

I. OPENING

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

Revised **

II. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS

III. PRESENTATIONS/HEARINGS

- A. Resolution #34-2020 – Recognizing Robin Rotherham for her Dedicated Service to the Community

IV. DEVELOPER ITEMS

- A. Creek Investors – 2105 Creek Road – City of Bethlehem – Zoning Map Amendment Request

V. TOWNSHIP BUSINESS ITEMS

- A. Township Technical Consultant Committee Quarterly Landfill Report
- B. BT Stonewood Longridge Management LLC – Zoning Hearing Board Variance Request to Reconfigure Lots in the Long Ridge Subdivision – Bergstresser Road
- C. Resolution #35-2020 – PCCD Grant Application 2019/2020 JAG Funding
- D. Resolution #36-2020 – 2020 Department of Justice COPS Stop School Violence Grant
- E. Resolution #37-2020 – PCCD Grant Approval for the Purchase of Police Body Cameras
- F. Lawn Mowing Services Bid for 2020
- G. Saucon Valley Compost Center – Authorize Final Payment for Pole Building Installation and Enter into Project Maintenance Period
- H. Discussion of Filling Open Council Liaison Positions
- I. Authorize Collection of 2019 Delinquent Taxes

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of February 5, 2020 Council Minutes & February 28, 2020 Council Minutes ** Included
- B. Approval of January 2020 Financial Reports

VII. PUBLIC COMMENT ON NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

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

IX. ADJOURNMENT

UPCOMING MEETINGS

Environmental Advisory Council: March 10, 2020
Saucon Valley Partnership: March 11, 2020 @ LST @ 6:00 p.m.
Township Council: March 18, 2020
Zoning Hearing Board: March 23, 2020
Saucon Rail Trail Oversight Commission: March 23, 2020 @ HB @ 6:00 p.m.
Planning Commission: March 26, 2020
Parks & Recreation: April 6, 2020

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, March 4, 2020 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: Present: Sandra Yerger, President; Jason Banonis, Vice President; Kristen Stauffer and Thomas Carocci, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Thomas Barndt, Chief of Police; Cathy Gorman, Director of Finance; Brenda Detweiler, Administrative Assistant; Brien Kocher, Township Engineer. **Absent:** Priscilla deLeon, Council Member, Judy Stern Goldstein, Township Planner, Tyler Dickens, Jr. Council Member (all absent with prior notification).

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did not meet in Executive Session this evening.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. Yerger said if you are on the agenda, you have Council and Staff's undivided attention. If you choose to speak, we ask that you use one of the microphones and state your name for the record. If you have a non-agenda item, she asks that you give your fellow public the courtesy of the floor. She asked if anything was taken off of the agenda. Mrs. Huhn said no.

II. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS

➤ Donna Louder, resident, said she's coming before Council regarding the Steel City Fire Company. The fire company has been pretty much folding in her eyes, there are three members. The fire truck has been out of service since January 2019 and there is a truck that has a 1989 engine. She did a Right-to-Know request and what she's asking Council to do is to look at Resolution #5-85 which is the recognition of the four fire companies serving LST. This has not been updated since then. This needs to be looked at and this is the key that Council can help fix the Steel City Fire Company and give it back to the community. The fire company has three members and there are calls on Applebutter Road that just happened in the past week and Steel City was not able to get out. What she's hoping to do is have you revise this resolution to have Lower Saucon Rescue 16 as the permanent or the only fire company that is called out for LST. Allow Steel City and Lower Saucon 16 to restructure Steel City and become one or have Lower Saucon 16 come in and basically take the area over and create more of a community fire company. She knows that Steel City is limping along. When she was on Council, she was on the Fire Services Committee for four years and knows it is having to struggle. She can't say anything else than ask Council to please look at Resolution #5-85 recognizing the four volunteer fire companies serving LST and create that to read that Lower Saucon Rescue 16 will be the only fire company that LST will use or recognize for fire coverage. It does not mean that Steel City Fire Company does not have the right to remain a fire company, but they would be independent of the Township and they would be able to do backup, but in the same token we have taxpayers out there who are paying a fire tax and we really don't have the coverage we should have in Steel City. Steel City Fire Company is also sending out a mailer trying to take contributions from the residents. The fire company doesn't even have a quorum to have officers, they have three people and the rumor mill has it they had four, but one just dropped out. She doesn't know how to fix this other than the resolution. She is asking to bring it to Council and put it on the agenda and have a discussion and have it fixed so we can have a community fire company again. Mr. Carocci said thank you, as Council liaison, he thinks they are going to look at the fire companies next month at our meeting. Mrs. Louder said thank you, it's very important for the community. Mr. Banonis asked Mrs. Huhn if they could get copies of Resolution #5-85 emailed to them.

III. PRESENTATIONS/HEARINGS

A. RESOLUTION #34-2020 – REGOGNIZING ROBIN ROTHERHAM FOR HER DEDICATED SERVICE TO THE COMMUNITY

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Mrs. Yerger said Resolution #34-2020 has been prepared recognizing Robin Rotherham for her years of dedicated service with the Hellertown Area Library. She read Resolution #34-2020.

MOTION BY: Mr. Banonis moved for approval of Resolution #34-2020 – recognizing Robin Rotherham for her dedicated service to the community.

SECOND BY: Mrs. Stauffer

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

III. DEVELOPER ITEMS

B. 2105 CREEK ROAD – CITY OF BETHLEHEM – ZONING MAP AMENDMENT REQUESET

Mrs. Yerger said the Township received notification from the City of Bethlehem that they have received a request to rezone two tracts of land located at 2105 Creek Road. This property fronts along Friedensville Road. Mrs. Huhn said you should have a petition that was submitted on behalf of the residents.

Mrs. Yerger said the petition does say as a concerned resident of Hellertown-Bethlehem-Lower Saucon Township, we the undersigned are opposed to the proposed rezoning of 2105 Creek Road, Bethlehem from Rural Residential to RRC which Residential Retired Complex to establish a residential retirement complex consisting of 40 apartment units and 60 parking spaces. She asked if anyone had any questions or comments.

Mrs. Stauffer asked what action would we take tonight, send a letter to Bethlehem? Mrs. Yerger said she thought about this a lot. Obviously it's a floodplain, not exactly the best location to put senior housing unless they are going to provide them with boats. This area is noted for flooding already. She's not even sure how it's going to get passed by the County. She would like to have a Township representative there, and she doesn't mean just Council, that's up to your option, but she believes we should send one of our attorney's.

Mrs. Huhn said she doesn't think Linc is available that night. Attorney Treadwell said Leslie did talk to Attorney Elliott and he is available to go and present Council's position. He also requested that we make an engineer and/or planner available as a witness for him. We'll have to check with Hanover and Boucher and see if they are available. Mrs. Yerger said they have to present the whole case about this and why it is not a good idea. Attorney Treadwell said he thinks March 17th is the hearing date.

Mr. Banonis said if he understands the concerns correctly, there are about 90 names that are on this petition and it seems like the majority of those names are concerned about the floodplain issues, which is a valid concern. The Township and properties are directly upstream from this property, including the Heller Homestead, so he thinks it's appropriate to take a position on this to make sure the residents of the Township are protected from any development. Directly across the creek is the Borough of Hellertown and he's sure they are taking a position on this as well. Mrs. Yerger said they already have. Mr. Banonis said it makes sense to join in that as well. Mrs. Yerger asked if anyone on Council had any comments. She asked if anyone in the audience had any comments.

Mr. John Vivian said he is a resident of Bethlehem and on the board of the HOA of Stever Mills, which borders on Friedensville Road and Creek Road, directly across from this property. The petition, not to correct you, has 225 signatures on it and anybody who wants to can go to that site, www.savecreek.org. Many of the signatures on the petition are LST and Hellertown residents as well as from the City of Bethlehem. They will have an attorney present at that meeting, and you should be aware that they have a Planning Commission meeting on March 12th as well. They have five points they are doing through their attorney. Mr. Vivian said he is an attorney, but is representing Stever Mills so that's why they hired another attorney. Their first objection is legal and it's obviously a request for rezoning on a specific parcel of land and it does not challenge the overall zoning code as exclusionary; therefore, it's an attempt to gain a variance under a guise of rezoning, which the Commonwealth Courts can say it's improper. They purchased the property in

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2018 for \$250,000 and now it is listed a year later in 2019 for \$799,000. The request is one, while there's a great deal of leeway given to municipalities, they still have to rezone with respect to the health and welfare of society. Their second thing is it is in a flood zone. Bethlehem has clearly adopted most of the FEMA standards. They call it a flood fringe district, there's no way it will meet it. One of their other objections is it's not going to meet the stormwater discharge plan in the City of Bethlehem. Depending what he does with the grading, Friedensville Road is probably not a risk for that. The Saucon Creek and Creek Road certainly are. They are also very concerned about the environmental impact. There was a great study done by Trout Unlimited. The Saucon Creek is a High Quality – Cold Water Fishery (HQ CWF) creek. Right at the end of this property, going down to the lower part where it crosses 78, it's an A+ trout stream. There are 24" to 25" trout there. A complete environmental study would have to be done. All these communities, including Hellertown and LST and the City of Bethlehem, historically brought Saucon Creek back from long ago when there was a zinc mine.

Mr. Vivian said the biggest problem that he sees that affects LST is increased traffic on Creek Road. Creek Road is used by a lot of students at Lehigh and athletes; and a lot of the citizens in that area including those in LST for jogging, biking, and walking. People constantly cross to get to Water Street Park. He thinks the Farmers Market is coming back to Water Street Park this summer and it's really congested with automobile and pedestrian traffic, so adding 60 cars to that would mean a couple of things. First of all, Creek Road is a typical country road and in spots it's not even 11' wide as is standard for a commonwealth road. It has no shoulders. it's a BEF level as it is, but there's a big swale on the other side where he wants to develop. He's seen that swale fill up with water. Everybody in the area has seen it. If you are going to access that for 60 cars plus visitors, the problem is going to be you are going to have to do traffic studies, and it's going to increase congested traffic on Friedensville Road, which is already a heavily traffic road; and you increase the potential for automobile and pedestrian mishaps.

