that hasn't been mentioned is that the Giant is at one end and this development is at the other end, even though they may have commercial and convenient grocery places, this is going to generate a lot of traffic on Meadows Road as it's the quickest way to get to the Giant. If you approve this change in zoning, it will apply to all the two-acre residential zones throughout the Township, so that means another one could come in and we could have a lot of retirement community assisted living facilities. Once you change it for them, it's changed for the whole Township.
- Andrew Lauden, 1789 Deer Run Road said in addition to all the wonderful points that were brought out today, he just wants to reemphasize the impact he sees on property values. We all know real estate has taken a big dive in the last several years and he's concerned for what the impact this will have if anyone goes to sell their house. They bought their houses in this nice area, and when they go to sell them, that will be changed. He's very concerned for that impact, in addition to all the other wonderful points that have been made.
- Greg Carolan, 1806 Meadow Ridge Court said most of the points made tonight have been very valid. There are three things he would like to mention. One is a motion to study a stop sign at Meadows Road by the Rail Trail. The Rail Trail would be a waste of time to cross that road with all these people driving back and forth from their community to the Giant. Second, we have to look at the impact of the R20 zoning. What are the implications of changing the zoning throughout

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the rest of the Township? This does impact the whole community. Third, as a lot of people have said, most of us came to this area as we were attracted to the aesthetics, the ability to raise a family in a very, quiet rural area. We may impact the future of taxpayers and families in this area if this goes through. People are not going to want to live in the Township with this 350 bed facility. The implications for future taxpayers in our area need to be considered.

Mrs. deLeon said we should have Attorney Treadwell tell the residents here who have not been at the last two meetings, an update of what is going on. A lot of people sitting here do not know what the process is about. Attorney Treadwell said as most people know, Phoebe Ministries has submitted a proposed amendment to the Lower Saucon Township zoning ordinance which would add the CCRC use to the R20 zoning district. As some people have said here tonight, it would be added in any area as a permitted use in any R20 district, not only the property off of Meadows and Skibo. At the moment, procedurally, it has been to the Planning Commission for an initial presentation in September. They are scheduled to be back in front of the Planning Commission on October 21st. The Planning Commission at their September meeting had numerous comments as did many of the residents, many questions, and Phoebe's next appearance before the Planning Commission, they will attempt to address and answer some of those questions. That's where it is procedurally. It will not come before this Council for any type of a vote until it has come out of the Planning Commission with a recommendation regarding their proposed amendment. It will also, before any of this could be instituted into the zoning ordinance, need to go to the Lehigh Valley Planning Commission for their review. There would be a public hearing in front of this Council before the vote. It is at least two or more months, even if it gets to that point, of this Council taking any kind of an action regarding that proposal. Part of the proposed amendment that Phoebe presented to the Township is that any CCRC would need to have at least 40 acres in order for the use to be allowed. He knows he heard one resident talk about how he could put up an 80' house on his single family residential property, which would not be allowed unless that happens to be 40 acres or more.

- Someone said the amendment was supposed to be 40 acres. If we allow this, we are going to allow someone that might be able to acquire 40 acres, so it could happen anywhere. Attorney Treadwell said they could submit a similar amendment and ask that it be permitted in those districts as well. Anybody that could put together 40 acres, no matter how they do it, it is contiguous under this proposed amendment, would be allowed to have the CCRC use. Same person said what is the Township's position to allow 80' structures. What happens if this amendment adopted, what's going to stop anything? Mr. Kern said if you've given input at the initial Planning Commission on building heights, it will be interesting to see what the response is to that. We can make a judgment based on how they respond on that. Mr. Maxfield said it was mentioned at the Planning Commission meeting, and it's important to understand that, they are asking for a 65' height maximum, but that does result in a close to 80' building because the height of the building is measured halfway up the slope of a sloped roof. Whatever that half is, gets added onto that maximum, so it does make substantial height.
- Joan McKeon from 1594 Weyhill Circle said she would think Center Valley Parkway or consider Stabler to be an ideal location for a business like this. She would think it would be a very good suggestion at the next meeting to take their business there.
- Donna Baur said does Phoebe have an agreement of sale? Attorney Treadwell said he believes they do. He's not even sure how many parcels are there that they are trying to put together. Mrs. deLeon said didn't they say at the first meeting that it was contingent. Attorney Treadwell said he's sure there are lots of contingencies in the agreement of sale. Some may revolve around this zoning actually being adopted and he's sure there are numerous other considerations as well. Mr. Maxfield said they did mention that their aim is to require that whole corner. That's their goal. Ms. Baur said did she read Phoebe is being involved in litigation and some kind of lawsuit. Attorney Treadwell said Heritage filed litigation against the Township. The Township denied the Heritage 54 building lot plan. The Township did not deny that, it just kind of died on its own accord. Heritage did file litigation against the Township that is still outstanding, but that's been sitting in the court for three or four years. If Phoebe purchases and ends up being the owner of that property, technically the litigation relates to the plan that was filed by Heritage. If Phoebe steps in

