I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, December 20, 2006, 7:20 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council met in Executive Session prior to this meeting to discuss several items – potential litigation, potential property acquisition and personnel issues.

MOTION BY: Mr. Kern moved to authorize staff to file an appeal of the BRE IESI DEP permit dated December 5, 2006.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

II. PRESENTATIONS/HEARINGS

A. JORIS ROSSE – ALLIANCE FOR SUSTAINABLE COMMUNITIES – LEHIGH VALLEY

Mr. Kern said the Alliance for Sustainable Communities – Lehigh Valley will present their proposal to Council to utilize the Township owned Blair House as a sustainable energy demonstration project center.

Mr. Rosse said there is a model in the back of the room for Council to look at. This proposal for the Blair House is a part of that project, which means that the project is not all in one location. The big project is a composite of many different smaller ones and this might be the first of the smaller

ones that they would actually see come to fruition which they'd love to see happen. They were delighted when they found out the Blair House was currently not being used. The big project involves all areas such as agriculture, transportation, different ways of keeping people healthy, and all kinds of ways that energy is involved. It all falls under that energy is going to be a critical item in our lives. We couldn't keep going the way we were going, and now, we've gone so far, we're at a crisis point where we have to make a change quickly. We're dealing with a very complex issue. Becoming energy self-sufficient is the key element so we can stop putting carbon dioxide or methane in the environment. Their proposal is to become energy self sufficient and carbon free.

Mr. Peter Cromfield was present. He said he has been working on this a couple of years now. Regarding the climate protection agreements – the three City Mayor's in Lehigh Valley signed this agreement last summer. County Executives, John Stoffa and Don Cunningham, signed a similar one in October. He would like to present a climate protection agreement to Mr. Cahalan to review and discuss with Council further. The climate protection agreement basically commits the municipality to do a greenhouse gas inventory which is measuring the emissions that are coming out of your own operations and other operations within your jurisdiction and then identifying those areas that have great potential for improvement and developing an action plan. The wonderful thing about this is it mostly involves using less energy and also saves money. Many projects are known to pay off less than a year, and its little investment. Three hundred City Mayor's have already signed this. The two counties here are the first to adopt that. We could also look at the COG, and he will follow up with Mr. Cahalan.

Mr. Leroy Bealer, Delegated Project Person, was present. He said the proposal is to take a look at the Blair House and see what can be done with it to make it energy self sufficient. There are benefits to that, one being environmental. If we get energy self sufficient and use fossil free fuels, there would be no carbon dioxide emissions from the house. The secondary benefit would be the economic benefit to take a facility that's not being used now and might be able to use some capital improvements and do that to the facility in such a way that it will be enhanced to be a better place and future operations will cost much less. If it's energy self sufficient, you won't have to worry about fuel costs to keep the facility running. Their proposal is to come up with a detailed plan to do that. Conservation is the first thing you do in any house – insulation, window glazing, etc. After you do that work, you look at energy sources. The south side wall is a stone wall with a few windows. There's opportunity there to do some passive solar, active solar heat with hot water, and also photovoltaic's. This house is a great house to have as a demonstration because it pretty much represents what is probably average for the Lehigh Valley – a classic old house and in good shape. With a little bit of effort and a good design, they can enhance the house in a historically sensitive way. Their proposal is to come up with a detailed plan and work with Mr. Cahalan to do that. They are asking for Council to consider allowing them to proceed with the proposal and have the chance to work with Mr. Cahalan and develop a detailed plan.

Mr. Rosse said their aim is not to interfere or change the ownership of the building. It would be the same ownership as it is now. There would be some work involved in applying for grants which means they would have to find sources for these grants. They did talk to someone who does grants and they said it looks like a project which would definitely be likely that they would be able to raise money for it. Since it's a building owned by the Township, it would make it a lot easier, and would involve the Township being the official application for the grant. The grant can be written that any additional costs that are incurred can be written into the grant. The cost of preparing the grant can be written into the grant. There's basically low risk or no risk of any. They would do everything they can to make it easy as possible. The final use of the house, they would hope it would be used as a demonstration for a period of five years and at the end of that, they could see what the township's desire would be.

Mr. Kern said Mr. Cahalan would be the point person. Mr. Kern would be interested in seeing precisely what they would like to see in the house and what the potential cost associated with that

would be. If grants don't happen, what would the cost be anticipated to be? Mr. Rosse said they will take it in stages.

Mrs. Yerger said Mr. Rosse said use it as a demonstration house – is there any other use you are looking for the house – offices for your organization, etc.? Mr. Rosse said they would hope to have a little library in there. They would have a demonstration to bring people in to see the principal of this and the idea behind the principal is that they want other owners in this township to become interested in doing something like that for themselves to become energy self sufficient. It could be a recycling office or any operation like that, you could have an office in there as it would make sort of a network and weave them together.

Mrs. Yerger said she's sure they started to explore the various possibilities as far as funding. There is a Wm. Penn foundation and that might be a good place to start for possible funding.

Mrs. deLeon said back in the late 90s when they were planning and building this new complex and they purchased the adjacent parcel, which includes the Blair house, the initial plans by the administration at that time was to raze the building. She didn't support that and the building is still there. Parking is an issue over there, if it's going to be a public office. She'd like to have some answers on insurance and if there's going to be a lease or legal agreement with them. It is a public building. There's no heat in there right now.

MOTION BY: Mr. Maxfield moved to authorize Mr. Cahalan to work with the Alliance for Sustainable Communities on the Blair House project.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

B. <u>PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE 2006-10 – NRP REVISIONS</u>

Mr. Kern said Ordinance No, 2006-10 has been advertised for a public hearing and consideration of adoption amending Chapter 180 regarding Natural Resources and Protection Rates associated with riparian and wetland buffers.

MOTION BY: Mrs. Yerger moved to open the hearing on Ordinance 2006-10.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

Ms. Stern Goldstein said this ordinance is an ordinance to amend the current zoning ordinance in response to what some of your neighbors have gotten, particularly Springfield Township, when they were looking at their well head protection and riparian ordinances throughout the Cooks Creek and Silver Creek watershed. They shared their information with LST. They were proposing 100 foot for the riparian buffer. The township of LST had 75 feet. In response to their request, LST investigated the options and the EAC and PC recommended the 100 foot width. The other modifications in the ordinance include new definitions for wetlands to be more encompassing. The prior definitions relied on the Army Corps of Engineers as opposed to the other jurisdictions which regulate wetlands including DEP and the township. The definition has been modified. The width of the buffer for the riparian corridor has been modified and the other modifications are to make the various sections agree with each other. You also have a review from the LVPC dated November 27, and they say "We support the adoption of these amendments. We applaud the township for continued efforts to protect and reserve natural features and resources."

