

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, November 15, 2006, 7:02 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session prior to this meeting to discuss personnel issues.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

II. PRESENTATIONS/HEARINGS

III. DEVELOPER ITEMS

A. ABE ATIYEH – 2200 WASSERGASS ROAD – REQUEST TO DISCUSS THIS PROJECT WITH COUNCIL

Mr. Kern said the applicant asked for an opportunity to come before Council to discuss certain aspects of his project.

Present – Douglas Hunsinger, Keystone; Attorney Tim Siegfried, and Abe Atiyeh, applicant.

Attorney Siegfried had a site plan and said Council is familiar with Abe’s plan. It’s an old school and over the years, Abe has had numerous proposals for the property. It’s probably at about 15% to 20% the size that it once was. The current proposal is to have twenty-four unit garden apartments. The scale of the project has lessened quite dramatically. It still is a viable proposal. What Mr. Atiyeh would like Council to consider is whether public water and public sewer could be brought to the site. Currently, under your ordinance, all those utilities have to be on site. There is

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adequate room to have a production well, although testing does have to occur yet to confirm that can be done. There's adequate room on site to do that and have a package plant for sewage purposes. Neither of those utilities on site has gone through final engineering. Some of the reason Abe would like you to consider public water and sewage deals with what is more ecologically, more friendly, and for his property. The distance to run the water and sewer is approximately 2400 feet. The cost is probably \$400,000 plus to do that. From a cost comparison, the public systems would cost more than doing the systems on site, but there are long term benefits for the project site. If you have public water and sewer, you don't have a package plant, you don't have a production well on site. From an ecological standpoint, it makes sense to take as much of the sewage off site as possible, and if he brings up public lines for water, whenever the systems become to fail and there is no other alternative than to connect to public water or sewer, then the lines are there already. The proposal for your consideration is bringing water up to Abe's facility. Abe is proposing to dedicate areas on the land as a public park and willing to construct public restroom facilities at this location as well, and to provide access off of Green Pond Lane up to the fields as well. Abe is willing to assume all the cost and bring the lines up to his property.

Mr. Maxfield asked what is the connection point on the west side? Mr. Hunsinger said there's an existing manhole inside the Borough of Hellertown at Willow Road and Durham at that intersection.

Mr. Kern said he has a comment which probably hasn't changed since a year and a half ago when you were before us, which is there is a reason why we don't want sewer there. Nothing has changed to dissuade him from that previous opinion as to why not. Council agreed with Mr. Kern.

Mr. Atiyeh said fine, we will then move forward and use our alternate way. They'll just keep everything on site now.

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

B. RICHARD & MARIA THULIN – 3332 BINGEN ROAD – VARIANCE REQUEST TO ENCROACH OVER FRONT YARD SETBACK TO CONSTRUCT A GATED DRIVEWAY ENTRANCE

Mr. Kern said the applicant is proposing to construct an entrance wall/gate within the required front yard setback.

Chris Brown from Brown Miller Design, was present representing the applicant. The nature of the request is to provide additional security and to limit vehicles from entering too far on to the property; therefore, creating a turn-a-round which is a disturbance to their property by moving the gated area closer to the road, and take advantage of existing trees and topography to provide additional limited vehicle access onto the property. The project is just about near in completion and already they are getting tons of visitors uninvited on to the property. Mrs. deLeon said please explain that. Mr. Brown said he can't quantify that, but it's an apparent concern of the homeowner. Mrs. deLeon said she finds that hard to believe that tons of people are coming on to their property on a daily basis. Mr. Brown said he doesn't know if it's one a day or ten a day, it's a personal concern. Due to the layout of their property, the narrow driveway that leads into the property, there's no opportunity to limit access. The amount of relief they are looking for is to the minimum. By nature of a gate being considered a structure, they are not actually building walls or putting foundations or footings, but are putting in what would be the equivalent of an oversized fence post and want the ability to at some point create a security entrance by way of an automatic gate. There's a couple segments of fence sections that extend from one side to the other that tie into either topographic features or existing vegetation. The fence ties into some large existing trees that are there and some topographic features. It's fitting for the area and the scenery.

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Mrs. Yerger said the only reason she sees stipulated for this is the fact that you want to decrease unwanted visitors with greater access. Mr. Brown said they are out of the right of way and are looking for relief with regard to the building restriction line in the front yard setback. The location they are proposing is not arbitrary. It's based on existing features that would, in combination with the minimal amount of fencing measures, create the type of security as if they moved it back to the building restriction line, then they would have to extend it much, much further. By moving it closer, they shorten the amount of presence this would have on the road frontage and community in general.

Mr. Kern asked the township engineer if this posed any threat to public safety. Mr. Kocher said it's outside the right-of-way, so they don't really have any specific engineering comments.

Mr. Maxfield said he has a problem and it always goes back to the nature of hardship. Just within the last few weeks, they have cleared out a lot of the roadside vegetation in the front of the site. Mr. Brown said there were a lot of vines. Mr. Maxfield said that blows the whole security thing. Maybe that's why you might be getting more visitors as the house is more visible. He'd rather see the gate moved back into the proper place and have the fence altered to make a channel way. He wouldn't have a problem with fence going through that, but to put the whole gate structure there for security, he doesn't buy the hardship.

Mrs. Yerger said again, we come back to the question that a hardship cannot be self imposed, and this is self imposed. Mr. Brown said the main goal they are trying to achieve is that the building setback line. Should they have to locate this gate within the building setback line, they are now looking at 60 to 70 feet of opportunity for people to enter the property.

Mrs. deLeon said at the bottom of the memo from the Zoning Officer, it says "the applicant incorrectly requests a variance from the section if the board would consider granting a relief, the above referenced sections are appropriate". She's not saying she's for or against this at the moment, but if they don't amend the application, it's wrong then to go before the ZHB? Is that what you are saying, Chris? Mr. Garges said they just reference the RA section, not the R80 section.

Mr. Maxfield said there is no doubt this is a bona fide structure. This is part of a wall being built. Let's just agree that it's a structure. Mr. Kocher said it has an ascertainable place and that's pretty much what qualifies it as a structure. Mrs. deLeon said before he raised the issue she was in agreement, yes, it is a structure. Mrs. Stern Goldstein said you need to indicate what your option is which you choose to do. Mrs. deLeon said if we oppose it and direct our staff to go to the ZHB, they will have the reasons for opposing it at the ZHB? Mrs. Stern Goldstein said you need to give direction to your staff. Mr. Kern said this was more of an aesthetic consideration than anything else. Mr. Brown said they really didn't want to do it. They were planning to do the fencing and he said if you ever have the notion you may want to do the gate because of this reason, now is the time to do it. They said based on what they are seeing so far, they are not even living there yet, and are already experiencing the problems he stated. Mr. Kern said the reason for the choice of positioning of the gate as opposed to going where it could be legally put was probably more of an aesthetic consideration than anything else. Mrs. deLeon said the only thing she heard was that the trees were closer to the road, and this would be back more.

