

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

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variance
 - 1. Scott & Jennifer Keeney – 2051 Pheasant Court – Revised Variance for Impervious Coverage to Install Pool
 - 2. Travis & Julie Spencer – 1677 Cross Lane – Variance of Side Yard Setback to Construct a Shed
- B. Request for Modification of DCNR Grant for Composting Toilets
- C. Review of Costs for Playground Equipment at Polk Valley Park
- D. Request Approval for Electrical Work Needed in Police Evidence Room and Carport
- E. Approval of Woodland Vegetation Management Plan for Reading Drive Trailhead
- F. Schedule Date for 2014 Sixth Annual Volunteer Picnic

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of March 19, 2014 and April 2, 2014 Council Minutes
- B. Approval of March 2014 Financial Reports

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Planning Commission Meeting: April 24, 2014
Next Zoning Hearing Board Meeting: April 28, 2014
Next Park & Rec Meeting: May 5, 2014
Next Council Meeting: May 7, 2014
Next EAC Meeting: May 13, 2014
Next Saucon Valley Partnership: May 14, 2014 @ SVSD
Next Saucon Rail Trail Oversight Commission Meeting: June 23, 2014 @ LST

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, April 16, 2014 at 7:05 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did meet in Executive Session this evening to discuss land acquisition.

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.

III. PRESENTATIONS/HEARINGS – None

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCE

1. SCOTT & JENNIFER KEENEY – 2051 PHEASANT RUN CT. – VARIANCE FOR IMPERVIOUS COVERAGE TO INSTALL POOL

Mr. Horiszny said the applicants have revised their application in an effort to comply with Council's desire and are now seeking relief from the maximum lot coverage requirements to construct an in-ground pool, decking, etc.

Mr. Keeney said they revised the plan to a lesser percentage. Mr. Horiszny said the percentage is not lesser than it was the first time which is still a concern as it was at 26.1%, then it went to 26.4% and then back down to 26.146%. He asked if there was any potential for reducing the size of their driveway?

Mr. Keeney said they would be willing to do that. Mr. Maxfield said if Mr. Keeney could get it down to that percentage or very close, they could ask Chris to look at it and if it's okay with him, it would not have to come back to Council. Chris will report back to Council. Mr. Keeney asked if the 26% would be favorable. Mr. Maxfield said yes, the closest you can get to 25% the happier Council will be.

MOTION BY: Mr. Horiszny moved to oppose this application unless Mr. Keeney makes further changes to get down to 26% and show Mr. Garges before the ZHB on April 28, 2014 so Mr. Garges approves the plans.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Absent – Mr. Kern)

2. **TRAVIS & JULIE SPENCER – 1677 CROSS LANE – VARIANCE OF SIDE YARD SETBACK TO CONSTRUCT A SHED**

Mr. Horiszny said the applicant is seeking relief to construct an 8'x10' shed within the required 10' setback.

Mr. Spencer said his property is a peninsula between Pleasant, Hilltop and Cross which are considered the front of the property where there's no structure. On the side yard, he put a deck and a garden, so he wants to put a shed there off the property line but within the 10' restriction.

Mr. Maxfield said he'd consider this a hardship. Council took no action.

B. REQUEST FOR MODIFICATION OF DCNR GRANT FOR COMPOSTING TOILETS

Mr. Horiszny said the Finance Director will review the DCNR award we received in 2011-2012 for composting toilets at Polk Valley, Steel City and Kingston Parks and is recommending that due to cost and logistic issues that Council approve the submission of a modification request to DCNR.

Ms. Gorman said when we received the grant, the toilets were wooden structures and due to some damage done at another park in Bucks County, Council had agreed to do a concrete installation and the first one was done at Kingston Park. The second phase was for Polk Valley. When they contacted the contractor, they said the price increased \$9,000.00. The facility for the solar power which is required at Polk Valley Park is \$42,100.00 more. DCNR was agreeable to modify the grant application to go from three restroom facilities to two. Since Polk Valley Park requires solar, they would move the second facility to a park option which would make them compliant with the grant deadline. The trailhead would be an option. They could also utilize Northampton County's funding of \$180,000.00 which is allotted to us to make the 50% for the future installations. What she's asking is to modify the request from three facilities to two, and a site relocation modification as well.

