

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Resolution #30-2018 – Honoring Ronald Horiszny for his Dedicated Service
- B. Resolution #31-2018 – Honoring Eric Brown for Completion of his Eagle Scout Project and Receiving his Eagle Scout Rank

III. DEVELOPER ITEMS

- A. Silver Land, LLC/Silver Creek Country Club – 700 Linden Avenue, Hellertown – Request Approval of Hellertown Borough Authority to Provide Water & Sewer for the Project

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. David & Tracy D’Agostino – 1530 Highland Drive – Variance Requests for Zoning Violations Associated with Construction of Pool
 - 2. Robert & Margaret Kelly – 1596 Weyhill Circle – Variance for Side Yard Setback for Garage and Storage Area Addition
- B. IESI Bethlehem Landfill – 2335 Applebutter Road – Update on Activities
- C. Discussion on Adelpia Gateway Pipeline
- D. Approval of Police Chief Wage and Benefit Package
- E. Authorize Collection of 2018 Real Estate Taxes
- F. Authorize Advertisement of Lawn Mowing Bid
- G. Resolution #32-2018 – Appointment of Labor Attorney for the Year 2018
- H. Resolution #33-2018 – Adopting the Grading Plan Policy
- I. Resolution #34-2018 – Requesting the Delaware River Basin Commission to Ban Certain Activities

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of December 20, 2017 and January 2, 2018 Council Minutes
- B. Approval of December 2017 Financial Reports
- C. Monthly Department Reports for December 2017

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

UPCOMING MEETINGS

Saucon Rail Trail Oversight Commission: January 22, 2018 @ HB
Planning Commission: January 25, 2018
Parks & Recreation: February 5, 2018
Township Council: February 7, 2018
Environmental Advisory Council: February 13, 2018
Saucon Valley Partnership: February 14, 2018 @ HB
Zoning Hearing Board: February 19, 2018

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, January 17, 2018 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: Present: Sandra Yerger, President; Priscilla deLeon, Vice President; Glenn Kern, Donna Louder and Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; John Scruggs, Interim Police Chief, Chris Taylor, Host Municipal Inspector; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Sam Striz, Jr. Council Member. Absent with prior notification: Judy Stern Goldstein, Township Planner.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did meet in Executive Session this evening to discuss a personnel item that will be discussed during the meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. Yerger 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 and state your name for the record. She asks that you give your fellow public the courtesy of the floor.

II. PRESENTATIONS/HEARINGS (7:02 p.m.)

A. RESOLUTION #30-2018 – HONORING RONALD HORISZNY FOR HIS DEDICATED SERVICE

Mrs. Yerger read the resolution and Mr. Horiszny was present to receive it.

MOTION BY: Mrs. deLeon moved for approval of Resolution #30-2018.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

B. RESOLUTION #31-2018 – HONORING ERIC BROWN FOR COMPLETION OF HIS EAGLE SCOUT PROJECT AND RECEIVING HIS EAGLE SCOUT RANK (7:07 p.m.)

Mrs. Yerger read the resolution and Eric Brown was present to receive it.

MOTION BY: Mrs. deLeon moved for approval of Resolution #31-2018.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

III. DEVELOPER ITEMS

A. SILVER LAND, LLC/SILVER CREEK COUNTRY CLUB – 700 LINDEN AVENUE, HELLERTOWN – REQUEST APPROVAL OF HELLERTOWN BOROUGH AUTHORITY TO PROVIDE WATER & SEWER FOR THE PROJECT (7:12 p.m.)

Attorney Jim Preston was present representing Silver Land, LLC. They want to make sure they have water and sewer service at the site through Hellertown Borough Authority (HBA) and would like Council's approval; they will also need an agreement. The EDU's will be through HBA, and Attorney Treadwell said the agreement, which will be brought back to Council, will be limited to the project and the number of EDU's associated with that project. They met with Attorney Preston, Silver Land, HBA, and Lower Saucon Authority (LSA), and it was agreed that HBA was best suited to serve the project.

MOTION BY: Mrs. Louder moved for approval of HBA to provide water and sewer the project.

SECOND BY: Mrs. deLeon

Beverly Rosenwicz from Hellertown asked a couple of questions; Attorney Treadwell said they are better answered by HBA as we don't have a submission yet; all those issues will be looked at in detail at that time.