Mr. Vivian said the second thing is Hellertown has gone on record with the Planning Commission saying it's no good. The last thing he wants to point out is the FEMA guidelines for insurance are much more specific because zoning ordinances don't deal with that. The kind of retirement community he's planning, saying this is going to be good for retirees, are apartments where these people live on a fixed income and all they basically have is their car and their possessions. You put this in a flood zone and something happens, the FEMA guidelines for municipalities and Definition 59.1 are very specific. They say no new development in a floodway and this is not only a floodway, most of it is AE and the rest of it is BEF. If there is a flooding, those cars will be destroyed and trust him as an attorney, your auto insurance won't pay that as it's an act of God. Those people won't be eligible for insurance, so even building that and contemplating that are putting their world of goods at risk and it should not be approved.

Mr. Banonis said he'd like to add one point, you had mentioned the trophy trout downstream, he believes there is a nesting Bald Eagle in there. Mr. Vivian said the Bald Eagles are actually closer to Bethlehem, but you're exactly right, the more congestion of traffic, if you mess up the stream, Eagles take fish out of there.

Mrs. Yerger said when the Farmer's Market was still in the park, she was walking along the Thomas Iron Works after they stocked the trout and there was a Bald Eagle that came flying down the creek where the trout were. Mr. Vivian said he also saw two or three Blue Herons nesting. Mrs. Yerger said the Osprey also have been there, so it's a well-known habitat with nature.

MOTION BY: Mr. Banonis moved that LST state a position in opposition to the proposed rezoning and development of this property because of its position within the floodplain and it's current status as a rural residential zoned area that would also include participation in the upcoming meeting on March 17th wherein the Township Engineer and Solicitor or substitute Solicitor participate and state the Township's position in opposition.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

IV. TOWNSHIP BUSINESS ITEMS

A. TOWNSHIP TECHNICAL CONSULTANT COMMITTEE QUARTERLY LANDFILL REPORT

Mrs. Yerger said Chris Taylor, Hanover Engineering Host Municipal Inspector, will present the 4th quarter 2019 Technical Consultant Committee (TCC) Landfill report to Council.

Mr. Taylor said the TCC met on February 20th to review and discuss the status of landfill activities during 4Q19 and more recent developments. The report of that meeting has been reviewed by Township staff and finalized and provided in the packets.

Mr. Taylor said the first is the standard report calendar. Mr. Carocci said maybe we can just get the highlights. We all can read and have read the report and it's online. Maybe you can tell us what you think is important for this quarter and what you observed and what you consult on. Mr. Taylor said that is the way he set up his presentation, a boiled-down version of what you have in front of you. Mr. Taylor said they have not received the 4Q19 Gas Royalty Report. The 3Q19 Quarterly Facility Report was received but was late.

Mr. Taylor said under Waste Acceptance, the highlights are that waste disposal took place in Cell SE-1B during the 4Q and waste acceptance tonnage for 4Q was equal to the previous quarter because the landfill is about maxed out with the permit. The use of tarps continues to take place with alternate daily cover used. The host fee report for 4Q was received. The PADEP management Program conducted one inspection during 4Q. There were two non-compliance conditions that were documented but were subsequently resolved during the January inspection. The Committee found no concerns related to this topic.

Mr. Taylor said under Landfill Gas Management, you have the facts and figures in front of you. The landfill flare was on-line and burning landfill gas solely for the 4Q with no outages except for October 17th and 18th where there was a malfunction. The PADEP complaint log recorded 36 odor complaints during the 4Q. The Gas Royalty payment for the 4Q has not yet been received, but they are processing it. Aria Energy still has a proposal to construct a RNG Facility on the landfill property. On February 5th, DEP issued a Technical Deficiency letter to Aria, so they still have some work to do before their application is technically sufficient.

Mr. Banonis said that pertains to Aria, not to the landfill. Mr. Taylor said its landfill gas, so it's hard to separate the two. Aria is a separate company and they would lease land from the landfill on the landfill property within the permit boundary and use landfill gas. To that extent, we have to keep an eye on developments on the area proposed. Mr. Carocci said who is telling you to do that, were you instructed by previous Council to do that? Mr. Taylor said it's always a topic that is discussed at monthly committee meetings. It's just something that the landfill has made us aware of. Mr. Carocci said so it's already been discussed at the monthly committee meetings and it is every month. Mr. Taylor said he doesn't know about every month, only if there is something new to report. Mr. Carocci said he read previous quarterly reports and you seem to discuss it in those quarterly reports. So there is no direction to regulate Aria specifically from the Council or the Township Manager, you are saying there is a Technical Deficiency letter by the PADEP. Mr. Taylor said yes. Mr. Carocci said why is that in the report. Mr. Taylor said it's the latest development on that application. Mr. Carocci said again, what authority for Aria Energy were you given by Township Council or Manager. Mr. Taylor said none.

Mr. Banonis said you had mentioned the Gas Royalty payment was late. Were there ever any other instances where that payment was late? Mr. Taylor said it's been consistently late over the last year. Mr. Banonis said has there ever been an instance where it hasn't been paid. Mr. Taylor said no, it's been late, but they eventually pay it. Mr. Banonis said when you say eventually, what sort of delay are we talking about. Mr. Taylor said the longest one was maybe two quarters or so. Mr. Banonis said is there ever any indication they were not going to pay it. Mr. Taylor said no. Mr. Banonis said when they are late, is there a penalty. Mr. Taylor said not that he's aware of. Mr.

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Carocci said why is this concerning. Mr. Taylor said its money due the Township and it's late. Mrs. Yerger said referencing the Aria Energy, the DEP issues Technical Deficiency letter to Aria; did we get a copy of that? Mrs. Huhn said yes.

Mr. Banonis said you had mentioned 36 odor complaints in the quarter, how does that compare to other odor complaints you have received in the 1Q, 2Q or 3Q of last year, greater or lesser. Mr. Taylor said it's comparable to what we had in the 3Q and is more than what we had prior to that. The odor complaints seemed to ramp up in the second half of the year. Mr. Banonis said so in the fall and winter, odor complaints are greater than they are in the spring and the summer. Mr. Taylor said that's been the case this year historically but he's not sure that's the case. Mr. Carocci said he finds that odd that people are outside more in the spring and the summer and would smell more odors. He read where landfills can smell more in the summer in the hotter temperatures, and it also depends what way the wind is blowing. Do you agree with that? Mr. Taylor said he would agree that people's habits if it's warm, they are outside and they can smell it more if they are outside. It would lead to more exposure in the summertime. Mr. Carocci said what about summertime temperatures being a factor. Mr. Taylor said the landfill people would tell you that odor generation, gas generation depends on temperatures and barometric pressure. There are so many variables to put it all together. Mr. Banonis asked about humidity? Mr. Taylor said he believes it does.

Mr. Taylor said SCS Field Services is the Landfill's Air Quality Consultant and they conducted their 4Q surface emission monitoring and found zero exceedance locations, which would be locations exceeding 500 ppm, the regulatory threshold. The response to the issue of final capping has not yet been received from BLC. The Committee found that the concern related to this topic is the continuing occurrence of odor incidents documented via complaints lodged with PADEP.

Mr. Taylor said under Leachate Management, detection zone flows in LMC-7 were recorded as zero during the 4Q. Detection flows in PS 1 through 4 were less than 100 gallons per acre per day. Detection flows in LMC-7 and 8 had concentrations of chemical constituents of leachate. The above leads to the Committee's ongoing concern that there is a continuous flow of leachate and/or stormwater within the leachate detection zone of the landfill as identified at several monitoring points and recommends continuing to monitor this situation using Rich Sichler's tracking method.

Mr. Taylor said under Groundwater Management, groundwater sampling and reporting continues to take place quarterly. The Annual Groundwater Trend Analysis continues to be recorded. Two residential wells along Riverside Drive continue to be tested with the results indicating that all parameters meet drinking water standards. The groundwater abatement system continues to function with pumpage amounts reported monthly. Several maintenance issues were identified and addressed that had led to anomalously low flow measurements from some of the wells. The Committee found no concerns on this topic.

Mr. Taylor said under Traffic Management, the issue of overweight trucks continue to be a problem during the 4Q. Fifteen trucks were more than 2,000 lbs. over their 80,000 lb. weight limit and 9 trucks were more than 2,000 lbs. over the 72,280 lb. weight limit. The weight limit depends on the kind of truck. Spot checks of records in the scale house indicate trucks leaving the two waste connections transfer stations are under their weight limit when they weigh out so the trucks are picking up weight in route either by adding fuel, water weight from rain, etc. The above leads to the Committee's concern that the number of overweight trucks remains substantially elevated during the 4Q.

Mr. Taylor said under Stormwater Management, there were no washouts reported during the 4Q but there was stormwater runoff on Applebutter Road recently on January 25th during a heavy rainstorm. Initial corrected action was taken and more work is planned. The Committee found no concerns on that topic.

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Mr. Taylor said regarding the status of permit applications to DEP, applications have been filed on behalf of Aria Energy for a RNG processing facility to be constructed on landfill property. Mr. Taylor said there were no significant Operational changes and no concerns to report. Mr. Taylor said under Regulatory Oversight, DEP Waste Management conducted inspections in October and January. DEP Air Quality did not conduct any inspections during the 4Q. The DEP engineers conducted inspections for the months of October, November and December. The Committee found no concerns to report to Council.

Mr. Banonis said you had mentioned the overweight trucks, and he did some quick calculations based upon the total trucks and overweight trucks. In October, it looks like 3% were overweight and November it was 1.6% and December it was 3%. If we average that over the quarter, it looks like about 2.5% of the trucks were overweight. In other words, 97.5% of the trucks that are coming in are not overweight, how do those statistics relate to other landfills and any issues they may have with overweight trucks. Mr. Taylor said he doesn't have an answer to that.

Mr. Carocci asked how many other landfills have you worked with? Mr. Taylor said he consults for one other landfill, that is Grand Central in Plainfield Township. Mr. Carocci asked how long have you been doing that? Mr. Taylor said four years.

Mr. Carocci asked how long have you been with the Bethlehem Landfill? Mr. Taylor said since 2009. Mr. Carocci asked are those the only two landfills you have ever consulted on Township matters for? Mr. Taylor said yes.