Mr. Maxfield said he'd rather see another concept there. To him, the wall is a much more bona fide structure than the fence. By moving the gate back, and angling the fence in, you are still going to be violating a setback, but with a much less permanent structure and you also limit your entrance to a channelized kind of thing which might serve the same purpose. If that were to come back or be an alternate, he would have no problem with that, but he does have a problem with putting a permanent structure in like that in the setback.

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MOTION BY: Mrs. Yerger moved to oppose and send our staff to advance our opinion at the ZHB.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. AGENTIS ROAD VACATION – ORDINANCE 2006-09 – PUBLIC HEARING FOR VACATION OF LINCOLN STREET

Mr. Kern said ordinance 2006-09 has been advertised for a public hearing at the request of the applicant to vacate a paper street known as Lincoln Street.

MOTION BY: Mr. Horiszny moved to open the hearing.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

Mr. Cahalan said the ordinance has been advertised. It's for the vacation of Lincoln Street which is located between East Oakhurst Road and this is the project that Mr. Agentis is working on. The ordinance does grant utility easement to the LSA for any and all public improvements to be located within the boundaries of Lincoln Street. They will be coming from Upper Saucon Township. It's ready for Council action.

MOTION BY: Mrs. Yerger moved to close the hearing.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

MOTION BY: Mrs. deLeon moved for approval of Agentis Road vacation.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? Marcia Fogel said she owns a very tiny remnant of property right next to Agentis, and whenever she pays her taxes, it's called Lincoln Street. If you abolish Lincoln Street, what happens to her property?
Mr. Cahalan said they will notify the County on this.
ROLL CALL: 5-0

D. POLK VALLEY PARK – PAY REQUEST 10

Mr. Kern said Popple Construction has requested a release for work completed. Hanover has done an inspection and approved the release in the amount of \$53,552.00.

Mr. Cahalan said Jim has submitted a pay request for \$53,552.00.

MOTION BY: Mr. Kern moved for approval of Pay Request 10 for Polk Valley Park for \$53,552.00..
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

Mr. Cahalan said Mr. Birdsall wanted you to know that the park is nearing a phase where the township has to make a decision about substantial completion of the project that is called for in the

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specifications for the contract. What they will be doing is putting this on the agenda for the next meeting, December 6, and if you would like, you can go on your own, or they can arrange to take a look at the park so you can form an opinion on that. There are some items that are still being worked on that are punch list items by the contractor.

IV. TOWNSHIP BUSINESS ITEMS

A. RESIDENT CONCERN REGARDING LEAF BURNING

Mr. Kern said a resident has requested to be placed on the agenda to discuss with Council the subject of leaf burning.

Ms. Verna Fisher, from Strauss Avenue was present. She said she has come here today to request a total ban on leaf and trash burning. She resides on Strauss Avenue. Her youngest child and two other children on their street are asthma sufferers. These children have had asthma attacks as a result of leaf burning. Asthma attacks can be life threatening. The biggest culprit of leaf burning in our area is Mr. Andres who lives at the corner of Walter and McCloskey. She has pleaded with him to stop burning leaves and also explained about how it has caused asthma problems for her son, yet he still continues to burn his leaves. She has called the police numerous times about him. Since this is an allowed township practice, nothing is really done. Her neighbors, the Reccek's, have had ongoing problems with him as well since their children have asthma. The leaf burning smoke goes directly into their yard and home since it is only several feet from Mr. Andres' burning barrel. This year, Mr. Andres gathered up numerous trash bags of leaves and has been dumping them into huge piles in and around his burning barrel at the end of his property and burns them whether the leaves are wet or dry. He does not do this for a week, but for several weeks or months, until every last leaf has been burned. The thick black smoke fills the air and our yards. The stench enters our homes burning our eyes and throats. It is impossible to hang wash outside and her children are not even able to play outside. This is beyond a nuisance – it is a serious health hazard. She should not have to seek refuge at her parents house in New Tripoli in order to avoid an asthma attack for her son. Her son should never have his health compromised by a neighbor's actions. Open burning of leaves and trash also harms the environment. It emits toxic chemicals that we breathe. Rainwater eventually washes these toxic chemicals onto our land and into our waterways. It contributes to acid rain, increases your chance of getting colds, the flu and other diseases. It is also a known trigger for asthma sufferers. Symptoms may not occur until several days after exposure. Leaf burning is composed of tiny particles that contain toxic pollutants. When inhaled, these microscopic particles go deep into the lungs and remain there for months or even years. Breathing this matter increases the chances of respiratory infection, causes coughing, wheezing, chest pain, shortness of breath, and asthma attacks. Carbon monoxide and at least seven know carcinogens are released from this burning as well. Since most neighbors use burning barrels, it is important to understand how those barrels play a role in health and environmental hazards. Burning barrels operate at temperatures of 400 – 500 degrees F causing inefficient combustion. This leads to very high levels of particulate matter, carbon monoxide, and other toxic chemicals in addition to emitting cancer causing tar and release acid vapors that can damage lung tissue whether its leaves or trash that are being burned. While she realizes leaf and trash burning have been traditions for many years, that was before they were aware of the serious health and environmental problem that result from it. Does LST really want to be a contributor to environmental pollution while poisoning the residents at the same time? Why can't composting and recycling of yard waste be the way of the future for LST? Resident's sill can clean up their yards without burning leaves. If leaves are bagged up and put out with the trash, they can even be hauled away by the trash company. Is it really that much to ask? Doesn't her child deserve to be able to breathe freely and play outdoors without the risk of an asthma attack?

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Mrs. Fisher said he could easily bag up the leaves which he has already done and put them out for trash. The Reecek's have offered to take those bags and put them out with their trash, but he doesn't. He just keeps burning them. She's called the police the years they had droughts and nothing has stopped.

