

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Public Hearing - Conditional Use – Woodland Hills Place of Worship – 4166 Lower Saucon Road

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Public Hearing – Resolution #79-2014 – Petrie Purchase of Conservation Easement
- B. Request from Southeastern Fire Company to Purchase New Fire Engine
- C. Request to PennDOT for Traffic Study on Flint Hill Road
- D. Resolution #80-2014 – Budget Transfer
- E. Approval of Support Letter for Hellertown Area Library Technology Grant Application for Upgrades to Their Software and Website
- F. Discussion Regarding Williams Township Agricultural Security Area

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of December 3, 2014 Council Minutes
- B. Approval of November 2014 Financial Reports

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Council Meeting: January 5, 2015
Next EAC Meeting: January 13, 2015
Next Saucon Valley Partnership: January 14, 2015 @ HB
Next Zoning Hearing Board Meeting: January 19, 2015
Next Planning Commission Meeting: January 22, 2015
Next Saucon Rail Trail Oversight Commission Meeting: January 26, 2015 @ CB
Next Park & Rec Meeting: February 2, 2015

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Monday, December 22, 2014 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding. This meeting was rescheduled from the December 17, 2014 meeting due to a lack of a quorum.

ROLL CALL: Present: Ron Horiszny, President; Tom Maxfield, Vice President; and Priscilla deLeon Council member; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Karen Mallo, Township Planner; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer. Absent: Glenn Kern and Dave Willard, Council member and Matt Smith, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did meet in Executive Session this evening. He'd like to make a motion to present the management and department head salary levels for next year in the amount of a 3% raise for 2015. The annual compensation would be specifically as follows: Township Manager \$90,430.48; Assistant Manager, \$64,489.97; Chief of Police \$89,602.14; Director of Public Works \$65,653.33; Zoning Officer \$70,369.22; Director of Finance \$58,382.18; and Administrative Assistant \$39,359.19.

- MOTION BY:** Mr. Horiszny moved for approval of the annual compensation for department heads as stated above.
- SECOND BY:** Mr. Maxfield
Mr. Horiszny asked if anyone had any questions? Mrs. deLeon said the staff does a great job, but she feels it should be 2.5%.
- ROLL CALL:** 2-1 (No – Mrs. deLeon; Absent – Mr. Kern & Mr. Willard)

Motion did not pass. Attorney Treadwell said in accordance with your Township Code, you need three votes to increase the salaries of the staff for next year even though it's in the budget. Mr. Maxfield said what happens now? Attorney Treadwell said you can bring it back again in January.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone. Mr. Cahalan said Item IV.B. has been tabled, Request from Southeastern Fire Company to Purchase New Fire Engine.

II. PRESENTATIONS/HEARINGS

A. PUBLIC HEARING – CONDITIONAL USE – WOODLAND HILLS PLACE OF WORSHIP – 4166 LOWER SAUCON ROAD

Mr. Horiszny said the applicant is seeking a conditional use approval for a club/lodge/social building use to convert the existing golf course/incidental banquet use to a place of worship.

- MOTION BY:** Mr. Maxfield moved to open the hearing.
- SECOND BY:** Mrs. deLeon
Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 3-0 (Absent – Mr. Kern & Mr. Willard)

Mr. Gary Asteak, Counsel for the applicant, BAPS, was present as well as a representative from the Temple and their engineer. All were sworn in to present testimony.

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Mr. Asteak said he'd like to make a part of the record comments from the LST Planning Commission. They endorsed the application and made no comments. The Township's engineer letter of December 3, 2014 reflects previous comments that have been addressed. Letter dated December 8, 2014 from Boucher & James reflects all concerns have been addressed. He called the first witness, Kevin Horvath from Keystone Consulting Engineers who prepared the site plan for Woodland Hills BAPS latest revision 11/21/2014. Mr. Horvath gave testimony and answered all questions that Mr. Asteak asked.

Mrs. deLeon asked about the parsonage living facilities. Mr. Asteak said by way of living facilities, there's nothing more than just a modest room that will be necessary.

A member of the BAPS, Mr. Patel gave testimony. Mr. Patel was in agreement with the sale of the property and he described the nature of the facility, the worship services, nature of activities, and the meals after the worship service.

Mr. Horiszny said Hanover's letter said they had all things resolved. Ms. Mallo said they have no objections to the site plan.

Mr. Asteak said he has attended ceremonies at the BAPS and they are good neighbors. They are dedicated to public service and the members are dedicated to their temple.

Mrs. deLeon asked if their services are on Sunday. Mr. Ghan Naik said sometimes their festivities are during the weekday, but it will be on a smaller scale and they celebrate during the weekend. Mr. Maxfield said it's similar to any other kind of place of worship that functions as a community center. He has no problem with the usage.