Mr. Banonis said he asked how does that 2.5% relate to other landfills and you said you had no idea. How is that with regard to Grand Central since you have no other landfills that you work at? Mr. Taylor said he does not receive that data for Grand Central. Mr. Banonis said why not? Mr. Taylor said it's not part of his task up there. Mr. Banonis asked what is your task up there as it relates to the tasks you do here? Mr. Taylor said his task up there is to conduct inspections once per month and issue a report of his observations to the Township Manager. Down here, his task is basically the same, except he inspects twice per month and he receives a lot more data about the Bethlehem Landfill than he does the Grand Central Landfill. Mr. Banonis asked from whom do you get the data? Mr. Taylor said we rely on Bethlehem Landfill as they provide most of the reporting. Mr. Banonis said you are getting more data from the Bethlehem Landfill than you are getting from Grand Central? Mr. Taylor said yes.

Mrs. Stauffer said she did see in the report that one of the repeat offenders was barred from continuing to use the landfill, is that true? Mr. Taylor said that's what was reported to him by the landfill District Manager. Mrs. Stauffer asked do you know what the processes are for keeping track of repeat offenders there and the 2.5% that Jason mentioned? Is it a certain series of actors that typically are overweight? Mr. Taylor said the landfill tracks that when they have an overweight truck. They record that so they know who the driver and company is. If a company is overweight X number of times, he thinks it's three; once they get a warning, and if they are overweight two times they get suspended. They track that. Mrs. Stauffer said thank you for sharing that policy.

Mr. Banonis asked what's the policy that Grand Central uses for overweight trucks, three strikes and you're suspended or is it some other mechanism? Mr. Taylor said he's not aware of their policy. Mr. Banonis asked do you know of any other industry policies for dealing with overweight trucks and how they are handled and how the enforcement is attempted by the landfill? Mr. Taylor said industry standards; no he doesn't know that answer.

Mr. Carocci said so we don't know if 2.5% is good, average, or poor for Bethlehem. Mr. Taylor said right now they are doing about 2,500 trucks a month. Mr. Carocci said compared to other landfills, we don't know if 2.5% of overweight is good, bad or average. Mr. Taylor said compared to other landfills, he doesn't know that answer. Mr. Banonis said and we don't know how other

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landfills enforce the overweight requirement? Mr. Taylor said correct, we do not. He said he will be up at Grand Central on Friday and will be happy to ask.

Mr. Taylor said that brings him to the end of his presentation. Does anyone have any questions? Mr. Carocci said he does. He has some invoices printed out and he'd like him to take a look at them. He passed them out to Council. Mr. Carocci said the first set is the invoices for 2019; they seem to deal with odor complaints, most of them anyway. Some are inspections of the facilities and accepting an invitation to a January meeting and putting it on your schedule and some of your billed services. If you take the first invoice on the list, you reviewed an email from Priscilla deLeon inquiring about odors and prepared a response based on the results of the inspection and you billed the Township for three hours, \$282.00. Then on the same invoice, on January 14th, you received a telephone call from Priscilla deLeon to discuss odor complaints. You looked up and scanned a section of the original permit per Priscilla deLeon's request. There was another partially half an hour, but there are over 17 instances over these 13 months where Mrs. deLeon is initiating action that you are taking and billing the Township for. He has an issue with one member of Council incurring expenses on the Township, regarding questions answered, that may be able to be answered by the Township Manager, but Council hasn't voted to allow one member of Council to start incurring engineering bills from our engineer. From the looks of this, you catered to her. Every time she has an email or a call about an odor complaint, the Township gets billed. One time if you look on February 1, 2019, Invoice No. 159220, you reviewed an email from a resident of the Township regarding an odor. You emailed the landfill and exchanged emails with the landfill and the Township Manager and the Township was billed. Now even a resident is calling you, you are billing the Township for that call, it hasn't been authorized, it hasn't been voted on by Council, or authorized by the Township Manager, it's improper spending of the taxpayers money.

Mrs. Stauffer said to Mr. Carocci, can you talk about how you compiled this information? Mr. Carocci said yes, if you look he gave you all of the invoices that are behind them. Mrs. Stauffer said, so this cover sheet is your cover sheet? Mr. Carocci said yes, if you look at the chart there's the billing date, the invoice number, and they are all there and he picked out where a member of Council has been incurring expenses on the Townships behalf without going to the Township Manager for prior approval or to see if she had an answer to the question that could have prevented the billing and why we have consultants that feel they can start billing the Township when a resident calls. Mrs. Stauffer said it's her understanding on the website, and Leslie you can speak a little more to this, but when there's an odor complaint at the landfill, what is the procedure for residents of the Township to follow if they do smell an odor? Mrs. Huhn said they are to call DEP Mr. Carocci said not the Township, not the landfill, DEP, is that correct? Mrs. Huhn said yes.

Mr. Banonis said these invoices don't request instruction from DEP to undertake any tasks. These were tasks that were undertaken by you at the direction of a single Council member and/or at the direction of a single resident without involving the Township, is that correct? Mr. Taylor said essentially yes. Mr. Carocci said to the tune of close to \$2,400, just for those personal emails, calls and responses. He finds it odd that most of these complaints are in reference to odors complaints, but for June, July, August, and some of September, there were no odor complaints for the summer months, none whatsoever. It's hot, humid, people are outside, in Steel City where they should be able to smell it, is that odd? Mr. Taylor said some people would hypothesize that warm air rises and carries methane up and then when you start to get into the fall, the methane has downdrafts and brings it down to where people are, that's one theory.

Mr. Carocci said odor complaints in November and December, it's freezing outside, there are complaints, but people that are outside for a July BBQ, and you can't smell it then, interesting. So has this been the standard practice for you to start billing the Township when you get questions directed from the Council members. Mr. Taylor said yes. Mr. Carocci said when did that start? Mr. Taylor said he's always been responsive to this Council and to the good people of LST.

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Mr. Banonis said he thinks his question is, the tasks here are not reflected of Council, the tasks are reflected by an individual Council member and/or residents. Let's answer the question under those circumstances, for how long have you been billing the Township when an individual Council member and/or individual citizen has contacted you? Mr. Taylor said he doesn't recall specifically, but he never refused to take that call and when he takes that call, he does account for his time. Mr. Banonis said did you ever bring to Council's attention any concerns about that, or did you ever have any personal concerns about an individual Council member asking you to undertake activity and not have the entirety of Council voting on it. Mr. Taylor said no.

Mrs. Stauffer said why would there have to be a vote when Mrs. deLeon lives in Steel City when she smells landfill gas. Mr. Carocci said she's supposed to call DEP like everybody else, or she can call the Township Manager and that would not incur the Township being billed by our engineers. Mrs. Stauffer said it wouldn't? Mr. Carocci said it would not.

Mrs. Stauffer asked Leslie what action she would take if you received an odor complaint. Mrs. Huhn said she would instruct them to call DEP, it doesn't get logged unless they call DEP. Mrs. Stauffer said then after DEP is called...Mr. Carocci said that's it, that's supposed to be it. He said then you have a second set of invoices and these appear to be for the preparation for the TCC meetings and the quarterly meetings when you put the quarterly report together which is this report and here we have some examples where you received a phone call from Mrs. deLeon to discuss landfill issues and this was the same day you presented the quarterly report to Council, so this was part of the 6 and $\frac{3}{4}$ hour billing. You received a phone call from P. deLeon to discuss current landfill issues, but she does not attend the meeting and then on June 14, 2019, you review an email on deLeon's inability to attend a meeting, you scan and email packet to her, the packet for the meeting, couldn't she have gotten that from the Township? You also provided a packet to our Township Manager, correct? The underlying invoice is there. Mr. Taylor said yes, the Township gets provided with it. Mr. Carocci said Mrs. deLeon could have called the Township Manager and received the packet and we wouldn't have been billed by you or Hanover, is that correct? Mr. Taylor said he'd imagine that's correct.

Mr. Carocci said in your last quarterly report there were photographs showing ballooning, this was in the December 4th report. Those pictures were from a year earlier. Mr. Taylor said they were from January 2018. Mr. Carocci said you put them in a current quarterly report? Mr. Taylor said it was a photograph of historical significance. Mr. Carocci said why did you do that? Mr. Banonis said what is the relevance of that? Your quarterly report is to capture the events that occurred during that quarter, not to go back in history to the beginning of time to show what may have consisted long ago. Mr. Taylor said the significance of that photograph was that it showed ballooning and the significance of the issue of ballooning was tied to the issue of final capping, so the Committee was trying to convince Council to write a letter to DEP to urge the landfill to construct final capping over areas that were filled to illustrate how gas can escape in areas that aren't final capped, we took that historical picture which showed gas coming up from under a capped area and ballooning it up. That illustrated that gas can be coming out of a broad area and putting a cap over it can contain that and therefore control gas emissions and therefore control odors. Mr. Carocci said there was no ballooning in that quarter? Mr. Banonis said and that hadn't occurred for a year, based upon the date of your photograph. Mr. Taylor said it hasn't occurred for some time, it probably hasn't occurred since that photograph, but again, that photograph was not meant to hit the issue of ballooning and why it ballooned, it was to hit the issue of gas emissions over large areas of the landfill surface. Mr. Carocci said but there were no gas emissions that caused ballooning in that quarter. In that quarter, there were no gas emissions that caused ballooning in that quarter of this report. Mr. Taylor said there was constant gas emissions...Mr. Carocci said that caused ballooning? Mr. Taylor said the reason the cap doesn't balloon up all the time is because there's an under cap collection system that constantly draws that gas out. Mr. Carocci said who instructed you to put those pictures in there. Mr. Taylor said he thinks Priscilla did. Mr. Carocci said then you just did it, you didn't question it. Mr. Taylor said the Committee felt that we needed to make the point why final capping is important and we felt that picture

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illustrated that point. Mr. Carocci said you just said Priscilla recommended it, not the Committee. Are these your quarterly reports or Priscilla's? Mr. Taylor said they are his. Mr. Carocci said is she an engineer? Mr. Taylor said no. Mr. Carocci said but you put in whatever she wants you to put in. Mr. Taylor said no, he can't remember exactly how the conversation went, but we got on to the idea that the picture would help us illustrate the point that we are trying to make. Mr. Carocci said there are ten instances in 2019 that cost the Township taxpayers a portion of \$9,800 and again this is only a small portion of the billing for the total year, just for these meetings and reports.

