

REVISED

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Resolution #62-2011 – Recognizing Tom Henshaw for his Service to the Community
- B. Ordinance No. 2011-08 – Intergovernmental Agreement – Saucon Rail Trail – Public Hearing and Consideration of Adoption

IV. DEVELOPER ITEMS

- A. Old Mill Estates – Springwood & Hawthorne Roads – Deed of Dedication Resolution #60-2011
- B. Hidden Meadows – Lower Saucon Road – Request Extension to Complete Improvements
- C. Calpine Bethlehem, LLC – Bethlehem Energy Center – Title V Renewal Application

V. TOWNSHIP BUSINESS ITEMS

- A. Bethlehem Area Public Library Discussion
- B. Resolution #63-2011 – Transfer of Money
- C. Adoption of 2012 Preliminary Budget
- D. Heller Homestead – Structural Evaluation, Scope of Work for Windows & Tree Removal
- E. Polk Valley Park – Phase II – Approval of End of Maintenance Period
- F. Resolution #64-2011 – Designation of Agent to Submit Documentation for PEMA Assistance for Hurricane Irene
- G. Review and Discussion of Ordinance No. 95-9
- H. Approval of 2012 COBRA Services Renewal

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of November 2, 2011 Minutes
- B. Approval of October 2011 Financial Reports

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

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

IX. ADJOURNMENT

Next Park & Rec Meeting: December 5, 2011
Next EAC Meeting: December 13, 2011
Next Council Meeting: December 7, 2011
Next Planning Commission Meeting: December 15, 2011
Next Zoning Hearing Board Meeting: December 19, 2011

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I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, November 16, 2011 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, President, presiding.

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

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 for the discussion period. At the conclusion of the discussion period, we do open it up to the public at each and every agenda item, so you have an opportunity to comment. If you do choose to comment, we ask that you use one of the three microphones that you see here as the minutes are transcribed verbatim. We want to make sure we get every word into the record. We also ask that you state your name for the record so the transcriptionist can duly note that. He asked if anything has been taken off the agenda? Mr. Cahalan said no, but this is a revised agenda that was sent out with two items added under V.G. Review and Discussion of Ordinance No. 95-9 and V.H. Approval of 2012 COBRA Services Renewal.

III. PRESENTATION/HEARINGS

A. RESOLUTION #62-2011 – RECOGNIZING TOM HENSHAW FOR HIS SERVICE TO THE COMMUNITY

Mr. Kern said Resolution #62-2011 has been prepared recognizing Tom Henshaw for his service to the community. This resolution will be presented to Tom at the Saucon Valley Community Center dinner to be held November 18th.

A RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF TOM HENSHAW

WHEREAS, Tom Henshaw has unselfishly served the residents of Hellertown Borough for more than twenty-five (25) years; and

WHEREAS, Tom, a Hellertown native who graduated from Saucon Valley High School and earned a degree in Heavy Equipment Maintenance and Operation from Williamsport Area Community College, worked for Bethlehem Steel for thirteen (13) years before coming to work for the Borough in 1986; and

WHEREAS, Tom began as a laborer, worked his way up to the position of Park & Pool Foreman, and then assumed the position of Superintendent of Public Works several years later; and

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WHEREAS, Tom has spent many off-duty hours volunteering at Relay for Life events, is always on hand to help out at the annual Community Day celebration, and pitches in to help box food at the Second Harvest Food Bank; and

WHEREAS, Under Tom's leadership, the Borough Public Works Department works diligently to keep Hellertown Borough's streets and parks in excellent condition, while also maintaining the Hellertown Community Pool, which is one of the best attractions in the Saucon Valley; and

WHEREAS, Tom has maintained cooperative relationships with the Township Public Works Director and with the Saucon Valley School District which has led to joint paving projects, the creation of the Saucon Valley Compost Center, and the construction of the Saucon Rail Trail, which have all greatly benefitted the citizens of this region; and

WHEREAS, Tom will be recognized for this outstanding service by the Saucon Valley Community Center on November 18, 2011.

MOTION BY: Mrs. Yerger moved for approval of Resolution #62-2011.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

B. ORDINANCE NO. 2011-08 – INTERGOVERNMENTAL AGREEMENT – SAUCON RAIL TRAIL – PUBLIC HEARING AND CONSIDERATION OF ADOPTION

Mr. Kern said Ordinance No. 2011-08 has been prepared to enter into an intergovernmental cooperation agreement which authorizes Lower Saucon Township to join with Upper Saucon Township, Hellertown Borough, and Coopersburg Borough as a member of the Saucon Rail Trail Oversight Commission for the purpose of cooperating in the development, supervision and maintenance of the Saucon Rail Trail.

Attorney Treadwell said this has been advertised for adoption and for a public hearing.

MOTION BY: Mr. Horiszny moved to open the public 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

Attorney Treadwell said this is the ordinance and you've seen the agreement before between Upper Saucon, Lower Saucon, Coopersburg and Hellertown which will provide for a joint Oversight Commission to make recommendations regarding the Saucon Rail Trail. All the other municipalities have approved the agreement. The purpose of this ordinance is to approve the agreement and you need to do have an ordinance under the Intergovernmental Cooperation's Act. You can adopt this after the public hearing.

Mr. Kern asked if there were any questions by Council or staff? There were no comments.

MOTION BY: Mr. Maxfield moved to close the public 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

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MOTION BY: Mr. Maxfield moved for approval of Ordinance No. 2011-08.

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

IV. DEVELOPER ITEMS

A. OLD MILL ESTATES – SPRINGWOOD & HAWTHORNE ROADS – DEED OF DEDICATION – RESOLUTION #60-2011

Mr. Kern said Resolution #60-2011 has been prepared to accept dedication of the roads located in the Old Mill Estates Subdivision. The developer has provided the liquid fuel funds that the Township would have received had the dedication been done by the September deadline.

A RESOLUTION ACCEPTING THE DEEDS OF DEDICATION FOR CERTAIN ROADWAYS KNOWN AS SPRINGWOOD ROAD AND HAWTHORNE ROAD, LOCATED IN THE TOWNSHIP OF LOWER SAUCON, FOR USE AS PUBLIC ROADWAYS; SAID ROADWAYS HAVING BEEN CONSTRUCTED AS A PART OF THE OLD MILL ESTATES SUBDIVISION.