Mr. Horiszny asked if in section 2, "swale" should be added? Ms. Stern Goldstein said swale would be a waterway or wash. All the definitions of swale are already in there. A swale by itself is not necessarily a water course.

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

MOTION BY: Mrs. Yerger moved for adoption of Ordinance 2006-10.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE 2006-13 – ESTABLISHING SPEED LIMITS WITHIN THE SADDLE RIDGE PHASE I DEVELOPMENT

Mr. Kern said Ordinance 2006-13 has been advertised for a public hearing and consideration of adoption to establish speed limits within Saddle Ridge on the following roads: Sir Walter Way, Noah's Circle, Bette Lane, Charles Drive, and Jake's Place.

MOTION BY: Mrs. Yerger moved to open the public hearing for ordinance 2006-13.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

Mr. Cahalan said this would establish 25 MPH speed limits on the above streets. The roads have been dedicated to the township as part of Saddle Ridge Phase I subdivision and are ready to set the speed limits for this ordinance. Mr. Kern asked if anyone had any questions or comments? No one raised their hand.

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

MOTION BY: Mrs. Yerger moved for approval of ordinance 2006-13, establishing the 25 MPH speed limit within the Saddle Ridge Phase I development.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

III. DEVELOPER ITEMS

A. HULETT MINOR – MARTINS LANE – SUBDIVISON OF PARCEL INTO TWO PARCELS

Mr. Kern said the applicant is proposing to subdivision a 43 acre farmstead on Martins Lane into two parcels and construct a single family dwelling.

Dave Chismar, Hart Engineering was present. He said they have a letter from LST staff dated December 14, 2006. The staff recommends conditional approval. They have a copy of the Engineer's letter and the letter from Boucher & James.

Mrs. deLeon would like to go over the letters. Mr. Horiszny said it lists 7 ½ acres versus 11.9 elsewhere, which is the one we're going by or has that changed? Mr. Kocher said it's 11.9 acres. Mrs. deLeon asked what was the expiration date? She asked someone to check on that.

Mr. Chismar said they went through the HEA letter and comply with all of them. Item 6, monumentation certification has been completed and the information sent to HEA's office. Item 4, the Sewer Facilities Planning module has been completed and forwarded to DEP. No problems with any of the other items. They have not heard any recommendations from the Fire Chief. Mr. Maxfield said No. 13 under A, do we want to make any recommendation or statement on fee in lieu of open space dedication? Council agreed to the fee. Mrs. deLeon said the minor subdivision expires on February 13, 2007.

Mr. Kern said the Boucher & James letter – Mr. Chismar said under A, they have no problem. Mrs. deLeon said why weren't these done then? Mr. Chismar said he can't answer that for her. Mrs. deLeon said her preference would be that the Fire Chief recommendation would be an outstanding issue. Mr. Chismar said Item B, talks about ultimate right-of-way. The township does not take fee dedication for right-of-way. It's just an easement, so he doesn't think this comment would apply. Ms. Stern Goldstein said actually it does. You are offering the dedication of the ultimate right-of-way which comes off of their lot area and their lot area. Mr. Chismar said it's an easement only, so there is no fee dedication. Ms. Stern Goldstein said the size of the lot that is at the edge of the right of way, that's how the lot area is measured from that. This has been on letters before. Mrs. Yerger said she's not comfortable with this many outstanding issues on the Boucher & James letter. She'd like to see it get cleaned up. Mr. Maxfield said when they were at the PC, Mr. Harte agreed these would be accomplished on the plans, some of the same recommendations that are in the letter and they haven't been cleaned up. That was a condition that they be accomplished on the plan before it came before council. He's not comfortable with this either.

MOTION BY: Mr. Maxfield moved to table this agenda item.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

B. LI FANG – FLINT HILL ROAD – LOT LINE ADJUSTMENT

Mr. Kern said the applicant is proposing to adjust the lot boundaries for three parcels to provide better access and enlarge existing undersized lots.

Mr. Fang was present. He said on the drawing is the driveway and the big thing is their driveway encroaches on to their neighbor's property. Mr. Li Fang said he is here tonight to change the lines. Attorney Treadwell said he doesn't know how it happened to begin with, but he has no problem with it. Ms. Stern Goldstein said the little parcel down at the bottom is going to get larger too, so

the overall parcel is going to be a little smaller as they are going to make the bottom triangular piece a little bigger. It's not just taking from one lot to the other and straightening it out. There's new ones added to it and there are setback and zoning ordinance issues that need to be documented on the plan. This has to be done before final approval. Ms. Stern Goldstein said they need to come back for approval. Mr. Maxfield said the Tegyi property should not change in acreage at all. It should either get better or remain the same. Mr. Li Fang said the second plan stayed the same size. Ms. Stern Goldstein said they haven't receive the second plan as of yet. Mr. Fang said he is clear on what he must do and who he must talk to. Mr. Kocher said one of the questions was that they do not know where the location of the septic system is. They wanted to make sure the property transfers didn't transfer somebody's septic system to another property or a piece of it. Your engineer responded that he doesn't know where the septic systems are, but maybe you want to research that a little bit more. Mrs. deLeon said your house might be older and may not have an alternate site for the septic.

MOTION BY: Mr. Horiszny moved to table this agenda item.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. <u>MICHAEL GUERRIERI – 1850 FRIEDENSVILLE ROAD – LOT LINE ADJUSTMENT</u>

Mr. Kern said the applicant is requesting to adjust the lot lines between his property and Society Hill.