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with this plan, that litigation could theoretically be brought back to life. Mr. Maxfield said he is very confident of the work that our Solicitor and staff did and that he doesn't think that lawsuit should be an issue at all for Lower Saucon. He thinks we are in a good place with it.

Mr. Kern said the presentation that Phoebe Saucon did at the last Planning Commission meeting will be made available on the website tomorrow for your viewing. If you would like a copy, you need to file a "Right to Know" form, which is a government thing. That form is also on line. Thank you all and there were some great points brought up. He assumes everyone will be at the October 21st Planning Commission meeting. Attorney Treadwell said the meeting is here, October 21st in this room at 7:00 P.M.

- Stephanie Brown, Meadows Road asked if Mr. Birdsall got a chance to type up his notes from the meeting on the County on the bridge, and if so, is she allowed to have a copy of those notes? Mr. Cahalan said yes, we didn't know how to get them to you as your email address isn't working any longer. Ms. Brown said it wasn't for awhile, but her email is working now. Mr. Cahalan said he will give her a copy after the meeting. Mrs. deLeon said it was a win for now. She thanked Stephanie for all of her efforts.

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said in your folder is a copy of the Heritage Conservancy scope of work. The Draveczech parcels were acquired for conservation easement by the Township with the DCNR funds and we need to have a baseline documentation done of that property. We asked Heritage Conservancy, who was our Open Space Consultant, to provide us with a scope of work and that is included in your folder. It involves tasks such as task coordination with the Township, preliminary due diligence work, which would be creating a comprehensive file for the property, including all pertinent property landowner information and documents. We'd include a baseline property visit that would involve traveling to and from the property, walking the property with the landowner, and paying particular attention to those areas specifically restricted and protected under the terms of the conservation easement and they would prepare a baseline documentation report for the Township. This work would be done primarily by Laura Baird who is the Open Space Consultant and her costs are delineated on the scope and the total cost not to exceed is \$2,000.00 for this property. In order to move ahead, we would need Council approval for that work to be done.

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

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

- Mr. Cahalan said he received a resignation from Jim Sturm from the Township Historical Committee. Jim said he is resigning due to health reasons. He needed to step down from the Committee. Mrs. deLeon said they accept Jim's resignation, with regret. Mr. Horiszny said he would like for Council to do a resolution. A letter with regrets is good, but still add a resolution. Mrs. deLeon said we still need to follow Roberts Rules and accept his resignation. She worked with Jim for many, many years, and his long time service should be duly noted.

MOTION BY: Mrs. deLeon moved to accept Jim Sturm's resignation and send him a letter, with regrets.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

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- Mr. Cahalan said he received a request from Dorothy Eyer indicating she's interested in filling the vacancy on the Township Historical Committee, which is created by the vacancy that we just approved with Jim's resignation. If you approve her, she would just fill out the remainder of his term, which runs until December 31, 2010. Mrs. deLeon said Dorothy has a great resume.

MOTION BY: Mrs. deLeon moved to appoint Dorothy Eyer to fill Jim Sturm's unexpired term which ends December 31, 2010.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

