

I. OPENING

REVISED

- 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. Swearing-In of Thomas H. Barndt as Chief of Police

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. Brian & Colleen Krcelich – 2360 Apple Street – Variance for Relief from Wetland & Woodland Protections and Impervious Coverage
- B. Robert & Danette Walters and Mark & Nancy Walters – Jefferson & Buck Avenues – Road Vacation Request
- C. Adelpia Gateway Pipeline – Discussion on Intervening
- D. Discussion on UGI LNG Storage Tank
- E. Approval of Uniformed Collective Bargaining Agreement
- F. Resolution #18-2018 – Chief of Police Salary for 2018
- G. Resolution #35-2018 – Adopting the Pay Scale for the Uniformed Employees
- H. Resolution #36-2018 – Establishing the Police Officer Contribution to the Uniformed Pension Fund for 2018
- I. Discussion on Replacement of Town Hall Security System
- J. Draft Policy for Damage to Mailboxes During Plowing Events
- K. Discussion on Additional Lighting at Lutz-Franklin Schoolhouse
- L. Resolution #37-2018 – Support of Grant Submission by Lower Saucon Authority for Monitoring Equipment
- M. Resolution #38-2018 – Authorizing Submission of a Keystone Grant for Heller Homestead
- N. Resolution #39-2018 – Authorizing Submission of a Small Water & Sewer Grant for Town Hall Park
- O. PennEast Pipeline – Discussion on FERC Conditional Approval

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of January 17, 2018 Council 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

UPCOMING MEETINGS

Environmental Advisory Council: February 13, 2018
Saucon Valley Partnership: February 14, 2018 @ HB
Zoning Hearing Board: February 19, 2018
Township Council: February 21, 2018
Planning Commission: February 22, 2018
Saucon Rail Trail Oversight Commission: February 26, 2018 @ LST
Parks & Recreation: March 5, 2018

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 7, 2018 at 7:03 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; Donna Louder and Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Judy Stern Goldstein, Township Planner; Ferris Abu-Ghosh, Jr. Council Member. Absent: Glenn Kern, Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council has not met in Executive Session prior to this evening.

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 (7:04 p.m.)

A. SWEARING-IN OF THOMAS H. BARNDT AS CHIEF OF POLICE

Tom Barndt was sworn in as Chief of Police by District Judge Alan Mege. Chief Barndt thanked Leslie Huhn, Council members, fellow Chiefs of Police, Law Enforcement Officers, Officers and staff of the LSTPD, former Interim Chief John Scruggs, and the volunteers who were on the Police Chief Search Committee. He stated he feels so fortunate to have the opportunity to share this very special event with his family, friends, and members of the community. He said he would like to recognize everyone who called, sent texts, emails, and cards, or stopped at police headquarters to congratulate him. He appreciates the opportunity afforded to him and is fully committed to LSTPD, the officers and staff under his command, and the residents of this township that he calls home. He was born and raised in this great community, is Saucon Valley proud, and knows everyone else is too. The position of Police Chief incorporates much more than simply acting as an agency head, it comes with a great deal of responsibility. To the residents he offers an open, accountable, transparent, and accessible PD, responsive to their concerns. It is their relationship to the community, school district, and businesses. Safe communities are the result of people and their police working together, which is something they will strive to improve. He thanked his parents for their influential direction throughout his life, his in-laws for their love and support throughout the process, all of his children, and his wife, Kim, for her support, encouragement, and listening to him every day. In closing, he stated there has been change and change will continue to happen. There may be challenges and obstacles ahead, but they are all in this together, so let's go and get to work.

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES

1. BRIAN & COLLEEN KRCELICH – 2360 APPLE STREET – VARIANCE FOR RELIEF FROM WETLAND & WOODLAND PROTECTION AND IMPERVIOUS COVERAGE (7:17 p.m.)

Mrs. Colleen Krcelich and Scott Mease, Engineer were present. This project consists of two existing properties and had an access easement with a stone driveway. The Krcelich's also purchased the easement area and they intend to make it one property and build an approximate 2,500 square foot house. Mr. Mease said the structure that crosses the wetlands is currently just stone and when there's a lot of water, you are driving through the creek itself. They are proposing to make an official driveway there.

Mrs. deLeon had concerns as the lot was created before our natural resources inventory. Ms. Stern Goldstein said it's two existing lots that would be much more nonconforming if

they had been separate, so together, it's decreasing the nonconformity. The access area they purchased is disturbing most of it just to build the driveway; there's not much else they could do and get safe access. Attorney Treadwell said this was reviewed in staff meetings and doing it this way by consolidating the three parcels is better than it is currently. Council took no action.