Mr. Kern said years ago a resident approached him and asked to do something about the burning problem. He thought it was simple matter and very logical. He led the crusade to ban it. They have never had more people show up at Se-Wy-Co Fire Company, with standing room only, when they tried to do a burn ban. There's no issue that galvanized the community more. Half the township is rural and half is built up. At that time, our Solicitor said it has to be all or nothing, both have to be able to burn.

Mrs. Yerger said if the smoke is on your property, as we adjusted our nuisance ordinance for that reason, they are in violation of the nuisance ordinance and they can be sited. The only way to handle that is to call the police. The police will come, they will give a warning, and then will be given two warnings, and then they'll be sited and have to pay a fine. That's the only way they are going to stop. Mrs. Fisher said they've called numerous times. Mr. Cahalan said they've only had two calls that have come in. One was 2005 and one made recently. Mr. Cahalan said they have no record from 2005 to 2006 that Ms. Fisher made complaints. They didn't search back before 2005.

Mr. Kern said they amended the code of the township of Lower Saucon. Item B, it says that "any burning activity that shall cause excessive odor and/or smoke that travels across property boundaries, which would deem a nuisance to an ordinary individual". That is prohibited and is a result of five years ago. The Nuisance Ordinance says actions can be taken and citations can be issued. You're lucky tonight as the Chief of Police is in the audience and is listening to this complaint.

Mrs. Yerger said next time you have to call the Police, and the neighbor will be given a warning. After two warnings he will be cited, and more than likely, he will stop burning leaves as it is going to be costing him money.

Mr. Cahalan said the trash haulers cannot pick up leaves as they can't dispose of them in the landfill. This township is starting to work with the Borough of Hellertown on efforts to see if we can come up with a joint recycling area somewhere in the township. The Borough has property near Polk Valley Park, where there could be a drop off area where people could take leaves and other types of household yard type of waste, not grass clippings, and dispose of them.

B. PRELIMINARY ADOPTION OF 2007 BUDGET

Mr. Kern said the budget has been prepared and Council will review and discuss the preliminary adoption of the 2007 budget.

Mr. Cahalan said they have a information sheet that is provided to Council, memo dated 11/10/06, Changes to Preliminary Budget.

Ms. Cathy Gorman was present. She said budget summary notation was corrected on the first page. Line item 01.350.00 in the Intergovernmental Revenues, there's a \$5 adjustment. Line item 01.362.211, it should have been recorded as delinquent and not prior. Line item 01.402.110, notation cut off for the Controller Compensation and modified in the written part of the budget. Line 01.404.310-13, the legal notation changed to reflect the correct percentage. Line item 01.408.310-.320, there was a percentage notation correction. Line item 01.410.132, under Police Budget, it was noted that the percentage change should be 14.3%. Based on information received after the proposed budget, they added 01.410.420 for an additional expense of \$2,000 for SPCA

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expenses. Line item 01.493.500, they added \$2,000.00 to transfer to Heller Homestead account. Line 01.493.000, they amended to reflect those changes. Line item 04.448.313, correct consultant's fees. Line 04.492.000, transfers corrected to include Landfill Closure which is now \$25,000. Line item 31.493.000, added landfill closure allocation reflects that transfer. Also amended in the Heller Homestead, 37.452.370, there's an additional \$8,000 added for the repair of windows. The overall budget changes in the General Fund was \$4,000 and that was amended off of the contingency line item in the expenses portion of the budget.

Mrs. deLeon questioned the controller information, on page 21. Ms. Gorman said at the proposed budget hearing meeting it was noted that additional funding was needed. It wasn't necessarily needed, the line item should have said additional funding based on the \$1,800 that was proposed was in the event that he did require more hours. Mrs. deLeon said it can't be more than \$1,800. Ms. Gorman said if you look at the 160 hours at \$17.50, that doesn't come to \$1,800. It only comes to about \$1,600. It's not going to go over the \$1,800 by law. Mrs. deLeon asked if Cathy could change that to say that because it's confusing. It's by ordinance and can't exceed during the elected term. Ms. Gorman said absolutely.

Mrs. deLeon said she's still a little bit uncomfortable taking the \$164,705 and putting it in the contingencies. She feels we are digging a deeper hole. Ms. Gorman came up with a good budget, but Mrs. deLeon is a little uncomfortable. She hasn't been happy taking money out of the landfill fund, putting it in contingencies, and then rolling it back into the next year. We're like \$1 million in the whole over the last couple of years doing that. Ms. Gorman said this is to insure that the given point at the end of year, certain funding would be set aside to make that operating reserve fund and that it would not be absorbed in the beginning cash in the following year.

Mrs. deLeon said we talked about the fire company. Glenn and Mrs. deLeon will get together for a meeting. In addition to setting up that meeting, she asked Mr. Cahalan to send the fire companies the pages of the budget so they understand what we are proposing to do ahead of the meeting? Mr. Cahalan said yes.

Mrs. deLeon said we talked about doing a building maintenance plan which was discussed at the last meeting. Mr. Cahalan said that's something you wanted formalized, and they will be working on that.

Mrs. deLeon said didn't we talk about doing the newsletter four times a year? Mr. Cahalan said they looked back and they do Spring, Summer and Fall/Winter. Mrs. deLeon would like to see it four times. Mr. Cahalan said that will change the dollar amount. The Fall/Winter is so compressed by the time they get the Fall one out, it's Winter. They can attempt to do that, but it will cost more. Mrs. Yerger said where she works, fall things go out in August so people time to look at it. Their Spring one goes out in February, the beginning of March, so maybe if we just push everything back, it might work out and still only have it go out three times. Mrs. deLeon said she's leaning towards for four times a year. They need to be reminded about shoveling the snow by their mailboxes, etc., etc. Mr. Cahalan said okay.

Mrs. deLeon said on page 47 of the General Fund, Interfund Operating Transfers, it says "transfer to Park Fund, \$37,000; \$5,000 transferred to each of the four Park Funds and Lutz-Franklin Schoolhouse Site Fund. There are four parks x five is \$20,000 and there's \$17,000 left. What is the \$17,000 left for? Mr. Cahalan said \$10,000 to the Lutz Franklin and the rest to the Heller Homestead. Ms. Gorman said she will revise that.

Mrs. deLeon said the \$200,000 coming out of the Landfill Fund for the road improvements still bothers her.

