

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Public Hearing – Resolution #31-2016 – Acquisition of Property Located at 2915 Springtown Hill Road – Approximately 4.4 Acres

III. DEVELOPER ITEMS

- A. Valerie Lane – 1710 & 1728 Valerie Lane – Lot Line Adjustment
- B. Ben Franklin Technology Partners of Northeast PA – 116 Research Drive - Waiver of Land Development

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. Laarena, LLC – 1897 Meadows Road – Variance from Minimum Lot Width
 - 2. James & Sallie Bambu – 4194 Countryside Lane – Variance from Side Yard Setback
- B. Upper Saucon Township – Ordinance No. 140-A – Amendments to Official Map
- C. Quarterly Township Landfill Consultant Report
- D. Resolution #38-2016 – PennDOT Approval to Erect Road Signs for Community Day
- E. Resolution #39-2016 – Support of Grant Submission for Lutz Franklin Schoolhouse Stone Repointing
- F. Seifert Property – 2540 Martins Lane – Request Approval to Authorize Yellow Book Appraisal

V. MISCELLANEOUS BUSINESS ITEMS

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Park & Rec Meeting: March 7, 2016
Next EAC Meeting: March 8, 2016
Next Saucon Valley Partnership: March 9, 2016 @ LST
Next Council Meeting: March 16, 2016
Next Zoning Hearing Board Meeting: March 21, 2016
Next Planning Commission Meeting: March 24, 2016
Next Saucon Rail Trail Oversight Commission Meeting: March 28, 2016 @ Coopersburg Borough

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday March 2, 2016 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

ROLL CALL: Present: Ron Horiszny, President; Sandra Yerger, Vice President; Priscilla deLeon, Donna Louder and Glenn Kern, Council members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Mike Beuke, Planner; Brien Kocher, Engineer; and Jr. Council Member: Kelsey Gatchel.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

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

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone.

II. PRESENTATIONS/HEARINGS

A. PUBLIC HEARING – RESOLUTION #31-2016 – ACQUISITION OF PROPERTY LOCATED AT 2915 SPRINGTOWN HILL ROAD – APPROXIMATELY 4.4 ACRES

MOTION BY: Mrs. Yerger moved to open the public hearing.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

Attorney Clemons said this property is on Springtown Hill Road and there are approximately 4.4 acres in LST and 9.6 acres in Springfield Township. Mr. Reimann, the owner, has agreed to contribute 30% of the value of that portion of the property in LST as a charitable contribution so LST would be paying 70% of the fair market price or \$28,736.00. A similar agreement is being worked out in Springfield Township and Springfield Township will fund \$68,742.00 through a Bucks County Open Space Grant. He said the easement will provide for public access, which would be a trail and Mr. Reimann would conduct tours.

Mrs. Louder asked where does the money come for the soft costs? Attorney Clemons said that money would be split between Springfield and LST, proportionate to the number of acres. Seventy percent would come from Springfield and 30% from LST. Soft costs are the costs of preparing the survey plan, the attorney and other title insurance. It will come out of the open space fund. Mrs. Yerger said this property is part of PA Highlands, which is a high priority conservation zone designated at the federal level.

MOTION BY: Mr. Horiszny moved to close the hearing.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

MOTION BY: Mr. Horiszny moved for approval of Resolution #31-2016 authorizing participation in the acquisition of a conservation easement of approximately 4.4 acres of property located in Lower Saucon Township.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

III. DEVELOPER ITEMS

A. VALERIE LANE – 1710 & 1728 VALERIE LANE – LOT LINE ADJUSTMENT

Attorney Preston said this plan has been before you before. They had to get zoning relief which was successful. They agree to all the conditions in the draft motion.

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MOTION BY: Mr. Horiszny moved for approval of the lot line adjustment for Valerie Lane, per the draft motion dated March 2, 2016.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

B. BEN FRANKLIN TECHNOLOGY PARTNERS OF NORTHEAST PA – 116 RESEARCH DRIVE – WAIVER OF LAND DEVELOPMENT

Kevin Markle from Barry Isett & Associates and Chuck Diefenderfer from Ben Franklin Technology Partners were present. Mr. Markle said this is a proposal for a 4-story addition to the existing Ben Franklin building, which only about 210' square feet resides in LST. They've been before the ZHB and have a clean land development letter from the City of Bethlehem. They are seeking a waiver from the land development process since the majority resides in the City of Bethlehem. Mrs. Louder said since the stormwater has been taken care of, she sees no issues.