- Mr. Cahalan said we had some heavy rain on October 1st. We had some local flooding and the normal roads, Reading Road, Meadows Road down by the banquet hall, were closed temporarily. We had some damage on Riverside Drive at the Narrows. Apparently, there was a slope failure which caused a significant amount of debris to be dumped on the roadway and it caused a washout that needs to be filled in. The Township contacted PennDOT, as Priscilla found out about this closure through a resident, Mrs. Hahn. Mrs. deLeon said when she left Steel City, she saw the sign and discovered it wasn't on the list. Mr. Cahalan said they contacted PennDOT and they indicated that they were going to try and repair the road within two weeks. Mrs. deLeon said she's not sure if the rocks came down from the slope onto the road or if the rocks fell out underneath the macadam as it was a slope there. It was the first hill as you pass the Hill Climb. There was an incident involving the railroad that a train had gone through there about 1:00 AM and hit a boulder and the fire company was called out. She would like a copy of that incident report. Mr. Cahalan said he can ask the fire company for a report. Mrs. deLeon said the road closure signs were put up and the resident did get a note that the road was going to be permanently closed which was not the appropriate answer. Monday, Tina Hahn, did talk to the representatives at PennDOT and they told her they were going to try to have the road fixed within two weeks, so they are hoping that's the case. There was a procedure for notification and she doesn't think that procedure was followed. They may not even be aware of the procedure, but if no one was aware that the street closure signs went up, what if there was a fire? The County didn't even know the road was closed. If fire trucks got called out to a fire in Redington and decided to get to the Narrows and now all of a sudden there's road closure signs, they'd have to back up and that would delay them. They really have to take this seriously and they are not doing that. She happened to be home that day and she was made aware of it. The procedure needs to be somehow reinforced. It was reported that the trains are really speeding through that section of the Narrows. She's not sure if the 25 MPH is what they are supposed to be going. They do sound like they are going a lot faster. We need to find out what the speed limit is for the trains and the faster they go, the more the roadway is going to deteriorate. If they slow down and go a slower speed, that would help. Trucks entering the Narrows at the Hill Climb, maybe we could limit the size of the trucks as that would limit and help keep the road open. There's no weight limit for trucks at that part of the Narrows. If we did it like at Meadows Road Bridge, maybe that would help with the deterioration of the edges of the road. The workers she spoke to the guardrail was hanging down. Mr. Maxfield said he went down at the other end of Reading and there are other places where the road is looking pretty questionable on the Narrows. It's before when you are coming from Reading Road side. The edge of the road is crumbly and it looks like the guardrail shifted. Mrs. deLeon said they both were on the Task Force and they don't want to go through that again. She knows there are some Steel City residents here.
- Kareen Blead said she's lived in Steel City since 1971. If there was an accident in Steel City and they couldn't get out or there was a fire and the fire trucks couldn't get in, what do they do? How do they get out? How is an ambulance going to get in? They did have a fire not too long ago, where the bridge was closed, and you couldn't get in or out. Mr.

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Maxfield said that's a good question for PennDOT. Mrs. deLeon said she was at the Harvest Festival on Saturday and she left there and when she got to Applebutter Road, there was a road closure sign. She couldn't make a right to get into Steel City. She drove around and came in the back road, and there was another closure sign. She said the policeman told her to go back and tell the other policeman you live in Steel City. She said what's the problem, and he said the Halloween Parade. They really aren't aware of the procedure. Ms. Blean said if you are coming in to where the houses are, and they want to leave, who is down there to tell them you can't go through because a car is coming the other way. That road is so narrow, only one vehicle can go through. They are not expecting a vehicle to be coming that way as they don't know the road is closed at the other end. What do you do there? She doesn't want anyone going over a cliff, but they have to do something. If there is an accident at the beginning of Steel City, and anyone has to come in, how are they going to get there? Mrs. deLeon said when we talk to PennDOT about Steel City, maybe you should put in the number of homes that are there. Most people have no clue. There are 250 homes there. Mr. Kern said how close is the river to the homes? Mrs. deLeon said right along the railroad tracks. If there was a derailment, how would they get out? There is no way. They have to do something. She understands PennDOT is in charge of Riverside Drive, but that's the only way they can get in and out of Steel City, and they are Lower Saucon residents and they do pay taxes, so someone is going to have to do something so they do have a way in and out of there. When the first moved in, it was two ways, and then they changed it to one way. Mrs. deLeon said they have a petroleum and gas pipeline going through there with valves coming out on the Narrows. They have landfill methane and monitoring wells on the north slope. Praxair is around the corner. Ms. Blean said if there's an accident on the bridge, what do you do? Someone has to tell PennDOT it's not just ten homes, there's 250 homes there. Mr. Maxfield said in that stretch, now that it's blocked off, how do we patrol that stretch? He came down through Steel City and saw the blockage there, but in-between the barriers, there were ATV tracks going over. Somebody is accessing that area for recreation. What if an accident happens back there? They drove right over the stones, you can see the tracks. If something happens, what do we do? Mr. Cahalan said it would be like someone falling off the side of the hill, you'd have to go in on foot. Mrs. deLeon said if you needed to get access to the tracks, after you pass through the Narrows and make the 90 degree curve to get back up the hill, there's a way you can get on the flat part of the railroad tracks. There is a width of a road on either side of the tracks that you can get on, but by the time someone figures that out, it would be too late. Mr. Horiszny said some of the fire departments do have ATV's that could get in there. You could trailer them in.