Mrs. deLeon questioned the amounts of \$9,000.00 and \$42,100.00. Ms. Gorman said we originally signed a contract for one facility and we were doing it in phases. When we're ready for the second facility, Modern Precast was bought by Old Castle so they went into state contract and the prices of the unit went up. Mrs. deLeon didn't favor the increase in cost. Ms. Gorman said when the technology was sold to Modern Precast, it got more expensive.

Mrs. deLeon said what happens to Steel City Park? Ms. Gorman said they can re-file. Mr. Cahalan said the park could be pushed off until 2016 as we still don't have the permitting from PennDOT. Mrs. deLeon said by pushing Steel City off two years, what's that doing to the cost? Mr. Cahalan said they can look at other things for Steel City when the time comes. Mrs. deLeon said what about an electric line at Polk Valley Park? Mr. Cahalan said that would be costly too.

Mr. Gene Boyer, Saucon Avenue, asked about the locations of the composting toilets. Mr. Cahalan said tonight they are asking Council to give us the okay to write a letter to DCNR requesting they modify the grant they approved from three to two toilets. The second toilet will be at the trailhead instead of Polk Valley which was part of the original plan.

- MOTION BY:** Mr. Maxfield moved for approval of the modification of the DCNR grant for composting toilets.
- SECOND BY:** Mr. Willard
- Mr. Horiszny asked if anyone had any comments or questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

C. REVIEW OF COSTS FOR PLAYGROUND EQUIPMENT AT POLK VALLEY PARK

Mr. Horiszny said the Director of Finance will review the costs for the installation of the playground equipment at Polk Valley Park.

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Ms. Gorman said regarding the tot lot structures, you approved us to be members of NJPA which is a purchasing program. Under that program, the actual tot lot equipment presented to Council was the lesser expense of the between the two contracts (Costars and NJPA). Under NJPA you can purchase the equipment with or without the installation of the equipment. You can have the PW Department the installation as well. She presented two options under NJPA which is either purchasing the unit and the labor for the installation or the purchase of the unit with Public Works installing the playground equipment, but we'd have to contract a certified designer to supervise the installation. The Solicitor is recommending we do the purchasing through NJPA for the equipment and the labor as it would lessen liability issues. Mr. Cahalan said historically any playground equipment put in the township has been done by the certified contractor who knows how to install the equipment properly.

Mr. Willard questioned what "protects the Township from potential liability issues if something occurs" means. Ms. Gorman said it could occur during installation or if something should happen with improper installation. Mr. Willard said does the labor you buy through NJPA fit the classification of a certified playground installer? Ms. Gorman said yes.

- MOTION BY:** Mrs. deLeon moved for approval of the NJPA bid of \$53,413.63 for the playground equipment at Polk Valley Park.
- SECOND BY:** Mr. Horiszny
Mr. Horiszny asked if anyone had any comments or questions? Mr. Boyer asked what both prices were? Mr. Horiszny said for NJPA it was \$53,413.63 and for our PW to do it, it was \$43,824.15.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

D. REQUEST APPROVAL FOR ELECTRICAL WORK NEEDED IN POLICE EVIDENCE ROOM AND CARPORT

Mr. Cahalan said the Director of Finance will review the need for relocation of the electric panel in the Police Evidence Room and for replacement of the recessed lights in the Police carport. The evidence room is a secure area and access is restricted only to a few police officers. That panel controls some of the outlets in the kitchen in the administrative wing. If the breaker trips, Public Works has to reset the breaker and with the restricted access, there are times we couldn't use anything in the kitchen. We'd like to move panel to the opposite side of the wall in the sally port. There are three estimates and the lowest cost was from Westside Hammer of \$2,400.00.

