

SAUCON VALLEY PARTNERSHIP MEETING

Date: Wednesday, August 12, 2009
Time: 7:00 PM
Location: Lower Saucon Township

- A. **Call to Order:** The Saucon Valley Partnership meeting was called to order by Glenn Kern on August 12, 2009 at 7:11 PM at Lower Saucon Township.
- B. **Roll Call: Present:** Glenn Kern, Priscilla deLeon, Susan Baxter (NO REPRESENTATIVES FROM HELLERTOWN PRESENT - NO QUORUM) Jack Cahalan, Township Manager and Charlie Luthar, Borough Manager. Guests: Jennie McKenna, Joe Pampanin and Tom Dittmar.
- C. **Council of Governments**
1. **Minutes of the May and June Meeting** – Jack said he has minutes from the May and June meeting. Can't be voted on – NOT APPROVED AS THERE WAS NO QUORUM.
 2. **Treasurer's Report** – Jack said he has a Treasurer's report for June and July. NOT APPROVED AS THERE WAS NO QUORUM
 3. **Approval to pay bills (if any)** – Jack said there are no bills to pay.
- D. **Saucon Valley Multi-Municipal Comprehensive Plan**
1. **Update on Status of Comp Plan Adoption** - Jack said the comp plan was presented to the Township Council and adopted at their July 15, 2009 meeting. On July 28, 2009, the School Board also adopted the plan. Hellertown Borough has it on their agenda for their August 17, 2009 Council meeting.

Glenn said one of the Hellertown Council people wasn't in favor of the comprehensive plan and wrote a column in a local paper. Priscilla said one of the points the writer raised was the different names of the villages that comprised Hellertown over the years. We, as a Township, wanted to make sure that the consultants put in Bingen, etc. She didn't realize Hellertown had little tiny sections too. When AJ was here, he said it was not a significant change, so it would be no big deal if you told him where to insert the different historic villages that were in Hellertown over the years as it's going to be forgotten if it's not put in. LST has Se-Wy-Co, Colesville and Wydnor. Ten years from now, people aren't going to know that.
 2. **Review and Approval of Letter to LVPC Requesting Amendments to County Comp Plan** - Jack said one of the things you'll recall over the past six to eight months since the final draft was presented to us by EPD – we sent it to the neighboring municipalities and the Lehigh Valley Planning Commission (LVPC) for a review. We got some comments back from the City of Bethlehem and they were very minor. The LVPC had major problems with our plan and we spent at least six months on those problems. We had three meetings where he and Charlie sat down with Mike Kaiser and Olev Taremae and went over them. We paid our consultants an additional \$2,000 to rewrite and reformat the plan so it would meet the issues and concerns that Olev had outlined to us which were inconsistencies between our plan and the County Comprehensive Plan. When we were getting ready to present the comp plan to the Councils, we asked the Solicitor to review the plan primarily since Priscilla had asked the question if we go forward in adopting our plan with those inconsistencies from the LVPC, could that present a legal problem down the road? The Solicitor looked at it and he identified a section in the Municipalities Planning Code (MPC) that basically said we can have differences between our plan and the County Comprehensive Plan. The MPC states that if it occurs and especially if it occurs between two municipalities who have worked on a multi-municipal comprehensive plan, then we should make a request to the County to change their plan. AJ explained it to our Council that in order to promote multi municipal planning the state revised the MPC six or seven years ago to allow for those types of things

to occur. At no time during our discussions with the LVPC was this ever mentioned to us. That was never put on the table or stated by the LVPC that if we did have differences, the municipalities can ask the LVPC to make amendments to the County Comprehensive Plan. It was always: our plan is inconsistent, fix it and change it. The draft letter to the LVPC dated August 18, 2009 gives a little bit of history of what we went through with our plan, the various meetings and letters that went back and forth and outlines the areas where the LVPC said our plan differed from the County Comprehensive Plan. We asked AJ and Carolyn to identify those areas where we do differ from the County. Those are outlined in this letter. At the conclusion of the letter, we point out that the MPC does permit this process whereby we can request the County to make changes to their plan, so that we are in conformance with them. This kind of turns it around as far as we are concerned. We don't have to feel in any way that our plan is deficient. It's a good plan. We spent a lot of time working on it for two years and it represents the best work of both municipalities. This is telling the LVPC this is where we differ, please change the County Comprehensive Plan.

