

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, November 7, 2012 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present: Glenn Kern, President; Tom Maxfield, Vice President; Dave Willard, Ron Horiszny and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Cathy Gorman, Director of Finance; and Linc Treadwell, Township Solicitor.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session 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. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. We are going to use a little stricter enforcement of Roberts Rules. That basically means is courtesy of the floor, so whoever is speaking has everyone's attention. They'll be no outbursts. They'll be no talking on the side. We'll listen to whoever is speaking and at the completion of that, if you wish to speak, raise your hand and you'll be afforded that same courtesy of the floor where you will be able to speak uninhibited and unbothered by outbursts and comments. He hopes that's clear as he will be enforcing that tonight. If you do speak, please use the microphone as we do transcribe the minutes verbatim so the transcriptionist can get word for word of what you are saying. State your name for the record for that same reason so the transcriptionist knows who is speaking.

III. PRESENTATION/HEARINGS

A. LERTA PROGRAM FOR MAJESTIC SITE

Mr. Kern said City of Bethlehem Director of Community & Economic Development Joe Kelly would like to discuss with Council the renewal of the Local Economic Revitalization Tax Assistance (LERTA) Act for the portion of the Majestic parcel in Lower Saucon Township.

Present were Joe Kelly and Joe Uliana who represents Majestic Realty. They are here to talk about the local Economic Revitalization Tax Assistance Act. It's a program they had in the City of Bethlehem for well over 30 years and has worked effectively to help redevelop difficult and deteriorated areas in the City of Bethlehem. They are here before LST as there's a portion of the Majestic property that sits in LST. The bulk of the property is in the City of Bethlehem, but a quarter of it is in Bethlehem Area School District (BASD) and the remainder is in Saucon Valley School District (SVSD). As they are evaluating and trying to get these 450 acres redeveloped, there's a portion of approximately 25 acres that is in LST. A couple of years ago there was a data center that had been looking at developing in this area and they came so far as to get preliminary land development approval. Unfortunately, the economy came along and slowed much of the development down. They are re-evaluating how to expedite and get this property redeveloped. LERTA is a tool they used in the City and it exists on a chunk of that site now. They are in the renewal process in the City of Bethlehem and before the two school districts to get the incentive in

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place. LERTA is a proven fiscal incentive in the City of Bethlehem that was put in place in 1977. It's used pretty much across the Commonwealth to help redevelop what sometimes are difficult to develop sites, primarily in the urban core and deteriorated post-industrial sites. It insures that economically challenged areas are brought back to the tax rules quicker and essentially the community receives 50% of the approved real estate tax revenue over ten years. It has become for them and certainly in Northampton County and the City of Bethlehem, an important tool to stay competitive. The redevelopment of that site off of Commerce Boulevard is really going to be a logistics site given the proximity to I-78. In regards to getting that redeveloped, we compete with other Greenfields, particularly in the Macungie area and western Lehigh County locally. The Chrin site, not quite in the development stage, has a place to build an exit off of Route 33 that will open farmland in that area which will be potential redevelopment. The competition locally is great and if you look at it from I-78 and I-80 corridor, it becomes even greater in terms of redevelopment opportunities and incentive opportunities. From our perspective, at least in the City of Bethlehem, we are funded like LST is funded by property tax; the nice thing about LERTA is it keeps the current existing property tax in place. It is only on the improvements where the assessment is graduated in over ten years. Whatever you get on that property now you will continue to get and if a building is built on that, the incentive and increased assessment will be bled in over ten years. How the LERTA tax schedule works, it sits there and it's based on occupancy, the LERTA will take effect and the new assessment will be set on the building value. To give you a sense where we are on the Majestic parcel, it is Lot 7. This particular aspect of the prospect is about 25 acres. To give you some idea of where they have used LERTA for 2009 and 2010, those two areas are on LVIP property where Cigars International and US Cold Storage sit, the BASD part of the site, is split in half and it's where Liberty Property Trust just erected their \$2.2 million square foot facility which at the moment doesn't have a tenant. Straddling the line between the BASD and the SVSD is where Majestic is erecting their first building, which is the Crayola distribution center which is about 800,000 square feet and should be done by next week. They are here to talk about Lot 7 and to get that into LERTA. What they expanded with the school districts is it has been on a two-year renewal period and in speaking to both developers and site selectors, two years is a short window in which to get properties and projects like this underway. It takes a long time for site selection and they had recommended expanding the renewal period to five years. He doesn't think anyone sees a great deal of economic growth in the next year or year and a half. In the out years, you'll see some growth. One of the other reasons to expand the renewal period, and from their perspective, it is administratively difficult once he's done renewing it one time, then in six to eight months he's starting all over again as he has to go before so many municipalities and school districts and the County eventually to get this incentive in place.

Mr. Uliana said you probably have one question as to why this wasn't included when they went in 2010 before all the jurisdictions, which was their fault and mistake. They should have been looking at the total site, but they come before you as they dropped the ball and they should have when they were at the BASD, SVDS, the City of Bethlehem and Northampton County, they should have been here working with you. What really jogged their thoughts was when the data center project came up and they went through the process of getting zoning and working out the tax sharing agreement with you, they realized that they dropped the ball as if this would have come, they wouldn't be qualified under LERTA, so that's why they are here today to try to make up for that mistake and get the whole site included. It is a unique site. Very few pieces of property that were owned by one large entity are in this many jurisdictions. Usually it's one school district or one town and one county, and that's why they are here today.

Mr. Kelly said the next slide, it gives you a sense of the proposed building or the build out of the Majestic site and you can see where Lot 7 sits. Mr. Uliana said on behalf of Majestic, that's just an artist rendering. If you look at where the Crayola site is, that's the only improved piece of property on that whole lot. As a way of history, in 1999, when Bethlehem Steel was a functioning entity, Majestic Realty purchased this property, had to go through bankruptcy of Bethlehem Steel, had to go through subsequent sales to the integrated steel group as well as ArcelorMittal and then finally close on the property in 2007. Since 2007, we have responded to numerous requests for different

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entities coming into the area looking for logistics and looking for warehousing space. The first project since 2007 is Crayola. Crayola was looking to consolidate out in Central PA and here, and they decided to consolidate here. Brownfield sites, not only are challenging from a tax perspective and a cost perspective, but they are challenging just because they are brownfield's and most developers who are looking to develop and most real estate managers are looking to these facilities, want to have no risk at all. They look at Chrin or out on Route I-78 where Pet Smart has moved and they make that as a logical choice or decision, so it's very tough to develop in these areas. What they found is that LERTA allows us a level of playing field and allows them to consider and compete. Without LERTA, it's very difficult to compete. The proposed LERTA for LST is presently a LERTA designation. It was approved unanimously two week ago by the SVSD. There is a significant property difference between the Majestic Center and Greenfield suburban developments. LERTA will have no effect on the tax-sharing agreement that exists between Bethlehem and LST for this particular property. This gives you an idea of the tax comparison that they are dealing with in trying to redevelop this site and both SVSD and BASD have tax burdens that come along with being somewhat of an urban school district. If you look at the local Lehigh Valley Industrial sites, they sit at 66.68 mills without LERTA. The Chrin development is a little bit higher, but they have the TIF in place so they are using their tax dollars to pay for their own infrastructure. Then you look at the Jandl Land Development on Route 512 and it's 61.79 mills. In the Macungie area, it's 58.65 and 55.39 mills. The LERTA locally is important to keep us competitive as Mr. Uliana pointed out. This is a regional site and an Eastern site and you can see the competition we look at local. I-83 is 29.66 mills. The Berks County site with the Pet Smart property, which they put in place with LERTA, two months later, Pet Smart decided to go to Berks County as opposed to locating on the Majestic site. The KOZ's are remarkably lucrative incentives in that they pay no taxes at all for ten years. We've not been in a place to do a KOZ because much like many of the municipalities, Bethlehem needs those real estate tax dollars as many of your municipalities need the tax dollars as does the school district. They are very sensitive to KOZ's and they find LERTA to be a remarkably fiscally responsible tool. Just to give you some idea of the impact of LERTA in Bethlehem, they've had about 81 LERTA projects in the City of Bethlehem. Some of them are the Hyatt Hotel in downtown Bethlehem, the Liberty Property Trust Building where the Edge Restaurant sits. If you go along south Bethlehem, there are buildings along the Third Street corridor that are LERTA projects. The places most familiar to you know are Synchronoss, RMS, Cold Storage and the Lehigh Valley Industrial Park that sit there now. It's been very beneficial. The three current projects that exist now are the Crayola, Majestic and 800,000 square foot warehouse that has been announced and plans have been put in place, but no further development has been there. We had one project completed in 2010 and 2011 and we'll have another project completed the end of this year. This gives you an overall impact that it has had on Bethlehem, 3,258 employees, the net payroll and average salary. They've been good paying jobs for the City of Bethlehem and they share their payroll tax with the BASD so every job they create in the City of Bethlehem is really a benefit to the school district as well. The next slide gives you an idea how these revenues have been beneficial to the City of Bethlehem and how important LERTA has been of downtown Bethlehem, south side Bethlehem and into the old Bethlehem Steel site.