ROLL CALL: 5-0

IV. **TOWNSHIP BUSINESS ITEMS**

A. **ZONING HEARING BOARD VARIANCES**

1. **DAVID & TRACY D'AGOSTINO – 1530 HIGHLAND DRIVE – VARIANCE REQUESTS FOR ZONING VIOLATIONS ASSOCIATED WITH CONSTRUCTION OF POOL (7:19 p.m.)**

Mr. Gavin Laboski representing the D'Agostino's was present. They were previously before Council in July and October and the engineer proposed some storm water management facilities to be installed; those remain a part of this proposal. Mr. Paine from Paine Custom Pools put the plans together which show a reduction in impervious surface coverage. There are two options, one requiring 5% relief and one requiring 2.5% relief.

Mr. Kocher said combining the proposal with the storm water plan talked about previously, should be fine from a storm water aspect. They would need to see it together on a plan with back-up calculations and would like to see how the storm water gets into those beds.

Attorney Treadwell said that since a motion was passed previously opposing it, we need a motion based on both plans being presented at the ZHB and the Township Engineer receiving what he needs regarding the storm water.

MOTION BY: Mrs. Louder moved for approval as stated above by Attorney Treadwell.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

2. **ROBERT & MARGARET KELLY – 1596 WEYHILL CIRCLE – VARIANCE FOR SIDE YARD SETBACK FOR GARAGE AND STORAGE AREA ADDITION (7:24 p.m.)**

Attorney Sarah Murray was present representing the Kelly's. This property is part of a condominium and each unit is allocated a common area which surrounds the building; a single-family home sits on the property which includes a two-bay garage. The Kelly's propose to construct a 120 square foot storage area to the rear of the garage and add a third bay to their garage measuring 336 square feet, so side yard setback relief is needed. The HOA has agreed to this. James Boylan, President of the HOA was present as was Zachary Iricle from Lewis Brothers. Council took no action.

B. **IESI BETHLEHEM LANDFILL – 2335 APPLEBUTTER ROAD – UPDATE ON ACTIVITIES (7:27 p.m.)**

Don Hallock and Nick Rogers from IESI, and Kevin Bodner from Martin and Martin were present. Mrs. Louder said she requested their presence and asked about the sewage sludge. Mr. Taylor answered some of her questions and she understands that IESI has decided to not receive any sewage sludge at this time. Mr. Hallock said that was for the Form-U sent in for that project. They do accept under the profile of sewage sludge, but it's actually 10% sewage sludge and 90% soil. The Form-U was approved in 2016 when they accepted their first load, they accepted 15 loads in the last four months of 2016, and in 2017 they accepted 198 loads.

Mrs. Louder asked what they used it for? Mr. Hallock said it is buried for disposal. In 2017 they had three odor complaints; they had one complaint on the morning of August 31, 2017 but did not receive the sludge until the afternoon, so there's zero correlation. When it comes in, it's buried right away. It's never approved for daily cover material.

Mrs. deLeon said she didn't realize there were different types of sludge. Mr. Kern said it's a big mistake to accept sludge – when not accepting sludge, there was no smell; you can't hide sludge or the odor. Mr. Hallock said they will not accept sludge without the soil mixture. When the customer comes in next time, Mr. Taylor can take some pictures.

Mrs. deLeon said when she looked at the quarterly report, there were different types of sludge. Mr. Hallock said he can research it and will send it to Mrs. Huhn. Mrs. deLeon asked if something

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could be put in writing to the Township so we have it on record that it is not their intention to accept this certain type of sludge. Mr. Hallock said they can do that. Mrs. Louder said there were three tractor-trailers in Steel City who were looking for the landfill. Mr. Hallock said they took a wrong turn.

Mrs. Louder asked when the landfill planned to demolish the properties that are becoming blighted along Applebutter Road? Mr. Hallock said fire companies are doing training and they will try to get them all removed by the end of March 2018; he needs to get permits first.

Mr. Matt McClarin, Riverside Drive, said he's been noticing activity on top of the landfill and asked where they stand with finishing the wall. Mr. Taylor said that they were placing garbage at the top of the landfill, but the MSE wall is complete, which on the south side is not visible to Steel City. Disposal activity on top of the landfill will be ongoing for months. Mr. Bodner said the wall is complete and disposal operations will move down when they are complete in the spring.

C. DISCUSSION ON ADELPHIA GATEWAY PIPELINE (7:47 p.m.)

Mrs. Yerger said the EAC discussed this – there are no laterals and it's not a new pipeline; it's a conversion of an oil pipeline to gas. According to the owners of Adelpia, they have done this procedure before and have had no issues. The only thing that came up was that they are increasing the pressure as it's gas and not oil and replacing some pressure valves. They are not digging up any pipelines or increasing the size.