Attorney Eric Schock was present, Michael Guerrieri, and Art Swallow, the surveyor. Attorney Schock said the plan that has been resubmitted and they have tried to address the comments of Council as best they could. They had a meeting with Staff with respect to trying to make the lot squared off through the use of a change in the easement which Society Hill has no problem with and the addition for the lot line adjustment of just 400 square feet of adding that to Mr. Guerrier's lot. The problem they had was with the building jutting slightly across the property line. The latest plan shows the straightening out of all of the lot lines with the use of the easement. The fee simple line adjustment, it would just be the transfer of the building to the lot on which the center is located. They are hopeful that everyone is happy with the layout of the lot as it is now shown. Mr. Kern asked if everyone was happy with the layout of the lot. Ms. Stern Goldstein said providing they can still meet the other issues that are in Boucher & James review letter, they'd be happy, but she can't say yes as there are dotting the i's and dotting the t's yet. Mr. Swallow said he was able to addresses the numbers end of it. A lot of the calculations are zoning calculations and tabulations, analysis of items, but they'd think they can work through the tabulations accordingly. They can comply with the Boucher & James letter and work through some of these arithmetic acrobatics, he thinks they can do it. It seems like this has gone very far in depth with the zoning issues. He can meet with Judy to resolve these issues so there's no more back and forth. Attorney Schock said they intend to work through the numbers.

MOTION BY: Mr. Maxfield moved to table this agenda item.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

D. OBERLY WAIVER OF LAND DEVELOPMENT REQUEST – 1441 SPRING VALLEY ROAD – UPPER SAUCON TOWNSHIP

Mr. Kern said Upper Saucon Township is requesting a waiver of land development for a minor subdivision of a parcel of land owned by John Oberly. Upper Saucon Township is proposing to subdivide the property into two parcels, one which will contain the Oberly residence and Upper Saucon Township plans to purchase the newly created lot to construct a pump station.

Gary Brienza was present representing Upper Saucon Township (UST). Mr. Carl Schreiter, representing the UST Municipal Authority Engineer for sewer related was present. Ronald Gawlik, the UST Engineer was present. Sharon Yeakel, Upper Saucon Township Director of Community Development was present. Mr. Brienza said they are here this evening seeking a waiver of the land development ordinance. What is involved here is the extension of municipal sewer. As part of UST's Act 537 plan, there is a requirement to improve and extend the sewer system. In order to do that, there is a need to place a pump station to service the sewer line. Mr. Schreiter has plotted out the line of the sewer plus also the location of the pump station. How LST is involved is the Township is going to purchase a section of the Oberly back yard. The Oberly property lies in Upper Saucon Township. A section of the back yard does extend into LST. The pump station will be entirely on the Upper Saucon section, but the way the sewer line goes, the pipe does go through that small portion of LST. That's the basis of the municipal project. It is an Act 537 requirement that we coordinate and improve the system.

Mr. Schreiter showed Council the location of the pump station and the township lines.

Ms. Stern Goldstein said they didn't issue a letter on this. It was brought up at a staff meeting last week. It was just the actual impact on LST. Any improvements through that parcel that's located in LST were not yet defined as far as they could tell. It sounds like it's only the one line coming through. Mr. Schreiter said it's just a gravity sewer line that will basically follow the old Franklin Lane easement that was there. The reason they did that was that's the way the topography went, so they could flow by gravity. Ms. Stern Goldstein said it wasn't on the plan yet, so they didn't know the intent and they are here this evening to discuss that with Council.

Mr. Brenzin said they have the subdivision drawings from the developer showing the actual pumping station. It shows the line going straight down and they are staying in the middle of it. It's just a gravity sewer line and no improvements are involved with it. Once the line is put in, it's approximately eight feet deep and once it's put in, it will be covered over and the area will be restored back to its original condition as a grassy area. The areas that are paved will turn back into a driveway. They are not planning on serving anything in LST. The only thing that would even come close would be the Sportsman's Club which has property in LST and UST and they have the option to connect. Mr. Kocher said what makes it possible to serve via gravity? Mr. Brenzin said there's nothing that you can service by gravity, really. You are looking at the portion here within LST that extends to that line down to where it would join the Oberly property. There's nothing in there other than park area from the Spring Valley Sportsman's Club. We're not even sure if they are going to connect as they are building about 150 feet away. We're giving them the option, so they are the only ones that could possibly connect.

Ms. Stern Goldstein asked if the sportsman's club could deed restrict it against any future development? Mr. Brenzin said he has no idea. Ms. Stern Goldstein said that's the question that they were getting to – is the sportsman's club ever eligible for development and if so, what would preclude it from tapping into the sewer? Mrs. Yerger said obviously our Authority hasn't seen this either. Mr. Brenzin said the township is not going to be developing that section. That's part of the approval process and part of the purchase agreement. They will assure that there is no intent to extend sewer. They have no problem if that would be a note on the plan. Mr. Maxfield said a conditional waiver that no properties in LST be hooked up to that line any time in the future. Mrs.

deLeon said future Council's can always change what we do. Mrs. Yerger said the pump station purpose is for what? Mr. Brienza said it is to collect the sewage from the Spring Valley area. It was the original 537 plan that was adopted by Upper Saucon in 2001. When they did a needs survey out in that area, they found the Spring Valley area was an area of need for potentially failing septic on site systems. They are basically implementing that portion of the plan because of the financial resources are there now to implement it. Mr. Schreiter said it will be serving the Upper Saucon residents that lie on Spring Valley Road going to the left on the photo. Mr. Maxfield said the only thing we can do is a conditional waiver. He has driven down through that area and smelled septic at times. That area needs it, but we don't want to hook things up in LST. We can only say we would grant the waiver with condition that no properties in LST be hooked up to it or in the future. Mrs. deLeon said what about our Act 537 plan? Mr. Maxfield said if the condition on the waiver is strong, then it does nothing because basically it's a blunt line that goes nowhere in LST. Attorney Treadwell said they should have HEA look at it, with Act 537, but with a condition that it says no one can hook up in LST unless Council approves it, then we are okay. Mrs. deLeon said we are still putting in a sewer line and our Act 537 does not address that. Attorney Treadwell said it's a sewer line that is going through your township. It still would be Upper Saucon's line. Mrs. deLeon would be more comfortable with that in writing. Mr. Brienza said he has no problem as part of the condition, if the language specifically reflects that it is in UST and is an owned and maintained line. Mr. Kocher said if anybody runs a sewer line in the township, LST Council must say yes or no. That's part of the Act 537 process. You may have to come back here and show them the service area of this line and show them how LST does not have a service area to this line, so they can feel more comfortable and that would be an amendment to their Act 537. If you've already done that study, that may be something you can submit to the staff and get a recommendation for Council.

Mr. Schreiter said with respect to LST, they can't service LST if they wanted to. They don't have an inter-municipal agreement. Under PUC, the Township can't go into LST without first getting an inter-municipal agreement between Lower Saucon and Upper Saucon to provide service. There's no way we could do it in the first place even if we wanted to because of that.

