

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Resolution #69-2010 – Recognizing Jim Sturm for his Service to Lower Saucon Township
- B. Resolution #70-2010 – Recognizing Dave Heintzelman for his Service to the Community

IV. DEVELOPER ITEMS

V. TOWNSHIP BUSINESS ITEMS

- A. Bethlehem Area Public Library 2011 Budget Presentation – Lynn Koehler
- B. Adopt-A-Road Program – Update on Litter Pick-Up
- C. Approval of Land Trust Beneficiary for the Dravec Conservation Easement
- D. Recommendation of COBRA Benefits Administration Service

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of October 6, 2010 Minutes
- B. Approval of September 2010 Financial Reports

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: November 9, 2010
Next Zoning Hearing Board Meeting: November 15, 2010
Next Council Meeting: November 3, 2010
Next Planning Commission Meeting: October 21, 2010
Next Park & Rec Meeting: November 1, 2010

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I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 20, 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, Sandra Yerger, and Ron Horiszny, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Dan Miller, Township Engineer; Linc Treadwell, Township Solicitor; Kevin Kochanski, Township Planner. Absent - Jr. Council Member, Eubin Hahn.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive between our last meeting and this meeting.

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, 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

A. RESOLUTION #69-2010 – RECOGNIZING JIM STURM FOR HIS SERVICE TO LOWER SAUCON TOWNSHIP

Mr. Kern said Resolution #69-2010 has been prepared to recognize Jim Sturm for 30 years of service to Lower Saucon Township and the Saucon Valley community in various capacities.

**RESOLUTION RECOGNIZING JIM STURM FOR HIS SERVICE TO
LOWER SAUCON TOWNSHIP**

WHEREAS, James (Jim) Sturm has served the Lower Saucon Township and the greater Saucon Valley community in various capacities for the past thirty (30) years; and

WHEREAS, Jim and his wife Margaret have lived in the former schoolhouse in the Wassergass section of the Township since 1979; and

WHEREAS, Jim was involved in the PTA when his children were in school and worked on the Lower Saucon Bicentennial Committee from 1974 to 1976; and

WHEREAS, in 1983 Jim began serving on the Board of the Saucon Valley Community Center where he volunteered his services to childcare programs, senior activities and many community sponsored events until stepping down in 2009; and

WHEREAS, Jim was also an active member of the Saucon Valley Conservancy and Lower Saucon Township Historical Society and the Township Historical Committee; and

WHEREAS, Jim has always been willing to volunteer his time to benefit a worthy cause or organization and has spent countless hours over the past 30 years serving Lower Saucon Township and its residents; and

WHEREAS, it is with profound regret that the Township Council accepts Jim's recent resignation from service on the Township Historical Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to commend Jim Sturm for his community service and dedication to Lower Saucon Township.

MOTION BY: Mr. Horiszny moved for approval of Resolution #69-2010.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

B. RESOLUTION #70-2010 – RECOGNIZING DAVE HEINTZELMAN FOR HIS SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #70-2010 has been prepared recognizing Dave Heintzelman for his service to the Saucon Valley Community in various capacities for the past 25 years. Dave will be honored by the Saucon Valley Community Center on December 3rd.

**A RESOLUTION RECOGNIZING DAVID (DAVE) HEINTZELMAN
FOR HIS SERVICE TO THE COMMUNITY**

WHEREAS, Dave Heintzelman has served the Saucon Valley Community in various capacities for the past twenty-five (25) years; and

WHEREAS, Dave, who grew up and was trained in the mortuary business at his family's funeral home in Schnecksville, PA, has operated the Heintzelman Funeral Home in Hellertown since 1984; and

WHEREAS, Dave has been actively involved in the community as a member of the First United Church of Christ in Hellertown, a Charter Member of the Saucon Valley Fine Arts Corporation, as the Chairman of Hellertown's 250th Anniversary Celebration, and as Past President of the Hellertown Lions Club and Saucon Valley Music Connection; and

WHEREAS, for the past seventeen (17) years, Dave has served as Chairman of the Saucon Valley Halloween Parade Committee who organizes and produces an event that has become a seasonal highlight for all ages in the Saucon Valley; and

WHEREAS, Dave's efforts have been previously recognized by his receipt of the Hellertown – Lower Saucon Chamber of Commerce Distinguished Service Award in 2002 and, most recently, with the Melvin Jones Fellowship Award in 2010; and

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WHEREAS, Dave will be honored by the Saucon Valley Community Center on December 3, 2010 for his public service to the Saucon Valley.

