

I. OPENING

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

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Resolution #46-2012 – Honoring Csencsits Auto
- B. Resolution #47-2012 – Honoring Isaac Martin
- C. Resolution #48-2012 – Relay for Life

IV. DEVELOPER ITEMS

- A. Zoning Hearing Board Variances
 - 1. John McCabe – 1509 Highland Drive – Variance Request of Impervious Surface to Construct a Deck
 - 2. Jim Morel – 3597 Old Philadelphia Pike – Variance of Front Yard Setback to Construct a Fence
- B. Scenic View – 2021 Scenic View Drive – Preliminary/Final Land Development Review

V. TOWNSHIP BUSINESS ITEMS

- A. Heller Homestead – Window Painting Addendum
- B. Polk Valley Park – Phase II – Release of End of Maintenance
- C. Request to Advertise Bids for Road Materials and Pervious Concrete
- D. Approval of Summer Hour Work Schedule for Public Works
- E. Schedule Date for Annual Volunteer Picnic

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of April 18, 2012 Minutes

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

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

IX. ADJOURNMENT

Next Park & Rec Meeting: May 7, 2012
Next EAC Meeting: May 8, 2012
Next Saucon Valley Partnership: May 9, 2012 @ LST
Next Council Meeting: May 16, 2012
Next Zoning Hearing Board Meeting: May 21, 2012
Next Planning Commission Meeting: May 24, 2012

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 2, 2012 at 7:02 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

ROLL CALL: Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, Dave Willard and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Township Planner, Judy Stern Goldstein; Township Engineer, Dan Miller; and Jameson Packer, Jr. Council Member. Absent: Linc Treadwell, Township Solicitor.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session between our last meeting and this meeting.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said if you are on the agenda, you have Council's undivided attention. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. If you are here for a non-agenda item, that would fall under Item VII. Public Comment/Non-Agenda Items. That would be your opportunity to speak at that point. If you do speak, we ask that you use the microphones as we transcribe the minutes verbatim and we want to make sure we get every word and please state your name for the record for the transcriptionist.

III. PRESENTATION/HEARINGS

A. RESOLUTION #46-2012 – HONORING CSENSITS AUTO

Mr. Kern said Resolution #46-2012 has been prepared honoring Csencsits Auto Service for their long history of community service to the Saucon Valley. They will be presented with the Community Recognition Award at the 90th Annual Banquet of the Hellertown-Lower Saucon Chamber of Commerce on May 18, 2012.

**A RESOLUTION RECOGNIZING THE COMMUNITY SERVICE OF
CSENSITS AUTO SERVICE**

WHEREAS, Ed Csencsits opened up his auto repair business in August 1967 at the corner of Main and Wilson Streets in downtown Hellertown; and

WHEREAS, his son Chris joined him in 1985 and has taken over running the business with Ed's retirement; and

WHEREAS, Csencsits Auto Repair specializes in general auto repairs, inspections, tire replacements and oil changes, and are well-known in the area for trouble-shooting quick fixes to car problems over the phone so their customers can get their cars safely to the garage for repairs; and

WHEREAS, Csencsits Auto Repair has been a proud member of the Hellertown-Lower Saucon Chamber of Commerce for years, providing support to their fellow small business owners in the community; and

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WHEREAS, Csencsits Auto Repair is an ideal example of a hometown, family-owned business which has served as a role model for their professional integrity, fair prices, and customer service for the past forty-five (45) years; and

WHEREAS, in recognition of this long history of community service to the Saucon Valley, Csencsits Auto Repair will be presented with the Community Recognition Award at the 90th Annual Banquet of the Hellertown-Lower Saucon Chamber of Commerce on May 18, 2012.

MOTION BY: Mr. Maxfield moved for approval of Resolution #46-2012.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

B. RESOLUTION #47-2012 – HONORING ISAAC MARTIN

Mr. Kern said Resolution #47-2012 has been prepared honoring Isaac Martin for being awarded the Phyllis M. Schnaible Merit Scholarship Award, which will be presented to him at the 90th Annual Hellertown-Lower Saucon Chamber of Commerce Award Banquet on May 18, 2012.

**A RESOLUTION RECOGNIZING ISAAC MARTIN FOR RECEIVING THE
PHYLLIS M. SCHNAIBLE MERIT SCHOLARSHIP AWARD**

WHEREAS, Isaac Martin, who resides in Lower Saucon Township, is a multi-talented teenager who has devoted his time to serving the Saucon Valley community; and

WHEREAS, Isaac is a senior at Saucon Valley High School where he has been active with the school's basketball, soccer and track teams for the past four years; and

WHEREAS, Isaac's leadership and academic skills have been demonstrated by his election as President of the Student Government Association and by his membership in the National Honor Society; and

WHEREAS, Isaac played drums for five (5) years in his church's jazz band and was a summer youth camp counselor for four (4) years and also had the opportunity to spend time assisting neighborhoods in New Orleans that were devastated by Hurricane Katrina; and

WHEREAS, Isaac also finds time in his busy schedule for employment at the Melting Pot Restaurant; and

WHEREAS, in recognition of these achievements, Isaac will be awarded the prestigious Phyllis M. Schnaible Merit Scholarship Award at the 90th Annual Hellertown – Lower Saucon Chamber of Commerce Award Banquet on May 18, 2012.

MOTION BY: Mr. Horiszny moved for approval of Resolution #47-2012.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

Mrs. deLeon asked if anyone else was attending the banquet? Mr. Cahalan said he would be attending.

C. **RESOLUTION #48-2012 – RELAY FOR LIFE**

Mr. Kern said Resolution #48-2012 has been prepared to recognize the 19th annual Relay for Life to be held in Dimmick Park on May 19, 2012 at 9:00 a.m. until May 20, 2012 at 9:00 a.m.