Mrs. deLeon asked if they have to have an approval tonight as she's uncomfortable with these unanswered questions and the concern about the Spring Valley Sportsman's Club. She would like to have the answers in writing and documented. Mr. Kern said this is for discussion purposes only. Mr. Brienza said they were looking for approval, but if it's not feasible at Council's end, they can certainly wait. If you need a comfort level, they will deal with that, but he's not sure exactly what process you are looking for them to undergo. If you are looking for them to get comment from your staff, he's not sure how you want them to go about answering those questions. Mr. Kern said based on the discussion from our Engineer, there was discussion about the possibility of sending a memo that you are in Act 537 and it's not conflicting with LST Act 537. Mr. Kocher said he would show the proposed service area of their system and any potential service area that happens to lie within LST so they can see the extent. Mr. Schreiter said they already have DEP approvals and 537, so they can supply all of that. Mr. Maxfield said if they are asking for a wavier from land development, that's what we should be addressing to. Can we do this without a land development plan? Mr. Kocher said there are no physical pump station facilities in the township, just a gravity line? How about any grading? Mr. Schreiter said the only reason they are going in this direction was they looked at running down Spring Mill Road and then going down their access driveway. To do that, it would have required the sewer line to be about 26' deep and about 15' of that would have been through rock. It was not practical. Mrs. deLeon said you are asking for a waiver of land development, but in her opinion if you weren't going to ask for a waiver and you have to do a minor subdivision, you are going to have to show us where the water and sewer is. Mr. Schreiter said there's no water. Mrs. deLeon said you are asking for a waiver of land development for a minor subdivision. If you were doing a minor subdivision wouldn't they have to do that? Mr. Maxfield said they aren't doing a minor subdivision. Mrs. deLeon said they are asking for a waiver

of a minor subdivision. Mr. Maxfield said they are asking for a wavier of land development plan. Mrs. deLeon said for a minor subdivision of a parcel of land.

Ms. Stern Goldstein said the reason it's referring to a minor subdivision is that in UST it is in fact a minor subdivision. The piece of land that is existing in LST is not changing any shape or size or configuration. The land development component of that is there a gravity line going through it, but the minor subdivision component is involving only UST although this triangular piece is part of the overall tracks. Mr. Schreiter said correct. Ms. Stern Goldstein said in UST they are dealing with the minor subdivision In LST, it's the land development component only. We didn't know that until tonight. Mr. Maxfield said if we don't make them do a land development plan, then we're going to end up with a conditional waiver once we get more information anyway. What we are going to end up doing is a conditional waiver to allow the line to go through there and the condition will be that the line not serve any properties in LST now or in the future. If Mr. Kocher is more comfortable with more information, he understands that and the Authority should get their okay to what is going on there.

Attorney Treadwell said can we get some more information to Mr. Kocher and that would make us more comfortable? Mr. Brienza said sure they could. Ms. Stern Goldstein said there's no need for her to review it when it comes back in. It'll come to the township and it will be forwarded to Brien Kocher. If UST gets more information in time, this could be brought back on the January 17, 2007 agenda.

E. <u>ADAMS OUTDOOR ADVERTISING – ROUTE 378 – PROPOSED BILLBOARD STRUCTURE CONSOLIDATION</u>

Mr. Kern said the applicant is proposing a billboard structure consolidation by removing a panel deck structure on Route 378 and Colesville Road and removing a single structure on Route 378 at the I78 overpass. They are then proposing to construct a back to back structure to be visible from I78.

Victor Kapocino, Attorney, representing Outdoor was present. Lois Arciszewski was present from Adams Outdoor. Andrew Warner was also present, the property owner. What is being proposed is three different sign faces be removed and that in its place, one sign be erected. The three signs now are directed to Route 378.

Mr. Warner said the parcel they are talking about is on 378 and is somewhat unsightly, so he started purchasing some of the parcels on that corner. There were deeded rights on that corner parcel as he started to acquire a couple of little pieces. They've gotten to the point where they have enough land, and it took quite awhile, the initial lot was purchased back in 1998 where the billboards sits. That's a crazy deeded parcel where there are two tracts to that deed on the corner. One tract is on the corner of Colesville Road and 378 and the other one is right next to Route 378. That's why they are able to talk to you about what they are talking to you today. He reached out to Adams Outdoor Advertising about three or four years ago when he was able to acquire the property next to the corner parcel and still he couldn't do anything with the land because it was a whacky lot. Recently, they accrued their fourth parcel and now they have close to 1.2 acres on that corner. That's a GB2 zoning. He has an agreement with a bank that would build a stand alone branch on that corner. One of the things to make it more attractive to them is if the billboards weren't there anymore. That's the main reason he's here so they can spruce up the entry way into LST and through walking with Adams Outdoor, they think they found a good solution to clean up what their township residents see every day driving down 378 and let the people traveling on the interstate take a look at it.

Mr. Kern said he's not a billboard fan. You need to convince him of it. Mr. Maxfield said have they gone to any studies or considerations. There are residences close by. With the elevated height

of the proposed billboard, is there going to be more light shed on to the residents? Ms. Lois Arciszewski, Real Estate Agent with Adams Advertising said Adams Outdoor is here with the persistence of Andy Warner who first contacted them in 2002. To address Mr. Maxfield's question, what they are proposing to do it take down those three panels, put up one panel which would be visible to I78 eastbound and westbound and with regard to light, and its glare on it. The light on each sign face on the bottom, there would be four 400 watt light fixtures. The light fixtures in no way would shine down. Those four light fixtures would actually shine up into the billboard phase. They would be shielded. The light fixtures are specifically designed for the industry for the shielding affect. All of their billboards are on a timer and only illuminated until midnight even on an interstate. The sign faces that will be removed is what they call a poster deck which is the structure at 378 and Colesville Road. Adams has a deeded easement on that land parcel which he recognizes and is recorded in that deed. In addition to that, they are willing to remove a single face poster which is at the I78 overpass. They are proposing to consolidate the two structures, the three sign faces, into one structure which would have two sign faces. What would happen is two billboard structures would be removed from one of their arterial roads, 378, and then be constructed up on I78. They feel with a billboard with that size, it is where it belongs, adjacent to an expressway. As motorists are traveling south on 378, they see a billboard structure and a billboard face, and the light. If we would build one billboard structure adjacent to I78, motorists traveling on I78 would just see the billboard structure. We bring this to you conceptually at this point. If you look at the photo visualizations of I78, next to the pole, you can see a crane. At this conception stage, what they did was take a crane out to 378. They placed it on the land parcel as best as they could. The land parcel is small where the single faced billboard exists. They put the crane in the air just to give you some mathematical height numbers. The distance from the ground level to I78 roadway is about 25'. Your sound barrier is 10'. From ground level of 378 to the top of that sound barrier, you have 35'. They plugged the crane at 55' and that's what you see there is the top of the crane and the bottom of the advertising sign face. It's the best they can show you at this point as they haven't gone to the engineering stage. It's an idea to get some feedback from the board. They went back several times, you have a curve of the roadway, and what happens is, as you are driving around that curve, if it wasn't that high, the billboard face would be obstructed. As you come closer, that curve would take out the right side of the billboard.