Charlie will be bringing this up at the Borough Council meeting. Priscilla said should the school district be part of the signing? Charlie said it relates to the MPC and that doesn't apply to the school district. Charlie said a lot of the issues they had was just the way it was presented initially. There were really no major differences. Jack said that's where we stand, and if it is approved by Hellertown Council, then we have an approved Multi Municipal Plan and it's a great accomplishment. Susan said do we have Lehigh University as part of our Township? Jack said some of Lehigh's property on South Mountain is in the Township.

- 3. Closeout of LUPTAP Grant** – Jack said we did have the LUPTAP grant money from the state which enabled us to hire a consultant and because of all of this that we were going through with the LVPC, we extended ourselves beyond the normal closeout date and we spent some additional monies. For awhile we were being threatened by the State that we didn't spend the money on the closeout date, but we finally got it resolved and sent them legitimate receipts. He had an official letter from DCED saying it's closed out and we are back in their good graces. As far as ongoing issues, the two Planning Commissions have met twice, and are planning another joint session on September 10th. The last two meetings were fantastic. Jack said at the September meeting, he and Charlie will come back to you with a grant application to submit to DCED for new funding that we can use to continue working on things like the zoning audit and reviews. Charlie said the zoning audit was to take a look at each of our zoning ordinances and determine if there are any issues. Jennie said it will catch up with current regulations also. Jack said that LUPTAP Grant funding is in jeopardy with the State budget crisis. Priscilla said thanks, we all worked very hard.

E. Brief Reports and Discussion Items

- 1. Casino Impacts Funding - update** - Jack said he hasn't heard anything on the Gaming Authority. Charlie said he hasn't heard anything either. Priscilla said there will be a meeting in September and the County will pick the date and invite us to come. Tom said the County will be involved in the first meeting and then will step back. He has not heard a date. Priscilla said basically she's excited, but she's not. She already said she needs a lot of the background information. Hopefully, we can evaluate it and come up with a fair way to do it. What she doesn't want to see happen is having monthly meetings to review monthly grant applications from municipalities as that is redundant. It should be a longer time span. It's going to be tough coming up with a way for reviewing these applications. She said suggestions are welcome. She thinks this Authority will be like the COG. The COG wouldn't be anything if not for the administration. They need to come up with some kind of staffing. We are going to need an attorney. Glenn said one of the things not in the gaming legislation is the money to set up the day-to-day operations of this authority. That has to come out of the casino operations, not the County. Priscilla said there will be stumbling blocks. Glenn said that's why John Stoffa was against this commission as it's going to cost the County. Priscilla said for us sitting around the table, we're down at the southern end of the County. She's been sitting around the table for many years, and years ago when they did the first 911 thing, we're forgotten down here. It's going to be challenging. Priscilla asked if anyone had any issues on the casino traffic? Jennie said in the beginning there was a big surge of traffic, but it's evened out a little bit. She's very concerned about the table games coming

in. If they get table games in there, we've got to lobby Senator Boscola and everybody else so the municipalities get a share of those dollars.

2. **Joint COG Projects (Joint Skate Park Facility)** - Charlie said this started with Hellertown. Jennie said the kids would like them to do something. It's expensive so we have to look into insurance. Gail Nolf has reached out to the Township Park & Recreation board. We are thinking about the Water Street Park as a good location for the skate park as it's visible from the highway. If we can get cement pad about 60' x 60', that would be great. We have Selective Insurance, but they have certain requirements. They want it to be professionally built. Hellertown has completed a park study for Dimmick Park and one of the ideas was to do a skate park, but it's kind of crowded there. We're very anxious to do something in a partnership with all of us. Priscilla said she thinks it's good, and since it's near the trail system, we need to promote more of these adjacent sites. The more we can promote and get the people off the trail and into the community; it will flow into restaurants, etc. Tom said down in NJ, you can go right to restaurants, there's outside seating available right off the trail. Jennie said this was part of the business revitalization. They are looking for any cooperation or ideas they can get. Jack said the LST Parks & Recreation Board thought Water Street would be a good location as it could be monitored by both PDs. Charlie said there was supposed to be a resident coming tonight to talk about the skate park. He was critical of parents bringing their pets to school on the campus. He has written some articles in the Express Times. His son went to Dimmick Park, along with the other kids, and they were skateboarding there and one of our Public Works guys stopped them. We don't allow trick riding on benches, tables, etc. That got the father going on this skate park. Joe Hoffman is going to look into grant funding it. Jennie said everyone in the area hears we do a lot for team sports like football and baseball. They got to know the kids very well and they are nice kids.