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Mrs. deLeon asked if Mr. Cahalan called PHMC about the covenant? Mr. Cahalan said he didn't talk to them, but he has information on the actual documents, there is a covenant that runs with the grant. He doesn't have the documents here, but it was for the grant for the Widow's House. He has to clarify that it was the whole site. Mrs. deLeon said she did talk to PHMC and the covenant runs with the whole site and applies to all the buildings on the site. It's an eligible property for those that questioned whether or not the Heller Homestead was a historical site. The historic survey was submitted after the barn was knocked down by the township which was in February 1998. It was submitted in September and we received notice it was eligible and she has those documents. Three different people did tell her it's still worthy and it's definitely eligible for listing. Any restoration work or repair work to it has to be consistent with the character of the property and any work carried out, per the Secretary of Interior standards for rehabilitation, and this scope of work would have to be submitted to PHMC, in advance, for them to approve what we do for the site. She asked about the Old Mill Bridge. They are just very, very busy, and it's just a matter of time. Mrs. deLeon asked what does that do to the bridge because we really feel it's historic. PHMC said you will probably have to apply for another research survey, so we really need to do that. When they get around to delisting it, we will not have our historical district. Mrs. Yerger said she was told the exact opposite. She has emails and copied Glenn on it. She said that as long as it was considered a critical part of the historic district, it would still retain its eligibility and you would not have to resubmit it. The district will go away, but you do not have to resubmit for the bridge. Mrs. deLeon asked Mrs. Yerger to forward that email to her.

Mrs. Yerger said we had Christine Ussler in 2005 do a review of the building. Her executive summary comes up with different things – repairs must be done in a more appropriate manner than in the past, isolated rot repairs are needed on window frames and sills and basement replacement windows are needed. Otherwise, regular maintenance of keeping painting in good condition will be sufficient. She goes on to say that keeping water away from the base of the house is a critical component of maintenance. Regrading the perimeter drainage system of roof water is recommended. Trees along north and southeast of the house, several trees should be removed to reduce damage due to moisture and root infiltration. The steps in the front should be patched. She goes on to say that one of the most important recommendations is keeping water away from the building. Mrs. deLeon asked if the gutters have been extended? Mr. Cahalan said Roger has that on his list. Mrs. deLeon said, again, we've known about this since May 2005, and the most important thing is to keep that place dry. That needs to be done before the end of this year. Mr. Cahalan said Roger's been instructed to do that and it will be taken care of this year. Mrs. deLeon asked about the regrading of the property? Mr. Cahalan said that's in the springtime. When we walked around with Christine Ussler, she even remarked that with the work that had been done on the roof, the house was much drier in the basement. She didn't say to eliminate the grading, but what he took from it was that it wasn't a priority. Mrs. deLeon said she took it the other way, it was a big priority. She could see the difference in the ground level. Mr. Cahalan said that's down for the spring time, but what they are going to work on is all the other repairs to the steps and to the foundation that are on Christine's list. They've done a pretty good job to make sure there is no leakage or any water getting into the house or basement. Mrs. deLeon said Mary Curtin and Mr. Cahalan have done a good job of paying attention to the Homestead propriety – prior Manager's did not. Annually, she would ask for this and it was never done. She does have to give credit to Jack and Mary Curtin. One of the important things is the electrical panel. That was identified, again, as a priority in May 2005 and that's being pushed off until next year. She thinks it should be done this year. Mr. Cahalan said he had two inspector's go out and look at the electrical panel. He had Base Engineering, who is our third party inspector go out, as there was a concern that it wasn't UL listed, and Jack was concerned it wasn't up to code. Both parties, told Mr. Cahalan it was UL listed and that it's up to code. The only issue with the panel is that it's 40 years old. Based on that, he put it on the list that was given to Council previously and they will replace that in 2007. Mrs. deLeon would like to see a written response from our insurance agent whether or not that panel is UL because if something happens to the Homestead and it burns, there's a lot of antiques in there

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and a lot of other people's things in the gift shop. Mr. Cahalan will send the inspection report to the insurance company.

Mrs. deLeon said there are representatives here from the Conservancy. They had their meeting last night and talked about what they wanted to do with the windows. They all feel that it should be in characteristic with the house and they want the repairs done ASAP and scheduled so that we don't continue to have rotten windows.

Mrs. deLeon asked Mr. Cahalan to explain to the members of the Conservancy what will be done next year. Mr. Cahalan said what they had given to Council was a list. They went down Christine Ussler's report and he tried to list everyone of the recommendations that she had made about the building. The front part of the front page shows all that's been done to date, either by Public Works or by Contractors they brought in. At the bottom of the front page, it starts getting into items that he brought to Council and said that he included money in the proposed budget to take care of such things as repairing the base of the porch foundation, the loose stone work around the basement door, the knee walls, the joints at the base of walls, repair the front steps, repair joists under kitchen floor, excavate dirt below floor joist, place vapor barrier over dirt, repair the water pipe under the kitchen floor, replace electric service panel, upgrade the lighting that's in the basement. Those were all items that had been put in the proposed budget that was presented previously to Council. The issue about the windows is there's an immediate step that can be taken. There's a short-term step and a long-term step. What you see under replace sills and molding, repair the rotten sills and frames and replace windows and frames are the short-term step. It's a contractor doing the work. There is another step that Christine Ussler recommended that's not listed here and that is do some of the repairs with an epoxy fill where there's some damage to the wood and then paint over it. That's something that still can be done by Public Works. They are planning to do some of the painting and it would be done prior to that. The estimate is for the short-term repair to go in and actually repair the wood and that was for the upper and lower windows which is about \$17,500. After discussion at the previous session, Council came up with the compromise of about \$8,000 to do the more immediate ones that needed immediate attention that was the window on the right side as you go in on the ground floor. He said \$8,000 was sufficient to cover those repairs by an outside contractor. Long-term replacement of those windows, he doesn't have a price on that. Again, you're getting into restoring something that's historical. This is the short-term fix.

Mr. James Sturm, Secretary of the SV Conservancy, said he wants to add expression from the group of support for attention to the Heller Homestead property because it is a historical site. On December 12, they are having an open house and the presentation of what's there, affects the public's reaction to the Township's facility. He urges this be given consideration in the future.