NOW, THEREFORE, BE IT RESOLVED, that the Council of Lower Saucon Township, Glenn Kern, President; Thomas Maxfield, Vice President; Priscilla deLeon, Council Member; Sandra Yerger, Council Member; and Ronald Horiszny, Council Member; wishes to recognize and commend Dave Heintzelman for his service and dedication to the residents of Lower Saucon Township.

MOTION BY: Mr. Maxfield moved for approval of Resolution #70-2010.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone had any questions or comments? Mrs. deLeon said both of these distinguished residents have been assets to our community.

ROLL CALL: 5-0

Mr. Cahalan said he will take this resolution to the dinner on December 3rd. Mrs. deLeon said she may be attending this event also.

IV. DEVELOPER ITEMS – None

V. TOWNSHIP BUSINESS ITEMS

A. BETHLEHEM AREA PUBLIC LIBRARY 2011 BUDGET PRESENTATION – LYNN KOEHLER

Mr. Kern said Lynn Koehler, Lower Saucon Township representative to the Bethlehem Area Public Library (BAPL) will discuss with Council the 2011 library budget.

Mr. Cahalan said the reason Lynn Koehler isn't here is that the budget isn't ready to present to Council. They BAPL had sent us their proposed 2011 budget on September 8th and generally what they do is take it to the City of Bethlehem for some resolution and then they put it out to the participating municipalities. What Lynn does is she comes here and presents that to us. That hasn't been resolved yet as they are still waiting for information from the City of Bethlehem about their contribution. They did propose to us a contribution of \$173,464.00 and they are calling that the same as last year. What happened last year was they did increase the contribution, but they didn't charge us with it as the City of Bethlehem picked it up on behalf of the supporting municipalities. It is an increase to us because it's 3% more than we contributed last year, but that's up in the air because we have to wait to see what the City of Bethlehem does before we agree on a per capita contribution to the BAPL. A couple of the issues about the BAPL budget have come up; Cathy Gorman looked at the library budget and audits, and we came up with a series of questions about the City's contribution to the library. He gave those questions to Lynn Koehler. They were raised at a meeting of the Board of Trustees and you may remember the Bethlehem Press article that Priscilla mentioned. It covered a Hanover Township Supervisors meeting and these questions were brought up then also. Apparently, the City did not make the contributions that were due in 2009 until 2010. It also appears to us they are behind in the monthly payments this year and a payment that the library was expecting was diverted towards pension costs for their employees. There are some questions that need answers from the City of Bethlehem. The BAPL Board has another meeting on November 1st and they hope to have the budget resolved by that point. He did talk about the discussions we had on the Hellertown Library issue with the Director of the Bethlehem Library. He told her that Council has no intention at this point to drop out of our arrangement with the BAPL and the Task Force is going to take at least a year for them to come back with any answers for Council about the feasibility of any consolidation with the Hellertown Library. There is another issue with the contract. Attorney Treadwell has been working with the Solicitor from the library. Attorney Treadwell said he tried to call him today, but he wasn't in.

The last conversation he had with him was that as soon as we had a concrete number, then we could work out the terms of an agreement and make it a year-to-year type of thing. The last time he talked with him was at the end of August and at that point, he didn't have any idea what the number was going to be either. Mr. Cahalan said hopefully they will have that on November 3rd. On behalf of the BAPL, they have been making efforts to reduce their costs. The Library Director prepared a sheet showing some of the expenses that they've tried to reduce at the library. It's called "Cost Savings of the BAPL 2009 – 2011". They have cut some costs with their equipment and repairs, health benefits, personnel, and they've reduced hours at both the main library and the South Side branch. They had to do that while they also experienced cuts in State aid totaling 32% over the last two years. They've had some difficulties and have been trying to do their best. Lynn Koehler will be at our next meeting on the 3rd and we hope to have some answers for you and that will be before the November 15th deadline that we've been following historically with the BAPL. Once we have a number, he can make a recommendation about an agreement. Mrs. deLeon asked if Lynn was invited to come to our budget meeting on the 27th? Mr. Cahalan said she can come.

Mrs. deLeon said last year the City made up the difference in the increase for us. Did they do that for the other municipalities? Mr. Cahalan said yes, for all the municipalities so there wasn't any increase. Attorney Treadwell said he thinks it was a credit. He doesn't think the City actually contributed the money to make up the difference. They gave the library a credit for the services they would have charged the library. The library leases the building from the City, so instead of charging them, for example \$100,000.00, they charged them \$50,000.00 to make up for the fact that they didn't get all the contributions.

