

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. Woodmont Development Proposal – Friedensville Road

III. DEVELOPER ITEMS

- A. Greenwood Court – Deed of Dedication – Resolution #34-2015 Accepting Dedication

IV. TOWNSHIP BUSINESS ITEMS

- A. Authorize Advertisement to Bid Lawn Treatment Services
- B. Authorize Collection of 2015 Real Estate Taxes and 2014 Delinquent Taxes
- C. Ordinance No. 2015-02 – Incurring Indebtedness – Authorize Advertisement for a Public Hearing and Consideration of Adoption
- D. Authorize Consultant Review of IESI Bethlehem Landfill’s Southeast Realignment Submission to DEP
- E. Council Ratification of Snow Emergency

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of January 21, 2015 Minutes

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next EAC Meeting: February 10, 2015
Next Zoning Hearing Board Meeting: February 16, 2015
Next Council Meeting: February 18, 2015
Next Saucon Rail Trail Oversight Commission Meeting: February 23, 2015 @ UST
Next Planning Commission Meeting: February 26, 2015
Next Park & Rec Meeting: March 2, 2015
Next Saucon Valley Partnership: March 11, 2015 @ LST

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 4, 2015 at 7:00 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; Priscilla deLeon and Dave Willard, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Cathy Gorman, Director of Finance; Judy Stern Goldstein, Township Planner; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; and Matt Smith, Jr. Council member. Absent: Glenn Kern, Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did not meet in Executive Session since the last meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone. Mr. Cahalan said the Greenwood Court agenda item be tabled as we don't have the executed deed of dedication.

II. PRESENTATIONS/HEARINGS

A. WOODMONT DEVELOPMENT PROPOSAL – FRIEDENSVILLE ROAD

Mr. Horiszny said representatives from Woodmont Development would like to provide Council with an update to the proposal for a tract of land on Friedensville Road.

David Trager, Chief Investment Officer of Woodmont properties and Steve Varnekis, head of Engineering for Woodmont properties were present. Mr. Trager said they presented a plan some months ago for an apartment community they'd like to develop off Friedensville Road. Since that time, they made some changes which he reviewed with Council. Mr. Maxfield asked about the main access to the development off of Friedensville Road and if they have done any investigative work as far as site distances to make that a useable intersection? Mr. Varnekis said the entrance was moved to help those site distance problems.

Mrs. deLeon asked about the parking spaces. Mr. Varnekis said there are two different types of garages, a stand-alone and integrated garages which the unit can be accessed right through the garage. Mr. Varnekis said 104 of those garages would be under the buildings. Mrs. deLeon asked if they are including parking spaces under the house as the requirement to meet our ordinance. Mr. Varnekis said typically you can count them as spaces. Mrs. deLeon asked about the traffic on Friedensville Road. Mr. Varnekis said they would have to go through the HOP process. There was discussion about the building heights permitted and the building setbacks from the street.

Mrs. deLeon asked about sewer reservations and water? Mr. Trager said Lower Saucon has been allocated up to 300,000 gallons for sewer. They estimate this project would be under 40,000 gallons. Mrs. deLeon said our Engineer gave them a map that shows the plan with the EDU's. What you said doesn't match that plan. Mr. Kocher said the numbers on the map are not a formal allocation by Council. Mrs. deLeon said she's pretty sure Council did approve that plan. Mr. Maxfield said that plan has "Draft" written on it and since that time, we were told by Bethlehem

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that if we needed more EDU's we'd just have to ask. Mr. Horiszny said the proposed location could factor in as to who controls Bethlehem's sewer and water and it's something that can be further investigated. Mrs. deLeon said she can't support this, you want to go from R-20 to UR.

Mr. Willard said he has visited their property in Palmer. We had another developer propose something in the Township and we told them to work with our professional staff and bring us back answers. He's inclined to do the same as far as this project is concerned. Mr. Horiszny and Mr. Maxfield agreed. There was additional discussion regarding sewer, traffic, carbonate geology and sinkholes.

Mr. Matt McClarin asked if Council can ask them what the projected tax revenue would be. Mr. Trager said their experience so far in Bethlehem and Palmer both have fewer than 20 school age children. Based upon our community in Palmer, he projected taxes in this community would be as high as \$500,000.00 a year and 75% of the taxes go to the school.

Ms. Stern-Goldstein suggested if this was going to move forward, the applicant be requested to submit a fiscal impact analysis to the Township. If you are looking at a zoning change, that would need to be done. Mr. Trager said an escrow account would be established to reimburse your professionals' time.

