

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, November 5, 2008 at 7:17 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

<p>Mr. Kern said Council met in Executive Session prior to this meeting to discuss potential land acquisition and personnel issues.</p>
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II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert’s Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Leslie or Jack or call the Township office. Please state your name and address. If you can’t hear, please let us know. You can check the minutes on the website, which is lowsaucontownship.org. Mr. Kern asked if anything was taken off the agenda this evening? Mr. Cahalan said yes, two items. Under Presentations and Hearings, Craig Medei couldn’t be with us, and under Developer Items, IV.A.1. Bruce & Sharon Rogora has been tabled to a future meeting.

III. PRESENTATIONS/HEARINGS

A. OVERVIEW OF COMMUNITY DAY 2008 – CRAIG MEDEI

Tabled

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. BRUCE & SHARON ROGORA – 2700 APPLEBUTTER ROAD – REQUEST MODIFICATION OF VARIANCE #31-06

Tabled to a future meeting

2. SCENIC VIEW APARTMENTS – 2021 SCENIC VIEW ROAD – REQUEST FOR SPECIAL EXCEPTION

Mr. Kern said the applicant is proposing to install an additional apartment building with four (4) units. The application is strictly for the purposes of the Special Exception for the USE of the property. The applicant has not provided documentation of compliance with all sections of the Zoning Ordinance, thus not indicating the extent of zoning variances that my subsequently be required.

Dennis Benner, Attorney, was present representing the Hills, and Douglas Hunsicker from Keystone Engineering was present. Mr. Benner said your introduction is substantially correct in terms of this application. This application has been before the board before. There's been no change in terms of the number of buildings, the location of the buildings, or anything from the point that you have seen this before. You may recall at a prior meeting, the Council took no action, and they did not go to the Zoning Hearing Board (ZHB). What they did was they went back and had the Engineer's take a look, from an implementation point of view, to see if there was anything else they were missing here. When they did that review of the zoning code in more detail, there were three items in the big bundle that they called the Special Exception, which they were specific items and your procedure here requires an applicant to bring those specific items to the Council prior to going to the ZHB. We have not been to the ZHB for a special exception use at this point in time. We prefer to go and take all the issues up at the ZHB at one time instead of getting some and then come back to Planning. What occurred, he sent an amended application to the Zoning Hearing Board for three additional items for consideration. It's all wrapped up in the same development. They are the site, as you see where it's located, that structure is being what is proposed. That is the only building that is being proposed here. It's the same as the location, the building and the look is the same. No other area is being disturbed and one of the additional amendments was not to require us to do height elevations on the rest of the site of a cost point of review, but do the height evaluations over here so we could get a good look in terms of what's in that area that is going to be impacted. The three elements were going to be to ask relief to not have to have two foot elevations in all of the site. The second one was because it's only a four unit building, the zoning code may require a traffic study, we're not certain. There's really little or no impact on the four units at this location and if the ZHB feels that zoning is an interpretation that there is a need for a traffic study, then we'd ask for a variance from that section of the zoning code. The third one was the area is out in a more rural area and it was proposed never to be served by public needs. One of the criteria for multi family housing is public sewer and it is not here, it was never here, and it was an onsite DEP approved water system, but technically, it doesn't have public sewer, so we're going to seek variance from that provision of the code. It doesn't affect anything other than what's already there and been there. These things are more technical in nature, but it's procedurally we bring it before Council for your input and advice.

Mr. Kern said the third variance is specifically what? Mr. Hunsicker said to allow the building without public sewer and use the onsite community system. They did the testing and have the design to use for these proposed developments. They have not submitted for review as they have to go before the ZHB first. Everything indicates the soils will be fine, but again, its in your code and that's why we are here.

Attorney Treadwell asked what was their water supply? Mr. Hunsicker said DEP permitted public water supply. They have a regular permit number and they are inspected and they come under the southeastern district. Mr. Horiszny asked if it was a single well? Mr.

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Hunsicker said two wells. It has a demand of about 6,000 gallons per day, a total capacity of 146,000 gallons per day, so the wells are well in excess of what is necessary.

Mrs. deLeon said the extra draw for these other four units, you say there's enough water in those wells. What about the neighbor's adjacent wells? Mr. Hunsicker said there's long distance for the adjacent wells and the four wells would have a minimal impact on the existing 6,000 gallons per day.

Mr. Kern said there's an actual resource analysis that needs to be done, have you done that? Mr. Hunsicker said that's summarized in the one chart. We discussed that about the special exception, but we have looked at that. Mr. Benner said this has to come back for the planning process.

Mr. Kocher said they have seen this, and don't have much input on the sewer and water. The requirements say they need public and they are asking not to have public. The on lot facilities that are there are permitted by DEP. The expansion is not allowed under that provision. They did not look at the natural resource protection or site capacity. Ms. Ogur hasn't seen it either.

Mr. Maxfield said those little areas to the left, the proposed septic sites for the new unit? Mr. Hunsicker said there's a primary system which are in ground trenches and then the backup system is a sand mound system. Mr. Benner said all testing has been done. When we are going to go to the ZHB, we'd like to deal with all of these issues at one time.

Mr. Horiszny said the lighter green areas are all of the septic systems now? Mr. Hunsicker said yes. Mr. Horiszny said reds are all buildings? Mr. Hunsicker said yes. Mr. Horiszny asked where the wells are located? Mr. Hunsicker went up to the map and showed where the wells were located.

Mr. Kern said have you not reviewed the natural resources as it's been prepared? Mr. Hunsicker said they have done the analysis, which has been prepared. Mr. Kern said the requirements, based on our ordinances, are for that to be completed. Has it been completed and you just have not reviewed it? Mr. Hunsicker said it hasn't been submitted to them yet. They will be submitting that as far as the land development. Mr. Benner said we need to know what the ZHB is going to do before we come back through the whole lengthy development process. Attorney Treadwell said does your client understand that if you come back and go through the land development process and the site capacity calculations and the zoning ordinance are not met, you might have to go back to the ZHB again? Mr. Kern said that's why he's wondering why they are doing this. Mr. Benner said he understands. Mr. Kocher said didn't you say the last time, the site as of today is actually over with what they'd be allowed to put? Mr. Hunsicker said we are asking for a 25% increase in the non-conforming use. Mr. Benner said the zoning asks for an expansion of non-conforming use up to 25% and that's what we are doing. We are well within that parameter. Mr. Kocher said if you do your calculations and it says you were allowed twelve units, for example, so is that expansion from 25 or from 12? Attorney Treadwell said he doesn't want the applicant go get into the position, best scenario for the applicant, the ZHB grants the special exception request, and then you have to go back again because the site capacity calculations are not met. They are two separate parts of the zoning ordinance. Mr. Maxfield said when we consider things like this, the process we have entered into, is that we're aware of the information that has not been submitted. The ZHB is going to be aware that the information has not been submitted or they are going to get the information that we don't get to consider. It put us in a really weird spot. It doesn't feel quite that we have the necessary information to proceed. Mr. Kern said it's more of a risk

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on their part because if they go ahead and come back and go through the requirements of the ordinance and it's not met, then it's not met. Attorney Treadwell said that was his point for bringing it up tonight, upfront, that he wants the applicant to be aware, that just because the ZHB, if they determine to grant the special exception, it doesn't mean we've waived the site capacity calculation requirement.

