

**I. OPENING**

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

**Meeting location will be Saucon  
Valley High School Cafeteria for  
this meeting ONLY**

**II. PUBLIC COMMENT PROCEDURE**

**III. PRESENTATIONS/HEARINGS**

- A. Annual Police Awards – Resolution #37-2012

**IV. DEVELOPER ITEMS**

- A. IESI Bethlehem Landfill – Applebutter Road – Presentation – Potential Re-Zoning to Permit Expansion of Landfill Facilities

**V. TOWNSHIP BUSINESS ITEMS**

- A. Resolution #38-2012 – Documenting Disbursements of Gaming Funds – Dewey Fire Company Ambulance Squad
- B. Resolution #39-2012 – Authorizing the Submission of a Local Share Municipal Grant Application to Northampton County Gaming Revenue & Economic Redevelopment Authority
- C. Ordinance No. 2012-01 – Amendment to the Vehicle Code – Authorize Advertisement of Public Hearing and Consideration of Adoption

**VI. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of February 1, 2012 Minutes
- B. Approval of January 2012 Financial Reports

**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 Zoning Hearing Board Meeting: February 20, 2012  
Next Planning Commission Meeting: February 23, 2012  
Next Park & Rec Meeting: March 5, 2012  
Next Council Meeting: March 7, 2012  
Next EAC Meeting: March 13, 2012  
Next Saucon Valley Partnership: March 14, 2012 @ SVSD

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, February 15, 2012 at 7:00 P.M., at the Saucon Valley School District cafeteria, 2700 Polk Valley Road, Hellertown, PA, with Mr. Glenn Kern, President, presiding.

**ROLL CALL:** Present: Glenn Kern, President; Tom Maxfield, Vice President; Ron Horiszny, David Willard and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Linc Treadwell, Township Solicitor; Jim Birdsall, Township Engineer; and Jr. Council Member, Jameson Packer.

**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 and staff's undivided attention for the discussion period. At the conclusion of the discussion period, we do open it up to the public at each and every agenda item, so you have an opportunity to comment. If you do choose to comment, we ask that you use one of the three microphones that you see here as the minutes are transcribed verbatim. We want to make sure we get every word into the record. We also ask that you state your name for the record so the transcriptionist can duly note that.

**III. PRESENTATION/HEARINGS**

**A. ANNUAL POLICE AWARDS – RESOLUTION #37-2012**

Mr. Kern said Council would like to publicly recognize the efforts of our Police Officers for the fine work they do in the Township. Chief Guy Lesser is here to present the commendations. Resolution #37-2012 has been prepared to honor these officers.

Chief Lesser thanked Council for taking the time to recognize the officers for their performance during 2011. They will be presenting awards for enforcement and for Officers-of-the-Year. A number of years ago, Northampton County started a DUI program and generated a list of events at year's end. We learned that a number of our officers performed outstanding as compared to the officers throughout the County. By no means is it a competition, they weren't even aware of that stat even being maintained. In 2011, they had a number of officers that performed outstanding.

Chief Lesser asked Officers Robert Winters, Kyle Haggerty and Eric Marth to come up front. He said Robert Winters has been with their department for two years. He was promoted to full-time a year ago. He has an unusual responsibility along with his other responsibilities, of filling in when other officers are off. They have four patrol teams of officers. They alternate 12-hour shifts to provide 24-7 coverage in the Township. Officer Winters is our most recent full-time officer and is not on a patrol team, so he has the responsibility for filling in for a number of those officers. All officers have a challenging schedule of filling hours throughout the day, weekend, holidays, etc. Our teams work rotating shifts. They have some normalcy to their schedule, Officer Winters did not. The point is that throughout the entire year, he didn't hear one complaint from Officer Winters. Officer Winters is also team oriented, always has that "whatever you need", "whatever

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the department needs” attitude, and that’s a pleasure. They challenge Officer Winters to maintain that attitude for his entire career.

Chief Lesser said Kyle Haggerty has been with the department for ten years in May. Last year in 2011, he completed a two week training session as a DARE instructor. Kyle brings a high level of enthusiasm to that position and whatever field he works in, he comes in and is always excited about that position. He can be found in the PD on his day off working and preparing for class, organizing his equipment and DARE van. We are hoping Kyle maintains that enthusiasm for the rest of his career.

Chief Lesser said Officer Marth has been with us for over three years. This is his third enforcement award. Officer Marth, like Kyle, is on one of our patrol teams and he’s a criminal ID officer for his patrol team. All officers receive training in response to a crime scene. Eric has received some advanced training in that regard and will be receiving some additional training. He’s performed very well early in his career in this position. He also maintains our court books. There are a couple of thick, 3-ring binders that have a variety of information like certifications of officers and equipment and it’s important that the officers can come into the squad room and grab those books, go to a hearing and if there’s something they expect to be in there, it’s in there and organized. He didn’t hear an issue from any of the other 22 employees, so he thinks we have a lot of confidence that Eric is doing a real good job in that regard.

Chief Lesser said each of these officers is receiving an enforcement award which he read. The commendation was signed by the President of Council, the Township Manager, and Chief Lesser.

Chief Lesser asked Officers Hantz, Werkheiser and Shelley come to the front of the room. He said Officer Werkheiser has been with their department for three years. This is his third enforcement award. Officer Werkheiser is also our Defense Tactics Instructor and he brings enthusiasm to that position as well as a high level of dedication. Chuck is the kind of guy that is always very early, sometimes an hour early. That’s always a good thing. Just as an example, he’s responsible for training all of the officers and maintaining their certification in defense tactics and our equipment. When he met with teams this past year, he was quite early, and not only was he preparing his equipment, he would purchase a half gallon of coffee and all the accessories and some breakfast snacks out of his pocket, and he never came to Chief Lesser looking for petty cash. He did that on his own and he was more than well prepared. In 2011, he was also recognized by the State DUI Association as a top performer among all of the Townships and regional police departments in mid-eastern Pennsylvania.

Chief Lesser said Officer Shelly has been with our department over eight years. This is his 7<sup>th</sup> enforcement award. Officer Shelly fulfills the role of Firearms Instructor for our department. He’s far more than an NAI instructor for pistols and carbines and shotguns. Willy Shelly is the kind of target shooter where he shoots and sited rifles in at a thousand yards. He’s taken a deer at 800 yards. What that means is he has particular attention to detail, in ballistics, what a round does at speeds, and he brings that same attention to detail to our officers when we train and when we certify. He’s focused on the position of our fingers, the pressure of our palms, and he does an outstanding job in that regard. We have some former firearms instructors that are impressed with the different and variety of drills that he brings to our department. The job he does requires a high level of commitment and he is extremely committed. When things aren’t just perfect, Chief Lesser hears about it and Officer Shelly gives him some grief, on occasion, as it’s just not good enough. We really appreciate that.

Chief Lesser said Officer Jeremy Hantz has been with our department for approximately 3-1/2 years. This is Jeremy’s third enforcement award. Jeremy Hantz is also our taser instructor and in addition to certifying our officers, he maintains our tasers and maintains all certifications and

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maintenance on that equipment and that's a very important piece of equipment that we need to be squared away on. These three officers are also receiving enforcement awards.

Chief Lesser asked Officer Winters and Officer Werkheiser to come up front. He said we have a good group of men in the department and these two men really exemplify an outstanding attitude. Anytime you have a department working 24-7, twenty some employees, there's issue that arise. These two men, as well as anyone, are really focused on the job, come to work with a good attitude, and that attitude is contagious as we all know. Whatever line of work you are in, that's critical and it's as important as getting the job done. These two men are outstanding examples of that. They are the Officer-of-the-Year and Runner-up Officer-of-the-Year. He read the commendation award to Officer Winters and Officer Werkheiser.