MOTION BY: Mr. Horiszny moved to close the hearing.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

Attorney Treadwell said he will prepare an opinion based on what was heard tonight and bring it back on January 21, 2015. Mrs. deLeon asked about a current lawsuit going on with the previous owner. Attorney Treadwell said it shouldn't affect the applicant, but he would imagine that when the applicant purchases the property, the lawsuit will be discontinued at some point. Mr. Asteak said once BAPS has settlement, he was told the appeal would be withdrawn.

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. PUBLIC HEARING – RESOLUTION #79-2014 – PETRIE PURCHASE OF CONSERVATION EASEMENT (7:33 pm)

Mr. Horiszny said Resolution #79-2014 has been prepared to authorize the purchase of a conservation easement on a portion of land located at 2626 and 2650 Redington Road.

Mrs. Ginger Petrie was present. Attorney Treadwell explained the purpose of tonight's public hearing. This is for a conservation easement on a portion of property on Redington Road that is approximately 164 +/- acres for the sum of \$495,000.00.

MOTION BY: Mr. Horiszny moved to open the hearing.

SECOND BY: Mr. Maxfield

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

Attorney Treadwell referred to an aerial photograph of two parcels that Mr. & Mrs. Petrie own. He explained where the conservation easement would be and where the seven lots were that are

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proposed to be subdivided, which the P/C approved last week. Assuming Council approves this tonight, he will prepare an agreement of sale and the easement documents and get it to the Petrie's for their review. Then it will be brought back to Council for approval. The Petrie's said they would like to do some type of forestry in the areas of the conservation easement, and he would have to write that in the easement documents. Mr. Maxfield said we need to define that so sustainable practices are used in the forestry. Mrs. Petrie said they are totally in agreement with what the Township needs.

Mrs. deLeon said we have an ordinance on forestry and they should follow it. Mr. Maxfield said normally in our conservation easements we don't allow forestry. Attorney Treadwell said he would call this a case-by-case basis.

Mrs. Petrie asked if there was any funding coming from outside sources? Attorney Treadwell said we haven't made any applications to any other agencies for funding. Mrs. Petrie spoke about sheds and livestock, which she kept in the building envelope because if they ever had to sell it and someone had a larger horse operation, they would be able to put that type of building to house an indoor ring or a big stable in the building envelope.

MOTION BY: Mr. Horiszny moved to close the hearing.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

MOTION BY: Mr. Maxfield moved for approval of Resolution #79-2014 that authorizes the purchase of a conservation easement of 164 +/- acres at 2626 and 2650 Redington Road in LST for the amount of \$495,000.00.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

B. REQUEST FROM SOUTHEASTERN FIRE COMPANY TO PURCHASE NEW FIRE ENGINE
This agenda item has been tabled.

C. REQUEST TO PENNDOT FOR TRAFFIC STUDY ON FLINT HILL ROAD (7:59 pm)
Mr. Horiszny said in light of the December 2, 2014 crash in which another heavy truck experienced brake failure while traveling down Flint Hill Road to the Route 412 intersection in Leithsville, the Manager is asking for Council authorization to contact PennDOT to request that a traffic study be conducted on this roadway and intersection.

Mr. Cahalan said members of the Se-Wy-Co Fire Company are present and they have a video which will explain what their concerns are and they are asking for a traffic study to be done by PennDOT. Mr. Bill Cszasz said it was merely a matter of seconds that we could have had a reoccurrence of a truck losing its breaks and hitting a car. It is only 2 1/2 years since the previous accident. He cannot count the number of near misses that occur at that intersection. Every kind of truck imaginable uses Flint Hill Road. Had that been a propane truck, we wouldn't exist. We need to do something with truck traffic on Flint Hill Road. If this last truck hadn't have hit the wires, he would have hit the building again.

Mrs. deLeon asked what alternate routes would they have? Mr. Cszasz said the route should be 309. These are trucks coming out of Richland Township and Quakertown taking the back roads to go through Hellertown to get on I-78. This company's warehouse is on Passer Road which leads to Route 309. He thinks there needs to be a weight limit, a pull off emergency area, local delivery only, or a reduced gear zone.

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Mr. Cahalan said if you are coming down that hill, your site is blocked by the Leithsville Inn when you pull out, so that's another issue. Mr. Horiszny said maybe a three-way stop sign would work. Mr. Cahalan will prepare a letter to PennDOT.

MOTION BY: Mrs. deLeon moved to direct the Manager to write to PennDOT asking them to conduct a traffic study in that area in light of these accidents and share the video with them.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

D. RESOLUTION #80-2014 – BUDGET TRANSFER (8:14 pm)

Mr. Horiszny said Resolution #80-2014 has been prepared to transfer funding from one Township line item account to another. The amount requested is \$22,000.00.