Mr. Cahalan said the second recommendation is the carport, the original 50 watt light fixtures have been burning out. This is a safety issue plus the parts are hard to get. We would like to update the bulbs to LED bulbs. Mr. Gorman got three estimates and the lowest cost was from Doelp Electric at \$1,695.00.

- MOTION BY:** Mr. Maxfield moved for approval for electrical work needed in police evidence room for a cost of \$2,400.00 from Westside Hammer and the replacement of the carport lights at a cost of \$1,695.00 from Doelp Electric.
- SECOND BY:** Mr. Willard
Mr. Horiszny asked if anyone had any comments or questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

E. APPROVAL OF WOODLAND VEGETATION MANAGEMENT PLAN FOR READING DRIVE TRAILHEAD

Mr. Cahalan said volunteers from the PSU Master Gardeners and the Saucon Creek Watershed Association have a submitted a plan for a meadow installation and for vegetation management in the woodland area of the Reading Drive Trailhead. The plan has been reviewed by the Township Planner and recommendations for its approval have been received from the Saucon Rail Trail Oversight Commission and the EAC. It involves planting a meadow in front of the picnic area at the Reading Drive trailhead. It's 550 square foot area. They included a plant list approved by Ms.

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Liggett. Hazardous trees will be removed from that area and that will become an educational area. They will provide signage donated by the volunteers to assist with the educational aspects. They will be doing all maintenance and work with PW to remove any of the debris.

- MOTION BY:** Mr. Maxfield moved for approval of the woodland vegetation management plan for Reading Drive Trailhead, and thanked all the volunteers for doing the work.
- SECOND BY:** Mr. Willard
Mr. Horiszny asked if anyone had any comments or questions? Mr. Willard asked when they would start to do this work? One of the Master Gardeners said the last weekend of April.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

F. SCHEDULE DATE FOR 2014 SIXTH ANNUAL VOLUNTEER PICNIC

Mr. Horiszny said the Manager would like to discuss with Council the date for the sixth annual volunteer picnic.

Mr. Cahalan said we usually do this in June on a Monday. Council agreed on Monday, June 16th from 6:00 pm to 8:00 pm.

Mr. Willard was at a PSATs workshop “Volunteer Friendly Townships” which was all the things you do to get volunteers and the last part was recognition and tokens of appreciation. Council agreed to invite more of the Township’s volunteers.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MARCH 19, 2014 AND APRIL 2, 2014 COUNCIL MINUTES

Mr. Horiszny said the draft minutes of the March 19, 2014 and April 2, 2014 Council meeting have been prepared and are ready for Council’s review and approval. There are two options for both sets of minutes. Option 1 is our current format of verbatim comments. Option 2 is real minutes where only the business items are included. He would vote for Option 2.

Mr. Maxfield voted for Option 2. Mrs. deLeon opposed Option 2 as she likes the verbatim minutes and the resolutions in the minutes. Under the Sunshine Law, it says there should be a substance of the discussion. Here we have approval to upgrade to exhaust system in Town hall Police Department, Mr. Cahalan reviewed the reason for the upgrade. The motion was to approve \$1,790.00 for switches. What was the substance, it doesn’t say who we awarded the bid to, what was discussed. Mr. Horiszny said we have the audio of the entire meeting available and as to her concern on the resolutions, we usually read the resolutions. If that gets to be a huge concern, we could put them in the minutes. Mrs. deLeon said you are supposed to keep a minute book. The audio is available tomorrow online only as long as we have space. When the space is gone, the resident would have to then write out a Right-to-Know request. Mr. Horiszny said our minutes are hours and hours of tedious reading, which are not legal minutes. What we’re doing now makes us look like a second class township, not a Township of the Second Class.

Mr. Maxfield said the shorter option doesn’t make the resolutions go away. This is what minutes are supposed to be like.