Mr. Maxfield said none of this information has been submitted to Staff, but that information may be submitted at the ZHB. Therefore, you would be agreeing or not agreeing to a special exception based on information that they may have that we don't have. Yes, it's a chance, but it kind of violates the whole process. It's like a zoning application being changed. It comes to us and we look at it and then it's changed before it goes to Zoning for a judgment. Mr. Benner said he thinks there are really two different applications. One is for the ZHB for zoning relief in terms of what the code says and the other is compliance with all your SALDO requirements as well as your zoning requirements that will be reviewed by your Township Engineer and Solicitor, whoever you have in planning capacity in the township. They've asked Keystone Engineering to take a look at the site capacity calculations and that's what you had before you last time. We are of the opinion that the site capacity analysis would be in compliance with your rules and regulations here, to the extent they are not, they are certainly going to be flagged in the planning process. They can't do hundreds of thousands of dollars of planning engineering work here to not then have the ZHB grant the relief for special exception. It's kind of a catch 22 situation. They are aware that some unforeseen event may occur that may drive them back to the ZHB. It's a risk they are going to have to take. Attorney Treadwell said to reiterate, the site capacity calculations are in the zoning ordinance, so it wouldn't be a land development waiver that this Council would grant. It would have to go back to the ZHB. What he was trying to point out, as well as Brien and Stacy, was that this is not an unforeseen circumstance, it's something we know that may come up in the future and we don't have that answer right now. He understands where Mr. Benner is coming from, is that it's kind of a cart before the horse issue, and as long as they know they may have to go back to the ZHB if the site capacity calculations determine that they need to.

Mr. Kocher said Chris's concerns were that he couldn't tell you how much relief that they are actually granting. If according to the site capacity calculations you did, how many units would be allowed on the site? Mr. Hunsicker said seven. Mr. Kocher said if this were a brand new application today, they would be allowed seven units on it and there are 20 on it now. Mr. Hunsicker said 21 existing. Attorney Treadwell said if we know that seven is the permitted number, why don't you put that in the zoning application now and get it out of the way instead of going back and when you file the land development plan, you are going to get a letter from Mr. Kocher and Ms. Ogur that the site capacity calculations aren't met. It's in the zoning ordinance and you need a variance. Mr. Benner said there appears to be somewhat of a conflict in the zoning code in terms of the permission to expand the pre-existing, non-conforming use because if you then have to look at the later ordinances that talk about site capacity, it effectively negates the ability to expand a pre-existing non-conforming use. Attorney Treadwell said he understands that theoretical argument, but wouldn't it be easier, since we know that it's going to come up, to just take care of it one time instead of coming back here again. You will make the argument that there's a conflict in the zoning ordinance and Attorney Treadwell will probably make the argument that we probably could have taken care of it with one simple amendment to the zoning application. Mr. Benner said if the Council thinks this zoning amendment should be amended to reflect to look for that exact relief, we are willing to do that. Mr. Maxfield said his problem is there's not really much information to look at for an opinion on the special exception. If there are so many variances and so many problems, maybe it may be something we'd want to oppose, but we don't have enough information to

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determine that right now. Mr. Benner said the nature of the request of relief in terms of the special exception, the code allows an expansion of a special exception, what we were seeking here with this amendment was three more variances. If it would be the advice of the Council to specify the number of units in terms of that capacity, we can certainly do that, but this is not something that runs all over the place from a development point of view. It's something pretty contained. It's a traffic study, some topo work, and one additional issue, in terms of a special exception, can this building be built at this location. It's not this big bundle of all these kind of rules that are in conflict with each other. They are all contained.

Mr. Kern said let's get Council's feel, one at a time. Start with the waiver for the two foot increment for the contour variance. Mr. Kocher said without the contours, from a land development perspective, he would agree that it makes sense to just do around the building, he doesn't have an issue with that, but how do you do your site capacity calculations? Mr. Hunsicker said they can show some contours, but they didn't want to show do the field survey to show the detailed contours. They already know the site is over 8% slope and most of the site puts us in the 85%. If you had more contours, you'd still be at 85%. Mr. Kocher said if that is indeed the case, then it's reasonable. Mr. Maxfield said again, we have no documentation telling us that is the case, and we are discovering that right now. Mr. Kern said the second item is the traffic study saying they don't have to do a traffic study which is kind of hard to say as they haven't told us how many units. Mr. Hunsicker said four units. Mrs. deLeon said she doesn't understand why there's a question, they are telling us four units.

Mr. Hunsicker said they are really asking for interpretation of Section 180.102 C 2T. Mr. Kern said that's not a problem. Mrs. Yerger said she's a little concerned that this is going to end up being an argument, as Linc said, a couple of weeks down the road. Mr. Maxfield said it says 250 additional trips, is the cutoff, to require the traffic study and we're not getting anywhere near that. Mr. Kocher said that's why he asked where that came from. Did Chris point it out or did they have a reason? He wouldn't think 26 more trips on its own would generate that. Mr. Kern said the third one is allowing the building with the septic system, not hooking up to public sewer. Mr. Maxfield said we are not about to run it out there. Mrs. Yerger said is the increased sewage going to cause an issue up there? Mr. Maxfield said that's again, the documentation that we don't have. Mrs. Yerger said that's her biggest concern. Mr. Hunsicker said all the existing units are on the community system that are there now and working. They've been approved by your SEO (Sewage Enforcement Officer). Attorney Treadwell said all that is going to come up and be reviewed in the land development process. The question now is they are asking the ZHB to not hook up to public sewer. That's the only question. Mr. Kern said if that's the question, then the answer is obvious.

