I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, December 5, 2007 at 7:12 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

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, and the purchase of property within the township.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert's Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to 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.

III. PRESENTATIONS/HEARINGS

A. SWEARING IN OF JUNIOR COUNCL PERSONS

Mr. Kern said at the November 21, 2007 Council meeting, Georgiana Torrella was appointed as Jr. Council person and Vanessa Segaline was appointed as Jr. Council Person representative to the Planning Commission and they will be sworn in tonight.

Mr. Cahalan said they are glad to have Georgiana and Vanessa here tonight. Georgiana is a senior at Saucon Valley High School and Vanessa is also a senior at Saucon Valley High School. Georgiana Torrella and Vanessa Segaline were sworn in by Carol Schneider. Mr. Kern congratulated both girls. Mrs. deLeon said this program was started in 2003. Mr. Kern said this is a wonderful opportunity and the participants stuck it out and did a great job. Mrs. deLeon said Hellertown Borough also has this program.

B. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE 2007-15 – REPEALING EMERGENCY AND MUNICIPAL SERVICES TAX AND ENACTING A LOCAL SERVICES TAX

Mr. Kern said on January 1, 2008, the Emergency Municipal Services Tax (EMST) will change to the Local Services Tax (LST). Ordinance 2007-15 has been prepared and advertised for a public hearing to repeal our current EMST and enact the LST.

MOTION BY: Mr. Horiszny moved to open 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

Mr. Cahalan said the EMST tax was put in several years ago. The objective at that time was to provide municipalities for use of emergency services. They enacted at $30 tax that is levied in LS Township. There have been some changes made to that tax. This summer the legislature passed Act 7. The biggest change was the name of it from Emergency Municipal Service Tax to Local Service Tax. One of the complaints that came in from people was it was collected in one lump sum of $52. They now made it that the payment will be prorated over the year. They will be deducting 58 cents per week or $1.26 per pay period to collect this money. Some will not even come until the first quarter of next year. There's an exemption for workers making less than $12,000 a year. Twenty-five percent of the tax must be used for emergency services including police, fire and ambulance services. Some municipalities were putting it in the General Fund.

Mrs. deLeon said the $25 stays in the township and the $5 goes to the school district. Mr. Cahalan said yes. Mrs. deLeon said in the beginning of the ordinance it say Lower Saucon Township is a second class township, but it's really an optional plan form of government, so don't you think we should start using that? We're not really a second class township. Attorney Treadwell said you are still a second class township, but it's an optional form of government. She asked that in the future we start using that. Attorney Treadwell said okay.

Mrs. deLeon said the body of the document stayed the same, were there any other changes? Mr. Cahalan said no. Mr. Horiszny said there's a typographical error on page 5, it should say place or places, and it says "place or plates". Mr. Cahalan said it will be changed.

MOTION BY: Mr. Horiszny 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: 50

MOTION BY: Mrs. deLeon moved for approval of ordinance 2007-15.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments. Mrs. deLeon said the legislatures do not know the paperwork the businesses have to go through on a weekly basis. It's costing the business a lot more money and it's not fair to the business owner.
ROLL CALL: 5-0

II. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. CALI & DAVE MOORE – 1842 VIOLA LANE – REQUEST VARIANCE OF IMPERVIOUS COVERAGE TO CONSTRUCT WALKWAY, PATIO AND PERGOLA

Mr. Kern said the applicant is proposing to construct a new walkway, patio, and pergola and is requiring exceeding the allowable impervious coverage by 3.0% (25% allowed).

Dave Moore said they purchased the house on Viola Lane, and by the time they added this and that, they used up all their square feet and didn't have any patio yet. They talked to Chris Garges and he said they were over and you're not even close and would have to try to work out a solution. This 3% was their starting point on the original big set of plans looked at. Then they didn't know how to go about this and wound up at the zoning meeting and were told we were supposed to be hashing this out with Council. They then spoke to Mr. Garges to see where they could compromise. The only option was to cut it down and they came up with a new drawing. They are over 1.8% now.

Mrs. deLeon said is there anything they can do as a Township? Mr. Maxfield said it's obvious to him where the breakdown is…it's with the builder. They work with permits everyday and know what they should be doing and they should tell you. He doesn't know what we can do about that, but the reason he's proposing no action is that these people have worked with Chris to get down to 1.8%. Mr. Maxfield said they've had more from this neighborhood in the last six months than any other neighborhood. What Toll Bros. is doing is building too big of a house for those lots. Mrs. deLeon said this is an already approved building lot. Can we do anything? Mr. Kocher said when they come in with the grading plan and we can see if it's over or not over. Mr. Maxfield said we have no way to see what people's wishes or dreams or. Mr. Moore said the information is there, but you don't even know to ask for it. You're thinking that's taken care of and you sign up, write the check, and then you find out these things afterwards. Mr. Maxfield said anyone who is thinking of buying a lot in LST, where it says this is a "zoned community" the first person you should talk to is the Zoning Officer. Mrs. Yerger said if we take all those 1.8% and multiply it by 40, where are we going to be at the end of the day. Mr. Maxfield said last month we asked someone who was 3% over to get it down 3%, but he's heard they got it down to 1.8%, that means something. Mrs. Yerger said it's a concern for the whole big picture that we are going to have to deal with at some point. Mr. Moore said now that he's looked at all the grading plans, retention ponds, and so forth, all this stuff had to be submitted, who actually approves the plan for the development and gives Toll Bros. a permit to say okay, go and get started? Someone is dropping the ball there. This patio was going to be 20 feet deep in the beginning, then he said forget that, we'll be involved with variances, etc. That's why they cut it down to the 3% one, and they thought they'd be good to go on that. If Toll Bros. is presenting this development, and they are saying they are building houses that are going to be 35,000 to 40,000 square feet, how did that happen. It's not fair they get to sell that. These back yards have five feet that you have to jump down off of, of course, you need a patio. Attorney Treadwell said the township approves the plans. The plans have a certain amount of impervious coverage for each lot. If they sold you something and told you that you could build something else on it, that's something you are going to have to talk to Toll Bros. about. Also, we approved the plans with a certain amount of impervious coverage on each of them. Ms. Moore said her house she bought, they allowed 66 square feet – 8x8 feet – that's the size of a small bathroom. Mrs. Yerger said your house is within the impervious coverage limits, so the builder is free and clear. If you build a patio, you are the responsible person. Attorney Treadwell said this applicant has been very cooperative with the township. Ms. Moore said no one told her the sidewalk is going to take up some of the impervious cover. That takes up how much land. Mr. Moore said if you're not even entertaining the idea, you're going to get in trouble. Someone should tell these people what's going on. They never showed them an easement plan. They have a house with a lot of easements.