Mr. Banonis said Mrs. Stauffer just raised a point and said Priscilla is on the Landfill Committee, do you have any data about her participation. Mr. Carocci said yes, he does. The Landfill Committee meets every month, is that correct? Mr. Taylor said we have a monthly committee meeting and a quarterly meeting. Mr. Carocci said but the quarterly meetings just summarize the monthly meetings, basically. Mr. Taylor said not necessarily. It's different personnel. Mr. Carocci said different personnel, but you are talking about the same thing, your observations, and your inspections of the landfill. Mr. Taylor said he wouldn't necessarily say that. It's called the Technical Consultant Committee meetings and it's more of a technical look at the landfill operations. Mr. Carocci said all the information for this meeting you get from your inspections of the landfill that you bill the Township for, is that correct? Mr. Taylor said no, most of the information comes from the other consultants such as Mr. Sichler and Ms. McNemar. Mr. Carocci said their analysis of the information. Mr. Taylor said they receive the quarterly facility reports, the groundwater reports, etc. and take that information and prepare a report.

Mr. Carocci said you do this once a month, does the landfill management attend these meetings, there's a spreadsheet in front of you. Mr. Taylor said the quarterly one? Mr. Carocci said the monthly Landfill Committee meeting. Mr. Taylor said yes, landfill personnel attend them. Mr. Carocci said they attended every one since February 2019. Mr. Taylor said yes, they provide the meeting notes, if they aren't there, nothing happens. Mr. Carocci said Township staff is there, Township Manager and other members of the Landfill Committee attend. Mr. Taylor said depending on availability. Mr. Carocci said over the past thirteen meetings, Mrs. deLeon was absent five times, she was only present twice and the other times she called in, and the total of the 13 meetings, her presence at the meetings was 4 hours and 38 minutes. Why are these meetings so short in your opinion? They seem short, some are 25 minutes; some are 23 minutes, 20 minutes. Mr. Taylor said these meetings typically go 30, 45 minutes to an hour, it depends how much there is to talk about. Mr. Carocci said does Mrs. deLeon participate if she phones in? Mr. Taylor said yes. Mr. Carocci said his concern is that we're being billed for a quarterly report, we're being billed for the TCC's meetings, we're being billed for Landfill Committee meetings where a lot of the same information is being discussed and it's repetitive and he doesn't think it's all needed. We have the Landfill Committee meetings once a month that are open to the public, the minutes are made public, your reports are made public, put on our website, people can read them. He has concerns about who is authorizing your work and what the Township is being billed for that which he feels it is repetitive.

Mr. Banonis said he would add to that your participation tonight seems to be repetitive, as he's not aware of any other consultants that we have come in and read their report to us. The Chief is here and sometimes makes reports and we get reports from various representatives from the Township, but we don't have any that come in on a quarterly basis and read their report to us. Each of us have two eyes, we can read. He thinks that's really repetitive and unnecessary.

Mr. Carocci said if we have questions, we can always request that Leslie put it on as an agenda item and the engineers can talk about the issue with the Council members who would have a concern. That would be the appropriate way to do it for the Township to be billed and incur expenses. He just doesn't think this is necessary. He wants to make a motion to eliminate the quarterly report and presentation of the report at Township Council meetings. He wants that motion which we can start with, and he has another motion as well.

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MOTION BY: Mr. Carocci moved to eliminate the Landfill Consultant's quarterly report and presentation of it at Township Council meetings unless an appearance is specifically requested by a majority vote of Council.

SECOND BY: Mr. Banonis

Mrs. Yerger said she wants to open it up to the audience. Donna Louder, Steel City said she is going to ask you to withdraw that motion and she'll tell you why. Mr. Taylor does an inspection the day of the Landfill Committee meeting and he gathers everything he needs to bring to the table to discuss and she feels that him reporting back to the residents and Council at a public meeting is extremely important. The second thing is that landfill pays this Township close to \$2 million a year, guess what, it's covering his salary. If that's what it takes for him to do that, to protect the 300 homes in the shadow of it, so be it. If you want to go and stop the frivolous spending on those reports, okay, but as far as taking him out of the mix for our monthly meetings, she is asking you, as a resident of Steel City, do not touch that because it is extremely important. There are times that she tries to call DEP and she can't get through, so she lets it ride like the past three times she tried in the last month. The second thing is she doesn't know if anybody read the Host Agreement, the gas line going into Aria is part of the Host Agreement, we have to keep tabs on that. When the BRE plant was in place, BRE fouled up everything. They were primarily the cause of all the problems over at that landfill, which meant the gas destructions systems were not working properly.

Mr. Carocci said just to be clear, he does want the monthly landfill meetings to continue, and they are open to the public. Mrs. Louder said she wants a report in a meeting like this, please and thank you, as a taxpayer, that's what she wants. Mr. Carocci said we weren't taking that away, the monthly report is going to be on the website, the meetings are going to take place and a public meeting as it always has. Mrs. Louder said at a Council meeting. Mr. Carocci said he disagrees and thinks it's repetitive and a waste of taxpayers' money. Mrs. Louder said it's landfill money, the landfill is paying \$2 million to this Township. Mr. Carocci said that's taxpayer's money. Mrs. Louder said his fee comes out of the General Fund, and if his fee comes out of there, with the landfill money going into it for the 300 residents, she thinks that's something that needs to stand strong. If she's here and takes the time to know more about the landfill because she's no longer on Council or the Landfill Committee, she wants to go directly to him. That man is extremely knowledgeable and he knows the ins and outs of that landfill. You are unfamiliar with the methane gas, do you know why we don't smell it in the summer. Just like he said, it rises up. As soon as the cool air comes, the methane will attach itself to anything and create an odor and drop. Christmas Eve is when she smelled the gas the most and with all the seepages going over there with the land breaking up, that is a problem, so again, she asks that you allow this to continue especially until the final capping is put on that landfill. Then if you want to do away with it, that's a whole different ballpark. There's a lot going on up there right now especially with that Southeastern Realignment. She asks you to not take this away from the public meeting. Mr. Carocci said we're not taking it away from the public meeting, and the monthly Landfill Committee meeting will continue. Mrs. Louder said it's at 1:00 p.m. Mr. Carocci said they can change the time.

Mrs. Yerger said there is a motion and a second, we can take a roll call, but she has a suggestion and wants to put it out there. She understands concerns on both sides, she really does, so what she would like to do, is take one month and allow staff to look at what you have handed them as they are familiar with it and she would like them to consider coming back with some recommendations. If you don't want Mr. Taylor here quarterly, is that all your motion wants to do? Mr. Carocci said yes. Mrs. Yerger said in other words, it's going to go through and what she would like to do, if you will consider it, put a caveat to it. It won't be an automatic quarterly meeting for attendance unless Council directs staff to contact him with concerns raised with the Landfill Committee meetings. Does that make sense? Mr. Carocci said it's a motion to instruct the Township Manager to end the quarterly meeting presentation at Council meetings unless an appearance is specifically requested at the meeting by a majority vote of Council, so you're ending the quarterly reporting and

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presentation at Council meetings unless an appearance is specifically requested by a majority vote of Council.

Mrs. Stauffer said she thinks Mrs. Yerger's suggestion makes sense to allow Township staff to review what has been presented here this evening. We don't know what saying no to this would cause. Mrs. Yerger said here's the thing, we now have a presentation, it's not going to happen for another three months. You are talking about suspending only the quarterly meetings, or the quarterly presentations, is she understanding that correctly? Mr. Carocci said yes. Mrs. Yerger said then she thinks there is no harm, they can bring it back at the next meeting and ask them to review and see if there's another methodology in case there is something that they feel needs to be presented to Council, whether it filters through Township staff or however it comes back. She's not sure she's being very clear on this, but that's what she'd like to have.

Mr. Carocci said he sits there and reads a report that anybody can read and we are billed taxpayer money, taxpayers are billed for this. It's presented in the monthly meetings, the Landfill Committee meetings.

Mr. Banonis said can he make a suggestion, there's a motion and second, he would ask for a vote on that motion and the reason he says that and he agrees with Sandy's position in that staff may have an interest in this, but to the extent that staff has an interest in this, we can make a motion to consider and incorporate staff's recommendations at that point and implement whatever they want to do. If they make no recommendations to us, or if we choose not to accept those recommendations, then the situation would stand. At least this way we are moving forward in a way that is protecting the Township from needless cost, so his thought is we can make the motion, vote on it, and if it passes, it passes and if staff at some point decide they want a different arrangement, we can consider that and implement it and Tom's motion doesn't foreclose the possibility of any of this, in fact, it specifically leaves it open that if Council wants Mr. Taylor to be here, we can ask him to be here if the majority of us ask for him, and similarly if Council wants a different procedure to be involved, Council can vote on it and implement whatever we feel is necessary at that point.

Mrs. Louder asked if you are going to eliminate the quarterly thing, then she would like the Landfill meetings when public has the time to attend for those people who are at work. That's something she would be fine with. This is the only opportunity she gets to come and talk to him. Mr. Carocci said he agrees, the meeting should be held in the evenings, once a month, and advertised like every other meeting and an agenda and minutes coming back from the previous meeting. It would operate like any of our other meetings. Mrs. Louder said she agrees with that.

Mr. George Gress, resident, said after being on Council, he understands the one thing he learned, all of us sitting up there are no experts on everything and this is why we have consultants and he agrees that Chris is a great resource. Without having him come here when we look at this report and the Council minutes, and having him here to ask questions, it can be very difficult to go back after the fact and go back to Council again, now you are spreading it out over a couple of meetings. This way he's here, but he also agrees if we can move the time later, that would be good. He always wanted to go to a Landfill Committee meeting, but unfortunately he has work constraints. Mr. Carocci said he would attend, and it should be a great meeting and there's a whole focus on the landfill. Mr. Gress said he does agree to keep track of Aria because he was aware of the issues with BRE and it was a big headache. Mr. Carocci said the motion's not going to relate to that and he understands.