B. ROBERT & DANETTE WALTERS AND MARK & NANCY WALTERS – JEFFERSON & BUCK AVENUES – ROAD VACATION REQUEST (7:28 p.m.)

This is the first step in a road vacation request. If Council wishes to consider it, township staff and consultants will review, comment, and bring it back to Council. Mr. Garges said Lee Walters is on Lot 52; and his dad's parcel is Lot 53. There is a vacant parcel in the back that they are going to have to look at. Mrs. deLeon said you are vacating half of the paper street but we normally haven't done that in the past. Attorney Treadwell said we've done some half streets and some whole streets; with the whole street concept you have to notify more people.

- MOTION BY:** Mrs. Yerger moved to direct Township Staff and Consultants to review and comment on the paper street vacation request.
SECOND BY: Mrs. deLeon
ROLL CALL: 4-0 (Mr. Kern – Absent)

C. ADELPHIA GATEWAY PIPELINE – DISCUSSION ON INTERVENING (7:32 p.m.)

Attorney Elliott provided a cost estimate of \$200.00 to enter an intervention.

- MOTION BY:** Mrs. Yerger moved for approval to instruct Attorney Elliott to intervene on behalf of LST to the Adelphia Gateway Pipeline.
SECOND BY: Mrs. deLeon
ROLL CALL: 3-1 (Mrs. Louder – No; Mr. Kern – Absent)

Mrs. deLeon played a video for Council and the audience. The Township wrote to Adelphia and a response was received from Steven DeFrank who said he would be willing to answer any more questions Council may have; but could not come to a public meeting at this time. Mrs. deLeon asked if we know where this pipeline really is? Mrs. Yerger said they are predominantly going to be using the existing Interstate pipeline. Bill Ross, LSA, said the video indicated it will increase the pressure in the pipes; he would have concern about that considering the age of the pipes. Mrs. deLeon showed a map of the pipelines in Chester County who received a grant for an interactive map. We should consider sending a letter to Nth. Cty. Council asking them for a map similar to this for Northampton County.

- MOTION BY:** Mrs. deLeon moved for approval to have the administration send Nth. Cty. Council a letter requesting that they look into the possibility of creating a map, and copy LVPC.
SECOND BY: Mr. Stauffer
ROLL CALL: 4-0 (Mr. Kern – Absent)

D. DISCUSSION ON UGI LNG STORAGE TANK (7:50 p.m.)

Attorney Treadwell said this should be discussed in an Executive Session after the meeting.

E. APPROVAL OF UNIFORMED COLLECTIVE BARGAINING AGREEMENT (7:50 p.m.)

A draft agreement has been reached with the officers and signed by them; it's before Council for ratification and execution. Mrs. Louder said she feels the K-9 and the DARE program officers should receive pretty much the same stipend. Attorney Treadwell said as part of the negotiation process, we had conversations with the Association and the K-9 officer, and it is our intent to come to a separate agreement with the K-9 officer outside of the contract that would increase the monetary amount he gets.

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MOTION BY: Mr. Stauffer moved to approve the collective bargaining agreement with the Lower Saucon Township Police Officers, as presented.
SECOND BY: Mrs. Yerger
ROLL CALL: 3-0-1 (Mrs. Louder – Abstained; Mr. Kern – Absent)

F. RESOLUTION #18-2018 – CHIEF OF POLICE SALARY FOR 2018 (7:53 p.m.)
Mrs. Yerger read the resolution.

MOTION BY: Mrs. deLeon moved for approval of Resolution #18-2018.
SECOND BY: Mrs. Louder
ROLL CALL: 4-0 (Mr. Kern – Absent)

G. RESOLUTION #35-2018 – ADOPTING THE PAY SCALE FOR THE UNIFORMED EMPLOYEES (7:55 p.m.)

This resolution was prepared based on the approval of the contract, which sets the pay scale for full time and part time officers with their minimum and maximum compensation.

MOTION BY: Mrs. deLeon moved for approval of Resolution #35-2018, with the addition of the line as stated above.
SECOND BY: Mrs. Louder
ROLL CALL: 4-0 (Mr. Kern – Absent)

H. RESOLUTION #36-2018 – ESTABLISHING THE POLICE OFFICER CONTRIBUTION TO THE UNIFORMED PENSION FUND FOR 2018 (7:56 p.m.)

The police officer contribution to the uniformed pension fund for 2018 did not change.