Mr. Willard said he assumes there is some correlation with having the audio available now and making an attempt to have consolidated minutes. He does recall from the Township News article that legal minutes show who attended and state any action taken, so with Option 2 we are well beyond that. He was concerned about moving from one agenda item to the next and that it should be noted on the minutes the time of each agenda item which would be a good compromise.

- MOTION BY:** Mr. Willard moved for approval to accept Option 2 for the minutes for March 19, 2014 with addition of time coding for future minutes to go along with the audio recordings, with correction.

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Mrs. deLeon said regarding the exhaust system, we don't even know who we are paying the \$1,790.00. Mr. Maxfield said that's on the audio tape. Mr. Horiszny said in future minutes we should have who we are paying and the amount in the motion. Mr. Boyer said he liked the detailed minutes. He said on Option 2, is it noted who spoke? Mr. Horiszny said yes. Mr. Boyer asked how long would the audio be a record? Mr. Cahalan said forever. Mr. Willard said also state figures in any motions. Mr. Boyer said state the time you are starting on an agenda item by the clock.

Mr. Horiszny said page 3, line 21 add Westside Hammer.

- SECOND BY:** Mr. Maxfield
Mr. Horiszny asked if anyone had any comments or questions? No one raised their hand.
- ROLL CALL:** 3-1 (No – Mrs. deLeon; Absent – Mr. Kern)
- MOTION BY:** Mr. Horiszny moved for approval of Option 2 for the April 2, 2014 Council minutes.
- SECOND BY:** Mr. Maxfield
Mr. Horiszny asked if anyone had any comments or questions? No one raised their hand.
- ROLL CALL:** 3-1 (No – Mrs. deLeon; Absent – Mr. Kern)

B. APPROVAL OF MARCH 2014 FINANCIAL REPORTS (8:14 PM)

Mr. Horiszny said the March 2014 financial reports have been prepared and are ready for Council's review and approval.

- MOTION BY:** Mr. Maxfield moved for approval of the March 2014 financial reports with a total of all funds of \$12,808,266.66.
- SECOND BY:** Mr. Willard
Mr. Horiszny asked if anyone had any comments or questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

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

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said he had two Special Event requests at Heller Homestead on April 26th for the 153rd Volunteer Infantry who will be conducting firing demonstrations in a special area. This was reviewed by Parks & Recreation and the Fire Marshal and they recommended Council approve this. The second request is the Saucon Valley Youth Lacrosse for their annual LAX day at Polk Valley Park on May 3rd from 8 AM to 4 PM. Parks and Recreation reviewed this and recommended that Council give their approval.

- MOTION BY:** Mr. Willard moved for approval of the two Special Event applications for the Civil War firing demonstration at the Heller Homestead on April 26th and the Saucon Valley Lacrosse LAX day on May 3rd.
- SECOND BY:** Mr. Horiszny
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

**B. COUNCIL
Mrs. deLeon**

- She attended the PSATs conference. She attended "Accessibility for Parks, Playgrounds and Trails"; the "Right-to-Know Update for 2014"; "Social Media 101 Legal View for Elected Officials and Managers"; and "Building a Better Budget". For our fall budget, we should all ask ourselves can your budget be understood by a resident who possesses neither

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financial nor municipal government experience. She asked if Keystone provided a list of our residents? Ms. Gorman said they do send reports by identification numbers, not actual names and addresses. If we request that information, they can send it. Mrs. deLeon said she would suggest that. One of the workshops was “Odor Management Requirements” which was only on farming. She attended “What are Townships Doing to Preserve Their Heritage”; and “Becoming a Certified Sustainable Pennsylvania Township, what’s in it for you and your community” workshops. They would like to do a pilot program here and she would like Council’s support in doing this. This could be added to a grant application. They can send a representative to a Council meeting.