**PROCLAMATION SUPPORTING THE AMERICAN CANCER SOCIETY'S
RELAY FOR LIFE**

WHEREAS, the American Cancer Society is holding their annual Relay for Life and 2012 marks the 19th year of this successful event and the 5th year at Dimmick Park; and

WHEREAS, the Relay for Life is a 24 hour walk/run event involving teams of 10 – 12 members who will keep at least one team member on the track for a scheduled period of time; and

WHEREAS, the Relay for Life will be held at Dimmick Park beginning May 19th at 9:00 a.m. until May 20th at 9:00 a.m.; and

WHEREAS, The American Cancer Society is a voluntary community based health organization in Pennsylvania dedicated to eliminating cancer as a major health problem; and

WHEREAS, The Relay for Life is a community affair held throughout the State of Pennsylvania which presents an opportunity to dust off our camping gear, slip on our walking shoes and network with business associates, family and friends; and

WHEREAS, the Council of Lower Saucon Township does hereby proclaim the weekend of May 19th as Relay for Life weekend and asks the community to support and encourages participation in the American Cancer Society's Relay for Life.

MOTION BY: Mr. Maxfield moved for approval of Resolution #48-2012.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 5-0

IV. **DEVELOPER ITEMS**

A. **ZONING HEARING BOARD VARIANCES**

1. **JOHN MCCABE – 1509 HIGHLAND DRIVE – VARIANCE REQUEST OF IMPERVIOUS SURFACE TO CONSTRUCT A DECK**

Mr. Kern said the applicant is seeking relief from the maximum allowable lot coverage (25%) to construct a deck. They are requesting 27.5% impervious coverage.

Mr. McCabe was present. He said he has a picture of his back yard. He wants to build a deck that's 38' wide, 16' deep. It's going to be a ground level deck. It won't be attached to the house. It's going to be a wooden deck. One of the reasons he wants to make it so wide is because if you look at the picture, on the right hand side, he has a double window and in case he ever wants to take out the window and put in a sliding door, which he probably will never do, the deck will be on that side. On the left hand side there's an existing door that comes out of the garage and he wants to have the deck go to that door. Mrs. deLeon said they had discussion at their last meeting about iron pins in the ground for borders. Mr. McCabe said he has some box steel in his garage and that's what he drove into the ground. He actually brought home a metal detector to look for the pins yesterday. Mrs. deLeon said we were debating which is better – to use cement or pins.

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Mr. Kern asked if there was any Council discussion? Mr. Horiszny said he's concerned about going over the impervious allotment – 2-1/2% is quite a bit. Mr. Maxfield said he's concerned also. Mr. Willard said he understands about the width of it from seeing the picture and your description of possibly adding a glass door, does it have to be as deep as it is? Mr. McCabe said if he keeps it at 25%, he would have about a 300 square foot deck. To go to 27.5% makes it about 600 square feet and the reason he went 16' is he stood there with a 12' lumber length, and the 12' puts him over 25% anyway and 12' off the side of the house as you can see, with his chairs there, doesn't really give him that much room. He figured the next size up is 16', and that's why he went with the 16'.

Mrs. deLeon asked what subdivision this was in? Mr. McCabe said it used to be Saucon Terrace, but the sign fell down years ago. Mrs. deLeon said it probably washed away in one of the floods.

Mr. Maxfield said part of the reason we get so concerned about impervious coverage and excess is because of the problems of flooding in the valley, especially on Black River and this would feed down into the Black River. He was trying to do some simple math to figure out what you could get within the impervious coverage and he got either 15' wide by 16' deep or 38' wide by 6-1/2' deep. The increase in impervious coverage bothers him, like it does Ron. Mr. McCabe said he has a third of an acre. The house, the driveway and a shed are there, and that adds up to 23%. The driveway is 50' x 20'. The way the water flows in his back yard, facing the back yard on the left side is Sanbrook, and it's not a culvert, but a swale that runs down the road and facing the house on the right side, the only time in eight years that any water was ever there, was this past year when his basement was flooded and so was everyone else's. He's at the top of the hill also. Mr. Maxfield said which a bad situation for your neighbors. That's where your excess will get them. Mr. McCabe said the lot below him has been for sale for over a year.

Mr. Kern said the challenge all of us have faced up here, and the reason that Council has taken a fairly strict look at the impervious coverage is from the years of sitting here with people before us who have complained about stormwater drainage problems. You wouldn't believe the countless hours we spent listening to that, and with minor modifications on a lot that has created some nasty situations. Mr. McCabe said he understands, as he helped build the casino. That's what he does for a living and he understands construction. All his rain gutters and down spouts go in different directions; his neighbors go down the hill. Mr. Maxfield said eventually, as we said earlier, it ends up in the Black River where the flooding occurs. Mr. McCabe said the rain water is going to get there whether it comes off his roof or back yard. Mr. Maxfield said it has to do with absorption, quantity, and speed. Mr. McCabe said if you know the township, you know the consistency of the ground out there, it doesn't absorb water anyway, it just runs.

Mr. Horiszny said say again what your need was for the 644 square foot deck versus half of that? Mr. McCabe said facing the house in the picture on the left hand side, he wants the deck to hit the existing garage door that is kind of tucked way back in the corner, and then going over to the right, in case he'd ever put a sliding glass door in there, which he may never do. He'd still want to go on the left side and get the garage door and not go over as far to the right. The 300 square foot just seemed so small for a deck with chairs and a table.