Mr. Walter Zagwoski, 2094 Ivywood Avenue, said he's concerned with the dip on Friedensville Road. He thinks PennDOT will give you a hard time with the HOP. Mr. Trager said they haven't spoken to PennDOT yet.

- MOTION BY:** Mr. Maxfield moved for approval to direct the staff to talk with Woodmont about their development proposal on Friedensville Road.
- SECOND BY:** Mr. Willard
- Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 3-1 (No – Mrs. deLeon; Absent – Mr. Kern)

III. DEVELOPER ITEMS

- A. GREENWOOD COURT – DEED OF DEDICATION – RESOLUTION #34-2015
ACCEPTING DEDICATION**
This item was tabled.

IV. TOWNSHIP BUSINESS ITEMS

- A. AUTHORIZE ADVERTISEMENT TO BID LAWN TREATMENT SERVICES (7:47 pm)**
Mr. Horiszny said specifications have been reviewed by the Director of Public Works and the Township Solicitor for the lawn treatment services. Mr. Cahalan said this is for weed control and fertilization of the Township athletic fields. We are asking Council for approval to advertise the bids.

- MOTION BY:** Mr. Maxfield moved for authorization to advertise the bid for lawn treatment services for Township parks and fields.
- SECOND BY:** Mr. Horiszny
- Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

- B. AUTHORIZE COLLECTION OF 2015 REAL ESTATE TAXES AND 2014 DELINQUENT TAXES**

Mr. Horiszny said Council should authorize the Manager to direct the Finance Department to collect the 2015 real estate taxes in the amount of \$2,411,820.72 and to forward the 2014 delinquent tax list, when received, to Northampton County for collection.

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- MOTION BY:** Mrs. deLeon moved for approval to direct the Manager to authorize the Finance Department to collect the 2015 real estate taxes in the amount of \$2,411,820.72 and to forward the 2014 delinquent taxes to Northampton County for collection.
- SECOND BY:** Mr. Willard
Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

C. ORDINANCE NO. 2015-02 – INCURRING INDEBTEDNESS – AUTHORIZE ADVERTISEMENT FOR A PUBLIC HEARING AND CONSIDERATION OF ADOPTION (7:50 pm)

Mr. Horiszny said Ordinance No. 2015-02 has been prepared for advertisement. Mr. Cahalan said this follows the discussion at the previous meeting for a replacement of a fire truck pumper for Southeastern Fire Company. This ordinance would increase the Township's indebtedness to secure a loan in the amount of \$244,477.50 at an interest rate of 2.52%. Attorney Treadwell said if you approve it, it will be sent to DCED and come back for approval. A consultant is reviewing the pumper requirements.

- MOTION BY:** Mr. Horiszny moved for approval of advertisement for a public hearing and consideration of adoption of Ordinance No. 2015-02, incurring indebtedness, at the first available Council meeting that meets the required advertising guidelines.
- SECOND BY:** Mr. Maxfield
Mr. Horiszny asked if anyone had any questions? Mr. Willard said if the note carries a pre-payment penalty. We're collecting about \$111,000.00 as a fire tax. Would the intention be as the money comes in during the next two or three years to pre-pay the note? Mr. Cahalan said if Council directs us to do that.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

D. AUTHORIZE CONSULTANT REVIEW OF IESI BETHLEHEM LANDFILL'S SOUTHEAST REALIGNMENT SUBMISSION TO DEP (7:53 pm)

Mr. Horiszny said the Township has received a courtesy copy of IESI Bethlehem Landfill's Southeastern Realignment Plan Submission to DEP. Council should authorize consultant review of the submission and request an estimated project cost.

Mr. Cahalan referred to an email from Jim Birdsall stating that Roger Bellas from DEP is now in charge as Bill Tomayko retired. It explains the process DEP will be following. We have received a courtesy copy of the plans submitted to DEP. Mr. Bellas stated they are going to set up an LMIP meeting in March and they will provide the Township with a proposed timeline for their review of the IESI application and once the timeline is agreed upon and the review is completed, they will send official correspondence to IESI that they have accepted the application. Then the 60 day period to provide comment would begin. We're looking at late March before the LMIP process is completed. The Township comment period would be thereafter.

Mrs. deLeon said this proposal is within an already permitted area of the landfill. Mr. Willard questioned what LMIP stands for. Ms. Stern-Goldstein said Local Municipality Involvement Process. Mr. Cahalan said we are asking if Council wants to authorize the consultants review the submission once DEP accepts IESI's application.

