

- 1 I. **OPENING**
2 **CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council
3 was called to order on Wednesday, February 7, 2018 at 7:03 p.m., at Lower Saucon Township, 3700 Old
4 Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.
5 **ROLL CALL:** Present: Sandra Yerger, President; Priscilla deLeon, Vice President; Donna Louder and
6 Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor;
7 Brien Kocher, Township Engineer; Judy Stern Goldstein, Township Planner; Ferris Abu-Ghosh, Jr. Council
8 Member. Absent: Glenn Kern, Council Member.
9 **PLEDGE OF ALLEGIANCE**
10 **ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**
11 Mrs. Yerger said Council has not met in Executive Session prior to this evening.
12 **PUBLIC COMMENT/CITIZEN AGENDA ITEMS**
13 Mrs. Yerger said if you are on the agenda, you have Council and Staff's undivided attention. If you do
14 choose to speak, we ask that you use one of the microphones and state your name for the record. She asks
15 that you give your fellow public the courtesy of the floor.
16
17 II. **PRESENTATIONS/HEARINGS** (7:04 p.m.)
18 A. **SWEARING-IN OF THOMAS H. BARNDT AS CHIEF OF POLICE**
19 Tom Barndt was sworn in as Chief of Police by District Judge Alan Mege. Chief Barndt thanked
20 Leslie Huhn, Council members, fellow Chiefs of Police, Law Enforcement Officers, Officers and
21 staff of the LSTPD, former Interim Chief John Scruggs, and the volunteers who were on the Police
22 Chief Search Committee. He stated he feels so fortunate to have the opportunity to share this very
23 special event with his family, friends, and members of the community. He said he would like to
24 recognize everyone who called, sent texts, emails, and cards, or stopped at police headquarters to
25 congratulate him. He appreciates the opportunity afforded to him and is fully committed to
26 LSTPD, the officers and staff under his command, and the residents of this township that he calls
27 home. He was born and raised in this great community, is Saucon Valley proud, and knows
28 everyone else is too. The position of Police Chief incorporates much more than simply acting as an
29 agency head, it comes with a great deal of responsibility. To the residents he offers an open,
30 accountable, transparent, and accessible PD, responsive to their concerns. It is their relationship to
31 the community, school district, and businesses. Safe communities are the result of people and their
32 police working together, which is something they will strive to improve. He thanked his parents for
33 their influential direction throughout his life, his in-laws for their love and support throughout the
34 process, all of his children, and his wife, Kim, for her support, encouragement, and listening to him
35 every day. In closing, he stated there has been change and change will continue to happen. There
36 may be challenges and obstacles ahead, but they are all in this together, so let's go and get to work.
37
38 III. **DEVELOPER ITEMS** – None
39
40 IV. **TOWNSHIP BUSINESS ITEMS**
41 A. **ZONING HEARING BOARD VARIANCES**
42 1. **BRIAN & COLLEEN KRCELICH – 2360 APPLE STREET – VARIANCE FOR**
43 **RELIEF FROM WETLAND & WOODLAND PROTECTION AND IMPERVIOUS**
44 **COVERAGE** (7:17 p.m.)
45 Mrs. Colleen Krcelich and Scott Mease, Engineer were present. This project consists of
46 two existing properties and had an access easement with a stone driveway. The Krcelich's
47 also purchased the easement area and they intend to make it one property and build an
48 approximate 2,500 square foot house. Mr. Mease said the structure that crosses the
49 wetlands is currently just stone and when there's a lot of water, you are driving through the
50 creek itself. They are proposing to make an official driveway there.
51
52 Mrs. deLeon had concerns as the lot was created before our natural resources inventory.
53 Ms. Stern Goldstein said it's two existing lots that would be much more nonconforming if

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

6
7 **B. ROBERT & DANETTE WALTERS AND MARK & NANCY WALTERS – JEFFERSON &**
8 **BUCK AVENUES – ROAD VACATION REQUEST** (7:28 p.m.)

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

15
16 **MOTION BY:** Mrs. Yerger moved to direct Township Staff and Consultants to review and comment on the
17 paper street vacation request.

18 **SECOND BY:** Mrs. deLeon

19 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

20
21 **C. ADELPHIA GATEWAY PIPELINE – DISCUSSION ON INTERVENING** (7:32 p.m.)