Mr. Maxfield said he doesn't know if you are aware that we are just asking questions to take a position. We can take a position or not take a position or support or oppose. The ZHB is the one who will really make the decision. Although we get copies of the application to examine also, in your application, for 15c, it says the nature of the unique circumstances and unnecessary hardship justifying this request for a variance and that is

blank. Mr. McCabe said yes, when he dropped it off he asked what kind of hardship would there be for a deck and the woman said you can leave that blank if you want. So he left it blank. Is it a hardship that he can't build this large of a deck – no. He'd like to be able to enjoy his yard and sit outside and barbeque. Mr. Maxfield said there would have to be some type of hardship. Again, he has to preface this; they are not judging his hardship really. That's for the ZHB to do, so he would think there would need to be some type of reason to say just go ahead and not oppose this because of the flooding issues we've had. He's going to have to say he doesn't support this.

Mrs. deLeon said you also have to look up the regs and the municipals Municipality Planning Code which determines when going before the ZHB what your rights are as a resident and a hardship is one of them. If you go, and she can't say what the ZHB is going to do, but if you don't present a hardship, technically, and our Solicitor isn't here, they may say no as you didn't explain your hardship. Mr. McCabe said his neighbor put a pool in a few years ago and he got approved for his. Mrs. deLeon said was he over the impervious and by how much? Mr. McCabe said he didn't know, but he could find out. Mr. Maxfield said we have upped our numbers in the last few years because of the flooding. We're trying to alleviate it and he thinks we are pretty conservative with our numbers. We've been getting back numbers from studies saying people start to suffer impacts at 7% coverage in a lot of places. In Michigan, studies have come back with those numbers and we're at least double that in some places and more than that in others. Mr. McCabe said the way the water flows in his yard, when it hits Highland Drive, it goes left and downhill, so it actually doesn't go across Highland Drive, but goes down into the neighborhood. It goes straight down to Sanbrook. It eventually hits the road and the underground storm sewer and goes into the creek. Mrs. deLeon said she's not an engineer, but in construction, you would be aware that all the calculations that an engineer would make for the approved plans are all based with where the existing buildings would be and the runoffs. If you change that, that's how the 25% came into effect. Is she saying this correctly?

Mr. Miller said two things going on with your comment. The one is the 25% coverage and also the comment of the stormwater regulations. If he's putting in a 600 square foot deck, and the house already exists, he's pretty sure it's not going to trigger stormwater regulations because there are two thresholds. There's the threshold you've had for a couple of decades for the 10,000 square feet, and the new threshold that came into play several years ago, which is the 2,500 and this is less than both of those. There's probably not going to be any stormwater management related to it. This percentage we're referring to here is the zoning percentage, which relates to intensity of use. It's less about stormwater and more about intensity of use.

Ms. Stern Goldstein said she was going to reiterate that there are two separate things. The Zoning Ordinance is what you are talking about tonight and his request for a variance from that portion of the ordinance which is dealing with impervious surface which is the intensity of use on the site or the intensity of impervious coverage on the site which is related to stormwater, but they are separate and distinct issues. In some regions, for instance, Southeastern PA and many of the watersheds, the Tohickon, the Upper Tohickon, Neshaminy, Little Neshaminy, the Unami, the Perkiomen, all those watersheds have had new Act 167 studies and if someone is putting in a shed that's 100 square feet, you need to do something for stormwater management now. As different studies come out and DEP enforces the new Act 167 regs, there may be studies done of the watershed that may be coming up soon, we don't know. Mrs. deLeon said it's not here yet, in the Saucon? Ms. Stern Goldstein said she'd defer to your Engineer. Mr. Miller said not yet. Mr. Maxfield said we have seen some FEMA changes recently. Ms. Stern Goldstein said the FEMA changes are the floodplain changes that delineated the one in 100 year storm to go by their new terminology. Mr. Maxfield said he heard the Engineers will be happy with that term

as it's on its way out now, we're not going to use the one in 100 year storm flood anymore. Ms. Stern Goldstein said people got tired of trying to explain how a 100 year storm could happen every day.

Mr. Willard said what is the construction materials, is it wooden? Mr. McCabe said it's going to be pressure treated with supports and then Trex instead of pressure treated. Mr. Willard said he wanted to ask the staff how you evaluated the intensity of use? Ms. Stern Goldstein said the impervious surface coverage. That has been determined and if it's on top of stone, that's impervious. Mr. McCabe said this would be on top of grass so the water would go through the slats in the deck in the ground. If you'd rather have stone, he can put stone, but he'd rather not. Ms. Stern Goldstein said stone is impervious, they don't want stone. Mrs. deLeon said years back they had lengthily discussions over pavers. Mr. McCabe said it won't be attached to the house. There will be columns in the ground and it will have a quarter inch gap in between each board.

Mr. Maxfield said it's a hard thing for us to say, but there's got to be a reason for us to take the chance to exasperate the problem. We want you to enjoy your property and your house and to have a deck, the kind of things every homeowner should be able to do, but we have existing problems and we can't ignore them.