MOTION BY: Mrs. Yerger moved for approval of Resolution #36-2018.
SECOND BY: Mrs. Louder
ROLL CALL: 4-0 (Mr. Kern – Absent)

I. DISCUSSION ON REPLACEMENT OF TOWN HALL SECURITY SYSTEM (7:57 p.m.)

Mrs. Huhn said the existing fire alarm system was installed with the building, the security system was installed sometime thereafter, and the two do not communicate with each other. We are considering replacing both systems at the same time to get something that will communicate together. Mrs. Louder asked how our insurance company feels about this? Mrs. Huhn said it is an adequate system, but when the emergency services come in, they need to figure out where the fire alarm is originating. Mrs. Huhn said the recommendation is to go with a quote from Tech Data for \$15,783.00. This is the best option as it is not proprietary, it's internet-based and the systems will communicate with each other. They will take care of this building and then will come back with a quote for our other buildings. Public Works and Seidersville Hall are also currently under Altronics.

MOTION BY: Mrs. Louder moved for approval of Option D for the replacement of the Town Hall security system by TDS in the amount of \$15,783.00 and ongoing cost of \$359.40 a year.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent))

J. DRAFT POLICY FOR DAMAGE TO MAILBOXES DURING PLOWING EVENTS (8:07 p.m.)

Mrs. Huhn said we have an unwritten policy, and we do get a lot of calls for mailbox damage. A survey of policies from surrounding municipalities was completed, and the suggestion to Council is upon submission of a complaint, Public Works will make the determination of how the mailbox was hit. If it is our fault, we ask the resident to submit receipts and their homeowner's insurance policy. Any claim \$100 or less, we will reimburse if it's found to be our fault. Any cost exceeding that amount, will be reviewed on a case-by-case basis and decide if it should be turned over to our insurance company.

Mrs. deLeon asked if it is legal or illegal to put a mailbox in the right-of-way (ROW)? Attorney Treadwell said he thinks it says no structures in the ROW. Mrs. deLeon said if it is in the ROW,

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and it gets hit, they need to move it. Attorney Treadwell said in some cases the ROW is wider and the postal carrier is not going to get out their truck to deliver mail. Mrs. Louder said we should set a stipend at \$150. Mrs. Huhn said when they submit their receipts and they buy the mailbox and the post, if they have someone put it in, they can submit the receipts from the contractor as well.

- MOTION BY:** Mrs. deLeon moved for approval of the Damaged Mailbox Policy as presented by the Township Manager.
SECOND BY: Mr. Stauffer
ROLL CALL: 4-0 (Mr. Kern – Absent)

K. DISCUSSION ON ADDITIONAL LIGHTING AT LUTZ-FRANKLIN SCHOOLHOUSE

(8:18 p.m.)

Mrs. Huhn said Council requested this be brought back with a quote from the contractor for a double light. Mrs. Yerger said she would not approve a motion sensor as there are too many deer running around and it would be a disturbance to the neighbors. Mrs. deLeon said she understands that, but she feels that there needs to be two spotlights. There is a porch light that has a radius of just the footprint of the porch, and she thinks it is safer to have a spotlight angled a bit more beyond the end of the porch.

Mrs. Yerger said the concern is big lights hanging on a historic building; we want to have one discreet spotlight to illuminate for safety reasons because there are lights going further down the walkway. We want to tuck the light out of the way, so it is not seen from the front, but to shine a light on the front it would need to stick out. Additionally, they don't want people coming that way at night, they want them going toward the parking lot. They are trying to keep the intrusion into the historic appearance of the building limited and keep it safe for people at night. She is going to make a motion for what was requested by the Historical Society.

- MOTION BY:** Mrs. Yerger moved for approval of the quote from Jeff Murray Electric for a spotlight to illuminate the walkway to the parking lot in the amount of \$290.00.
SECOND BY: Mrs. Louder
ROLL CALL: 3-1 (Mrs. deLeon – No; (Mr. Kern – Absent)

L. RESOLUTION #37-2018 – SUPPORT OF GRANT SUBMISSION BY LOWER SAUCON AUTHORITY FOR MONITORING EQUIPMENT *(8:31 p.m.)*

This resolution is in support of a grant application by the LSA for monitoring equipment. Mr. Ross said this will solve a lot of their big problems and save money.