Mr. Kern said one thing he noticed this year that he never noticed before was when reviewing the library budget, the majority of the expenses were a result of personnel, salaries and salary related expenses. It's more than two-thirds of the budget.

B. ADOPT-A-ROAD PROGRAM – UPDATE ON LITTER PICK-UP

Mr. Kern said the Manager would like to provide Council with an update on the Adopt-A-Road Program.

Mr. Cahalan said the program started last year. We got it up and running this Spring. It's really blossomed into a pretty successful program. We now have 15 organizations and/or families who have adopted roads in the Township. They range from the Historical Society, the Lower Saucon Sportsmen's Association, Saucon Creek Watershed, the Environmental Advisory Council, Saucon Valley Wrestling, Saucon Valley Youth Sports, Saucon Community Bible Fellowship Church, Hellertown-Lower Saucon Little League, and we have several families who have adopted roads. They are Petak family, Zimpfer family, Muschlitz family, Riegel family, Masick family, Pagoda family and McCormick family. The chart he gave you just shows that they've done several pickups over the last couple of months and they've collected probably over 50 to 60 bags of trash from the roads. Some of them are really going at it. One of the picked up more tires than we knew were along the road. They picked up about 30 to 40 tires. That was along Apple Street. They've done a great job. He's also working on trying to enlist the landfill into participating in this program. What they could provide us with is the ability to take this trash that's picked up directly to the landfill at no cost. If they do agree to that, he's offered to put them down as a sponsor for the program and, in the future, they could also help us to defray some of the costs we have, which are minimal, for garbage bags, gloves, and grabbers we give out to the people. He will give Mrs. deLeon a copy of what he sent to Sam Donato. He did some research and IESI had participated in similar programs in the State of Texas. If we can get them working with us, that would be a good partnership and it would help out the Township.

Mr. Horiszny said he noticed that IESI requested from DEP a permit to dispose of some tires. They were going to pick up about 17 that they collected on Monday at the Springhouse on High

Street. Will that take care of the other 30 to 40 tires? Mr. Cahalan said those have already been taken care of by the Public Works Department. In that particular case, there was a cost. If we take it to the landfill, there is a cost and that's why he's writing to Mr. Donato. Some of it they can take right to the Township and have it disposed of by our trash contractor. In some of these cases, some people are even taking it home and disposing of it through their garbage hauler. Tires are something we have to pay for. Mr. Horiszny said he had been in contact with Wildands and their "Clean Creeks Program", and he was put in touch with Systec Engineering who takes tires to Lafarge to burn. He has permission for the adopt-a-road program to utilize that, but they have to figure out how they are going to drill holes in the tires and how they are going to get them there as he doesn't think Lafarge would pick them up. Mr. Cahalan said they can work on that. Mr. Horiszny said he hasn't taken his first load in for Habitat. He'll know more about it when he does that, which should probably be next week. He thinks he has about a dozen tires there. That didn't faze them in the least, but the next question is, does 40 tires faze them? He doesn't see why it would if they were burning them. He will try to resolve that. He hopes we could get all of our Adopt-a-Road on that. Mr. Cahalan said we don't anticipate they are going to find that many tires. The one group that found that many surprised us and they may have gone further afield than the program required. He doesn't think they were all along the side of the road. Mr. Cahalan said we would need some system to dispose of them. Mr. Horiszny said he will try to get this resolved and keep it going and figure out how we can do that, whether a Township truck could take them up. Mr. Maxfield said as far as the holes being drilled, somebody he talked to was just chain sawing them in half. Mr. Horiszny said let him check on that. That would be a lot easier, but hard on the chain saw. The other thing is you have to get the rim off of the tire. Somebody at his fire department may have a tool in which you can take the rims off. If not, he'll probably go to John's Automotive and see if they would take them off for the scrap value of the rim, that would be a way to get rid of them also. He will try to keep on this and get back to Mr. Cahalan.

C. APPROVAL OF LAND TRUST BENEFICIARY FOR THE DRAVECZ CONSERVATION EASEMENT

Mr. Kern said Council approved the purchase of a conservation easement on a portion of the Dravec property with the condition that a third party be appointed as a Land Trust Beneficiary. Heritage Conservancy has submitted their proposal and cost to act as the Land Trust Beneficiary which Council should review and approve.