Mr. McCabe said he came here so he can do it right. Mr. Maxfield said that's the right way to do it. It's a pretty high percentage over from what we've seen. Maybe even a half way point between the two would be an easier variance to acquire. The ZHB would look on it better if it was a smaller number. Mr. McCabe said when he goes on the 18th, does he have to let them know that? Mrs. deLeon said you need not go on the 18th because if you go there and they make a decision, you have to start all over again, and then that's extra money to you. Mr. McCabe said if he went 30' by 12', he would miss the May ZHB and then he's into June. Mrs. deLeon said our next Council meeting is May 16th, and the ZHB meets on the 21st, so if you do all this in two weeks, it could happen, but you need to fill out the application with the hardship defined, and all that is on line, and you read it and whatever applies to you, put it in there. Hearing what they just said, it's only over 2.5%, 300 square feet, so if you could lower it a little bit. Mr. McCabe said he has roughly 14,000 square feet of property. Mrs. deLeon said she'd be more willing to give her blessing, but that's up to you. Mr. McCabe said there's the chance that you could say no and the ZHB would say yes. Mr. Kern said correct. Mr. McCabe said not that he's willing to take that chance. Mr. Maxfield said if we come to the conclusion he thinks we are coming to, we would probably oppose the application. Mr. McCabe said the more favorable you are, the more favorable the ZHB is. Mr. Maxfield said we never know though. Mrs. deLeon said we have to make a standing at the ZHB. We have that right to appeal their decision. Mr. Maxfield said we enter an opinion, but we do not want to step on their toes as far as decision making or anything like that.

Mr. Chris Garges, Zoning Officer said if he wants to move forward and you could agree if it's 1-1/4% instead of 2-1/2% tonight, he could amend his application before we advertise it and still make it to the meeting, if that's the route he would want to go and he's at that point tonight. We could still make it work. Mr. McCabe said he wants to build a deck and wants to be able to use it in the summer. He doesn't want it to go to June or July. Mr. Maxfield said would Mr. McCabe keep talking to Mr. Garges and submit a new application? Mr. Garges said if you want to make the motion tonight, and you would not oppose it, and it's 1-1/4% and if it's greater than 1-1/4%, you oppose it, he could have Mr. McCabe amend the application prior to the advertising. Mr. McCabe said he'll work with Chris Garges. Mr. Maxfield said if everyone agrees, you won't have to come back before us. Mr. Kern said another factor is that it's grass underneath the deck. That assists in easing his concerns.

MOTION BY: Mr. Maxfield moved that the Council would take no action if the proposed impervious coverage that relief that was requested was 1-1/4% or less, and that Council would oppose the application if it was greater than 1-1/4% increase in impervious coverage. If we do end up with an opposition, we need to send our Solicitor to the ZHB.

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

ROLL CALL: 5-0

2. **JIM MOREL – 3597 OLD PHILADELPHIA PIKE – VARIANCE OF FRONT YARD SETBACK TO CONSTRUCT A FENCE**

Mr. Kern said the applicant is proposing to construct a 6' tall fence within the required front yard along Walter Street. The Zoning Ordinance allows a maximum of 4' in height.

Mr. Morel was not able to make the meeting. Mr. Garges said he was contacted and wasn't able to come. You don't have to make any decision tonight. The property has two frontages. It is a corner property, Walter Avenue and Old Philadelphia Pike. The side of the house borders Walter. Since it's a double frontage house, there's two front yards. They would like to put a 6' tall fence just at the edge of the right-of-way which would be 25' from the edge of the road. The ordinance would only allow a 4' fence in that area. To place a 6' tall fence in their property, on the side, it would have to actually go to where the house sits right now, so the 4' fence in that position is legal, the 6' fence would not be. It's similar to an application that was here not long ago on Apple Tree Lane. There is a fence there now that is about 3-1/2' tall. It was permitted and is legal. Why he wants it, he doesn't know any of those reasons. Mrs. deLeon said she read somewhere in the application there was a safety reason. Mr. Maxfield said it said to have more safety as well as privacy. Mr. Horiszny said it's right at the intersection, right at the corner. Mr. Garges said the rear of their property is the District Magistrate's office and there's a 6' or taller fence existing there now. There is, from a site standpoint, a clear sight triangle that wouldn't be allowed. They are not asking relief from that and they wouldn't be allowed to put it in that sight triangle which extends 75' from the intersection from both directions and then in a triangle across from their yard. What they are proposing isn't in that clear sight triangle and it wouldn't be affected. Mr. Kern said are they going to the ZHB the next meeting? Mr. Garges said yes, unless Council opposes it. That's what they are scheduled for. Mrs. deLeon said just for curiosity, what's the logic, she knows visual 4' versus 6', we kind of talked about this for the rail trail. Ms. Stern Goldstein said this comes down to a matter of preference, something that is one of those regulations that as long as fences are staying out of the clear sight triangle, the matter of height is something that is set forth individual municipal ordinances, and something you have discretion with when you set the ordinance for when you establish the ordinance regulations. There are no great planning studies determining the height. Mr. Garges said over time our discussions have been more of a character in the neighborhood type thing, if you weren't to have a 6' tall solid fence right at the right-of-way line along all of the roadways, and that type of thing. Mr. Kern said have you been at the site? Mr. Garges said he has. Mr. Kern said what is your opinion, would it affect anything as far as aesthetics? Mr. Garges said if it was maintained over time, it wouldn't look too bad. There's a property across the street that has a fence, it's not 6' tall, so really, the reason they are requesting the relief is the height is the only thing that would stand out with everything else that is around it. That being said, he did mention the back yard already has a 6' tall fence. The property does slope down a little so driving on the road, in the middle; it may not look quite 6' tall. Mr. Kern said what if we take no action? Mrs. deLeon said but put the condition of the site distances. Mr. Garges said that's a zoning requirement. He did meet with the contractor and they marked it all

off. Mr. Maxfield said if somebody wanted to put up a 6' and couldn't, they could plant a row of arborvitae that would go to 12'. He thinks we should let this one go.

Council took no action.

B. SCENIC VIEW – 2021 SCENIC VIEW DRIVE – PRELIMINARY/FINAL LAND DEVELOPMENT REVIEW

Mr. Kern said the applicant is seeking final land development approval to construct a new four unit apartment building.