MOTION BY: Mrs. deLeon moved for approval of Resolution #80-2014 in the amount of \$22,000.00 from account 01.408.310 to account 01.414.312.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

E. APPROVAL OF SUPPORT LETTER FOR HELLERTOWN AREA LIBRARY TECHNOLOGY GRANT APPLICATION FOR UPGRADES TO THEIR SOFTWARE AND WEBSITE (8:19 pm)

Mr. Horiszny said the Manager prepared a letter supporting the grant application that the Hellertown Area Library submitted to the PA Department of Education for grant funds to assist the library with upgrades to their circulation and catalog software, redesign of their web site and an update to their Quick Books software. Mr. Cahalan said they requested the support letter by December 17th, so he's asking for approval. The grant application amounts to \$50,000.00.

MOTION BY: Mrs. deLeon moved for approval of the support letter for HAL grant application for upgrades for their software and website.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

F. DISCUSSION REGARDING WILLIAMS TOWNSHIP AGRICULTURAL SECURITY AREA (8:20 pm)

Mr. Horiszny said the Manager and Solicitor have had discussions with Williams Township representatives about the handling of future Lower Saucon Township applications to their Agricultural Security Area (ASA).

Mr. Cahalan said he was contacted by the Manager of Williams Township regarding the costs they are incurring for the placement of LST properties in their ASA. They estimate it costs about \$800 per request. Williams is requesting that we be responsible for the costs incurred.

Attorney Treadwell spoke with the Williams Township solicitor and part of the issue is the Ag Security Act states the Township is not allowed to charge any fees to someone who wants to enter into an ASA. There's no provision to recoup the cost.

Mr. Maxfield said LST should pay the \$800 for anything that goes into the Williams ASA since it is benefitting our Township. There was discussion of what happens if someone withdraws from the ASA. Mr. Horiszny said we probably need a resolution or a policy to address this. Attorney Treadwell said if we consider paying for it, we should get a breakdown from Williams Township. Mr. Maxfield asked can we bring some ideas back to the January 21st meeting.

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V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF DECEMBER 3 MINUTES

Mr. Horiszny said the minutes of the December 3, 2014 Council meeting have been prepared and are ready for Council's approval. Mr. Horiszny said he did ask for a couple of changes to be made.

MOTION BY: Mr. Horiszny moved for approval of the December 3, 2014 minutes, with corrections.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 2-1 (No – Mrs. deLeon; Absent – Mr. Kern & Mr. Willard)

B. APPROVAL OF NOVEMBER 2014 FINANCIALS (8:35 pm)

Mr. Horiszny said the November 2014 financials have been prepared and are ready for Council's approval.

MOTION BY: Mrs. deLeon moved for approval of the November 2014 financial reports.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:36 pm)

- Mr. Gene Boyer asked what the line item Environmental Reserve in the budget is for. Mr. Cahalan said for landfill closure fund.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

Mr. Cahalan said David Jauregui is interested in appointment to the EAC. Mrs. deLeon suggested waiting until the reorganization meeting to appoint him.

B. COUNCIL/JR. COUNCIL

Matt Smith, Jr. Council – Absent

Mr. Maxfield

- He said he heard about the presentation on Redington District and how wonderful it was.
- He said he doesn't know the policy of the Township, but the HAL board proposed we pay for background checks for some of their employees who don't have it now and he would like Council's opinion about that. Mr. Cahalan said he thinks it's critical for a library employee to have that done. This would be in the library budget they'd present to us.

Mrs. deLeon

- She said the Saucon Valley Conservancy held their holiday gathering .
- She attended the pipeline meeting this past Tuesday. The presenters were great.
- She said we are working with Attorney Elliott to put together a resolution against the pipeline. Attorney Treadwell said it will be brought to Council sometime in January. She requested that he ask Attorney Elliott a question regarding the regulation of odors if there are any, by DEP.
- She said there was a landfill meeting on December 18th and it was reported that IESI will be submitting their permit application for the eastern expansion. DEP did a surprise inspection prior to the meeting and they reported they smelled landfill gas offsite on Applebutter Road at Ringhoffer Road, but not at the level for a notice of violation.

Mr. Kern – Absent

Mr. Willard – Absent

Mr. Horiszny

- He said Ned Heindel is going to speak at the February 2015 Historical Society meeting.
- He said Gar Davidson, Administrator from the Lower Saucon Authority is working on a Act 537 plan for the first quarter next year and will provide an update.

C. SOLICITOR – No report

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- D. PLANNER** – No report
- E. ENGINEER** – No report

VIII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 8:48 p.m.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 3-0 (Absent – Mr. Kern & Mr. Willard)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President