

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, December 5, 2012 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Cathy Gorman, Director of Finance; Judy Stern Goldstein, Township Planner; Brien Kocher, Township Engineer; and Linc Treadwell, Township Solicitor. Absent: David Willard, Council Member and Leslie Huhn, Asst. Manager.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did meet in Executive Session prior to the beginning of this meeting. Attorney Treadwell said Council met in Executive Session to discuss two Inland Western assessment tax appeals on the properties across 378 in the shopping center. As a result of that Executive Session, if Council so chooses, he would need a motion to have the Township participate fully in those tax assessment appeals.

MOTION BY: Mr. Maxfield moved for approval to have the Township participate fully in the tax assessment appeals on the properties across 378 in the shopping center.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mr. Willard – Absent)

Mr. Kern said also in Executive Session prior to this meeting, we also discussed personnel issues.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said if you are on the agenda, you have Council and Staff's undivided attention. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. We'll listen to whoever is speaking and at the completion of that, if you wish to speak, raise your hand and you'll be afforded that same courtesy of the floor where you will be able to speak. If you do speak, please use the microphone as we do transcribe the minutes verbatim so the transcriptionist can get word for word of what you are saying. State your name for the record for that same reason so the transcriptionist knows who is speaking.

III. PRESENTATION/HEARINGS

A. APPOINTMENT OF JR. COUNCIL MEMBER

Mr. Kern said Carolyn Brooks has submitted her letter of interest in being appointed Jr. Council member for the 2012-2013 school year. The Township Manager is recommending Council appointment.

Mr. Cahalan said we sent out letters to all the schools, including Notre Dame and Moravian Academy. The word got out and Carolyn is interested in becoming a student Council member.

Ms. Brooks said she's a junior at Bethlehem Area Catholic High School. She's interested in government. She takes a business class there and she heard this on the announcements and went to the Guidance Counselors and spoke to them and they gave her information. She emailed the

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Manager and now she's here. Mr. Cahalan said he's recommending that Carolyn be appointed as the Jr. Council member for the remainder of this school year to the Council. She's a Junior and she indicated she'd like to do this again.

- MOTION BY:** Mr. Maxfield moved for approval for the appointment of Carolyn Brooks as Jr. Council member for the 2012-2013 school year.
- SECOND BY:** Mr. Horiszny
Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

B. SE-WY-CO – LEITHSVILLE FIRE COMPANY MERGER

Mr. Kern said Se-Wy-Co Fire Company Chief Tom Barndt will update Council on the merger of the two fire companies.

Mr. Barndt said 2010 the Se-Wy-Co Fire Company was approached by the members of the Leithsville Fire Company about joining forces to assist them due to their dwindling manpower and staffing problems at their station. They had several meetings with the administrative offices of both departments and developed a plan to enable them to work together. In February of 2011, they formally announced the joint venture between both of the departments. They operated under a single chain of command within the Fire Department and kept the officers of both departments the same; however, they just reassigned their duties because there were an abundant number of officers from combining the stations. They have also operated administratively with a joint board and then at that time, they set a goal to have a formal merger of both departments in effect by the end of 2011. When the departments first got together in 2010, the apparatus fleet at the two stations consisted at the Leithsville station of an engine, a tender or a tanker, a heavy rescue, a brush truck and a forestry truck that was owned by the Department of Conservation and Natural Resources. The Se-Wy-Co station had two engines, a ladder, a heavy rescue, a brush truck, and a Chief's Truck. Since that time, both companies have sold two engines, a heavy rescue truck, a tender and a brush truck in an effort to consolidate the fleet to reduce costs. For example, the long term savings of that just alone would be about \$1.75 million if we had to replace those trucks. Throughout the year we worked with Rob Brady from the PA Department of Economic Development who was a great help to them. He assisted them with the transition of the departments. A grant was also obtained through his office to assist them with the cost of the merger on behalf of the Township. They also worked with a local attorney in the Township specializing in Township mergers. On September 14, 2012, they formally announced the merger of both departments with the same name of Se-Wy-Co Fire Company. They would operate out of both stations and the two stations are the Se-Wy-Co station on 378 and the Leithsville station on Leithsville Road. We will not lose their names. That's the name of the stations. The merger will produce short term savings of approximately \$50,000.00 to \$75,000.00 a year by reducing maintenance costs, insurance costs, administrative costs, and the long term savings of a several hundred to over a million dollars by not replacing the apparatus of the consolidated fleet. The original members of the Leithsville Fire Company deserve a great deal of praise for coming forward to our station in tough times for assistance. It takes a lot to give up all that ego and peer pressure to come to them. Had they not done that at the time they did, he's not so sure they'd have a firehouse at that location in operation. During the transition, all the members of both departments pulled together to make it work which made it easier administratively and operationally. Today he can tell you, but unfortunately, they don't have a station on Leithsville Road, they will be rebuilding sometime in the spring and he'll have updates for Council as they progress through that. They will have two stations. If there are any questions, he'll take them at this time. Everybody saw the press releases in the paper. It was the Fire Commissioner who was here at a Council meeting and he praises the merger throughout the Commonwealth of PA. It's the only way they are going to survive as volunteers. Mr. Kern asked if anyone had any questions. No one raised their hand.

C. **REPORT ON HURRICANE SANDY – BILL CSASZAR**

Mr. Kern said Emergency Management Coordinator Bill Csaszar will update Council on Hurricane Sandy.

Mr. Csaszar said the first thing we should do is look to do away with Halloween weekend. It occurred on October 29, 2012. They did some early preliminary work. As last time around, they went into preparation on Sunday, October 28th. As part of that preparation, they did the typical things they do. They made sure everything was fueled up, generators, portable pumps, chain saws, water rescue equipment, boats and so forth. One thing that they learned early on from last year, if some departments actually went out from last year and purchased additional pumps and portable generators which became quite helpful, especially the generators. He had communication with the private facilities early on in the event to talk about their preparedness, namely St. Luke's Hospice. They chose to evacuate as they were expecting high water on Monday morning at 9:30 am. He also contacted Life Path to make sure they were up to speed with generators, flashlights, fuel, non-perishable food items, water, and they assured him they were ready. They talked with the EMS at Dewey to have an ambulance staged at Se-Wy-Co, the same as they did at the last event. He spoke at length with the Director of Campus Operations at Saucon Valley High School about setting up the Township shelter there. They did a phenomenal job without a lot of prompting, and they were quite effective. The facility was used very strongly. They were telling him a typical day during that week, they saw 200 to 400 people coming in for showers, things of that nature, recharging their cell phones, to no avail as the towers were out. They were extremely helpful to us during the event. He also talked with the 9-1-1 center to confirm the location of the County evacuation site which originally was at the UGI facility on City Line Road for the County. There wasn't a lot of use there and they ended up consolidating and moving it to Dieruff High School. The State also set one up in Stroudsburg. They continued to operate the site at the school district and it was used extensively. They didn't have a whole lot of overnight people, two or three maybe, but it was staffed by Saucon Valley employees and volunteers for the entire duration of the storm. As far as he was concerned, he activated the EOC at noon on Monday. He wanted to get a leg up on it. Lower Saucon PD they also were mindful of the situation and they chose to have officers staged on both sides of the Township in preparation for this weather and it was very instrumental in effective communication as to incidences occurring. As far as communications from the EOC, that was basically done to the County using a "Knowledge Center" and the radio. Public Works they talked to them on the radio or cell phone as long as it was working. For the fire departments, it was either face-to-face, portable radio or cell. Alerting was done through the 16 All Call. At around 22:00 hours that evening on 10/29/2012, they notified the County. Several of the Chief's had mentioned to him that it's really nasty out there and it's unsafe. They notified the County they would not respond to downed trees or wires during the night time hours. Basically, as a fire fighters, safety issue, there wasn't anything they were going to do anyway. About 11:30 that night, everything was out, cell towers, fax lines, telephones, power, you name it. At that point, he asked the County if they could use tact TAC 2 as our primary means of communication as a primary means of communications with emergency responders and public works responders and they were fine with that. That worked out very well also. The Public Works crew, he can't say enough good things about them. They really busted. The crews had equipment and personnel again on both sides of the Township as they did previously. They had over 60 roads in the Township that were closed in one fashion or another during the height of the storm, both Township and State roads. In less than 24 hours, all of the Township roads were opened by our road crew, those that could be opened. If there were some that had entangled power lines, they shied away from those as a safety measure. As far as the Township responses, he will say all three departments had working structure first during the storm. If it wasn't in our Township, it was in Williams Township. Williams Township had some serious problems. In the case of Se-Wy-Co, all the stations were manned. You can see the timeframe there, and they had 27 responses during the storm up to 22:00 hours and then we stopped with the wires and trees. Same situation over at the Southeastern, they had 20 responses. They had dwelling fires, some with Williams Township. Steel City they had MVA's, EMS assisting Williams Township and they were also busy in their area. All the stations were manned