Mr. David Harte, Engineer, said they are here seeking approval. There's a staff recommendation for approval before you. He has a signed copy. The copy has been executed by the applicant and in support of waiver No. 5, he has brought along a copy of a letter from your fire company as it was missing the last time he was here. It should be in your file addressed to you. All of the issues are acceptable and signed by the applicant. He'd be happy to answer any questions.

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

Mr. Miller said when they got the special exception, they had a site plan required. It's essentially the same plan, so that should be lumped in. Ms. Stern Goldstein said with the same conditions to meet the items in the letters for both plans, so it would be one plan with the same comments.

MOTION BY: Mr. Maxfield moved for conditional approval based upon the Staff recommendations motion for final site plan approval and land development approval.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 5-0

V. TOWNSHIP BUSINESS ITEMS

A. HELLER HOMESTEAD – WINDOW PAINTING ADDENDUM

Mr. Kern said a field meeting was held with the painting contractor that was awarded the bid for the painting of the windows and doors at the Heller Homestead. At that meeting, it was determined there were two (2) additional windows and two (2) door frames that was not included in the bid price. The contractor has prepared a price for this additional work which the Manager will discuss with Council.

Mr. Cahalan said we did have a meeting with the contractor, Walt's Professional Painting. Walt did point out there were two additional windows and we also did not specify in the scope of work the sanding and the painting of the two doorways, the front door and the door in the rear. We asked him to submit to us an additional cost for that work and that he's indicating that he would strip two extra window frames, prime, paint, those windows and frames for \$780.00. He'll strip two doors exterior side only for \$360.00. He'll strip the entire front door frame, soffits, and peak, everything but the ceiling and columns will be stripped to bare wood and that's \$1,500.00 for a total of \$2,640.00 additional. Council has previously approved the bid amount which was \$12,870.00, so with this additional amount, the total cost would be \$15,510.00.

Mr. Willard said do you recall the total amount of the other bid we received? There were two competing bids. Walt's was much lower than the other, and he's wondering if this missing element had something to do with it. Mr. Cahalan said there was another bid, but he doesn't have the bid documents. Ms. Huhn said she believes it was about \$25,000.00 to \$27,000.00. Mr. Cahalan said it was much higher. It was double this one. Mr. Kern said they did not have this included in the

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original spec either, so they would have added this amount on to their bid. He was at the meeting with Mrs. deLeon and the painter and he has a much higher level of confidence that the job will be done properly and correctly. For some reason, we completely ignored the fact that there was a front door, and a front door surround, which was cracked and crazed with old paint as everything else. If we are going to do the windows, this is the entry way into a historic site. His opinion is we might as well get it down to the wood and get it all painted properly. It's a pretty big job as there's a lot of surface there and area around the door and in the porch.

- MOTION BY:** Mr. Willard moved for approval of the additional \$2,640.00 for the painting of the windows and doors at the Heller Homestead.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
- ROLL CALL:** 5-0

Mr. Cahalan said Walt's Painting will start this coming Monday. They didn't start last Monday because of the weather.

Mr. Cahalan said he also put together a proposal for a request of a slate roof installation. You should have a copy in your red folder. This will be sent to various slate contractors and they will be asking for proposals to install the slate on the roof. It indicates that new timber rafters have been installed. They will have to install wood lathe to support the slates and the slates are there on the property and they can inspect them when they do the walk through. We are asking they submit proposals detailing cost materials by June 30, 2012. If you have any comments or additions to that, please let him know. They will be sending it out to several contractors. Mrs. deLeon said she has one addition, but she's not sure how to word it. Somehow we should say this property is listed on the National Register so there's a little bit more care put into it and the work should meet the Secretary of Interior's standards. Mr. Cahalan said he looked up the Secretary's standards for slate roofs and the only problem he has with it is it doesn't have them installed on lathe. It has them installed on wood sheathing, and has a felt underlayment. He was going to attach that, but it doesn't correspond to what you are asking the contractor to do with this. Mrs. deLeon said there's a big controversy. Even Marcus wanted to put it on wood and we didn't want him to. Mr. Cahalan said if you read some of the information about the slate roof application, they suggest that if you just do it on the lathe, it makes it more difficult when you do future repairs and when you remove and replace the slates. Strictly going by the Secretary's standards, it would be wood sheathing and a felt underlayment. Mrs. deLeon said it was okay with Karen Arnold. She approved it on lathe when we talked to her that day. Mr. Horiszny said what's the difference between the sheathing and the lathe? Mr. Cahalan said more additional wood and the concern is also about letting it ventilate through the slate. Mr. Maxfield said old-timers used to say the slate needs to breathe. Mr. Horiszny said the sheathing and the felt would not allow it to breathe. Mr. Cahalan said it would to a certain extent. Mrs. deLeon said there's so much mold because of the tightness of the door and everything, we wanted it to breathe as much as possible. Even before the tarp, as the front gable was wide open, before that last storm, they put a tarp on the front opening, but even with all that opened, it was very damp in the root cellar. You could smell the dampness and everything was open.