Mr. Kern said thank you, Chief and Council would sincerely like to honor and thank our peace officers in the Township, and so they've created Resolution #37-2012, which honors all the officers.

**POLICE DEPARTMENT COMMENDATIONS**

**WHEREAS**, Officer Robert R. Winters has been named Officer-of-the-Year; and,

**WHEREAS**, Officer Charles H. Werkheiser, Jr. has been named Runner-Up Officer-of-the-Year; and,

**WHEREAS**, Officer Charles H. Werkheiser, Jr. has been awarded a Commendation for DUI Enforcement; and,

**WHEREAS**, Officer Willie W. Shelly has been awarded a Commendation for DUI Enforcement; and,

**WHEREAS**, Officer Jeremy L. Hantz has been awarded a Commendation for DUI Enforcement; and,

**WHEREAS**, Officer Eric E. Marth has been awarded a Commendation for DUI Enforcement; and,

**WHEREAS**, Officer Kyle P. Haggerty has been awarded a Commendation for DUI Enforcement; and,

**WHEREAS**, Officer Robert R. Winters has been awarded a Commendation for DUI Enforcement.

**NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED** that the Council of Lower Saucon Township, Glenn Kern, President; Tom Maxfield, Vice President; Priscilla deLeon, Council Member; Ron Horiszny, Council Member; and David Willard, Council Member, does hereby recognize and thank all of these Officers for the fine work exhibited during the year. It is this Council's opinion that it was a job well done!

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #37-2012.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

**IV. DEVELOPER ITEMS**

**A. IESI BETHLEHEM LANDFILL – APPLEBUTTER ROAD – POTENTIAL RE-ZONING TO PERMIT EXPANSION OF LANDFILL FACILITIES**

Mr. Kern said Representatives from the IESI Bethlehem Landfill would like to discuss their plans for an expansion of the landfill area.

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Maryanne Garber was present and said she represents IESI Bethlehem Landfill Corporation. She said they are here tonight to present the landfill's proposed plans for an expansion of its existing landfill on Applebutter Road to the west of the existing footprint. As Solicitor Treadwell had explained to Township Council at its January 21<sup>st</sup> meeting, this is really the first step in a process that would involve a rezoning of the properties that are slated for expansion and then subsequent zoning approval and land development approval as well as obviously DEP review and approval and expansion permit. They presented this proposal to the Township Planning Commission on January 19<sup>th</sup>, and they are here this evening to present to Council and the public and to answer any questions anyone may have. With her tonight is Sam Donato, District Manager for IESI Bethlehem and Rick Bodner who is their Landfill Engineer from Martin and Martin. They also have several other representatives from IESI.

Mr. Donato said thanks for giving us some time this evening to present their proposed western expansion. They presented a PowerPoint presentation of the expansion. The first slide represents the current zoning districts that they are operating under. Starting at the top and heading towards the west, the light purple is the Light Industrial District or the LI District. The darker purple is the LM or Light Manufacturing District. The green area represents the Rural Agricultural District or the RA and the yellow is the Residential District or the R-20.

Mr. Donato said the next slide represents the currently approved land development plan and their PADEP permit. For a point of reference, he showed Applebutter Road and as they travel east on Applebutter Road, the first thing they will encounter is the Calpine Power Plant. As they travel up Applebutter Road a little further, you will see a black dashed line that runs to the north and to the east, which is the current consolidated property line of the Bethlehem Landfill. Continuing east, you will see three black lines which represent the PPL power lines that come across Applebutter Road, head north and meet at the top of the facility and then the power is conveyed out. They have another set of power lines running from the east to the west on the north side of the property and they are the 69 KV lines. The yellow dashed line identifies the current permit boundary that they are operating under. You will continue through Applebutter Road, you will see the entrance to the facility. Off to your left is the scale facility, the power plant and sedimentation basins. As you travel east along their access road, that's their flare and it's operating. The vehicles continue to travel up, transverse across the top of the landfill, to the Phase IV disposal area. This aerial shows their maintenance and support facility for the landfill. In the photograph, this was the early stages of the Cell 4F Minor Permit Modification that was ongoing at the time. You can also see the Bushkill Motorcycle Hill Climb and the LST Water Authority tank. The remaining approved capacity for their facility as of January 2012, is 4.1 years of life. What that means to them is they will have to get their approvals and their permit in around 3.5 years as it's going to take them six months for a build-out process on the western expansion.

Mr. Donato said the next slide will introduce the western expansion as its overlay with the current zoning districts. The black hashed lines are the proposed disposal footprint for the western expansion. The bulk of the expansion is situated in the RA District, the green district. Some of it is down in the LMI District. This will give you an idea of how the expansion overlays and the different districts.

Mr. Donato said the next slide represents the western expansion. For orientation purposes, they will start along Applebutter Road, and the first thing you will see is the red dashed line headed to the north then back to the east. That line represents the current acquired property interest they have at this time. The yellow dashed line represents the proposed permit boundaries as it relates to the expansion process. The red line again will represent the actual disposal area for the western expansion. The black dashed line is the original consolidated property line. He mentioned earlier the yellow dashed line is the current permit boundary lines. You can see how the permit boundary will be extended as it ties into the existing permit.

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Mr. Donato said the next slide covers the filling contours and the sedimentation basins. If you are traveling along Applebutter Road, the existing facility, you can see how the designers tied in the existing contours from the Phase IV expansion into the proposed western expansion. What you see along Applebutter Road is a design of what they will be following in the future with the western expansion. The entrance to the facility will not be changing. They are not changing their support facility such as office. The power plant will still be there. They are not impacting those areas at all. The western expansion they are anticipating that the current blasting plan they are operating under will be in play because of the geology of the rough surface material.

Mr. Donato said the next slide represents the expansion within the IESI properties. The red dashed line that runs to the north back to the east represents the current acquired properties that are within the expansion. They also have been talking to other property owners, and at this given time, this represents everyone they have under agreement of sale. They also highlighted Skyline Drive a little bit. Skyline Drive will need to be vacated from Heiter Lane headed towards the east.

Mr. Donato said the next slide represents the western expansion and the non-carbonate geologic area. What this slide points out is the black dashed line represents the approximate carbonate limits per the Township's zoning map. Anything to the north of this black line is in a non-carbonate geological area. The green zone represents additional field work they did to try to locate where the carbonate contact may come into play. They submitted a report to the Township on May 24<sup>th</sup>, which detailed the drilling points and the conclusion that they did not encounter any carbonate in this area. Mr. Cahalan has our study from May. The blue line represents where they stopped their drilling. The reason they stopped there is because there's a little stream that runs across this area of the proposed expansion and by permit from the Township and DEP, they will be required to stay away from that. Heading south of that line, they were not able to investigate and that was the driver why they stopped.

Mr. Donato said the western expansion is going to modify the land development plan and their PADEP permit. They are increasing the consolidated property by approximately 83 acres. They are increasing the disposal area by approximately 45 acres. They will be modifying the facility limits and they are going to maximize the capacity within the existing footprint. That concludes the presentation. They are here to answer any questions.

Mr. Kern said is there any comment from staff or Council members? Mrs. deLeon said they were given a list of questions at one of the Council meetings. She'd like to hear the responses. Ms. Garber said it was the January 12<sup>th</sup> letter from Mr. Birdsall raising what he had identified as general planning considerations. In their presentation, they actually addressed many of the things that were outlined in the letter. They will go through the letter.

Mr. Donato said a variety of these questions were answered in the presentation. Mr. Bodner from Martin & Martin will go over the questions:

1. Question: Proximity of homes and residential property to the proposed permit boundary and to the limit of actual excavation?  
*Answer: Both the Township ordinances and DEP's regulations set forth required setbacks. The design of the western expansion will be consistent with all of those requisite setbacks. For example, the disposal operation must be 900' from an occupied dwelling. It must be 100' from a property line. Those are the types of setback requirements which are in the regulations and the western expansion will adhere to.*
2. Question: Proximity of carbonate geology?  
*Answer: Mr. Bodner said Mr. Donato just went over that with a description and an overhead. DEP regulations prohibit landfills over carbonate geology as does the Township*

*zoning and we have done our homework and the western expansion will not be over any carbonate geology.*

Question: Mr. Kern said what is the setback from the stream that was noted on the map?