Mr. Kocher said this subdivision was approved in 1990, and it predated the grading ordinance and they have an overall grading plan for the entire subdivision. Each of the other developments comes in individually and each lot has the specific building on it and it shows all the easements. They have been making them put on the allowable impervious coverage.

Mr. Moore said that whole 25% thing is fine, but when they are applying for approval on these things, since the developers don't care, maybe there would have to be a suggestion that on a lot the house can cover so much and driveways, patios can cover so much. Mrs. deLeon said the subdivision was in litigation for many years, and they got recent approval but it was grandfathered in.

Mr. Garges said they recognize at the township it would be a problem with the impervious. Toll Bros. do put it on the document, but most of them don't understand unless they've been burned before. If you don't know to ask questions, you aren't going to pull it out. There might be a solution we can come up with as a staff. Mr. Maxfield said like Sandy said, this is building and building and building. Mrs. Yerger said it's just a point of no return.

Mrs. deLeon said how did you get to the Zoning Hearing Board (ZHB)? Mr. Cahalan said they were supposed to be at the last Council meeting, and they didn't show up and then Attorney Treadwell went to the ZHB to oppose it, and they were there.

Mr. Kern said thank you for your comments. Council took no action.

2. <u>SCOTT OBERHOLTZER – 1389 PUGGY LANE – REQUEST VARIANCE OF SIDE YARD SETBACK TO CONSTRUCT CAR PORT</u>

Mr. Kern said the applicant is proposing to construct a new car port on the existing driveway within the required side yard. The required side yard is ten feet and the applicant is proposing a two foot setback.

Mr. Oberholtzer was present. Mr. Horiszny said wouldn't the driveway already have the variance since it was an existing feature? Mr. Garges said to erect the structure, the driveway has different regulations for setbacks than the structure does.

Council took no action.

3. <u>EXCEL BUILDERS OF PA – 1753 HAWTHORNE ROAD – REQUEST VARIANCE TO ALLOW FOR STONE ENTRY WALLS</u>

Mr. Kern said the applicant has constructed a driveway entrance wall in the required front yard approximately eight feet from the right of way line and is requesting relief of approximately 42 feet.

Bob Gaskel and Ralph Coazo were present. Mr. Maxfield said in reference to our last discussion you are builders? Mr. Gaskel said yes. Mr. Maxfield said how did this get constructed without a permit? Mr. Gaskel said they know they needed one, and he knows that's not a good answer. He's telling the truth. Mr. Maxfield said they have copies of their application and it's not our position to judge variances or hardships for variances. You have the hardship is entry walls are more aesthetically pleasing and consistent with the neighbors. That doesn't come anywhere near becoming a hardship. He'd like to propose we oppose it.

MOTION BY: Mr. Maxfield moved to oppose this.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments. Attorney Treadwell said he will go to the ZHB to oppose it. They don't have an attorney, so when they get one, Attorney Treadwell said he should call him and they'd discuss it. Mr. Horiszny asked if it was 42 feet of relief? Mr. Coazo said required yard is 50 and it's 8 feet off the property line, so it's truly 42 feet. Mr. Gaskel said there are neighbors there that have the same dimensions and have cosmetic walls. He made the mistake assuming it would be allowed under the same permit as the building permit. They have built other homes in other townships that are considered a decorative wall. He knew they had to be so many feet off the road, and he just assumed the home he was looking at was right. Mr. Maxfield said next time you come into the township, go and see the Zoning Officer.
ROLL CALL: 5-0

4. <u>MIKE JONES – 2696 WASSERGASS ROAD – REQUEST VARIANCE OF IMPERVIOUS COVERAGE TO CONSTRUCT DWELLING</u>

Mr. Kern said the applicant is proposing to extend the driveway to a flat and clear area of site to construct a new dwelling and allow for future impervious surfaces for future accessory structures.

Don Lynch and Mike Jones were present. Mr. Lynch said he put together a grading plan for this property. It's under five acres and when you do the site capacity calculations, you come up with a net buildable area of just under one acre and the impervious ratio is at this point 2, which allows you 2/10 of an acre of impervious surface for the entire five acre site. There is a gravel driveway and that exceeds the allowable impervious coverage, so in order to build anything on this property, you have to get relief from this section of the zoning ordinance. The size of the house is 56 x 27-1/2, and they are not looking at anything really large in size. The main concern is storm water and they are required to meet the storm water ordinance and that will be addressed.

Mr. Maxfield said he is concerned about the request to reserve impervious coverage. He can see the need for the impervious coverage to build a home, but then you're asking for quite a bit of impervious coverage for things that are not necessary. Thai's what he's concerned about. Mr. Lynch said the reason for asking is so they don't run into the situation that in the future someone wants to put in a garage and there's no additional impervious, and they thought they'd address the storm water now. Mr. Maxfield said once all those things are requested…the maximum is 20% and looking for an additional 15%, so if you add, it's 35% on the property. Mr. Lynch said that's 35% of one acre. Mr. Maxfield said what are we looking at as a total? Mr. Kern said the net buildable area, it doesn't leave much. Mr. Maxfield said our obligation to a lot owner is to allow it to be used, and he doesn't think that by allowing lots with additional impervious coverage, they would be performing that function. By allowing a house on there, they would be performing that function. In the future, if they needed a garage or a pool, they should come back to the township and get that evaluated then. Attorney Treadwell asked him what he needed right now? Mr. Jones said the reason they have the house and not the garage is for financial reasons. Mrs. Yerger said we're also talking a patio, deck, and a swimming pool. Mr. Jones said he didn't say he wanted that, but the list is an example of things he may want to add, maybe he won't add anything. Mrs. deLeon said while he's going through this process, he just wanted to add them now. Mr. Garges said every time he's applying to the Zoning Hearing Board, it's costing him $400…if the board was willing to grant that, that was one of the reasons. Mr. Maxfield said if the lot doesn't support a swimming pool or

lot, then you have to come back for a variance at that point. He's uncomfortable of allowing just a figure for impervious coverage for the future.