- MOTION BY:** Mrs. Louder moved for approval of Resolution #37-2018.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent)

M. RESOLUTION #38-2018 – AUTHORIZING SUBMISSION OF A KEYSTONE GRANT FOR HELLER HOMESTEAD *(8:33 p.m.)*

Mrs. Huhn said staff would like to submit a grant for the front steps and porch of Heller Homestead, which is deteriorating. It's a matching grant, and our portion would be \$18,500.

- MOTION BY:** Mrs. deLeon moved for approval of Resolution #38-2018.
SECOND BY: Mr. Stauffer
ROLL CALL: 4-0 (Mr. Kern – Absent)

N. RESOLUTION #39-2018 – AUTHORIZING SUBMISSION OF A SMALL WATER & SEWER GRANT FOR TOWN HALL PARK *(8:35 p.m.)*

Mrs. Huhn said this is in the Capital Plan for replacing the water line, which has been leaking for several years. The line continues to deteriorate. It's a matching grant of 15% and if awarded we could bid out this project and not have the Public Works complete it.

- MOTION BY:** Mrs. Louder moved for approval of Resolution #39-2018.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Kern – Absent)

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- O. PENNEAST PIPELINE – DISCUSSION ON FERC CONDITIONAL APPROVAL (8:37 p.m.)**
FERC has granted PennEast Pipeline a conditional certificate of public convenience and necessity. If Council wants to take additional action, we have Attorney Elliott’s recommendations with different options. Attorney Treadwell said he suggested three different options: the first is a “me too” filing which is to piggyback on what the other people have filed objecting to FERC’s decision; the second is a “me too plus” which is “me too” but with additional items; and the third is a totally new filing. He would recommend the “me too, plus” option.

Mrs. deLeon explained where certain properties were that the pipeline is going through, and that this is definitely impacting residents. Mrs. Yerger said this is new pipeline and they target properties that have a lot of open space. They’ve gone through significant areas of preserved open space, and are running it under the Lehigh and Delaware Rivers.

- MOTION BY:** Mrs. deLeon moved to direct Attorney Elliott to utilize the “me too plus” option, not to exceed \$2,000.
SECOND BY: Mrs. Yerger
ROLL CALL: 3-1 (Mrs. Louder – No; (Mr. Kern – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

- A. APPROVAL OF JANUARY 17, 2018 MINUTES (8:46 p.m.)**

- MOTION BY:** Mrs. Louder moved for approval of January 17, 2018 minutes, with corrections.
SECOND BY: Mrs. Yerger
ROLL CALL: 3-1 (Mrs. deLeon – No; Mr. Kern – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:46 p.m.) – None

Council recessed for Executive Session at 8:47 p.m., and reconvened at 8:53 p.m. Attorney Treadwell said they discussed one personnel issue and one pending litigation issue.

- MOTION BY:** Mrs. deLeon moved to direct Attorney Elliott to withdraw the appeal and cease work on the UGI Zoning Hearing Board appeal.
SECOND BY: Mrs. Yerger
Mrs. Louder said she’d like to see increased safety on Easton Road, and to have some PD out there when this takes place. Attorney Treadwell said there will be ongoing discussions.
ROLL CALL: 4-0 (Mr. Kern – Absent)

VII. COUNCIL & STAFF REPORTS

- A. MANAGER – No report (8:55 p.m.)**

- B. COUNCIL/JR. COUNCIL**

Ferris Abu-Ghosh, Jr. Council – Excused at 8:47 p.m.

Mrs. Yerger – No report

Mrs. deLeon

- She attended a ribbon cutting for Collaborative on Main Street, which is a TV studio, interior design. It was very well attended.
- Restaurant week was a huge success.

Mr. Kern – Absent

Mrs. Louder

- She voted no to spending Lower Saucon Tax dollars to continue to fight the PennEast and Adelpia Pipelines due to the utilities having the option of eminent domain as well as Governor Wolf’s support of the pipelines as a tax revenue source.
- She attended her first water authority meeting and it was interesting.

Mr. Stauffer

- He attended the Parks & Recreation meeting on Monday, and they need volunteers for Community Day on August 18th. They are looking for a main coordinator to handle everything as well as general volunteers.

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- C. **SOLICITOR** – No report (8:57 p.m.)
- D. **PLANNER** – Excused at 8:47 p.m.
- E. **ENGINEER** – Excused at 8:47 p.m.

VIII. ADJOURNMENT

MOTION BY: Mrs. deLeon moved for adjournment. The time was 8:58 p.m.

SECOND BY: Mr. Stauffer

ROLL CALL: 4-0 (Mr. Kern – Absent)

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President