Mrs. deLeon said she talked to Scott Doyle from PHMC, Jack can call him and he'll guide you. The State has a list of historic contractors. Mrs. Yerger said we need to contact him. We can't take Christine Ussler's report? Mrs. deLeon said yes, we can take Christine Ussler's report, but any repair work that we do, a scope of work has to be presented to PHMC for approval. The schoolhouse has a covenant running with their land for their school because they received a grant, just like we received a grant. That's the protection because the State says what properties are eligible, then we have elected officials that might not agree. So to protect State money, they have a covenant running. You are going to take State money and you are going to have to sign a fifteen year covenant that you are going to protect that land. We did that with the Heller Homestead. Mrs. Yerger said her concern is some of these repairs were already done though, and no one was contacted at PHMC. What does that do? Mrs. deLeon said which ones? Mrs. Yerger said you are talking about the repair of the floor joists. Mrs. deLeon said that is going to have to be approved. In the past, the slates were replaced, which was considered minor. Mrs. Yerger said who considered that minor? Mrs. deLeon said she asked Scott today. She mentioned the flashing on the

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chimney and he said that is minor but if you are going to do structural or changing, and will explain that to Jack.

Mr. Maxfield said if we signed a fifteen year covenant to maintain its eligibility for PHMC, then what we need to do is renegotiate the lease. We have a conflict with what the lease is asking the township to do which is to maintain the property. The people of the township should not be solely responsible for paying to restore the Heller Homestead and he thinks that's what Mrs. deLeon is asking us to do. What you are asking us to do goes way beyond what the lease asks us to do. He's very uncomfortable with the conflict. If we all agree that we want to maintain this eligibility, we need to figure out how we are going to do and he doesn't think the people of the township should fund 100% of the historic restoration. He's been asking at this meeting and last meeting for one thing – he wants the Conservancy to raise funds. He wants them to be active participants in the restoration of this building. If it is such a valuable historic site, then there should be people who are willing to put their time in and raise funds. He doesn't see that occurring. He would like to see this building restored and be a vital part of the community, but if the people of this township are being asked to fund this restoration, you'd better have a group back there that's working just as hard to make sure it happens. That's only fair to the people of this township.

Mrs. deLeon said last Tuesday we had a big win in this township on the open space referendum. We gave out literature to the people telling them that we were going to preserve local character, history and aesthetics, we were going to establish walking and hiking trees and provide habitats and greenways and we were going to protect historic sites and structures. She's embarrassed to tell people that we own that site. She knows the history. In 1993 when the Conservancy presented a plan to the Council, on what we were going to do for that building, we were going to try to fix the little hole in the roof before the barn collapsed. HEA did a building survey of the site and did not identify any rot in the windows. Those two houses had their issues, but the people lived there, and they moved out and the house was the house. The township lease was with the Conservancy to restore the barn. That was it. The lease says to maintain. Mr. Maxfield said the lease does not say that the township needs to maintain the PHMC eligibility. If we're all in agreement here that we want to maintain that eligibility, then we need to talk more about the lease and how these things are funded. He sees improvements that cost \$50,000 for pointing on the main building, \$25,000 for pointing on the Widow's House, \$40,000 for the windows. Do you really want the community to pay for these things? On the referendum, if you read the enabling language, it talks about buying property or acquiring property in order to preserve new sites on the properties that are historic. It doesn't say anything about putting money into old structures. Mrs. deLeon said whoever handed this out mislead the people then. Is that what you are suggesting? Mr. Maxfield said no, read it again and read it closely.

Mr. Horiszny said he wants to know how this is preliminary budget approval. This sounds like a whole other agenda item that we ought to be discussing by itself and not under the preliminary budget. Mr. Maxfield said it does in a way, except that what we're being asked to do is basically reroute some of these funds for future use on doing repairs that he believes the Township should not be fully responsible for. Some of these are cosmetic. The Conservancy agreed early on that they would be responsible for the historic anything that would be restoration and was cosmetic or was not a maintenance issue. We're talking about issues here that are not maintenance issues, so let's be fair to the people of this community, please. If we're going to have a Conservancy, they'd better do something besides sit there. Raising funds for historic preservation is a vital and important thing that organizations like this should be doing and he doesn't see it occurring. The Widow's House was restored to a point from a grant and the Widow's House just sat there and nothing has been done since it's been restored. There hasn't been tours through there. When do these things start to happen? When do programs start to happen? At the Lutz-Franklin, they are writing curriculum and making plans to bring people through. There's like a hurdle that needs to be jumped here and it needs to become a vital part of the community by doing certain things. This

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is people's money and it better darn well be worth the money when you spend it. He wants to see active participation from this Conservancy. He loves this building as much as anyone else, but he is not going to waste the taxpayer's money on it if there's no group behind it.

Mrs. deLeon said when the Conservancy was founded in 1993 and we joined with the Township as a private-public entity to do a partnership, we did not say we were going to repair the two houses. It was to restore the barn. Those windows were not rotted and in horrible shape. Those windows were in good shape. Because the township did not maintain that site over all of these years, those were allowed to rot. The Township is responsible here. Mrs. Yerger said why isn't the Conservancy responsible? Her concern with this is somewhere where Tom is coming from. We're talking a span of fourteen years. Past Council's may not have stepped up to their responsibility in maintenance of the building. That may be a given. What she is saying is if the Conservancy itself was so concerned with the building, then why didn't they make attempts to fill the void themselves? Mrs. deLeon said people have left the Conservancy because the Township was not behind them. They had a feeling and people are allowed to have feelings. They left because the Township was not behind the cause. When you read the different documents over the years, and you go into the new meeting room with the fireplace, that has been altered. The Conservancy if we want to restore that back to the day when Michael Heller walked through that building, that's a restoration project. We never said we would do the windows. We restored the root cellar. We've always done stuff that was township responsibility and she always said if only the township would step up to the plate and do what they are supposed to do, maybe then the Conservancy members could do what we were supposed to do and raise that barn, but it never worked out. She said it at the budget meeting on October 31, 2006, they are in the same position the Historical Society was. There was a handful of people trying to do the right thing. They disbanded because the school district was going to move the school. The school district were caretakers of that schoolhouse. They let it go into a state of disrepair because the Council's did not recognize what they had there. That always bothered her. When Hovnanian gave us the Heller Homestead, she thought here we are, let's set an example. We want people to preserve history, let's show them how to do it and the Township let her down and let all the people down that cared about that Homestead down.

Mr. Horiszny said you are saying many wonderful things, great arguments, a wonderful debate, but he doesn't hear any preliminary budget number changes. If we are going to get some numbers, let's get numbers and get moving.