Mr. Horiszny asked if it was stone or gravel? Mr. Jones said it's gravel. Mr. Horiszny said it's still impervious. Mr. Garges said yes. Mrs. Yerger said she has to agree with Mr. Maxfield. All lots have limitations, but she doesn't like guessing in the future how much relief you are going to need. Mr. Jones said would you be more comfortable to reduce the amount for just a garage. Mrs. deLeon said we don't know the location of these things. Attorney Treadwell asked if it was possible to give Council a minimum amount they needed for the accessory they are asking for. Mrs. Yerger said they need to go back and look at this. You can come back, but you'd have to postpone the Zoning Hearing Board meeting. Mr. Maxfield said those percentages are in there for a reason and when we are asking to go over 15% over the allowable 20%, then when we are looking at patios, and swimming pools, you will have to build what the lot will sustain.

Mr. Jones said they'd like to proceed to the ZHB with just the house and the driveway without asking for the additional impervious. Mrs. deLeon said the house and the driveway, how much does it go over? Mr. Garges said they would be subtracting about 1800 square feet, so ½ percent, maybe five percent. If they are close to the 20 right now, the house would be roughly five and the driveway would be roughly five and this would be roughly another five which would get them to 15, so they'd be less than 10% over. Mr. Maxfield said he would be in agreement with that proposal.

Attorney Treadwell said they will have to revise the application, if not, Council will oppose it.

MOTION BY: Mr. Maxfield moved for approval as stated above by Attorney Treadwell.
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

5. <u>JILL MICKLEY – 2634 EASTON RAOD – REQUEST VARIANCE TO INSTALL SEPTIC SYSTEM IN FLOOD PLAIN</u>

Mr. Kern said the applicant is proposing to construct a replacement septic system and disturb flood plain soils. The property currently contains a dwelling, garage and outbuilding.

Ms. Mickley and Bruce Fox from Allstate Septic were present. He said his company prepared the DEP module. Mr. Maxfield said he's their neighbor and has seen the property under water many times. The map they were provided with had a pipe that had access into the stream. Mr. Fox said it's a flow stream discharge. Mr. Maxfield said it's been talked about recently as a reclassification of that stream to a higher class. We were told the level of chlorine coming out of the pipe would be higher than would be used in a swimming pool. Mr. Fox said it would be .2 and 2 parts per million which is allowed by the DEP permits. Mr. Maxfield said what will it be compared to the level of a pool that you swim in? Mr. Kocher said the chlorine level in a swimming pool would be higher. Mr. Maxfield said he was thinking about filtration in some way. Mr. Fox said there is a free access sand filter which is an aerobic treatment unit which treats to a higher quality and free access sand filter for filtration and the chlorine is for disinfection. It's the last thing before the stream. There is no de-chlorination that takes place as DEP doesn't require it. Mr. Kocher said the effect on the stream, he doesn't know how DEP classifies these small treatment

plants. The discharge is definitely permitted by DEP and they have to comply with the regulations and maximum chlorine level is one of the regulations.

Mr. Maxfield said he hopes the system works very well for them. Mr. Kocher said if you send something to the ZHB to ask them to condition any approvals on proving to the satisfaction of the Township Engineer that all the tanks are above the flood elevation and the system is flood proof. Mr. Garges said part of the motion should also talk about the O&M agreement which is probably a DEP requirement. Mr. Kocher said that's a requirement of the planning module itself.

Mr. Maxfield said can we take a position of no action and that there's documentation the tanks are above flood level and it should be covered in their planning module approval.

MOTION BY: Mr. Maxfield moved for approval 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

B. <u>JILL MICKLEY – 2634 EASTON ROAD – REQUEST APPROVAL OF PLANNING MODULE – RESOLUTION 61-2007</u>

Mr. Kern said the applicant is requesting that Council approve their Planning Module to install a new on lot treatment system to repair a currently malfunctioning system. Council should consider operation and maintenance agreements suggested by the Sewage Enforcement Officer.

Mr. Kocher said this is the first step in the process that they have to go and get the permit to build the system, and it's the SEO's opinion that it's the only system available to her to abate her malfunction. The approval of the resolution is how you act on it. The entire system you have to show that its flood proof.

MOTION BY: Mrs. deLeon moved for approval of resolution 61-2007.
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. <u>DAVID DYER – 1800 COAL YARD ROAD – LOT LINE ADJUSTMENT</u>

Mr. Kern said the applicant is requesting approval of a lot line change/lot consolidation which enlarges three (3) existing lots, with the consolidation of a fourth lot. The applicant is proposing a conservation easement.

Mr. Noble and Steve Turoscy were present. Mr. Noble said the Council has seen this plan two weeks ago and the letters from HEA and Boucher & James have been addressed. At this point, recommendation from everyone in Council and the Engineer, is a conditional approval assuming we do some minor technical adjustments on the plan. Mr. Turoscy said we are here to say we will do everything the township would like us to do with these plans.

Attorney Treadwell asked if we had revised plans? Mr. Kocher said the letters you have reflect the set of plans you have. Attorney Treadwell said the conservation easement needs to be revised, so you need to tell him who to talk to. Mr. Turoscy said Molly and Wildlands you can talk to. Mrs. deLeon said it refers to three exhibits that aren't attached to it, A, B & C. Mr. Noble said a baseline

exhibit is that Wildlands goes out and does a survey of existing conditions which they have already done. They were there last week. That exhibit is being put together right now. The other one was a legal description of the easement and then other a conservation plan, he needs it to make sure Brian Kocher is okay with it. Mr. Turoscy said A & C are Wildlands. B, the legal description they are doing right here.