Mr. Kelly said to conclude, LERTA is a fiscally responsible tool to redevelop underutilized properties and expand a community's industrial tax base. Across the Commonwealth, LERTA is a commonly used tool and we would appreciate LST's approval of LERTA to encourage Brownfield economic redevelopment opportunities and allow them to compete with regional Greenfield sites.

Mr. Kern said you need approval from the LST. Mr. Kelly said yes, because it's the real estate tax that is the assessment that is being given up and each of the municipalities share on that incentive. Mr. Uliana said City of Bethlehem approved it unanimously as well as SVSD. On the 19th they are in front of the BASD and they then go to Northampton County on the 15th to try to get their approval. The County has told them they have been last in the process so they are working through everything right now.

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Mr. Maxfield said is there still an interest with the data center or is it gone? Mr. Kelly said there are continued discussions. The problems are really larger economic issues about the company's expansion, where they want to expand. There continues to be a lot of activity from people of similar types of users, other data center type users and because it got even further interest when you look at what happened in the NY metropolitan area last week with Hurricane Sandy and the desire and need to get outside of that kind of 60-mile hour range of the city, so they think there could be other opportunities there and it's an excellent site for that. They think it's a great opportunity and have been out in Harrisburg talking about how they develop that type of cluster. They are still trying to pursue it.

Mr. Maxfield said they had theoretical agreements about access roads and things like that, and it was all based specifically with that company, so he would imagine if any new company came in, they would start those discussions again. Mr. Kelly said correct. If they have some end user who wanted that property and wanted to develop it, they would do the same exact thing they did in 2010 and sit down and try to work it out. They look at that as a model and it's one of the things in PA law that doesn't get addressed a lot, how communities work. It really takes a lot of entities, the City of Bethlehem, the developer, the end user and LST working together and we appreciate all of that. Mr. Horiszny asked if any companies had left the LERTA zone? Mr. Kelly said in the City, he can't think of one that has left their LERTA zone. The important thing is it's on the assessed value of the construction, so that number, even if the building vacates, the tax would continue to climb. It's not a revenue base model, it's on the actual construction value of the building.

Mr. Kern said was the data center interest without the LERTA? Mr. Kelly said without the LERTA, it would be a very difficult proposition for them to come here. Mr. Kern said they were not interested in the LERTA? Mr. Kelly said they would not come without the LERTA. That LERTA is so important when you talk to people who are on the Real Estate brokerage side who are working to represent companies like a Crayola or large companies. Ocean Spray moved into Lehigh County or Pet Smart, and they are looking at driving down those costs and those costs are really important as when you take a 300,000 or 400,000 square foot building which that was going to be, and times it over ten years, that's a lot of money. They didn't know and think about the LERTA at that time, so they can't have that as a reason the data company backed out. They should have been here a couple of years ago and worked on it with LST.

Attorney Treadwell said this is an adoption of a resolution to approve the LERTA zone. He saw an email that Mr. Uliana sent a copy to the Township Manager. If Council wants, they will prepare the resolution for your next meeting. He would like a motion to have the staff prepare that resolution and then it will be brought back at your next meeting.

MOTION BY: Mr. Maxfield moved for adoption of a resolution to prepared for the LERTA zone.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 5-0

Mrs. deLeon said tonight they are doing their preliminary budget and need to really emphasize on the economics and support our business community. This should help us in the long run.

IV. DEVELOPER ITEMS – None

V. TOWNSHIP BUSINESS ITEMS

A. ADOPTION OF 2013 PRELIMINARY BUDGET

Mr. Kern said the budget has been prepared and Council will review and discuss the preliminary adoption of the 2013 Budget.

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Ms. Gorman said she had emailed to Council the preliminary budget which is balanced at \$6,798,329.00. The noted changes from the proposed meeting are as follows:

Revenue:

- The beginning balance was increased to \$1,314,701.00, which is an increase of \$982.00
- She advised you Northampton County Gaming Authority had approved a grant that funding was also added into the Grant Funds which was \$38,000.00
- We lowered the transfer from other funds by \$65,000.00 to move that to the Open Space Fund.

Expenses:

- Council compensation – Mr. Maxfield donated his contribution to the Open Space Fund, that was lowered by \$191.00.
- Legal expenses were decreased \$10,000.00 as the legal fees for open space will be taken out of the Open Space Fund.
- A decrease of \$10,000.00 in Engineering as that will be moved to the Open Space Fund.
- In Planning and Zoning, there's \$5,000.00 in planning and \$14,000.00 for appraisals that were previously taken out of the General Fund and are now being moved to the Open Space Fund which then decreases our contingencies amount needed by \$13,826.00 which leaves us a contingency amount of \$684,816.00.

Mrs. deLeon said this would have been really helpful to have this on a piece of paper while Ms. Gorman was talking about it. Ms. Gorman said she thought she emailed that along with the budget.

Special Funds:

- Ms. Gorman amended the Landfill Fund by \$4,000.00 for the BRE fees as it was noted they had been closed for awhile. We decreased the amount of money we're expected to receive for that.
- In the Landfill Revenue Fund, with the change in the transfer, the amount required, it leaves a beginning budgetary balance of \$696,704.00. They changed the amount transferred to the General Fund to \$335,000.00 and the contingency amount by the end of next year would be \$752,340.00.
- The other Special Fund that was changed was Open Space where Council had approved Special Consultant Fees and appraisal fees to be taken out of that fund. You will note on page 83 that we increased legal \$15,000.00 and Engineering and Planning to \$30,000.00 and appraisals to \$14,000.00 to be taken out of that fund. She also increased the amount paid out of the Open Space Fund for open space purchases based on Mr. Maxfield's comments and her review of the Open Space Subcommittee minutes, Mr. Maxfield noted at the last meeting there were several properties being considered for acquisition and normally she only budgets for probably one, just because historically that's how we progressed, but since he noted that there are several properties under consideration, she increased that amount in anticipation of more to be spent, and that would leave a contingency amount of \$2,331,816.00.
- There are no changes in the Compost Center or the NCGRERA fund.
- Storm Sewer Fund there are no changes.
- Fire Equipment Replacement Fund, she did make the change that Mr. Horiszny's contribution is in there for this year and last year.
- Landfill Closure Fund – no change.
- Capital Fund – There were changes and Mr. Cahalan will be bringing that up later. We modified the budget and there are some items that were not spent that we were anticipating spending by the end of the year. Our Public Works Director probably will not get to do them at this point, so we moved them to next year which would include the windows on Seidersville Hall that need to be replaced and there is also a lean-to building that Council approved last year which he didn't have time to do either. There are also expenses Mr. Cahalan will bring up that needs to be done for the building in preparation for another electrical outage.