Mr. Kern said what he's hearing is what is maintenance and what is restoration. We can come to an agreement what the maintenance issues are and what the restoration issues are. That's pretty self explanatory. Mr. Maxfield said step one is going to be the recognition of the difference between the Township's responsibility of maintenance and historic restoration. Mr. Kern said the windows need to be maintained and that would be the Township's responsibility. The question is, how? Do you put Anderson windows in? No. You have to restore them properly. Mrs. Yerger said would it be appropriate, as Jack's been very careful to outline the cost of just what would be considered temporary maintenance, that we put those funds as he's already done, put them in there, and then anything beyond that, would you consider that as restoration and the difference would have to be made up by the Conservancy. They can get a grant. They can kick in money of their own. Mrs. deLeon said you want the Conservancy to pay for repairs that the Township is supposed to do? Mrs. Yerger said no. Mr. Maxfield said they want the Conservancy to raise money to help restore the building. Mrs. deLeon said she disagrees. The Conservancy expects the Township entity that they signed a lease with, to abide by their lease. That's what cracks her up about this open space thing. Here we have this 18th century farmstead along the creek which is everything you guys preach, about open space, and it's like a joke. She talked to residents who voted for this because of the Heller Homestead. Mr. Maxfield said the Lutz-Franklin has a lease very similar to the Heller Homestead and if the Lutz-Franklin people would have sat around and waited for the township to take care of all the maintenance issues, it would still be falling apart. The people were

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active. The people put time into it. They put effort into it. They put money into it. They raised funds. That's all we're asking the Conservancy to do. What it says it wants to do – restore the building. Mrs. deLeon said we'll be more than happy to restore funds for the barn. Mr. Maxfield said no, that is not acceptable. It should not be acceptable to the rest of Council that the Conservancy is only responsible for the restoration of the barn.

MOTION BY: Mr. Horiszny moved to adopt the preliminary special funds budget.
SECOND BY: Mr. Maxfield

Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon said she wasn't finished yet. We talked a little bit about the bridge. On page 84, you have the \$100,000 for the maintenance and repair of the Old Mill Bridge. That is based on what documentation for the \$100,000? Mr. Cahalan said that was a report that Jim Birdsall had done about a year ago. Cathy asked them to put some cost to adjust the last couple of months as far as the phased repair work. Mrs. deLeon said the Kingston Park, page 92. That line item for \$100,000, what does that include? She's never seen any documentation adding up to the \$100,000. Mr. Cahalan said Judy is actually going to give Council a copy of the revised plan for Kingston Park. When we started this process, we knew there would be some cost involved. We talked about the parking areas, the trails, and the pavilion that's recommended in there. We tried to come up with a ballpark guesstimate of what would be needed. Judy recommended the pavilion and Council said that's something we want to do. We tried to come up with our best guess as Judy has not given us any cost estimates yet. We asked for an estimate of what the pavilion would cost and other additions. Ms. Stern Goldstein said that included the installation of the parking area with the assumption that it would be constructed by the Township. As a follow up, she left revised plans for Kingston Park with Leslie. They are conceptual and not detailed engineering plans at this point. Mrs. deLeon said the scale house building that is being moved, is that included in the \$100,000? Ms. Stern Goldstein said no, it's not at all. Mrs. deLeon said when she was on the phone with PHMC, she questioned about moving a building in the Applebutter Road historic district and moving it to one of the parcels out at the schoolhouse. Ms. Stern Goldstein said one indication was it would be put township portion, not on the schoolhouse parcel. Mrs. deLeon said that's a good thing as PHMC said you would have destroyed the integrity of the historic significance of the schoolhouse property. This \$100,000 does not include moving the weigh station? Ms. Stern Goldstein said it does not include that building. They sent an email to Jack of cost estimates. They will give Mrs. deLeon a copy. Mrs. deLeon said they haven't gotten a lot of back up with this budget. Mr. Cahalan said he thought they went out of their way to provide Council with backup for the recommendations they made. If they didn't provide you with that, he'll make sure they do. Mrs. deLeon said on section where it says the Operating Reserve Fund for the landfill, second paragraph, "current tipping fees for the landfill are based on the host community agreement which requires the landfill to pay an annual fee of 3% of the gross revenue". That's inaccurate. That was the old agreement, so you might not be looking at the right agreement. That was way back with Phase II or III. Mr. Cahalan said they will correct that. Mrs. deLeon said the calculations, it breaks it down, and again, she didn't check that. Mr. Cahalan said the 339 and the 493 is off their most recent payment and the total is correct. The percentage is wrong.

Mr. Horiszny said it was discussed \$25,000 for a fund for engineering after the landfill closes. Doesn't that really belong in the Operating Reserve Fund? We don't have Christmas Club accounts for any other engineering type of things. Mr. Cahalan said that was a specific direction from Council that it be placed in that fund and it is being invested. Mr. Horiszny said would it be higher interest rate if it was even in a larger fund rather than having the nuisance of another small fund? Mr. Cahalan said that was something that Council directed to put those funds in that specific fund for that purpose. Mrs. deLeon said it was specified separate so that it wouldn't get spent for other purposes. Her fear is that after the landfill closes, for the next thirty years, future Councils won't have any money then to review any of the paper work, the monitoring wells, etc. Mr.

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Horiszny said true, but we're not putting money aside for Linc's services after 2014. That's the same thing. We're going to have a Solicitor then, but we're not saving up money for him. Mrs. deLeon said it's post closure, we never went that specific. Mr. Horiszny said it's still in the future. Wouldn't it be better left in the huge funds that we have, Operating Reserve or Capital Fund? It's probably too late now if we did it at this time, but it seems strange. Mrs. Yerger said keep it in mind for next year and make a note of it for next year.

Mr. Kern asked if anyone in the audience had any comments? Ms. Laura Ray said there was a question at the Conservancy meeting last night that she didn't understand. From what she was told, there was an amount budgeted for the Heller Homestead for 2006 that didn't get used, and now it's going to be in the 2007 budget. What she didn't understand is would somebody have to request a certain project for that to get used or why did that sit? Mr. Cahalan said the money that was put in last year's budget was \$25,000 to repair the joist that were under the kitchen section of the house. According to Christine Ussler's recommendations, when those joists were being replaced, the dirt would be dug up and there would be a separation between the new joists and the earth and the vapor barrier would be put in there and we were also going to repair the problem with the pipes that run under the kitchen and cause a problem with the discolored water. That money was put in there and we had discussions about how we were going to approach to repair. We knew we couldn't do it in the winter time. We started looking for contractors and two came out and only one gave us an estimate for the work. That was shared with Council and because of time constraints, we were not able to get the work scheduled in 2006, so they came back again to Council with the proposed budget. We included that money again, said that's on the sheet listed as a 2007 repair, and what we added to that was the repair of the front steps and some patching around the foundation and at the cellar door, the stone work, and the other item was the windows, which we've just been discussing. That's been carried forward. Ms. Ray said then that's added to an additional amount for this new year then? Mr. Cahalan said that \$25,000, we bolstered with and brought it up to \$32,000 at the proposed budget for the stairs and stonework. Ms. Ray was wondering if there was something the Conservancy should have been doing to make the projects happen? Mr. Cahalan said no, it wasn't anything with the Conservancy. Mrs. deLeon said we were supposed to have it done in the winter so it didn't interfere with any of our activities, but that never happened. Mr. Cahalan said that money is in there. Christine Ussler came out and suggested a couple of contractors she thinks could do the work. They couldn't find someone who was willing to come and look at that job and give us an estimate. At the last meeting, there was an additional \$8,000 added. If the Conservancy can find a contractor and give Jack an estimate, he'll welcome that. Mrs. deLeon said PHMC has a list of people who are into historic preservation. Mr. Kern said the Township Manager did solicit contractors to come in and there was no response.