Mrs. Yerger said this was reviewed by the EAC and they had some issues on page 6, section 4.03 (v) permitted uses, and they would ask for the removal of that section, and under (c) (i), they want turf or lawn removed. Mr. Noble said he's not here to talk about the conservation easement. He came here for the subdivision which is the first step. The conservation easement goes hand in hand. The EAC comments, they can address tomorrow. He doesn't have Linc's comments. They are addressing things in a 24 hour period. He's never seen the EAC comments. He has no problem and any approval can be contingent with the easement being finalized. Attorney Treadwell said he has no problem with that. Mr. Noble said he knows they will do what needs to be done. Linc's input will be addressed right now. The EAC input will be addressed right away. Attorney Treadwell said why don't we set up a meeting and just address it? Mr. Noble said he'd like to do that, and has no concerns whatsoever about any kind of condition upon the conservation easement being finalized. That draft is being used by the State of PA. Mr. Maxfield said it has to be specific to the property and that's what they are talking about. The State may want to make it a standard form, but when it comes to this piece of property, it doesn't deal with it at all. Mr. Maxfield asked what is important and outstanding. Mr. Kocher said they point out the waivers and need three to be approved and some minor drafting items. The first one is to allow it to be a Type B minor subdivision, not require any further pre-existing features within 500 feet of the site and not require any road way frontage improvements. The others are drafting items which Steve can address very quickly.

Mr. Tralies said their letter was clean. The first comment was they are not required to do a site plan to be reviewed by Council or the PC, only by the Zoning Officer, and the second was a waiver is being requested for street trees. That's all.

Attorney Treadwell said he has no problem with conditional approval tonight. Mr. Noble will get a hold of Attorney Treadwell, Rick Tralies and Brien Kocher. Mr. Noble said the concerns will be addressed quickly.

Mr. Kern said this is the property that the township is entering into a conservation easement with for the conservation of 40 acres along the Saucon Creek.

MOTION BY: Mr. Kern moved for conditional approval subject to HEA's letter and Boucher & James letter and an agreement on the conversation easement language, and the waivers in the staff recommendation.

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

V. TOWNSHIP BUSINESS ITEMS

A. POLK VALLEY PARK – REVIEW OF FINAL LANDSCAPE DESIGN

Mr. Kern said Boucher and James has prepared the final landscape design plan for Polk Valley Park and will review it with Council.

Mr. Tralies said a month ago they talked about the costs for Polk Valley Park (PVP). Tonight he has plans for the park, the bridge and trail project along Polk Valley Road.

He broke the park into six phases. Phase I is structure and initial landscaping, II & III being additional landscaping, IV being naturalized seeding, V being the Polk Valley Park Road and bridge trail project, and VI being the pavilion and play area. The first four phases do make sense in order. Phase V and VI really could be moved up or down in the list or be looked to as separate projects.

The park is 60 acres, mostly steep slopes, contains existing woodlands and hedge rows, two existing riparian areas. Major construction to the park is already finished. There are existing fields there, but not playable. It's in close to residency and the SV schools. This really is a rural park. They never intended to fence anything in or use blacktop, only what was needed. They kept the fencing to a minimum and used trees. They met all the neighbors within the park or close to the park, and took their needs and concerns into considerations. They did a design that was sustainable and very natural. All the plantings are native to this County and will prove minimal maintenance. They are proposing enough native plantings and natural systems.

He showed Polk Valley Road heading up towards the school. He showed the main entrance which runs up the hill to a large parking area. There are off shoots from the main driveway which go to other parking areas. There are two little league baseball fields and three soccer fields, a dog park, grass pads, and a paved trail that makes a loop throughout the park. There are two storm water management areas. Phase I will be the biggest of the phases to get the park up and running. They propose to do the paved trails, get the three high school soccer fields and little league fields in shape, and install the dog park, and take care of access and tree removal. Using the map, he went along all the loops and roads of the park and explained where everything was. He showed the soccer fields with the landscaping for Phase I. He showed Phase II and III landscaping. The landscaping immediately necessary for the soccer field is the evergreen backstops behind the goals. There will be shrubbery around the water inlets, benches on each field, fencing along Mrs. Orban's property. She asked to be screened in as much as possible. There is split rail fence and evergreen trees at the baseball fields and soccer fields and chain link fence dugouts. They are proposing extensive evergreen plants as a backstop and the same thing in center field. Additional evergreens to make the foul poles more visible. The dog park is the former Norcor property and placed away from the athletic fields so there are no conflicts. It's split rail fence with a weld wire mesh on the fencing, buried to a foot deep to prevent dogs to dig under it or twist the wires. They are proposing a small dog area cut into the overall park and benches and trees throughout. The dog park is for dogs, a park for people to bring their dogs. They are proposing a double gated entrance if a dog slips through one gate, they have to get through the next gate too. They have checked all the species to make sure they wouldn't pose any harm to the dogs. The ground surface of the dog park is to be turf grass. It is going to get beat up and will take a little bit of maintenance. We can maintain the turf grass park with a little bit of care similar to our plan to take care of the soccer and little league fields.

Mr. Kern asked what is wrong with the existing grass? Mr. Tralies said his biggest concern is ticks and insects. Otherwise, you could say you can let them run through a cut meadow grass, without insects, ticks, thorns, and seeds. Phase I they are proposing to do the street trees and original buffering. The street trees are the entry feature to the park and most important to get in the ground first. They are going to provide shade and make the park feel comfortable.
Mr. Cahalan and Mr. Tralies met with the residents of the two lot parcels. The resident up front only wanted a tree to shade his driveway and clean up some weeds. The resident at the other home asked for a little bit of delineation so people don't walk into her back yard and a split rail fence with some low growing shrubs along the fence. The Rosar property on the other side, they are

proposing shrubbery, trees on the hillside, and a hedge at the edge of the soccer field and more trees. They were happy with the plan.

Mr. Tralies said access and tree removal, there are only a few places they have to do that. At the top of the park, they will cut a little path to the park so it makes sense to give those neighbors a quick and easy access to the park and the residents are already mowing their own paths.