- Mr. Cahalan said the Saucon Valley Community Center will be honoring David Heintzelman at their fall dinner and silent auction on December 3, 2010. He asked if Council was interested in purchasing an ad in conjunction with Hellertown? The cost would be \$50.00 each for a half page ad in the program. The dinner is taking place at the Meadows.

MOTION BY: Mr. Maxfield moved for approval for purchasing an ad in conjunction with Hellertown for \$50.00 for the program for the fall dinner and silent auction being held on December 3, 2010.

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

Mrs. deLeon asked if we were going to do a resolution? Mr. Cahalan said he will bring it back to the next Council meeting.

B. COUNCIL/JR. COUNCIL MEMBER

Eubin Hahn – No report

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Mr. Maxfield

- He said Polk Valley Park is making some headway again. Tomorrow at 4:30 p.m., he's meeting an engineering class from Lafayette College to give them a tour of the sustainable features of our park. They are very interested in it. He gave the instructor a tour a couple of weeks ago and the instructor is very excited about it. He's the husband of Kate Brandis, who used to be in the County Conservation and he's a professor at Lafayette.

Mrs. Yerger – Absent

Mr. Horiszny

- He said the Historical Society held the Harvest Festival last Saturday and that was very successful. Laura Ray's goats were there as an added attraction.
- Se-Wy-Co's Open House is on Saturday, October 9, 2010 from 10:00 a.m. to 2:00 p.m. if you get a chance to stop by, they'd love it. They will not have their rescue truck there as they sold it. They are waiting for a new one and using back-up equipment in the meantime.
- He wonders if from any of our energy grants, we could consider a light sensor for the basketball court. They were on again last night in the rain and nobody was out there. Mr. Cahalan said he can look into that.

Mr. Kern – No report

Mrs. deLeon

- She thanked Mr. Cahalan and Chief Lesser for coming to the Chamber Town Hall meeting and mixer held on September 21, 2010 at Borough Hall. There was a great crowd and they had a little panel discussion. It was kind of like tonight, people came and asked questions and it was a good night.
- She said Hellertown-Lower Saucon Chamber is having Hellertown Hauntings Mixer which is going to be held from 5:00 p.m. to 7:00 p.m. on Wednesday, October 20. The cost is \$13.00 and will be held at the Historical Hellertown Grist Mill on Walnut Street. The brochure says: "Join us for an evening of networking and local folklore at the Historic Grist Mill in Hellertown. We are excited to have regionally renowned historian and author, Charles Adams, III, bring to life the local legends he has written about in his book, Ghost Stories of the Lehigh Valley. Mr. Adams will have his book available for sale and to sign."
- She said there was an email from Beverly from Lost River Caverns that said "in addition a welcome packet is being compiled to provide newcomers and new homeowners to the Saucon Valley area. These packets will be distributed at Hellertown Borough Hall, realtors and Saucon Valley Farmers Market. If you would like your business included, please drop off literature at the Saucon Valley Farmer's Market, attention Shelly, or at Lost River Caverns, attention Bev. Please provide contact information for future re-supply." The welcome wagon used to do this years ago and they stopped, so this is great. She gave Sue Horiszny and Earl Hill some copies so that the historic organizations can be included in the packet.
- She said last Tuesday, Hellertown Historical Society, Lower Saucon Township Historical Society, and Saucon Valley Conservancy held a lecture here at Town Hall. Thank you to the Township staff for coordinating the event and setting up the room and helping us. It was great. The room was filled both nights. Dick Kantor spoke and had a slide presentation from the 1800's and you saw pictures of Hellertown and Lower Saucon from years ago. It was wonderful.

- D. SOLICITOR** – No report
- E. ENGINEER** – No report
- F. PLANNER** – No report

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IX. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:32 PM.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. Yerger – Absent)

Submitted by:

Jack Cahalan
Township Manager

Glenn Kern
President of Council