Mr. Cahalan said there is a memo from Jeff Marshall at Heritage Conservancy. He indicated what the responsibilities would be for the Land Trust Beneficiary for that property. Heritage is an accredited land trust. They follow national standards for land trusts. They adopted their policy in 2009 and that requires payment of a one-time \$2,500.00 per property figure that they state would be placed in their stewardship fund to provide ongoing funds to meet their obligations as a land trust beneficiary. This is the last piece we need for the Dravec parcel to wrap it up.

MOTION BY: Mr. Horiszny moved for approval of the Land Trust Beneficiary, Heritage Conservancy, for the Dravec conservation easement.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

D. RECOMMENDATION OF COBRA BENEFITS ADMINISTRATION SERVICE

Mr. Kern said our health insurance administrator has advised us that in order to be compliant with all the federal requirements, it is recommended that we outsource the administration of our COBRA benefits. Due to the comprehensive requirements and risk of litigation and/or penalties associated with the administration of these benefits in-house, staff would like to request that

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Council authorize us to obtain quotes from various companies that offer COBRA administration and bring back a recommendation of partnering with a professional administrator.

Mr. Cahalan said Ms. Huhn is our Human Resources Coordinator and attends, with Ms. Gorman, meetings at Benecon who administers our health benefits. COBRA is getting more and more complex with requirements that we have to provide the requisite notices and coordinate the coverage with other types of events that happen to employees such as when they have other insurance, when they are eligible for Medicare, when they are eligible for Family & Medical Leave, and when they are eligible for other types of services. We are required, by Federal Law to send out notices to them. Ms. Huhn had indicated there have been over 50 changes to the COBRA laws in the last four years and we want to make sure that we stay on top of those because there are some severe penalties that could be imposed on us by the government, by the IRS, and also by the Department of Labor if we fail to comply with those. This takes a type of administrator who can stay on top of this. We'd like to go out and look for proposals and see what the cost of this is. If we do slip up in one of these instances, it could come back and hurt the Township. We want to stay on top of this and stay in full compliance. We'll be looking for proposals, no decisions, and will bring that back at a future date.

MOTION BY: Mr. Horiszny moved for approval that staff obtain quotes from various companies that offer COBRA administration and bring them back to Council.

SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions or comments? Mr. Maxfield said is this administration of the benefits recommended by the insurance administrator, but is that a service they offer or are not able to do legally? Mr. Cahalan said they offer it, but at an additional cost. Right now, they are just strictly handling just the medical benefits. They will be one of the bids we ask for.

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF OCTOBER 6, 2010 MINUTES

Mr. Kern said the minutes of the October 6, 2010 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Maxfield for approval of the October 6, 2010 minutes.

SECOND BY: Mrs. deLeon

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

B. APPROVAL OF SEPTEMBER 2010 FINANCIAL REPORTS

Mr. Kern said the September financial reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Horiszny for approval of the September 2010 financial reports.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

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

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said you should have received a copy of the letter from the LVPC on the Access Management Implementation Program as we were approved for it. That is something the LVPC had put out for communities. We signed up for it and we are eligible. There is a memorandum of understanding that they are asking be signed by the Council President., so he'd ask for a motion to do that and then we can move ahead and start working with them on access management issues, staff could be involved and will be at the meetings, and we'll see what they can come up with.

MOTION BY: Mr. Maxfield moved for approval for Council President to sign the Memorandum of Understanding for the Access Management Implementation Program.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