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- The Detention Pond, no money has changed.
- The State Aid is the same.
- Fund 36 is the same.
- Heller Homestead has changed. There was additional funding that was spent with the windows that didn't trigger on her report, so they had estimated expenses coming out this year which has already been approved by Council.
- Southeastern Fund has not changed.
- Steel City Park was modified because we had received 50% of the grant funding which you'll also see in Kingston Park and she had to amend Steel City Park as some of that money goes into Steel City when that project starts.
- Lutz-Franklin Schoolhouse is the same.
- Easton Road Ballfields is the same.
- Kingston Park, as she noted, we did receive grant money that she was anticipating next year, but received it this year, so that budget was modified as well to show we received the grant money this year.
- The only other change was she moved \$6,000.00 to the Saucon Rail Trail account to cover the expenses for the trailhead design. That will be provided to Council later.

Mr. Cahalan asked Ms. Gorman to mention the correspondence received from the BAPL. Ms. Gorman said for the BAPL, she budgeted last year's amount as based on their minutes they didn't anticipate an increase; however, the City of Bethlehem has contacted them and is saying that they are requesting the BAPL to pay more of the expenses paid by the City. Their budget amount they are proposing for 2013 is \$185,817.00 as opposed to \$183,467.00 for next year. She will modify that for the adoption of the final budget. It's only an increase of 1.28% so we'd fall within what's required by state laws, the amount of an increase in any one line item. She will make the change in the preliminary budget. When you approve the final budget, you can make changes to a certain percentage, but it can only go so far. It will be changed tomorrow as she got the information today and there's a \$2,000.00 difference. The final adoption in your budget will include that amount of money. You can change it. The one tonight is not going to include that, she's noting the change now. Typically in a budget, you have a preliminary budget that Council passes and makes available for public comment. Prior to the approval of the final budget, any particular line item can be increased by 10% or any division by 25%, if needed. It is the standard rule of thumb that would not happen, but circumstances such as this where things are found out at the last minute; there are state regulations that would provide you that latitude to make those changes by the final adoption. This is one of those items it falls under, so we would be permitted to make that change to that line item before the final adoption which would occur the last meeting of December. Mr. Horiszny said at Bethlehem's request, it is to go from \$17.03 per capita to \$17.25 per capita. Ms. Gorman said that's correct.

Mr. Kern asked if Council had any comments? Council had no comments. Mr. Kern asked if anyone in the audience cared to comment?

Mr. Boyer said this is the first time he's gone through this procedure. He thinks for the people in the Township who are concerned and don't understand this procedure, it would be great if the people who are here would have some understanding when she talks about figures and so forth, that are being made, you ask us for public comment, how can we comment when there's nothing given to us but our listening and her rattling from one number to the next number to get her job done. It's a little unfair. Attorney Treadwell said if you make a motion to adopt this preliminary budget, it gets advertised for 20 days and that is the public advertising period. Mrs. deLeon said he's allowed to have public comment tonight and he can't do that because there's nothing available. Mr. Boyer said he made a whole page full of notes, but he doesn't know if he can go back and make sense of his notes. He heard one thing that Ms. Gorman said, that Tom Maxfield mentioned there were two properties they were considering acquiring for open space and she made some changes to her figures and he doesn't remember Tom mentioning two properties when he was here talking about the budget and the Open Space Fund and he left after the budget he thought was closed. Ms.

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Gorman said at the proposed budget, Mr. Maxfield said there were several properties being considered. She normally budgets for one or has an idea of one. Mr. Maxfield said there were several and she has to take that into consideration when she's doing the budget. Mr. Boyer said what does that mean in numbers? Ms. Gorman said she couldn't tell him that as it's discussed in Executive Session. Mr. Cahalan said what Ms. Gorman said was she adjusted her forecast for that fund based on comments that Mr. Maxfield made. She had come in with a forecast of an amount of money based on her understanding for next year for the Open Space Fund, so she adjusted the money. It's in the line item for purchases or acquisitions. Mr. Boyer said is it a dollar amount? Mr. Cahalan said it's an estimate and she adjusted the estimate based on Mr. Maxfield's comments. Mr. Boyer said what was the original? Ms. Gorman said \$1 million. Mr. Boyer said it then went to \$2 million based on several properties instead of a single property. This is the kind of questions, sitting out here, he doesn't know how to comment. When it's put into public form, and it looks like a printed item, wherever it's going to be publicized on your website or in the paper, he's saying to sit there and trying to understand what that is, when you are here talking about it, it's easier to make a comment about it. He thinks it's easier. He didn't know what the difference was. Mr. Kern said one thing that would be helpful would be to have it up on the screen. Mr. Boyer said something like that would make it for them. Last time that was done and tonight he's lost. Mrs. deLeon said we need to use the equipment we have more. Mr. Boyer said where will this be posted? Ms. Gorman said it will be on the website and the hard copy will be in the lobby. Mrs. deLeon asked when it will be on the website? Ms. Gorman said as soon as Diane can take the old one off and put the new one on.

Mr. Kern said he knows it's hard to absorb sitting here, but the process is it gets published and then you can review it and then you have 20 days to comment. If you think of something before our next meeting, there's no rush here, you can review it and comment. The meeting will be December 5th or the 19th. Ms. Gorman said we usually wait for the last one of the year for the final.

Mr. Boyer said if it gets posted in the next day or week, 20 days is when it will be there for the public to review? How soon will you publicize on the same website or the County, that this will then be publicly approved at that certain date. Will that happens before the 20 days is up? Will it come out on the agenda the day before or the week before? Mr. Cahalan said the notice will contain that information. The notice will state here's the preliminary budget and it's open for public inspection and it will be reviewed by Council at the meeting stated. They will post an advertisement in the paper also.

- MOTION BY:** Mr. Maxfield moved for approval of the Preliminary Budget with the revisions that were discussed.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 5-0

B. RESOLUTION #68-2012 – APPROVAL OF DECLARATION OF EMERGENCY

Mr. Kern said the Township Manager declared a Township emergency on Monday, October 29, 2012 for the Hurricane Sandy storm event. This declaration must be ratified by Council at their next regularly scheduled meeting.

RESOLUTION #68-2012

WHEREAS, a disaster/emergency may cause or threaten to cause injury, damage, and suffering to persons and property residing in Lower Saucon Township, Northampton County, and

WHEREAS, a disaster/emergency may endanger or will endanger the health, safety and welfare of a substantial number of persons residing in Lower Saucon Township, and threaten to create problems greater in scope than the resources of Lower Saucon Township to normally meet, and

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WHEREAS, emergency management measures are required to reduce the severity of a disaster/emergency and to protect the health, welfare and safety of the residents of Lower Saucon Township

NOW THEREFORE, BE IT RESOLVED by the Council of Lower Saucon Township pursuant to provisions of the Pennsylvania Emergency Management Services Code (35 Pa CSA 7501.b), as amended, as follows:

1. The Council of Lower Saucon Township does hereby authorize the Township Manager to declare the existence of a disaster/emergency in Lower Saucon Township, at the Manager's discretion in accordance with the provisions of the Pennsylvania Emergency Management Services Code. Said declaration must be ratified by the Council at its next regularly scheduled meeting.
2. Further, the Council of Lower Saucon Township directs Lower Saucon Township's duly appointed Emergency Management Coordinator to coordinate Lower Saucon Township's emergency response activities, to take those actions deemed necessary to alleviate the effects of this disaster, to aid in the timely restoration of essential public services, and to take or cooperate in any other emergency response action deemed necessary to respond to this disaster/emergency.