Attorney Treadwell said we still have the issue about the site capacity calculations that are hanging out there, that technically, and he know the initial interpretation will be that if the site capacity calculations show a maximum of seven units allowed, they are already over it. Mr. Kern said that's what we need to address. Mr. Benner said we can then amend, are we going to have to re-advertise it? Attorney Treadwell said yes, because its not listed as one of the requests for relief. Mr. Benner said then we'll have to do that. That way they'll be no misunderstanding. Attorney Treadwell said that way we don't run into an issue a month or two months from now and will be going through it again. Mr. Benner said they'll amend the application. Mr. Kocher said that Section may be listed. He thinks Chris's concern may be, without knowing the answer, we can't give you guidance on how much relief they are asking for. You do list the site capacity sections. Attorney Treadwell said he thinks the applicant's amendment does not talk about site capacity calculations. It talks

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about the three issues we just talked about and the 25% for the special exception. Attorney Treadwell said if the applicant amends their application to the ZHB, do you need them to come back again as long as the Zoning Officer and everybody is comfortable with that last variance request about the site capacity calculations as that is just going to take more time. Mrs. Yerger said as long as our staff is comfortable and it's not going to hinge on some of the natural resources up there. Mr. Benner said they will amend the application and send it into Chris and re-advertise it and it will go right to the ZHB. Mr. Kocher said we've been talking roughly site capacity, but in addition, the natural resources protection, we can't give you any indication on that, so that's going to have to be submitted as well. Mrs. Yerger said that's going to change everything up there as it's the woods, the slope, and the stream. Mr. Hunsicker said we aren't proposing to impact any of that. Mr. Kocher said so where you want to put the buildings and the sewer systems are not natural resource protection areas? Mr. Hunsicker said it is 8% slope. Mr. Kocher said well then we should have those numbers. When you submit the site capacity calculations, the natural resource protection number should come in as well. Mr. Hunsicker said the protection area is nine acres.

Council took no action.

Mr. Kern asked if anyone in the audience had any question regarding this? No one raised their hand.

B. CYNTHIA KICHLINE – 1981 LEITHSVILLE ROAD – REQUEST WAIVER FROM ISOLATION DISTANCE FOR SEPTIC SYSTEM REPAIR

Mr. Kern said the applicant is requesting a waiver of well isolation distance to repair a failing septic system.

Ms. Cynthia Kichline was present. Mr. Kocher said we've seen these requests a few times before. They have a malfunctioning system. They've worked with the SEO and have found an acceptable site to put a new system on and it would be better than the malfunctioning site. It is however, unfortunately, within 100 feet of their well. Their current malfunctioning system is also within 100 feet of their well, so it should be an improvement. They have no objection on this except the normal condition that they enter into a hold harmless agreement with the township. Ms. Kichline said she had no problem with that.

Mr. Kocher said this is a waiver with the condition of entering into a hold harmless agreement with the township.

MOTION BY: Mrs. deLeon moved for approval of the waiver with the condition that Ms. Kichline enters into a hold harmless agreement with the Township.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

C. BRE – APPLEBUTTER ROAD – REQUEST TO ENTER INTO MAINTENANCE

Mr. Kern said the applicant is requesting to enter into the maintenance phase of their project. Hanover Engineering has done an inspection to determine if they have completed the improvements.

Mr. Kocher said they have completed all of their improvements. They've submitted the required sound study that the ZHB said they had to submit and we can report we believe they are ready to

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enter into the maintenance period subject to the posting of maintenance security and the rest of the air pollutant testing which they have to do next year.

MOTION BY: Mr. Horiszny moved for approval, per staff recommendation.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

D. AGENTIS BROS. – ROUTE 378 – REQUEST FOR SECURITY REDUCTION

Mr. Kern said the developer has requested a reduction of security for the work completed to date. Hanover Engineering has done an inspection and is recommending \$86,838.60 be released.

Mr. Kocher said that is their recommendation. Mrs. Yerger said is the escrow balance account acceptable? Mr. Cahalan said yes, they are current.

MOTION BY: Mrs. Yerger moved for approval, per staff recommendation.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

E. HIDDEN MEADOWS – LOWER SAUCON ROAD – REQUEST EXTENSION TO COMPLETE IMPROVEMENTS

Mr. Kern said the developer has requested a one year extension of time to complete the improvements in this subdivision.

**STAFF RECOMMENDATION FOR HIDDEN MEADOWS EXTENSION
FOR THE NOVEMBER 5, 2008
LOWER SAUCON TOWNSHIP COUNCIL MEETING**

The Lower Saucon Township staff recommends that Township Council approve an extension until November 6, 2009 for completion of improvements at the Hidden Meadows Subdivision. This approval is subject to the following conditions:

1. The owner/developer shall enter into an Extension Agreement with the Township satisfactory to the Township Solicitor and Township Council.
2. The Improvements Security shall remain in full force and effect until project completion or December 6, 2009, to the satisfaction of the Township Solicitor.
3. The owner shall pay any outstanding plans and appeals account invoices owed to the Township.
4. The Township Engineer is hereby directed to inspect the erosion and sedimentation controls for the project and notify the developer of any deficiencies. The developer must correct any deficiencies noted by the Township Engineer within 60 days of receipt of his report.

Mr. Kocher said they are working hard out there, but they need more time to get done and are asking for an extension.

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Mrs. deLeon said are there any outstanding issues? Mr. Kocher said no, they've been pretty responsive to us. Our inspectors are there everyday and there are no major things that we need done.

MOTION BY: Mr. Horiszny moved for approval.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. RESOLUTION #57-2008 – APPROVING HIGHWAY SAFETY GRANT EXTENSION

Mr. Kern said Resolution #57-2008 has been prepared to submit a grant application for sobriety checkpoints and DUI /Underage Drinking.

Mr. Cahalan said it's an annual renewal of the grant that the police department uses to fund the activities, sobriety checkpoints and expanded underage drinking enforcement. This is a grant that's a joint operation with Hellertown and Freemansburg Borough. It's approval for the Council President to sign the resolution to submit the applicant.

MOTION BY: Mr. Maxfield moved for approval of Resolution #57-2008.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

B. RESOLUTION #58-2008 – HONORING AL HOPPES FOR HIS COMMUNITY SERVICE

Mr. Kern said Resolution #58-2008 has been prepared to honor Al Hoppes for his years of dedication to the Saucon Valley community.

**RESOLUTION #58-2008
A RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF
ALBERT (AL) HOPPES**

WHEREAS, Al Hoppes has unselfishly served the Saucon Valley community in various capacities for over fifty (50) years; and

WHEREAS, Al was born in Mertztown in 1923, attended school in the Borough, and as a young man worked for the Borough sweeping streets; and

WHEREAS, Al interrupted his college studies at Kutztown State Teachers College to enlist in the Army during World War II, where he rose to the rank of Corporal; and

WHEREAS, after returning from the war, Al resumed his studies at Moravian College where he earned his teaching degree; and

WHEREAS, Al embarked on a long teaching career which included an 18 year tenure at Hellertown High School where he taught chemistry, physics and geometry, coached the athletic teams, and served as advisor for countless student events; and

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WHEREAS, Al has served his hometown as a member of the Borough Planning Commission and as the long-time President of the Hellertown Historical Society; and

WHEREAS, Lower Saucon Township is proud that Al Hoppes, a Saucon Valley resident, will be recognized for his devotion and service to our community at the Saucon Valley Community Center dinner on November 7, 2008.

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 Al Hoppes for his community service and dedication to the Saucon Valley.

MOTION BY: Mrs. Yerger moved for approval of Resolution #58-2008.

SECOND BY: Mrs. deLeon

Mr. Kern asked if anyone had any questions? Mr. Paul Bealer, from the Valley Voice said Al Hoppes was born in Mertztown, PA and he was a Corporal.