WHEREAS, Lower Saucon Township approved a Subdivision Plan - Old Mill Estates, prepared by DMS, Inc. dated May 24, 1999, last revised July 13, 1999, recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book 1999-5, at Page 365; and

WHEREAS, the Old Mill Estates Subdivision Plan provided for the construction and dedication of Springwood Road and Hawthorne Road to Lower Saucon Township for use as public roadways; and

WHEREAS, the current owner of Springwood Road and Hawthorne Road now desires to dedicate those roadways to Lower Saucon Township; and

WHEREAS, Old Mill Estates, Inc. has tendered and Lower Saucon Township has accepted Deeds of Dedication dated _____ for Springwood Road and Hawthorne Road.

NOW THEREFORE, the Council of the Township of Lower Saucon hereby resolves as follows:

1. The Deed of Dedication for Springwood Road, dated _____ is hereby accepted by Lower Saucon Township, and said roadway shall hereafter be a public roadway within Lower Saucon Township. The aforementioned Deed, which is attached hereto as Exhibit "A", is further described as follows:

Deed of Dedication dated _____, for Springwood Road, situated within the residential subdivision know as Old Mill Estates, said Deed being recorded in the Office of the Recorder of Deeds in and for the County of Northampton, Easton, Pennsylvania on _____, in Deed Book Volume _____, Page _____.

2. The Deed of Dedication for Hawthorne Road, dated _____ is hereby accepted by Lower Saucon Township, and said roadway shall hereafter be a public roadway within Lower Saucon Township. The aforementioned Deed, which is attached hereto as Exhibit "B", is further described as follows:

Deed of Dedication dated _____, for Hawthorne Road, situated within the residential subdivision know as Old Mill Estates, said Deed being recorded in the Office of

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the Recorder of Deeds in and for the County of Northampton, Easton, Pennsylvania on _____, in Deed Book Volume _____, Page _____.

3. The Plan entitled "Subdivision Plan - Old Mill Estates" prepared by DMS, Inc. dated May 24, 1999, last revised July 13, 1999, has been recorded in the Office of the Recorder of Deeds in and for Northampton County in Plan Book 1999-5, at Page 365; and
4. The Public Roadways and legal descriptions for Springwood Road and Hawthorne Road are identified as set forth in the Deeds of Dedication.
5. Pursuant to the provisions of the Second Class Township Code, Act 60 of 1995, Article XXIII, Section 2316, as amended, the Township of Lower Saucon hereby accepts **SPRINGWOOD ROAD AND HAWTHORNE ROAD** to be used as a public roads for the benefit of the public.

Attorney Treadwell said this is the resolution that we discussed the concept at the last meeting. This resolution officially accepts dedication of Springwood and Hawthorne Road. There are blanks in the resolution because we do not yet have the deeds signed from the developer of the Old Mill Subdivision. In order to adopt this and get these on the Township books so we can take care of them in the winter, he would suggest Council adopts the resolution with the condition that we receive the deeds from the developer and that we also receive from the developer satisfactory evidence that the title to the roads is clear.

- MOTION BY:** Mr. Horiszny moved for approval of Resolution #60-2011, with the conditions stated above by Attorney Treadwell.
- SECOND BY:** Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

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

Mr. Kern said the developer has requested an extension of time to complete the improvements associated with their land development and has agreed to extend the expiration of their Letter of Credit.

STAFF RECOMMENDATION FOR HIDDEN MEADOWS EXTENSION

The Lower Saucon Township staff recommends that Township Council approve an extension until November 16, 2011 for completion of improvements at the Hidden Meadows Subdivision. This approval is subject to the following conditions:

1. The owner/developer shall enter into an Extension Agreement with the Township satisfactory to the Township Solicitor and Township Council.
2. The Improvements Security shall remain in full force and effect until project completion or December 6, 2012, to the satisfaction of the Township Solicitor.
3. The owner shall pay any outstanding plans and appeals account invoices owed to the Township.

Mrs. deLeon asked if there were any issues with this? Mr. Kocher said last time he was out there, that subdivision was pretty well buttoned up and they were waiting for the houses. Almost everything else is done, so it's reasonable to give them another year.

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MOTION BY: Mr. Maxfield moved for approval of request extension to complete improvements for Hidden Meadows on Lower Saucon Road.

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

C. CALPINE BETHLEHEM, LLC – BETHLEHEM ENERGY CENTER – TITLE V RENEWAL APPLICATION

Mr. Kern said the Township Landfill Consultants met on November 15, 2011 and will make recommendations for any comments to PADEP on this renewal for their operating permit.

Mr. Cahalan said the Landfill Consultants met yesterday and they reviewed this notice that was received from the Calpine Corporation, which is formerly the Conectiv Plant on Applebutter Road. It is in the City of Bethlehem, but immediately adjacent to some residential areas in the Township. They filed notice that they submitted October 23, 2011 a Title V Operating Permit Renewal application to the PA Dept. of Environmental Protection. That was reviewed yesterday and the consultants did put a call into Lisa Pongron, who signed the letter. She's the Regional EHS Manager for Calpine. They could not speak with her yesterday. They've asked that the Township Council approve sending a letter to DEP asking that the Township be given an opportunity to comment on the renewal application if it amends the existing permit in any manner that will allow a change in character, concentration or total quantity of emission pollutants. They are requesting that we ask for a meeting with DEP and the Township's Air Quality Consultant up at the DEP office in Wilkes Barre to allow review and comment on the application and to do that they also recommend that we ask for an additional 30-day extension to give time to provide this review and comment. There's a draft letter in your red folder with that information in it. If that is suitable, he needs a motion from Council to send that off to DEP tomorrow.

Mr. Maxfield said he's a little confused, is there a change that was detailed with any of the information? Mrs. deLeon said we really had nothing to review but the letter from DEP. There was no document. If we need to review the document, you'd need to drive to Wilkes-Barre and look at it. All we had was the Calpine letter. Mr. Cahalan said it says copies of the application will be available for review at the PADEP offices located at 2 Public Square, Wilkes-Barre, PA. Mrs. deLeon said right. That's why they put a call into Lisa and then they thought they would at least put in writing if anything changed from their existing air permit, we would want to know. Jim worded the way he worded it, but we had nothing to renew.

Mr. Maxfield said if it's a renewal, if there is changes that are occurring there, don't they have to go through an entirely different process? Why would a renewal be a renewal, it would basically be changes. Mrs. deLeon said she's only familiar with the Title V renewal with the IESI Landfill and it's usually every five years. Right now the landfill is under permit shield. She doesn't ever remember doing Calpine or Conectiv Title V review. She's assuming that since it's air quality, it would be a five year thing. Maybe it's just due to come up for renewal, but our question still is if there are any changes, we want to be made aware of it and if it is, the regular Landfill Consultants don't have the expertise. We'd have to talk to Lou Militano.