3. **Roads & Traffic - (Polk Valley Road/Walnut St. intersections; Speed Limits on Apple, Skibo & Friedensville Roads; School Zones; Update on SR 412 Resurfacing Project)**

Polk Valley Park - Jack said nothing new on Polk Valley Road. Charlie said we did meet with the shopping center owner and he's now had a change of heart. He's now looking for fair market value for those easements and it kind of disappointing. We're still not through talking. He feels the Borough has jerked him around on some of the tenants who moved into the shopping center, which is not true. Business and financial conditions were probably a big factor.

Walnut Street - Charlie said Walnut Street intersection is basically done. The only thing is the handicapped ramps were not approved yet. The funds are coming out of the stimulus money for this 412 project.

Apple Street - Charlie said regarding Apple Street, we've had some compliments about the speed limit signs put there.

School Zones - Charlie said the school zones, he did talk to Joe Rauscher at PennDOT, and they have not completed the study yet. School starts at the end of August and he'd like to have those signs in place. Susan asked about the type of signs that would be put up? Charlie said that they would not be flashing lights or "Your speed is" signs. There is a sign over at the Nitschman School in Bethlehem and it says "School Zone - 15 MPH during (and you provide the time)". That would be the type we are looking for.

Update on SR 412 Resurfacing - Charlie said regarding resurfacing on 412, they started milling the south end of 412 up to Walnut Street last night. They will stop on Saturday morning and start again on Monday evening. They should be done by next Friday morning. As far as the resurfacing of the pavement, they did not have a schedule. On the handicapped ramps, they got PennDOT approval for eight (8) handicapped ramps, and are working to get approval for the others. The contractor has started to excavate some corners preparing for ramps at some of intersections up in the Borough. All of the work has to be done October 30, 2009.

Glenn said of note, a group of residents came before LST Council about Victor Road as people have been using Victor Road as a short cut. People have been complaining saying they are going at excessive speeds. The complaint came in and we put a four way stop sign up. It's a residential neighborhood. There's a stretch of roads with a 22 children from the age of four months to 13 years of age.

4. **Joint Enterprise Zone with City of Bethlehem - update** - Charlie said he tried to get a hold of Wayne Wastler on Monday, who works in the City's DCED department and Wayne has not responded.
5. **Saucon Valley Compost Center - update** - Charlie said it's doing well. We have one grinding session already to mulch up the material that was received.
6. **Tax Reassessment: Act 32 EIF Tax Collection Districts - update** - Ed is not here. Susan said last night they passed this, with Ed as the primary person; Dave as a secondary; and his assistant, Gina as a third. They are going to go to the September meeting. These three are all from the School District and they will represent the three communities. Jack said he and Charlie met with Dave Bonenberger and similar resolutions will be approved by the Township and Borough to appoint Ed as our delegate and Dave and Gina as the alternate voting delegates. Charlie said Dave knows a lot about this. Susan said he's involved in a lot of these committees and he's very sharp. There will be more and more information coming on Act 32. Charlie said there will be a session at the school district on September 13; it's a business manager's meeting. Susan said we are going to have to spend more money now on this. Priscilla said this is leading towards bigger government.
7. **Fire Services - update** - Jack handed out a press release announcing the adoption of a joint policy between the Township and Borough to release PW employees to respond to fire calls during the day. In July this was adopted by the municipalities. It was an issue with the fire departments who needed additional manpower during the weekday hours of 6 AM to 6 PM. They appealed to the Borough and the Township to release those PW employees who are trained fire fighters during those hours. There's a criteria that has been adopted that states they can respond to confirmed calls. There are some instances when they cannot leave, like garbage collection or snow plowing. Other times, when there's a call or a mutual call from our neighbors, they can leave. There are two at the Borough and two at the Township.
8. **Leithsville Act 537 Plan - update** - Charlie said Council took this issue up in June. Jennie said Council did vote to move forward on this. We allowed the easement on Borough property along the creek, but they still have to study it. We allowed them to go ahead and do the planning. We won't know what they are going to find or if it will work for them as we had to pre-approve it. We have to trust DEP in protecting our creek. The Borough Authority and Township's EAC was in favor of it. There are a lot of groups that were approving it. Priscilla said the people who live out in Leithsville that have these failing systems; they don't know what to do. Jennie said as soon as it came back from the Solicitors, they acted on it. Susan said how much will that project cost? Jack said we have no numbers yet. Jennie said it will be over \$1 million.
9. **Other Issues (HB No. 1754; HB No. 1527; PA COG Conference September 11 - 13, 2009)** - Jack said this is just an FYI. It's legislation that was proposed by Representative Rich Grucela from Northampton County and is also supported by Bob Freeman. It deals with two things. No. 1754 is a requirement that municipalities have to make a monthly report to the school district of any new developments. The other one, 1527, deals with education impact fees. It says "the board of directors of a school district may levy an educational impact fee on each subdivision plan and building permit issued for the construction of new residential units located within its geographic boundaries in accordance with this section." Glenn said does it say how much? Jack said amount of fee shall be \$2,500 imposed upon each bedroom in excess of one for each separate proposed residential dwelling unit in the subdivision plan. The fee may not exceed \$7,500 for each residential dwelling in a proposed subdivision plan. There's a fee of \$2,500 for a building permit for each bedroom in excess of one for each proposed residential dwelling for which the building permit is issued. The rest are exemptions to