ROLL CALL: 5-0

MOTION BY: Mrs. Yerger amended her motion for approval of Resolution #58-2008, with corrections.

SECOND BY: Mrs. deLeon amended her second

Mr. Kern asked if anyone had any questions? Mrs. deLeon said she will be attending and will present Al Hoppes with the resolution.

ROLL CALL: 5-0

C. SAUCON VALLEY MULTI-MUNICIPAL COMPREHENSIVE PLAN – AUTHORIZE DISTRIBUTION FOR COMMENTS

Mr. Kern said at their October 16, 2008 meeting, the Planning Commission voted to recommend that the draft Multi-Municipal Comprehensive Plan be presented to Council and advertised for the required public review period.

Ms. Carolyn Yagle was present. She said they are here to talk about the refined draft that has been developed as part of discussions that they had with the individual community Planning Commissions, as well as our discussion with you in the middle of October. We have also distributed this document to the Borough of Hellertown, and their Council met on Monday evening and we gave a presentation. Going through a few of the slides, what we wanted to highlight this evening was there are three parts in the comprehensive plan. The first part is outlining the opportunities and challenges that the Saucon Valley area is facing and has the opportunity to embrace. Part II is the future pursuits that outline the action plan as currently drafted and we'll talk a little bit more about that. Part III is the background analysis. We did not have the Appendix which is referenced and highlighted, but the Appendix contains the detailed traffic information as well as the historical information in some of the old articles that were published as well as other items that supplement things. In the document that has been presented to the communities, Part I is where a majority of the revisions were incorporated as well as the resolution as commented by you, as a Council, we recognize that Saucon Valley Partnership (SVP), formerly in a couple of places in the resolution in terms of their involvement. The historical component in terms of how different villages have occurred and have been part of the communities history has been highlighted in Part I as well and that's based upon information that has been provided to us by the township and a publication from the League of Woman Voters developed in the early 80's and we've incorporated that information as well as some other minor refinements in terms of text, edits and comments that the Hellertown Council members and Planning Commission members had identified as related to recreation. Part II contains one significant refinement based upon the information we presented to the Planning Commissions as well as to you as the addition of an action item which is highlighting

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that it's recommended that the Planning Commissions annually get together to have a joint session so they can review and track what progress has occurred on the comprehensive plan. That is a significant addition to Part II. On the next slide, they highlighted the mission statement of the comprehensive plan and that is planning for the balanced growth that will maintain and enhance resident quality of life in a distinctive character by each community by capitalizing on the natural, cultural, recreation and economical assets. As part of the comprehensive plan, on the next slide, there are ten goals that have been highlighted and the subjects of these goals are identified and included in the comprehensive plan. These goals stem from the discussion based on both the SVP and the public's input we gained through the workshops that occurred. On the next slide, this highlights the general nature of the recommendations that are within the comprehensive plan and these are identified, in large part, based upon the elements that are required in the municipalities planning code. Interesting to note as well, based upon the information we received at your Council meeting last month, we have incorporated additional discussion in the regional relationships component of this document as you had all been going through the review of the Bethlehem Comprehensive Plan and had identified some of your concerns there as related to opportunities for the EAC. What we have done is we expanded that list a little bit and kept it general to your willingness as a community and as a member of the Saucon Valley – Hellertown – Lower Saucon relationship that you have interest in working with all your surrounding communities when that opportunity arrives. We expanded that specific discussion about the Bethlehem Comprehensive Plan to the other communities because another item was about the development of the greenways and corridors and that extends well beyond opportunities to the north. That is included in the regional relationships discussion as additional text. The Action Plan was highlighted which was the main focus of Part II, the Action Plan is into three different plans in that chart. The first area is the recommendation or the specific steps that are presented and recommended for action. There is a column of primary stakeholders. These bodies are listed as the primary participants and/or leaders. It does not necessarily mean that they are charged with doing all the work, but that they are in some way involved or obtaining the people resources to be fulfilling, that sort of action guiding that step. There is a lot of opportunity there for overtime. All the stakeholders which could be involved could be more extensive, but the purpose of listing the primary stakeholders in here is to give the communities a guide on which group may have the best capacity to get something started, so of course, then the opportunity to work and build on these opportunities as they go along. The time frame that is identified here, there are four general timeframes which are immediate, short term, long term, and ongoing. There is a guideline presented in the comprehensive plan about what each of those timeframes may mean, but there is flexibility to that as those are ranges of time, whether it's two to five years or something that may happen in zero to six months. What is important in our minds is a planning team to present is, that part of this action plan, just because something may not happen in zero to six months, doesn't mean it isn't a success. What it does mean is you've initiated that action and that's something that the SVP was evaluating which were comments based on the public and comments they've heard from the leaders of the community that there is interest to get things underway within a general timeframe of immediate short term or long term or something that is ongoing. The Action Plan really serves as a guide. There was a specific question that was asked by one of the Hellertown Council members on Monday about recognition of all of the words and how each phrase is worded in the Action Plan. Her question was generally pertaining to when we adopt this document, are we adopting these phrases specifically. Actually you are adopting it by resolution. What the Action Plan seeks to do, is present a series of major actions. Underneath each of those major actions is a listing in points of time and we have listed more detailed steps that can be developed or completed as part of that major action. If the communities see that over time there are other opportunities that may be associated with that major action, and there is a desire that there are either additional steps that are added to that Action Plan or there may be some modification to those steps because you all find there be a more efficient way or you have the opportunity for a grant to do something, that would help that action along, then there is certainly consideration and room for these because you are not adopting these by law, you are adopting these by resolution and recommendations. What is most

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important to remember as part of the Action Plan is that the major recommendations that are listed as part of this document are what you are striving to do. The specific manner in which they are completed, we've outlined these steps as we know they are successful through practice and through lessons learned. Again, there is still opportunity for you to expand upon this list and that is the beauty of working with a document that is breathing and living over the course of ten years. The last couple of slides that are in your handout really get into some of the example actions that fit within these major categories that are presented within the Action Plan which are economic, regional leadership, land use and housing, infrastructure and transportation, natural resources, civic resources and other policies. Essentially all of the recommendations that are outlined in Part I have been summarized into one of these categories as part of the Action Plan. There was also discussion on Monday related to some of the actions that used to be on the action list, but no longer are presented as part of this draft. One of the reason for that is we're dealing with a document that the communities are trying to think about, it's what seemed what would be possible and important to put on the list, moving towards the next ten to fifteen years and being realistic. That is what the general status is why the general items are on the list and why they are that way. The township may be involved in a lot of these, but they may not be involved in all of them. So recognizing while there are 40 some on the list, not all may apply at one time. This is not to be overwhelming, but something you work on over time and learn more about Hellertown and the school district to get things achieving efficiently and to make your community better step by step like you have done over the many years. The last few are listings of example action items that we've just pulled from the list and ones that have been talked about in many different parts of Partnership discussions and other presentations.