Phase II is less involved than Phase I and it's continuing the landscaping around the fields and expanding the wet meadow area. Phase II they would continue with shrubbery. Same concept at the baseball fields filling in shrubbery along the fence. The shrubbery will grow through the fence and make the fence more visible to the players. He showed the dog park and the recycling area. They are also supplementing the wet meadow. There's a stand of existing vegetation that is essentially a wetland. Water is running through the wetland, and swales were created for the water to run through this area. It's also cutting some of its own path. It's not useable for anything else than for meadow. They will put in some wet meadow species and make it more of a meadow area. Phase III includes finishing the landscaping at the fields and dog park and establish the meadow plantings. The meadow plantings…this is at the top of the park and they are proposing native grass meadow. There is a mode pathway along the perimeter of the meadow. They will put native old field trees and shrubs for ground animals. Phase IV is doing the seeding for the meadows as well as the wet meadows, riparian areas and the woodlands. He showed the seeding plan and the five different types of seeds, one being the athletic seed mix at the dog park, the native grass meadows, the same mix in two areas. They are proposing a wet meadow mix at an area where it's already wet. The reason they are proposing wet meadow grasses is because they are all steeply sloped and run off areas. When they get a lot of rain, they will be really wet. The final seed mix is the woodland seed mix which they propose through the existing hedgerows. The woodlands aren't in great shape, so they are proposing to beef them up. They are proposing a riparian seed mix also. There's an unnamed channel that runs through and he's not sure if water even runs through there. They will do riparian plantings there. Phase V, the pedestrian bridge and path project. They will do a path from the schools over the Polk Valley Run. They propose to do a small bridge to work within the natural features rather than a big expensive bridge. Currently the kids walk home from school and walk in the road or along the road. They are proposing to do a trail along the road into the park using the old road bed, across the stream, and into the park. Phase VI is the pavilion and play area. This is still up in the air. You really can spend as much or as little you want to on a pavilion. The pavilion and play area can be implemented at any time. The pavilion and play area is proposed right at the main parking area in close proximity to the baseball field and the soccer fields. The township might want to do something other than typical swing sets and red and yellow little tykes systems, so they talked about doing something that mimics the natural surroundings, something that could be used for educational purposes as well.
In summary, he thinks we've got a really complete park and the landscape and overall design should work very well for many different users. They've got sports field, a walking trail and a dog park. It's environmentally responsible and succeeded in maintaining the rural characteristic of the surroundings. Council said that they did a great job.

Ms. Torella asked what is the possibility of a ball going into the Orban's house or the other visitor's house? Mr. Tralies said once all the landscaping is in, it will be relatively unlikely. These are little league fields. The field from home plate to the foul plate is 200 feet, Rough estimate it's another 75 feet from the fence to the house, probably 30 or 40 feet from the foul pole to the property line. Not too many little leaguers can hit the ball 200 to 300 feet. If you get teenagers there hitting the ball, you might be able to hit the ball from home plate to the Orban's place, and he doesn't know what we can do about it, but the police are very active in the park now.

Mr. Cahalan asked about kicks from the soccer field going down to Mrs. Orban's house? Mr. Tralies said we are proposing split rail fence from the corner (4 foot split rail fence with wire

mesh). They are proposing tulip trees, which are big shade trees and will stop a few balls from four to ten feet They'll stop a random ball in that direction. Below those, going down a steep grade, at the Orban's property line, we're 8 to 10 feet down from the soccer field, and are proposing a groping of Virginia Pine and American Holly to supplement what Mrs. Orban already has there. The question…could a soccer ball go from the field to Mrs. Orban's property…sure, if someone kicks the ball full or aimed at her property. He doesn't foresee too many soccer balls clearing the four foot fence and getting through all the vegetation and then another four foot fence. He doesn't anticipate the ball getting a good bounce as they'll be meadow grass there. Aside from erecting a giant wall here, he's not sure what we can do. Mr. Cahalan said the soccer folks were talking about kicking the ball purposely out of bounds. Mr. Tralies said this inside line is the out of bounds line for the field and a safe area from the side line to where the fence is which is about 20 feet, so there's another 40 to 50 feet from the fence to the second fence full of shade trees, evergreens and meadow seedings.

A resident whom did not come to the microphone asked about a reference park (could not hear her question). Mr. Cahalan said they can help her out with the porta john, but you have to bring your own cell phone and water. Mr. Tralies said one acre is roughly 210 foot by 210 foot square. Mr. Maxfield said on Meadow's Road, there is 40 acres there and the park is another 20 acres. Mr. Cahalan said one of the concerns from the Parks and Rec boards, will the trees on the hill impede spectators sitting there to watch a game. Mr. Tralies said no, they were put there to give some shade to the residents.

Georgiana Torrella said the field closest to the east, if someone is playing from the right side, is there any fence closer to the Orban's house to the top side? Mr. Tralies said the trees proposed are more low growing, shrubby Oak species. He said the vegetation will stop any thing going through there. The fence does run along the length of her property and she has some existing vegetation also.

Mr. Cahalan said on the phasing, it looks good. The only concern he has is to prioritize the pathway to the school and have it open when the park is open. Council may want to look at it now, as he was under the impression that the trail would be open when the park was open. Mr. Tralies said the bridge and trail and pavilion could really be done at any time. Mr. Cahalan said they'd like to, if Council is comfortable with this plan, put together a bid package to start on Phase I and the initial landscaping. They will be doing the paving in-house and have it in place by April 2008 so they can open up the park. He'd like to focus on the Polk Valley Road bridge and trail. They were planning on asking the representatives from the school district to come to the December 19 meeting and talk about the sidewalk issue and ask for a waiver of that sidewalk and the support of the trail plan. There are some costs involved with this and this is something we need to discuss with them. If you go back to the picture of the trail, there's a little structure sticking out of the trial that is going to have to be dealt with. It's right in the middle of where we want to put the trail and Linc is working with the homeowner on that. Attorney Treadwell said they are working on it, but it's not going to be easy. When we took the right-of-way, it was already there. We're probably going to have to condemn it and pay for it. Mr. Maxfield said the whole reason we moved it across the road was for safety, and it's imperative we get it open when the park is open. Mr. Horiszny said if we could have a guard rail alongside of the road and the trail, that would be a good idea also.