Mr. Maxfield said he doesn't understand if it's classed as a renewal, then if there were changes, it would not be a renewal. Renewal to him says continue what they are doing. Mrs. deLeon said not necessarily. She's not an expert, but she would think that's their opportunity to make changes. You would think if there are any changes, it would be revisions to the existing permit as they go along, but it's not always as black and white as you think it should be.

Mrs. deLeon said we didn't know what else to do other than this, to start.

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MOTION BY: Mr. Maxfield moved for approval to send the letter, as stated above.

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

V. TOWNSHIP BUSINESS ITEMS

A. BETHLEHEM AREA PUBLIC LIBRARY DISCUSSION

Mr. Kern said continuing discussion of the Bethlehem Area Public Library funding request for 2012.

Mr. Maxfield said he probably generated this agenda item. He said at the last meeting he didn't feel prepared enough to vote on it. He needed some more information. He did find that information and he feels prepared to vote now. He was told that according to a letter that the Township sent through Attorney Treadwell to the BAPL in 2010, we are not under a contract with them anymore. We are participating in the program, but we are not bound by the constraints of the contract. The letter says that we withdrew from the contract in order to renegotiate the contract. It was never renegotiated, as far as he knows. He wanted to clear up anything where there were concerns about the dates. As long as we're not under the contract, the dates don't apply to us.

Mrs. deLeon said if you have any agreement with somebody and it's a two-party agreement, and you as one party want to get out of it, don't you have to have it agreed to by the others? Attorney Treadwell said the way the agreement from the BAPL is worded, the Township has the right to get out by providing notice by November 15, 2011 to the BAPL. What Mr. Maxfield is speaking of is a November 5, 2009 letter where we told them we wanted to participate in the library services in 2010, but we were cancelling the agreement, and we were interested in renegotiating and updating the terms of the agreement. Last year in 2010, he sent another letter to Terry Faul, who was the Solicitor for the BAPL, stating that the Township voted to contribute the amount of \$173,464.00 to the BAPL for the calendar year 2011 contingent upon the City of Bethlehem contributing the same per capita amount of \$17.55 per person. Back in 2009, we told them we were basically opting out of the agreement, but intended to still contribute the same amount for 2010. In 2010, we said we would contribute the same amount for 2011. Mrs. deLeon said she doesn't remember doing that, so she'd like to request a copy of those minutes. Mr. Maxfield said it was a Council vote. Mrs. deLeon said she doesn't recall it and she would like to see the minutes to refresh her mind of those actions.

Mr. Maxfield said he doesn't know if you want to vote now or first do the budget. Mrs. deLeon said at the last meeting, the agenda item made her believe that we were still under contract with the BAPL. That was the wording in the agenda item. She was under the impression if we didn't take action by November 15, 2011, that it was understood by the other party in the legal agreement that we would be continuing with the BAPL. When we formed the Task Force last year, she supported the formation of the Task Force with the direction that they were to review all aspects of comparing the HAL to the BAPL and coming up with differences in the benefits that each one of them would provide and compare them to see if there would be any losses to our residents, what the dollar amount would be, what it would cost to expand the library, all those things were supposed to be done by the Task Force. That was her understanding of her support for the Task Force, and also that they would come up with a recommendation until next summer, and not to have library services for our residents, we would continue with the BAPL until we would have that report to evaluate.

Mr. Cahalan said the Task Force had a charge from this Council that they were to look into the feasibility of consolidating library services for the Township at the HAL. There was no charge in there for them to look at the BAPL cost and do a comparison. Unfortunately, that's happening in

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the process. Every meeting we have someone makes a comparison. What we are trying to do is come up with information about whether it's possible that library services could be handled at that facility. That's what information we are gathering.

Mrs. deLeon said she is again having difficulty remembering that. She asked if they could pull those minutes also so she could review the nights we had it on the agenda as she's remembering it differently.

Mr. Maxfield said the Task Force is continuing in their duties, doing a really good job, and they are really an effective group. He enjoys being there. He does think they intend to stay right on schedule and make the recommendations that they have been charged with. However, budgeting the Township monies is a Council function and an assumption about what the Task Force does and its dates do not supersede the ability for a Council member to vote on a budget item and that's what we were talking about. He said last time that he wanted to speak to some Task Force people to get some information, and he actually said publicly that this was not a Task Force issue. He did not want to drag them into the issue. It was a Council issue and that's the way it was addressed. He found the information he needed. He's ready to vote when you decide that it's a good time to vote.

Mr. Horiszny said technically we can vote when we want to and they can't kick us out as they never responded to our letter? Attorney Treadwell said they never responded to the renegotiation request. Technically, you are not a party to the agreement anymore. What you've done the last two years was to pay the amount that you would have paid if you were still in the agreement. Mr. Kern said do you want to share the information with us that satisfied you? Mr. Maxfield said it was more of a personal nature. He'd rather not say. It was a private conversation.

Mr. Kern asked if anyone in the audience wanted to speak? Margaret Opthauf said she lives on Redington Road. She is a former member of the library board. She was on the board about 25 years ago when Hellertown first formed a library through volunteer efforts. She commends them for doing that as their Town Council would not support paying any money to Bethlehem at all. She's here to support the BAPL. She believes we need good library services. She believes we should continue paying the amount that's needed so that our constituents have good library service, and she's hoping that each and every one of you will vote yes on the budget and we will continue to participate in the BAPL.

Mr. Alan Johnson said he's on the Lower Saucon Township Library Committee. In his own personal opinion he would all vote yes to pay the BAPL what they are asking so we can have their services for 2012.

Mr. Cahalan said the amount they are asking for, which was lowered from the original amount, is \$183,467.00. That is based on a \$17.03 per capita charge which all the participating municipalities are being asked to pay –the City of Bethlehem, Bethlehem Township, Fountain Hill, Hanover Township and Lower Saucon Township. As we reported previously, Freemansburg has dropped out for financial reasons, and that amount they were to contribute which was \$44,896.00 is going to be made up by the library out of their contingency fund. The per capita is going to remain at \$17.03 and we're being asked to pay that amount of \$183,467.00. Attorney Treadwell said that \$17.03 is lower than the per capita you paid last year which was \$17.55.

Mike Karabin, member of the Library Committee and the Task Force Committee said he sees no reason at this time for the board to refuse paying for next year's fees. He's in support of belonging, at least for another year.

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MOTION BY: Mrs. deLeon moved to continue with the Bethlehem Library for 2012 at \$183,467.00 at a per capita amount of \$17.03 per person.