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

23
24 **MOTION BY:** Mrs. Yerger moved for approval to instruct Attorney Elliott to intervene on behalf of LST to
25 the Adelphia Gateway Pipeline.

26 **SECOND BY:** Mrs. deLeon

27 **ROLL CALL:** 3-1 (Mrs. Louder – No; Mr. Kern – Absent)

28
29 Mrs. deLeon played a video for Council and the audience. The Township wrote to Adelphia and a
30 response was received from Steven DeFrank who said he would be willing to answer any more
31 questions Council may have; but could not come to a public meeting at this time. Mrs. deLeon
32 asked if we know where this pipeline really is? Mrs. Yerger said they are predominantly going to
33 be using the existing Interstate pipeline. Bill Ross, LSA, said the video indicated it will increase
34 the pressure in the pipes; he would have concern about that considering the age of the pipes. Mrs.
35 deLeon showed a map of the pipelines in Chester County who received a grant for an interactive
36 map. We should consider sending a letter to Nth. Cty. Council asking them for a map similar to
37 this for Northampton County.

38
39 **MOTION BY:** Mrs. deLeon moved for approval to have the administration send Nth. Cty. Council a letter
40 requesting that they look into the possibility of creating a map, and copy LVPC.

41 **SECOND BY:** Mr. Stauffer

42 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

43
44 **D. DISCUSSION ON UGI LNG STORAGE TANK** (7:50 p.m.)

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

46
47 **E. APPROVAL OF UNIFORMED COLLECTIVE BARGAINING AGREEMENT** (7:50 p.m.)

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

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

5
6 **F. RESOLUTION #18-2018 – CHIEF OF POLICE SALARY FOR 2018 (7:53 p.m.)**

7 Mrs. Yerger read the resolution.

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

11
12 **G. RESOLUTION #35-2018 – ADOPTING THE PAY SCALE FOR THE UNIFORMED**
13 **EMPLOYEES (7:55 p.m.)**

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

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

20
21 **H. RESOLUTION #36-2018 – ESTABLISHING THE POLICE OFFICER CONTRIBUTION**
22 **TO THE UNIFORMED PENSION FUND FOR 2018 (7:56 p.m.)**

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

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

27
28 **I. DISCUSSION ON REPLACEMENT OF TOWN HALL SECURITY SYSTEM (7:57 p.m.)**

29 Mrs. Huhn said the existing fire alarm system was installed with the building, the security system
30 was installed sometime thereafter, and the two do not communicate with each other. We are
31 considering replacing both systems at the same time to get something that will communicate
32 together. Mrs. Louder asked how our insurance company feels about this? Mrs. Huhn said it is an
33 adequate system, but when the emergency services come in, they need to figure out where the fire
34 alarm is originating. Mrs. Huhn said the recommendation is to go with a quote from Tech Data for
35 \$15,783.00. This is the best option as it is not proprietary, it's internet-based and the systems will
36 communicate with each other. They will take care of this building and then will come back with a
37 quote for our other buildings. Public Works and Seidersville Hall are also currently under
38 Altronics.

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

43
44 **J. DRAFT POLICY FOR DAMAGE TO MAILBOXES DURING PLOWING EVENTS (8:07**
45 **p.m.)**

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

53
54 Mrs. deLeon asked if it is legal or illegal to put a mailbox in the right-of-way (ROW)? Attorney
55 Treadwell said he thinks it says no structures in the ROW. Mrs. deLeon said if it is in the ROW,

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

5 **MOTION BY:** Mrs. deLeon moved for approval of the Damaged Mailbox Policy as presented by the
6 Township Manager.

7 **SECOND BY:** Mr. Stauffer

8 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

9
10 **K. DISCUSSION ON ADDITIONAL LIGHTING AT LUTZ-FRANKLIN SCHOOLHOUSE**

11 *(8:18 p.m.)*

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

18
19 Mrs. Yerger said the concern is big lights hanging on a historic building; we want to have one
20 discreet spotlight to illuminate for safety reasons because there are lights going further down the
21 walkway. We want to tuck the light out of the way, so it is not seen from the front, but to shine a
22 light on the front it would need to stick out. Additionally, they don't want people coming that way
23 at night, they want them going toward the parking lot. They are trying to keep the intrusion into the
24 historic appearance of the building limited and keep it safe for people at night. She is going to
25 make a motion for what was requested by the Historical Society.