Answer: Mr. Bodner said 100'. It is a requisite DEP setback from a perennial stream.

Question: Mrs. deLeon said does the Township match that?

Answer: Mr. Bodner said he believes that is correct.

3. Question: Proximity of any water supply well?

Answer: Mr. Bodner said consistent with any well regulations, the requisite setback is 1,320', a quarter of a mile from any down gradient water supply wells and 300' from any up gradient water supply wells. The western expansion will meet that criteria and all siting, s-i-t-i-n-g criteria. There are numerous ones which Jim put in his letter and they will meet all of them.

4. Question: Proposed daily capacity versus existing daily capacity?

5. Question: Proposed truck count versus existing truck count?

Answer: Mr. Donato said yes, both 4 and 5 they've conducted a traffic study and the results of the traffic study are not in yet. They can't address those questions at this given time until they get the results. Mr. Maxfield said he heard that reason before, but there must have been figures that you submitted for the traffic study. There must have been a suggestion. That's kind of what they are asking for. Mr. Donato said that's not a problem. They proposed in their traffic study to increase the ADV up to 1,800 tons a day. Mr. Maxfield said that's what you are requesting from DEP? Mr. Donato said when they did the traffic study, they asked them to look at volume of vehicles. Mr. Bodner said they asked the traffic consultant that question in the study, can the road network accommodate that type of load and they are still waiting for that report. Mr. Maxfield said when it comes back okay, then your request goes to DEP at that point? Mr. Donato said at that point, they would get their permit application together and that would be the back-up information that would support the request. Mrs. deLeon said she believes our host agreement covers daily capacity, so what is the existing daily capacity? Mr. Donato said currently the site operates at 1,375 tons per day. Mrs. deLeon said do you want to explain that to people as a lot don't know what that means. Mr. Donato said on any given average calendar day in a quarter, at the end of that quarter, they cannot exceed 1,375 tons per day. They also operate what's known as a MDA, Maximum Daily Average, and the MDA is 1,800 tons per day. To answer Mr. Maxfield's initial question, 1,800 tons per day was just a number they threw out there. It has nothing determined at this point where they will be on the ADV increase. Mr. Maxfield said last time it was stated that you were definitely looking for an increase in daily tonnage. Mr. Donato said we are looking for an increase, but the traffic study will provide and support that information for the increase. Mr. Willard said can you also state the existing current truck count? Mr. Donato said he doesn't have that information with him, but on any given day, as a guesstimate, he would say 100 large vehicles, and it depends on the size of the truck that's delivering the material. He can get that information. Mrs. deLeon said if the traffic study supports the 1,800 tons a day for the daily capacity for the 45 acres, what would be the life expectancy based on that tonnage? Mr. Bodner said they don't have the final volume, but he has a guesstimate. He thinks looking at the range of capacities and thus the range of longevity, they've been assuming that traffic can handle 1,800, and at that rate, they were in the 12-year range. Mr. Donato said somewhere in that range, and again, that's a very early number to think about. The 12 year +/- is a starting point. Mr. Maxfield said earlier when you said 12 to 16 years, the 16 years would be the low end of the scale if the traffic study couldn't support that? Mr. Donato said that would be correct. Mr. Bodner said a combination of the density. We're seeing increasing densities in the landfill and the denser the waste, the more tons you can put in airspace and that extends your life. Mr. Kern said he

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wanted to be clear from the start and since the expansion hasn't even been approved, but if it should come about, he would not be in favor of increasing the daily tonnage and that would be for a number of reasons. Mr. Donato said well noted.

6. Question: Would there be additional driveways?  
Answer: Mr. Donato said that was covered in the presentation.
7. Question: Would blasting be needed?  
Answer: Mr. Donato said they covered that. They have a blasting plan now and do anticipate that they will have to do some blasting as they move into that western expansion. Mrs. deLeon said, there would be additional driveways, that would be no, you are getting rid of the Skyline Drive road and you will just have one access. Mr. Donato said yes, the current entrance of the facility is proposed to handle the western expansion. The vacating of Skyline Drive would be part of their application to the Township.
8. Question: Visibility of operations from nearby residences and park and recreation facilities, including the Delaware-Lehigh National Heritage Corridor?  
Answer: Mr. Bodner said they don't have a final configuration of the western expansion, but he thinks it's essentially business as usual. Where they are headed is akin to where they are now. Mrs. deLeon said the last time they expanded, we were very insistent that if you were standing on the Lehigh River because of the Heritage Corridor, and on the canal path and looking at Lower Saucon Township, we didn't want to see a landfill, so we insisted that they wouldn't do that. They had visual things going on and if you were standing there in the summertime, you would not see the landfill, but when the leaves were off, you may see a little bit of it. That's what was proposed the last time.
9. Anticipated availability for waste from Pennsylvania?
10. Percent of expected out-of-State waste?
11. Extent of participation of County Municipal Waste Management planning, including whether or not IESI currently, or in the future, plans to provide a voluntary contribution to the recycling program at Northampton County?

Ms. Garber said these three questions were questions regarding the Northampton County Waste Plans and she's not sure how they are particularly relevant to the rezoning.

Answer: That being said, sources of waste and either questions related to that are really driven by whatever the market conditions are to be at the time. Mrs. deLeon said you say that's not really a zoning issue, but one of our zoning requirements is for you to have a DEP zoning permit, and the DEP permit does kind of look at that. Ms. Garber said the DEP permit and County Act 101 plans are distinct, so you can have a DEP permit. Having a DEP permit doesn't give you the right under an Act 101 plan, that's a different process. Mrs. deLeon said there's also the harms benefit analysis that you had the last time, which she thought could have been a lot better. Ms. Garber said they will have to go through a harms benefit approval process in conjunction with the DEP permit. Mr. Willard said would you read each question as you address it. Ms. Garber said they were discussing 9, 10, and 11. 9 is anticipated availability for waste from Pennsylvania. 10 is percent of expected out-of-state waste. 11 is extent of participation of county municipal waste management planning including whether or not IESI currently or in the future plans to provide a voluntary contribution to the recycling program at Northampton County. Mrs. deLeon said your percent of out-of-state waste currently is about 80%, is that correct? Ms. Garber said it's in the low 70's. Mrs. deLeon said it's going up? Mr. Donato said it's going up driven by the market and depending on how the market is driving the waste will dictate that.

12. Question: Would there be other activities planned, such as transfer station and recycling, removal and burial of existing refuse?

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*Answer: Mr. Bodner said all they can say is the western expansion is still in the development and design stages, so they don't have answers to those questions.*

13. Question: Outline of expectant Host Municipal benefits?

*Answer: Mr. Donato said they currently have a plan that they are operating under and that's in place and they are going to continue with that.*

14. Question: Measures to be taken to protect groundwater from contamination?

*Answer: Mr. Bodner said actually the whole DEP permitting process is aimed specifically at that. How to protect the environment including obviously groundwater, so the entire western expansion design will be focused on that. It will be a double lined landfill system as required of all landfills in PA and the western expansion will comply with all applicable rules and regulations, both DEP's and the Townships.*

15. Question: Plans for the existing groundwater abatement program?

*Answer: Mr. Bodner said there is an existing groundwater abatement program at the landfill. It's a series of pump wells that essentially skim the top off of the water table, collecting residual contamination from old historic dumping that the City of Bethlehem did on the property. Our plans are to continue to operate the system. Mrs. deLeon said what does DEP say about that? You have requirements with DEP that you have to continue monitoring this until they say you don't have to anymore? Mr. Bodner said that is correct.*

16. Question: IESI's plans, if any, for improvement to Applebutter Road, in particular, at the curve in the City of Bethlehem?