Mr. Maxfield said in the interest of spending public money wisely, he does not want to authorize review of this where we will be re-reviewing what DEP is already reviewing. He likes the idea of us waiting until it's completed, so he would like to see a cost estimate from Hanover. Mr. Willard asked how are we notified from DEP that their review is complete? Attorney Treadwell said they send us a copy saying it's been deemed complete and they accepted IES's application, then we have 60 days to comment. We've requested DEP extensions before if we need one. Mr. Cahalan said do you wish to provide the consultants with a courtesy copy of the plans prior to this process

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taking place? Mr. Maxfield said he has no problem supplying copies, but he doesn't want to pay for any review of that copy until the time comes. Attorney Treadwell said we have another meeting in February and two in March before the LMIP process occurs, so maybe in the next two weeks we can get an estimate from Mr. Birdsall, and then we can make a motion to authorize the consultants to review it when DEP has deemed it complete, at a not to exceed cost. Mr. Willard said the only thing to add is that we be notified when it's deemed complete. Mr. Horiszny said this will be tabled in order to get a cost estimate once the plan is accepted by DEP.

E. COUNCIL RATIFICATION OF SNOW EMERGENCY (8:07 pm)

Mr. Cahalan said a snow event occurred on January 26 – 27, 2015 at which time the Township Manager declared a snow emergency. Per Resolution #24-2004, this action must be ratified at the next regularly scheduled Council meeting.

- MOTION BY:** Mr. Horiszny moved for approval of the ratification of the snow emergency as declared by the Manager on January 26, 2015 at 12:00 p.m.
- SECOND BY:** Mrs. deLeon
- Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 4-0 (Absent – Mr. Kern)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JANUARY 21, 2015 MINUTES (8:09 pm)

Mr. Horiszny said the minutes of the January 21, 2015 Council meeting are ready for Council's review and approval. He asked for the correction to add site plan on line 21, page 2; and he asked that Scott Krycia be listed as a member of Se-Wy-Co on page 5, line 2. On page 8, line 28, the vote should be 3-1.

- MOTION BY:** Mr. Horiszny moved for approval of the January 21, 2015 minutes, with corrections.
- SECOND BY:** Mr. Maxfield
- Mr. Horiszny asked if anyone had any questions? No one raised their hand.
- ROLL CALL:** 3-1 (Absent – Mr. Kern; No – Mrs. deLeon)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:12 pm)

- Mr. Matt McClarin said with this landfill thing will the host agreement have to get renegotiated for the southeastern alignment? Attorney Treadwell said we haven't even gotten close to that point yet.
- Mr. Walter Zagwoski asked if anyone checked on the dump truck thing we talked about at the last meeting if we should be getting paid for that. Mr. Cahalan said yes, they are being weighed and the Solicitor was going to look into the other question. Attorney Treadwell said from his recollection what the host agreement says, it requires a payment for municipal waste that is deposited in the landfill. He doesn't know if the fill they are bringing in to cover the landfill meets that definition. Mr. Horiszny said they will ask the Municipal Inspector and get an answer from him.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan asked if anybody was interested in attending the Taps ribbon cutting on February 26th from 4:30 p.m. to 6:30 p.m. to let him know.

B. COUNCIL/JR. COUNCIL

Matt Smith, Jr. Council

- He said he could start asking kids at the school for the Jr. Council member position next year. Mr. Cahalan asked that he also mention the other committees/boards and for volunteers for Community Day.

Mr. Maxfield – No report

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Mrs. deLeon

- She said was on Bethlehem Township's website today and was intrigued when she found attached to their agenda was background information for the public to see, similar to our Council packet. She'd like to direct the Manager to see if we can do that on our website. Mr. Maxfield said these documents don't become public documents until they are presented at a public meeting. Mrs. deLeon said Bethlehem Township had the council agenda on and then the other pages were draft resolutions that were marked draft.

MOTION BY: Mrs. deLeon moved for approval to direct the Manager to start implementing attaching appropriate resolutions and other information to our agenda for the website in advance of the meeting.

SECOND BY: Mr. Maxfield
Mr. Horiszny asked if anyone had any comments or questions? Mr. Willard said sitting in the audience, the residents are left at a disadvantage if they don't see what we see. Attorney Treadwell said the legality of when a document becomes a public document is completely different than when you want to give it to the public. There was discussion about what type of documents will be put on the website and the ability to attach large documents. Mr. Maxfield said if we included the resolutions and ordinances, that should work. Ms. Huhn said they will contact our web host and talk to him about it and bring it back to the next meeting if necessary.