Mrs. deLeon said if we approve this, does it have to go to the ZHB for a variance? Attorney Treadwell said this is only a concept issue. We haven't seen the plan. Mr. Warner said the use is permitted in the GB2 zoning district and permitted as a conditional use. As Mr. Maxfield pointed out there is an existing sign there which is not conforming as to setback and other things. There's a provision in your zoning ordinance that allows a change from one nonconforming use to another. We are probably leaning to coming back here with a request for a conditional use. We would discuss that with your staff going forward.

Mr. Maxfield said would the crane at 25' and the additional billboard height … Ms. Arciszewski said the crane was at 55'. Mr. Maxfield said we do have height restrictions in the township. Mr. Warner said it's 18' for a billboard. One of the requests would be a variance under the conditional use application. The proposed size would be 14' in height by 48' feet in width which is the standard for interstates. The maximum size allowed under your ordnance is 300 square feet.

Ms. Stern Goldstein said she heard one of the reasons they were looking to remove the double deck billboard was that, you as property owners, wanted to make it more attractive for a bank. Were there no other options other than putting a billboard on I78? Mr. Warner said they had a great conversation in reference to what flexibility there could be. They came down to that this would probably be the most attractive for all parties concerned. Mrs. Yerger said the first thing that hit her when she looked at it was, is this really what we want to say "Welcome to Lower Saucon Township". Her answer was she's not so sure. Ms. Arciszewski said there wasn't a sign that said LST there, it just said Northampton County line, so the specific geographic point of the sign, do they know it's LST? It's an interstate which is a motoring route just by the definition. People

traveling to the east to the west and not a commuter road. Mr. Kern said is this sign visible from another other road than I78? Ms. Arciszewski said no. One of the regulations with the Department of Transportation was it can be visible from one roadway. They took that into consideration. Mr. Warner said if you take what it looks like now, this is only an improvement.

Attorney Treadwell said the question for Mr. Warner going forward is do you want to continue to discuss the concept or not? Mr. Horiszny said yes, continue to discuss and get rid of three and get two. If you can get it lower, do it. Mr. Warner said they will move forward, bring it back to the board again with a conditional use request and interface with the staff closely. Mrs. deLeon said when this comes in as an actual application, please have staff do a little bit of research on the site of the existing billboards and find out about the setbacks and find out the history there.

F. SADDLE RIDGE – FLINT HILL ROAD – REQUEST FOR EXTENSION AND DRY FIRE HYDRANT DISCUSSION

Mr. Kern said Council will consider approval of a change in Saddle Ridge Subdivision plan which required the installation of a dry fire hydrant. The developer has also requested an extension of time to complete improvement in this subdivision.

Mr. Cahalan said two issues – the request of extension from Mr. Ciccone until May 7, 2007 and the second issue was brought to their attention that on the plan for the Saddle Ridge development, there was a condition that he install a dry fire hydrant at 1529 Jakes Place. Jack asked the Leithsville Fire Company what the status of that was and they said they had gone out with the developer and checked the location where that was supposed to go and there wasn't a good clearance for the fire truck. They indicated it wouldn't work and they got together with the developer and reached an agreement that he would make a donation in the amount of $2,800 to the fire company for pumping apparatus in lieu of installing the dry fire hydrant. That's a change in one of the plans and it would need approval from Council for that change, and also another motion for the approval of the extension. Mr. Kern said in discussion with the fire department, they mentioned this pump was actually a better alterative. The other one wouldn't have been accessible where it was designed. Mr. Maxfield wanted to know what a turbo pump was? Mr. Kocher said it's a turbine type pump and it's a mobile unit. Mr. Kern said the dry hydrant doesn't have water in it, but it's piped into the pond, so the pumper truck comes and hooks up to the hydrant and sucks the water from the pond through the hydrant and hits the fire. This is a portable pump on the truck and they can use it in more places.

MOTION BY: Mr. Kern moved for removal of the requirement to install a dry fire hydrant and approving $2,800 be donated to Leithsville Fire Company for a pumping apparatus.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone in the audience had any questions or comments? Mrs. deLeon asked if this is a significant change to the approved plan that would require revision in the courthouse? Attorney Treadwell said no, but it would be noted in the Township in the file.
ROLL CALL: 5-0

MOTION BY: Mrs. Yerger moved to grant the extension of time to complete improvements in the subdivision for Saddle Ridge to May 7, 2007.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

G. GREENWOOD COURT – ALICE DRIVE – ANDREW ROSKO – REQUEST FOR SECURITY REDUCTION

Mr. Kern said the developer has requested a reduction of security for work completed at this subdivision. Hanover Engineering has done an inspection and they recommend a reduction in the amount of $22,387.20 with $140,571.24 to be retained as security.

Mrs. Yerger said the amount is different between the letter and the pink sheet Mr. Kern just read. The correct amount is $22,387.20.

MOTION BY: Mr. Horiszny moved for approval of request for security reduction.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

IV. TOWNSHIP BUSINESS ITEMS

A. 2007 BUDGET – FINAL ADOPTION

Mr. Kern said the 2007 Preliminary Budget has been on public display since the November 15, 2006 meeting. The adoption of the budget has been duly advertised and is ready for Council action.

Mr. Cahalan said the 2007 budget is ready for final adoption. It would be done with Resolution 64-2006. The General Fund is balance at $5,511,230 with no tax increase. The Real Estate Tax millage would remain at 3.14. There has been no real estate tax increase in the township for the past twelve years.