Ms. Yagle said with that said, she'd like to ask if you have any questions or want to highlight anything else in where we are in the process with the multi municipal comprehensive plan. Mrs. deLeon said next week you are not going to be on the agenda for the SVP. Ms. Yagle said we won't be on the agenda. Mrs. deLeon said on page 1-9, the log barn, it's in the City of Bethlehem. Mrs. Yagle said they can change that. It was one they were able to get from the township website and they will remove it from the document. Mrs. deLeon said if you are interested in another barn, we had a second annual barn tour, so they have a list at the Conservancy. Go on the website and click on barn tour, and you'll see them. The one in your document is the oldest barn in Northampton County but it's not in the Saucon Valley area now. Ms. Yagle said your Halloween event the other week is one of the successes you had with opportunities to keep moving forward.

Mr. Maxfield said considering what our position is on land, saving, there was one map that had the term of developable land, and he doesn't see it included in here. Ms. Yagle said let's look in Part III, 3-14, map 16? Mr. Maxfield said that's it. Ms. Yagle said are you requesting we change the name of the map? Mr. Maxfield said all he's requesting is you change the term "developable" and change it to something else as it almost sounds as if its encouragement and that's not what Lower Saucon is about. What could we change it to? Ms. Yagle said in addition to the map on 3-14, the description on 3-5, we will also update because that is identifying that there is the analysis of existing land use, soils, suitability, slopes and the sensitive areas. They will be reprinting these and they will coordinate with each community about whether they are digital or paper, so we'll get the proper pages to Jack Cahalan and Charlie Luthar. Mr. Maxfield said 3-5, it's more than just the title. Attorney Treadwell suggested undevelopable which is an okay title. It's a comp plan, and it's kind of important of what we are suggesting. Also, it says development could potentially occur which makes sense as some of it is slopes, and that doesn't bother him. Mr. Maxfield said if we make a change like this, must it go back to Hellertown? Mr. Cahalan said we could bring it up at the SVP meeting. Ms. Yagle said they could issue a statement to the SVP next week, but as having the book completed, no. Mr. Cahalan said when you make changes to the draft, Council needs to make sure it is distributed to the adjacent municipalities and the school districts. In Hellertown on Monday in terms of what was authorized, they were authorizing the 45 day public

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review period can begin and they were acknowledging that time has come in the plan. There's no defining date that we said that 45 day would begin because we were meeting with you tonight.

- MOTION BY:** Mr. Maxfield moved for approval of the SV Multi-Municipal Comprehensive Plan draft with the above change and the condition that Hellertown accepts that change.
- SECOND BY:** Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 5-0

Ms. Yagle said the other comments that you have had in the past have been addressed as well.

D. PRELIMINARY ADOPTION OF 2009 PROPOSED BUDGET

Mr. Kern said the budget has been prepared and Council will review and discuss the preliminary adoption of the 2009 Budget.

Mr. Cahalan said Cathy Gorman is here. You had some handouts that should be in the Council folder. Ms. Gorman said there were some minor changes made from the proposed to the preliminary. Some were discussed at the last meeting and some were from information received after the proposed budget was presented to Council. Mrs. deLeon said that language in the one memo she questioned and Ron had a question about the BRE thing, did you change that? Ms. Gorman said yes. Mrs. deLeon said she'd like a corrected copy. Ms. Gorman said on page 3, the only change made was the beginning balance from \$940,494 to \$966,593. There were no other changes made in the Revenue section. On page 47, under Hydrant and Water Services, we increased that to \$1,695 and that was based on a letter from the City of Bethlehem increasing their rates of water per gallon. On page 61, in Recreation for Major Equipment, there is \$4,395 expenditure for a ball field groomer. We had moved that to the Equipment Purchases at Polk Valley Park., so you'll see that attached to the Special Fund Budget. On page 68, the Contingency balance was changed from \$589,031 to \$617,830 balancing the general budget at \$6,485,170. In Special Funds, page 77, the Beginning Balance for the Landfill Fund had been increased from \$217,405 to \$235,941. The Income from the BRE Fees was drastically modified to \$6,500 changing the contingency balance from \$86,016 to \$61,052. Mr. Horiszny said what was the reason for that reduction? Mr. Cahalan said we were basing the calculation of the electrical output on previous communications that were given out by the Landfill and BRE and the megawatts they were quoting were about 5.7, we now learned that was the initial payments. You've clarified that with Sam Donato that the projection is reduced to about 5 megawatts, so the output decreased the amount we received and it is smaller. Mr. Horiszny said just because they are producing less electricity, does that mean they are burning less gas? Mr. Cahalan said yes. Mrs. deLeon said the flare has been down a lot lately with maintenance issues. Mr. Cahalan said he thinks it depends on the amount of gas, the quality of the gas that they are burning. Ms. Gorman said the output and the revenue they are receiving could be different from what the actual industry amount is getting. Mrs. deLeon said the other thing we are supposed to be getting monthly checks according to the host agreement and not quarterly checks, and you may want to look into that. Mr. Cahalan said they have received at least two checks and they have been monthly. Ms. Gorman said she will check with their Accounting Department. Mr. Kern said who determines the electricity output of the BRE and how would that change? Mr. Cahalan said they'd have to be burning more of the methane and the methane being burned and the electricity being produced. The money end of it is what they are selling. It's based on what they are producing and what they are getting from the grid who they are selling it to. Mr. Kern said that could change depending on demand. Mr. Horiszny said all we get is 3% of the gas sales. That's why his question is they may be burning more gas but converting it with less efficiency, so we should get more. Mr. Cahalan said he's not sure that the gas is being sold on the market. The electricity is being sold that's being produced by the turbine. Mr. Horiszny said what we are getting is based on the gas being sold from IESI to BRE. What happens after that doesn't affect us unless we get some electricity and we don't. Mr. Maxfield said you are saying we shouldn't be depending on the

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output of what they sell. We should be depending on what is being sold to them. Mr. Cahalan said they will give you a breakdown. Mr. Horiszny said what BRE sells to IESI is what we get a cut of. Mr. Cahalan said the point of sale we were just talking about, that is the electrical grid, so we will get back to you on that. Mrs. deLeon said you have to understand, back in 1998, when the language was inserted into the host agreement, who would have ever thought this would come to plan with the movement. Mr. Kern said who monitors the gas output so we know what it actually is? Mr. Cahalan said between the landfill and BRE, they keep records of that and those are available to us. Mr. Maxfield said BRE was talking about an outside company coming in and monitoring the wells also. BRE doesn't have the right to on landfill property to monitor the wells, so it has to be monitored by the landfill which is a weird situation as they need a certain kind of quality and those kind of things. Mr. Cahalan said they will get Council a full report of how that is worked out.

Mr. Horiszny said their grand opening is coming up on November 21. Mr. Cahalan said yes it is, and you are all invited. If you want to attend, let us know. It's at 11:00 AM.