Mr. Cahalan said he will give an update on the storm. Our Emergency Management Coordinator, Mr. Cszaszar is still in the process of collecting data on the damages of the storm with FEMA and Northampton County Emergency representatives and he'll be providing a full recap on the event at our next Council meeting on November 21st. There are a few statistics from the storm:

- The period was last week.
- There were no fatalities suffered by anyone or no major injuries by anyone in the Township.
The local hospice at St. Luke's on Black River Road had been evacuated prior to the storm so they were not in any danger.
- There was very little flooding of the rivers or streams. It mostly came down to the high wind which reached gusts of 70 MPH in some cases and that resulted in a lot of trees being knocked down. Trees that brought down electric wires which caused an outage that lasted most of the week and some areas into Monday of this week.
- When the emergency started on Monday and into Tuesday, the County opened a Red Cross shelter on City Line Avenue in Bethlehem and then there were warming facilities which were activated at the Dewey Fire Company in Hellertown. Later on in the week, an additional warming site, which turned into a mini shelter at the SVSD Middle School. The wind brought down the power lines causing outages and PPL reported there was a total of 14,693 outages in the Township. Some of those lasted up until this past Monday.
- Our PD starting on the 29th responded to 55 calls for trees down in the roads or trees on wires downed. They also had to deal with the stoplights being blacked out and during rush hour they did traffic control to keep the traffic flowing smoothly.
- There were 34 roads in the Township closed to 78 downed trees. Our PW was able to clear all of the Township roads with just trees down by 5:00 PM on Tuesday.
- The problem was then that there were still 23 roads closed due to trees involving power lines or low hanging wires. The problem and this occurred during Irene, our PW cannot touch any of those trees if there is a power line involved. We have to call PPL and they have to send their folks out which involve a tree contractor and then a line crew. They were pretty busy all week.
- According to a release from PPL, for Northampton County, they replaced more than 100 miles of cable, guide wire and fiber optic lines. They replaced 461 poles; 1,800 pole cross arms, and almost 17,000 insulators. They also replaced 601 transformers. They used

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crews from out-of-state. They had 5,200 people involved in the recovery and they handled over 1 million customer contacts. They were out there in full force and in this particular area, it wasn't until Friday evening the power came back up. In the eastern area, the outages continued through the weekend and some people had outages on Monday.

- As far as the damages from the storm, we estimated there were over 400 residences that suffered some sort of damage from the wind like roofs, sidings and gutters. There were about 8 to 10 homes that had trees fall on them. We are still in the process of collecting data from businesses in the Township as most of them were closed during the week with the outages.
- We did hear from the Giant who reported they lost \$30,000.00 in inventory and then several food shops reported losing about \$5,000.00 to \$10,000.00 each in revenue and inventory.
- We did stay open during that period. The PD was on emergency power. PW did not have power and the administrative wing did not have power. Staff worked through that period of time and we were fully staffed through that whole week. PW was out on the road. We need to make some changes to prepare for the next storm.

The Declaration of Emergency was done at the request of the Emergency Management Coordinator to notify the County that we did declare that. Mr. Cahalan did declare that on October 29, 2012 and that is something that has to be brought to Council for ratification.

MOTION BY: Mr. Horiszny moved for approval of Resolution #68-2012.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 5-0

Mrs. deLeon asked if residents email the Township looking for any help. She'd like to see if the media can put a plea or request out to our residents asking them to contact us by email and if they have any suggestions how we can better serve the community as far as what we could do better or more. The school district was great they opened their facilities as well as Dewey. The Township did a good job putting the information on the website. She knows Hellertown Borough did also and this was great for people who were lucky enough to have cell power and service to see it. Could we put out an announcement on our website page? There are still residents that have questions of what to do. Is FEMA going to ask for a list? You said some businesses contacted you with loss. Mr. Cahalan said no, we contacted the businesses. We're putting information out on the website from the County for any FEMA, and they are still going out. A whole team from FEMA came to this area and did an inspection. We put out any information about that on the website that we do get from the County. It comes to the County from the PA Emergency Management Agency (PEMA). We have been posting that. We posted it prior to the storm for preparation. We posted updates during the storm. Anything we had we would put on the website. Mrs. deLeon said does FEMA care? Do the property owners want to know that? She knows on here street are detention basins and most of the trees that uprooted were on the edge of those basins. When one of them fell, the neighbor told her the tree kicked up the pipe that fell from the basin, so that's the Township and you need to know that. She thinks there is something else we should be doing. Mr. Cahalan said we can give phone numbers, and will give any information on any assistance through the County Emergency Management Agency, and that's what we have been doing. We did get emails from people once the storm broke, people had the PPL outage center they were contacting. Since then, it's been mostly debris clean-up and we have been posting advisories on what to do with the debris and the Compost Center has been open. We will post something tomorrow or it may even be on there about the debris removal. That has some information if people need to take things to the landfill, they are waiving some of the tipping fees for storm debris. That type of information will be on the website. We're putting out everything we get as it comes in to get that information out to everybody. Mrs. deLeon said the phone numbers were very helpful to people.

C. **EMERGENCY FUNDING FOR HOOK UP OF PUBLIC WORKS GENERATOR**

Mr. Kern said in order to meet the emergency needs for our Public Works and Emergency Responders during storm events like the recent Hurricane Sandy, it is imperative that the generator donated to Public Works be connected immediately.

Mr. Cahalan said there are three things we had in our planning pipeline, but based on what happened with Hurricane Sandy, we realized that we need to move quicker to get them online so when the next storm hits we are prepared to operate as best we can to serve the residents. One of the things is a 50 kilowatt generator was donated to the Township by Se-Wy-Co Fire Company last year. We were getting estimates for what it would cost to get it hooked up in the PW garage. The critical item with PW was not so much the garage as even when it was dark, the majority of the crews are out on the roads, but the gas pumps were not operating because the power was off. The only way we could get fuel out of there was by hand pumping or siphoning it out. That is a critical need because not only does PW use the pumps, but our Police and emergency responders and fire companies needed to refuel. We can give the PD a credit card and they can go to the Hess station, but the other vehicles who need diesel need to fuel over here. We were lucky that Lehigh University did work with us and they did fuel some of the vehicles during the week. This generator we got for nothing and there's an estimate we have from GC Electric Company of a cost of \$15,697.00 and that would do the wiring into the PW garage and all the bells and whistles that would be needed to hook that up. Ms. Gorman had mentioned this when we did the budget presentation. It was in the Capital Fund and something we anticipated doing in 2013, but the way things are going, we are requesting we do it right now so we can get it hooked up and have it on line in the event the lights go out the next time.

Mr. Kern said he had a discussion with Roger, Public Works Director and suggested we take it one step further and convert it to a natural gas generator and do a hookup from the street. If there's no power, there's no power at the gas stations to pump the diesel that's needed to run the generator eventually. A gas conversion would eliminate that and be totally self-sufficient no matter what the emergency was. Mr. Cahalan said that's something they are working on and it's probably going to take a little bit longer than this. If we do have this system, we can fuel it with natural gas. We would still need this type of a conversion to hook it into the electrical system in PW. If we get that, we'll work with UGI to see what it costs. He'd also like to see if we can do something with this building to take advantage of the natural gas lines we have out here on Old Philadelphia Pike. This would have to be done either way. We'd have to convert the existing generator from diesel to natural gas so that there would be a conversion required there. This would take time and money, but he doesn't know how long it would take. Mr. Kern said you might want to budget for the base conversion. Mr. Cahalan said we could, but he has no idea what it's going to cost. We could put something in the capital for that if you'd like to do that. Cathy can do that and we'll discuss a minimum amount to start that process so we can start working on it. Ms. Gorman said we can do it for final adoption or the meeting before the final adoption as it won't be within that threshold of changing the budget.

Mr. Maxfield said if that was a motion, he would second it. He's had experience with generators and two tanks of propane they ran straight through for four days. It's a very efficient use of energy. He would still like to see it as a separate system so we're not looking at disrupted gas lines around here. We're darn lucky Lehigh and the Hess gas station had power. Mr. Kern said he saw our PD cruiser waiting in this long line getting gas. Mr. Cahalan said we can put this down as a 2013 capital item if that's Council's direction. He would request we move ahead with this proposal to get the electrical hookup between the current generator and the PW garage so we can do that as quickly as we can.