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about the same time, 5:00 pm Monday. Steel City had 16 responses as well. The next slides are actual of incidents in the Township. These were sites deemed by FEMA and PEMA as major damage. Their definition of major damage is anything that has structural damage. He showed the first slide of one on Black River Road and showed the estimated loss for that property. The next one was on Strauss Avenue. There were three houses on Strauss Avenue that were covered by trees. It doesn't look like much, but there's damage inside the house as well. When you start damaging roofs like that, you are tearing off a roof, replacing structural members, so the money adds up pretty quick. There was one on Seidersville Road, major structural damage there at the rear of the building. There is one on Seidersville Road which is the worst of them all. This poor gentleman was visited by a 4-1/2 ton tree that basically squashed his roof and the impact was so severe it blew out the sidewalls of the house. He's got some major issues there. There was one on Colesville Road. It doesn't appear to be a big deal, but there are some roof trusses down and damaged. Several of the houses had cranes to remove the trees. There was one on Dartford very similar, but didn't have serious structural damage. There's one on Williams Church Road where a large tree took out the roof of the second floor at the roof of the farmhouse. It did a significant amount of damage. For all of these, which was interesting when they did this tour, relatively quick after the event, when FEMA and PEMA came in, the amount of clearing and remedial repairs that were being done already so people were quick to respond. Their insurance carriers were right on top of it. There is one on Church Road. He found something very interesting. At the end of Williams Church Road, closest to Southeastern Fire Company, when you get out to Easton Road it's called Church Road. It's the same road, two different names. FEMA and PEMA toured with him on November 7, 2012. FEMA came out and toured two days after the event, just a preliminary, and then the formal tour to do the assessment was on the 7th. Jack and his staff have submitted the assessment report on DAP-19 to PEMA which was an effort to recoup Township costs for wages, equipment and so forth. The good is no one got hurt. That's always a plus. There was good communication with all Township response agencies. They reported all information to him, whether it was fire, police or EMS. Everything was filtered to Bill in which turn he would use the County system to update the County on what was happening in the Township. It wasn't like the Police was doing their own thing, the fire department doing their own thing, everything filtered to him and then it went to the County as it should and it worked very well that way. There was phenomenal response from our Township agencies, all of them, whether they were emergency, municipal, whatever. The good thing was there was minimal flooding. It was all rain and wind, not much flooding. They established a couple of new resources for vehicle fueling which became an issue for some of the fire departments. Lehigh University, at their maintenance building allowed them to use their pumps to fill our emergency response vehicles. In talking with the Director of Campus Operations, Saucon Valley School District also had the same service available to use should we have needed it. Because communications were so bad late during the storm, they resorted to hand radio operators to do the communications with the County. He didn't want to clog the County frequencies up with communications that weren't of an emergency nature so they used a hand radio for that. Good news, PPL contracted with Pike Electric. It's a big firm down south and they arrived on the 1st in the Township and stayed until the 5th and until the entire Township was back up to power. Nicest bunch of guys you ever want to meet. Nothing was a problem for them. He met with them daily as they were stationed in the Se-Wy-Co parking lot and he could see them every morning and find out what area they were going to be working in, what their anticipation was of restoring power in certain areas, so it was a good face-to-face communication with them and the PPL engineer was also there with them, so there was good communication in that respect. The bad, we know about the bad and it's being corrected. Public Works garage had no power. There was no power for the pumps. Our Township Police Department had to use the Hess gas station to fuel up and in some cases were standing in lines up to 20 minutes waiting for their turn at the pumps. Communications systems, lack of performance, everything collapsed, which you rely on technology and it's a great thing, but when it dies, you'd better have a backup plan and that's why we used HAM and we used the two-way radio system. They were the only two systems fully functional throughout the storm. We had problems with clearing trees with electrical wires in them for the obvious reasons. Mr. Rasich has a great idea and he hopes we can take it to the next level, and that's to meet with PPL. If there was only some way we could get a

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rep from PPL on the site with us that could verify that the power lines are in fact de-energized, our guys would be happy to clear those, but they aren't going to do it obviously, and PPL for some reason, up to this point is not entertaining that suggestion. The other thing was total power wasn't restored to the Township until the November 5th. A monumental task, it seems like a long time, but considering what they had to work with, it was reasonable. Recommendations, communications they were much improved between all agencies. He had direct-connect as long as it was up and running which became very helpful. Roger had set him up with that with all the department heads. When the cell towers went down, so did that. As far as communications with the community, this is a real problem. We're going to have a meeting in late December with representatives from NIXLE about an opportunity to communicate with the municipality as a whole, but again, systems go out and so does that. Improved operational capabilities we know that the generator at the municipal building is scheduled and budgeted for 2013. We survived.

Mrs. deLeon said you guys did a phenomenal job, but as your slide said about communications to the community, it needs to be improved. We've been talking about this at the COG level as she was complaining about it last year. Ed Inghrim has grandchildren who live in NJ and he's on a list and he gets all these emails all the time about what's going on. She just can't imagine with the technology we have why Hellertown Borough, the SVSD and the Township can't get together and try to come up with an alert system. At the last meeting, he was looking into it. Her cell phone was her life line and she had Verizon and did not lose cell service. She was able to stay on the internet. PATCH did a great job. You can sign up with Hellertown Borough and get alerts as Tom Rieger does a good job. How else would you have found out about the school district having their showers open? We need to work on that. Mr. Csaszar said you may have had communications where you were, but there was no cell phones working on this side of the Township and he has Verizon and it was not functioning. If the tower stayed up, it would be a different story.

Mr. Maxfield said do you think if Council were to address to PPL asking for their cooperation or at least to sit down and talk to us, it would be an aid? Mr. Csaszar said he would strongly suggest that. Mr. Maxfield said he would make that motion tonight. Mr. Kern said did you talk to PPL about that and do you have names we can contact? Mr. Csaszar said the only ones he has are the field engineers. You probably have to take that to the next level. Mr. Cahalan said we have a local representative who we can get in touch with. Mr. Kern said we've had some successful meetings in the past with PPL. Mr. Csaszar said those guys had problems and they had their ducks in a row this time and contracted services right after the storm. They stayed with it. Mr. Maxfield said it almost seems that the people they contracted had better service with you than PPL did. Mr. Csaszar said they did. Mr. Maxfield said he's been a critic of their lack of communication for a while. As a Township, we need to insist on it and communicate with us better. Everything else was fine. His power came on before it was predicted. Mr. Cahalan said they did have new features with an Outage Center to go on line and check it.

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

- MOTION BY:** Mr. Maxfield moved to have the staff address a letter to PPL requesting a conversation on how we can make the communication situation better.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

D. RESOLUTION #70-2012 – HONORING SHELLEY GOLDBERG

Mr. Kern said Resolution #70-2012 has been prepared to recognize Shelley Goldberg for her service to the community. The award was presented by the Township Manager at a dinner sponsored by the Saucon Valley Community Center held in her honor on November 30, 2012.

**A RESOLUTION RECOGNIZING SHELLEY GOLDBERG FOR HER
SERVICE TO THE COMMUNITY**

WHEREAS, Shelley Goldberg has served the Saucon Valley Community in various capacities for the past ten (10) years; and

WHEREAS, Shelley, who grew up in Irvington, NJ and graduated from Farleigh Dickerson University, moved to the Lehigh Valley in 1977; and

WHEREAS, Shelley opened Shelley’s Personalized Gifts in Allentown, PA in 1989 and in 2000 opened a second location on Main Street in Hellertown; and

WHEREAS, Shelley was inspired to become a part of the community which began with her establishing a library at the Second Chance Academy located at the Reinhard School in 2004; and

WHEREAS, Shelley was the visionary and chairperson for the Saucon Valley Farmers’ Market which started in the parking lot at the KNBT Bank and is now in its highly successful 7th year at Water Street park; and

WHEREAS, Shelley has been a member of the Hellertown Borough Business Revitalization Program since its inception in 2005, and in 2011 became a member of the Board of Directors of the Lower Saucon Township Historical Society; and

WHEREAS, Shelley will be honored by the Saucon Valley Community Center on November 30, 2012 for her public service to the Saucon Valley.

- MOTION BY:** Mr. Horiszny moved for approval of Resolution #70-2012.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

E. RESOLUTION #71-2012 – LERTA DELINEATION OF BOUNDARIES – PUBLIC HEARING

Mr. Kern said Resolution #71-2012 has been prepared and advertised for a public hearing to identify deteriorated areas within the Township. This Resolution sets the boundaries in accordance with the provisions of the Local Economic Revitalization Assistance Act (LERTA).

- MOTION BY:** Mr. Maxfield moved to open the public hearing.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

**A RESOLUTION OF THE COUNCIL OF LOWER SAUCON TOWNSHIP IDENTIFYING
DETERIORATED AREAS WITHIN THE TOWNSHIP OF LOWER SAUCON
PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT
TITLE 72 P.S. SECTION 4722 ET SEQ.**

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Form of Government, organized and operating under laws of the Commonwealth of Pennsylvania; and

WHEREAS, Lower Saucon Township is authorized to affix the boundaries of deteriorated areas wholly within the Township municipal boundaries pursuant to the Local Economic Revitalization Tax Assistance Act at Title 72 P.S. Section 4725(a); and

WHEREAS, the Council of Lower Saucon Township approved the recommendations concerning the location of boundaries of deteriorated areas after a public hearing held at a public meeting of the Council of Lower Saucon Township on December 5, 2012.

NOW THEREFORE, it is hereby resolved by the Council of Lower Saucon Township, Northampton County, Pennsylvania, as follows:

SECTION 1. IDENTIFICATION OF DETERIORATED AREAS

In accordance with the provisions of the Local Economic Revitalization Tax Assistance Act (LERTA), the Council of Lower Saucon Township hereby affixes and delineates the boundaries of deteriorated areas within the municipal boundaries of Lower Saucon Township as shown on the Map of Deteriorated Areas, which is attached hereto and incorporated herein by reference. This area is further identified as an approximate 25.7 acre area of Northampton County Tax Map Parcel #P7-15-3-2.