Mr. Jauregui, resident, said he applauds the efforts by the members showing transparent data and stuff that can't be argued, and those are the facts and he's appalled by some of this, but to do some quick numbers, deLeon was only present 15% of the time for all these Landfill Committee meetings. Mr. Carocci said two meetings out of the last 13 months. Mr. Jauregui said from the 460 minutes, she was present and was only in person or present for 75 minutes. Do you guys share

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with this Council prior to the meeting, is this something...Mr. Carocci said he went to the Township and asked for the invoices and the meeting minutes and he put an analysis together. He didn't share it with Council. Mr. Jauregui said he's just surprised that this one person costing us all this money is not here. Mrs. Stauffer said the one person who is not here had a family emergency, she just wants to point that out to the residents. Mrs. Huhn said she mentioned that at the beginning of the meeting.

Mrs. Yerger said let's step back, do we want to incorporate doing away with the quarterly meetings and add that we want to move the meeting time as Donna requested or do we want to make it two separate motions? Mr. Banonis said two separate motions, but with regard to the time, he thinks there should be some dialogue with the stakeholders, especially the individuals from the landfill, whether or not that can be accommodated by them and what works out best for them, so he doesn't want to force anything upon them but it's certainly something we can ...Mrs. Yerger said have Township staff look into it and that would be a suggestion. We don't have to make a motion and ask them to bring it back at the next Council meeting. Mrs. Huhn said we might have to have more time to see if everyone is available and if the room is available. Mrs. Yerger said that is a directive, not a motion. Back to Mr. Carocci's motion, would you repeat your motion one more time.

MOTION BY: Mr. Carocci moved to eliminate the Landfill Consultant's quarterly report and presentation of it at Township Council meetings unless an appearance is specifically requested by a majority vote of Council.

SECOND BY: Mr. Banonis

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

MOTION BY: Mr. Carocci moved to instruct the Township Manager to notify the engineering firms that provide service to the Township, that they will not be paid for services billed unless it has been explicitly approved by either the Township Manager or majority vote of Council.

SECOND BY: Mrs. Yerger

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

Mr. Carocci said he does have concerns, he said Mr. Taylor said 2009 is when he started with the Bethlehem Landfill for the Township. Mr. Taylor said he believes so. Mr. Carocci said he's concerned quite frankly whether Council has been getting unbiased reports with your willingness to basically cater to Mrs. deLeon what she wants in the reports and answering all her emails that could be answered by the Township Manager, phone calls that can be answered by the Township Manager, any thoughts on this? Mr. Taylor said can you restate your question. Mr. Carocci said do you have this type of relationship with your other landfill where you are incurring this much billing to the Township from one member of Council. Mr. Taylor said no. He doesn't have any contact with any Council members. Mr. Carocci said there, the Township Manager has to authorize you to inspect something or do something and you do it. You bill the Township. Mr. Taylor said correct. Mr. Carocci said but that's not what's happening here. Mr. Taylor said Mrs. deLeon is the Council liaison for the landfill, so...Mr. Carocci said does the Council liaison have authorization to engage engineers on inspections or projects. Mrs. Yerger said she doesn't know.

Mrs. Louder said this landfill has been a thorn in a lot of people's backsides. She is asking you and she knows where you are going with this and she would like you to just tell or direct Leslie to inform all engineering staff that they are not to take orders or be able to bill anybody other than Council direction. Do not remove him from the landfill and she doesn't know if that's what your intent is. Chris Taylor is and has been the God send to the people of Steel City when Mr. Donato and that crew were in there.

Mr. Carocci said his concern is how do we know there's not better out there. Mr. Banonis said his concern is and he shares Tom's, is lack of transparency back to the Township and he asks that question specifically if Mr. Taylor had any concerns about an individual Council member and/or citizen approaching him and acting at their direction of question. He seemed to maybe not have any concern about that. That caused him to think he is recognizing and acting on behalf of the

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Township and its entirety. The second concern is his experience level in terms of landfills by his own admission is really just our landfill. He has four years at another landfill and he was asked some general questions about overweight trucks and percentages and he couldn't answer those questions. He's not saying this as a personal attack towards Mr. Taylor, but Tom raises a good point and that is, is there someone who may have better qualifications in this field who would provide better services to the Township and specifically to the people of Steel City and he doesn't know the answer to that. He's thinking unless we look into that question we won't know the answer to that. Perhaps, Mr. Taylor is the finest person we could hope to have and if that's the case, so be it, but without investigating that, and identifying whether or not we are getting the right value for what we are paying, we'll never know the answers to those questions.

Mrs. Louder said she respects his opinion. Mr. Carocci said it's not his intent to remove anybody tonight, but he would like to get proposals from other engineering firms and see what else is out there, not Mr. Taylor continues, HEA continues, but he doesn't think we would be negligent as a Council if we didn't at least look...look, Donna, just look.

Mrs. Louder said she's the one who went trudging through the landfill with him every Thursday and she gave up a day's pay. She went from five days to four days so she could join the Landfill Committee and learn all about it, she put her mud boots on and her dirty old jeans and went through the landfill garbage with the vultures, with the trucks, with the smells, with the methane that when she came home from the landfill, she had a freaking headache that's how bad it was. Now, the reason she did that was because of the 300 houses that it's affecting. The property values are in the toilet, so he is excellent. He picked up on a lot of things. He knows everything we need to know. He is familiar with everything in that landfill. He knows the gas lines, he knows the water, and he is familiar with that landfill. You're mentioning 2.5% overweight trucks, if one of those 2.5% overweight trucks plowed into your wife and children in their car, now what does that percentage look like, it looks like it's a billion. Those are the trucks driving on Applebutter Road. You have to realize the landfill we have is not the same as the location in other municipalities. This is really her passionate point and something that got out of control many years ago, somehow, some way because somebody got freaking greedy, that's the bottom line.

Mr. Banonis said your point about a single truck creating a catastrophe is well taken, and that's why he asked the question, how does this other landfill deal with this issue and Mr. Taylor couldn't answer that question for him, so he thinks to address that specific safety concern, it just reinforces our interest in acquiring if there is someone else out there who may be able to answer that question and may be able to help us because these trucks come and go and it's his understanding that it's difficult for the landfill to enforce it until they arrive and get weighed in. So at that point, they are then flagged, they are put on time out, if there's repeat violations, the carrier is notified, so there are steps in place and he doesn't know if that mechanism is one that is appropriate or one that can be improved upon. He doesn't think until we look at other experts in this field that we can say that is a flawed system or there's a better system that could alleviate or reduce the concerns you just raised.

Mrs. Louder said he made the truck weight thing better. Mr. Banonis said he'd like to see it at zero. Mrs. Louder said amen, she's on that highway. He made it better, because that landfill owns a hub in NY that loads the trucks and brings them down, so whose trucks are being loaded where and that's the thing that was very important.

Mr. Carocci said you speaking so highly of Mr. Taylor means a lot to him and it means a lot to Council. We would certainly take that into consideration in any decision, but again, he feels we would be negligent if we didn't see what is out there. For example, Jason talks about the truck thing, if the landfill managers were here or he goes to a Landfill Committee meeting and he says this 2.5% overweight trucks is a lot, they can be like, it's not a lot, 10% is a lot and most landfills are 10%. He wouldn't have anything to argue with him. He couldn't say you are doing a terrible

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job with overweight trucks, we don't know if they are doing a terrible job compared to other landfills.

Mrs. Louder said she doesn't care about other landfills, she cares about one, the one that's coming through LST. She doesn't care about Chrin who had a landslide, she doesn't care about Plainfield whose expanding how many more acres, she's talking about LST, the Bethlehem Landfill. This gentleman, here is doing the best job for the residents of this Township and again, the landfill gives this Township \$2 million, that's who is paying his salary and she would be more than happy to let that money go to him than anywhere else in this Township.

Mrs. Stauffer said could Council just ask him to check with other landfills, within the Tri-State area to find this data for us. We could ask you to do that. Mr. Taylor said he'd be very happy to do that. Mrs. Stauffer said to get that information, could she make a motion? Mrs. Yerger said what is it exactly the information you are looking for? Mrs. Stauffer said Tom and Jason brought up it's 2.5% and Mr. Taylor doesn't know it off the top of his head, so she's just wondering we could ask him to do and if it's something that can be a motion or an administrative directive.

Mrs. Louder said we can't dictate the operational standards of the landfill. We can only make sure the landfill is doing and following Chapter 25 title and that's what we need to do and make sure they are following these rules. If they are following these rules, we are protected as residents. There's contaminated stuff getting into the detection zone in LMC-7 and 8. The detection zone should not have anything in it at all, it should be clean. The stuff in it now is contaminated, it's leachate. The next step is it going into the ground. They are not closing stuff up. She read the report, all the ins and outs of that landfill are known by this man. He knows where 7 and 8 are, he knows where 1 and 2 are, he knows where the cells are, he knows what's under that new SE Realignment. She is not giving up on this, and she's asking you, give him leeway, tell him what you want and she is sure that Mr. Taylor will be happy to follow direction, but don't take him away from that landfill because you're going to pay \$20,000 more for somebody else to come in and learn all about that landfill. If you go upstairs in this building you'll find a whole room of plans from that landfill that these people are going to have to review at how many dollars an hour.

Mr. Banonis said here's a concern he has with Kristen's proposal. She's suggesting that the Township incur fees, that Mr. Taylor will incur fees and bill it back to the Township for him to learn this. We are paying for somebody to have expertise specific to a landfill, and Mr. Taylor doesn't have the answers to that, others may. A fairer proposal is to do an RFP to ask for others in this field who have this expertise to see what they would provide. He's not suggesting Mr. Taylor be replaced by any means as he does have a long tenure here with the Township and he does have an experience that has value to it, but at the same time, we shouldn't be paying for someone to go out to answer a question that's a pretty straight forward question, how does this landfill relate to other landfills in terms to overweight trucks and there are other straight forward questions he may not have the answers to by his own admission, he doesn't have a lot of experience handling landfills. Maybe there are other people that have that experience within his company and they could certainly be available to us but maybe others outside of his organization may have a better skill set that may be a better value to us. He can't answer that question right now. Her concerns are very valid, but he thinks we owe it to the taxpayers to explore those options to see what is out there and what are the best services we can provide with the tax dollars that we have.

Mr. Carocci said in the meantime, Mr. Taylor would continue to do everything, all the great work she says he's doing and would continue during this proposal process and nothing would be decided and it very well could be we want to add someone in addition to him that has some expertise on things. Let's study the process and get some proposals.