Mr. Maxfield said he would like to say withdrawing from the BAPL, to his Council members, was never a topic of discussion at the last meeting. It was simply being ready to vote. Mr. Kern said correct. Mr. Horiszny said you should also note that our participation has dropped at the BAPL from 43% to 38%, so it's decreasing.

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

B. RESOLUTION #63-2011 – TRANSFER OF MONEY

Mr. Kern said Resolution #63-2011 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 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 No.</u>	<u>Account Name</u>	<u>Account No.</u>	<u>Account Name</u>	
\$20,000.00	01.493.000	Contingencies	01.430.142	PW Overtime	
\$20,000.00	01.493.000	Contingencies	01.404.312	Special Legal	
\$15,000.00	01.493.000	Contingencies	01.404.310	Legal	
\$ 5,000.00	01.493.000	Contingencies	01.409.230	Fuel	
\$ 3,000.00	01.493.000	Contingencies	01.410.316	Training	
\$ 8,000.00	01.493.000	Contingencies	01.410.373	Police Vehicle Maint	
\$ 8,000.00	01.493.000	Contingencies	01.414.312	Planning	

SECTION 2.

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

Ms. Cathy Gorman, Finance Director said the resolution you have in front of you is for transferring monies to cover the expenses that are listed. Most importantly is the Public Works overtime due to the past storm. This is something you wouldn't normally do towards the end of the year and before the adoption of the preliminary budget.

Mr. Cahalan said these amounts are from the contingency account. They are as follows:

- \$20,000.00 for Public Works overtime
- \$20,000.00 to Special Legal
- \$15,000.00 to Legal for increased legal services and labor counsel
- \$5,000.00 to additional fuel costs and usage
- \$3,000.00 for training. Ms. Gorman said that was for police training. One of our officers needs to get his DARE certification.

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- \$8,000.00 for police vehicle maintenance. We reported during the budget hearing that the mileage on the patrol vehicles has increased, so we have increased the vehicle maintenance cost.
- \$8,000.00 to increased planning costs

MOTION BY: Mr. Horiszny moved for approval of Resolution #63-2011.

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

C. ADOPTION OF 2012 PRELIMINARY BUDGET

Mr. Kern said the budget has been prepared and Council will review and discuss the preliminary adoption of the 2012 Budget.

Ms. Gorman said in front of you is the preliminary budget and it has been modified to address the resolution that was just passed and makes note of the changes that were addressed at the prior meeting. To go over those in brief form, she said the beginning budgetary fund balance will be decreased by approximately \$25,566.00 based on expenses that will be incurred this year based on that resolution.

Mr. Cahalan said tell Council what you are going to spend this year. Ms. Gorman said that was for the resolution that was just passed and there were modifications in the proposed budget for: 2010 expenses, increasing the highway overtime, legal fees, also some adjustments were made in some of the revenues that we were anticipating in getting a little bit more. The second part in the revenue was a decrease in the Fire Relief Fund as she mentioned at the proposed budget hearing. We were informed after that was drafted that the State does not anticipate providing that much money for next year, so it dropped \$63,100.00. As a municipality, the funding comes to us, but then we issue the check to the Fire Relief Association. It is directly tied into the funding we get for the insurance premiums and State taxes we get from the State.

Ms. Gorman said the expenses discussed at the proposed meeting, we decreased Council compensation by \$1,615.00. She also increased Police general expenses for animal control services in the event that we need to contract with the Animal Welfare Center. They advised us of an increase in their fees. Mr. Cahalan said you may have seen an article that reported on this from Hellertown Borough Council. All of the municipalities in Northampton County, the majority of them were contracting for the drop-off of stray animals with the Center for Animal Health and Welfare that's on Island Park Road in Williams Township. They sent us a contract which increased the amount of the cost for each of the drop-offs. It included two provisions which are not suitable to us. The first one was a provision that all animals could be dropped off. They called them companionable animals. For at least five or six years, we've had a contract with them for dogs only, and no dropping off of cats. We do a trap-neuter-and return program on any cats, most of which are feral cats, and then they are returned to live in the wild. That has been included plus another provision that says residents and police officers can drop off the animals. Again, for five or six years, we have operated with them that it's police officers only because someone can literally go there under these provisions and drop ten cats off and we'd be charged \$1,500.00. We've operated under that with them, now they are saying that you have to accept these new provisions. We've written back to them and said we can't. We're trying to negotiate with them. As Ms. Gorman said, we're also looking for other options if that does fall through. It's not acceptable as our costs would sky rocket if those conditions were in the contract. Mr. Kern asked why the contract changed? Mr. Cahalan said he has no idea because from what he's hearing all the municipalities are saying no.

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Mr. Maxfield said Ms. Gorman said it was a decrease in Council, but it was an increase in Council, why would that be? Ms. Gorman said decrease because she originally increased it based on the census change and then we had discussed at the last meeting that only certain Council members qualified for that increase.

Ms. Gorman said there's a noted decrease in the fire department basically relating to the Fire Relief Fund. It's an in and out of \$6,300.00.

Ms. Gorman said an increase in Highway Department General Fund for \$1,500.00 for the all data technology that Roger Rasich discussed with you at the prior meeting, which would help him immensely.

Ms. Gorman said the Library Service Fee has dropped \$2,053.00 as we previously discussed.

Ms. Gorman said our medical expenses dropped \$70,180.00 based on an assumption that our costs would go up 10%, and it only went up 2.6%.

Ms. Gorman said with everything inclusive, our contingency amount went up \$41,078.00, which leaves us with a balanced fund budget of \$6,765,734.00.

Mrs. deLeon asked Ms. Gorman to provide her with the sheet she just read from. Ms. Gorman said absolutely.

Ms. Gorman said under the Special Funds, there are not many changes. One was the Landfill fund. We re-modified a note and we're saving \$70,000.00 in interest on that note. Open Space we made no changes as the referendum passed. The Compost Center, she decreased the major expenses amount and increased maintenance by that amount due to fact that we are going to have additional grinding mixture. She'd rather just be safe than sorry. Mr. Cahalan said we usually put the yard waste through a grinder and make mulch, and there's a bigger expense now. They are basically going to contract with someone to do the work. Mr. Cahalan said we don't own that equipment.

Mr. Maxfield said he thinks he asked during budget discussions before, but he can't remember what the answer was. When Bill Csaszar came before us, he recommended that Public Works acquire a back-up generator. Ms. Gorman said we did have that budgeted in the capital fund. Mr. Cahalan said we also found out that Se-Wy-Co has a generator that they are donating to Public Works for that use. We just have to go down and pick it up and set it up. Council said that was great.

Ms. Gorman said in the Capital Fund, she decreased it by \$5,000.00 in revenue due to the Gaming Authority's award to us for the police vehicle. We applied for \$35,000.00 and they gave us \$30,000.00.