Mr. Cahalan said there are copies of the probable cost. Based on what we just discussed, what we would propose is to move forward with the probable cost figures that are contained on the sheet, Phase I opinion of probable cost and Phase V opinion of probable cost which Rick Tralies went over tonight on the plan with all the landscaping and the structural equipment that must be in place in order for the sports team to use the facility. The site furniture, benches, poles, and required signage, and the cost on all of this is roughly $600,000. For Phase V, the Polk Valley Road bridge and sidewalk is about $150,000. We do have sufficient funds in the budget proposed for 2008 to

go ahead with those two things. Mrs. deLeon asked where would that be coming out of? Mr. Cahalan said the Polk Valley Park Fund where there was money left over from the original loan and the new loan for the park acquisition and development. Mrs. deLeon asked what was the amount? Mr. Cahalan said he's looking at the Polk Valley Fund and there's money in that fund, $830,792, and that is sufficient to cover these two Phase I and Phase V costs that Rick has gone over. Mrs. deLeon said when we were talking about the budget, we were talking about the money we borrowed. Mr. Cahalan said we have another fund, the land acquisition and parks which is $1,445,363. Mrs. deLeon said that money came from the loans we borrowed? Mr. Cahalan said correct. Mrs. deLeon said we are talking about Phase I and V, what about all these other phases, are we going to have to borrow more money? Mr. Cahalan said no, we spread this out so we could pay as we went on these improvements so we didn't have to borrow any additional money. It could be budgeted in the General Fund and will seek additional grant funding from the county and the state for further development of the park. The only additional big item would be the pavilion and the play ground. It's in later phases. Mr. Maxfield said he did quick figures. We could actually accomplish Phases I, VI and II. Phase II is $90,000 and even after Phase I and VI, we'd have over $90,000 left over. Mr. Cahalan said he estimated roughly that doing the Phase I and V would be about $750,000 and to be on the safe side, move ahead with those and see how things work out. Whatever is left, we will move ahead with the other phases. Mr. Tralies said he did an overall opinion of probable cost. The overall number on this overall probable cost has gone up slightly to what he presented to you last month. The cost difference is less than $10,000.

Mr. Cahalan said he would ask for Council direction to move ahead for putting together a bid package for Phase I and V items, and bring it back to Council for review and approval.

MOTION BY: Mr. Maxfield moved for approval to move ahead and put together a bid preparation package for Phase I and V items and bring it back to Council for review and 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

Georgina Torella left the meeting at 9:26 PM.

B. <u>RESOLUTION 63-2007 – APPLICATION FOR TRAFFIC SIGNAL PERMIT AT POLK VALLEY ROAD & ROUTE 412</u>

Mr. Kern said the traffic signal permit application has been prepared by Hanover Engineering and needs to be submitted to PennDOT for approval to install a traffic light at the intersection of Polk Valley Road and Route 412. Resolution 63-2007 has been prepared to submit the application.

Mr. Cahalan said they have been working on this with Hellertown Borough the past two years and the owners of the property on the corners. They've been discussing the configuration of the intersection with the traffic signal they are proposing. They came back to their original proposal, traffic signal with a left turn signal on Route 412 south which would allow people to turn into Polk Valley Road, and coming out of Polk Valley Road, a traffic signal with a left turn arrow and it would allow school buses to use this instead of Walnut Street. The Walnut Street work is starting and maybe in a couple of months, that left hand turn may be ready for school busses. They have the package ready and it was submitted to Hellertown Borough and they reviewed it and took action and took a vote to approve the submission of this project to PennDOT.

Mrs. deLeon said putting in the stop light, will it eliminate any signage along the road there? There's so many signs leading up to that intersection. Mr. Cahalan said there is signage identified on here, and it's required signage that has to be there.

MOTION BY: Mr. Kern moved for approval of resolution 63-2007 to allow HEA to submit the package to PennDOT.
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. KNOX KEY BOX PROGRAM GRANT – REQUEST LETTER OF SUPPORT FROM COUNCIL

Mr. Kern said Se-Wy-Co Fire Chief Tom Barndt is requesting a letter of support for a grant he has submitted on behalf of the Dewey, Leithsville, Se-Wy-Co, Southeastern, Steel City, and Upper Saucon Fire Companies for a Knox Key Box Program to provide key secure boxes for fire apparatus and police vehicles that do not currently have them and to also provide the fire companies the ability to supply, at no cost to businesses or residents, a knox box should they wish to install one.

Mr. Cahalan said that is self explanatory and is asking for Council's approval to prepare a support letter.

MOTION BY: Mr. Horiszny moved for approval for the knox key box program grant – request letter of support from Council.
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

D. REQUEST TO TRANSFER VEHICLE TITLE (POLICE CRUISER UNIT 164 TO ANOTHER GOVERNMENT ENTITY)

Mr. Kern said this year Warnock Fleet was unable to supply our two new police cruisers early enough for us to auction the old cruisers in September. Hellertown Borough Authority has expressed an interest in unit 164. The second class township code allows us to forego the advertising and bidding requirements to sell personal property if the transfer is to a government entity. We are requesting Council consider donating or selling unit 164 to the Hellertown Borough Authority.

Mr. Cahalan said we've done this in the past with the Authority. The two cruisers which have a lot of mileage on them would be just sitting out here until next year until they went to the auction. They were approached by the Supervisor at Hellertown Borough and it is something they would be permitted to do under the second class code. He put something out to the fire companies and Mike at Southeastern is interested in the other cruiser. It would be very easy to do and it would help out.

MOTION BY: Mr. Kern said he'd be in favor of donating one to Hellertown Borough and one to the Fire Company.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments. Mrs. deLeon said what are we donating? Mr. Cahalan said the two cruisers.

ROLL CALL: 5-0

E. APPROVAL OF BUDGET FUND FOR OPEN SPACE EXPENDITURES

Mr. Kern said we have received a recommendation from the Environmental Advisory Council regarding open space expenditures and are requesting Council direction regarding their recommendation.

Mr. Cahalan said this came up during the budget discussions, and at that time, the staff was recommending that the cost for these expenses, specifically legal and appraisal fees come out of the Open Space Fund with the EIT. That's the way the proposed budget stands at this time. The EAC is asking for these fees to be paid out of the General Fund and there would have to be an amendment.