ROLL CALL: 5-0

Mr. Cahalan would like a motion to approve the following 2007 salaries for Department heads to be included in the 2007 preliminary general fund budget.

Township Manager	\$75,712
Assistant Township Manager	\$54,051
Police Chief	\$75,222
Director of Public Works	\$55,090
Zoning Officer	\$58,916
Director of Finance	\$48,880

Total Cost of Salary Increases is \$15,113, which will be taken from the Contingency Fund.

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

SECOND BY: Mr. Kern

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

ROLL CALL: 5-0

MOTION BY: Mr. Kern moved for adoption of the Preliminary General Fund budget. It's balanced at \$5,511,230.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

Mr. Cahalan said the preliminary budget will be on display at the township office until December 20, 2006.

C. REVIEW OF 2007 COUNCIL MEETING DATES

Mr. Kern said the tentative dates for 2007 Council meeting have been prepared for Council's review.

Mr. Kern asked if everyone reviewed it and is everyone okay. Mr. Cahalan said you can get back to us and let us know if how you feel.

No action needed.

D. DRAFT ORDINANCE 2006-11 – INCREASED EARNED INCOME TAX BY .25% FOR THE PURPOSE OF LAND PRESERVATION

Mr. Kern said ordinance 2006-11 has been prepared as a result of the Open Space Referendum that was approved by voters at the November 7, 2006 election to increase the Earned Income Tax by .25% for the purpose of land preservation. This ordinance will now authorize the imposition of the tax.

Mr. Cahalan said this would be the enabling ordinance to levy the additional quarter of one percent tax. It's been prepared in draft form and they are asking you for authorization to advertise it.

MOTION BY: Mr. Maxfield moved for approval of draft ordinance 2006-11.

SECOND BY: Mr. Horiszny

Mr. Kern asked if anyone in the audience had any questions or comments? Mr. Kern said at a prior Council meeting, Council was going to enact this without going to referendum, but were informed by our Solicitor that we couldn't do it. It had to go to voter referendum. It did, and he'd like to thank Tom and Sandy and Tom's wife, Keri for their efforts put forth in making this a reality. Daniel Andrews, Morning called asked what the end result was? Mr. Kern said the end result was 60% to 40%. This will raise about \$800,000.

ROLL CALL: 5-0

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF OCTOBER 31, 2006 AND NOVEMBER 1, 2006 MINUTES

Mr. Kern said the minutes of October 31, 2006 and November 1, 2006 have been prepared and are ready for Council's review and approval.

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October 31, 2006:

Mrs. deLeon said on page 17 of 20, line 13 and line 37, SUTO should be PSEUDO. Mrs. Yerger said on page 18, at the very top, first line, interval at two places should be “integral”. Mr. Horiszny said through the entire minutes that “fund” should be “Fund”. Page 13, line 14, it should say “Mr. Horiszny said he would agree with that”. Page 14, line 14, it talks about an area truck, it should be “aerial” truck.

MOTION BY: Mrs. deLeon moved for approval of October 31, 2006 minutes, with corrections.

SECOND BY: Mr. Kern

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

ROLL CALL: 4-1 (Mr. Horiszny – No – Too Long)

November 1, 2006:

Mr. Horiszny said page 1, line 35, “palce” should be “place”. Page 8, line 1, we had mentioned it said Meadows Road and it should be Drifting Drive, should it have been changed at that spot? Page 9, line 8, the same thing, Friedensville Road should have been Skibo Road. Page 9, line 28, an extra “u” in Township. Line 27, an “R” that is extra. Page 10 of 19, line 25, “included” should be “including”. Same line, It’s a along” should be “It’s at 2431” Page 10, line 24, resolution has an extra r and a 9 in it.

MOTION BY: Mrs. deLeon moved for approval of the November 1, 2006 minutes, with corrections.

SECOND BY: Mr. Kern

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

ROLL CALL: 4-1 (Mr. Horiszny – No)

B. APPROVAL OF OCTOBER 2006 FINANCIAL REPORT

Mr. Kern said the October 2006 Financial Report has been prepared and is ready for Council’s review and approval.

MOTION BY: Mr. Horiszny moved for approval of the October 2006 financial report.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Lee Weidner, Main Street, Borough of Hellertown, was present. He said you can call him a PSEUDO intellectual or a PSEUDO historian, if you wish. Please, do not neglect the Heller Homestead or merely dismiss it from your collective consciousness. The Heller Homestead has ample, historical significance for him. Hellertown made a drastic mistake more than 60 years ago, and those of you from Hellertown, have heard this before when Borough Council, by one vote, dismissed the Boehm House, the first house in Hellertown. They rejected it as a gift from the Betsy Ross Club who wished to donate it as a museum and a library. History was lost. Currently, Lehigh University is making the same mistake by dismissing the Regal House on Creek Road. They most likely need another soccer field and are allowing the roof to cave in and the building to deteriorate. Local history has a tendency to fade away into the wind. He pleads with Council not to repeat this type of error with the Heller Homestead and the Widow’s House. At the Conservancy last night, a motion was made by Keri Maxfield and seconded by Lee Weidner to discuss the

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formation of a capital committee at the next meeting for raising funds. The motion carried unanimously. He has problems of arrogant individuals who have called the Saucon Valley Conservancy an illegitimate historical organization. This has appeared publicly in the press. He got some good news today. Ginny Blocker really helped a lot in organizing the fall lecture series and now they'll be a spring lecture series continuation. Today, they have been granted a speaker by way of Philadelphia who is a Professor at Temple University, studies under the famous, **Charles** _____, United States expert, in the development of the Underground Railroad. They have this speaker secured for Sunday, April 15 from 2:00 to 4:00 PM and the discussion with PA's role in the underground railroad. While some people suggest that members of the Conservancy have been sitting on their buttock, he will not disagree because several members of the Conservancy and himself have sat on their buttocks in the gift shop within the Heller Homestead for countless hours. A positive move is the Capital Committee being formed. He's sick and tired of the bad press they have been receiving lately compared to the wonderful success of the Lutz-Franklin Schoolhouse. The Heller Homestead is just as important. Mr. Kern said the current makeup of this Council agrees with him, they were just having a lively discussion about how to get the money.