MOTION BY: Mrs. Louder moved for approval of the waiver of land development for the Ben Franklin Technology Partners of Northeast PA Center, per the draft motion dated March 2, 2016.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES

1. LAURENA, LLC – 1897 MEADOWS ROAD – VARIANCE FROM MINIMUM LOT WIDTH

Kate Durso, Fitzpatrick, Lenz and Bubba and Wayne Doyle, Cowan Associates were present. Mr. Doyle said this is a three lot subdivision with approximately 10 acres of land. The applicant is looking for a variance for lot width to allow for lot No. 2 being a flag lot on Meadows Road. They are looking for a variance to reduce the number of driveways coming out to Meadows Road, to reduce the amount of tree clearing required and encroaching into steep slope areas. Ms. Durso said each lot meets the minimum requirement. Council took no action.

2. JAMES & SALLIE BAMBU – 4194 COUNTRYSIDE LANE – VARIANCE FROM SIDE YARD SETBACK

Mr. Bambu was present. He said he wants to erect a garage on his property with a 12' setback. He showed a diagram of what he wanted to do. This will keep him under the impervious coverage. Council took no action.

B. UPPER SAUCON TOWNSHIP – ORDINANCE NO. 140-A – AMENDMENTS TO OFFICIAL MAP

Mr. Horiszny said UST is proposing to amend their official map and requested comments prior to their March 14th hearing. Mr. Kern said has our staff looked at this and seen anything of interest that needs to be looked at? Mrs. Huhn said we had our Zoning Officer look at this along with the P/C and they had no comments. Council directed Mrs. Huhn to write a letter telling them that we had no comments. Mrs. deLeon said how did we review this? Mrs. Huhn said Chris Garges reviewed the maps and looked at it with coordination of our zoning and didn't see any conflicts.

C. QUARTERLY TOWNSHIP LANDFILL CONSULTANT REPORT

Mr. Chris Taylor presented a report on the status of the IESI landfill during the 4th quarter 2015. He reviewed the waste management and acceptance and said the Committee had no concerns related to this topic. Mrs. Louder said they are filling Cell 4E now and she wants to know when Steel City can expect to have more exposure to odors and visibility to the work face. Mr. Taylor said visibility is when it reaches the height of what can be seen right now; for odors, that isn't something he can predict. Mr. Taylor said that cell gave them a lifetime of about 9 months, so probably before September it will be reaching maximum volume, but it depends on garbage acceptance.

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Mr. Taylor went over the landfill gas management and said the Committee found that the concern related to this topic is the ongoing odor complaints and they recommend that the Township write a letter to DEP asking them to provide LST with a copy of weekly inspection reports that BRE is providing to DEP.

Mr. Taylor addressed the leachate flows in the detection zones and secondary leachate flows. The Committee found that the flows in LMC-8 continue to vary and LMC-7 flows are now exceeding 100 g/p/d. Mrs. Yerger asked if this is the first time it happened? Mr. Taylor said no, the detection zones in LMC-8 have been historically high. Mrs. Louder asked if there was a possibility for LMC-7 and 8 be connected? Mr. Taylor said those two cells are adjacent and whatever problems affect the flows in LMC-8 is now worsening or spreading to LMC-7. There is an inter cell berm to separate the flow of leachate. He said the Committee recommends the Township write a letter to DEP reporting their concern for the inaction of IESI trying to identify the source and reducing the detection zone flow.

Mr. Taylor reviewed the traffic management. He said the Committee is concerned that overweight trucks continue to arrive at the landfill. Mr. Horiszny said it's not the landfill's job to keep O/W trucks off the roads, and we should complain to DEP or the LST PD. Mrs. deLeon said some of the trucks come from IESI's transfer stations. They've been very cooperative setting policies for O/W trucks. Mrs. deLeon asked Leslie to look into the procedure on how the PD notifies the Landfill Committee and the landfill on their monthly reports. Mr. Taylor said the O/W numbers are down from what they had been.