Mrs. Louder said she's making sure this landfill stays status quo and we get the reports we need. Mr. Carocci said he doesn't hope it stays status quo, he hopes it gets better. He hopes the truck traffic is less. He hopes there is no problem with gas and ballooning, he hopes it gets better.

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Mrs. Louder said Monday morning there were 12 tractor trailers, a convoy, you know that's illegal. They were sitting on Shimersville Road causing a congestion problem.

Mr. Banonis said were the police called. Mrs. Louder said they were not as multiple times she did call and it's Bethlehem City. They personally don't give a rat's ass. How many accidents have been on Applebutter Road with these trucks? Mrs. Yerger said that's out of our jurisdiction. Mr. Taylor said the landfill has a traffic management plan they are supposed to follow and part of that is they are to make sure trucks aren't arriving early, staging, etc. Mr. Carocci said that's something you would look at in your monthly reports. Mr. Taylor said he'll bring it up tomorrow at the inspection and tell them we have problems with the trucks staging on Applebutter Road. Mrs. Louder said they are not allowed in the landfill before 7:00 a.m. Mr. Carocci said is that anywhere in this report. That's important information to have in a monthly report and to compare it month over month. Mrs. Louder said that's why you can't take him away; she needs to get this relayed to him. Mr. Carocci said no one is taking him away; he's going to continue in the foreseeable future.

MOTION BY: Mr. Banonis moved to direct the Township Manager to request proposals for other engineers to serve as the consulting Township Engineer for the landfill and a scope services similar to what Mr. Taylor is currently providing so we can find the best applicable.

SECOND BY: Mr. Banonis

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

B. BT STONEWOOD LONG RIDGE MANAGEMENT LLC – ZONING HEARING BOARD VARIANCE REQUEST TO RECONFIGURE LOTS IN THE LONG RIDGE SUBDIVIION – BERGSTRESSER ROAD

Mrs. Yerger said BT Stonewood Long Ridge Management LLC is seeking several variances to reconfigure the previously approved Long Ridge subdivision. Currently the lots are condominiums. They are proposing to create 24 individual lots where 25 lots had been originally approved. Mr. David Touring from Wilkinson & Associates, Jason Ulrich on behalf of BT Stonewood, and Mark Taylor, VP of Operations BT Stonewood, was present.

Mr. Ulrich had copies of the application. They are here on behalf of a parcel located along the side of Bergstresser Drive in Lower Saucon and it's approximately 50.82 acres. This was at one point a condominium parcel. We are in the process of converting it into a non-condo. While they were doing the redevelopment and reengineering of the parcel, they noticed there were a few deficiencies with respect to certain prior existing parcels. They are here today to ask for a variance or to request non-conforming uses and they are asking pursuant to Chapter 180 of the zoning code Section 22 for a lot reduction on the width request for the 200 feet down to 150 feet on Lot 6, 7 and 23 on the parcels as well as a reduction of 160 feet on Lot 19, and 176 feet on Lot 8. Your Zoning Officer helpfully pointed out there is also Lots 19, 22, and 23 which have some rear setback issues. One of them is literally .4 feet but they did want to bring that into compliance and get your permission. It's his understanding that the original plan had 25 lots, the proposed plan only has 24 lots. This would be a lower burden on the usage, but beyond that, they are happy to answer any questions.

Attorney Treadwell said this proposal is currently a condominium right now. Mr. Ulrich said correct. Attorney Treadwell said this is from 2009, there were seven houses built. He asked if they had discussions with the people already living there about their proposals. Mr. Ulrich said they have and they actually had the vote and it was approved. Attorney Treadwell said your concept is to take it from a condominium development, which was somewhat problematic as evidenced by the fact that there are only seven houses there, and then flip it to a fee-simple. As part of that process, you are going to go from 25 to 24 lots and also as part of that process it necessitates some zoning relief.

Mr. Ulrich said that's a very fair summary. The plan proposed new lots are the shaded lots, so you can see where the slight differences are. The lots that are in white and not blacked out, those are

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the ones that have already been constructed. The gray boxes on the back of the lots are the properties that have not been constructed.

Mr. Banonis said you mentioned a condominium, under the original condominium agreement, were the roads dedicated to the Township or were they part of the condominium. Mr. Ulrich said they are a part of the condominium and that is something they have to address.

Mr. Banonis said when it turns to fee-simple roads, are you going to dedicate those to the Township. Mr. Ulrich said they would like to do an HOA. He cannot promise that because they haven't done it, but the intent is to do an HOA. Mr. Banonis said it's not related to what you are doing here. Mr. Ulrich said correct, it's a completely valid question. They've already been in the planning stages but they have not approached the owners with that yet. They don't want to lie to them.

Mr. Taylor said there's a condominium association that's hardly functioning and he had a meeting with the homeowners before and the goal is to create an HOA that is functioning and does what it's supposed to do which it isn't doing now. Mr. Ulrich said the addition of the lots and being able to construct those by adding new parcel owners and be able to fund that HOA, that is the intent. They are seeking your approval to take this to the ZHB and with your permission, ask for the relief they requested.

Attorney Treadwell said Council has three options, you can take no action, you can make a motion to support the application or you could oppose it. Generally, in the past Council has taken no action unless there's a specific reason you want to weigh in on this. Mr. Banonis would like to make a motion to support the application and the reason he does that is to allow the further redevelopment of the lots because right now it looks like the development is stagnant. Without having this relief it looks like it may stay that way and you may remain tied up in your condominiums. He would make a motion to support it on those grounds.

Mr. Taylor said the issue isn't from their perspective, they can't sell the lots as they currently are, but the homeowners who are living there now, no one wants to buy a condo. This was a 2008 special and it's not marketable today in the current state. The homeowners, who want out, can't even get out because it's unclear what you are actually buying. Mr. Banonis said you said all the neighboring property owners are in support of this. Mr. Taylor said we believe so.

MOTION BY: Mr. Banonis moved to support the application to allow further development of the lots.

Mr. Carocci said it still has to go to Zoning and it will come back to us. Mrs. Yerger said yes, it does, we're just making this recommendation to the ZHB.

SECOND BY: Mr. Carocci

Mr. James Ware, 2730 Imperial Crest, said he lives at the back right house. There are currently five houses there and one is inhabitant which makes it six total. They have been working with the developer to try to get this complex completed, just as long as the developer understands that we are not going to take on the burden of taking care of these roads. The original condo which is defunct has not been taken care of. If you look at the cul-de-sac, there are 10,000 gallon underground tanks there with water. He doesn't think the fire companies looked at them in 10 years. He was one that purchased after the houses went defunct, but he thinks from a Township perspective you need to look at this development to find out what was originally supposed to be taken care of and it's not being taken care of now. He doesn't know if there were any bonds set aside to take care of it. As an owner, you have to take care of them so they are not left with the burden of taking care of the roads. Mr. Carocci said he'd rather not have the Township responsible for the roads.

Mrs. Yerger said she's thinking more in the line of tanks and things like that. She doesn't know who is going to be responsible for what there. Mr. Ware said understand, they do agree with what they are doing. We absolutely know we need to do this. Mr. Taylor said there should be some

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form of development agreements that we should be able to review that should have what is dedicated and what should be dedicated. Attorney Treadwell said the roads were never dedicated. They were intended to be dedicated, so that's an issue that somehow needs to get...Mr. Taylor said that would be either part of the HOA or something like that which they will have to address. That will be in land development, not necessarily before Council.

Mrs. Yerger said is there any issue with them going for the variance. Attorney Treadwell said there's no issue going to the ZHB, but there's a question there seems to be a disagreement on as to whether the roads will be public or not. When this project was approved, they were not public roads, and not build to public road standards. Mr. Taylor said there will probably have to be upgrades to them. They are not trying to jam this down anyone's throat, this is step one. Mrs. Yerger said just so everybody is clear, these things will be decided as we move along. Mr. Taylor said they are happy to address them.

Mrs. Stauffer said do the folk with the seven homes that live there now, are there any fees they pay? If there was an HOA established, you would be responsible for a new expense. Mr. Ware said there have been no fees. The only thing the developer applied is to take care of the roads, that are there, they have not taken care of any of the cul-de-sacs, and the snow. Mr. Banonis said you said you paid no fees whatsoever. Mr. Ware said correct. There have been no fees paid. Mr. Taylor said they have come up with their own schedule to mow the common areas, which is pretty admirable of them and pretty unfair that they have to do that in the first place. Mr. Ware said for the last five years, they've been cutting the grass. Mr. Taylor said they attempted to solve this problem years ago, but there was a hold-out landowner, and they have purchased those lots, so now they have the number of votes they needed to actually vote as a condominium association and begin the process of making fee-simple lots. Mrs. Stauffer asked would you be against an HOA to pay for the maintenance of the roads. Mr. Ware said not at all, the expectation was when they moved in that it would be an HOA.

MOTION BY: Mr. Banonis moved to support the applicant's request for a dimensional variance for minimum front lot line with 200' to 150' on proposed those Lots 6, 7, 23; 160' on Lot 19; and 176' on Lot 8 and dimensional variance for minimum rear yard setback from 50' to less than 50' on Lots 19, 20 and 22.

SECOND BY: Mr. Carocci

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

C. RESOLUTION #35-2020 – PCCD GRANT APPLICATION 2019/2020 JAG FUNDING

Mrs. Yerger said Staff is requesting approval of Resolution #36-2020 to permit the application for grant funding for the purchase of radios for Lower Saucon Township and Hellertown Borough's Police Departments.

Mrs. Gorman said these are for the broadband radios for the Police Departments, and there is a quote provided. We need to get an updated quote with the numbers on the resolution for Hellertown's portion of it. There's no match required, and it's a Federal grant. We tried to apply for both the amplifier system and the radios last year under the Safe School grant, this time we are taking a different approach and trying to separate the two costs under two different sources of Federal funding. We're under a time constraint, the radio application is due by the end of this month. If you are supportive of this, we'll end up getting the revised quote put in the narrative, and put all the documents together, submit it to the Federal Government and reach out to our State representatives so they can advocate on our behalf. Mr. Banonis said, he's not in any way against this, but applying for this grant will it affect our eligibility for any other grants. In other words, are we foreclosing the ability to apply for other grants because are seeking this one. Mrs. Gorman said she doesn't believe so.