SECTION 2. FUTURE AMENDMENT

The Council of Lower Saucon Township reserves the right to amend this Resolution and Map, at any time, to add or remove deteriorated areas in accordance with the provisions of LERTA

Attorney Treadwell said the first step in the LERTA process is for the Township to adopt a resolution recognizing the deteriorated property boundaries within LST. If you recall, Mr. Uliana and Mr. Kelly were here in a November meeting to discuss this project and said we would discuss this with the appropriate documents and resolutions. There is a map in your packet which shows the deteriorated areas which is that is 25.7 acre portion of Northampton County tax parcel map P7-15-3-2 which was part of the presentation that Mr. Uliana and Mr. Kelly made at the November meeting. The first step is to hold a public hearing to see if there is any comment regarding the proposed identification of the deteriorated area.

Mr. Kern asked if Council had any questions before he opened it up to the floor? Mrs. deLeon said we went over this the last meeting. No one raised their hand.

MOTION BY: Mr. Maxfield moved to close the public hearing.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

MOTION BY: Mr. Maxfield moved for approval of Resolution #71-2012 for the map delineation.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

Attorney Treadwell said on the map there was a slight mistake. The Fox property is not shown as being delineated by the landfill and they will fix that for the record.

F. RESOLUTION #73-2012 – PROVIDING LERTA ASSISTANCE WITHIN DETERIORATED AREAS

Mr. Kern said Resolution #73-2012 has been prepared to provide Local Economic Revitalization Assistance within previously approved LERTA boundaries as set forth in Resolution #71-2012.

**A RESOLUTION OF THE COUNCIL OF LOWER SAUCON TOWNSHIP PROVIDING
LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE WITHIN
DETERIORATED AREAS WITHIN THE TOWNSHIP OF LOWER SAUCON
PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE ACT
TITLE 72 P.S. SECTION 4722 ET SEQ.**

WHEREAS, Lower Saucon Township is a Township of the Second Class, Optional Form of Government, organized and operating under laws of the Commonwealth of Pennsylvania; and

WHEREAS, Lower Saucon Township has affixed the boundaries of deteriorated areas wholly within the Township municipal boundaries pursuant to the Local Economic Revitalization Tax Assistance Act at Title 72 P.S. Section 4725(a); and

WHEREAS, the Council of Lower Saucon Township approved the recommendations concerning the location of boundaries of deteriorated areas after a public hearing held at a public meeting of the Council of Lower Saucon Township on December 5, 2012.

NOW THEREFORE, it is hereby resolved by the Council of Lower Saucon Township, Northampton County, Pennsylvania, as follows:

SECTION 1. DEFINITIONS

- (a) As used in this Resolution, the following words and phrases shall have the meaning as set forth below:
- (1) "Becomes assessable" means immediately following issuance of the state and local occupancy permits.
 - (2) "Deteriorated area" means that portion of Lower Saucon Township which the Lower Saucon Township Council has determined to be physically blighted in Resolution #71-2012 pursuant to Act 76 of 1977 of the General Assembly of the Commonwealth of Pennsylvania, as amended (72 P.S. 4722 et seq.)
 - (3) "Deteriorated property" means any industrial, commercial or other business property owned by an individual, association or corporation, and located in deteriorating area, as provided by Resolution of the Lower Saucon Township Council, or any such property which has been the subject of an order by Lower Saucon Township requiring the unit to be vacated, condemned, or demolished by reason of noncompliance with laws, ordinance, or regulations. Buildings wherein at least 30% of the usable gross floor area is utilized for industrial, commercial, or business use shall, if otherwise qualified, be considered a "deteriorated property" for the purposes of this Resolution.
 - (4) "Improvement" means the construction of new building structures, new additions to existing structures or substantial renovations to existing structures which result in an increase in assessed valuation of the deteriorated property. Such improvements shall have the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep and maintenance shall not be deemed an improvement.
 - (5) "Local taxing authority" means the City of Bethlehem, *Lower Saucon Township*, the Bethlehem Area School District, the Saucon Valley School District, the County

of Northampton, or any other governmental entity having the authority to levy real property taxes within the City of Bethlehem or Lower Saucon Township.

- (6) "Municipal governing body" means the City of Bethlehem or Lower Saucon Township.

SECTION 2. EXEMPTION AMOUNT

- (a) The amount to be exempted shall be limited to that portion of the additional assessment attributable to the actual cost of improvements.
- (b) The exemption shall be limited to that improvement of which an exemption has been requested in the manner set forth below, and for which a separate assessment has been made by the Northampton County Board of Assessment Appeals.
- (c) The exemption provided herein shall only be applicable to the improvements constructed on the land located in the deteriorated area and shall not affect the taxation of the land itself.

SECTION 3. EXEMPTION

Subject to the conditions, requirements, and limitations set forth in this Resolution, taxpayers making assessable improvements to deteriorated property located in the deteriorated area may apply for and may be granted a real estate tax exemption limited to the amounts in Section 2 above subject to the following schedule:

- (a) For the first year immediately following the date upon which the improvement becomes assessable, 100% of the eligible assessment shall be exempted.
- (b) For the second year immediately following the date upon which the improvement becomes assessable, 90% of the eligible assessment shall be exempted.
- (c) For the third year immediately following the date upon which the improvement becomes assessable, 80% of the eligible assessment shall be exempted.
- (d) For the fourth year immediately following the date upon which the improvement becomes assessable, 70% of the eligible assessment shall be exempted.
- (e) For the fifth year immediately following the date upon which the improvement becomes assessable, 60% of the eligible assessment shall be exempted.
- (f) For the sixth year immediately following the date upon which the improvement becomes assessable, 50% of the eligible assessment shall be exempted.
- (g) For the seventh year immediately following the date upon which the improvement becomes assessable, 40% of the eligible assessment shall be exempted.
- (h) For the eighth year immediately following the date upon which the improvement becomes assessable, 30% of the eligible assessment shall be exempted.
- (i) For the ninth year immediately following the date upon which the improvement becomes assessable. 20% of the eligible assessment shall be exempted.
- (j) For the tenth year immediately following the date upon which the improvement becomes assessable, 10% of the eligible assessment shall be exempted.

- (k) After the tenth year the exemption shall terminate.
- (l) The exemption from taxes granted under this Resolution shall be upon the real property and shall not terminate upon the sale or exchange of the property.

SECTION 4. PROCEDURE FOR OBTAINING EXEMPTION

A copy of the request for exemption shall be forwarded to the Northampton County Board Assessment Appeals and the Bethlehem Area School District or the Saucon Valley School District by the City of Bethlehem or ***Lower Saucon Township***. Upon completion of the improvement, the taxpayer shall notify the City of Bethlehem, ***Lower Saucon Township*** and the Northampton County Board of Assessment Appeals so that the Board may assess the improvements separately for the purpose of calculating the amount of assessment eligible for tax exemption in accordance with the limits established in this Resolution. The City of Bethlehem ***and Lower Saucon Township*** will then obtain from the Board the amount of the assessment eligible for exemption and will notify the taxpayer. The Treasurer is authorized to make refunds, if applicable, only after the Northampton County Board of Assessment Appeals has notified the Treasurer of its separate assessment upon the improvement for which an exemption is requested. Appeals from the reassessment and the amount eligible for the exemption may be taken by the taxpayer of the City of Bethlehem ***or Lower Saucon Township*** as provided by law.

SECTION 5. TERMINATION

This Resolution shall be effective as of January 1, 2013 and shall terminate on December 31, 2017 unless otherwise repealed by the Council of Lower Saucon Township. No later than September 30, 2017, the Mayor of the City of Bethlehem shall submit a written report to the Township of Lower Saucon Council which shall inform the Council as to how this Resolution has been administered, the effects of this Resolution on the community and include any suggestions or recommendations for this Resolution's reenactment, modification or repeal. Nothing contained herein shall act to prohibit the Council of Lower Saucon Township from enacting a similar Resolution after December 31, 2017. Any property tax exemptions granted under the provisions of this Resolution shall be permitted to continue according the exemption schedule found in Section 3, unless any such property tax exemption is rescinded in accordance with the default provisions of this Resolution, even if this Resolution expires or is repealed.

SECTION 6. HEARING BOARD

A Tax Abatement Hearing Board shall consist of the Business Administrator of the City of Bethlehem, the Director of the Department of Community and Economic Development of the City Bethlehem, the Director of Fiscal Affairs of the County of Northampton, **Township Manager of Lower Saucon Township**, the Assistant to the Superintendent for Finance and Administration of the Bethlehem Area School District and the Business Manager of the Saucon Valley School District, for resolution of differences between the approving authority and the owner-taxpayer of the improved property on matters concerning interpretation and execution of the provisions of this Resolution.

The Hearing Board shall have the following powers:

- (1) To hear appeal from any person aggrieved by the application of this Resolution.
- (2) To make rules with regard to conducting its hearings.
- (3) To make such findings of fact as may be required by the application of this Resolution.
- (4) To decide questions presented to the Board.
- (5) To affirm, revoke or modify the decision of the City of Bethlehem or ***Lower Saucon Township*** as to the eligibility of a particular property for the Property Tax Abatement as provided for in this Resolution.

The Hearing Board shall be governed by the following procedures:

- (1) The Board shall meet upon notice of the Chairman within thirty (30) days of the filing of an appeal and shall render its decision within thirty (30) days after the appeal hearing.
- (2) Every action of the Board shall be by resolution and certified copies furnished to the appellant.
- (3) All hearings shall be public; and the appellant or any other person whose interests may be affected by the matter on appeal shall be given an opportunity to be heard.
- (4) For the purposes of this Resolution, every action of the Board shall require a simple majority of the members in attendance. Attendance at the hearing by three (3) members of the Board shall be required to constitute a quorum for a meeting and for action on an appeal.