Mrs. deLeon said she made comments at the October meeting, and she respects the EAC, and also respects the residents who voted for this and she strongly feels all and any expenses leading to the purchase of open space property should come out of the Open Space Fund, not the General Fund. It's unfair to the voters and the voters were not properly informed what they were voting for. Mrs. Yerger said all EAC members are township residents, and they felt equally as strong and they recommended that since the expenses are not excessive and expensive, that it come out of the General Fund. Mrs. Yerger said it's a matter of interpretation. Mr. Kern said he wasn't aware of the way it was worded in the budget that it wasn't coming out of the Open Space Fund. Mr. Cahalan said the legal opinion from the EAC solicitor that the costs could come out of the EIT fund, but it could also come out of the General Fund, which could be authorized from either fund. It's paid for by the same taxpayers. Mrs. deLeon said they voted in a referendum that they wanted to increase the EIT tax to pay for open space and it should come out of the same fund. Mrs. Yerger said the EAC members voted the opposite. Mr. Kern said the money has to be paid anyway by the residents, and why should we pay for these things out of the Open Space Fund. Mr. Maxfield said didn't the referendum wording say they would purchase conservation easements. Mrs. deLeon said you then mislead the voters. Mrs. Yerger said she knows a significant number that interpreted it completely opposite than she did.

MOTION BY: Mr. Horiszny moved that the legal and appraisal fees be paid out of the General Fund rather than the Open Space Fund.

SECOND BY: Mr. Kern

Mr. Kern asked if anyone in the audience had any questions or comments? Margie Segaline asked how many people are on the EAC? Mrs. Yerger said 7 voting members, but we do a straw poll of the others. Ms. Segaline said what's the population of Lower Saucon? Mrs. deLeon said 10,000. Ms. Segaline said that's 7 out of 10,000 and that's not very good representation. The voters voted on this on how we are spending our money which we don't always have. When she voted on the referendum, she voted on it as an all inclusive as so did other people she has talked to. Mrs. Yerger said when this came up at the EAC meeting, they were actually shocked that anyone interrupted it different than they did. She hasn't polled any residents, the EAC asked that this be brought before Council.

ROLL CALL: 4-1 (Mrs. deLeon – No)

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF NOVEMBER 21 2007 MINUTES

Mr. Kern said the minutes of the November 21, 2007 minutes have been prepared and are ready for Council's approval.

Mr. Horiszny said page 3, line 29, the statement was to recruit "not recoup" volunteers. Mr. Cahalan said instead of the three dots, there should be volunteers or fire fighters.

MOTION BY: Mrs. deLeon moved for approval of the November 21, 2007 minutes, with corrections.
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)

VII. PUBLIC COMMENT / CITIZEN NON-AGENDA ITEMS

Resident, Mr. Baab got a letter last month about opening or closing Robert's Avenue. Different people got letters, but they were under the impression that one person had to go to the meeting to stop this from happening. You took a vote 4-1 and he thought he gave a right answer to keep it open. Then it was said in 1988 you lost all rights, so it didn't matter if he came in here as you are saying you had no rights if it's opened or closed. Now his neighbors think he's in with the neighbors that want to close this street. Many people use this street. Attorney Treadwell said do you have an attorney. Mr. Baab said he's speaking for his neighborhood. Attorney Treadwell said you use the street for? Mr. Baab said his mother is handicapped and he has to get her in the house and he uses it for unloading. Attorney Treadwell said you still have private rights to use the street. The only thing Council said they weren't going to open it as a public road. As a resident in that subdivision, you have the right to use that road. Mr. Kern said the only thing they did at the meeting was to say we, the township, are not going to open the road and pave it and use it as a public street. Mr. Baab asked why was he called in here to voice his opinion and get a letter. Attorney Treadwell said you didn't get a letter that said you have to vote. You got a letter as you have property on that private street. Mr. Kern said we voted not to open it up as a public street. Mr. Baab said what about the other side of the street. Mr. Kern said we didn't do anything different than what you are experiencing now. Mr. Baab said why wasn't the whole street involved, why not close the whole thing. Attorney Treadwell said the township did not close anything. The only thing they did was say they are not going to open it as a public street and not pave it. We didn't close it and we didn't have a right to open it. Mr. Maxfield said the township had certain rights to do something there. What we did last time was to say we don't want those rights anymore. The through way that is there is still there, we have just expressed that we never want to open it up and pave it. Mrs. deLeon said the state law says after 21 years, if the municipality doesn't assume the road, it automatically reverts half and half to the general public. We had to take action as we didn't do anything with it in 21 years. That cleans it up as in the future somebody can say in 10 years that the township didn't give up your rights. Attorney Treadwell said 1918 was the year, not 1988. The township had 21 years to do something. Mr. Baab said his neighbors think he is in with the other neighbor now. Mrs. deLeon said the man technically owned the street also as the township never did anything with it. The township could have had an opportunity to do something, but we never did anything. After 21 years, each of the adjacent properties gained half of that road. Half of the street goes to each of the adjacent property owners no matter how many parties. The state law says the property owners gain half of the street. By law, we're only required within 500 feet to notify people in that area. We did talk about if he wanted to build on it, he'd have to come on that lot, he still has to get a permit, go to the Zoning Officer, and it might be at the point it's not buildable. Mr. Maxfield said you can still do what you were doing before. Mrs. deLeon said what if he does build on that lot and gains 10 or 15 feet, that becomes his buildable building lot, then technically the people from Steel City can't go on that property. Attorney Treadwell said they still have the right to go through that 20 foot right-of-way. Mr. Kern said he can build in the right-of-way. Mr. Baab said he won't let some people come through. Mr. Kern said that's not a result of what we did, it's a result of this guy doing what he wants to do. This guy is wrong and it's time to call the Police. Attorney Treadwell said we can give you the ordinance that we adopted. Tell the people to contact the township and the township will give them the information. Mrs. deLeon said go on the internet

on the Township's website and read that portion of the minutes and they can read what Attorney Treadwell said and the answers and questions. Have them call Jack Cahalan.