MOTION BY: Mr. Horiszny moved for approval of the 2007 General Budget, Resolution 64-2006.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

MOTION BY: Mr. Horiszny moved for approval of the 2007 Special Funds Budget.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

B. STEEL CITY FIRE COMPANY - $20,000 DONATION

Mr. Kern said recently the Steel City Fire Chief advised they would like to use funds to pay down their loan on their 2003 truck rather than use it toward the building expansion. The Manager felt this request should be approved by Council.

Mr. Cahalan said this was discussed at the meeting with the fire Chief's. Back when they were putting together the 2006 budget, the Steel City Fire Company approached Council and requested a $20,000 donation and stated they wanted to use it for a building expansion to their fire house to house apparatus. They put that money in the 2006 budget and it is still there. When they put together the 2007 proposed budget, he contacted the fire company and asked them what their plans were. At that time, they indicated that due to circumstances where they had been working on getting specifications for a new pumper apparatus, they were unable to proceed with the plans for the building expansion and they were requesting that they could use the $20,000 to pay down the

loan on a truck they had acquired in 2003. If it's okay with Council, he will cut a check to them. They will be coming to Council in the future for a request for new fire equipment. Mr. Horiszny asked if the other three fire companies request $20,000 also? Mr. Cahalan said Steel City was the only company that made this type of request in 2005. Mr. Horiszny said in your meeting did you get an indication that they might want to have that same number? Mr. Kern said no, this was just something that was requested in 2005. Mr. Cahalan said they have a piece of equipment they had acquired which they had not been able to store that in the fire house, and they are looking to get that inside. Mr. Maxfield asked what the balance was on the loan they are paying down? Mr. Cahalan said he doesn't have it right here, but it would bring it down to a point where their payments would be substantially reduced.

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

C. <u>DRAFT GRADING ORDINANCE – ORDINANCE 2006-16 – AUTHORIZE ADVERTISEMENT FOR PUBLIC HEARING FOR ADOPTION</u>

Mr. Kern said at Council's direction, staff revised the current grading ordinance amending regulations and standards for the grading of land and would now like Council to review the draft ordinance (Ordinance 2006-16) and authorize advertisement for a public hearing for adoption.

Mrs. deLeon said when we have an ordinance revision, don't we usually have strike through where the changes were? Mr. Kocher said it wasn't laid out necessarily as an ordinance revision. Your grading ordinance right now is two separate ordinances and the second ordinance is better handled in the storm water ordinance. This takes the grading ordinance and puts what needs to be put in the grading ordinance in one place and repeals the other two. There's no significant regulatory change.

MOTION BY: Mrs. Yerger moved for advertisement for Ordinance 2006-16
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? Mr. Horiszny said on page 2, no. 2 and 3, talk about 20 feet to the top of a bank and a stream. In No. 3, it says 50 feet, how does that compare to our 100 foot riparian buffer that we have elsewhere? Mr. Kocher said that's the threshold to whether or not the grading ordinance applies and whether or not you have to submit a grading plan. It's not necessarily a regulation of what you can and can't do. Ms. Stern Goldstein said the riparian corridor ordinance is part of the zoning ordinance that all properties and parcels have to comply with. Mr. Horiszny said page 3, No. F, he didn't understand why earth disturbance necessary for the construction of above ground swimming pools, and in A and B, below that, it says remove vegetated ground cover or improve ground cover. B is to cut, fill or change existing grade of any land. It seems if those are unlawful acts, they would relate up to No. F above. Mr. Kocher said what you are reading in F is one of the exemptions of requiring a grading permit. If you're just putting in an above ground swimming pool, you don't need a grading permit. The unlawful act section says you may not do any of those activities unless you secure a permit as required by the ordinance unless you meet an exemption. Mr. Horiszny said on page 8, No. H, it says if State regulations, should we really use the term Commonwealth or is State okay there. Attorney Treadwell said they can change it to Commonwealth. Mr. Horiszny said on page 11, No. D, it says from time to time and then it says shall continuously. Attorney Treadwell said take out time to time.
ROLL CALL:

MOTION BY: Mrs. Yerger moved to amend her previous motion, with changes.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

D. DRAFT SUBDIVISION AND LAND DEVELOPMENT (SALDO) ORDINANCE AMENDMENT- ORDINANCE 2006-17 – AUTHORIZE ADVERTISEMENT FOR PUBLIC HEARING FOR ADOPTION

Mr. Kern said at Council's direction, staff has prepared a draft ordinance (Ord. 2006-17) amendment to our SALDO establishing regulations, standards, and procedures for the processing, approval, and construction of subdivisions and land developments and would now like Council to review the draft and authorize advertisement for a public hearing for adoption.

MOTION BY: Mr. Kern moved for advertisement for a public hearing for adoption for Ordinance 2006-17.
SECOND BY:

Mr. Kern asked if anyone in the audience had any questions or comments? Mr. Horiszny had a question on page 18, section 42, bottom of the big paragraph, it says "drop limit" and he wondered if that was something that was supposed to have been dropped or does it really stay there? Mr. Cahalan said it should be "drip limit". Mrs. deLeon wanted to go over central sewer and public water. Page 11 of 20, it talks storm water then goes into sewage, section 26. Mr. Kocher said it actually gives you a little more regulation than what you have now if someone wants to put in a central sewer. It makes them go through a lot more study. Mrs. deLeon said do we have to do these things? Attorney Treadwell said you can't prohibit them. Mr. Kocher said this adds a lot more regulation and it would include anybody who would want to put in a private or public centralized sewer system. Mrs. deLeon said what are the regs today? Ms. Stern Goldstein said what was added was the analysis of alternatives. It required them to go through that analysis. Mr. Kocher said right now it's one paragraph, and it is making it much more stringent and giving you much more latitude in your decision making. Mrs. deLeon said doesn't DEP require a study of needs? Mr. Kocher said it's not necessarily as specifically detailed as it is here. They accept such things as saying there isn't a need, and that's the study you need. This requires a lot more thought. Mrs. deLeon said if we advertise this, is it considered a pending ordinance and we get an application. Attorney Treadwell said yes. Mrs. deLeon said the centralized water in section 28. Mr. Kocher said it's very similar. Before it said it has to comply with Township requirements, now it lays out a lot more detail what they have to do. Mrs. deLeon said page 14 of 20, if the water sample does not meet MCL's, the developer will provide a plan to correct the deficiencies, why can't we use SMCL's, is that what DEP says? Mr. Kocher said he doesn't know the answer to that. MCL is maximum, and Mrs. deLeon said SMCL is secondary maximum contaminant levels. Mr. Kocher said right now the regulations require them to study the water. It doesn't necessarily require them to fix the problem. This makes it a lot clearer if you detect pollutants. Mrs. deLeon said what are DEP's regulations for safe drinking water? Do they go by the MCL's or the SMCL's? Mr. Kocher said he is not a well water expert and only ever seen MCL's. Mrs. deLeon asked for Rich Ziegler to be called up and ask him about this. If he says SMCL's, please change it. Mr. Cahalan said okay. Mr. Davidson said you are talking about two different contaminants and you might want to say something to include both. Attorney Treadwell said we can make that change on Mrs. deLeon's recommendation after Brien looks at it and they talk to each other. Mr. Cahalan said they will look into it and change it if need be. Attorney Treadwell said we will be adopting these in 2007, they will be different numbers. The grading ordinance will be 2007-01 and the SALDO should be 2007-02.