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MOTION BY: Mr. Maxfield moved for approval as stated above by Mr. Kern.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 5-0

Mr. Cahalan said we received a grant from the County for battery backup for the traffic signals. If you were out, you know on 378 you were stopping at stop signs and at Hickory Hill and Bingen. We have been notified of that funding and are working with the engineer to get clearance from PennDOT. We are going to expedite that and make sure those units are hopefully installed by the end of the year. We want to move quickly to get that in place. Mr. Kern asked how long the batteries run? Mr. Cahalan said they could be charged by generators hooked up to them. We'd have to refuel the generators. We understand we are going to have to secure them pretty good as in some areas people walked away with them. Mrs. deLeon said we don't have generators now. Mr. Cahalan said other cities did and they disappeared.

Mr. Cahalan said the other thing we are looking into is the design of this building was such that we have a generator out here that kicks in for emergencies. That was only hooked in to support the PD wing and we realized that after standing here for a week without lights. We went to the PD and they had lights. Apparently when they built the building, they thought we all would be home, but that wasn't the case. We spoke to the representation from Albarell who did the wiring and are moving ahead with a plan to see if we can get this wing wired so we can have lights and internet connections so we can still serve the public with an outage like this. That's something that is critical. We found out the past week. Mrs. deLeon asked if the generator was large enough? Mr. Cahalan said yes.

Mr. Cahalan said the next item is Seidersville Hall. There's actually a generator over there that ran the PD when they were over in the old Town Hall, which is still operable. We are going to look into and see what else that can run. If it's going to be running, we'd like it to the run the multi-purpose room over there to provide lights, heat and an area where people can charge their cell phones. We'll have a warming station of our own if we have an event that stretches two or three days. We'll have the first generator hooked up as quickly as possible and will update you once these other steps we are taking.

D. OLD MILL BRIDGE – APPROVAL OF PAYMENT TO CONTRACTOR

Mr. Kern said the contractor working on the Old Mill Bridge rehabilitation project has submitted a request for payment which has been reviewed by the Township Engineer.
Mr. Cahalan said there should be the payment request in your packet. He indicates on that that he is at about 87% progress and that included the cast in place concrete, concrete reinforcement, maintenance of masonry work, structural and framing, decorative metal and wood decking and steel coating. They are requesting a payment of \$96,327.54.

MOTION BY: Mr. Horiszny moved for approval of payment to the contractor of \$96,327.54.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 5-0

E. HELLER HOMESTEAD – APPROVAL OF PAYMENT TO CONTRACTOR

Mr. Kern said the contractor has finished painting the windows on the Heller Homestead and is requesting payment. In addition, he has submitted an estimate for painting the root cellar.

Mr. Cahalan said there are three items here. The first one is he's finished painting the main Heller House windows and he did finish the front doorway and that's all been completed. We did take a look at the painting and he did a good job on that. The wood that was replaced on several of the

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windows, we were concerned about the pressure treated wood and if he could do it quick enough because of the moisture content, but he did measure it and applied the paint, so the painting is complete and he is requesting payment of the final amount under the contract of \$5,010.00.

Mr. Cahalan said the second item is the root cellar. It's all completed and looks really good. The wood trim has been put up on the outside and the painting contractor said he would be willing to prime that with one coat of a primer and two coats of a latex semi-gloss for \$800.00.

Mr. Cahalan said the third item he is recommending, which we think is a good idea, with all the work that has been done out there is he will apply a bead of caulk around the edges of the window trim which is a good step to prevent any moisture from infiltrating behind the wood trim on the windows and that's \$500.00. There's three items: \$5,010.00 for final payment of the windows; \$800 for painting the root cellar; and \$500.00 to apply the mortar around the wood trim.

MOTION BY: Mr. Horiszny moved for approval of \$5,010.00 for final payment of the windows; \$800 for painting the root cellar; and \$500.00 to apply the mortar around the wood trim.

Mrs. deLeon said the place looks great. Compared to the other painter, there's no comparison. It's like night and day. She thinks there are still some white spots on the sidewalks from paint or that other product. She also knows when we had the pre-meeting, she had mentioned that the last painter painted the windows closed and this painter said no, they don't do that. The Conservancy had to open up the windows and all of the ones upstairs were opened and continued to open and downstairs there were two windows in the kitchen that were opened and the one in the gift shop where the A/C was opened and in the art gallery all those windows opened. Jerry went in to check and none of the ones on the first floor opened. To her, they shouldn't have painted those closed. When they were doing the scrapings, the windows were opened and now they don't and that's not acceptable to her. Mr. Kern said the ones upstairs painted shut, were they freed up? Mrs. deLeon said no, the other painter painted them closed. After they were finished how many years ago, they said why don't these windows open and it was right after they did them and they opened them. Mr. Kern said when they met with him, the second floor windows were painted shut. He said he would free them up if he could and it wouldn't take a lot of time. Mrs. deLeon said he may have misunderstood her. She said the first painter closed the windows. That's not acceptable so he has to go in there and open up those windows. Mr. Maxfield said the problem may be the material that's used. Latex remains pressure sensitive forever. Heat remains sticky forever. It just might need a couple of good taps and he doesn't think we should make the painter do it. Mr. Kern said he can check it out. Mrs. deLeon said she had a conversation with him that day. Mr. Cahalan said if he did paint them over, he should make sure they open. He said he would only open them to paint them. He can talk to him about it. Mrs. deLeon said he painted all of them shut as most of those windows opened. The sun room did not. The window above the kitchen sink did not, but the two along the road did. She's not sure about the volunteer office, but the gift shop where the A/C was, obviously it opened as the A/C was in there. Most of the windows previously were open. Mr. Kern said he's sure he'll take a look at it. He's got three quotes in so he's sure he'll open the windows he painted shut.

SECOND BY:
ROLL CALL:

MOTION BY: Mr. Horiszny amended his previous motion for approval of \$5,010.00 for final payment of the windows; \$800 for painting the root cellar; and \$500.00 to apply the mortar around the wood trim, as soon as the painter can open all the windows.

SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

F. READING DRIVE TRAILHEAD PLAN

Mr. Kern said the Township Planner will review the final sketch plan for the Reading Drive trailhead on the Saucon Rail Trail that has been reviewed and approved by both the Township Parks and Recreation Board and the Saucon Rail Trail Oversight Commission.