Ms. Gorman said in the State Fund, on a previous resolution we modified the expense to cover the sweeper repairs, so the State Fund budget is modified to reflect that resolution and for also a minor increase from the State. We received notification we'll be getting more state aid from PennDOT.

Mr. Kern said those are the changes from the proposed to the preliminary. Are there any other questions or comments from anyone? No one commented.

MOTION BY: Mr. Maxfield moved for approval of the 2012 preliminary budget.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

D. HELLER HOMESTEAD – STRUCTURAL EVALUATION, SCOPE OF WORK FOR WINDOWS AND TREE REMOVAL

Mr. Kern said this is a review of Hanover Engineering Associates report on the structural evaluation of the Heller House and revised scope of work for window painting. Request for removal of tree to be discussed.

Mr. Kocher said they did go out and look at the potential that maybe the original structure may be sinking away from the addition. The cracking does look like that is happening to some extent, not necessarily to the extent that it's going to fall off tomorrow. It's something that should be monitored. There are a couple of recommendations in the report:

- When you replace the roof, you should have HEA come out and check the rafters to see how they tie in between the two structures.
- We should investigate the drainage and Roger maybe can do this to make sure the down spout pipe taking the water out to the street isn't collapsed somewhere. That could be leading to the ground which is causing the foundation to settle a little bit. Mr. Kern said that sounds like an important one.
- We should probably do a quick survey to get some elevations of the structure to make sure that we know have a baseline so annually or semi-annually, we can check to see if it really is moving.

Mrs. deLeon said the Authority has one of those cameras. They were over to help them when they were doing a historic survey for Bob Wise. Mr. Kocher said if they have a small enough camera, which may be a good idea.

Mr. Kern said is there some type of approval by Council to proceed? Mr. Cahalan said he thinks we will work with Brien Kocher and HEA on the recommendations that he made, particularly about the drainage. We'll set that up. The approval would be the elevation survey. Mr. Kocher has a cost on that. Mr. Kocher said they are thinking somewhere between \$500.00 and \$1,000.00. It depends where they find their benchmarks. It may still be out there that they set over the years. Mr. Cahalan said he'd recommend approval.

MOTION BY: Mrs. deLeon moved for approval of \$500.00, not to exceed \$1,000.00, to get a baseline site survey for the potential settling.

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

Mrs. deLeon asked Mr. Kocher to let her know when they are out there. She said Mr. Cahalan would need direction to see if the Authority will let us use their camera. Mr. Cahalan said sure. With the structural evaluation completed, that we had requested because we had a request in front to you to replace the flat roof in the rear of the Heller Home, and we asked that be postponed until this evaluation was done. With that, he's recommending that the estimate that was submitted by Alan Kunsman dated October 23, 2011 of \$4,470.00 to replace the flat roof and the process will include removing and disbursing of the existing roofing material from this area, a layer of ½" high density fiber board insulation will be mechanically attached to the wood deck using FM approved fasteners with insulation plates. Two courses of slate will be removed from the tie-in area. The rubber member will be adhered over the insulation and run up the slope portion of the roof. You also asked at the meeting where this was discussed, that there will be additional gutter added in the rear of the house and we'll ask that is completed and also that they address the leakage over the sun room. If you recommend that approval of Kunsman's estimate, then we can proceed with that work. Mrs. deLeon said since September when we noticed it really leaking in there, now there's staining on the sun room wall.

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MOTION BY: Mrs. deLeon moved for approval of the Alan Kunsman siding quote for \$4,470.00.

SECOND BY: Mr. Horiszny

Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon said this is going to do the flashing and the gutter? Mr. Cahalan said it doesn't mention the gutter. They will have to ask them to do that or it'll be done by Public Works. Mrs. deLeon said what are you postponing, the estimate that was in our pile here? Mr. Cahalan said he's not postponing anything. He's asking for approval of the Alan Kunsman estimate for \$4,470.00. Mr. Kern said Mr. Cahalan said they will postpone the roof until they find out about the settling.

ROLL CALL: 5-0

Mr. Cahalan said when they were out at the Homestead looking at the root cellar with Mr. DeGruchy, there was a discussion about the Butternut tree that's located just above the root cellar. As people went around and looked at it, it looked like it was damaged somewhat and looked like it was rotting down in the trunk. We had Roger ask All Seasons Tree Care to go out and inspect it and the representative discovered the tree is hollow all the way to the bottom. It's in very poor overall condition and they recommend that it be taken down before it falls on its own and either hits the root cellar, the Widow's House or the main house. They gave a quote of \$900.00 to take down the tree with Public Works assistance.

MOTION BY: Mr. Maxfield moved for approval for All Seasons Tree Care take down the Butternut tree at the Heller Homestead at the rate not to exceed \$900.00.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

Mrs. deLeon said somebody at the Conservancy suggested is there any way that when they cut down that tree, they can make planks out of it since the tree has been there for many, many years. Are they just going to haul it away? Mr. Maxfield said they chip it up. Mr. Cahalan said do you want them to leave it there? Mrs. deLeon said she wouldn't want it to be left there. Mrs. Yerger said it would have to go to a saw mill. Mr. Maxfield said with a hollow center, there won't be much left, plus it costs a lot of money to get something like that done. Mrs. deLeon said she will take that back to the member of the Conservancy who asked the question.

Mr. Cahalan said he has the second draft of the exterior painting scope of work. That was discussed at a previous meeting and he made the additions which were to add the two entrance doors, which have been done in the opening paragraph. Under the surface preparation, it says remove peeling paint and we added any exposed wood on window sills and windows by the scraping and hand sanding. Mr. Kern said would you be able to make that clearer and say remove all paint down to bare wood on sills and window frames. Mr. Cahalan said in place of any exposed wood, you want that? Mr. Kern said he just wants to make it as clear as possible. It has to be taken down to bare wood on sills and window frames. Mrs. deLeon said what about the doors? They are not as bad. They might be sanded, but she doesn't know anything about painting. Mr. Cahalan said the third one was on page 2 and Mr. Maxfield had asked that we add a hardener application and that's under c. It says apply heavy coat of epoxy resin, which is CPES or min wax, a high performance hardener, and allow it to soak in the wood. The only other thing Glenn was going to check was the paint schedule. Mr. Kern said he has it. Mr. Cahalan said it's the type of paint from the prime coat and the finish coat on page 3. Mr. Kern said it's Benjamin Moore Fresh Start Penetrating Primer, White 100 OO. The top coat is MORGLOW, 100% acrylic, House & Trim Paint. Mr. Cahalan said they will add those and get it out.