SECTION 7. RULES AND REGULATIONS

The Township Manager, if necessary in his or her judgment, is hereby authorized and empowered to prepare, promulgate and enforce rules and regulations made pursuant the provisions of this Resolution.

SECTION 8. SEVERABILITY

The provisions of this Resolution are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentence. It is hereby declared to be the intent of Council that the Resolution would have been adopted if such illegal, invalid or unconstitutional section, clause sentence had not been included herein.

SECTION 9. CONTINGENCY

Notwithstanding any other provisions of this Resolution, this Resolution shall remain in full force and effect conditioned upon the Bethlehem Area School District, the Saucon Valley School District, and the County of Northampton enacting similar ordinances or resolutions with identical deteriorated areas as those designated by the Council of the City of Bethlehem *and Lower Saucon Township*.

SECTION 10. DEFAULT

Tax abatement under this Resolution shall be available only for those properties for which real estate taxes are promptly paid and discharged when due. Any property that is declared delinquent as established by the statutes of the Commonwealth of Pennsylvania shall lose the LERTA benefits and any and all currently due and future taxes shall be due and payable at the unabated assessment and tax rate.

SECTION 11. APPEAL OF DEFAULT

Properties that have been declared delinquent may appeal the rescission of the LERTA benefits by providing a written request to the Hearing Board providing a basis for the appeal and the justification for the waiver of the requirements of Section 10 herein.

SECTION 12. REPEAL

All Resolutions and parts of Resolutions inconsistent herewith be, and the same are hereby repealed.

Attorney Treadwell said this resolution adopts the LERTA program for the property you just identified.

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- MOTION BY:** Mrs. deLeon moved for approval of Resolution #73-2012.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

Mr. Cahalan said there were some corrections made to the two resolutions. Ron had contacted us and those changes have been made. They were minor typo changes.

IV. DEVELOPER ITEMS – None

V. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARAINCES – GREEN GABLES INVESTMENT – LEITHSVILLE ROAD – REQUEST VARIANCE OF SETBACKS TO INSTALL FENCE

Mr. Kern said the applicant is seeking relief to allow a fence/pasture to be located 50' from the property line in lieu of the 100' setback required by the zoning ordinance for the stable use.

Eric Schoch said the owner and one of the operator are here also. They bought about a 25 acre property and they are looking to do a stable with riding classes and things of that sort. The ordinance has a requirement that says buildings or pastures need to be 100' from the boundary line. You make 100' boundary line, you are talking about six and a half acres which they understand when they bought it. They had some ideas as to what they would do which is clear out some of these trees and make some room in that area where they could exercise and ride the horses as there's no limitation on that, and then that would allow them to push the pastures more to the center. When they got the property, they started to lay this out and they said it's sad we'll be taking out all of the beautiful tree line that's around the property. They think it's about 40' or 50' in width along the large boundary of the property. Most of the fence is 60' to 80'. There's a couple of areas it goes to 50'. Their idea was if we leave all the trees in, but we can put the fence on the inside of all those trees, they have more of a buffer than if you have a 100' of open space between the fences and that way they'll be able to pasture the horses there and be able to keep the trees and have enough room. We understand what the ordinance says and there was some intent on pushing it back, but the thought was we would go to the board and say we aren't going to clear out any of these trees and if we ever did, we'd have to move the fences back but since the trees are just so thick and they got 40' to 50' of those, if we can bump the fences out and not clear those, we think we'd end up with a nicer property overall. That was the thought process behind it and if there are actual questions about the property, they'd be glad to answer them. If you're not familiar with it, he has an aerial of it. You can see the thick tree line around most of it.

Mr. Maxfield said in our description it talks about going within the 100' setback portions of the property. Is that the description of the entire fence will be 50' of the property or sections of it, within a 100'? Mr. Schoch said there is a portion which is 100' and then it varies, for example, there are some that are 80' and some are 60', so it does vary. We picked the inside of the tree line in all those cases. If somebody said we could live with 70', we would have tried to do that. It just made senses in every incident, we said let's follow the interior of the tree line because the tree line is the reason we really thought it was appropriate because you've got all those trees. There was no magic to that other than it's on the interior of the tree line on all those cases. That's how they got there. Mr. Maxfield said he appreciates that and recognition of that one tree line on the western border is also riparian corridor to Cooks Creek which runs along there. Maintaining that is very important. Mr. Schoch said in every instance, he kept it 12' off so they could get on the other side of the fence for maintenance, so it's 12' inside the tree line. Mr. Maxfield said that's great. If he understood what he read in the application, all the structures will be within the 100' section? Mr. Schoch said they will meet the requirement. Mr. Maxfield said that and all future structures? Mr. Schoch said yes, correct.

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Mrs. deLeon said would this be an opportunity for us to preserve the tree, can we put language in there to keep all the tree lines, as that's the character of our Township? Is there a way we can do that? Mr. Schoch said that would be their intention. They would agree that they would preserve them. Of course, dying trees they will have to work around, but their intention would be if they can do it this way, they'll keep all those trees in the tree line portion that is separating the fence. They will not clear trees. Mr. Maxfield said they would make that a condition of their opinion tonight.

Attorney Treadwell said no, this is the first step is the ZHB. We've been discussing whether there's a need for a land development plan or maybe just a site plan and a waiver of the land development plan, so we can address that tree issue at that time. Mrs. deLeon said she'd be uncomfortable doing that. Attorney Treadwell said he's a little bit uncomfortable trying to make the tree issue a condition of a ZHB approval that we're not necessarily going to be a party.

Mr. Schoch said he can do it this way. He will represent it that it will be consistent with their testimony that they are going to say to them the reason they did it this way was we can preserve those trees and the board can go from there. He can assure you that. They aren't going to go in there and say by the way, we might in a couple of years rip out all the trees. Their representation would be we're asking for this relief on the basis that we'd like to keep those trees to serve as the buffer. Attorney Treadwell said it would be more appropriate to put that type of a condition on the land development issue than the fence relief for the ZHB. Mrs. deLeon said whose going to remember to do that? Attorney Treadwell said it's in the minutes. When they come back, we'll take care of it.

Mr. Maxfield asked why are you uncomfortable with that as the testimony tonight was that the trees would be affected if we were to maintain 100', so not maintaining the 100' definitely has a link to the trees. Attorney Treadwell said he understands that, but his assumption is that we're not going to take a position at the ZHB. What he's uncomfortable with is saying we don't have a position ZHB, but we want you to impose a condition. Mr. Maxfield said since there's an effort to maintain the riparian corridor for the creek, and a stated effort to maintain all the trees on the property, he was going to suggest we support the application. Attorney Treadwell said okay, then he's okay if we support the application, would you agree to a condition like that in front of the ZHB? Mr. Schoch said yes, they would. Ms. Kathy Mills said we are talking about a tree line of trees, not every tree. Mr. Schoch said around the perimeter, between the fence and the property line. Some in the interior will go so you have the ability to put the building up. They are not sure, but it's the ones between the fence and the property line that they will be able to maintain in this instance.

Mr. Maxfield said what Mrs. deLeon was referring to was the tree lines which the one in the middle very much is one also. Every effort to maintain whatever you can would be appreciated. Mr. Kern said what he's hearing now is the tree line in the middle is up for grabs. Mr. Maxfield said that's different. Mr. Schoch said what they are telling him is they are going to attempt to try to keep that one too except they need to put a path through it at the very least somehow for the horses to get through. Their idea is we'll try to keep the interior tree line too, but everybody knows they got to get the horses from one side of the property to the other.

Mr. Kern said there is an existing path. Is that sufficient? Mr. Maxfield said it's pretty much where the road goes through on the plan. Someone who did not give his name said that's where the easement goes through, the middle tree line. Mr. Maxfield said they are talking about the utility line easement. The same gentleman said correct. Where that easement crosses there's an opening. They would also need another opening to run the fencing. They are staying 12' off that westerly tree line, but would need to run a fence through that to have the perimeter fence around the whole property in case a horse got out. Whatever that distance is from the tree line through the middle section, they'd have to clear some path just so that they can put the fencing through. The whole idea of that 12' is to maintain it and also so people can go out for a trail ride along the perimeter of

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the fencing. Just enough to get two horses through and a skid steer to put the fencing in is what they would need.

Attorney Treadwell said again, he was going back to the idea that we would see some kind of a plan and it was probably easier to identify on that plan what you wanted to do with the trees, but he thinks we can probably fashion a condition that covers that and when they come back with a site plan or a land development plan, we can address it at that time as well.

Mrs. deLeon said this is going to be discussed at the ZHB as she doesn't want it to leave the ZHB what we just talked about. Attorney Treadwell said they will draft a condition that if you make a motion and Council approves it to support this application with the following condition, he will draft a condition in that preserves the perimeter tree line and the one in the middle except the extent they need to get two horses and a fence machine through it. Mrs. deLeon said if that's a motion, she'll second it. Mr. Maxfield said in there we should make a statement recognizing that it is the riparian corridor of Cooks Creek, exceptional value stream. It looks like it runs right along or close to the edge of the property. In Springfield, their exceptional value stream, their ordinance calls for 150' setback. We're not even asking for that, so recognition of maintaining what is there is good. Can you do that? Attorney Treadwell said absolutely.