ROLL CALL:

MOTION BY: Mr. Horiszny amended his previous motion and moved for advertisement of 2007-02, with SMCL and MCL clarification.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

MOTION BY: Mrs. Yerger moved to change the grading ordinance to 2007-01.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

E. DRAFT FIREARM ORDINANCE – ORDINANCE 2006-14 – AUTHORIZE ADVERTISEMENT FOR PUBLIC HEARING FOR ADOPTION

Mr. Kern said at Council's direction, staff has prepared a draft ordinance (Ord. 2006-14) repealing and replacing our current firearm ordinance and would now like Council to review the draft and authorize advertisement for a public hearing for adoption.

Mr. Maxfield said there's a pretty detailed definition of fire arms, but when we get to bows and arrows, there are a couple of other things we need to include in there, like cross bows, and it's actually legal to hunt in PA with spear throwers. It should be more broader. Attorney Treadwell said maybe there's a state definition and he will look at it. Mr. Horiszny said on page 1 in the middle, the 3rd WHEREAS, the second line, it should say "in order to best inform". Mr. Cahalan said they will correct that. Mrs. deLeon said this proposed ordinance grew from the handout at the last meeting. How come more was added to it? Attorney Treadwell said the idea was to clarify our previous ordinance because the previous ordinance had some issues regarding discharging a firearm within 150 feet of a residence. This one covers everything as opposed as to just revise the one that was existing already. Mrs. deLeon said there's state and federal laws on the books, what is the rational between allowing the township to also regulate? Attorney Treadwell said we have the authority to regulate it based on public health, safety and welfare issues. The state regulates it for hunting and other different reasons. It comes down to the question of if it's a public health, safety and welfare issue, then it's up to the township. Mrs. deLeon said No. 6, it says minors are permitted to discharge firearms to the extent that they would be permitted to discharge the firearms under any state or federal firearm law so long as the minor is also discharging the firearm in conformity with the township ordinances. Who would be the higher up law? Attorney Treadwell said they would both govern. There are state and federal issues as to how old you can be to shoot a firearm and we have now have different issues as to where you can do it and how you can do it. Mrs. deLeon said No. 7 and 8 have to be hooked up together in one paragraph. Mr. Maxfield said No. 7 deals with authorized individuals and the other one is unauthorized individuals. Mrs. deLeon said No. 8, do we define occupied dwelling house? Attorney Treadwell said there isn't a specific definition in this ordinance. Mr. Cahalan said occupied by human beings. Attorney Treadwell said he thinks it is covered if you read further, it says occupied dwelling house, residence, or other building. Mrs. deLeon said the last sentence, any other person who prior thereto obtains the permission from the owner or tenant of the land upon which the firing discharge or shooting is to be done. It doesn't say anything about the adjacent property. Mr. Kern said it still has to be 150 yards. You can get permission to shoot on the property as long as where he is shooting isn't 150 yards from the next house. Mrs. deLeon said No. 12, Gun Clubs, we've had all these existing gun clubs. Attorney Treadwell said they are grandfathered. Mrs. deLeon said No. 5 on page 4, the conduct of any hunter, hunting with a valid PA hunting license shall be controlled by the within Ordinance? Attorney Treadwell said just say by this ordinance Mrs. deLeon said the game laws of this Commonwealth and any other applicable state and federal law.

MOTION BY: Mr. Maxfield moved to authorize for a public hearing for ordinance 2007-03, with changes as discussed.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

F. ADOPTION OF EMPLOYEE HANDBOOK

Mr. Kern said Council has reviewed the draft Employee Handbook and will consider its adoption.

Mr. Cahalan said they made the language changes to the draft handbook. One of them, they checked with Mike Carr, the Labor Solicitor and he agrees. It said a candidate for office would not be permitted if they were in township employment. He agreed it could be changed to no employee shall be permitted to run for any township office while in the employment of the township. All the changes were made and is ready for adoption.

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

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF DECEMBER 6, 2006 MINUTES

Mr. Kern said the minutes of December 6, 2006 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said page 4, line 38, Second by should be "Mr. Maxfield". Page 7 of 14, line 1, change "you" to "he". Page 18, line 7, the sentence should read, "Mr. Szy requested when it is ripped down, if there is possible usable slate and lumber for Lutz Franklin Schoolhouse". Also, Reddington should be only have one "d" in it, on line 6. Page 17, Heritage Consulting should be Heritage Conservancy.

MOTION BY: Mrs. deLeon moved for approval of the December 6, 2006 minutes with corrections.
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny – No – too long)

B. APPROVAL OF NOVEMBER 2006 FINANCIAL REPORTS

Mr. Kern said the November 2006 Finance Reports have been prepared and are ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved for approval of the November 2006 financial report.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Allan Johnson, resident, said on the firearms ordinance, did you include any language in the ordinance that determines the distance of the target from a residence? Mr. Horiszny sad not the distance, but we did talk about that it be adequate to stop. Mr. Johnson said the target should be at least 150 yards from any residence. Attorney Treadwell said he guesses you could, but then you add up with potentially 300 yards. Mr. Johnson said it's not where the firing of the firearms, it's where the bullet or arrow goes. Mr. Horiszny said that's interesting as the state game laws never mention that either. They are moving targets. Mr. Maxfield said the state laws have safety zones that you are not allowed to shoot towards residences or in the direction of a residence. Attorney Treadwell said they will look at it and may bring it back to you next time with changes, and not advertise until we revise it.