Mr. Cahalan said we gave Judy the night off as we expected some bad weather. They had put together the sketch plan for the Reading Drive Trailhead several months back. We took it through a process where it went to the Township Parks and Recreation Board for their review and we took it to a meeting of the Saucon Rail Trail Oversight Commission. At the Oversight Commission meeting, the representatives there looked at it and made several recommendations. This is a 2.2 acre property on Reading Drive on the corner of Bingen Road. It is adjacent to the Saucon Rail Trail. It was a piece of property we acquired from a trust in the State of NJ with the assistance of a grant we received from DCNR. The purpose of the trailhead is to provide access to the Saucon Rail Trail in LST. Previously we did not have any access. People who wanted to go on the trail had to park in Hellertown. They can also park on Preston Road at the Community Center in Upper Saucon. We did not have any area where the public could park vehicles, take their bikes off and get on to the Saucon Rail Trail. This is the plan we put together for this property. The primary purpose would be to provide the parking and have the access to the trail and to have some amenities such as a portable toilet, a kiosk, some picnic tables, and we hope in the future to have a water fountain available to people using that area. Roger Jurczak is here from the Oversight Commission and he's the President. They looked at this at two meetings and they came up with some recommendations. The portable toilet originally was on the parking area side of the plan and they requested it be moved closer to the trail, sort of in the area where it is now, but in the opposite side so that people coming up the trail could see it and know that there are facilities and could use it. That's been moved closer. It has some privacy screening. Originally the planner had recommended vinyl fencing. The Oversight Commission said everything else on the trail is wood, so they recommended that be changed to some wooden fencing. Originally in the picnic area were fireplace grills and we didn't feel that was a good idea as we're leaving a lot of tree canopy in that area for shade so the grills have been eliminated. The kiosk was also over in front of the portable toilet, sort of acting as another screening. They requested that be moved over to the other side of the access pathway, so if you see the access pathway up here, on the left side, you can see where the portable toilet will be with the screening around it and then on the opposite side, directly across from it, would be the future location of a water fountain. Roger and the Oversight Commission are working to secure donations to make that reality at some point. There's a water line that runs down Reading Drive. As part of this project, they will put the water line in so if someone wants to donate money for a water fountain, we'll be able to hook that up on the Rail Trail. On the side further down is a location for a kiosk and what they are hoping and Roger is working with a Boy Scout who is getting ready to do his Eagle project, and we're hoping that Scout can put together a kiosk like the one in the water park in Hellertown. It's a really nice looking project. The rest of it is the parking area and that is the 14 spaces and there's an additional 6 in reserve. The Rail Trail Oversight Commission requested that the parking area and driveway be paved. All of those changes have been incorporated in this plan. This will all be done by our PW Department. The cost will only be for materials and Roger has estimated that to pave this area would cost \$16,328.65. We have that money budget in the Saucon Rail Trail account in the budget for 2013. We also received some grant money from the County for amenities. We'll use that to buy picnic tables and trash receptacles. The place will be fully outfitted and ready to go. People are already using it now so it's a good location and a popular spot. This will make it a little nicer and it will give us a trailhead access in LST. Mr. Horiszny asked if the paving will be pervious? Mr. Cahalan said no. Mr. Kern said why was it recommended to be paved? Mr. Cahalan said he thinks we had one paved area which was going to be for the ADA spot. They felt that it would be easier for the public to use rather than gravel. It also would be easier to plow in the wintertime, which we would do as the trail could be used for Cross Country Skiing. Mr. Horiszny said could we get an estimate of what it would be if it was previous paved, at least where the parking spots are, if not the driving area. Mr. Cahalan said we can. We don't have any pervious paving for any parking areas. He's

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not sure about the weight issue. Mr. Maxfield said Polk Valley Park has it. Mr. Cahalan said do you mean pervious asphalt as pervious concrete he's not sure about that. Mr. Maxfield said we know the port-a-potty is designed to be closed access to people walking on the trail, but does that give the access problem to the maintenance of it? Mr. Cahalan said they could reach the access drive as it will be enough and they are servicing the current port-a-john that's already there. We've had it there the day after we purchased the property. There will be no problem with maintaining it.

Mr. Cahalan said he doesn't have figures on the pervious concrete, so he'd have to come back with figures. This will be postponed until the next meeting. Mr. Horiszny said could we do it so we had a pervious consideration in there. If it's somewhat of a premium, limit that premium. When they did Polk Valley Park, they did the walks with pervious concrete with our own crew and they said they did it better than other crews and cheaper. At Habitat, they do use pervious concrete for driveways. Mr. Cahalan said for the driving aisle and parking area, he's not sure. The other issue is what the water level is down in that area. One of the reasons we didn't use the pervious paving on the Connector Trail was because of the high water table and that's an issue. They can come back with an answer. Mr. Maxfield said if we have a high water table there, regular paving will be a consideration there.

G. RESOLUTION #69-2012 – TRANSFER OF MONEY

Mr. Kern said Resolution #69-2012 has been prepared to transfer money from one Township fund to another.

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

SECTION 1.

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

| <u>FROM</u> | | | <u>TO</u> | |
|---------------|----------------|--------------------------|--------------------|---------------------|
| <u>Amount</u> | <u>Account</u> | <u>Account Name</u> | <u>Account No.</u> | <u>Account Name</u> |
| \$110,000.00 | 01.310.100 | Real Estate Transfer Tax | 01.493.000 | Contingencies |
| \$ 64,442.00 | 01.351.000 | Federal Grants | 01.493.000 | Contingencies |
| \$ 30,218.00 | 01.355.020 | Pension State Aid | 01.493.000 | Contingencies |
| \$ 635.00 | 01.401.470 | Hiring Expenses | 01.493.000 | Contingencies |
| \$ 30,000.00 | 01.404.310 | Legal | 01.493.000 | Contingencies |
| \$ 10,000.00 | 01.408.310 | Engineering | 01.493.000 | Contingencies |
| \$ -20,000.00 | 01.409.230 | Diesel Fuel | 01.493.000 | Contingencies |
| \$ 15,000.00 | 01.409.231 | Gasoline | 01.493.000 | Contingencies |
| \$ 500.00 | 01.410.370 | Communication Equip | 01.493.000 | Contingencies |
| \$ 10,390.00 | 01.410.131 | Part time compensation | 01.493.000 | Contingencies |
| \$ 25,000.00 | 01.414.312 | Planning Services | 01.493.000 | Contingencies |
| \$ 10,000.00 | 33.481.825 | Generator | 33.493.000 | Contingencies |
| \$ 3,000.00 | 35.430.250 | Traffic Signal Maint. | 35.493.000 | Contingencies |
| \$ 8,000.00 | 39.452.310 | Engineering | 39.493.000 | Contingencies |
| \$ 8,000.00 | 44.452.310 | Engineering | 44.493.000 | Contingencies |
| \$ 3,375.00 | 45.452.310 | Engineering | 45.493.000 | Contingencies |
| \$ 45,000.00 | 45.380.000 | Misc Receipts | 45.493.000 | Contingencies |
| \$ 84,079.00 | 45.452.601 | Construction | 45.493.000 | Contingencies |

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SECTION 2

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

Ms. Gorman said this resolution is usually brought up at the preliminary budget it encompasses some of the changes of 2012 that has been provided to you already and has already been approved. It's a housekeeping resolution. Mrs. deLeon said you are moving these monies over so your proposed starting thing for the beginning of the year. Ms. Gorman said everything will be the same that's provided to you. It's just noting those certain line items that she is estimating will be higher and/or lower, whether it be revenue or expenses in the General Fund. The Capital Fund are some things you talked about earlier for purchasing the work that's needed for the generators. All of those line items are modified in the budgets that were provided to you.

MOTION BY: Mr. Maxfield moved for approval of Resolution #69-2012.
SECOND BY: Mr. Willard
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF OCTOBER 17, 2012 MINUTES

Mr. Kern said the minutes of the October 17, 2012 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Willard moved for approval of the October 17, 2012 minutes.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No)

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Joan Madzarac, 2074 Easton Road said she's here again about the trucks on Easton Road. She wrote a letter to PennDOT and they called her back. He said she has to come to Council to request that you write to them requesting a study. She doesn't know what that study is going to be, but all of that is included in her complaint whether it be a noise or weight study. They asked her what she wanted. She said her questions are who is responsible for building a road within the Majestic Realty and Lehigh Valley Industrial Park VII. She doesn't know what part that company is in that has all those trucks. After she talked to Jack, she found out that we're the ones who paid for that Commerce Boulevard. It was Northampton County that had the road built from the bond issue. She wanted to know whether the City of Bethlehem, PennDOT, or one of those companies or the warehouses is responsible for a road. They have to make a road within that project to connect to the Commerce Boulevard to get out to Route 412. We can't handle those trucks. They are going to wreck her house. She already had new windows put in her house and now she has two cracked windows. The noise is so terrible. She was out front this morning to clean her yard in preparation for the stones as she gets all the stones and garbage from the PennDOT trucks that clean the road, so she cleans the yard so she can break that all up. It is so loud. She had to move and keep jumping in from the street to get away from those trucks. They don't care. She was in Easton one night, and yes, they do put a chain up around 5:30 pm, but somebody must be working in there to remove that chain. She went through there between 5:30 pm and 6:00 pm and an Alliance truck, which is their truck, went through past her house between 7:30 pm and 8:00 pm. He went down there and somebody must be there to let them in. Someone is moving that chain. They come at all hours. In the morning, they start at 2:00 am and when they pull out from Cherry Lane, they even cracked Easton Road in front of her mailbox. That's how close they come. They are so heavy and so loud. Now they are driving back and forth with just the cabs. The cabs are the noise. The trailer is the weight. What's the difference? They have to make a road within that project and they