Mr. Taylor reviewed operational changes. He said the Committee recommends Council write a letter to DEP recommending that they require IESI to provide a full-time Compliance Manager in accordance with the IESI PPC. This letter should be as specified as possible with regard to justification for this request. A draft of this letter has been submitted to Township staff.

Mrs. deLeon said the next time we do a quarterly report, she'd like Mr. Taylor to put in some pictures to show the residents what the concerns are.

Mr. Tom Carocci, resident, asked why don't we know if the O/W trucks are landfill trucks or not and if they are landfill trucks, shouldn't they be in the PD report? Mrs. Louder said the PD sits at the landfill, the trucks come in and they get on the scale using the landfill's scales and then they write a citation if need be. Mr. Carocci said in the quarterly report, it should be noted whose truck it is. Mr. Horiszny said maybe the Landfill Committee could ask IESI to identify the trucks in these reports. Mrs. Louder said maybe we can ask Leslie to send us copies of the list of citations to include in our landfill report. In one of the reports we just received, there is a list of their names, their company and their trucks.

MOTION BY: Mr. Horiszny moved that the Manager be authorized to send letters regarding detection zone concerns and BRE reports, but not employment requests.

SECOND BY: Mrs. Yerger
Mr. Horiszny said his reasoning on the employment requests is they know our concerns, but telling DEP to regulate them is not our business. Mrs. deLeon said she'd like three separate motions. Mr. Horiszny and Mrs. Yerger withdrew their motions.

MOTION BY: Mr. Horiszny moved that the Manager be authorized to send a letter to DEP regarding detection zone concerns.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

MOTION BY: Mr. Horiszny moved that the Manager be authorized to send a letter to DEP requesting copies of the weekly BRE reports.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

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MOTION BY: Mr. Horiszny moved that we not send a letter regarding employment practices at IESI to DEP.
SECOND BY: Mrs. Yerger

Mrs. deLeon said specifically in a ZHB application asked for number of employees on site, they vaguely answered the question. They came up with six employees. Various documents and permits in BRE and the Landfill's permit, says they have to follow the PPC Plan. In the February incident, the PD responded at 10:00 a.m. and our Landfill Inspector didn't get out there until 1:00 p.m. No one called the Township to let us know about this major problem as there was no one there. Al Schleyer was busy on the site trying to fix the problem. She feels Council should consider sending this letter.

Mrs. Louder said the Compliance Manager is a very important position at the landfill and that position should be filled because of the operational standards and those standards should be met to protect the residents of LST. Mrs. Yerger said she has no problem with you sending a letter citing your concerns, but if you say this report was not given to us, we have no place in telling any business in this Township how they need to run their business and that's what we're doing. Mrs. deLeon said there was no one there. She asked if we could change the wording in the letter saying they aren't meeting their PPC Plan? Mrs. Yerger said it's not part of their compliance.

Attorney Treadwell asked does DEP have the authority to order them to hire someone, if not, why are we asking them? Mrs. deLeon said she thinks they do, they have to meet their PPC Plan. Attorney Treadwell said does their PPC Plan mandate a certain number of employees? Mrs. Louder said it lists the titles. Attorney Treadwell said it doesn't say they have to have them, does the PPC Plan mandate it? Mr. Taylor said the PPC Plan contains a chain of command that's intended to be used for incident response and it lists a District Manager, Compliance Manager, and Operations Manager. Attorney Treadwell said if DEP doesn't have the authority, why are we asking them. Mrs. deLeon said then we're sending it to the wrong place.

Mrs. Yerger said she has no problem with that. Tell them the things you are missing and getting these actions fulfilled. If you felt they need this Manager position, then go to the company and complain. Mr. Horiszny said the motion is to not send the letter to DEP regarding requiring IESI to hire more people.

ROLL CALL: 5-0

Mr. Kern spoke about the leachate flows discussed at a meeting with Mr. Tomayko a while ago. He said the situation is being handled. DEP is aware of it. Mrs. deLeon said the characteristics of leachate is now showing up in this detection zone and that wasn't the case when Bill Tomayko was here.

D. RESOLUTION #38-2016 – PENNDOT APPROVAL TO ERECT ROAD SIGNS FOR COMMUNITY DAY

Mrs. Huhn said we do this annually for the signage.