- MOTION BY:** Mr. Maxfield moved for approval if we can include those conditions as discussed above to support the applicant's application.
- SECOND BY:** Mrs. deLeon
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

B. ZONING HEARING BOARD APPEAL – H. MICHAEL & PHILIP V. SWINT – 2490 APPLEBUTTER ROAD – CHALLENGE TO NOTICE OF VIOLATION ISSUED TO RESTRICT VEHICLES

Mr. Kern said the applicant is appealing an enforcement notice from the Zoning Officer.

Attorney Treadwell said this is on for your information. You don't take a position. Chris has issued a NOV and the property owner, Mr. Swint has appealed it and it will be on the December 17th ZHB meeting. The way those work is the Township presents our case for the violation of the ordinance first, then they respond to it and the ZHB makes a determination as to whether the ordinance was violated. In this case, the particulars are a previous ZHB decision ten to twelve years ago, Mr. Swint was allowed to store some vehicles on his property subject to what we believe was a limitation of eight trucks. Mr. Swint does not interpret it that way and he now has more than eight trucks. That's what the substance of the issue is. You do not need to do anything. It was just on for your information. Mrs. deLeon said that was one of her main reasons for wanting a condition because she did read this and it talk about the testimony at the ZHB where references were made to the eight trucks and that's why she wanted a condition with the previous agenda item so it would be more clear.

Mr. Kern said out of curiosity, he was reading through the old minutes of the ZHB and it made reference to trucks left overnight. Are the trucks there on the property functioning? Attorney Treadwell said he thinks they all function. There's too many of them. Mrs. deLeon said that's been an ongoing issue.

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

C. DISCUSSION ON LIBRARY SERVICES

Mr. Kern said if Council wishes to continue with library services at the Bethlehem Area Public Library (BAPL) for 2013, notice should be given to them. The Township Manager will also discuss the November 6, 2012 BAPL request for a per capita increase of \$0.22 for 2013.

Mr. Cahalan said historically, in November of each year, the Council approves the agreement with the BAPL and notification was given to them that we were interested in continuing for another year for library services from the BAPL at the per capita amount that would have been indicated to us. That is something that he's asking if Council wants to continue with services with them for 2013. He would need a motion to do that. He can send them a letter notifying them of our interest in continuing. We discontinued several years ago signing the agreement and that's okay with them. It's not an issue. The amount we have budgeted for library services for 2013 was based on a per capita rate of \$17.03. That came to a total of \$183,467.00. Cathy Gorman presented that at our budget hearing and the amount is in our 2013 budget. We did receive a letter on November 6, 2013 from the Library Director and she indicated that the city had come to the library with additional expenses that they wanted the library to cover like some pension expenses, utility expenses; and therefore, their budget had to increase to cover those and they were asking the participating municipalities to pay an additional 22 cents per capita. That would have raised it to \$17.25. The manager's from the participating municipalities had a meeting with the Library Director on November 29th and he indicated to them we would not have a meeting until tonight to discuss this. The other participating municipalities indicated that their Council's and Supervisors had voted against approving the per capita increase. Based on the discussion they had on that meeting, the Library Director withdrew the request of the additional 22 cents per capita increase. We do not need any action on this. The \$183,467.00 is in the preliminary budget and that will be brought before you at the next Council meeting for the final adoption. The only action he is asking is if the Council wants to continue with the BAPL for another year is a motion to notify them of that by the end of the year.

Mrs. deLeon said are there five other municipalities? Mr. Cahalan said actually it's four – Freemansburg dropped out. Left are Fountain Hill, Hanover Township, Bethlehem Township, the City of Bethlehem and LST. Mr. Kern asked what is Freemansburg doing? Mr. Cahalan said they do not belong to the library, so they don't have any borrowing privileges at the BAPL.

- MOTION BY:** Mrs. deLeon moved to continue with the BAPL for 2013.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

Mr. Cahalan said the other issue he also wanted to ask Council how they felt about this which came up at the Library Task Force meeting and it was covered in the report that the Task Force produced. The situation we have is there's a segment of our residents who go to the HAL for library services and a segment who go to the BAPL. Several people who attended those meetings, and in fact, the Task Force members, thought it would be a good idea to request whether the BAPL would entertain us splitting our payments between the two libraries - paying a certain amount, possibly half to the BAPL and then the other half of our contribution to the Hellertown Area Library (HAL). That's something that did come out of the Task Force. Mr. Willard thought it was a good idea. That's something if Council would like us to ask that we could put together a formal request and ask how the library felt about it.

Mr. Maxfield said he thinks he'd rather have a formal request. We had minutes from the library where obviously it was discussed without us discussing it first and it was kind of shot down. We should make a formal offer along those lines and we may get shot down again, but at least we made the formal offer. He thinks it's a fair and equitable suggestion because as Jack said, what's been going is we've been using HAL's facilities without giving them any money at all, and that's not a

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good situation. In order to be fair, we should at least offer that as a suggestion to BAPL. He'll make that a motion.

MOTION BY: Mr. Maxfield moved to suggest to BAPL that we give half of the money we pay to them to HAL and have the staff prepare that letter.

SECOND BY: Mr. Horiszny

Mr. Kern asked if anyone had any comments. Attorney Treadwell said that idea for the split is for 2014? Mr. Cahalan said 2013. Attorney Treadwell said he wanted to clarify that. Mr. Maxfield said why not. We'd have another year of 2013 of people using the HAL again with no money going to them, so why not do it now if they were to accept the idea. Mrs. deLeon said we just made a motion we would pay them the per capita and the \$183,467.00. Mr. Cahalan said we made the motion that we would continue with library services for 2013. He mentioned that the amount of \$183,467.00 has been placed in the 2013 Township budget for library services. Mrs. deLeon said her motion was based on that information and she failed to include it in the motion, but that was an assumption. The motion was based on the budget money to participate for 2013. She doesn't have a problem sending them the letter for 2014.

Mr. Kern said the money was for library services, not necessarily BAPL library services. If it was deemed possible to split that money....Mrs. deLeon interrupted and said didn't her motion say to BAPL? She knows we can't roll back the tape.

Mr. Maxfield said the motion was what Jack stated to continue library services with BAPL. If you don't find that acceptable, he'd still like to offer them the letter. Can we go back and rescind the motion? Mrs. deLeon said she's not rescinding the motion. She made the motion and it stands and it passed.

Attorney Treadwell said that being said, that's why he asked to clarify it. We need to leave here tonight with a plan to what we're going to ask if we are going forward and in his mind the differences are, are you asking the BAPL to accept less than \$183,000.00 next year or are you asking them to consider a split in 2014 and that's what we need to clarify.

Mr. Maxfield said if everybody's okay with it, we can put it off to 2014, but he'd still like to make that offer at some point. He feels bad we will be using HAL services and not paying for it for another year. He'll change the motion to 2014 instead of 2013. Mrs. deLeon said it's a little early to be making that. Mr. Kern said what about the possibility of what he said earlier that the motion could be interrupted as we are supporting BAPL. We did not specify a dollar amount, we just said we are supporting library services. Mrs. deLeon said we had a discussion. She made a motion based on the discussion. Jack said there was a budget item. Mr. Kern said based on your interpretation of dollars which was not discussed. Mrs. deLeon said Robert's Rules. Mr. Kern said whatever that means. Mrs. deLeon said yes, whatever that means. She's really starting to question. Mr. Kern said he doesn't understand what she's saying. Mrs. deLeon said a motion was based on pre-discussion with a discussion. Mr. Kern said what was the question? What is it you are trying to say? Mrs. deLeon said she made a motion based on the discussion here this evening. She heard our Township Manager tell us x number of dollars was in the budget. Mr. Kern said not necessarily dedicated to BAPL. That's what was in the budget for library services. Mrs. deLeon said you can split the hair anyway you want. Mr. Kern said that's what he is discussing here. That is his discussion. It has nothing to do with Robert's Rules. It has to do with an open discussion in a public forum about the issue at hand. The issue at hand. Mrs. deLeon said she made the motion and it passed. Mr. Kern said what's the salute for? Mrs. deLeon said you are running the meeting, sir. Mr. Kern said that's right. That's what the President does is run the meeting. It's an open discussion of what we're discussing.

Mr. Maxfield said the motion he wrote down here on his notes before the motion was "motion to continue services with the BAPL for 2013. Mrs. deLeon said thank you. Mr. Kern said he's not

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disagreeing that you said that. What he's saying is there's no money tied to it. The money was about the money is in the budget for library services. The question before us right now is how do we want to do with library services? Do we want to do all our library services with BAPL or do we want to want to split library services with BAPL and HAL? That's his understanding of the question at hand.

Mr. Cahalan said could he suggest the letter on the issue of splitting the payments not mention any monetary amounts and just ask if they'd be interested in us splitting our support between the two libraries? Mr. Kern said he's not sure what their answer will be. Mr. Maxfield said he's almost 99% sure what their answer is going to be. He thinks we need, at some point, whether it's next year or the year after, make that offer as he's not really comfortable in the way it was made already. It was a topic of discussion thrown out without the sanction or wish of Council. At some point, we as a Council should make that offer if we are really interested in that at all, and he's really interested in it. It's fair. All the studies that the Library Task Force made point out that it's absolutely fair and equitable offer. He'll modify his motion and say 2014 or if anybody wants to do 2013 as long as we sent that letter at some point in time.

Mr. Horiszny said he tends to agree with Mr. Maxfield. We can ask that question right now. Mr. Maxfield said at least we will have a definitive answer from the horse's mouth on what they will accept for us as payment and it will give us a clearer line of sight on where to go after that. There are no decisions made. Mrs. deLeon said the line item in the budget, does it say BAPL? Ms. Gorman said she can pull it out and check.