Mr. Maxfield said one thing the sheathing would do is there's always the problem with the slate peel off in little layers on the inside, so when it's on lathe, all that comes down as a fine powder all over the place, and maybe that's an effort to have it breathe, but not have that problem. Maybe that whole system of the felt and all that is an effort to stop that from happening on the interior buildings. It makes for a real messy situation. Mr. Kern said it comes down to the breathing. It's a damp root cellar. It's not a house. Do you want it to breathe or do you want to close it in more with wood. Mr. Maxfield said he doesn't know what would be better. Mr. Cahalan said this is the Secretary Standards, re-roofing using slate shingles, and that's where it does mention that. Mr. Kern said he thinks it would be best to leave the slate as open as possible since it's a root cellar for

the breathing. Mrs. deLeon said she knows of some old barns that have the slates on lathe, and they are breathing. Mr. Kern said he's never seen an old structure that has it on plywood. Mr. Cahalan said they say definitely do not use plywood. You use some other type of material. Mr. Kern said the painter also looked at some of the trim work that was missing and offered to match it and replace it. That was pretty incredible. Mrs. deLeon said she was pleased with his attitude. Mr. Cahalan said the problem with this one is it's describing re-roofing, but it assumes there is some sheathing down there, so it doesn't specify adding new sheathing, it just says put new felt down over that and clean off the previous slate and take off all the nails and then lay felt over entire deck. It was on other things he saw that it described the type of wood, but it said no plywood. What he's hearing is go with the wood lathe only and then we will add the reference that the Heller Homestead property is listed on the National Register. Mr. Horiszny said where does that leave us on the front bead board? Mr. Cahalan said he asked Public Works to get back to us and he hasn't gotten a response back from them. He's assuming they can, but they have a few other things to do first. Mrs. deLeon said do we need a motion for the slate roof installation? Mr. Cahalan said no, he's acting under the direction that you gave at a previous meeting to come back with estimates for the installation of the slate roof.

B. POLK VALLEY PARK – PHASE II – RELEASE OF END OF MAINTENANCE

Mr. Kern said Boucher & James has conducted a final inspection of the Phase II plantings at Polk Valley Park and is recommending release of the maintenance period and any remaining funds being held for that maintenance.

Mr. Cahalan said there's a letter from Val from Boucher & James saying they had conducted the inspection of the remaining plant material and they found everything to be acceptable and they are recommending the maintenance period be ended and all remaining funds associated with the maintenance bond be released to the contractor, which is All Seasons Landscaping. Ms. Stern Goldstein said the only comment she has is that the contractor was particularly good to work with, very responsive and responsible, and did a good job and responded to each and every item. The only things that didn't get replaced were things with actual damage or vandalism or things that happened out of his control, so that's one to go down for a good contractor. She thinks they should be recognized when they do a good job.

MOTION BY: Mr. Maxfield moved for approval to release end of maintenance for Polk Valley Park, Phase II.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

C. REQUEST TO ADVERTISE BIDS FOR ROAD MATERIALS AND PERVIOUS CONCRETE

Mr. Kern said staff would like permission to advertise the bid for the summer road materials and pervious concrete for the summer work projects.

Mr. Cahalan said this will provide the materials for Roger and Public Works to do his paving of the roads and finish off the pathways at Kingston Park.

MOTION BY: Mr. Horiszny moved for approval to advertise bids for road materials and pervious concrete.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

D. APPROVAL OF SUMMER HOUR WORK SCHEDULE FOR PUBLIC WORKS

Mr. Kern said the Manager will discuss with Council the summer work hours for the Lower Saucon Township Public Works Department which will begin June 4th and end August 31st. The hours are Monday through Thursday from 6:00 am to 4:00 pm. One full-time Public Works employee and one part-time summer helper will work a four-day, ten-hour schedule, from Tuesday through Friday, which will allow someone to be in Public Works five days a week and to cover the Compost Center on Friday mornings.

Mr. Cahalan said this has worked out well for the past several years. We have someone available in case something happens in Administration or one of the parks on Friday. It allows Public Works to mobilize and stay out longer on any of the projects they are working on and it also eliminates the need for us to pay overtime for a Public Works employee who is covering the Compost Center. It's worked out well and he recommends it be continued.

MOTION BY: Mr. Horiszny moved for approval of summer hour work schedule for Public Works.
SECOND BY: Mrs. deLeon
Mr. Kern asked if anyone had any questions or comments? No one raised their hand.
ROLL CALL: 5-0

E. SCHEDULE DATE FOR ANNUAL VOLUNTEER PICNIC

Mr. Kern said the Manager would like to discuss with Council the date for the 4th annual volunteer picnic.

Mr. Cahalan said the annual Volunteer Picnic is normally held in June. We're going on the 4th year, and it's been very successful. We hold it here at the pavilion at Town Hall Park. We've been doing it on Monday's. That seems to have worked out in the past. Looking at the calendar for June, assuming the temperature is going to get over 60 degrees, June 18th looks like it's open on everybody's schedule for meetings. We were going to say the 11th, but the Saucon Recreation Partnership has been meeting on that night, so he, Glenn and Dave Spirk would be occupied. The 18th looks like the likeliest date. Please check your calendars, and Diane will be sending out an invitation to all the various boards and commission. Mrs. deLeon, Mr. Maxfield and Mr. Horiszny said it looks okay with them. Mr. Willard said he will be out of town. Mr. Kern will check his schedule and let Diane know.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF APRIL 18, 2012 MINUTES

Mr. Kern said the minutes of the April 18, 2012 Council meeting have been prepared and are ready for Council's review and approval.

MOTION BY: Mrs. deLeon moved for approval of the April 18, 2012 minutes.
SECOND BY: Mr. Willard
Mr. Kern asked if anyone had any comments? No one raised their hand.
ROLL CALL: 4-1 (Mr. Horiszny - No)

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

VI. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

**General Business & Developer Meeting
May 2, 2012**

- Mr. Cahalan said we have a sprinkler system here in Town Hall. There's a wet system and a dry fire sprinkler system. It's coming up on a requirement for inspections that have to be done at three year and five year intervals. We have a proposal from Kistler-O'Brien. It includes the inspections, the five year internal inspection that is required by the National Fire Protection Codes and Standards. We are also due for a three year air leak loss test as required by the National Fire Protection Association Code. That's for the dry sprinkler system. The gauges for the sprinkler system are also due for replacement for recalibration so they are recommending the installation of five new gauges on the fire sprinkler system and also the pressure switch on the dry sprinkler system needs to either be trouble shooted or repaired. They gave us an estimate of \$815.00 for this work and he's recommending we get that approved so we are up to the standards for this sprinkler system.