MOTION BY: Mr. Banonis moved for approval of Resolution #35-2020 – PCCD grant application 2019/2020 JAG funding.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

D. **RESOLUTION #37-2020 – 2020 DEPARTMENT OF JUSTICE COPS STOP SCHOOL VIOLENCE GRANT**

Mrs. Yerger said this resolution is to improve emergency personnel communication in the school district buildings, the Police Department is recommending an amplifier to be installed at the buildings of the school district. The amplifier will provide better communication in the buildings in the event of an intruder or emergency event in the building. The quote provided was used in last year's application, which was not awarded. We are including a "not to exceed" amount as we will be receiving a revised quote from TuWay that will provide for more updated technology. Mrs. Huhn said there is a total amount we are applying for the grant, 75% is paid for by the Department of Justice and our match would be 25%.

Mr. Carocci said what is the school district putting in? Mrs. Gorman said we haven't approached them yet because obviously, we wanted to bring this to your attention first. This is equipment that is strictly going to be used by our Police Departments and not necessarily the school district. Chief Barndt can discuss a little bit more on how it works.

Chief Barndt said the school was aware of it and they tried in the past for a grant and got turned down. The importance of this amplifier or repeater system is we have poor communications inside of the school because the building is made of steel studs, similar to what this building is, which makes poor communications to transmit out to the County in the event of an emergency. This would be a repeater that it would take if you keyed this radio, it would go to that repeater and go back out to our mobile car and be sent to the County with a stronger signal and it would also help the fire departments as well. The school is aware, they actually used this same proposal with TuWay Communication to get their grant. We are trying everything we can.

Mr. Banonis asked if there was a maintenance and inspection and certification requirements for this on an annual basis or some other basis to make sure it's working properly, and if so, is that something we would have to fit the bill for or is it something the school district would.

Chief Barndt said there would be no cost unless something would fail, so whatever that cost would come from, it would have to be discussed with the school district. No testing on a regular basis, but we could test it ourselves to see if it works. We currently have repeaters in all of our cars; however, depending on where they are parking and how far you get inside of the building, they don't work. They were a thing of the past and this is new and improved technology, that's why we are waiting to get a new quote.

Mrs. Yerger said since this is a joint school district, is Hellertown going to be putting anything in or not or is it strictly our Police Dept. Chief Barndt said that's a good question. The repeater would benefit any of our Police Department or Hellertown Police Department and the fire departments as we use all the same style radios, just a different frequency. He doesn't know if Hellertown applied and he hasn't asked. In all honesty, we are the primary responders there and he worries more about our guys as it would be a huge benefit to them.

Mr. Banonis said he's not opposed to it, is there a time constraint on this application. Mrs. Gorman said this is due towards the end of May, so we do have time to reach out to Hellertown and the SVSD. Mr. Banonis said that's what his proposal is. He's going to make a proposal we table this for the moment until we get to Council reports as there's something he wants to talk about and this would fold into it nicely. This will be tabled until the end of the meeting.

E. **RESOLUTION #37-2020 – PCCD GRANT APPROVAL FOR THE PURCHASE OF POLICE BODY CAMERAS**

Mrs. Yerger said during the review of the Police Department, the use of body cameras for the police officers was discussed. Funding was applied for by the Pennsylvania Police Chief's Association and announcements were made in January of 2020. The purchase of body cameras were previously presented to Council in the 2019 Capital Plan and itemized in the 2021 Budget for

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Capital Purchases for the Police Department. In the 2020 Capital Budget, there is \$45,000.00 for police equipment purchases, which was earmarked for a new records management system. We are requesting Council to substitute this year's funding and utilize it for the cameras and next year consider the records management system. By using this grant now, we will save \$22,000.00.

Mrs. Huhn said the resolution would support this and we've also included a Capital Improvement Plan for the last five years which shows that in 2020 we were looking at the Records Management System and in 2021 the body cameras. They are both estimated at \$45,000 so we are just asking Council to switch that.

Mr. Banonis said we on Council several weeks ago received an email from Officer Hantz in opposition to this. He's not here today, but what he'd like to put on the record and for discussion, about two weeks ago there was an article in the Morning Call about this very issue. There was litigation in Lehigh County before Lehigh County Court Judge of Common Pleas Maria Dantos and she had offered some very critical and scathing comments of the Police with regard to police cameras and he'll just read some. It says "for not the first time in recent history, I became ashamed. I was embarrassed and I was ashamed of the officers and their conduct and their words and actions and I was ashamed of the office I spent 17 years in that they would bring this prosecution. You chose to instead put on display police officers, calling people P blank and B blank and threatening to shoot a dog for your line of disgusting blue officers who turned their backs and said they saw nothing. Your purged yourselves, you escalated a situation without cause, cops smirking on the stand at this jury, laughing at the defense attorney, high fiving in the hallway after testimony as if there was something anything to be proud of here. You officer LeBron shoved Mr. Perez because you were mad; and then you got up on the stand and told that jury that you were just trying to make some space. That is not what happened; nine officers, most of the night shift, pulling cars from other areas of the city because you lost it. That's what happened; you lost it over nothing because someone was talking to you in a manner you didn't like. No crime, you serve them. I want the Commonwealth to display this conduct and the world to see, it's shameful. I would really like to ignite this community to law enforcement and citizens but the blame for this lays with you and for you to fix".

Mr. Banonis said this is the kind of litigation and exposure that we would be facing I think if we didn't have body cameras, so he thinks it makes sense for us to explore this obviously, with the right controls in place under the oversight of the Chief, but for this very reason, that he thinks it's important to have this sort of monitoring, and this is not exactly big brother looking over the Police Officers, this is really to help the Police Officers in the performance of their duties on behalf of the citizens of this Township. There are a lot of bad operators out there that may make accusations that are untruthful towards our Police Officers who are out there doing good for the community and this could be a tool that can be used to vindicate them and to protect the residents of the Township. He would support it for that reason.

Chief Barndt said very well said and he can tell you that a neighboring department there was a lot of apprehension on body cameras in their department and when they got them, over a period of two years, the citizen complaints that came in were clear on the officer's behalf because of the human body cameras, so it goes exactly to what you said; and just to clarify what Mr. Banonis was reading did happen in Lehigh County.

Mr. Carocci said our Acting Chief Scruggs when Mr. Lesser left, he remembers speaking to him about body cameras and he had said there was a study a couple of years ago where he said it basically shows about 94% of the time that it exonerates the officer. The officer was following proper procedure and it exonerates the officer in complaints. It was 94% back then and that was his feeling. Mr. Carocci said he agrees.

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MOTION BY: Mr. Carocci moved for approval of Resolution #37-2020 to apply for the grant.

SECOND BY: Mr. Banonis

Stephanie Brown, former LST resident, asked what happens to the video footage, how is it not tampered with. Mr. Banonis said what's before us is not the policies and procedures for protocol on how the video is going to be utilized. What is before us is whether or not we're going to seek a grant to hopefully fund the cameras.

Chief Barndt said that is correct, but he can answer that very briefly. It would either be stored on an internal secured server, just for body camera footage or in the cloud. They are leaning toward an internal server just based on recommendations from our IT people. As far as keeping it stored, there are actually Federal guidelines that you have to follow and the policy for retention of it and you would have to follow the DOJ guidelines.

Bryan Evans, Susan Lane, said he's a Township resident that has the unique perspective to work with our Officers in very trying situations from time to time and he has never encountered one situation where any of our officers in LST did not respond and hold themselves to the highest accord and being that he is able to see them in situations that a lot of people are not, he'd like to take any opportunity to be able to recognize them for their professionalism and commitment to their duty every day. Mr. Carocci said thank you, he thinks this will protect them. He wants to protect our officers with this.

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

F. LAWN MOWING SERVICES BID FOR 2020

Mrs. Huhn said a bid opening for lawn mowing services for 2020 was held on February 14, 2020 at 11:00 a.m., we had two bidders who submitted for the lawn mowing contract. Four Seasons Lawn Care was the low bidder at \$48,955; PermaCore from Coplay came in at \$59,951.54. We are recommending to go with the low bidder at this time.

Mr. Banonis asked if we had experience with Four Seasons and have we used them before. Mrs. Huhn said we have; quite frankly, we have had some minor concerns and issues with them, which we will be addressing with them. When we enter into the contract with them, we will be clear on what we expect from them.

MOTION BY: Mrs. Yerger moved for approval of Four Seasons Lawn Care at a price of \$48,955 for the lawn mowing services for 2020.

SECOND BY: Mr. Carocci

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

E. SAUCON VALLEY COMPOST CENTER – AUTHORIZE FINAL PAYMENT FOR POLE BUILDING INSTALLATION AND ENTER PROJECT INTO MAINTENANCE PERIOD

Mrs. Yerger said last year, Council awarded Dutchman Contracting LLC a contract in the amount of \$57,921.00 for the Saucon Valley Compost Center – Pole Building Installation, with the inclusion of an additional sliding door on the North short wall for \$2,475.00. Hellertown Borough Council will also be approving the release since this is a joint project for the Saucon Valley Compost Center.

Mrs. Huhn said Hellertown Borough did approve their release on their side. They are requesting the final payment of \$60,396. The work has been completed and inspected and we are recommending the project can now enter into the 12-month maintenance period with Council approval once we have received the maintenance bond. The maintenance period would expire May 4, 2021.

MOTION BY: Mrs. Yerger moved for approval of the release of final payment of \$60,396 when the 12 month maintenance bond is received from Dutchman Contracting LLC and this would enter them into the 12-month maintenance period, which would expire May 4, 2021.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

F. DISCUSSION OF FILLING OPEN COUNCIL LIAISON POSITIONS

Mrs. Yerger said at the January 6, 2020 Reorganization meeting, Council decided not to fill all the various liaison positions until there was a full complement of Council members. These are being discussed this evening. She said there is an opening on Parks and Rec., Lutz-Franklin Schoolhouse, SV Compost Center, Hellertown Area Library Board.