Ms. Sandra Miller said she was here and it seems like the library services are being maintained by BAPL. Based on the motion made and the second and the discussion, she's under the impression that the Council has approved to maintain the full level of services that have been provided by BAPL to LST residents. She would have made a comment that at this late date to make the recommendation to start splitting services for 2013 when everyone is in their budgetary process this far might not be an appropriate measure because people need to know whether or not they are going to be getting certain dollars and whether or not they will be prepared to meet the needs of the people who are patrons of the library. She would endorse doing something like the 2014 letter. She was at the Task Force meeting several times and was one of the people who use the HAL. She uses the library in the past year and a half as she knew they were counting here. She would look and see if it was in HAL as she wants to be supportive of our local library but she can tell you she doesn't readily go to the library first. She also goes to BAPL. She currently has five books out from BAPL. The LST residents greatly support the City of Bethlehem library and continue you to do so. She would be very concerned at this date and passed a resolution saying we were going to support them but have now a caveat to what their response is to a letter which might not come until January and it might be an issue for their budget. She supports and always has, and doesn't have any issue supporting HAL, but she thinks at this late stage she'd rather have us negotiate with them and not have a direct no. We can say we want to work with you and support you as our local library, but is there a way we can recognize the fact that we do have citizens that use HAL. There has to be a way to work this out instead of making it all or nothing. For the comment that was made, then we'll make a decision whether or not to support the library. She thinks after the resolution you are going to support them and to back off of that would...there would be more people here tonight if there was an expectation that it wasn't going to pass.

Mr. Maxfield said the suggestion was made not to eliminate any type of services. The suggestion was made as there was recognition after the Task Force did its investigation that we were paying double for the services we are getting, so the effort would be in offering half and half, a fair and equitable split where we would maintain the same services that we're getting now. He doesn't want to see a drop in services for 2013 for BAPL, so basically what we're asking for is to pay what we're getting, not double of what we're getting and that's what we're trying to get at. Ms. Miller said she's not sure she understands that interpretation, but that's for another discussion. Mr. Maxfield said not really. If we're paying a given amount of money, like \$180,000.00 to round it

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off, and we're paying that entirely to BAPL yet 50% of our population is using HAL and that's not just 50% of people, that's 50% of withdrawals, then basically we're not giving HAL any money at all, so all of the money is going to BAPL and half that money should fairly go to HAL, but it's not. That's what he's talking about and the condition he's trying to get at, one of fairness. Recognition by the community that HAL is a great resource for us and that if we have that as a resource and we're using that as a resource, we should definitely be paying for it. Ms. Miller said she's not contesting that interpretation. Hers is the issue of timing. If we are going to make that type of a stipulation, we start cutting \$90,000.00 out of our allotment and start doing that at the December meeting when we're all in the process of our budgets might not be the most timely way to do that and maybe we'd have a better response and a more development of a plan if we say can we sit down and talk about how we can do this. Is there a way for us to negotiate a rate? More people would have been able to comment on it if you were going to put that as a caveat of not continuing services. Mr. Maxfield said there was a suggestion not to continue services. Ms. Miller said the one comment out saying well, maybe we'll have to re-evaluate, they didn't use that word, but maybe we'll have to decide whether or not to continue and she wants to make sure that isn't a stipulation. Mr. Maxfield said it's a possibility, but it's not the intent. Ms. Miller said not for 2013. Mr. Maxfield said right. Not to lose service. Ms. Miller said is it a possibility to lose service in 2013 if their response is not what the Council deems appropriate. Mr. Maxfield said he doesn't realistically think that is a possibility at all. He doesn't think we will lose services. We will not volunteer to cut BAPL services. Ms. Miller said for a citizen who just came to hear this and support the library again, and she was pleased it went so nicely and you approved it and then to have this discussion now that says we might withdraw and she thinks other people would have been concerned if it was being withdrawn as people are under the assumption that we are going to support the library for the following year.

Mrs. deLeon said she's glad Ms. Miller came as we had a glitch in our email notification that the emails didn't go out as normal on Friday for the agenda and went out late Monday. Ms. Miller said she checked it and it said library services and she is here. Mrs. deLeon said she's sure a lot of other people may have been here.

Ms. Gorman said in the budget it says contribution to BAPL per contract approved by Council in 1991, notification to continue or cancel or contract must be done by November 15th, which you said doesn't apply and then it stipulates the price per capita that they were charging us. Mr. Maxfield said it definitely states BAPL? Ms. Gorman said it says BAPL. Mr. Maxfield said then he's going to say we should do it 2014. We can send the letter sometime during 2013.

Mrs. deLeon said we need to have another public meeting to have the residents come and comment on a decision like that. It's not an agenda item. She knows we can do whatever we want at meetings, but she really thinks we need input from the public regarding this, so she wouldn't support sending a letter unless it was an agenda item. Mr. Maxfield said that's why he said maybe six months into 2013, something like that where we have more information. Mrs. deLeon said we never had a follow-up meeting from the presentation of the Library Committee so that needs to be happen.

Mr. Cahalan said he was going to ask what Council wishes to do with the Task Force Feasibility Study. We're kind of in the same situation, a little bit different with the Police Consolidation Study where we formed another group to look at that and have discussion, and the feasibility report was given. We did have public meetings in gathering that information. The report was presented to all three entities and it did discuss in the report the concept of the split payments, so that isn't something that we just brought up tonight for the first time. That was discussed several times in the report. We have the study. He'd like to know what Council wishes to do with the library feasibility study.

Mrs. deLeon said we need to have it come back. It was presented to the public. She doesn't even know if they had copies that night. They had to wait until it was on the website. She's had

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opportunity to sit in the audience at P/C meetings knowing what it's like to not have information at a meeting and trying to sit there and comment and knowing what it feels like on this side of the dais and getting all the information. The public is supposed to comment as the Sunshine Law says they have to comment, but they don't know what to comment on as they don't have the information. We really never had a meeting and have to schedule one. Mr. Cahalan said we did give the information out. The report is over 100 pages long. We don't have the expenses to run off all those copies. Mrs. deLeon said it's on the internet. People have the opportunity now and have for six months, now we need to digest it and put it back on the agenda and have another public meeting. Mr. Horiszny said that's a good idea.

ROLL CALL:

MOTION BY: Mr. Maxfield moved to suggest to BAPL that we give half of the money we pay to them to HAL in 2014 and have the staff prepare that letter.

SECOND BY: Mr. Horiszny

Mr. Horiszny withdrew his second and asked for the second February meeting to include a summary of the consolidated library report and at that time be able to send the letter for split funds if it looks feasible. Mr. Maxfield said the problem with having a public meeting is that we will basically need to reassemble key members of the Task Force in order to have questions answered that we have that may not be contained in the report. He found that in talking to the people from HAL was essential in gathering the information that we desired and we even had a hard time getting some of the information from other sources. Mr. Horiszny said would they not come if we invited them? Mr. Maxfield said he thinks they would come but we have to give enough notification that they can come. Mrs. deLeon said also the BAPL should have representatives there for questions.

Mr. Horiszny said is the second meeting in February too early to do this? Mr. Cahalan said he's not sure. The public meeting will be to present the library feasibility study? Mr. Horiszny said no, he would hope for a consolidation or a summary of it as an agenda item so we can decide whether we want to send a letter saying we need comments next year on splitting Bethlehem Library funds next year or not.

Mr. Maxfield said his desire is that we would come out of those meetings with two or three things that we can do, two that we will do, and start to figure out which way we are going to go. We need the information from people who are involved in the library systems. The feasibility report covers the finance, the media, the opportunity for purchase and the facilities expansion, but there still may be questions that aren't contained in the report and he would like someone here to answer that, at least one library person.

Mr. Cahalan said to clarify, a representative from the BAPL? Mr. Maxfield said we know the services that were offered to us through BAPL. We were trying to explore the possibilities of services that could be offered to us by HAL with a little influx of cash and by us joining up with them. It was a feasibility study to see how LST could participate if we had to outside the BAPL, so to him, the essential people for answers would be someone from HAL.

Mrs. deLeon said it wouldn't be a balanced meeting if we didn't have representation from both sides. That is the fair way to do it. Mr. Maxfield said he wants to avoid a battle of who is better and who is worse. As a Township, we need to discuss this as Township residents where we're going. Mrs. deLeon said she's trying to keep an open mind, so she wants it balanced.

Mr. Kern said to discuss the splitting of the fee issue, we would need a BAPL representative here. Mr. Maxfield said the feasibility study was a really good study and it covered a lot of information. He wants some of the people that were authors of that report to be here and answer questions. He

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doesn't want the information to be distorted in any way or misinterpreted. He wants those people to speak to that information so it is accurate and balanced in that way.

Mr. Horiszny said he would agree with that, but he wouldn't want to see them go through the whole thing again. They've done their work and we should just review it one more time. Mrs. deLeon said she agrees and she's not suggesting that. We heard the presentation and we have the document. We need to have a public input on this letter. Let's see what the residents want.

Mr. Maxfield said we have to advertise a little earlier so the residents read the report. It's out there. It's on the website. We should encourage people to read it. We should have an informed public here for that meeting.

Ms. Miller said it's been a very long time since she read that report. There was a list of recommendations that were made, but she also doesn't believe the list of recommendations or the feasibility study looked at the possibility of not having full participation. She doesn't believe the intention of only getting a partial payment was included in the financial analysis. She doesn't remember that being there. That might be something you might want to give them time if they have to figure out if we decide to split this and if they would have all these influx of individuals, she's not sure if there would be an increase or not. The study was based on the fact that we would eliminate our services to BAPL and our entire population would have to funnel through HAL to get to the BAPL circulation.