MOTION BY: Mr. Horiszny moved for approval for inspection of the wet and dry fire sprinkler system at Town Hall.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

- Mr. Cahalan said he has two recommendations for appointments for boards. The first one is to fill a vacancy on the Parks and Recreation Board. He'd like to recommend the appointment of Priscilla Oren to fill that vacancy. We are all familiar with Priscilla. She was on the Parks and Recreation Board several years back and she would fill the remainder of a one year term until December 31, 2012.

MOTION BY: Mrs. deLeon moved for approval for Priscilla Oren to be appointed to the Parks and Recreation Board with her term ending December 31, 2012.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

- Mr. Cahalan said we have had an opening on the Joint Yard Waste Recycling Committee for a resident to fill. Charlie Luthar, who we all know, is a Township resident and he's been helping out with Ron and Chuck Hampton up at the Compost Center for the last couple of weekends to make sure everybody is getting their new ID cards which allows them to go back and forth pretty easily and drop off materials at the Compost Center. He's recommending Charlie Luthar fill the term and it would run until December 31, 2012.

MOTION BY: Mr. Horiszny moved for approval for Charlie Luthar to be appointed to Yard Waste Recycling Committee with his term ending December 31, 2012.

SECOND BY: Mr. Maxfield

ROLL CALL: 5-0

- Mr. Cahalan said the Police Department hired a part-time Police Officer, John Bowlby from Nazareth, PA. He was sworn in today.
- Mr. Cahalan said Priscilla deLeon got a report earlier in the week about dumping out at the Redington Proving Grounds which is owned by the City of Bethlehem. It's used by the Steel City Gun Club and the Bethlehem Police Department as a firing range. The report was that there was some dumping going on out there. Chris Garges went out and took a look. He did take one photograph and it looked like some fill had been dumped on the grounds. Mr. Cahalan showed an aerial photograph that shows from what his observation was, that it looks like there has been fill placed in some of the historic structures out there on the property. He has put in a call to the City of Bethlehem and that's in addition to sending a letter to the City of Bethlehem on April 27th saying he recently visited the above referenced parcel and it appears that several loads of fill have been dumped and spread. The activity has taken place without a written plan. The disturbed areas are not protected by any erosion and sedimentation control devices. The areas must be stabilized and they

can be done by either installing a silt fence down slope of area of contour or by seeding and mulching. He has not gotten a return call. He's now been passed onto the Bureau of Streets Department and he's waiting for a call from that Superintendent. He's also notified the Soil Conservation about the dumping. That's all he knows at this point. Mrs. deLeon said she's very, very disappointed that the City would do that to one of our historic sites. Back in the early 80's when they did Route 33 or I-78, they just put the Redington track on the eligibility list for the National Register. They had to do an environmental impact study and they had to look for historic resources. She found out they wanted to put a stone quarry on the Narrows and she went to her first government meeting, which was a ZHB meeting, and she heard testimony from Dr. Ned Heindel from Lehigh University and he wrote a book on Redington. She thought what is he talking about as she had just moved to Steel City and had no idea. She went there in the late 80's and took these pictures which she passed around to Council. They were the foundations of buildings. The one picture, there's two levels of basements, so all these were foundations. They have beautiful arches. When they did the testing for the ammunition, they would go behind these cement barricades and they would shoot the guns through the holes. This was remnants of a fire place of some sort. There were guard houses as they made ammunition there. The holes at the top, they tested cannonballs and that was in the late 1800's and they would shoot the cannons into the cliff and that's how they made the holes. There's also a natural cave there. She took the pictures and she loves the City of Redington. She was quite upset to learn this was happening. She had articles that were in the Morning Call and the Express Times over the years. There was one article from 1982 and it shows the historic district. The City of Bethlehem should have more respect for our resources. She thinks that any letters we send them should inform them for the property being eligible for listing on the National Register. Mr. Kern asked if it's been confirmed that there was actually dumping in some of the structures? Mr. Cahalan said he doesn't have a photograph but Chris Garges said he did see the evidence of recent dumping. He asked if the Iron Works Furnace was out there? Mrs. deLeon said in the one picture it shows it, and it is on another property. Mr. Horiszny asked why they would dump there? Mrs. deLeon said because it's a big open space. The City owns it. Bethlehem Steel had originally owned it and sold it to the City. If you go on the BAPL's website and access the old articles, you might be able to find some of them. She has the book at home by Ned Heindel and she should have brought it along. Mr. Cahalan said he has a copy of it. Mr. Kern said we are just waiting to hear back from the City of Bethlehem at this point? Mr. Cahalan said yes, and he expects also that we'll get a copy of the report from the Soil Conservation. Mrs. deLeon said in the interim, do you think we should find out what's going on out there? Mr. Cahalan said at this point we haven't had any response back from the City and Mr. Horiszny asked if it's confirmed. Other than we talked to several people at the City, but we haven't gotten an absolute confirmation that they said their trucks took the material out there. He doesn't have that information back yet. Mrs. deLeon asked if Mr. Cahalan wanted the pictures and posters? Mr. Cahalan said he'd like to see if we could scan them in. We'd like to have some of those pictures.