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shouldn't count on public money to do it. They are making millions of dollars from what she sees coming in and out of that business. There are shipments constantly, five or six trucks in an hour, going back and forth. They don't go onto I-78. They are going to Commerce Boulevard and back to the company all day long. That's what they are putting up with. In the meantime, she found an article in the Morning Call from June 5, 2003. It was written by Kevin Penton. It said "Lower Saucon Officials Call for a Traffic Study". This was done when Pektor had proposed that project that he made by the Waffle House, St. Luke's and Bethlehem Fields. The even threatened us with a truck terminal. There is a truck terminal. They put one up there anyhow and there's going to be more warehouses going down there. It was Mr. Birdsall and Glenn Kern who asked for this traffic study. Did they ever do it? Evidently, they didn't. Mr. Kern asked if anyone remembered? Mr. Cahalan said who did they ask to do the study? The City of Bethlehem? Ms. Madzarac said yes. There was supposed to have been a letter written to the City of Bethlehem asking for a traffic study because you said that with all this going on, there was going to be too much traffic, which you are right about the whole thing that there is too much traffic going down Cherry Lane and Easton Road. That's the cause of the bottleneck. They said with the improvements on Route 412, this will be alleviated. Are you kidding? It isn't, it's worse now than ever before. Mrs. deLeon said did they or didn't they? Mr. Maxfield said it was the City of Bethlehem and they probably just ignored us. Ms. Madzarac said they rubberstamp everything. If a company comes in and says we want to put a company here, we want no taxes for ten years, we want this and that. Okay, go ahead, they don't care about the residents. We're residential. They said we were open space. We're not open space, there are homes there. They changed their addresses to Hellertown to bypass them as they had too many questions. They were stopping them from continuing. She called Darlene Heller so many times asking when they would be called back for this project and she never returned Ms. Madzarac's call. When she got the paper, they had their addresses as Hellertown as Hellertown approved the Cherry Lane portion, which was fine for them, but they didn't know they were going to be the rear end of the thing. They said the back part would be 3-1/2 stories. That's what they got. They thought the 3-1/2 stories were going to be along I-78. It was them, and it was supposed to be 192 units and it was 198, which made it even worse. They always blackmail you. They said if we didn't agree with it, they were going to get a truck terminal. We got it anyhow. That's all they have is trucks. You can't talk to your neighbor or even walk down the street. The trucks practically drag you with them. She has a little yellow bucket she keeps behind her. They drag that bucket with them as they go. She said one of these days they are going to take her too. It's getting worse and worse. She'd appreciate if you can help with this. She would really be glad. Mr. Kern said so much with his traffic study request of 2003. He doesn't know what's going to happen with another request. Mr. Maxfield said it looks like we'd have to ask PennDOT. Ms. Madzarac said yes, they said you have to ask for a study for truck restriction request. Mr. Maxfield said he knows if we do that, we are going to get the line that when they make improvements to Route 412, everything will change. Ms. Madzarac said they have to do a study. Route 412 improvement isn't going to improve the trucks on Easton Road and Cherry Lane. Mr. Maxfield said from the Saucon Creek to Easton Road, there is a series of properties that are set up as bowling allies and they are all going to have access via Easton Road. There's not a way they can get access from Commerce Boulevard unless they run it through other people's properties. Ms. Madzarac said Commerce Boulevard only goes so far to the train rails. They are going to have to connect it somehow. There used to be a road from Coke Works that went through to Route 412. Mr. Maxfield said there used to be a road that went through to Easton Road and that we really don't want. It goes to a cul-de-sac bulb right now, but whatever is happening there, it would be nice to let them know we are watching as things will only get worse. Ms. Madzarac said she went to the other industrial parks and none of them go through residential areas. They all go right on to the Airport Road or 22. None of them go through residential, why us? Mr. Maxfield said this has been the problem with that site from day one, that site is jammed in between. First of all it belongs to Bethlehem. It's jammed in between a whole bunch of other municipalities. To stick what they don't want out there, doesn't bother Bethlehem at all. It bothers us and we've always suffered the impacts from that whether it was MFS being there kicking out the sulfur to the traffic, whatever. The one thing we can do, especially after Route 412 gets improved is insist on increased traffic, via Commerce Boulevard from Route 412 and stay the heck off of Easton Road unless you have to absolutely access it. Ms.

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Madzarac said that should only be for emergencies like fire or police. It should not be open. Mr. Maxfield said there are some properties there that we can't do anything about. That is their access. Their back end is the creek so they can't go anywhere. Ms. Madzarac said according to the map that the Morning Call had in there, of course, it's going to be less property for them to build on, but a road can go right through the back end there to connect those properties all the way down to the Sportsman's Club. Mr. Maxfield said there are sensitive areas back there – a lot of wetlands that could stop a road. That would be LV Industrial Park area. Ms. Madzarac said they should do an impact study. They don't care how it impacts the rest of us. Mr. Maxfield said they do an impact study which doesn't include us. Majestic is kind of separated from any of that. This is his take on looking at the maps. Majestic is already taken their access from some other place. They won't be taking their access from Easton Road. It's the lands that are currently owned and utilized by lessees of the LV Industrial Park area that we really need to address. The company is a separate owner within itself. There's ownership in there. LV Industrial Park owns the majority of it and so does Majestic, and they are both trying to lease out their properties. All the Majestic properties take access somewhere else. LV Industrial Park is going to try to market those sites in the near future. We need to tell them our feelings about what we think of the traffic. That's all we can do as a municipality. Ms. Madzarac said they aren't going to ask you. Mr. Maxfield said we are going to have to ask them. Ms. Madzarac said she's been approached by Bethlehem to have her property turned over to them. They want our ten of our properties. They have plans for us. She said she won't sell to them. She likes being in LST. Mr. Maxfield said if you look at other industrial parks and look at the service areas that are around them like food places most of them are along commercial plaza corridors. They obviously would be looking at the other side of Easton Road, that small stretch that runs down there for possible commercial properties in the future. Ms. Madzarac said she heard rumors of a restaurant going in there. Mr. Maxfield said they may be petitioning us for other things in the future, but right now it's a residential area. He'd like to see it stay that way. Ms. Madzarac said they want us to be commercial. Mr. Maxfield said he thinks the suggestion was made or we do allow home businesses like office type things, doctor offices, but not commercial. Ms. Madzarac said there was a printer, but now that he went out of business, that was all changed. Mr. Maxfield said not in LST. Mr. Kern said who did you speak to at PennDOT? Ms. Madzarac said the guy she wrote the letter to retired, so she doesn't know who it was that called her. She didn't get his name. She wrote the letter to Joe Rauscher. Jack said he retired. Mr. Kern said Jack will follow up and find out about this truck restriction request. Ms. Madzarac said thank you. She hopes you can get those trucks off of that road. From her estimation, and how much lumber and steel costs, they are making plenty. Mrs. deLeon asked what the name of the company was? Mr. Cahalan said Eastern Engineered Wood Products. Ms. Madzarac said Alliance is their truck. Other flatbeds are going in there to pick up lumber and all kinds of building material. Mrs. deLeon said doing a study from PennDOT, they aren't going to say they can't use the road if there's a business that's already been approved. They are not going to restrict truck traffic. Attorney Treadwell said that's why we'll have to find out from PennDOT what they were talking about. Mrs. deLeon said that may be a waste of time. Ms. Madzarac said we were asking for a road to be built to connect those companies to Route 412. Mrs. deLeon said they aren't going to that. Those businesses were approved there. They were already there. She would like to say yes. Ms. Madzarac said do you have to go to the City of Bethlehem too? Attorney Treadwell said the question of building a new road, someone has to pay for it, and you aren't going to get the City of Bethlehem to pay for it as they are going to say it's not needed. You probably not going to get any of those property owners where those businesses are to build a road as they are happy with the way it is now. Nobody is going to force them to build a road. Ms. Madzarac said if PennDOT decides Easton Road can't handle their trucks, wouldn't that force them to build a road? Attorney Treadwell said that's possible, but he doubts that is going to be the result we get from PennDOT. Mrs. deLeon said that could happen to new businesses to build on a lot, maybe they could say you have to find access. Those people were already approved. Ms. Madzarac said it seems like the City of Bethlehem, they closed the garage door after the car is stolen. They don't have any ordinances or restrictions of any kind. They have nothing to tell a company, build it this way. Mr. Maxfield said it's not affecting them, that's why. He thinks who we should be talking to is LVIP and tell them there's a community here and they need to respect the wishes of the community. He