*Answer: Mr. Bodner said that is a part of the ongoing traffic study. That is one of the key items that our Traffic Consultant is reviewing and when they finally get to the plan, they will certainly be reviewing it and making whatever improvements the plan says are necessary.*

17. Question: IESI's plans, if any, for improvement to Applebutter Road, including any shoulders?

*Answer: Mr. Bodner said it's the same answer regarding the ongoing traffic study. Those two questions in particular were brought up by Jim Birdsall at our meeting with PennDOT and that's on the list of items that the Traffic Consultant is reviewing.*

18. Question: Would portions of Skyline Drive need to be vacated?

*Answer: Mr. Donato said the answer is yes, and he covered that at the presentation. Mr. Maxfield said can you tell us a little more about the condition of that stretch of road. He knows Skyline Drive goes up and makes a turn at Heiter Lane, and then beyond that? Mr. Donato said when Skyline Drive gets to Heiter Lane, the road is still in decent condition when it went to the old Platz property that they acquired ten years ago and from that point on, they reconstructed a simple turn-around per our agreement with the Township back in 2003 when they were going through the Phase IV expansion process. From that point on, it doesn't exist. Mr. Maxfield said how long is that stretch from Heiter Lane to where the actual drivable pavement stops? Mr. Donato said about 1,000'. Mr. Maxfield said that stretch has a really steep grade on it? Mr. Donato said that is correct. Mrs. deLeon said would you be doing anything at the intersection there to make it a better turn-around because that's kind of difficult if you get to the dead end as usually we have cul-de-sacs, a better turning radius, especially for fire trucks. Mr. Bodner said he would assume that your SALDO addresses that. Ms. Garber said she thinks the SALDO will have a requirement for some sort of cul-de-sac at the end where they are vacating Skyline Drive. Right now, Skyline Drive exists partially approved, partially not approved as a Township Road, so we would be required to comply whatever your SALDO requirements are in that regard. Mr. Donato said as we did before, we would work with the Township in developing a turn around that would work for emergency vehicles.*

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19. Question: Would the expansion generate any additional methane that would result in an expansion of BRE?  
Answer: *Mr. Bodner said again, because of the western expansion design, it is still under development, how many tons per day are we actually going to be talking about. We don't know the answer to that. Will it generate additional methane? It will certainly prolong by 12 years the curve, but will the curve go higher than it is now, we don't know that now. Mr. Maxfield said currently BRE is not operating to capacity. Mr. Donato said it is. BRE is maxed out currently. It's running at full capacity. Mrs. deLeon said are they thinking about expanding? Mr. Donato said they are not looking to expand. Mrs. deLeon said as the other areas of the filled landfill decrease in methane, as you get into newer cells, that's all relevant to each other, is that why you are saying it won't make more methane? Mr. Bodner said yes, because the old pile of trash starts to produce less methane as the new produces, so you may have a level curve. We just don't know what the curve looks like yet. Mrs. deLeon said you can figure that out? Mr. Bodner said not until you know the capacity, but ultimately you can. Mrs. deLeon said she doesn't understand if you have these 45 acres, you know what the capacity is going to be. It doesn't matter if the volume changes. Mr. Donato said sure it does. Mrs. deLeon said no, it doesn't. Mr. Bodner said if you take 100,000 tons.....Mrs. deLeon said okay. Mr. Bodner said we have to know all of that before we know what the curve looks like.*
20. Question: Would the Lower Saucon Authority water storage tank be relocated?  
Answer: *Mr. Donato said yes. Six or seven months ago, he and Rick met with Gar Davidson at the Authority and Hanover Engineering undertook a design to relocate that tank and the associated water lines. He and Rick will probably do their first review sometime towards the end of Q1 in 2012. The goal is to have a bid document and approval from the Township by the beginning of 2013 to relocate the tank.*
21. Question: Where would the power lines be relocated and what properties would be affected?  
Answer: *Mr. Donato said he covered that in the presentation, but traveling along Applebutter Road to the east to the west, and then traveling north along our property, and then the interconnect will be exactly where it is today, in that general vicinity, but the power lines will be across all of our property.*
22. Question: Where would the stormwater runoff be directed?  
Answer: *Mr. Bodner said the stormwater runoff will continue to leave the property in the exact same location it does today. In that perennial stream he mentioned, it crosses Applebutter Road, maybe a half mile west of the current landfill and it will continue to exit there. One of the slides that Mr. Donato put up showed some conceptual stormwater basins and stormwater treatment facilities placed in the location as shown on the drawing because they know they have to treat the water and get it to leave the site where it's currently leaving the site. Maybe a hidden part of that question is, are we thinking about discharging anything down the North Slope, and the answer is no.*
23. Question: Would the general ridge line change, result from the expansion? Will it have unnatural peaks?  
Answer: *Mr. Bodner said will it have unnatural peaks, and that's really a similar question to Question No. 8. The answer is it's obviously still under design, but it's going to be an extension of what you see up there now. Mrs. deLeon said a question she gets a lot of from residents is what do you do with the landfill after you have all the final layers on it and what do you use it for, and it's just there? Ms. Garber said that's a perfect segway to the next question.*
24. Question: What use will the property have after full closure?

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*Answer: Mr. Bodner said that issue was discussed in part of Phase IV expansion and obviously will be part of the western expansion, and it will be open space, it will be bonded for post-closure maintenance with DEP and what happens to the western expansion will be very similar to what's happening now further east. Mrs. deLeon said what's the current DEP regulation for post closure monitoring? How long do they allow? Mr. Bodner said they require post closure monitoring at least 30 years. There's a trigger in the regulations. You continue to monitor until it's no longer needed, so that's 30 years and there is a plus after that.*

Mr. Donato said that's the last question they received from Planning and Jim Birdsall. Mr. Maxfield said to go back to the statement about the carbonate geology touching the gneiss shale there, everything he's read where carbonate touches a harder rock like gneiss shale that it's very mottled and very bubbly and there's peaks of gneiss popping up here and there. He was wondering how many test wells were done in that area to really establish that as it looks like you've drawn a pretty straight boundary there, but it's probably not a perfect straight boundary. Mr. Bodner said during the investigation we probably drilled ten or twelve. What they did was, your zoning ordinance has a shaded area and it basically says there may well be carbonate under shaded area. They looked at that and had some information from our Phase IV and previous work that made them think perhaps that isn't quite as accurate as it need be and your ordinance opens the door for that. It says go ahead and do site specific investigation and show us where it really is. On top of that, they went to the literature and there was a 1939 publication that shows where that scientist thinks the carbonate contact line is, which is even further south from where they showed the blue line. That 1939 Pennsylvania geologic survey line is shown on the drawing they presented to the Township back last May. We started drilling where the shaded area was and they proceeded south towards Applebutter Road to see are we hitting carbonate geology, are we hitting gneiss or are we hitting the slump in between. We continued to hit the gneiss and then we stopped when we got within 100' of the stream because it didn't make sense. We couldn't go further south anyway. If you look in detail at our May 24<sup>th</sup> report we presented, we characterized it as the line north of which we know there is not carbonate, south we don't know how far. It's still gneiss, but it didn't matter to us at that point. Mr. Maxfield said you consider a conservative kind of line? Mr. Bodner said yes. Mr. Bodner said during that investigation, and you probably know this, both DEP's geologist and your staff geologist were out and observed the drilling and they are comfortable that our line is conservative. Mrs. deLeon said perhaps Mr. Cahalan can send us that report again to refresh our memories. Mr. Cahalan said okay. Mr. Maxfield said he's thinking about the movement of the power lines and how close they are going to be to the road and also the landscape buffering that's associated with development, and also the stripping that PPL has been doing of the landscape underneath these high tension lines and the kind of clearances they want. He thinks they are looking now for 100' on either side of actual line. It looked like there was some room there, and he doesn't know if it was because of the stream or whatever, there was room between your permit boundary and the road and he's wondering if we could come up with some creative way to buffer so that as someone is traveling down Applebutter Road, we don't feel we are squished in the middle between Calpine and power lines on the other side. He really hates to see that landscape just lay bare like they have done where you can tell on Ringhoffer Road, and it just looks like garbage. He'd hate for the front of our road to look like that. If we could think creatively about that, it would make him feel better. Mr. Donato said as they get further into the design, they will investigate that and see what makes sense and they will be talking to the Township consultant, Boucher & James. Mr. Maxfield said he's aware of other people who have been in talks with PPL and convinced them to allow small growth and plants that might be good to a stream that will not grow 35', so there are some things we can do. If they'd like some suggestions, or help from our consultant or EAC, we can do that too.