Mrs. deLeon said she has some questions and recommendations from some of their members. Is this going to be latex or oil? Mr. Kern said it's an oil based penetrating primer. Mrs. deLeon said that was a suggestion that it should be oil based. The primer is not oil, it's more durable. This

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system is designed to combine. Mrs. deLeon said it should be oil based for both. Mr. Kern said that's not accurate. This particular system it will last probably twelve years or more. Mrs. deLeon said there were two sections for the wood deterioration, less than $\frac{3}{4}$ " and it also talked about wood deterioration more than $\frac{3}{4}$ ". Do we really need to separate it like that? Shouldn't all the windows be done because based on past performance from the other company, who is going to be there patrolling there and make that determination? It's all subjective. If we treat all the windows the same and say they have to get down. Who is going to oversee this and make sure the depth rot of the windows? Mr. Cahalan said when the report was given by Public Works, they only identified four windows that had extensive rot. Those are the ones on the Friedensville Road side. Mrs. deLeon said a couple of the members looked over this and rot is rot. They should all be treated the same. Mr. Kern said most of the windows aren't rotted. Mrs. deLeon said to her, somebody is going to have to identify which ones are less than $\frac{3}{4}$ " and it will have to be one of us. Mr. Cahalan said do you want him to identify the four windows which have the rot more than $\frac{3}{4}$ "? Mrs. deLeon said yes. Who from the Township is going to oversight this? Mrs. deLeon said Jerry Holum has volunteered to be there to pop in and out and make sure they are doing what they are supposed to be doing. Mr. Kern said good.

Mrs. deLeon said she's taking your word for this Abitron stuff. On page 2, No. 2c, again, she brings it to your attention, less severely rotted wood can remain. Again, that's subjective and different to everyone. That needs to be made a little more clearer. Mr. Maxfield said the wood hardener he recommended is assigned to harden and plasticize some moderately rotted wood. They actually recommend you remove the heavily rotted dry powdery stuff and it will plasticize and stabilize moderately rotted wood. Mrs. deLeon said can we identify them then so everybody knows what windows we're talking about. Mr. Cahalan said are we talking about the four on the Friedensville side? Mrs. deLeon said it says obviously, more than $\frac{3}{4}$ " deep. Mr. Cahalan said he will identify them.

Mrs. deLeon said it was also recommended that two coats of primer be used as it doubles the life of the job, sealing the surface. That was the recommendation from an expert. Mr. Kern said it definitely helps, but will increase the price. Mrs. deLeon said it will also extend the time we have to do it again. Could we get two different prices? Mr. Kern said that's a good idea.

Mrs. deLeon said the other thing you were talking about with the paint is spelled out in here? Mr. Kern said yes, it's called Soft Gloss. He'll give her the specifics.

Mrs. deLeon said the next step is to put this out for bid? Mr. Cahalan said he will bring this back again after it's all been updated. He wants to point out that the choice of these products was taken from the preservation briefs from the Department of Interior. These are products that are recommended for historic structures. Mrs. deLeon said she's familiar with the Abitron. Mr. Cahalan said Bondo was another one used by Glenn and Tom. The min wax is also mentioned on there, the hardener. Mrs. deLeon asked Mr. Cahalan to email her the Secretary of Interior's standards so she has a record of them. Mr. Cahalan said he can give them to her right now.

Mrs. deLeon said is this something that can be done in the winter, or must it wait until spring? Mr. Kern said spring. Mrs. deLeon said this is repairs, it doesn't have to go through Karen Arnold? Mr. Cahalan said right, you are no changing anything. Mr. Cahalan said he will bring this back.

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

E. POLK VALLEY PARK – PHASE II – APPROVAL OF END OF MAINTENANCE PERIOD

Mr. Kern said Boucher & James has conducted a final inspection and is recommending approval of the end of maintenance of the Phase II landscape work at Polk Valley Park conditioned upon their letter dated October 31, 2011.

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Ms. Mallo said Valerie went out and conducted a site inspection. There are approximately 35 trees that need to be replaced, but due to the late time of the year, these are recommended for spring planting. The bond can be released minus the \$11,810.00.

MOTION BY: Mr. Maxfield moved for approval of the end of the maintenance period for Polk Valley Park – Phase II.
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

F. RESOLUTION #64-2011 – DESIGNATION OF AGENT TO SUBMIT DOCUMENTATION TO PEMA ASSISTANCE FOR HURRICANE IRENE

Mr. Kern said Resolution #64-2011 has been prepared to designate that the Township Manager be authorized to submit and execute all forms and documentation for the purpose of obtaining financial assistance under the Disaster Relief and Emergency Assistance Act.

Mr. Cahalan said Ms. Gorman attended a meeting with Mr. Rasich and Kenny, the Roadmaster, at the County. This was the first meeting to go over the steps we have to follow in submitting and recovering the funds that were expended during the clean-up of Hurricane Irene. This form is a standard PEMA form that has to be completed in order for us to submit that documentation.

MOTION BY: Mr. Horiszny moved for approval of Resolution #64-2011.
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

G. REVIEW AND DISCUSSION OF ORDINANCE NO. 95-09

Mr. Kern said Ordinance No. 95-9 provides for an automatic increase in the compensation of Council members when the population of the Township exceeds 10,000 people. In the spring the official 2010 U.S. Census has calculated the Township population at 10,772. The salary increase would take effect in January 2012 for the 3 Council seats that were filled at the November election. It would take effect for the remaining 2 Council seats in January 2014.

Mr. Maxfield said he asked that this be put on the agenda. When he first heard about a pay increase for Council members, he was under the assumption it was something we had to do. Upon finding out it was a Township ordinance, he wanted to look into it a little bit more.

Mr. Cahalan said that per the ordinance, they would be required to pay the money even if a Councilman refused it; it would have to go somewhere. Mr. Maxfield was looking at the increase and started to figure out the amount of it and it was about a 35% plus increase for Council members, which is pretty high. He felt really bad taking an increase while we're in rough economic times and a lot of people don't have jobs. He doesn't want to tread on anybody else's ability to get a raise, so he was thinking about repealing it, but instead what he'd like to do is take what he would consider a raise and donate it to open space. If the budget could be adjusted in January to reflect that, he knows that Ron and Glenn already donate their pay to the Township for different things, and he thinks they would appreciate having a little bit more money to donate when two years comes up. He's going to propose that his money goes to the Open Space fund. Mr. Kern said sounds good. Mr. Horiszny said thank you.