Mrs. deLeon said it already happened in 1996 and Mrs. Yerger said there have not been any detrimental effects as far as we know. Mrs. deLeon said they are going to increase the pressure a lot and the pipes were from the 70's; now that they filed with FERC, we have to talk about if we want to intervene. Since the pipeline is existing what's the safety we have if there's a catastrophic incident or rupture? Do we have a plan in place?

Bryan Evans, Emergency Management Coordinator, said they have an EOP which is meant to be broad and covers anything. They can review the EOP in May and talk with the County, asking them if there is anything specific to pipelines. Mrs. deLeon asked whether any training has been held regarding pipelines? Mr. Evans said they've had multiple trainings by UGI, Columbia Gas and others. He will follow-up to see the last time training was done. Everyone has been very willing to do that and very responsive anytime there is an odor or alarm. Sgt. Thomas Barndt said all police officers in LST have attended pipeline awareness training which is offered twice a year.

Mrs. deLeon would like to know what process they used when they changed from oil to gas. Did they notify the Township? She'd like them to provide an interactive map.

- MOTION BY:** Mrs. deLeon moved to have Council intervene on the Adelpia Gateway docket.
Mr. Stauffer asked if we had a cost or a timeframe for this? Attorney Treadwell recommended to ask Attorney Elliot for a cost and a date and we can bring it back.
- SECOND BY:** No second
Mrs. deLeon withdrew her motion.

D. APPROVAL OF POLICE CHIEF WAGE AND BENEFIT PACKAGE (8:03 p.m.)

Mrs. Huhn said this was the topic discussed in Executive Session. The Solicitor will write a contractual letter with the starting salary and benefits, they will pay out the current sick time if Council approves.

- MOTION BY:** Mrs. Louder moved for approval of paying out the sick time.
SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

Along with the wage and benefit package, Mrs. Huhn announced she was offering the Chief of Police position to Sgt. Tom Barndt. They formed a committee with Council members, residents,

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and the President of the Lower Saucon Police Association. There were very good candidates, but it became quite apparent that Tom Barndt had the character and traits that were best suited for LST. Sgt. Barndt thanked Council, Mrs. Huhn and the Search Committee for all the time that they put in, and he gladly accepted the offer. He will speak at the swearing in ceremony of his visions for the department.

Mrs. Yerger said the Search Committee performed very well, and she thinks they should be invited to that meeting. Mrs. Huhn said Mr. Scruggs' assistance was instrumental and his participation was invaluable. She will be sending a thank you to the Search Committee.

E. AUTHORIZE COLLECTION OF 2018 REAL ESTATE TAXES (8:08 p.m.)

This letter authorizes the collection of real estate taxes and is done annually.

MOTION BY: Mrs. Louder moved for approval to send the letter to NC so the Township can collect the 2018 Real Estate taxes.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

F. AUTHORIZE ADVERTISEMENT OF LAWN MOWING BID (8:09 p.m.)

Our current lawn mowing contract expired and we had the option to renew it for a one-year period, which we had done for last year. This year we are going out to bid again.

MOTION BY: Mrs. Louder moved to authorize advertisement of lawn mowing bids.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

G. RESOLUTION #32-2018 – APPOINTMENT OF LABOR ATTORNEY FOR THE YEAR 2018 (8:10 p.m.)

The rate schedule for Eckert Seamans is \$290.00 per hour for partners, and \$260.00 per hour for associate attorneys. Attorney Treadwell said by doing it through resolution, as opposed to letter of engagement, we can use them whenever we feel it's necessary; it gives us more flexibility.

Mr. Stauffer asked what was the usage for the labor attorney? Attorney Treadwell said a question may arise about collective bargaining agreements and there are instances where potential hearings might involve one of the agreements as well. Mr. Stauffer commented on their rate being a bit more than the other attorneys, plus they are also in Harrisburg. Mrs. Huhn said their rate is much less than other labor attorneys and communication is usually by conference call or email.

MOTION BY: Mrs. deLeon moved for approval of Resolution #32-2018.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

H. RESOLUTION #33-2018 – ADOPTING THE GRADING PLAN POLICY (8:12 p.m.)

Attorney Treadwell said a few months ago we updated the Earth Disturbance Ordinance and the Storm Water Ordinance. This resolution does not change the substance at all, they've just inserted the updated ordinance numbers and dates in this resolution.

MOTION BY: Mrs. Louder moved for approval of Resolution #33-2018.
SECOND BY: Mr. Stauffer
ROLL CALL: 5-0

I. RESOLUTION #34-2018 – REQUESTING THE DELAWARE RIVER BASIN COMMISSION TO BAN CERTAIN ACTIVITIES (8:14 p.m.)

This was reviewed by the EAC and they recommended this come before Council. The Delaware River supplies drinking water to over 3 million people; protecting its quality is very important.