Mr. Horiszny said the one slide showed the expansion very close to the double yellow line, but you said it would be 900' at least from that line. He thinks that was the property line. Mr. Bodner said

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the setbacks for the disposal area are 100' from a property line and 900' from an occupied dwelling. In places, the yellow line, it gets within 100' to 200' of the permit line.

Mr. Kern said they will open it up to the floor.

Mr. Harry Gerstenberg, Jr., 2219 Applebutter Road, said they did touch some of the issues he's concerned with, and one of the answers was they are going to put the runoff in the same natural stream that has already flooded him twice. There is no engineer here that can sit down and calculate how much water is going to come from the runoff when you put a liner in and when you put another liner over the top to seal so you don't get water into your ground table. There is no engineer here that can calculate the amount of water that's going to run off because the water will go through that 2' of soil you put on that liner, then it's going to follow that liner down, and it's going to end up in the streams or into the treatment plant that they need to treat the water before it goes into our water ways. He just wants to make sure it's documented again that there is a concern there as he was flooded out twice. Water kills. He'd also like to discuss the methane gas. He wants to know what parts per million of the exposure that he's allowed to have on short-term and long-term before it becomes dangerous to his health, whether it's in the short term or long term as he's been there for 25 years. He just recently drove down the road and they have a pumping station with the sewer line that's running down right in front of the Severn's area. The old road that went into the Steel company where they are developing the Brownfield's. There's a pumping station there that takes the water into the sewage treatment plant. He drove down there within 100' prior to that and 100' after that, and he had a very strong whiff. He does have hazardous training in his pocketbook and once you smell something, it's already done some sort of damage. He did have an experience to work on the landfill. He went home everyday fatigued and it was an issue and that was when the old Bethlehem landfill owned it. They started to put a liner in there and he worked on that specific job and he did have that problem, so it is something of concern. They said they don't know the levels, whether the old stuff is dying out and the new stuff is going to go, if you are doubling your volume, sometimes it's going to get some methane gas somewhere. Those are two very important issues. Traffic he can live with. He can see that coming, but methane gas and water, you don't get out of its way. He heard a little snicker up here that we all have experienced that and he experienced it two times very heavily with Katrina and Ivan. He doesn't want to experience it again because Conectiv power plant did put up a retention pond and it crested when Katrina went through. Last month he mentioned it and he thought he might have mistakenly said Ivan, but it was Katrina when the power plant used to be Conectiv and now it's Calpine, and it crested and flooded him out. It was a moat of water around his house and it went into his basement. Mrs. deLeon said you got flooded from across the street over to your house? Mr. Gerstenberg said yes, and the landfill will be running the water in the same outlet and as they said, they are going to run it into that same stream that's crossing right in front of his door or let's say 20' from his front door. It crosses the street to go into the other stream and that stream that they are dumping it in is not a permanently running stream. It is only a storm stream. That stream does dry up in the summertime, and if they are not pumping, it dries up. There is a live stream that runs off of his property which also comes out of the ground on his neighbor's piece of property. That stream has always been strong and running. It's a natural spring that comes out of the ground and that stream does run across the street. He wants to make that clear. Mr. Kern said you had mentioned this concern at the last meeting. Mr. Gerstenberg said yes he did and he wants to make sure it's mentioned again so it's resolved. Mr. Kern asked if IESI would like to comment on those two issues? Mr. Bodner said they are aware of what Mr. Gerstenberg is saying. The stream does cross right near his home. The design will take all of that into account and they will limit the runoff to be no greater than it is now. Mr. Gerstenberg said as he said, he's going to counteract you. They are putting up retaining walls. He saw the plans and there are two that are adjoining his property well within the boundaries of the state and DEP and EPA on how far away, with the 900' and also with the 100' with the power lines, the retaining ponds and crest, and along with retaining ponds you get mosquitoes. With mosquitoes, you get West Nile disease. Now you are moving that closer to his living space. That's a fact. Mr. Maxfield said the Township in the last few years has

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really been pushing naturalized detention ponds and he thinks he mentioned that at Planning Commission to IESI. A naturalized detention pond will not produce gobs of mosquitoes like a regular detention pond would, so we're on top of that one. We are trying. Mr. Maxfield said further down Applebutter Road, often he's seen the sheet flow across the road that goes into the wetland, is that associated with any of the streams you are talking about or are those streams already across the road? He thinks that might be spring fed, but he's not sure. Mr. Gerstenberg said there's no stream down there where the concern is you have. There is a spring that comes out on that property and that individual that owns it is here tonight, so if he is concerned about it, he may want to discuss it. Mr. Maxfield said he didn't know what fed that.

Mrs. deLeon asked Mr. Donato if he was going to be providing the Township with the PowerPoint? Mr. Donato said not at this given time. The whole project is in a developmental stage, so he doesn't want to provide something publicly when they are still developing the concept. Mrs. deLeon said this is a public meeting, so it is public. Mr. Donato said it was public up on their presentation, but it's in the developmental stage at this point. Mr. Maxfield said at least you know what the concerns are. Mr. Donato said they are taking notes on those concerns.

Mr. Charles Lapinski, 2141 Skyline Drive, said are there any state laws or regulations for the maximum height your landfill can be? Mr. Bodner, said yes, essentially geometry, it's going to come to a peak. Mr. Lapinski said it's not going to go to a peak or the trunk will fall off. Mr. Bodner said the slopes that you are allowed are 27.7% grade. Mr. Lapinski said if you are on Applebutter Road, looking up at your dump, that is an extremely steep grade. Will it be the same as on the drawing? Going west to Heiter's Drive? Is Heiter's Drive going to be your zero reference at the road? Mr. Bodner said the grade will come down and hit existing grade. Stand at Heiter, and if you look south toward Applebutter, to your left, the slope will be coming down and tying into existing ground. Mr. Lapinski said Heiter Drive will be as it currently is. It's going to go up on an angle and you aren't going to have any buffer zone there. Mr. Bodner said there are the requisite buffers and setbacks from occupied line, setbacks from the property line, there are requisite buffers. Mr. Lapinski said there will be no buffers then? Mr. Bodner said wherever your property line is, the buffers from that are either 100' minimum buffer, or 900' to occupied dwelling. Mr. Lapinski said there are houses there, so it's 900' feet from those houses? Mr. Bodner said yes. Mr. Lapinski said from your fence, you are not going to have any buffer, you are just going to be going up on the slope from your fences to the top of the hill. Mr. Bodner said is the fence my property line? Mr. Lapinski said yes. Mr. Bodner said then there's at least 100' from that. Ms. Garber said she mentioned this in the brief introduction, but this is really a first step that they need to go through for the expansion which is a rezoning. After the rezoning, there are going to be three separate approval processes that we go through with the Township. The first would be zoning approval, whether that be if it were to be rezoned right now and there would be no other changes to the ordinance, it would be a special exception approval which would be reviewed by the Zoning Hearing Board. She doesn't know if that might change with the amendments associated with the zoning. It might make it a conditional use approval, which would mean that the Board would then have another opportunity to review the specifics of the plan to make sure they are compliant with the zoning ordinance, and then there's a preliminary land development approval and a final land development approval and at that point, there will be detailed plans. When you ask questions like if I am at Heiter Lane, when does the slope start, there will be very detailed engineering drawings that you will be able to review and will be approved during that process. Mr. Lapinski said it seems that the height at the landfill is never stopping. He was wondering if Council could put a limit on your elevation? Mrs. deLeon said they tried that with the Delaware and Lehigh Corridor. Mr. Lapinski said it would be nice if they said they would stop at 500' or 600'. Then you have a piece of paper saying you can't go over 600' elevation. Mr. Lapinski said if you were going to go so many feet on Green Hill, by his property, they would at least know. Mrs. deLeon said Green Hill is the whole mountain. Mr. Lapinski said behind his house there is a high point. At one time that was a valley, now it's a mountain. The other thing he noticed and he watches the dump and power plant closely, in that swamp area beside the old Bethlehem Steel