ROLL CALL: 4-0 (Absent – Mr. Kern)

- Today she was on the Google maps and when she clicked on Friedensville Road and it showed a marker for Kulp's Dam on it. It was along the creek at the Heller Homestead. Mr. Cahalan said it's listed as one of the dams in Northampton County and on a couple of fishing sites. She asked Jack to contact Google and see if they could put all our parks on it.
- She said on January 29th, January 30th, February 2nd, residents in Steel City complained of a garbage odor. DEP was called.
- She said regarding PennEast Pipeline, Redington and I-78 is now proposed for a compressor station. Mr. Maxfield said he talked to a couple of people who were analyzing the maps and they said what they saw would be a "pig" cleanout station or valving, but they saw no evidence of a compression station. Mrs. deLeon said the icon in the legend said compressor station. She said there's a hearing on February 10th at Northampton Community College on the PennEast Pipeline.
- She said she asked Jack to look into the police extra-duty billing and he did respond, but she still doesn't know the rate charged. Mr. Cahalan said the rate that's charged is the overtime rate for the officer assigned plus 22%. The decrease in the budget is because Revolutions stopped requesting extra duty police officers. Mrs. deLeon asked why there wasn't a flat fee. Mr. Cahalan said it varies based on the officer who is working. Mrs. deLeon said why don't we just charge the maximum rate and then we're covered. Mr. Cahalan said what would you call the maximum rate? Mrs. deLeon said it's in the uniform contract. Mr. Cahalan said if you had a junior officer, they would be paid less. It's based on what our costs are to assign the officer and the overhead is to pay for our vehicles and some of the contributions that have to go towards Medicare and the unemployment insurance. It recoups for the Township the cost to cover that assignment. Mrs. deLeon asked for a list of the people who paid for this service last year and the amounts.
- She said she was questioned by a resident because they saw a Steel City fire truck plowing the church parking lot in Steel City. She contacted the Township for a response. Attorney Treadwell responded to Mr. Cahalan and said to the best of his knowledge, LST does not have an ordinance or regulations in place that would govern the operations of a volunteer fire company. Therefore since the volunteers are not Township employees and the truck is not owned by the Township, there does not seem to be anything that would prevent them from utilizing the truck in that manner. He does not believe it would affect our Workers Comp insurance since plowing snow is not a fire fighting activity and therefore would not be covered. Mr. Maxfield said he doesn't even know why someone would be concerned

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with this. John Hulsizer, 2085 Johnston Avenue, said if the plowing is not an issue, what's going to happen with the new fire truck you are proposing to buy. Attorney Treadwell said the difference is the truck that the Township is buying will be owned by the Township, so we control what we do with it. The truck where they plowed in Steel City is owned by the Volunteer Fire Company. It's a different ownership of the truck. Mr. Hulsizer said he understands. Mr. McClarin asked if the fire tax is strictly to buy the fire trucks? Mr. Cahalan said yes. Mrs. deLeon said fire equipment, not just trucks. Mr. McClarin said the truck at the fire house was fully decayed six months ago and they got it done again and put new rims on it. Mr. Cahalan said the Township makes a contribution to each of the fire companies. What we're moving towards is a Township fire department where we will own the equipment and we will set some of the rules how that equipment will be used. Right now it's an independent fire company with their own equipment and volunteers and we are contributing money towards the operation. Mr. McClarin said taxpayer money is going towards it and there should be some kind of oversight how this money gets used. Mr. Cahalan said he thinks it's been used very well. It's for fire protection for LST. Mr. McClarin said they have a \$6,000 stainless steel plow on a truck and they are using it to plow the church and that could be out of the \$50,000 that we gave them. Mr. Willard said the fire tax has been in existence for two years. This is the first vehicle we will have purchased as a Township. So the vehicles currently in operation belong to the individual fire companies.

Mr. Kern – Absent

Mr. Willard

- He said he met with Jack, Judy and Chris last Friday to plan out the launch of the Citizens Committee to keep our Economic Development project going this year. The members of the committee have been notified and the first meeting will be February 19th and it's open to the public. He said we appreciate a local entrepreneur bringing another business to our community.
- He said on March 12th is the next meeting with the Fire Chiefs.

Mr. Horiszny

- He said the LSA had a water main break on Bingen Road that tied up the traffic.
- He said we need to note that Woodland Hills Preserve has been cross country skied on and it's a delightful place for that.

C. SOLICITOR – No report

D. PLANNER – No report

E. ENGINEER – No report

VIII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 8:48 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
Council President