Mrs. deLeon said she thinks she is remembering correctly. Ms. Miller said that might cause a different interpretation of some of the information as that is a different animal than what they studied. They studied the fact that LST would leave BAPL and go to HAL and what would happen at the HAL. She doesn't think anyone looked at what would happen to either library if we split the payments. She doesn't remember seeing that in the recommendations and she remembers it came up in the meeting when we were talking and when she saw the document she doesn't remember that being an addendum. Perhaps it is, she doesn't know, she doesn't remember.

Mr. Maxfield said there's an addendum that suggests it but no financial indications. Ms. Miller said this is something that you might not be able to do in February if we're saying we're thinking about splitting payments, not necessarily 50/50 but making a contribution to one or the other that is different than we are currently doing, and that might take a interpretation of some of the individuals and you might want to have the Task Force look at that. She doesn't think the Task Force report will answer that question for us on split payments based on what she read. Mr. Maxfield said keep in mind that the intent of that split is to not drop any BAPL services at all. It's simply to pay for what we're getting. Ms. Miller said she would not necessarily support and she shouldn't say this, but to decrease the amount of payment we necessarily pay to BAPL, but that maybe we have to come up with a way to start reimbursing some level HAL or vice-versa. We need to have people at the table talk about how that would happen and what that financial split would mean as it has not occurred at that level. That's a whole different animal and that's why she said to decide now we are going to change this for 2013 made her uncomfortable as we should have some time to talk this over. She doesn't think the Township, and she's been following this and she might have missed it, the recommendations from that Feasibility Study as pointed out by Mr. Cahalan, the Council hadn't accepted or voted on any of the recommendations yet. She was waiting for that to happen. If the recommendation was accepted as a Council and you want to pursue a split, then you would go to the letter and then you would go to a meeting to discuss how this would happen if we do so. She's been waiting for that. She thought tonight you were going to talk about recommendations and thought she missed it. She's just concerned about throwing at them this new idea for a feasibility group that didn't look at this idea. Mrs. deLeon said you are very logical in your thinking, so thank you. Ms. Miller said she's just afraid we're going to expect an answer that isn't in that report.

Mr. Kern said are you suggesting the value we are getting out of the BAPL isn't \$180,000.00, it's actually \$90,000.00? Mr. Maxfield said that's what he's suggesting. He's suggesting that when

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they ran the figures, they had usage of the two libraries that was split down the middle. We give absolutely nothing to HAL yet for years and years and years we have been using their services and much heavier than we ever suspected. It was a shock to the Task Force to find out how much we were actually using that facility. At that point, he felt once we found that information out, he had to push for them to receive something to use for our usage. It's only fair. Anybody who uses a facility should expect to pay for it and we're using it and we're using it heavily, so whatever we do, we got to be fair with them somehow, whether it's a 50/50 split. To go back to what he was saying to Ms. Miller, the intent for him is that BAPL would recognize the service they giving us, we're paying double for because we are not using all of those takeouts at BAPL. We're using them at two different facilities. Mr. Kern said the per capita is half for BAPL and half for HAL. Mr. Maxfield said it should be. Mr. Kern said as opposed all of the \$180,000.00 going to BAPL and more for HAL. Mr. Maxfield said it's based on how our community uses library resources. The library resources are split, so the finances should reflect that.

Mr. Horiszny said what about all the feasible propositions at less cost than the \$180,000.00 per year from HAL. Mr. Maxfield said he thinks Cathy can speak to that better, but we did come out at a general savings no matter what we did. Mr. Horiszny said which in effect could make a split. Ms. Gorman said the last plan which was an overhaul of the building was going to cost more per year for the first 15 years or so if you amortized the loan for 10 or 15 years.

Mr. Cahalan said he just wants to point out that the feasibility study only looked at a consolidated library at HAL. It did not factor in the effect of the split of the money. If HAL wound up with \$90,000.00 they'd be overjoyed as they'd be getting funding for the large number of residents from the Township who go there. We did not look at the impact of reducing funding to the BAPL. That wasn't the job of the Task Force. That's something that the BAPL Board and Director would have to decide.

Ms. Miller said she thought she was coming here to listen so she would have brought her notes. Her first comment would be the interpretation that we are paying \$180,000.00 and only getting half the services, it could be we are getting \$180,000.00 of services and are getting a lot of services for free. That might be an interpretation that could be there. Mr. Maxfield said we'd have to stretch that one. Ms. Miller said we get great services from this library and we have a lot of patrons that go there. To say we're not getting our money's worth is a disservice to the BAPL. Second, the interpretation of what that \$90,000.00 could do to HAL, she'd have to look at to see whether that would have an impact on the feasibility on doing any of the project work that they had as it was rather extensive and expensive and she's not sure what would happen and no one looked at that. She really didn't expect this or expect to speak, so she's not speaking from any base of knowledge, just that LST residents are appreciative that we participate with the BAPL for 2013 and if we're going to be looking at the recommendations, and then move on to negotiations would be something, as a group, we would be better prepared. She's just a resident and not on any organized group and just loves the library and would hate to see that she couldn't go there every week. Mr. Cahalan said the biggest problem, as you mentioned, are people going to the BAPL. The Task Force spent 1-1/2 years trying to get figures of how many residents actually walk through the door of the BAPL and use the internet and so on. They were unable to get those figures. All we have is what we started out with. How many library cards are issued to LST residents? How many resources are borrowed from BAPL? We don't have numbers of how many Township residents attend programs at the BAPL as they can't give us that. Ms. Miller said they don't require when you walk in to scan your card. Mr. Cahalan said we don't know how many people are using it. That's what Mr. Maxfield is talking about. Ms. Miller said no, he's talking about if we are splitting the amount of borrowing, we should split the dollar. Mr. Cahalan said no, he's talking about if we're paying for something and we're not utilizing that full amount. Mr. Maxfield said we have plenty of anecdotal evidence of people that, for instance, children's programs, they were heavily attended by LST residents at the HAL, not so much at the BAPL as we had residents making complaints they couldn't get in. We actually had testimony from people saying that Bethlehem residents were given preferential treatment in entry into the programs. Things like that we couldn't

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really get answer. When a resident comes here and tells him they can't get in and they told them they couldn't get in because blah, blah, and then they went to HAL and we see HAL was very open with providing usage numbers to Township residents and we saw the overwhelming number of people using that facility it really makes a difference and you do start to question whether you are getting your service for the dollar you spent. We buy a small house every year with the library. Ms. Miller said the HAL when you went there, you asked you where you lived, so they were able to provide information as they had the opportunity to gather that data. Bethlehem, we don't know if we asked them. Mr. Maxfield said we asked them numerous times. Ms. Miller said you asked them for the information, but they don't have a process when you walk in the door that someone says where are you coming from, to tick that off. Her children participated often at the BAPL, and she never had a problem, they signed up and did all the programming. She finds that she would wager that Hellertown vicinity-wise, it's a much nicer place to go. You go to the library, you go to the park. It's part of an outing to use the children's services. She would assume a great part of that 30,000 circulations that occurred at HAL would have been children's books as that's where the children participate with. It's an interesting idea that programming and supporting, their individual programs might be a way to fund the HAL system versus just paying per capita. There are a lot of things to discuss here. She appreciates that the HAL is there. They see her there as well. If we're going to be making these types of discussion items tonight, she wasn't prepared for this.

Mr. Kern said we didn't know we were going to be discussing this tonight. That's the nature of open discussion. You don't know what's going to happen. It was brought up we're going to be discussing it in the future with a more formal setting. Ms. Miller said when we make these comments and statements, they are off the cuff as she doesn't have her papers. She can't respond more than her interpretation is we get a great value for a wonderful library. Your interpretation is we're only getting half of what we're paying for, so it's the joy of having differences of opinion.

Mr. Horiszny said we need to remember when we assess that value, it's based on per capita, not on library users. We're paying for 10,772 people and maybe 40% go to each library. That's where a real rub comes in. We're paying for more than we're using. Mr. Kern said we don't know the specific numbers at Bethlehem. Attorney Treadwell said he thinks this was the point that he brought up when he had the discussion with the BAPL four years ago. The per capita way of doing it with an agreement that was drafted in 1989 doesn't make sense anymore. You should be able to put a value on what the library services are that your resident use without paying \$17.03 per person as we know 10,772 people don't go there.

Ms. Miller said having this discussion how it will occur is an interesting thing. If we're basing it on utilization of borrowing, we're using it on the utilization of programs, even just the ability to go and use their internet. A lot of patrons can't get a book out of HAL. They have to go to BAPL for some of their loan activity. There are some specific services if we want to look at a way of funding library services, we can do separately than doing per capita, then you won't have to do it. Mr. Maxfield said from ACCESS PA, people can take out whatever they want from HAL as long as they have a Bethlehem card. Ms. Miller said except you have a quite a delay. It's much faster to go to BAPL. Mr. Cahalan said they've heard just the opposite from the other side. Ms. Miller said she's done both. She loves the City library and keep supporting it. MR. Maxfield said we all love libraries, so we're not going to on a campaign against libraries. We'll work it out for the best of the community and need to explore options.

Mr. Horiszny said do we need a motion for a February meeting or when it comes up, it comes up. Attorney Treadwell said you need to direct the staff to put it on an available agenda, the first one being the second one in February, provided we can get the right people here to answer the questions that obviously everyone will have.

Mr. Maxfield said he will rescind his motion that he made earlier and will plan on bringing it up again partly into 2013 once we know a little bit more, maybe after the meeting. Mr. Horiszny said he rescinded his second.