MOTION BY: Mrs. Yerger moved for approval of Resolution #38-2016 requesting approval from PennDOT for our Public Works Department to install the annual Community Day road signs.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

E. RESOLUTION #39-2016 – SUPPORT OF GRANT SUBMISSION FOR LUTZ FRANKLIN SCHOOLHOUSE STONE REPOINTING

Mrs. Yerger said Tuesday she took a webinar from PHMC and one recommendation was letters of support. Ours ranks high as the Historical Society has raised the funds; however, PHMC wanted to know what the participation from the Township is going to be since they own the building. The estimates came in at about \$43,000.00 for the repointing. The LST Historical Society has raised half those funds and they will apply to PHMC for the other half as matching. To incorporate the Township and show that it cares, she thought it would be appropriate that the Township can show its support by putting up to \$5,000.00 to cover any outstanding costs with the approval from the

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Township. Mrs. deLeon said we have to ask PHMC because of the 15-year covenant. Mrs. Yerger said she's going to go through all the steps with Karen Arnold. Mrs. Louder said does it have to be \$5,000.00, how about half of it? Mr. Horiszny said we have \$35,000.00 in the budget for upkeep of the building in the historic fund. Mrs. Yerger said it is our responsibility to take care of that building. They are getting letters of support from multiple school districts.

MOTION BY: Mr. Horiszny moved for approval of Resolution #39-2016 for support of a grant application by the Lower Saucon Township Historical Society for the stone repointing of the Lutz-Franklin Schoolhouse as revised to show LST's willingness to participate.

SECOND BY: Mr. Kern

ROLL CALL: 5-0

F. SEIFERT PROPERTY – 2540 MARTINS LANE – REQUEST APPROVAL TO AUTHORIZE YELLOW BOOK APPRAISAL

Mrs. Yerger said the Seifert property is not too far from the Reimann property and is adjacent to the Seifert-Ray property that was preserved years ago. They are all part of the PA Highlands. This property spans both Springfield and LST. Our EAC Open Space Sub-Committee will be scoring the property. This is a source water protection area of Springtown which contains the wells. The Federal PA Highlands and DCNR will cover the cost of acquisition. We have to get a yellow book appraisal, which is a special appraisal for federal projects. She is asking the money come out of the Open Space Fund and LST authorize the approval to pay for the yellow book appraisal of \$3,200.00, which will be reimbursed should the project go forward.

MOTION BY: Mr. Horiszny moved for approval of the Yellow Book appraisal not to exceed \$3,200.00 for the Seifert property located at 2540 Martins Lane using Opens Space Funds and contingent on the EAC Open Space Sub-Committee's scoring of the property on March 8, 2016.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

Mrs. Yerger said this property is listed as a critical treasure within the Highlands Conservation Act and probably one of the highest priority properties within the four state coalitions.

V. MISCELLANEOUS BUSINESS ITEMS – None

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Stephanie Brown, 4433 Vera Cruz Road, Center Valley said she was wondering if the County was doing anything with the Meadows Road Bridge. Mrs. deLeon said the County is looking at repairing bridges and she mentioned it at the SVP meeting. Mrs. Louder said Northampton County had just introduced an ordinance regarding bridges to give it over to a new organization called the General Purpose Authority and LST has one bridge on that list which is the Meadows Road Bridge. Mrs. deLeon said we can't tell them what to do, so that's a scary thought right now. We need to look into this and make sure our bridge is protected. Mrs. Huhn said she will get information.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mrs. Huhn said the DEP Hearing for the landfill permit application has been rescheduled to April 13th at the S.V. High School from 6 p.m. to 9 p.m.
- Mrs. Huhn said in the PA Digest News, there was a release by Secretary Quigley of DEP stating their ability to protect public health and the environment has been stressed to the limits with the state budget cuts. Mrs. deLeon said we need to follow up with a letter as that's very concerning with the problems we have with the landfill. She said we should direct the Manager to send a letter to Freeman, Simmons and Boscola of our concerns.
- Mrs. Huhn said Mrs. deLeon requested that PSATS be contacted about some additional training on the optional form of government, the government process and the Sunshine Law. She did hear back from them that there is an online training session about the Sunshine Law and Right-to-Know Act. She can provide the link for the training. The Research Department notified her they will be discussing training options that they can

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provide for the Township. Mrs. deLeon said she had a conversation with Mr. Sanko about training for our volunteers. Mrs. Huhn will reach out to him.