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said he gave Council a copy of a request from Springfield Township. An email came in from the Township Manager about the PA byways program. Springfield Township wants us to participate with them in a joint application for two roads that connect both townships. Springtown Hill Road and they said Moyer Road. He doesn't know a lot about it except what he got off the website. If the corridor is designated by the State, we could be eligible for funding for planning and design, safety improvements, construction of a facility along the scenic byway for pedestrian or bicyclists, protection of scenic, historical, recreational, cultural, natural, etc. resources in the area., development of provision of tourism and development and implementation of a scenic byway marketing program. He will get more information and come back with a recommendation.

MOTION BY: Mr. Maxfield moved for approval as stated above by Mr. Cahalan.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.

ROLL CALL: 5-0

- Council is aware of the tragic death of the Upper Saucon Police Officer, David Petzold who was killed on duty on November 9, 2006. The Upper Saucon Township PD has established a fund to benefit the officer's wife and children and he would like to make a request that we contribute \$500 towards this fund.

MOTION BY: Mr. Horiszny moved for approval of \$500 for the fund to benefit the officer's wife and children.

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

ROLL CALL: 5-0

B. COUNCIL/JR. COUNCIL

Jr. Council

- Vanessa said both the school district and the LST have approved a paper recycling program which not only will be a good environmental move, but also will serve as a fundraiser for

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the Lutz Franklin Schoolhouse Museum. Approval by the Hellertown Borough is pending. The program will involve the placing of bins throughout the area. The high school is going to have two bins. Everything but telephone books will be put into the bins. Our area is on a waiting list as the recycling company is trying to expand their current service area. The SV staff will be placing their paper from the offices into the bins. Ms. Torella from the Historical Society will be a contact person. Vanessa will be updating Council as things progress. She will meet with the principal in two days. Mr. Cahalan said Vanessa will be a valuable contact person at the high school for this effort.

Mrs. Yerger

- She said is that a possibility that we want to have Linc look into the burning ban and the burning could be moved back a certain number of feet from a property line and that way it could be applicable to any part of the township. Mr. Maxfield said that might be the way to do it. Mr. Cahalan said they will look into it.

Mr. Maxfield

- In the packet, as an addendum we got something from Advantage Engineering. It says something about a telecommunications site up on the hill, a 70' wooden pole. Does our ordinance permit a wood pole for something like that? Mr. Cahalan said he's not sure, he doesn't have an answer on that.
- He said at the EAC meeting last night, they talked about the amendment to NRP ordinance and they are asking for clearance for the ordinance to be sent to Terry Clemmons for review. There seems to be some little bit of fluctuant of the applicability of 100 feet on intermittent streams and they wanted to get his legal opinion.

MOTION BY: Mr. Horiszny moved for approval.

SECOND BY: Mrs. Yerger

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

ROLL CALL: 5-0

Mr. Kern

- He said he received a phone call from a resident who has called him before regarding an ATV issue that he's having in his yard which is near Polk Valley Park. We had discussed this before Council and the possibility of coming up with a solution which would involve not permitting such activity within a certain number of feet of a property line. He would like to ask our staff to please pursue that and see what can be done as far as drafting some type of an ordinance.

Mrs. deLeon

- Jack had inspectors come out to do occupancies for the schoolhouse and the Homestead and she asked about the Widow's House and he said it wasn't really used for public, and that's inaccurate. We have our open house, there's furniture in there and it's going to be opened for our holiday gathering party. Could we find out that we are treating all the buildings and find out what the words are, and the occupancy level.
- The budget meeting, she brought up the issues with Roger of going into Steel City, Riverside Drive, with the tree branches hanging on the wires. Today she had a phone call with Lou Chunko, from PennDOT and he said if there are lines in our right-of-way and they are interfering with something, then it's the utilities responsibility. He called Verizon and SECTV. Service Electric was really good and said they'd go out and look at it. Verizon gave him the run around. Something will happen there. It's really bad. They are working on that.

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- She was glad to see the email regarding the Enterprise with a special meeting. Mr. Cahalan said it's an advertised meeting on November 20 at 3:00 PM
- Remember when we first did the cluster ordinance and we questioned the public community sewer and objected to it? We asked them to take out that language. Ms. Stern Goldstein said it's only permitted R80 and the RA. Mrs. deLeon said it was water and sewer. Ms. Stern Goldstein said correct. Mrs. deLeon said she just looked at the ordinance the other day and saw sewer in there. She thought we had agreed to take water and sewer out. Ms. Stern Goldstein said there was an amendment, so there was the initial passing of the ordinance which was 2005-04, and then there was 8 and 9 which were amendments. One dealt with the sewer issue and the other dealt with a typographical error on the woodlands and steep slope percentages. Mrs. deLeon said didn't we take the community sewer systems out of there? Ms. Stern Goldstein said we took that out on the R80 and RA so it had to be public. The word central was not in the amendment. Mrs. deLeon said how are the developments on Reddington Road getting away with public sewer? Ms. Stern Goldstein said nothing is approved yet. Mr. Kocher said they are not doing a cluster and there are a lot of issues associated with a community system they are proposing.

Mr. Horiszny

Nothing to report

C. SOLICITOR

Absent

D. ENGINEER

Nothing to report.

E. PLANNER

Nothing to report.

III. ADJOURNMENT

Mr. Weidner thanked Vanessa and her Girl Scout troop for cleaning the entire Heller Homestead and the Widow's House. They volunteered to be guides of the December open house and will be dressed in appropriate period costumes.

MOTION BY: Mr. Horiszny moved to adjourn. The time was 9:36 PM.

SECOND BY: Mr. Kern

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

ROLL CALL: 5-0

Submitted by:

Mr. Jack Cahalan
Township Manager

Glenn Kern
President of Council