that. If they provide some preserved land, you can get a \$1,500 deduction for each acre of land preserved. There's a \$1,000 deduction if the developer provides for a designated school bus loading area. A \$500 deduction from the impact fee for each house in the subdivision that has a stone or brick front on the façade of the house. A \$500 deduction from the impact fee owed for each house in the subdivision that uses porous materials for the driveway and sidewalks. A \$500 deduction from the impact fee owed if the developer shows that each home being constructed meets or exceeds the National Energy Star rating. Locally, that was introduced by Rich Grucela. The money goes to the school district.

Jack said if anyone can find the time, the PA COG conference is here in Bethlehem on September 11 – 13 in our back yard. If anyone is interested, Linda Costa, head of PA COG, has a free registration. Priscilla said she'll be at a barn tour. Jack said let Charlie know if anyone is interested in attending.

- F. County Report - Tom Dittmar** - Tom said he sent out was information on the Solid Waste Advisory Committee as they are looking for somebody from each one of the COG's. They are working on the municipal waste plan. When he started reviewing everything last year and finding out that the capacity agreement has been outdated since 2002, the municipal waste plan was outdated, and when it was done and revised in 2005, it was never followed through with the vendor. The vendor never followed through with the DEP to get final approval. Now he's out rattling cages to the point where they may get a vendor to come in to go after the grant money from the cost that was put out in 2005, so it would cost nothing for the revisions. He's looking to do it for nothing.

Jack said speaking of the Solid Waste Advisory Committee; his feeling is that he has to take this request to Council as it is more a Council decision than a COG decision. Tom said they are looking for a representative from each of the COG. Jack said he thinks the Council has to look into that as it is dealing with municipal solid waste. Tom said he is trying to cover the whole county. Priscilla said you are saying it necessarily doesn't have to be us, but you would like a representative from each one of the COG's. He is talking about the COG appointing somebody. Jack said it's an issue that is different in the Borough and the Township. Charlie said he thinks each municipality has to have a representative. Tom said they don't want one from each municipality. If he had one from all thirty-eight municipalities, they'd never get anything done. Priscilla said she would love to be able to do it, but she's maxed out. She's been on the Landfill Committee since 1988. Tom said they are going after the landfill negotiations because you can't have a municipal waste plan as an administration fee, but you can negotiate with them to see if they can get so much per ton to go for environmental recycling waste reduction programs like household hazardous wastes, medication collections, etc. These programs cost the County money and in the long term, they are looking at a yard waste program. To set up a program like that, it would cost \$3 to \$4 million now. In these economic times, a long term plan needs to be put into place. The household waste program can cost anywhere between \$40,000 to \$60,000 for a four hour event. Last year they brought in 23,000 pounds. This year they are anticipating tripling that amount. Our cost could run as much as \$100,000. We get 50% of that back from the state. He found a company that is one-half hour away and they tell him they can do triple of what they did last year for \$30,000. So now it is going to entice him to do two events. He got quotes on medication collection programs, where Giant would use their pharmacists, and this company that is willing to come in and do their programs, said they'll do it for \$1,500. Landfills are filling up, so that's why we are doing the medication programs. By getting the landfills to buy in with us and help pay for it, it gives them longevity, we give them capacity areas that will last longer, employment will be maintained, there will be a reduction in health hazards, no airborne mercury, so there's a lot we are trying to get them to work with us on these programs. It's a process that we are getting them to move forward. They want to get this out there to show them we are going to do more than we did last year. This year we did two recycling events already and one more in Nazareth. They did 79 tons so far of E-cycling. They are trying to cover the whole county. They did one at Bangor School District and were disappointed, so they will move it to another site next year. They like to use school districts as the parking lot is empty on weekends and most residents know where to go. He is trying to partner everyone together. He's looking for team players.