- Mrs. Huhn reported the hiring of two new employees in the Public Works department, Patrick Lane and Nicholas Keller..

B. COUNCIL/JR. COUNCIL

Kelsey Gatchel, Jr. Council

- She said they had a National Honor Society meeting today and she brought up Community Day to them.
- She said the Theatre Department has been working on their production of “Thoroughly Modern Millie” and the show opens this week.

Mr. Kern

- He said he would like to acknowledge and thank our Landfill Committee as there’s not a landfill in PA or the U.S. that is scrutinized any closer than IESI.
- He said we received an email from our Manager stating there is some illegal burning occurring near Polk Valley Park. He would like to suggest to the Manager that we put some type of sign up and patrol the area more frequently. Mrs. Huhn will follow up and see if there is anything new and report back.

Mrs. Yerger

- She said the Historic Society will be doing a Beatles night on April 8th and all proceeds go to the repointing of the schoolhouse. Mrs. Huhn said there will be tickets available at the Township.

Mrs. deLeon

- She’s the liaison for the Economic Development Committee and they met and discussed where to go next with the Task Force and develop a list of businesses in the Township so that if anybody approaches the Township and needs a certain size lot, we have some kind of chart.
- She said Tuesday, March 8th, the Hellertown-Lower Saucon Chamber is holding a HALO event to raise funds for a local nonprofit charity from 5:30 pm to 7:30 pm at Taps. She attended the Boot Camp training.
- She has concern with the landfill application to be discussed April 13th as it’s the first application that was submitted and we are now on our 4th revision. Attorney Treadwell said he thought the purpose of the hearing was to discuss the expansion in more general terms. There’s an initial review stage more geared to harms benefit, then they get into the technical things which is more what does the plan look like. Mrs. deLeon said the plan will be on the screen and it will look different. Attorney Treadwell said we should ask them what they are going to have. Mrs. Huhn will call them to get an outline of what the procedure is for the hearing and what types of exhibits they have.
- She said Greater LV Chamber has an organization called the Chamber Foundation and they fund projects. She sent it to Leslie and the proposals are due May 31st for projects to be completed July 31, 2016 to June 30, 2017. She thought somewhere in the Township we might be able to meet that or partner with Hellertown if it’s the Rail Trail.
- She said last year, as liaison for the SVC, they had some issues with timing of their applications for the arts festival and she hasn’t heard anything from them. Mrs. Huhn said they’ve been sent the information. Mrs. deLeon said the SVC was supposed to provide the Township with a financial report after the festival and they haven’t done that. She asked Mrs. Huhn to write to them and ask them about it.
- She said we were talking about getting minute’s and financial statements from both historical groups so we could see what they are doing. Mrs. Huhn said she will follow up on this.
- She said regarding the overweight trucks at the landfill, in the DEP report, it lists the name of the driver, and the truck number.

Mrs. Louder

- She said she attended the PSATS Boot Camp and it was fun.

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- She thanked Sandy because she showed her a different approach to the landfill issue regarding Al's position. Mrs. Yerger said she works with DEP a lot and she had a really bad feeling on the letter. She thinks the Council is all working together.
- She said in lieu of the incident of sexual lewdness on the Rail Trail, maybe we can get more police presence out there whether it's LST or HB.

Mr. Horiszny

- He attended the Compost Center meeting last week and they need volunteers. Opening day is April 22nd, but it will also be open the two Saturday's before.
- He said we had Engineer's Week and we need to think about Local Government Week.

C. SOLICITOR – No report

D. PLANNER – No report

E. ENGINEER – Mr. Kocher said regarding the Black River Road project, they are finished with reviewing the plans with PW and their next step is go and meet with the residents. The letters will go out this week to the residents inviting them to the meeting.

VIII. ADJOURNMENT

MOTION BY: Mrs. Louder moved for adjournment. The time was 8:56 p.m.

SECOND BY: Mr. Horiszny

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Ron Horiszny
Council President