Mr. Kern said in the Landfill Revenue Fund, page 78, items 04.364.610, the way it's worded, it seems to indicate the 3% is based on the kilowatt sales and not the gas sales. Mr. Horiszny said he thinks that is incorrect then. Mr. Cahalan said that's what they will check into. They actually took that from the invoice that was sent to the Township by the landfill. Ms. Gorman said she will check on that and make sure the language is correct.

Ms. Gorman said on page 98, the State Aid Fund, proposed revenue was changed from \$350,862 to \$340,055. That was based on the notification they received from the State saying they were getting less funding due to gas prices.

Ms. Gorman said on page 101, Town Hall Park, the last meeting Roger had discussed the replacement of mulch at the park and the increase in price and that was the change under Maintenance and Repairs. Mr. Horiszny said \$20,000 for free mulch from our yard waste. Ms. Gorman said no, it's for rubberized mulch to replace the wood mulch. It's more expensive, but more durable and lasts longer. Town Hall Park is the biggest area we have. Mr. Maxfield said how much is that? Ms. Gorman said she doesn't have the breakdown of it.

Ms. Gorman said on page 105, Southeastern Park Fund, under Minor Equipment Purchases, we added Water Filtration System for \$3,200. Roger had spoken about that at the last meeting.

Ms. Gorman said on page 109, Polk Valley Park, Minor Equipment, we had \$6,630 and we increased it to \$26,025 and added the Gator Utility Vehicle plus the Ball Field Groomer.

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

- MOTION BY:** Mr. Horiszny moved for approval of the preliminary 2009 budget.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Mr. Kern said there have been no tax increases.

VI. DEVELOPER ITEMS

A ZONING HEARING BOARD VARIANCES

- 1. ADAMS OUTDOOR ADVERTISING – ROUTE 378 – VARIANCE REQUEST TO REPLACE EXISTING BILLBOARDS**

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Mr. Kern said the applicant is proposing to remove the existing 12 x 25 ft. sign and two additional 12 x 25 ft. signs currently in place at the Pierpont Slater Bank land development site and replace them with one proposed double sided sign visible on Route 78.

Present: Andy Warner, Owner of the property. They are here to clarify all issues relative to it, but the bottom line is that for them to proceed with the bank, this is an intricate part of the whole situation for them to do it and he sees some significant improvement on the entry way to the Lower Saucon Township.

Present: Lois Arciszewski, Real Estate Manager of Adams, David Pappentick of Adams, Real Estate Representative. Ms. Arciszewski, said as she said before, it's a long standing project that Mr. Warner and Adams has been working on. It's been six years now. They were in front of you in December of 2006. They want to tell you of their progress they have made. They were in front of your Planning Commission (PC) at the recommendation of your Engineering firm. They have revised their site plan. They have about 12 or 14 comments on the site plan and will be resubmitting that to the township on Friday. At the PC meeting, they have distributed a letter and had four points and Adams is addressing all of those points. No. 3 says the applicant addresses the visual impacts including lighting and scenic views. They wanted to tell you they heard your concerns. They believe they are valid. They have engaged Lehigh Valley Engineer, Dean Battten, who is a professional engineer with them. He's a member of the Illuminating Engineer Society of North America and he will be testifying at the ZHB hearing on November 17. She hopes that answers your questions and concerns. Right now the engineering firm is preparing lighting models to show that the illumination will be in compliance with the ordinance. Actually, she thinks they are going to be able to reduce the lighting away from their standard 400 watts. They are working on that right now, but it does look like they may be able to reduce that to 250 and give the Township a comfort level and still be a viable product to the advertisers. They are making every effort to address those concerns. There were three other comments on the PC letter and they did address those with the Township as they had a workshop meeting and it was very productive. Their next steps are to appear in front of your ZHB on November 17. She feels like they are rounding third base. She thinks they truly have dotted the I's and crossed the T's. She asked if anyone had any questions. Mrs. deLeon said she was interested in the lighting. Ms. Arciszewski said that's why they engaged with the illumination engineer.

Council took no action.

V. TOWNSHIP BUSINESS ITEMS

E. REDINGTON CHAPEL SITE LANDSCAPE PLAN AND HISTORIC MARKET PLACEMENT

Mr. Kern said Boucher & James has produced a draft Landscape Plan for the Redington Chapel site located at Redington Road and Quarry Lane. The landscaping would feature a historic marker for the site that would be recommended by the Historical Committee and approved by the Council.

Mrs. Yerger said you can see the plan in front of you as far as the layout issue that Boucher & James designed. The one thing they did was they took the sign, which you should have copies of, and when they mocked it up, it's a bit crowded and looks a little unbalanced and that was a concern of the Historic Committee, so they are proposing because the verbage was actually approved by the Township Council, to look at amending that and balance the sign out a little better to have it read:

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The Meadow's Road Bridge built in 1858 is one of only two examples of a four span bridge that exists today in the County (instead of having Northampton County back to back), we thought it looked a little odd. Mr. Horiszny said you shouldn't have an "s" on exist. Mrs. Yerger said the "s" has to come off. Mrs. Yerger said she doesn't know about the word exists. It's one of two, referring back to one. Of two, is a clause. Mr. Horiszny said two bridges exist. Mrs. Yerger said the rest is a clause. She thinks it should be exists. She has a copy editor and she will talk to her and email everyone tomorrow. The main change was that exist or exists today, then change it to the County. This is the way we are suggesting it read:

"The Meadow's Road Bridge, built in 1858, is one of only two examples of a four span stone arch bridge that exist or exists (which we will clarify) today in the County. Northampton County built the bridge to accommodate farmers transporting grain to the Moyer Grist Mill." Mrs. deLeon said can you also move the whole thing down so the spaces are more even, the top seal from the bottom. Mr. Maxfield said from a composition point, no. You want more space at the bottom or the letters look like they run off the bottom. Gravity plays a weird thing with your eyes. Mrs. Yerger said we have to approve these signs.

Mrs. Yerger said the Redington Chapel, we already did approve the wording. Leslie needs to know as they are ordering multiple signs for cost effectiveness. Ms. Huhn said this is what Glenn was starting to say. When you are taking one of the Counties, it is still going to shorten words that they have to work with that will bring it in. The one thing that sticks in her mind, if someone is driving through and reading this sign, and they are not from around here, you are saying the County first, and Northampton County second, so you are not referencing the County. Shouldn't it be Northampton County first then the County next. Mrs. Yerger said it's not the ideal thing, she thought we were looking more at the visual. Ms. Huhn said what if she works with the sign guy to see if either way works or if he can shorten that one sentence. Mr. Maxfield said if you put that exists today in Northampton County, they are going to jump County out to the next line and that means you are going to have County, then "The County". If you are okay with "County" twice in the same line, then do it. Ms. Huhn said why don't we have him make a mock up of the Meadow's Bridge and the Redington Chapel and we can look at it. Mrs. deLeon said can you work with the words and turn it around somehow. Ms. Huhn said she will look into it.