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went to a presentation by LVIP and they said they are really lucky with this site saying that there's nothing around it that could affect it. He said wait a minute, you have LST there. Somebody else said Hellertown is right there too. The guy went okay, Hellertown, LST, blah, blah. It's kind of writing us off. He thinks we need to send them a letter and say we're here, and we don't need any more of this that is reasonable to have. We don't benefit from it at all. Ms. Madzarac said all she gets is smart answers. Everyone says live with it, you can get used to it. Mrs. deLeon said as an adjacent municipalities, sometimes we get word that they are developing something and sometimes we don't. There are no regulations that say they have to. Mr. Maxfield said his thought about the traffic study would be because of the mess on Route 412 and everyone that goes down on 412, has to sit in that, knows what he's talking about. He wonders if the Intermodal Unit is using Easton Road when they really shouldn't be using Easton Road. They should be using Commerce Boulevard, that's why it was built. He's wondering if we're getting a lot of additional traffic in there that has nothing to do with the Wood Products Company. Ms. Madzarac said she doesn't understand why they pull out of that building materials place and they go around to the Intermodal and they go in there. Some of the trucks are full, some are empty and the cabs go back and forth. They pick up another flat bed and bring it back and around when they could go right through. She doesn't follow them because she wants to. She happens to have pulled out behind a truck and she saw where they were going. That's where they are going. None of them she's been behind so far have gone to I-78. Mrs. deLeon said isn't there rail service there? Mr. Cahalan said to the Intermodal site. Mr. Maxfield said they could access Intermodal by simply crossing the set of railroad tracks. Mr. Kern said that's why the truck restriction request will be key whether it's necessary to come out on Easton Road. Mr. Maxfield said it might be easier for them to do it this way, but it impacts the community. Ms. Madzarac said they told her she couldn't do it, she had to come to LST. Mr. Maxfield said why don't we request a truck study from PennDOT and talk to LVIP and express our concerns. They are given free reign by the City of Bethlehem to do what they want to on those sites. He doesn't want to be the casualty on that. Ms Madzarac said Bethlehem will never call them again. That's how they got stuck with everything.

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said there's a special event application in your packet for Cub Pack 319. They would like to hold a car rally here at Town Hall Park on Sunday, November 11, 2012. It looks like there are cars they build and they race them. There's sufficient supervision. It's been reviewed by Parks and Recreation Board and they recommend approval of the event.

MOTION BY: Mr. Maxfield moved for approval for Cub Pack 319 to hold a car rally at Town Hall Park on Sunday, November 11, 2012.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

- Mr. Cahalan said he was notified by Tom McCormick, a member of the EAC, that due to business obligations, he is relocated to Florida, so he is unable to serve on the EAC and he submitted his resignation. Mr. Maxfield said the EAC made a recommendation that since Tom had a voting position that Dru Germanoski be moved into a voting position and that would leave us a vacancy for the non-voting position. Mr. Cahalan said if you would accept Mr. McCormick's resignation, he will do a thank you to him and the movement of Dru Germanoski from a non-voting position to a voting member on the EAC.

MOTION BY: Mrs. deLeon moved for approval as stated above by Mr. Cahalan.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

B. COUNCIL

Mr. Horiszny

- He said he will not be at the next meeting, so he wishes you an early Happy Thanksgiving.

Mr. Kern – No report

Mrs. deLeon

- October 23rd, the Hellertown-lower Saucon Chamber held a community coalition for civic groups and organizations. It was well attended and Sagra donated the refreshments and they'll see what happens from that.
- Monday, November 12th from 6:00 pm to 8:00 pm, Envision Lehigh Valley, is at Saucon Valley Middle School cafeteria. Envision Lehigh Valley is a public outreach effort designed to engage the citizens of Northampton and Lehigh Counties to create a truly sustainable Lehigh Valley. This three year envisioning project is funded through a sustainable communities grant through the US Dept. of Housing and Urban Development. There's a flyer you can look at.
- Sunday, November 18, 2012 at 2:00 PM Hellertown Historical Society is having a reopening of their Walnut Street pony bridge.
- Friday, November 23, 2012, 3:45 there's going to be a Hellertown cash mob, prior to Light Up Night. They are going to meet at the Dewey Fire Company parking lot.
- Friday, November 23, 2012 from 6:00 pm to 9:00 pm is Hellertown's Light Up Night.
- Saturday, November 24, 2012, small business shop locally for your Christmas presents. There will be something going on at Lost River Caverns and other businesses in the area.
- Friday, November 30, 2012, the Saucon Valley Community Center is going to have a roast and toast for Shelley Goldberg at the Meadows. Cost is \$35.00.
- December 3, 2012 is the Holiday Gathering at the Heller Homestead and the David Lee Artist Reception.
- December 4, 2012, Hellertown-Lower Saucon is going to have a holiday mixer.
- December 7, 2012, the Hellertown Historical Society will have their holiday open house.
- She has a question about the IESI request for the extra tonnage and she sees representatives here. She asked Mr. Donato that he had requested the extra tonnage, which was 500 extra tons per day for the next two months. What is the inspection procedure when you get a delivery and say, the devastation that happened here – it gets trucked in and a whole house is mixed together? Do you go through it, is it bagged? How does that happen? Mr. Donato said your question is a little confusing, maybe he can clarify it. For example, when flood debris is received at their facility, it's screened at the scale facility for radioactive material and so forth. Then the material would go up to their work face and their operators are trained to identify what's in it. If they saw any hazardous materials, drums, batteries, etc., that material would then be extracted and put back on the vehicle and it would leave the site. If it is a special handling waste, material would then have to be approved through Al Schleyer, PA DEP and the Township gets that notification also. Mrs. deLeon said she's not talking about the Form U's, she's talking about the regular waste that would come in from the debris. Mr. Donato said for example, right now some of the material they are getting is from the Giant Food Store tonight, spoiled material from storage facilities, restaurants, homeowners like us we threw out stuff. That's what is trickling in at this point. The inspection procedure is no different than what we do any other day. If there is any "special handling material", that's identified prior to us accepting it. Mrs. deLeon said on Monday she sent Jack and Al an email and she was contacted by a resident who owns a house on the Narrows, and she wanted to have her well tested under Act 101, as a contiguous property owner. She hasn't heard anything back. Mr. Donato said he and Al have been in contact with hydro geologist, Bob Hershey, today about getting that sampling

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on the next round of events. That will happen in Q4, sometime in December. They will contact the property owner.

Mr. Willard

- He said he has been away most of the time since the last minutes, but the meeting minutes reflected he would continue to work with the staff on the Citizens Academy ideas. He's back and will be in contact with Jack and Leslie.
- He said the meeting of the PA Highlands Steering Committee that was scheduled for last Tuesday was cancelled, and the new date is Thursday, November 29, 2012. He will also be out of town on that date, so he will communicate with Roger or Ron. He'll make sure that's covered.

Mr. Maxfield – No report

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

V. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:06 p.m.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn C. Kern
President of Council