D. READING DRIVE TRAIL HEAD PAVING

Mr. Kern said at the previous meeting, Council requested information on the feasibility of pervious paving of the driveway and parking area. The Township Engineer will review those options with Council.

Mr. Cahalan said the plan was brought to you at a previous meeting. Judy did review that and we went over all of the different features on the plan and the issue came up about the paving of the driveway and the parking area and that's when Mr. Maxfield and Mr. Horiszny asked us to look into whether we could use pervious paving material for that parking area and driveway. Mr. Kocher looked into that and has a report on that tonight.

Mr. Kocher said the amount of paving that we're talking about is small enough that we don't have to go to LVPC, we don't have to go to the Conservation District, and we don't have to go to the State. We'd merely be looking at complying with our own ordinances. We've been big proponents of pervious paving and concrete where it's applicable. In a case like this, it would be very expensive. The amount of material we're talking is small. It would be astronomical for a plant to produce just a small amount of it. They would be charged a lot. Based on our knowledge of the site doing the wetland evaluation, the site is composed of very compact fill from some operation a long time ago. The hand auger would go down a couple of inches and then just stop. He doesn't think we get any kind of environmental return on an enormous amount of money it would cost to put pervious pavement there. He's suggesting if you want to pave it, we conventionally pave it and we'll do what we can do to comply with the ordinance, probably in the way of a shallow, almost like rain garden to catch the small storms and avoid cutting down a lot of trees and evapotranspirate.

Mr. Maxfield said fill, do you mean like cement or gravel? Mr. Kocher said a lot of concrete and gravel. He doesn't know if it was a spoil pile when they built the railroad. Mrs. deLeon said she thinks we should move forward on the paving because it's well used and we need to get the ball going on it. What do we have to do to get this moving? Mr. Cahalan said we need approval from Council for the final design that is depicted in the plan done by Boucher & James. Ms. Gorman has a figure of what the conventional asphalt paving would cost. Mr. Gorman said the Director of Public Works advised, based on the state co-stars pricing as of right now, it would cost \$16,328.65. Mrs. deLeon said is that money in the budget for 2012? Ms. Gorman said it's actually in the preliminary budget for 2013. There was money budgeted this year, but she estimated it would be spent next year so even if Roger did the work this year, she probably wouldn't be paying for it until January anyway. Mrs. deLeon said can we be approving something for next year's budget that's not approved? Mr. Cahalan said you're approving the plan. We'll be executing that in 2013. Mr. Kern said is everyone okay with the plan? Council said yes. Mrs. deLeon said could they get it done this year? Mr. Cahalan said no. It's too late to do the paving. It would be done when it re-opens in the springtime. Attorney Treadwell said did you say evapotranspirate? Mr. Kocher said yes.

Mr. Cahalan said the other item is on the plan besides a portable restroom, there is a kiosk that is depicted, which is a bulletin board and the Saucon Rail Trail Oversight Commission hopes to have a Boy Scout who will volunteer. Roger Jurczak the President of the Oversight Commission is here and we hope to have a Boy Scout replicate a kiosk similar to the one that's in Hellertown's Water Street Park and now one in Tuminello Park in Hellertown. That's one of the features. The other one is a water fountain that was suggested by individuals who utilize the trail year round. What the Rail Trail Oversight Commission is proposing is to initiate a fund-raising campaign to come up with the funds for a year round water fountain that would be freeze-proof. It would be ADA

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accessible and it would also be pet friendly. We have heard from trail users who have dogs that they do need some watering facilities and we also heard that they have been leaving the trail and going onto private property to water dogs, so we want to keep them on the trail and provide water for the dogs. We want to raise money and it would be no Township money that would be utilized for this fountain. The only thing the Township would provide with your approval is a water line from Reading Drive where there is water service that would run into this site and would be hooked up to the water fountain. The Authority will waive all hookup fees. The only cost would be an additional \$1,500.00 for the parts to run that line into the trailhead site. Mrs. deLeon asked if the water line was depicted on the site plan? Mr. Cahalan said it would run parallel and buried underneath the driveway and then would run up the access pathway to the fountain location. Mrs. deLeon said she thinks somewhere it should be on some site plan so that ten years someone will know where the water line is.

Ms. Stern Goldstein said when the construction documents are done, it will be on that. There are no utilities shown on the sketch plan. Mrs. deLeon said can that be done now since it's year round? Mr. Cahalan said it will be done when the construction of the trailhead site is done in Spring. Mr. Kern said how will they get the water line down? Mr. Kocher said they can probably dig through those, but we don't want to excavate the whole parking lot down 2'. Mrs. deLeon said how far do you have to put a water line in? Mr. Kocher said 3'. Mr. Kern said we need approval of the plan.

Mr. Maxfield said the handle on the water, there is a thing there that shuts it off automatically so it can't be left on, the spring loaded or whatever it is, is that the kind it is? Ms. Stern Goldstein said it's one that is a self closing valve. It has the two fountains essentially. One would be standard height for ADA and one for the dog and both of them activated and automatically turned off. They are not left on and you can't permanently activate them. Mr. Maxfield said they'll drain enough so they won't freeze up? Ms. Stern Goldstein said the one they recommended from the catalog has a freeze proof valve system, so that it's meant for year round use.

Mr. Horiszny said who will pay for the water? Mr. Cahalan said we won't be billed for the water. The Authority will monitor the use of it. Mr. Horiszny said the Authority said they want to meter it. Mr. Cahalan said they'll use that for a report, not for cost.

- MOTION BY:** Mr. Maxfield moved for approval of the site plan that will also entail \$16,328.65 for conventional paving and a water fountain for \$1,500.00.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

E. FINAL PAYMENT FOR OLD MILL BRIDGE

Mr. Kern said the contractor has submitted a final payment request for the repair work on the Old Mill Bridge. Hanover Engineering has inspected the work and is recommending the release of \$29,017.65 upon receipt of a 15% maintenance bond and approval to begin the twelve month maintenance period. Mr. Cahalan said if you haven't seen it, the bridge is finished. They did a fabulous job on it. They even did more than we asked for, so we did get a real good bargain from the contractor. It's been inspected by Hanover Engineering and they are recommending that the final payment be made in the amount of \$29,017.65.

- MOTION BY:** Mr. Kern moved for approval of the final payment for Old Mill Bridge in the amount of \$29,017.65.
- SECOND BY:** Mr. Horiszny
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 4-0 (Mr. Willard – Absent)

Mr. Cahalan said they'll be scheduling a ceremony to rededicate it sometime in the Spring.

F. **AUTHORIZE ADVERTISEMENT OF BID FOR TRAFFIC SIGNAL BATTERY BACK-UP SYSTEMS**

Mr. Kern said the Township was awarded a Northampton County Gaming Revenue & Economic Redevelopment Authority grant for the installation of battery backup systems for six (6) traffic lights within the Township. Council will need to authorize the advertisement for bids for this purchase.

MOTION BY: Mr. Horiszny moved for approval to authorize advertisement of bid for traffic signal battery back-up system as soon as possible.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

VI. **MISCELLANEOUS BUSINESS ITEMS**

A. **APPROVAL OF OCTOBER 24, 2012 MINUTES**

Mr. Kern said the minutes of the October 24, 2012 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said on page 16 of 28, line 24, it says there's no second, but motion fails and it should say, **No second, motion failed.**

MOTION BY: Mrs. deLeon moved for approval of the October 24, 2011 minutes, with correction.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 3-1 (Mr. Horiszny – No; Mr. Willard – Absent)

B. **APPROVAL OF NOVEMBER 7, 2012 MINUTES**

Mr. Kern said the minutes of the November 7, 2012 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said on page 4 of 21, line 44, motion to have Resolution prepared, not for adoption of resolution and it says that Tom made the motion for adoption, but it wasn't, it was just to have it prepared.

Mr. Horiszny said on page 13 of 21, line 24 should be blank, and it says second, and there's nothing behind it. Line 25 should be blank where it says Mr. Kern asked. Line 26 should be blank where it says roll call 5-0 as none of that stuff happened because the other motion didn't go through.

MOTION BY: Mr. Maxfield moved for approval of the November 7, 2011 minutes, with corrections.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 3-1 (Mr. Horiszny – No; Mr. Willard – Absent)

C. **APPROVAL OF OCTOBER 2012 FINANCIAL REPORTS**

Mr. Kern said the October 2012 Financial Reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved for approval of the October 2012 Financial Reports.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any comments. No one raised their hand.
ROLL CALL: 4-0 (Mr. Willard – Absent)

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

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER – No report

B. COUNCIL

Mr. Horiszny – No report

Mr. Kern – No report

Mrs. deLeon

➤ She asked about what's going on about the Heller Homestead windows painted shut? Mr. Cahalan said he sent a letter to Mr. Simmons after the last meeting and asked him when he was up the next time to work on the two items that were approved which were the painting of the root cellar and putting the caulk around the windows to contact Public Works and work with them to see if he could get those windows open. Mrs. deLeon said to please let her know when he's coming.

➤ She said on Monday, they had a very well-attended Heller Homestead annual holiday gathering. It was very nice and for those who missed it, you missed a good time.

Mr. Willard – Absent

Mr. Maxfield – No report

Jr. Council Member

➤ Ms. Brooks said this has been a good experience, and she's glad she is here.

C. SOLICITOR – No report

D. ENGINEER – No report

E. PLANNER – No report

V. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:03 p.m.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Mr. Willard – Absent)

Submitted by:

Jack Cahalan
Township Manager

Glenn C. Kern
President of Council