26 **MOTION BY:** Mrs. Yerger moved for approval of the quote from Jeff Murray Electric for a spotlight to illuminate
27 the walkway to the parking lot in the amount of \$290.00.

28 **SECOND BY:** Mrs. Louder

29 **ROLL CALL:** 3-1 (Mrs. deLeon – No; (Mr. Kern – Absent)

30
31 **L. RESOLUTION #37-2018 – SUPPORT OF GRANT SUBMISSION BY LOWER SAUCON**
32 **AUTHORITY FOR MONITORING EQUIPMENT** *(8:31 p.m.)*

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

35 **MOTION BY:** Mrs. Louder moved for approval of Resolution #37-2018.

36 **SECOND BY:** Mrs. Yerger

37 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

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

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

43 **MOTION BY:** Mrs. deLeon moved for approval of Resolution #38-2018.

44 **SECOND BY:** Mr. Stauffer

45 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

46
47 **N. RESOLUTION #39-2018 – AUTHORIZING SUBMISSION OF A SMALL WATER &**
48 **SEWER GRANT FOR TOWN HALL PARK** *(8:35 p.m.)*

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

52 **MOTION BY:** Mrs. Louder moved for approval of Resolution #39-2018.

53 **SECOND BY:** Mrs. Yerger

54 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

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

8
9 Mrs. deLeon explained where certain properties were that the pipeline is going through, and that
10 this is definitely impacting residents. Mrs. Yerger said this is new pipeline and they target
11 properties that have a lot of open space. They’ve gone through significant areas of preserved open
12 space, and are running it under the Lehigh and Delaware Rivers.

13 **MOTION BY:** Mrs. deLeon moved to direct Attorney Elliott to utilize the “me too plus” option, not to exceed
14 \$2,000.

15 **SECOND BY:** Mrs. Yerger

16 **ROLL CALL:** 3-1 (Mrs. Louder – No; (Mr. Kern – Absent)

17
18 **V. MISCELLANEOUS BUSINESS ITEMS**

19
20 **A. APPROVAL OF JANUARY 17, 2018 MINUTES** (8:46 p.m.)

21 **MOTION BY:** Mrs. Louder moved for approval of January 17, 2018 minutes, with corrections.

22 **SECOND BY:** Mrs. Yerger

23 **ROLL CALL:** 3-1 (Mrs. deLeon – No; Mr. Kern – Absent)

24
25 **VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS** (8:46 p.m.) – None

26
27 Council recessed for Executive Session at 8:47 p.m., and reconvened at 8:53 p.m. Attorney Treadwell said they
28 discussed one personnel issue and one pending litigation issue.

29
30 **MOTION BY:** Mrs. deLeon moved to direct Attorney Elliott to withdraw the appeal and cease work on the
31 UGI Zoning Hearing Board appeal.

32 **SECOND BY:** Mrs. Yerger

33 Mrs. Louder said she’d like to see increased safety on Easton Road, and to have some PD out there
34 when this takes place. Attorney Treadwell said there will be ongoing discussions.

35 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

36
37 **VII. COUNCIL & STAFF REPORTS**

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

39 **B. COUNCIL/JR. COUNCIL**

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

41 Mrs. Yerger – No report

42 Mrs. deLeon

43 ➤ She attended a ribbon cutting for Collaborative on Main Street, which is a TV studio,
44 interior design. It was very well attended.

45 ➤ Restaurant week was a huge success.

46 Mr. Kern – Absent

47 Mrs. Louder

48 ➤ She voted no to spending Lower Saucon Tax dollars to continue to fight the PennEast and
49 Adelphia Pipelines due to the utilities having the option of eminent domain as well as
50 Governor Wolf’s support of the pipelines as a tax revenue source.

51 ➤ She attended her first water authority meeting and it was interesting.

52 Mr. Stauffer

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

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

4
5 **VIII. ADJOURNMENT**

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

7 **SECOND BY:** Mr. Stauffer

8 **ROLL CALL:** 4-0 (Mr. Kern – Absent)

9
10 Submitted by:

11
12
13 _____
14 Leslie Huhn
15 Township Manager

Sandra B. Yerger
Council President

DRAFT