- Mr. Cahalan said Mr. Horiszny brought this up about Mr. Warner's solar energy farm. Mr. Horiszny said that Mr. Warner had arranged a tour for the fire department to see it and said it's huge. The comments made were they were going to put a winery in there and be a self-sufficient power supply with the grid of solar panels they have up there. The reason for the fire department to be there was to find out what kind of dangers those things would present. If you put them on top of a house and you have to access the top of the house, there could be big time problems for fire departments. He wasn't sure how much we knew about it or whether one day we ought to try to get the Council to go and see it. Mr. Cahalan said we know about it and that's why he wanted to bring it up. If anyone is interested in seeing it, he could arrange something with Mr. Warner. Council said they were interested. Mr. Cahalan said he will set something up.
- Mr. Cahalan said Mrs. deLeon asked about Riverside Drive, the Narrows. In your packet is a response from Robert Wilhelm of PennDOT. He said yesterday they are anticipating that the repairs would be done in two weeks. The original two weeks has now been extended. Mrs. deLeon said she would like to reflect that in the minutes so residents can go on the website and keep track also. If you could put an update on the agenda on November 3rd, and then maybe could take different action. Mr. Maxfield said could we just clarify that they are going to reopen it? The question asked was could you please provide me with an update on the anticipated reopening, and the answer was, "we are anticipating two weeks". Does that mean they are going to reply to us and give us an answer in two weeks or they are actually going to open the road in two weeks? He thinks we need to get a solid answer on what exactly they are doing. Things can be hidden in words. Mrs. deLeon said maybe in that same correspondence, tell them it's going to be an agenda item for the November 3rd Council meeting. Mr. Horiszny said another concern is the Steel City Fire Company was not notified of that road closing. He missed the chance to ask the 911 center if they were notified. Were we officially notified? Mr. Cahalan said they spoke to John Bate and John said Dewey Ambulance was notified and aware of it as soon as it happened. They weren't aware of the train incident like Mrs. deLeon had mentioned. Mr. Cahalan didn't hear anything about that. Mrs. deLeon said who would know about that? Mr. Cahalan said he doesn't know if that's been reported. He doesn't have anything that came in on a police report. He will have to check with the 911 center. Mrs. deLeon said she's interested to know that. At the last meeting, she brought up that there is a procedure in place, but no one is implementing it. Mr. Maxfield said the residents said they were notified, but he didn't hear anything about the fire companies being notified. Mrs. deLeon said the only resident who was officially notified was the Hahns with a little handwritten note on their door. PennDOT has that email they send around with the road closures and it was in there after she called Roger up to find out why it wasn't on there. Mr. Maxfield said does it matter that we still have signage saying part

of the road is one way and it has to be two ways to access houses? From the Redington Road side, you can get so far and then it turns into one way coming the other way, but it's blocked off that way and people have to go down to their homes. Do we need to change the signage or doesn't it matter at all? Mr. Cahalan said there isn't going to be any conflicts as no one is coming the other way, so local traffic can navigate to and from their homes. Mrs. deLeon said there were questions about the speed limit on the trains on the railroad tracks. Mr. Cahalan said the only thing he found out on that was basically there are no local and state laws govern train speed limits. The Federal law allows railroads to set a speed limit based on the class of track that they have. He's not sure what class of track that is. They could probably go as fast as 45 MPH if the track would sustain that. According to the Federal Railroad Administration, it is up to the individual train services and is based on what the track can sustain. Mr. Maxfield said when we were talking to Norfolk Southern about accessing part of their property to do work on the road a speed limit of 40 MPH was mentioned. Mr. Cahalan said that could be. He's just doesn't know what class of track that is and the speed allowed on the track. Mr. Maxfield said he thought it came from them, so they must know what their limits are.

B. COUNCIL/JR. COUNCIL MEMBER

Eubin Hahn – Absent

Mr. Maxfield

- He said in talking to some people from Upper Saucon, it seems that they have told their residents they are moving ahead on the Rails-to-Trails, and that they had made progress. They said they have engineering studies all worked out for their entire stretch, and that they are working out the submission for bids for materials. Mr. Cahalan said they already awarded bids for \$360,000.00 to a contractor to do their section from our Township line down to Preston Road. We've awarded a contract for fencing. Upper Saucon's contract is all inclusive. It's for the surface and fencing. Mr. Maxfield said have they talked to us at all about surfacing to try to get a consistent sort of surface? Mr. Cahalan said they talked at the meetings about the width of the trail. They talked about the gravel surface, so they are following along with that. They had drawings done by their Engineer for their road crossings. They opened the bids and awarded them. If you drive down there, they've actually started construction on their portion.
- He said one of the bones of contention with them still seems to be the horses on the trails, and within the next couple of weeks, he'd like if we could develop a horse or no horse policy for the trail. Mr. Cahalan said they had discussed that at a previous Council meeting when Donna Bristol was here, and Council directed her and the Parks and Recreation Board to come up with information on how equestrian use is handled on other trails. Parks and Recreation is in the process of collecting this data. Donna has been working on it and another member said he would help her. They want to bring that information back to you. As far as the other municipalities, he doesn't believe they have taken any action on that issue. They just discussed it at the last SVP meeting as Mayor Fluck brought it up. One of the difficulties is if Council were to make a decision and say in Lower Saucon that horses are allowed on the trail, without Hellertown and Upper Saucon also saying yes to this. There isn't any way you could get on the trail with a horse in Lower Saucon Township and people with horses have big trailers. We have no room in Lower Saucon for those trailers to be parked. We'd have to have an agreement with Hellertown or Upper Saucon. Mr. Maxfield said Upper Saucon doesn't want any horses. Mr. Cahalan said Hellertown does not have any existing policy. They'd have to bring it up at a Council meeting and discuss it and make a decision. Mr. Maxfield said he will find out if Upper Saucon took a vote on that or if it's their stated preference. Mrs. deLeon said at their Chamber meeting last night, they were talking about their 2011 schedule. Charlie Luthar attends these meetings and one of the topics was a request to do a presentation as a mixer or breakfast on the trail