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barn, it looks like you may be reaching a water contaminant area. The barn was donated to the Township by the power company. Mrs. deLeon said no it wasn't donated to the Township. The power plant purchased that. Mr. Maxfield said PPL may be the owners. Mr. Lapinski said when you go where the springs are, there's a spring that goes into the dump and goes back across the road into the swamp area, he noticed the color of the water wasn't clear. Mrs. deLeon said maybe Allen can show her tomorrow at the landfill meeting. Mr. Lapinski said PPL has plant vegetation and they want to spray and not hand cut. They are not allowed to spray on his property. He has flowers that came up and there was vegetation planted there. Mr. Maxfield said if you are asking them to do something for your property, they chop it all down, and they will allow you to come in and spend the money and plant it. Mr. Lapinski said they like to spray enormously and kill everything. He made them come back, hand cut it and they had to replant it. Mr. Maxfield said they have a law that says no spraying in the Township. If they are doing it, they are breaking laws. Mr. Lapinski said they are doing it all the time. Mr. Kern said what type of vegetation did PPL say they would plant? Mr. Lapinski said it was like flowers and they came up very nice. He's bothered by the elevation. Mr. Donato said they do have a height limit. It's 30 or 40' above the current elevation. Mr. Birdsall said there is a current limit issue by DEP, but that was issued, not because it was some maximum cap that DEP was imposing, it was the basis of the plan review when the visibility and the sight lines that eventually IESI agreed to and then it became memorialized and it's now part of the permit. Mr. Lapinski asked about the methane gas and the power plant across the street? Mr. Donato said the large power plant across wouldn't accept their methane as they are such a small generator and the BRE plant is currently burning it now. BRE is at their maximum capacity and they do have a flare running also. Mr. Lapinski said it's seems like a waste with the flare. Mr. Donato said he doesn't think so and the reason the flare is operating is they are not generating enough gas at this given time to power another engine. You need a certain amount of fuel in order to get another engine on line. Ms. Garber said issues relating to the methane gas and treatment and use of that gas is going to be part of the DEP permit process. Those are issues that are more appropriately DEP issues and they will take a careful look and consideration of. Mr. Lapinski said during the storm, there was a river going over into the stream on the other side. That goes down by Novak's. There's a giant trench by the Bethlehem Steel side of Applebutter Road and that raised up to about 5' or 6' into Skyline Drive where you'd think it was impossible. The runoff is running down Applebutter Road into Bethlehem and backing up at the sewer plant. You can't get into Skyline Drive as there's so much water runoff in a big storm. It's half way up Novak's driveway. Ms. Garber said it's important to hear from the public what the issues are as to current conditions. All of those will be taken into consideration and reviewed carefully when they go through the land development approval process. They have to comply with the Township stormwater management ordinance. We have to make similar showings when they get their DEP permit. All of that will be investigated and flushed out and they have to design around that if they are going to get their approval. Mr. Lapinski said there's a lot of water that flows down into that little creek. Ms. Garber said they will do a thorough investigation and a design to insure they comply with the Township stormwater ordinance and any other applicable regulations that pertain to stormwater management. Mr. Lapinski said is there any way they can incinerate their garbage as the Russian's came out with a new way of incinerating their garbage. They don't burn it, but bake it at a certain degree and it turns to pure carbon. It may be something in the future you may want to consider.

Mrs. deLeon said currently the landfill is under a permit shield for their Title V. Is that going to be forever? Is that going to eventually be unshielded? It's been like that for five or six years. Mr. Allen Schleyer said the last time they spoke to DEP about the permit with the Title V renewal, they were focusing more on new air quality permits and since they are already under a permit, they were just put on the back burner even though it's five years. Mrs. deLeon said IESI has their own Title V permit and BRE has their own? Mr. Schleyer said everybody has their own permits. Mrs. deLeon said there were complaints about smelling methane. That needs to be looked into.

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Mr. Maxfield said in response to Attorney Garber's statements, he knows there's an order of things set up by the process, but we as Council and residents of the Township need to know a lot of stuff before that goes down. That process doesn't always work for us as residents. He hopes you can tolerate all the questions they are going to ask you and he knows the ones they can't answer, they will keep asking. Just so everyone knows that, they are not going to drop the ball in asking these questions, they are going to keep trying to get as many answers as they can before step 1 occurs.

Matt McClarin, 2198 Riverside Drive, said he lives on the Steel City side and lately he's been noticing a lot of work going on at the top of the mountain and it is way higher than the trees. People ask him everyday what is that and he says that's the landfill up there, way higher. If you look up above the hill climb, straight up, there's a gigantic new mountain of dirt up there. He doesn't know where it came from, or what it's doing up there, but he thinks it's on their property. He just doesn't want the expansion that is going all the way across the mountain, to have home values go down, not only the people by the Applebutter Road, but all the people in Steel City too. There is a gigantic mountain of trash over a mountain, you want him to tell his son when he grows up, that's all trash up there. NJ has been dumping in PA all these years. It just isn't fair. Can you answer me what that pile is up there? Mr. Donato said he thinks what the gentleman is addressing, they constructed an MSE wall along that north face this year. That was the construction activities that were going on throughout the summer months. It was part of the minor permit modification for the Cell 4F project. That's what he is addressing. You saw the individuals out there working throughout the summer on this berm they constructed. Mr. McClarin said there's also a water tower up there. Why would you need to move the water tower as he can see the bottom of the water tower from his house? If you stayed below the mountain of the view, why would you have to move that water tower? Mr. Donato said the water tower is owned by Lower Saucon Water Authority. As part of the western expansion, it's being evaluated to relocated to another area simply because the water lines that fill that tank run in between our existing permit and the proposed western expansion so that's the reason why the tank and the water lines would have to be relocated. Mr. McClarin said none of that is going to be used to dump trash on? Mr. Donato said no. Mr. McClarin said what happens if you do pile the trash up, where does that water go on the backside of the mountain? Every time it rains heavy, he has 2' of water in his yard. Does he want that stuff running on to his property with that gigantic pile of trash? No he doesn't. Mr. Donato said they have minimized the runoff to the northern slope when they constructed the Cell 4F expansion. They redirected previously water that was being discharged around to the north side down to the south side of the facility. That was all part of the project. With this expansion, they will be redirecting any surface water from the north side, it will be headed towards the west, collected in treatment ponds and detention basins, and then directed towards the south. Mr. McClarin said okay, he just wanted to know what that gigantic pile was on the mountain that's not supposed to be there. Mrs. deLeon said you are looking at garbage and the garbage shouldn't be there. That wall was put there as a compromise as they originally wanted to go down the north slope down where the Narrows was, and the Township said no, we're not in favor of that. The pipe Mr. Donato was talking about had to be moved because when they put it in, they put it in the edge of what they currently owned and they are thinking ahead for their business and now that had to be moved and they proposed to put it underneath the landfill. DEP didn't want that so that wall was a lot of talking with DEP and the Township and IESI and they built the wall which is done other places. Mr. McClarin said what does the wall hold back? Mr. Bodner said it really raises the north edge of the landfill so the water will be directed south and not north. Mrs. deLeon said it should have helped you. Mr. Bodner said that's what it was all about, raise the north rim. Mr. McClarin said does that have to get done all the way across? Mr. Bodner said they haven't done the design yet. Mr. McClarin said it takes away from the whole mountain. People don't look at a mountain anymore. His property value is going to go down if that wall is up. It should be kept down below the mountain. It's ridiculous piling garbage higher than a mountain. Mr. Maxfield, said correct me if he's wrong, but did not the wall redesign and all that, lower the projected height of the landfill? You initially told us it was supposed to be higher, is that right? Mr. Bodner said yes, a few tons of