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Mr. Kern said just so the public is aware of the tremendous compensation that each Council member receives, it is \$2,500.00 a year and based on the ordinance that was enacted in 1995 by previous Council's, it's going up to \$3,250.00 a year.

Mr. Maxfield said Attorney Treadwell said the Second Class Code allows that this will occur once you go over the 10,000 population number. He also said that in 1995, no one would have expected we'd be in the situation we are in now. He would encourage anyone to donate their portion of it.

Mrs. deLeon said she did some research into this and in 1995, the ordinance prepared by our then Solicitor, the ordinance really does say it's an ordinance per the administrative code. It talks about being allowed in the municipal's planning code. Our ordinance reads that each member of Council elected or appointed to office on or after the effective date of this chapter shall receive the maximum annual compensation and allowable by the MPC. There was a court case in 1956, which went to the Supreme Court. It says any Article 3 of Section 13 of the Constitution that no law shall extend the term of any public officer or increase or diminish the salary or emoluments after his election or appointment. The election was last Tuesday. There is a court case here and Attorney Treadwell may not be aware of it. It does say clearly you can't change the amount of money after the election. Mr. Maxfield can do what he wants. Attorney Treadwell said nobody is changing it. Mrs. deLeon said she just wants the record to reflect that. Attorney Treadwell said for the record, it's not the MPC, even though the ordinance in 1995 says the MPC, it's the Second Class Township Code. Mrs. deLeon said it's also State Constitution. Mrs. Yerger said it's a very generous gesture and very fitting given the economic times, for open space, and maybe some other Council members will even consider following suit.

H. APPROVAL OF 2012 COBRA SERVICES RENEWAL

Mr. Kern said Council approved utilizing Benecon for COBRA services in December 2010. Benecon has requested that the Township approve renewing with them to provide these services at the rate of \$9.00 per enrolled employee per year with a minimum of \$180. These fees remain the same as the 2010 rate structure.

Mr. Cahalan said that basically says it all. It's a valuable service that's done at a very inexpensive price. It's the same as 2011. We're recommending approval for continuation in 2012.

MOTION BY: Mrs. Yerger moved for approval of the 2012 Cobra services renewal.
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

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF NOVEMBER 2, 2011 MINUTES

Mr. Kern said the minutes of the November 2, 2011 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. deLeon moved for approval of the November 2, 2011 minutes.
SECOND BY: Mrs. Yerger
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)

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B. APPROVAL OF OCTOBER 2011 FINANCIAL REPORTS

Mr. Kern said the October 2011 Financial Reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved for approval of the October 2011 financial reports.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

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

VI. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said Mr. Johnson is here and we're asking for him to fill in as an alternate member to the Saucon Valley Library Task Force. Council did appoint Lynn Koehler and Mike Karabin as the Township representatives. Lynn is employed in New York City and she has difficulty making the Task Force meetings, which begin at 5 pm, so he is recommending that Allan Johnson, who is already on our Township Library Committee, be appointed as an alternate member of the Task Force to sit in when Lynn is not available.

MOTION BY: Mrs. deLeon moved for approval to appoint Allan Johnson as an alternate on the Saucon Valley Library Task Force.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

- Mr. Cahalan said tomorrow at 10:00 am we'll be having the kickoff meeting for the regional police study. We have requested DCED governor center perform for the Township and Hellertown Borough. We'll be meeting with Ron Stern from DCED and Joe Kirschner, who is a retired policeman from _____ Township in Montgomery County. Ron has advised him that he has been assigned as the Peer Consultant to do the study. Priscilla deLeon and Ron Horiszny indicated they will be attending along with several representatives from Hellertown Borough.
- Mr. Cahalan said in your packet is a procedure for placing stop signs at signalized intersections during power outages. He put that together based on information he gathered from Chief Lesser and Roger Rasich. You can look at that and if there's any comments, we can discuss it at a future meeting. One of the things that did come out of it was a memo is attached to that from Sgt. Barndt with some recommendations for battery back-up and generator connections for these signals during power outages which is available. This is something we are looking into and considering submitting it as one of our Gaming Authority grants in the near future.
- Mr. Cahalan said at their meeting last night, the Environmental Advisory Council recommended that the Township send a letter to our State Representatives opposing the passage of House Bill 1950. That is the Marcellus Shale gas rewrite of the gas and oil act. In your packet is a draft letter to Governor Tom Corbett, Senator Lisa Boscola, Representatives Robert Freeman and Justin Simmons and references "House Bill 1950, Shale Gas Rewrite of the Gas and Oil Act. It was at the last regular meeting of the November 16, 2011, Lower Saucon Township Council voted to forward a letter to your intention informing you of their opposition to House Bill 1950, which is now under consideration in the House. The bill contains sweeping and unprecedented provisions that we feel would severely damage local government's ability to deal with not just natural gas drilling activity, but could also extend to all local ordinances as they pertain to this industry. Section 3272 of the HB 1950 states that natural gas drilling operations and any

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other environmental law are of “Statewide concern” and that “all local rules, regulations, codes, agreements, resolutions, ordinances, and other local enactments that regulate oil and gas operations are hereby superseded and preempted.” When combined with the bill’s more expansive definitions of oil and gas operations (which would include, for example, “transportation of fresh water, wastewater, wastes chemicals and other materials”) and of environmental laws (which would reach as far down as “agency interpretation of guidance” and include matters of “public health (and safety,)” virtually any local regulatory interaction with the industry would be prohibited and existing ordinances and resolutions, and even contracts, would be voided. The all-encompassing language cripples many important aspects of local regulations and interaction with the industry and inevitably could yield many unintended and harmful consequences such as the possible jeopardizing of road maintenance agreements, posting and bonding ordinances, speed limits, as well as the emergency management plans otherwise prescribed in statute. Based on the potential impact that these provision will have on our local regulation of this activity, we urge you to oppose passage of this bill based on its sweeping and unprecedented preemption language”. Mrs. deLeon said this is good. She sent this to Mr. Cahalan as she got it off the PSAT’s website. Mr. Cahalan said yes, he received it. Mrs. Yerger said they are talking about passing this as early as next week. Mrs. deLeon said we have Representative’s rep here at the meeting this evening. Mr. Maxfield said he just heard the results of a state-wide poll tonight, in which Muhlenberg College participated, and it basically says the vast majority in PA believe that Governor Tom Corbett is being virtually directed by the industry and is responding way too much to their concerns. Mrs. Yerger said it’s a great letter written by Mr. Cahalan and she and EAC will be pleased.