MOTION BY: Mrs. Louder moved for approval of Resolution #34-2018.
SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

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V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF DECEMBER 20, 2017 AND JANUARY 2, 2018 MINUTES (8:16 p.m.)

Mrs. Louder had corrections to both set of minutes, as well as Mr. Horiszny.

MOTION BY: Mrs. Louder moved for approval of the December 20, 2017 and January 2, 2018 minutes, with corrections.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-1 (Mrs. deLeon – No)

B. APPROVAL OF DECEMBER 2017 FINANCIALS (8:18 p.m.)

Mrs. Louder asked where the Police Department donations are deposited? Mrs. Gorman said all funds go in the General Fund and will go to the Police Department budget. Mrs. Louder said she felt that donations could be used for some ballistic jackets. Mr. Scruggs said they were looking at donation money for optical scopes for rifles which was a high priority need, but he's not opposed to the tactical vests. He travels around the country inspecting police departments and we are in a better place than most departments regarding equipment.

MOTION BY: Mrs. deLeon moved for approval of the December 2017 financial reports.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. MONTHLY DEPARTMENT REPORTS FOR DECEMBER 2017 (8:30 p.m.)

These are presented to Council once a month.

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:26 p.m.)

Jeremy Hantz, President of LST Police Officer's Association, thanked Councilwoman Louder for helping to get the police study completed, for her communication with officers, and for her support. He also thanked Interim Chief Scruggs who has treated them as colleagues, with respect, and for the way in which he has sparked morale; they wish him great luck in all his future endeavors. He thanked Council for approving the selection process for their next Chief, and for approving Leslie and Linc to negotiate the next contract. Finally, he extended congratulations to Councilman Stauffer for his election, and congratulations to Sgt. Barndt as the next Police Chief.

VII. COUNCIL & STAFF REPORTS

A. MANAGER (8:31 p.m.)

➤ The EAC reorganized on January 9, 2018 and voted to have Sandra Yerger as Chair.

MOTION BY: Mrs. deLeon moved to appoint Sandra Yerger as EAC Chair.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

➤ She recommends the appointment of Cindy Oatis as an Associate Member of the EAC.

MOTION BY: Mrs. deLeon moved to appoint Cindy Oatis as an Associate Member of the EAC.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

➤ The EAC would like permission to offer a latex-based paint event sponsored by Nth. County on June 23, 2018 from 9 a.m. to noon. The PW garage will be available and members of the EAC volunteered to help. This will be the third year LST offered it.

MOTION BY: Mrs. Yerger moved for approval of the Latex Based Paint Event at LST on June 23, 2018 from 9 a.m. to noon.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

➤ Gary Kichline has been appointed as temporary Roadmaster and will receive the current rate of \$24.72 per hour. In conjunction with that, his position is open and we would like to fill it with a temporary laborer. The rate would be \$17.38 per hour with no benefits.

MOTION BY: Mrs. deLeon moved for approval as stated above by the Township Manager.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

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- Council received notification from PennDOT that the Fed. Highway Assoc. has taken away their interim approval of the rectangular rapid flashing beacons that were discussed last year and approved for Friedensville Road. Barry Isett is preparing a revised plan that would eliminate them and show overhead beacons at each crossing, which is being reviewed.

B. COUNCIL/JR. COUNCIL

Sam Striz, Jr. Council (8:37 p.m.) – No report

Mrs. Yerger

- She thanked the Township for allowing the LST Historical Society to have their presentation on the Friedensville Pump House and zinc mine at Town Hall; they had over 70 attendees.

Mrs. deLeon

- She attended the SVP meeting and they are going over the multi-municipal comp plan.
- This week is the Chamber's Winter Restaurant week.

Mr. Kern – No report

Mrs. Louder

- Their prayers are going out to Ken Luybli and his family.
- She commended the Steel City Fire Department for their role in a search on the river.
- She talked to Gordon Gress on Black River Road who said the fix that the PW did was a great help; it didn't fix it 100%, but it is a lot better. The only concern he had was that there was ponding at Wydnor Avenue. Mrs. Huhn said they did go out a few times in that area and salt. It's a totally new area; they will keep an eye on it.
- She thanked Jeremy and the Police Department for the lovely letter.

Mr. Stauffer – No report

C. SOLICITOR – (8:41 p.m.) – No report

D. PLANNER – Absent with prior notification

E. ENGINEER – (8:41 p.m.) – No report

VIII. ADJOURNMENT

MOTION BY: Mrs. deLeon moved for adjournment. The time was 8:41 p.m.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President