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- He sent everyone an email that Gerry Szakmeister is not going to serve another term on the PC. He would like to send her a letter thanking her for her service and also a small plaque. They will advertise the vacancy in the next newsletter.

MOTION BY: Mrs. deLeon moved to accept Geri Szakmeister's resignation, with regret, from the PC and authorize the Manager to prepare a plaque for her years of service..
SECOND BY: Mrs. Yerger
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

- Chris Garges obtained qualification on a Geomorphologist, that one of the Council members requested that we seek to evaluate the areas of the headwaters of the East Branch of the Saucon Creek in the vicinity of the LS Road near the Woodland Hills Country Club. That area shows signs of severe erosion and instability. Chris contacted Dr. Drew Germanoski and he indicated he is capable of providing the township with his evaluation and recommendations on this area. They provided a list of his curriculum in the letter. His hourly fee is $100, and Chris estimates the evaluation can be completed in 30 hours. If you give your approval, they will draw up a professional services agreement with Dr. Germanoski. Mr. Maxfield said should the Dr. be accompanied by Chris Garges? Mr. Cahalan said yes, do whatever is necessary. Mrs. deLeon said shouldn't this have been put on the Hazard Mitigation Plan that was asked for by the County. Mr. Cahalan said they did list all the areas. He'd have to go and check. Mrs. deLeon said we are concentrating on this and we have other areas and we're spending $3,000 on this that never got on the plan. Mr. Maxfield said it was based on survey done by Chris Garges and Kate Brandes from Northampton County Conservation District and it was her recommendation that we look into hire the Dr. Mr. Cahalan said Mr. Birdsall collected all the information on the mitigation plan and he identified with his knowledge the areas, 13 of them that were prone to hazards such as flooding He's not sure what the history is of this area.

MOTION BY: Mr. Maxfield moved for approval to obtain the services of Dr. Germanoski to complete the evaluation at a cost not to exceed $3,000.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

- Mr. Cahalan gave Council minutes of a meeting that Jim Birdsall and Mr. Cahalan attended with Mr. Stoffa regarding the Meadows Road bridge. They didn't come to any resolution and it's still on the list for replacement. They did update the county on the township's proposal to limit the traffic to one way over Meadow's road. They were interested to hear that as it would tend to keep the bridge maintained for a longer time. They also agreed to look into reducing the weight limit from 10 tons to 3 tons. Mrs. deLeon asked where the replacement bridge would be? Mr. Cahalan said not specifically, but it would be near by the existing bridge. Jim suggested if we want to save the existing Meadow's Bridge, you make some alterations in it to open up the creek a little bit more so it wouldn't block up in heavy storms, which is one of the issues. This is on their schedule for 2011. They have to start some of that work now.
- Mr. Cahalan said they were informed by Ron Stern from DCED that the state has given a blessing for them to resume the police consolidation regional study with Hellertown Borough. He got the questionnaire and he will send it in.
- They are into their second meeting of the COG with the new consultant. They had a great meeting the other night with the consultant for Environemental Planning and Design and they are looking at a lot of stuff.

B. COUNCIL/JR. COUNCIL

Jr. Council

- Vanessa said the recycling program is going well. Please use all three bins on the three campuses. The one at the high school is being filled up the most. Auditions were held for Footloose this week. The play is March 2, 3 and 4. She has tickets. She tried out for it and got a part. She thanked everyone who gave a donation to the animal food bank. She hopes everyone has a great holiday and a Happy New Year. Mr. Kern said last Wednesday at the Concert at SV High School, it was one of the best concert he has ever been to. Vanessa's performance was very well done. Mr. Cahalan said Vanessa was a guide at the SV Conservancy Open House and they were very informed about the history of each room.

Mrs. Yerger

- She's gotten a second complaint. The Game Commission allows trapping and they have it going on in the township. Some residents are being concerned the traps are being set so close to their property line should their dog, cat step two paws off the property, their pet will become ensnared in these traps. She'd like to look at some sort of setback. Attorney Treadwell said they can look at that.

Mr. Maxfield

- Earlier we voted on the Act 4 proposal which was the proposal by the County and we were asking the school board to look at it The freezing of the millage on preserved agricultural properties, it wasn't just agricultural properties, in consideration of that, the school board when they were talking about open space during the election wanted to know if they could provide them with a list of possible properties. Our open space plan does not target properties, so he asked the administration to put together a map that would give suggested ideas of properties that might qualify and used 30 acres as a cut off point and prime ag solids as the other cutoff. They came up with a list of properties. He has properties like the landfill, the watershed area, Lehigh University - he'd like to cross those properties off the map, write an explanation saying these are suggested properties and not definitive properties and send it to the school board to give them an idea.

Mr. Kern

- Mr. Kern wanted to read into the record: "On the last Sunday of October, a windstorm uprooted a large tree on our property that fell in several directions. One of those directions was to partially block Victor Road. My call for help was answered by Police officer Eric

Medei. He gave attention to having enough of the tree removed from Victor Road by the maintenance department to allow traffic to pass. On the following day Officer Medei returned to assure that the regular road crew cleared the rest of the street. We were pleased with this prompt and courteous action and would like the Township Council to be aware of an officer on the force named Eric Medei who scored a high public relations mark with me, on that last Saturday 2006 and it's signed Frank V. Valetti".

Mrs. deLeon

- The tree limbs hanging on the utility wires in the entrance to Steel City, are now gone.
- She had a question about a letter from Northampton County regarding assessment changes on Applebutter Road property from zero to zero. Mr. Cahalan said this was just assigning a tax exempt status.
- COG – She would like to have Jim Birdsall review the carbonate geology areas on the map to see if it is accurate.

Mr. Horiszny

- He said LSA met last night and approved the 2007 budget and also a $15 sewer rate increase due to an 86% hike that Bethlehem is going to hit us with.
- Landfill meets tomorrow.

C. SOLICITOR

Nothing to report.

D. ENGINEER

Nothing to report.

E. PLANNER

Nothing to report.

III. ADJOURNMENT

MOTION BY: Mrs. Yerger moved to adjourn. The time was 10:29 PM.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

Submitted by:

Mr. Jack Cahalan	Glenn Kern
Township Manager	President of Council