MOTION BY: Mrs. Yerger moved for approval for Mr. Cahalan to forward the letters to our State Representatives, Senators, and Governor.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0

- Mr. Cahalan said Public Works has been busy removing the debris from the roadsides from the Halloween snowstorm. In the aftermath of the storm, after the roads were opened, Public Works went out and inspected each of the Township roads and they graded them from 1 to 10 on how bad they were and they put that list on the Township website in priority order. A copy of it is in your packet. There are 70 roads that they have to clean up debris along. This is going to take some time. We also posted a request on the website for residents to cooperate as much as they could by taking the debris on their property to the Saucon Valley Compost Center. To accommodate this, we opened the Compost Center on a daily basis and on Saturday and Sunday for the past two weeks. From reports that we received, there’s been a tremendous amount of people dropping off this material. So far, you can see from the list, Public Works has only completed four roads. There is a lot of material to clear. The impact from that is that the projects they were working on before the storm, which was the connector trail and then they planned to go to Kingston Park to do the paving, will unfortunately have to be pushed back and it may be springtime until they can get to that work again. They also put some other notices on the website advisories about the disposal of debris and also to people who are driving around looking to pick up free wood, an advisory where the right-of-way is. If it’s left in the right-of-way, it’s okay to pick up. If it’s on a resident’s property, they should talk to the resident about taking the wood. Mr. Maxfield said he has seen Asplundh on Mountain Drive cleaning up debris off the road. Would that potentially have been hired by Lehigh University? Mr. Cahalan said yes.
- Mr. Cahalan said from the EAC meeting, the EAC does recommend appraisals of open space properties. What we’d like to do is establish a preferred list of appraisers and he does have the list which is short. It’s two appraisers, but he would like Council’s approval to adopt the list so we can use it going forward. Mrs. deLeon asked Attorney Treadwell if we could do that? Attorney Treadwell said yes. Mrs. deLeon said should it be more than two?

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Attorney Treadwell said it's two at the moment. Mr. Cahalan said one is the one we are using at the moment, Indian Valley Appraisal in Souderton, PA. The second one was recommended by the Open Space Solicitor and that's David Palmer, Land & Building Group from Doylestown, PA. Mrs. deLeon said she'd like it to have three on the list, but for right now, two will do. Mrs. Yerger said it's specialized and very few of them do it. Mrs. deLeon said if she was the person, she'd want a choice. Mr. Cahalan said if they get another one, they will bring it back to Council for approval.

MOTION BY: Mrs. Yerger moved for approval of the list of appraisers.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0

- Mr. Cahalan said the EAC made a recommendation about appraisals for potential open space properties. They recommend to Council that we seek an appraisal on the Marson property at 2383 Wassergass Road, together with the two adjoining properties of Carber at 2387 Wassergass Road and Smith-Buroff at 2385 Wassergass Road. Mrs. Yerger said the recommendation from the EAC is that we would get an appraisal for all three properties as a block and then have the appraiser just appraise the Marson property as that is the main access property. That way we can get the most practical way to conserve these. We can conserve them as a block with the cooperation of the three owners or we have indication the Marson property may want to do it by himself anyway. This way we would have the two appraisals necessary depending how this project potentially moves forward. We would recommend the two appraisals would not exceed the \$7,000.00.

MOTION BY: Mr. Maxfield moved for approval to seek an appraisal on the three properties as stated above, and an appraisal just on the Marson property, as stated above.
SECOND BY: Mr. Horiszny
ROLL CALL: 3-0

B. COUNCIL

Mr. Maxfield – No report

Mrs. Yerger – No report

Mr. Horiszny

- He said we were cleaning up at the schoolhouse and noticed at Kingston Park, probably half of the Sycamore trees on the property are broken off, and we probably lost them all.

Mr. Kern

- He said at their Saucon Valley Partnership meeting, Mrs. deLeon had asked to put on the agenda for ideas for communication improvement as a result of the storm and one idea that came up was to possibly coordinate Hellertown and Lower Saucon Township's communication with the existing school district phone system. He'd like to ask Mr. Cahalan to communicate with Dr. Fellin to see if that's possible or what the ramifications may be and what could be done. Mr. Cahalan said he sent it off to Dr. Fellin and asked her to get back to him with a response.

Mrs. deLeon

- She said she noticed going down Friedensville Road, the pedestrian crossing is blinking at weird times and when she gets down to the bottom of the hill, there's nobody crossing. It may be messed up because of the outage. Usually it's programmed for the Saucon Valley Farmer's Market, so Mr. Cahalan might want to look into it. The market will be closing soon. Mrs. Yerger said it was blinking at 8 pm last night.

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- She said Friday, December 2, 2011, there will be an open house at the Grist Mill with the Hellertown Historical Society from 6 pm to 9 pm.
- She said on Monday, December 5, 2011, the Saucon Valley Conservancy will hold their annual holiday gathering and artist reception for the Bethlehem Palette Club Plein Air group featuring different scenes of the Lehigh Valley and that's from 6 pm to 9 pm.
- She said on Wednesday, December 8, 2011, the Hellertown-Lower Saucon Chamber is having a holiday mixer mixer from 5 pm to 8 pm. The cost is \$20.00 per person and it is going to be held at Sagra's.
- She said Hellertown light-up night is Friday, November 25, 2011 starting at 6 pm.
- She asked what is this assessment appeal in the packet? Attorney Treadwell said he just got it tonight. It looks like somebody is appealing in Old Mill Estates, the assessment on one of their properties. He has no more information than what is in front of you.
- She said on election day there were big signs supporting the open space referendum, and there was nothing on there who paid for those signs. Does anyone know who paid for them? Mr. Maxfield said they were paid for by a private individual. Mrs. deLeon said do you realize under election law in PA, it says that anything put up influencing an election, whether it's a candidate or a ballot question has to say who paid for it and if they spend over \$200.00 in a reporting period, they have to file a campaign expense report, and if they don't, they are okay. The point is they have to say who paid for them. Mr. Maxfield said you'll have to go find that person. Mrs. deLeon said that would be a little hard to do, but they are violating the law.

JR. COUNCIL PERSON

- Jamison said Mr. Cahalan had mentioned they ranked the road clearing through the Public Works. There's a large tree branch that fell at the Grist Mill. Mr. Cahalan said that's the Borough of Hellertown. Mrs. deLeon asked Mr. Cahalan if he could call Cathy Kichline and tell her about it? Mr. Cahalan said he'll talk to Tom Henshaw on Friday night and tell him about.
- He said the theatre department at Saucon Valley High School is putting on a performance of "Camp Rock" this weekend. Tomorrow is the opening night.

C. SOLICITOR – No report

D. ENGINEER – No report

E. PLANNER – No report

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 8:30 PM.

SECOND BY: Mrs. deLeon

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