Tom said on the Tree Vitalization Program – he had disappointing information. They got turned down because of no cash match, that's sad. They were told they were going to get \$100,000 every year for Tree Vitalization for our County, now we're told we might get \$40,000 for this next year. We haven't seen

anything as it's all going down to the state. Trees do save the environment. The Tree Vitalization is important to him.

Tom said we need all the COGS to join in with the County. He put a memo out a year ago, he was looking for a County wide EAC group, and he was looking for one person from each municipality, he has such a small response, it made him sick. He then put it on the back burner, but he's thinking by the end of this year, he still needs that EAC group. That way they can get the information out to the municipalities quicker. We can get feedback from them on all these programs a lot quicker and start sharing it with all regions. This year he had more municipalities report their recycling tonnages than ever before, and some of them that are not even mandated are doing the recycling. If municipalities don't do recycling, they will lose grant money. California is doing a 72% recycling rate and PA is barely hitting 20%. What legacy are we going to leave for the kids? The County is looking for a Solid Waste Committee. Priscilla said when IESI was given their Phase IV permit, one of the hot issues was their harms benefit analysis. It was very disappointing. They tried to get them for the out-of-state waste and the government says you can't do that. They said they were going to concentrate on the local areas. We get a quarterly report from DEP and its 50% to 60% out-of-state and it's going up again and there's nothing we can do about it now. In her opinion, they are violating their harms benefit analysis, but DEP won't do anything. It's like a joke. Tom said it is so sad to see how these landfills have tried to use the word game to get out of it, but he's trying to rope them into where they don't have a word game to play. It's going to be a joint venture with them to reduce the waste, to increase the environmental issues and have them promote it. He wants them on part of a small committee so they will have a say on it, and will be part of it.

G. Citizens Commenting on Non-Agenda Items

Jennie said she's doing this as a citizen, she wanted to talk about trick-or-treat night in Hellertown. Apparently the Chairman of the Parade Committee made that decision and she thinks it should have been brought to the Councils to discuss first. Priscilla said they are discussing this at their next meeting on Wednesday, August 19.

H. Events Calendar

<http://sauconvalleycalendar.blogspot.com>

September 12, 2009 - Barn Tour. Priscilla said they are really excited about the barn tour as they are trying to raise money for the Heller Homestead barn stabilization. The barn arches are dropping and we need to stabilize it before the winter again. The barns that are on the tour are beautiful and we are trying to keep it in our geographic area. Next year it will be in a different area of the Township. The day of the tour, you will find out what barns are on the tour. If you go on the Internet, their website is not there. Web Power Plus flew the coop so they lost their website. For two weeks, they haven't had a website. So now they are a .com. Their website is there, and click on barn tour and you can find information there.

Community Day is August 22, 2009.

Priscilla said if anyone has any events, please get them to her.

Jennie said she attended an Energy Sustainable Conference at Lafayette College. She talked to John Stoffa about three cities, the school district and the County getting involved to purchase electricity. She was thinking about it this year, and it might be something that the COG might be interested in pursuing or joining another group. Susan said they talked about that at the meeting last night, joining with Southern Lehigh, Salisbury school districts. Jennie said there are three main auctions out there to buy your electricity from, PPL being one of them. The Borough could buy what they need, this would not be for the residents.

I. Adjournment - The meeting adjourned at 8:46 PM.

J. Next Meeting: Wednesday, September 9, 2009 @ 7:00 PM, Saucon Valley School District (October 14th HB; November 11th LST)