B. COUNCIL

Mr. Maxfield

- He said he went to a Watershed meeting the other night and Mr. Horiszny was also there. We held it at the Tumminello track in Hellertown, right next to Neighbors. There is a small, what we refer to as a pocket park going in there that Hellertown is putting in with the help of County Conservation and some other groups. Eventually it will connect over a small bridge over the raceway to the rail trail. They had mentioned that Hellertown Public Works would be involved in a lot of the work. Some of it is going to have to be prep work, and he thought they said some of it would be happening this summer. He was wondering if we were involved in that or could we be involved in any of that? Mr. Cahalan said they

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haven't asked for any help from Public Works. If it is on their list, it could be on the joint project list and they'll get together like they have for the last several summers and get the equipment and the men and do the job.

- He said on the property we've just about preserved, as we know as the Benner property, which is relatively close to his house, last night he went out to call his cat in and he heard the weirdest bird cry he has ever heard. He didn't know what it was. It was loud and echoing way up in the gorge. He was a little freaked out and went on the Internet today and looked up weird bird calls and he actually found it. It was under a video called "The Most Annoying Sound in the World". It was a peacock. Somewhere up there, there's a peacock running around. It's a very distinctive call. He's seen them on Lower Saucon Road before, but it was really pretty spooky in the middle of the night in the dark. Mr. Kern said a Blue Heron and Fox call are also very spooky. They sound alike. It sounds like a teenage girls screaming.

Mr. Willard

- He said he and Mrs. deLeon will be attending the PA State Association of Township Supervisors 90th Annual Education Conference and Trade Show in Hershey on May 6th through the 9th. He had mentioned last time there are numerous workshops, too many for us to cover all of them. He passed around a list of the workshops. He wanted input from the Council members. He checked off certain ones which may be interesting based on attending the meetings for a year prior to joining the Council and four months on the Council, but since everyone is more experienced than he is, if you have any more recommendations if you could call or email him before they head off to Hershey on Sunday. There are probably 20 or 30 workshops in each time period. We can only cover two, so they will have to prioritize. If there are ones that are of particular interest to our Township, they will try to attend those.
- He said this may be somewhat related to Mrs. deLeon's comment about workshops or seminars for the residents on open space. Some friends of his who live in Hyannis, Massachusetts attended in "Introduction to Local Government" and he doesn't know if that's something we've ever done before, but with an empty audience except for our press representatives, and all of us, it might be a way to encourage more attendance at the meetings or more awareness of what we do and what's going on in the Township. He thinks it's a fairly ambitious project and if the Council is interested, he'll get information on what they are doing in Hyannis and what their program is like. It might be something we may want to look into. Mrs. deLeon said in our Administrative Code, she's not sure what the section is, but in April, there's language about holding a public forum, but it's in April. That's what our code says. Mr. Willard said then we have 11 months. Mrs. deLeon said you can see what it says there. That's kind of what you are saying, getting people more interested.
- He said for the Press representatives, in the audience, and this goes back to the Colesville residents who were here several meetings ago, we discussed how you can sign up for meeting notices on the websites. It is obvious if you come to the website, maybe something in the press how you are able to do that might be appropriate, and it may have to be provided to us just to make it more widely known. Once you are signed up, you get the notices and know what topics are being discussed here.

Mr. Horiszny

- He said he attended the Trail Workshop that Mrs. deLeon mentioned. Pretty significantly, Roger and Steve got comments about our trail coming in so fast, so economically. It was astounding type stuff and they were amazed we did it as quickly as we did for as little as we did. They were very impressed.
- He said he attended the Polk Valley Park path opening, which was a nice sunny occasion.

Mr. Kern – No report

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Mrs. deLeon

- She said Northampton County has this Passport to History for the 28 historic sites around the County. Each of the three historical sites have free passports for you to pick up.
- She said she attended the “Beyond Municipal Borders”. It was interesting. We had two honorees on the panel, Steve LaBrake and Roger Jurczak. That was good having a home town feeling. Mr. Horiszny also attended.
- She said she attending the Saucon Valley Foundation for Education for the outdoor classroom.
- She said she attended the ribbon cutting for the Connector Trail.
- She said they had a great day on Saturday, April 28th. It was a slow start as it was freezing and so cold outside. Everyone had winter coats on. Eventually people came out and enjoyed themselves. Water Street Park had businesses with tents and booths set up. The Grist Mill and Lutz-Franklin Schoolhouse had a good day. It was a good time. The Young Artist Exhibit, the kids just amaze her.
- She said coming up, the Saucon Valley Conservancy has a barn photo workshop on Saturday, June 9th. Tickets are \$20.00 in advance. The instructor is Frank Smith who is an award-winning photographer and it should be a good day. It’s from 9 am to noon.
- She said May 23rd, the chamber is having a business spotlight, a Happy Hour mixer at Saucon View. It’s from 5 pm to 7 pm. It’s free to attend but you have to pre-register.
- She said on June 5th, another Chamber upcoming mixer at Silver Creek Country Club from 6 pm to 8 pm, but you have to pre-register.
- She said Saucon Valley’s Restaurant week is going to be from Sunday, July 22 to July 28.
- She said the Barn Tour is on September 15th.
- She said what do you think about holding a class for residents who are interested in doing open space? Residents don’t know what it’s about, what it involves, what it means to them. If we held a seminar, and just had people come to have a brief explanation maybe that would help get property owners interested. Maybe we can target the fall. Mr. Horiszny said it sounds like a good idea. Mr. Maxfield said that is really a good idea as there are times you find yourself wanting to say to landowners, and talk about the advantages the Township money has over developer money. Mrs. deLeon said let’s plan on that in the Fall.

Jr. Council Person – No report

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

Mr. Maxfield said they will be at PSATS doing a presentation.

VII. ADJOURNMENT

- MOTION BY:** Mrs. deLeon moved for adjournment. The time was 8:27 pm.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 5-0

Submitted by:

Jack Cahalan
Township Manager

Glenn C. Kern
President of Council