Mr. Cahalan said once that step is completed, then where are we going to locate the sign at the bridge. We will have to call on Mr. Kocher's assistance. We may have to have it on private property.

Mr. Cahalan said on the Redington Chapel site, are there any concerns moving ahead with the planting recommended by Boucher & James? Council said no. Mr. Cahalan said do we need to formally designate this as we were going to make it a historical marker designation? Attorney Treadwell said yes, do a resolution. Mr. Cahalan said they will bring this back to another meeting.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES OF OCTOBER 15, 2008 COUNCIL MINUTES

Mr. Kern said the minutes of October 15, 2008 are ready for Council's review and approval.

Mr. Horiszny said on page 1, line 37, the Bethlehem Public Area Library was the statement and it should be the Bethlehem Area Public Library. It's also on line 37 and 38, and later on in the paragraph.

MOTION BY: Mrs. Yerger moved for approval, with corrections.
SECOND BY: Mrs. deLeon

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Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No)

B. APPROVAL OF MINUTES OF OCTOBER 22, 2008 COUNCIL MINUTES

Mr. Kern said the minutes of October 15, 2008 are ready for Council's review and approval.

Mr. Horiszny said on page 7, line 51, it talks about life insurance policies. He doubts that very much. Mr. Cahalan said it's property casualty insurance. Mr. Horiszny said on page 18, line 42, it indicates he asked about a tipping fee we are now receiving from BRE. That goes back to our earlier discussion. He was just noting we were now receiving funds from the sale of landfill gas to BRE.

MOTION BY: Mrs. deLeon moved for approval of the October 22, 2008 Council minutes, with corrections.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No)

C. APPROVAL OF SEPTEMBER 2008 FINANCIAL REPORTS

Mr. Kern said September 2008 financial reports ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved for approval of the September 2008 Financial reports.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

None

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said he has a recommendation from the Parks and Recreation Board on the recreation fee from the Kazan Minor Subdivision. They paid the recreation fee of \$3,113.00. At the last meeting of the Parks and Rec board, they recommended to Council that it be deposited in the Town Hall Park fund.

MOTION BY: Mr. Maxfield moved for approval to deposit the recreation fee of \$3,113.00 from the Kazan Minor Subdivision into the Town Hall Park fund.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

- Mr. Cahalan said we mentioned the BRE Open House on Friday, November 21, 2008 at 11:00 AM. Let Leslie or Jack know if you want to attend and they will RSVP.
- Mr. Cahalan said he provided in your folder, a copy of the minutes from the last Park & Recreation Board meeting which was just this past Monday. He wanted to bring to your attention that there are some parking problems out at the park. To sum it up, the Park opened in April. We really had no issues with any usage of the fields until this last September when the soccer folks starting scheduling matches and people started to show

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up to watch the games. We initially had some problems with people parking along the roads and the police directed them to move away from there. We also found out they weren't using the parking lots, but were trying to park near the fields. We also did some enforcement on that. When there was capacity at the park, we discussed some short term options for overflow parking and the short term option was the use of the Norcar property for the overflow parking. Long term, as you know, the plan was to use the school district parking lot once the connector trail is in place between the park and the school district. Mr. Kern said did we talk to the school district about that? Mr. Cahalan said not officially have we said anything to them. He thought it was being handled, but apparently there have been some issues out there with people continuing to park close to the field. The spot that is of issue is the area where there's a gravel parking area – it's when you go past the main road and as you go past the three multi purpose fields, there's an access road with a ballard and the next thing is a gravel parking lot. That is available on a first come basis. It's probably ten or twelve parking spaces on the gravel and fills up fairly quickly. What was happening was people coming afterwards were driving on past the gravel and on to the grassy area between the parking lot and the quarry. That was reported to him. He asked the police to enforce it. They indicated it was difficult to enforce as there was no signage there indicating that. We've now put signs up "No Parking on the Grass". Despite that, he's been told this past weekend there were 30 cars parked on the grass. Enforcement has been spotty and he's spoken to the Chief about it. The Park and Rec board is hearing from the sports group and they are telling them there is not enough parking at the park. They've had some games and staggered the games as they were asked to do, but they said over the weekend, there were only a couple of spaces left. Based on that, they are saying that the Council should give the okay to opening up grassed areas for additional parking. He showed Council on a sketch which one he was talking about. He told the Parks and Rec board that he was told there was sufficient parking on the park property and the Planners took into account the usage of the three fields and the baseball fields and if there was any overflow parking for events, long term at the school, short term at the Norcar property. It is the soccer groups that feel there should be some additional parking areas in the park. You may be hearing about it. If there's enforcement of the signage, people will be ticketed if they are on the grass area. You will hear people saying they came to an event and all the parking spaces were taken up. Mrs. Yerger said can we barricade that and force them to go somewhere else...like a temporary chain type of thing. They will find parking. Mr. Maxfield said there could possibly be a scheduling problem with soccer. Also, when the park was initially planned, that site was not a parking lot. It was the building site, so even that gravel parking lot wouldn't have been there if the plans would have been built out. If the fields are being over used or if there's just too many people coming in or too many events scheduled, they need to do the adjustment and if we are having problems with just one sport, that's where the finger points. Mr. Cahalan said the fields are being scheduled on a weekend as there are no lights up there. They staggered the games but are still saying there are multiple parties and separate cars coming to see the kids play. At Polk Valley Park, there are over 200 spaces including 10 at the gravel parking lot. He's hearing the top part and the middle parking lots are all filled. Mr. Maxfield said he was up there with two games going and there was a lot of parking left. Mr. Cahalan said soccer has travelling teams and some are coming from a far distance, one from Radnor, and they are coming in to a park that's not familiar, and that's another issue. Carol Schneider has the schedule for all the teams that are scheduling games. Mrs. Yerger said 36 kids per field, times three fields, you have 108. Mr. Cahalan said he's hearing there are multiple cars. Mrs. Yerger said then they are going to have to carpool. Mrs. deLeon said what does zoning say when it comes to fields, who determined the number. Mr. Cahalan said we felt we had adequate parking for the fields, but we only discussed that as overflow if we have tournaments. Then the school was brought in. They are telling them we are not even into tournaments yet. Mr. Maxfield said they are going to have to make adjustments. Mrs. Yerger said if

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the home team is worried there is not enough place to park for the away team, then the home team should park at the high school and let the parking for the away team and just carpool the team over. As soon as the trail is done, they can walk. Mr. Maxfield said if you are going to want to use the Norcar property, they are going to want to pull right up to the fence. Mr. Cahalan said the problem with the Norcar property is we didn't have the trails done which are now being done. We tried to accommodate the sports people by opening the park before it was finished. Some people said you should have waited until the park was completely finished before you opened it up. He thinks he's hearing that he already told them, they'll be no grassed areas turned into parking lots. Mrs. deLeon said what happens when it rains, the mud, it's going to be a mess. Mrs. Yerger said if you need to put temporary posts in and chain it off, then do it. Mr. Maxfield said he heard one story where the people were booing when the police came there. They were pulling into the drive below there and there was a car was on an angle. It would be a shame to chain off the areas. He'd like to see the police out there. Mrs. Yerger said if the fields are being used that heavily, the fields aren't going to hold up and maybe we should limit the use of the fields. Mr. Kern said we might need more overlap between the games. He'd like to get an exact count on the amount of spaces. Mr. Cahalan said on the top there are 133 spaces, and that includes the 18 we added just in the last couple of months; the middle there are 25, the bottom 33, and he's estimating the gravel lot is 15 cars...about 206 spots. Mr. Maxfield said that should be more than enough for reasonable usage of the park. Mr. Kern said if they are having a tournament, they could issue 206 parking permits.