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system, probably in April or May. Mr. Cahalan said they are doing a short presentation next Tuesday at the Lehigh Valley Greenways meeting.

Mrs. Yerger – No report

Mr. Horiszny

- He said the Watershed Association has done the riparian buffer work at the Williamson property. They put in about twelve shrub-like trees, planted grass, and a couple of low growing plants in that area. Mr. Williamson, who is the caretaker of that property, said he will continue to water it through the end of November in order to get the grass to grow and the trees to survive. Mrs. deLeon said is there a way we can get pictures of the restoration effort and put it on the EAC or Township website so people can see and visualize what it's supposed to look like. Mrs. Yerger said maybe it should be on the Watershed website since it's their project. Mr. Horiszny said he doesn't think they took any pictures. Mr. Horiszny said they would have to get the homeowners' permission. He will ask the Watershed Group to see if they can do that.
- He said Fire Prevention Day at the school complex was last Friday and all the fire companies were there from about 8:00 AM to 2:00 PM. They observed the elementary school fire drill. It was amazing how those kids marched out of there in order and marched back in. He was really impressed. They were so under control.

Mr. Kern – No report

Mrs. deLeon

- She attended a Chamber mixer prior to this evenings meeting. Charles Adams was there. He's a renowned author on ghost stories. He had a very nice presentation on his ghost experiences. He did say there was some kind of activity between the Grist Mill and the smaller building. He said he felt something.
- She said Monday, October 25th at 5:30 p.m., there is a Gaming Authority meeting. They will be looking at the seventeen applications and discussing the worthier projects to be funded. The amount of money that was submitted was over \$5 million and there's only \$1.5 million in the fund. It should be a very interesting meeting. They are going to entertain the Solicitor's report over the contents of the minutes. She would like to send Mr. Horiszny the minutes according to the Sunshine Law and you will say what happened at your meeting. They did this motion and that motion and that was it. There was no discussion, no nothing.

D. SOLICITOR

- Attorney Treadwell said you had a business owner in the Township who back at the end of last winter had asked the office of the Attorney General to look at your ordinances and see if they were compliant with the ACRE regulations, which are the agricultural regulations. Last week the Attorney General sent Attorney Treadwell a letter saying they have no intention of challenging our ordinances. They don't go as far to say your ordinances are fine. They say we have no intention of challenging them. Mrs. deLeon said it's not worthy of an effort. Attorney Treadwell said there's nothing to do. Mrs. deLeon said does the applicant know that? Attorney Treadwell said the applicant's attorney was copied on the letter. Mr. Maxfield said was there any action? Attorney Treadwell said there was a Notice of Violation issued against the property owner which was on hold pending the outcome of this Attorney General's review. Mrs. deLeon said then you just can't put orchards wherever you want to put them? Attorney Treadwell said what the property owner felt onerous about our ordinance was the requirement that once you get a permit to operate a use in Lower Saucon Township, and then we ask him what his use is, so we could tell whether or not deserved a permit. Mrs. deLeon said basically you just can't plant a bunch of trees and just call it an orchard. Attorney Treadwell said and say ACRE

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lets me do whatever I want. Mr. Maxfield said not even plant the trees but put mulch on them. Mrs. deLeon said ground level. Mr. Maxfield said nothing in the ground.

E. ENGINEER

➤ Mr. Miller said it is his understanding that tomorrow, at 1:00 p.m. the Polk Valley Park bridge will be placed.

F. PLANNER – No report

Mr. Kern said Council will take a recess to go into Executive Session to discuss potential property acquisition. The time was 8:54 p.m. Council reconvened. The time was 9:19 p.m.

Mr. Cahalan said the Saucon Valley Halloween Parade is this Sunday, October 24, 2010 starting at 2:00 p.m. They will meet at 1:30 p.m. on Walnut Street at the same place they always meet. He will have vehicles.

IX. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:19 PM.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn Kern
President of Council