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feet. Mrs. deLeon said there were revisions back and forth over that and recently there was something else which she can't remember right now.

Kelly Shock, 2102 Nemeth Drive, said her parents live in Earl Township, PA where there is also a landfill. The residents of Earl Township do not pay for their trash because there's a landfill in their backyards so she's curious as to why the residents of Lower Saucon Township are paying for trash when there is a landfill right in our backyard? The residents of Earl Township have not paid for trash for years and as long as they are a resident, they do not pay for trash. Mrs. deLeon said one of her comments with the harms benefit analysis was, is that a missing piece? In the Township, they do not have one garbage hauler. You are allowed to pick who you want to use. That can be discussed. There are a lot of things that can be improved in the harms benefit analysis to benefit the residents in this Township if the expansion is approved. Right now everyone is just listening. Ms. Shock said it's something that should be taken into consideration.

Mr. Ken Blose, 2032 Riverside Drive, said it seems it would be appropriate or IESI to be required by Council to do an economic impact study for the surrounding communities. Everything we heard here tonight indicates that the closer you are to the landfill, probably the larger the impact economically would be to you as a resident. You look at tax basis, and this is a large tax generator for the Township overall, and it's a very profitable venture to haul in the garbage from out-of-state which seems to be increasing. The solution is right up on the hill. If there is an impact study done for the economics, home values, land, it should also include quality of the soil and water. We all know Steel City residents have city water. The audience said not all Steel City residents have water. Mr. Blose said they should all probably have water provided, for the leachate that comes down whether it was Bethlehem's problem or an ongoing one like an impact study that goes out now or next year, but probably a 15 or 30 year extension of the landfill. They should get an independent agency that would report back to Council and let you know what it's going to do, not only for your tax base, but for your residents.

George Steckel, Jr., 4275 Jefferson, said they have the closest houses to the dump on Steel City side. When Bethlehem had the landfill, they tested the wells of the houses as there are still wells there. No one has ever tested the wells since IESI took over. The smell is terrible and they have to do something about it. Mr. Kern said have you noticed an increase? Mr. Steckel said yes, he never smelled it up until a year ago. Mrs. deLeon said this is the first time she's hearing this. She said when he smells it, he should call the Township and let them know. He could call DEP, and the Township tries to work and take care of resident complaints. Tomorrow is a landfill meeting, and they will be addressing this. Mr. Kern said does he have a basic idea of how many wells would be in the well testing? Mrs. deLeon said are you sure it wasn't the Township doing the testing? Mr. Steckel said it was the City of Bethlehem that tested the wells before. There were like ten back then, but there are probably around six. Mrs. deLeon said why weren't you originally hooked up to the water system? Mr. Steckel said it stops at the corner. Mrs. deLeon said do you remember why it stopped? Mr. Steckel said because the Township wouldn't take the road over. They were going to dig the road up and not fix it. They still didn't take the road over, but they still pay the same amount of taxes. They are right next to the hill climb. Mr. Donato said he was not aware there were any odors coming from Steel City. Mr. Steckel said he has other neighbors who are witnesses. Mr. Donato said he's not questioning the fact that they were there or not, but it was never brought to IESI's attention because they have a detailed program where they follow up on any complaint whatsoever. They go out and investigate it. He and Allen Schleyer go out. If there is an issue with an odor, they will take care of it. Please call the office and they will come over and investigate it and see what is generating this odor, if it is them. Mr. Steckel said it is you.

Mr. Kern asked if there were any more comment? No one raised their hand.

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**MOTION BY:** Mr. Kern moved for approval to direct our Manager and staff to research the pros and cons of the expansion and come up with a report of the pros and cons of the potential expansion and have that report available for the next Council meeting.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:**

Mr. Horiszny said he thinks you should give more than two weeks. Mrs. deLeon said she was thinking the same thing. Mr. Horiszny said I think a month. Mr. Kern asked the Manager when is the second meeting in March. Mr. Cahalan said it would be March 15<sup>th</sup>. Mr. Kern said is that enough time?

**MOTION BY:** Mr. Kern said he would amend his motion to be a month from now.

**SECOND BY:** Mr. Maxfield said he would amend his second.

**ROLL CALL:** 5-0

Mrs. deLeon said we should do something about the wells. We need to talk about testing, and finding out who is not hooked up to water and see if DEP can test them. She needs someone from the Administration to get back to Council with those answers. Mr. Cahalan said they will look into that with Jim Birdsall and get back to Council.

**V. TOWNSHIP BUSINESS ITEMS**

**A. RESOLUTION #38-2012 – DOCUMENTING DISBURSEMENTS OF GAMING FUNDS – DEWEY FIRE COMPANY AMBULANCE SQUAD**

Mr. Kern said Resolution #38-2012 has been prepared at the request of the Northampton County Gaming Revenue and Economic Redevelopment Authority to document the grant award payments to Dewey Ambulance.

**RESOLUTION DOCUMENTING DISBURSEMENT OF GAMING FUNDS AWARD TO DEWEY FIRE COMPANY AMBULANCE SQUAD**

**WHEREAS**, pursuant to the Pennsylvania Race Horse and Development and Gaming Act (Act 2004-71), as amended, local governments receive a “Local Share” of gross terminal slot revenues of certain licensed gaming facilities to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

**WHEREAS**, Lower Saucon Township and Hellertown Borough received a Local Share Municipal Grant Award of \$25,000 on December 13, 2010 from the Northampton County Gaming Revenue and Economic Redevelopment Authority for the Dewey Fire Company Ambulance Squad in Hellertown, PA; and

**WHEREAS**, this funding was to be used for the purchase of Life Pak defibrillators and protective gear for Dewey Fire Company Ambulance Squad; and

**WHEREAS**, on January 11, 2011 and February 11, 2011 Lower Saucon Township, following receipt of invoices documenting that the Life Paks had been purchased, made payments from this grant award in the amount of \$18,750.00 and \$1,500.00 to the Dewey Fire Company Ambulance Squad. The \$4,750.00 funding that remained in this award was paid directly by the Township to the vendors for the protective gear.

Mr. Cahalan said the Gaming Authority asked them to put this resolution together. It basically just memorializes the fact that we passed on this funding to Dewey Ambulance. It was an award that was received in 2010, and it was for the purchase of LifePak equipment and protective gear. That

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money was passed on to Dewey. They did purchase that equipment. They have since had discussion with the Gaming Authority about the monies that are given to organizations such as the fire companies and the ambulance squad. It's been clarified that the Township has to pay for the purchase of this equipment, rather than passing the money on to the ambulance or fire company. That's been cleared up. This happened in 2010, so they asked for a resolution on how the funding was handled. We are doing it and Hellertown Borough is also doing it and giving it to the Gaming Authority.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #38-2012.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions? Mr. Allan Johnson asked how much money was given? Mr. Cahalan said the amount of money was split into three payments. The first one was \$18,750.00; the second of \$1,500.00 was given to Dewey and they purchased the equipment and sent us the receipts, then as we received further funding from that grant, it was a \$25,000.00 grant, they paid directly to the vendors \$4,750.00. The money was spent, the equipment was purchased, but they wanted something documenting how that was done for their records.