MOTION BY: Mrs. deLeon moved to direct the Manager to contact a representative and set up a time on an upcoming agenda for a presentation on the Sustainable Community Essential Certification”.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Absent – Mr. Kern)

- They are having History Day on April 26th and she would like the lights flashing. Mr. Cahalan will contact Signal Service prior to 9 AM and after 3 PM.
- She asked Leslie go put on the agenda for the COG meeting that the Township is looking for Jr. Council members.

Mr. Kern – Absent

Mr. Willard

- At the PSATs conference, he attended “Volunteer Friendly Townships”; “Attracting Quality Development to your Community”; “Building a Better Budget”; and “Preserving Heritage”. The general sessions had presentations from the Governor, Lt. Governor, Secretary of Agriculture; Secretary of DEP and there was a lot of discussion about a transportation bill that has been passed and more funding available to Township’s for liquid fuels. The most interesting presentation was by Marjorie Rendell “Citizen Engagement in Civic Education”. He would like to get a Jr. Council member lined up for September.
- The next meeting of the Economic Development is Wednesday, April 23rd. There will be a presentation from Lehigh University. The main topic for the evening is creating the vision. What do we want to be as a Township in five or ten years based on the objectives through the Task Force. If we get to significant issues where we need a vote, Mr. Horiszny was concerned that we should have an attendance requirement so that people that have participated throughout the process and don’t just come at the end and want to have their say on what the final recommendations are. There will be nine meetings plus the bus trip and it was discussed that you had to be at least six of the meetings to vote. The second point was there were two representatives of IESI, Sam Donato and Jay McLaughlin, but don’t feel it’s fair to have two votes from IESI so they are going to ask only one of them to cast a vote. Mr. Maxfield asked if anyone else had two representatives? Mr. Willard said no, everybody is representing themselves. The rest of Council agreed with Mr. Willard’s suggestions.
- He said in your packet is a chart prepared for the next Economic Development Task Force meeting. It was stated that IESI fees paid to the Township were 30% of our budget and on pure arithmetic that is correct; however, the Task Force Members wanted to see the sources of revenue and the contribution, so Ms. Gorman prepared a chart. On the landfill fees, it does indicate some goes into the budget and some goes into reserves and some into payment of debt. The total revenue, \$9.4 million is shown. Mrs. deLeon said on business licenses and cable franchises, that should be 3%. She had some questions on the chart which Council discussed and asked Ms. Gorman to put in notations.

Mr. Maxfield

- He said in the past we sent the Jr. Council member letter to Guidance Counselors. He suggested getting it circulated to the government/history teachers in each school.

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- He toured Polk Valley Park and there are people parking on the grass with plenty of space above. He'd like the Manager to look into that.
- He asked if the Dog Park was barricaded? Mr. Cahalan said it was closed and they had difficulty convincing people it was closed. Some people were climbing the fence with their dogs. There was damage to the gates with people trying to get in. We put a notice on the website that it was closed and anyone caught inside would be cited by the Police. Mr. Maxfield said he would look to expanding the dog park facilities as we have the space. If we can rotate areas, we may be able to keep it in shape. It's one of the most used parks in our park system. Mr. Cahalan said if in the springtime when the snow melts, whether it's inside the dog park or on any of the athletic fields, we close all of those because they are really not suitable for any activity. If it was open, it would ruin the turf. Some athletic groups were practicing on the pavement. Mr. Maxfield said he would like Staff to look into expanding it. Mr. Cahalan said okay.

Mr. Horiszny

- He attended the Lower Saucon Authority meeting.
- He attended the ribbon cutting for N-Tensity Fitness.
- He attended the Historical Society program on Hess Department Store.

- C. **SOLICITOR** – Absent
- D. **PLANNER** – No report
- E. **ENGINEER** – No report

V. ADJOURNMENT

- MOTION BY:** Mr. Maxfield moved for adjournment. The time was 8:44 pm.
SECOND BY: Mrs. deLeon
Mr. Horiszny asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Absent – Mr. Kern)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
President of Council