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said the gentlemen from Steel City Fire Company are waiting, and are in the process of getting the new steel pumper. They established a policy to have a consultant review the specs for the rescues pumper. They hired Bill Peters, a consultant, and he reviewed the specs and found out they were very reasonable and no frills. Following that review, the fire company was going to check to see if the manufacturer was on the state contract, and they advised us last week that the truck can be manufactured by Toyne Inc. and that's listed under the State Co-Stars contract which was another requirement of the policy. The total cost is $563,855, and Chris Snyder located said it could go lower. You have already approved a contribution to Steel City Fire Company for $400,000 and he's asking for approval to cut the check to them in that amount to contribute towards the rescue pumper. There are two other equipments that we think can be met. First one was we determined if an agreement should be drawn up with the fire company to trade in or sell any other equipment not needed by the department and the second was the fire company to write how they will raise the funds for their portion of the fire equipment cost. Chris said that will not be a problem. Mr. Cahalan said he'd like approval from Council to cut the payment for $400,000 to the Steel City Fire Co. contingent upon those requirements. Mrs. deLeon said because we hired the consultant and he recommended certain things, what would be the additional costs that were added to the truck from the original number. Mr. Snyder said $30,000 additional. Some was due to 2008 costs. The consultant recommended LED lighting. Mrs. deLeon said is there any way the township can do anything about the $30,000. You have to sell a lot of hoagies. Mr. Cahalan said the second thing they can do is provide a plan how they are going to provide a plan to raise the funds for their portion. Mr. Chris Snyder said they are going to look towards government loans of approximately $100,000. Mrs. Yerger said last meeting Karen Beyer was here and she said she was looking forward to giving the township money, maybe you could contact her in getting some of the money. Mrs. deLeon said Karen Beyer is not in their district, Bob Freeman is. Mr. Snyder said they did go and there was nothing for them. Mr. Maxfield said the township has also expended money for the consultant and it will benefit all the fire companies. Mrs. Yerger said she knows they have a meeting with all the Fire Chief's and maybe it needs to go there and get their input on it. Mr. Cahalan said he suggests the Fire Company get back with the plan of fundraising their portion.

MOTION BY: Mr. Horiszny moved for Mr. Cahalan to cut the payment for $400,000 to Steel City Fire Company to contribute to their rescue pumper.

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

- Related to the Polk Valley Park, we got an alert from Bob Freeman's office that the DCNR has awarded a $20,000 grant for the meadow and dog park. That will be coming along in a more official fashion.
- There is a meeting this coming Monday night with Mr. Stoffa's municipal gambling committee at Northampton County Court House at 6:30 PM. All Council is invited to attend. We're there to listen to what they've been working on ideas on and how they feel the money will be distributed and hopefully we'll have a portion of the meeting to say what

we anticipate in terms of impacts from the casino traffic. Mrs. deLeon said she'll be attending on behalf of the SV Partnership.

B. TOWNSHIP COUNCIL/JR. COUNCIL MEMBER

Mrs. Yerger

- Nothing to report.

Mr. Maxfield

- He said he had one request of Council that he spoke to Rick Tralies about last night. After seeing the presentation on the park tonight, it is the most complete and inspiring plans he's seen in a long time. He's confident our Planner's can take care of planning our parks. In order to expedite what's going on and in order to make the process to not continue on and on, he'd like to propose an end on the comment period for Kingston Park. We've taken a year on comments for Kingston Park. We've got plenty of information and our Planner's are capable and he's sure they'll come up with a great plan for that park. Let the planner's do their work. Mrs. deLeon said did we ever do this before? Mr. Maxfield said no, but we haven't had this kind of situation before. Mr. Maxfield said why wouldn't it be legal. Mrs. deLeon said that's kind of inhibiting public comment. If it's not on the agenda, and someone wants to come and talk about Kingston Park, they should be allowed to. Mr. Maxfield said that's fine, but he doesn't want to pay township money to pay our consultants to meet with residents of other municipalities about one of our parks. To be financially responsible to our members of our Township, we need to move this process along. We would satisfy any legal council's statement of comment by listening to a year of comments. We've moved beyond that. Mrs. deLeon said do you mean Dr. Kingston who lives outside of the municipality? Mr. Maxfield said does he have to say who he is talking about. You're free to vote against his proposal. Mr. Kern said he feels a little bit uncomfortable about it because we are progressing with the comments that we have and the designer is free to design right now and he is designing right now. Mr. Maxfield said our planner's do fine. A year of comment is plenty. This process is going on and on and on, and we shouldn't do that. It's time to end that process and go to step 2. If someone wants to discuss it at a public meeting and it's on the agenda, he has no problem with that, but if someone wants to meet with our Planners and we pay money for that, that's something else. We've done this over and over for a two acre park. Mr. Kern said citizens conferring one on one with our Planner? Mr. Maxfield said yes. Mr. Cahalan said it's not the same parallel, but with Polk Valley Park, we did meet with adjoining neighbors and I think you are talking about someone not living next to the park. Mrs. Yerger said is there some way we can control that. Mrs. deLeon said that's why we have Jack here. Mr. Kern said we'll just make it clear that there are no private meetings with our Planner. Mr. Cahalan said he hasn't had a request for any more meetings, but if he does, he can bring it back to Council before we authorize any additional expenditures.

Mr. Kern

- On a positive note, he got a phone call from a resident from Sherbrooke Drive, who didn't know who to call to thank, but during a windstorm a large tree fell on this property, he woke up in the morning and the tree had been cut up and removed by that time. He wanted to comment the township for their thoroughness and speed.

Mrs. deLeon

- Saucon Valley Conservancy annual holiday gathering and "Meet the Artist" night is Thursday, December 13 and everyone is invited to come.
- Is the SV Partnership put on the website? Ms. Huhn said the web designer is working on it.

- She said we need to talk about the subdivision and think about what we were talking about earlier and see if there is some kind of way to help the people. These people move into a subdivision and aren't told a lot of things, it's not fair to them.

Mr. Horiszny

- He attended the Hellertown Borough meeting because LSA was on the agenda to get approval from Borough Council for a right-of-way for a sewer line and it looks like we may have additional work to do in that area to get the approval.
- He wanted to make note that a House Bill 1993 has been introduced by Representative King of Bucks County for a 100 foot campaign free zone. He wants to beat him to it in January with our own, but at least it's being thought of at the state level.
- We asked to move a sign near the Heller Homestead, the panels are gone, but he frame work is there ready to be removed. The shopping center, the new sign that has been approved, part of it has been taken down.

C. SOLICITOR

- Nothing to report

D. ENGINEER

- Nothing to report

E. PLANNER

- Nothing to report

IX. ADJOURNMENT

MOTION BY: Mrs. deLeon moved to adjourn. The time was 10:26 PM.
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

Submitted by:

Mr. Jack Cahalan	Glenn Kern
Township Manager	President of Council