B. COUNCIL/JR. COUNCIL

Mr. Maxfield

- He wanted to see if we could get back on track. Quite awhile ago he asked reducing the weed ordinance from 50 to 25 feet and he hasn't heard anything. We were supposed to develop some language. Mr. Cahalan said he will check on that and get back and report on that.

Mrs. Yerger

- She said the Whitetail Bowman's Club application is going to be presented at the County Open Space Committee on November 13 and they will review it and hopefully we will get approval to forward it on to Council.

Mr. Horiszny

- He attended the Sustainable Parks Seminar at DeSales last Wednesday and Sandy and Tom were primary folks in that, and to be commended.
- Speaking of history, the Historic Society, next Wednesday, will have a program at Seidersville Hall about antique phonographs. The guy is going to play records, so if anyone wants to hear those, come on by at 7:00 PM.

Mr. Kern

- He attended the Lower Saucon History Day which was great. One of the sites he went to was the Heller Homestead and he saw the results of the painting of the windows and he's not satisfied with the results and we need to address, as a Council, what to do about it. It wasn't what he anticipated from the contract. He's speaking about the window panes. Based on the bids and the way the bid was worded, the contractor will replace any glazing that needs repair. Because of the nebulous wording of that, it was at the discretion of the contractor to reapply whatever they thought needed repair. It said loose or missing. When he inspected it prior to the contract being awarded, every window needed glazing because of the age of the windows. If he were to take a screwdriver onto the old glazing, he could loosen all of it. When he saw it from the road, it looked great, but when he got closer, not

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only did they not glaze areas that were missing, but they painted over the old existing glazing which is not an acceptable solution and not what he had envisioned. It's a little bit of a predicament that the wording of the contract, and he reviewed with Jack the contracts, they were only going to replace the missing or loose stuff or as necessary. There's a little bit of an issue here. Mr. Horiszny said we should call them and maybe the owners didn't realize what the painters did. Mr. Kern said they did call them and met with them and they were accommodating to a point and they realized there was a little miscommunication as to expected results. Because of that, we realized the other contractors would have done the same thing as they did, which was just loosen it a little bit and paint over it. They submitted a new price for glazing, removing everything and glazing. That was more than he had hoped it to be. It was \$8,950. Mr. Cahalan said when he talks about removal, it's with a heat gun. Mr. Kern said if we're going to do a spec, chipping it out in the cold, it should be heat gunned and soften the glazing. The problem is they are going to be removing the paint they just put down. It's not good. Mr. Cahalan said it's labor intense work. We don't know if this price they are giving us is competitive. We have to bid it out again. Mrs. deLeon said they just painted over it, you can see where it was old and crumbly. Mr. Horiszny said what about caulking it? Mr. Kern said caulking isn't going to work. Mrs. Yerger said isn't this time of year going to be an issue now? Mr. Cahalan said yes, because of the temperature, they probably wouldn't be able to do it. If you want to do this, it will have to be in the spring. Mrs. Yerger said this has to go out to bid. Mr. Kern said we were hoping this price was based on there realization of their error. If we get other bids and they are \$12,000, then we know Sobrinki's estimate is reasonable. Sobrinki volunteered to come back and do it to the original speck. There are missing areas which they said they would come back and fill them in. He said not to come back as why to fill it in and they have to chip it out again. The sills, the putty is still soft and it is supposed to be hard. The one when you push into it, it's like a sponge. Mr. Cahalan said they agreed to come back and do the sills and they won't charge us. Mrs. deLeon said the township did a great job on the door in the back. When we do re-advertise, we need to be up front with these guys with the PHMC requirements. Mr. Kern said it's just glazing. The glazing that's in there is really bad. It was done 50 years ago by someone who didn't know how to glaze and it needs to be done. Mrs. deLeon said in 1992, the windows were in okay shape. Mr. Cahalan said that will take care of the future work in the springtime. The other thing is the payment to Sobrinksi. The four new attic windows are coming tomorrow at 12:30 PM. He'll come back and report to you. Mrs. deLeon said she has Sobrinksi's security key. She has it and put it in an envelope in one of the kitchen drawers. They left the key with the code. Mr. Kern said do we have them continue to fill in the missing places they missed the first time? Mr. Cahalan said no. Mrs. deLeon said let them do it and see what it looks like. We should hold payment. Mr. Kern said all the glazing needs to come out, it's old glazing. They messed up. There's widow panes with no glazing, they just painted the wood. The windows are intact. They want to come in and put the glazing in and we are saying no. They should take money off of their bill. Mr. Kern said we will have to go and count the windows.

Mrs. deLeon

- She said what's going on with the Jr. Council position? Mr. Cahalan said he will contact Mr. Gombos again. Mrs. deLeon said please contact him.
- She said the thing with the casino really has her bugged, with the host fees. Do you feel it would be helpful to make an appointment with Lisa Boscola and tell her this isn't working. Host fees are supposed to be host fees. She would like to see that. At least we can say we tried. It was supposed to be an easier process. We were supposed to get priority. Lisa felt comfortable with that and it's not. The county is interpreting different. If we can get Lisa to change legislation for Act 71, then it's a statewide change. Mr. Cahalan said he thinks a good idea. Mrs. deLeon said she would like to be involved in that. Mr. Cahalan said he'd

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like to mention we are in a coalition with Hellertown, Freemansburg, Hanover Township. If we are going to have a meeting, it should be all of the partners. Mrs. deLeon said tell Lisa we want to set up a meeting with the municipalities and our state legislators. This can be brought up at the SVP meeting. Mr. Maxfield said it should be with those particular municipalities. Mrs. deLeon said this Council supports the concept. Mr. Kern said please add to the agenda to discuss with the school district about potential overflow parking at Polk Valley Park.

- Mrs. deLeon said going back to History Day, at the Conservancy we had about 60 people come in and out between the rain drops.

D. SOLICITOR
None

C. ENGINEER
None

D. PLANNING
None

IX. ADJOURNMENT

MOTION BY: Mrs. deLeon moved for adjournment. The time was 9:27 PM.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council