**ROLL CALL:** 5-0

**B. RESOLUTION #39-2012 – AUTHORIZING THE SUBMISSION OF A LOCAL SHARE MUNICIPAL GRANT APPLICATION TO NORTHAMPTON COUNTY GAMING REVENUE & ECONOMIC REDEVELOPMENT AUTHORITY**

Mr. Kern said Resolution #39-2012 has been prepared authorizing the submission of 2012 Local Share Municipal Grant applications to the Northampton County Gaming Revenue and Economic Redevelopment Authority (NCGRERA) for funding for battery backup systems for Township traffic signals.

**RESOLUTION AUTHORIZING THE SUBMISSION OF A LOCAL SHARE MUNICIPAL GRANT APPLICATION TO THE NORTHAMPTON COUNTY GAMING REVENUE & ECONOMIC REDEVELOPMENT AUTHORITY**

**WHEREAS**, pursuant to the Pennsylvania Race Horse and Development and Gaming Act (Act 2004-71), as amended, local governments receive a “Local Share” of gross terminal slot revenues of certain licensed gaming facilities to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

**WHEREAS**, Northampton County, as the host county to a licensed gaming facility receives gross terminal slot revenues which must be distributed as follows: 20% to the host city; 30% to the host county and 50% to the host county for the purpose of making municipal grants within the county, with priority given to municipalities contiguous to the host city; and

**WHEREAS**, Northampton County established the Northampton County Gaming Revenue & Economic Redevelopment Authority to administer these competitive municipal grants based upon impacts associated with licensed gaming facility operations; and

**WHEREAS**, Lower Saucon Township is a contiguous municipality to the City of Bethlehem which is the host city of a licensed gaming facility; and

**WHEREAS**, Lower Saucon Township has prepared Local Share Municipal Grant Applications for submission to the Northampton County Gaming Revenue & Economic Redevelopment Authority for projects that fall under the eligible uses of these funds.

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**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the Council of Lower Saucon Township hereby approves the submission of Local Share Municipal Grant Applications for:
  - Lower Saucon Township – Battery Backup System for Traffic Lights
2. That the President of the Lower Saucon Township Council is hereby authorized to execute the grant applications and transmit the applications to the Northampton County Gaming Revenue & Economic Redevelopment Authority.
3. That grant funds, if awarded, will be utilized in accordance with the provisions established by the Northampton County Gaming Revenue & Economic Redevelopment Authority.

Mr. Cahalan said there will be two rounds of funding for committed funds from the Gaming Authority. This is the first round. The deadline is coming up the beginning of March. We are submitting and asking for approval tonight to submit an application for funding for a battery back-up system that we would like to install on our six traffic signals in Lower Saucon Township. This was something that came to our attention when the Halloween storm happened in 2011. We had sustained power outages at our traffic intersections and traffic was coming to a halt. Those traffic signals are very difficult to man with our police officers because of the way they are set up. It was suggested to us by the fire company that we look into getting battery back-up units for these traffic signals and the idea was to have power continuing to the signal so it could operate during those periods of blackout. It would also be further augmented by generator units so they could keep the signals going for probably days at a time. That would comfortably cover the incident that happened back at the Halloween storm. They put together a resolution. The amount of the grant is \$53,430.00. It is for battery back-up and generators for six traffic signals.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #39-2012.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 5-0

**C. ORDINANCE NO. 2012-01 – AMENDMENT TO THE VEHICLE CODE – AUTHORIZE ADVERTISEMENT OF PUBLIC HEARING AND CONSIDERATION OF ADOPTION**

Mr. Kern said Ordinance No. 2012-01 has been prepared to amend the Vehicle Code as a result of the traffic studies and discussion with Council regarding Broadhead Court and Wilhelm Road traffic restrictions. Council should authorize advertisement for a public hearing and consideration of adoption.

Mr. Cahalan said the Public Works Director, Roger Rasich, was at a previous meeting and he discussed and reviewed with Council the traffic studies he did on Broadhead Court and Wilhelm Road and following that, Council directed that the Solicitor put together an ordinance and bring it back to Council. We are asking you to authorize the advertisement of that ordinance. Attorney Treadwell said you have a draft of the ordinance in front of you. They did discover they need to make another change to your code. The way your vehicle code is written now, is there's a section that talks about the classification of vehicles and it's based on the state classification and they give vehicles different numbers for the size and weight of trucks. Since your code was adopted, the State has changed the numbers, so he has to change the numbers in our code to match the State code, but that's the only change they will make.

**MOTION BY:** Mrs. deLeon moved for approval of advertisement of Ordinance No. 2012-01.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 5-0

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF FEBRUARY 1, 2012 MINUTES**

Mr. Kern said the minutes of the February 1, 2012 Council meeting have been prepared and are ready for Council's review and approval.

**MOTION BY:** Mr. Maxfield moved for approval of the February 1, 2012 minutes, with corrections.

**SECOND BY:** Mrs. deLeon

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

**ROLL CALL:** 4-1 (Mr. Horiszny - No)

**B. APPROVAL OF JANUARY 2012 FINANCIAL REPORTS**

Mr. Kern said the January 2012 Financial Reports have been prepared and are ready for Council's review and approval.

**MOTION BY:** Mr. Horiszny moved for approval of the January 2012 Financial Reports.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 5-0

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

**VI. COUNCIL AND STAFF REPORTS**

**A. TOWNSHIP MANAGER – No report**

**B. COUNCIL**

**Mr. Maxfield**

➤ He said Monday afternoon at PSATs, Judy Stern Goldstein and Tom will be doing a talk on sustainable ordinances.

**Mr. Willard**

➤ He said he had the privilege of attending the second session for Newly Elected Officials from PSATs on February 4<sup>th</sup>. Topics were finance, personnel and land use, and it was a very informative session. He thanked Council for sending him.

**Mr. Horiszny**

➤ He said Lenny Szy had suggested regarding the traffic study that they might want to look at Lower Saucon Road between Polk Valley Road and Route 412 as there's a bad S curve there.

➤ He accompanied Allan Johnson from the EAC Open Space Committee and the Natural Lands Trust for an evaluation walk at the Dravec site. It was pretty interesting, so we're waiting to hear from them with their report.

➤ He observed a bench on the Rail Trail and we need to thank the Cahalan's for the bench on a beautiful spot.

➤ He said he brought to Mr. Cahalan's attention a question that he's going to talk to Roger Rasich about the possible use of shingles and use of recycled materials for paving and we are going to see if the Township can take a position on helping with the development of that item.

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**Mr. Kern** – No report

**Mrs. deLeon**

- She wants to thank the staff for doing this public meeting and sending out the postcards and trying to get the residents out here. It was a good information session for them.
- She said on Wednesday, February 29, the Hellertown-Lower Saucon Chamber and Southern Lehigh Chamber of Commerce are having an event at the Promenade Shops.
- She said Monday, March 5, there is the James Heller Art Exhibit at the Heller Homestead from 7 pm to 9 pm.

**Jr. Council Person** – No report

**C. SOLICITOR** – No report

**D. ENGINEER** – No report

**E. PLANNER** – Absent

**VII. ADJOURNMENT**

**MOTION BY:** Mrs. deLeon moved for adjournment. The time was 9:04 PM.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 5-0

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn C. Kern  
President of Council