Mrs. Huhn said Council usually volunteers for these liaison positions at our Reorganization Meeting in January, but since at that time we had not had a full complement of Council, and Kristen is now with us, we said we would bring it back. We held off some of the appointments to see if she would be interested in any of these. All Council members are alternates for the Partnership meetings. Currently, Mr. Banonis and Mrs. deLeon are the primaries, and then all the other members would be the alternates, but the others openings are alternates and the actual liaison.

MOTION BY: Mr. Banonis moved to table this agenda item for 30 days.

SECOND BY: Mr. Carocci

Mrs. Stauffer asked why are we tabling this? Mr. Carocci said there's a court case that's pending. Mrs. Stauffer said there's a court order and a court order stands regardless of any motions or appeals until the court says so. If it would be useful, she'd like to be of service to attend any of these meetings. Mr. Banonis said his reading of the orders, none of them direct Council to undertake any tasks and filling any liaison vacancies and he would stand by his motion. Mrs. Stauffer said you are denying her the opportunity to serve. Mr. Banonis said he's not denying her anything; he made a motion and can't make a determination right now.

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

G. AUTHORIZE COLLECTION OF 2019 DELINQUENT TAXES

Mrs. Yerger said Council is requested to direct the Township Manager to authorize the Finance Department to forward the 2019 Delinquent Tax list to Northampton County for collection.

MOTION BY: Mr. Carocci moved to direct the Manager to authorize the Finance Department to forward the 2019 Delinquent Tax list to Northampton County for collection.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF FEBRUARY 5, 2020 MINUTES & FEBRUARY 28, 2020 COUNCIL MINUTES

Mrs. Yerger said the February 5, 2020 and February 28, 2020 Council minutes are ready for Council's review and approval.

MOTION BY: Mr. Banonis moved for approval of the February 5, 2020 minutes.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

MOTION BY: Mrs. Yerger moved for approval of the February 28, 2020 minutes.

SECOND BY: Mr. Banonis

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

B. APPROVAL OF JANUARY 2020 FINANCIAL STATEMENTS

Mrs. Yerger said the January 2020 Financial Statements are ready for Council's review and approval. Mrs. Gorman said she did provide a supplemental report that did itemize each expense and the comparison to budget as opposed to the summary. Typically we give Council the summary on a monthly basis and the detailed ones, and the CAFR, which she will present to Council at the next meeting in March; the semi-annual report in June; and then a preliminary report when we go into budget discussions in October. She is questioning whether or not you want the full document, which is the larger 26 pages or would you still want to keep it the same way. Mr. Banonis and Mrs. Yerger said they are fine with having it the same way.

MOTION BY: Mrs. Yerger moved for approval of the January 2020 financial statements.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mrs. Donna Louder said a lot of the Committees have a resident liaison and she would be interested in being a resident liaison for the Fire Services Committee. If there would be personnell or private information they needed, they can do an Executive Session meeting prior to her being in on it, is that something that the Council and/or the fire companies would be open to. Mrs. Yerger said most of the ones she's liaison to are non-profits like the Watershed groups, so she doesn't know. Mr. Carocci asked Attorney Treadwell what's the thought for example, with the Fire Services, being open to the public. Last time we met, the public didn't attend. Attorney Treadwell said they are not advertised, but they are open. Mrs. Huhn said we've never advertised them. She asked years ago when they were created, were they open to the public? Attorney Treadwell said how about the Fire Services Committee have that discussion at their next meeting as to whether it should or shouldn't be open and how they would feel about a resident liaison attending. Mrs. Yerger said she's willing to do that. Mrs. Louder said if there's any private information, that's fine, they can go in the back room and talk. Mr. Carocci said he thinks the public should attend. Mr. Banonis said also ask them about publishing their meetings so people know when they are meeting. Mrs. Yerger said she agrees.
- Stephanie Brown said she'd like to get clarification for procedure for this whole three minute rule thing because when she came to the Special Meeting Friday night, she was kept to three minutes while other people were getting way over three minutes. Her understanding on how that works if there's a three minute rule, someone else has to yield their time if someone wants to continue speaking. That was not procedure. She wants to remind you several years ago, Mr. Weidner was kept from speaking in Hellertown and he successfully sued for going against his constitutional rights and she's very, very upset to know that there are certain Council members who feel the right to tell her she doesn't have the right to ask questions or speak, and she's very upset with that. This is supposed to be open. This is supposed to be not in violation of the Sunshine Laws, this is supposed to be a discussion for any interested party as residents, non-residents, it doesn't matter who it is. There are two members of Council who keep trying to take that away. You can't sit here and tell her when she has more to say that she gets only three minutes. That's not right or fair. Since she's disabled, she has trouble speaking and she's not going to keep being denied her rights as she is disabled and she can consider filing a Title II against the Township.

VII. COUNCIL & STAFF REPORTS

A. MANAGER

- Mrs. Huhn said at Monday night's Park & Recreation meeting, there was a recreation fee allocation discussed and the motion was that the rec fee, which is from Aria Energy Corporation in the amount of \$6,620 be deposited in the Steel City Park account. When we get recreation fees involved with subdivisions or projects, we take it to the P&R and ask them for the recommendation as to which park it should go towards.

MOTION BY: Mrs. Yerger moved for approval that the Aria Energy recreation fee of \$6,620 be allocated to Steel City Park.

SECOND BY: Mrs. Stauffer

Mrs. Louder said thank you to the P&R Board for giving it to Steel City. Second, the landfill, it's mandatory that they do that by state law because it's a harms and benefits, and that's part of their permit, so it's not out of the kindness of their heart. Attorney Treadwell said it's a Rec Fee that's from our subdivision ordinance. Mrs. Louder said thank you, scratch that.

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

B. COUNCIL/JR. COUNCIL

- Jr. Council – Absent
- Mrs. Yerger – No report
- Mrs. deLeon – Absent
- Mrs. Stauffer

- She said our Jr. Council member isn't here but the SVHS Theatre program is putting on a presentation of Hello Dolly and opening night is this week. She's looking forward to attending, and it would be great to support the Theatre program at school.

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Mr. Carocci – No report

Mr. Banonis

- He noted that there was a response to Mr. Jauregui's petition for reconsideration and in that response in footnote 3, paragraph 8, there's a representation by Ms. Hogan that he expressed some disagreement with Judge Augello coming from Luzerne County and that he had offered a preference of Mr. Jauregui or Donna Louder over Kristen Stauffer, in fact, if you look in the minutes of February 28th which were just approved, he expressed no opinion whatsoever about Judge Augello. He expressed concern about the validity of the appointment and the potential ramifications to the Township and its risk and exposure. He was simply citing the credentials that were submitted by the applicants with their petitions and each of them set forth those credentials as they saw fit. Perhaps it's a slip by Ms. Hogan about her concerns of the Judge or her client, he can't speak to that, but what he would like to do is make a motion to attach the minutes from the February 28, 2020 Council meeting and direct the Solicitor to include those in a letter brief to the Judge to correct this and also direct the Judge specifically to pages 10 through 14 of the minutes that set forth the history that include Mrs. deLeon's counter statement to what he had offered. He thinks it's very important for the Judge to understand what the history was particularly in light of the misrepresentations that were made in that response.

MOTION BY: Mr. Banonis moved to direct the Solicitor as stated above.

SECOND BY: Mr. Carocci

Attorney Treadwell said he filed the Township's brief this afternoon so he will certainly attempt to supplement it by adding the minutes to the record. He doesn't know if that will be successful or not, but he will attempt to do that if that's what Council votes. Mrs. Stauffer read a statement: "There's a Court Order saying she's a member of Council. A request such as the motion stating the Township had filed for the Court, does not mean the Court has changed its decision. It hasn't and unless the Court does we should proceed as things are, she's a sworn in member of Council with the authority to and an obligation to act under PA law or any law anywhere. Unless vacated upon reconsideration or appeal, an Order of Court is valid and effective. Tom, Jason and Linc as lawyers, you know this is true. I regret that I allowed you to intimidate me at Friday's meeting and personally and professionally attack me, my family and others. We no longer need to discuss anything about my appointment unless we are in or at Court. You should make no further statements about my appointment or come at me to attack me again and I don't intend to answer any more questions on the matter. Instead let's focus on doing our jobs like we did tonight at this meeting as Council members".

ROLL CALL: 3-1 (Mrs. Stauffer – No; Mrs. deLeon – Absent)

Mr. Banonis said along the lines of the matter we were talking about, he just wanted to inform the public just like he had done at the meeting of February 28th that it is his understanding that Judge Augello from Luzerne County Court of Common Pleas, a graduate of the University of Scranton, he's also a Temple Law graduate, he was a registered Democrat, he spent 15 years as a District Justice in Luzerne County and then in 1990, he got his own appointment to the Luzerne County Court of Common Pleas, by then Democratic Governor Casey. He's putting it out there and for information, so the public is aware of the Judge who has been involved in this proceeding. Mrs. Stauffer said why does that matter? Mr. Carocci said it's public information, he wasn't aware of that, so thank you for making him aware of that.

- Mr. Banonis said on another note, he participated in the Parks & Recreation Committee meeting on Monday and they had discussion on two topics, one was the construction of a snack stand at Polk Valley Park and second was with regard to a Little Free Library at Southeastern Park. That's still going forward and there were some plans that were submitted about the structure and it being made out of actual stone and the weight and if that presents a tip-over hazard so that's going to be reviewed and re-engineered and submitted to Parks & Rec at a subsequent meeting for approval. There are also discussions on a similar Little Free Library at the Steel City Park and that will be addressed later.

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- Mr. Banonis said in regard to the snack stand, there has been a development and that is the landfill. You may recall we had some discussions during one of our meetings in January where it was identified that the landfill has a historic barn on the property of which there are very few that are in existence. The landfill is interested in donating that barn to the Township for the Township's use elsewhere. They are also potentially interested in paying for the relocation of the barn, which is really a concern that we would have. He thinks this barn, potentially if we could relocate it to the Polk Valley Park, would address our concerns and interests in having a snack stand there and would provide preservation of a historic structure; and in addition to it being utilized as a snack stand at Polk Valley, potentially it could be used similarly to our pavilion program where it could be rented by residents for parties or however they see fit within the confines of what we allow. With all that said, he would make a motion to direct the Township Manager to get proposals for the survey, disassembly and reassembly of this structure to see what the cost is going to be and then when we get the cost, to identify whether or not there may be any public grants available to preserve this historic building and for using it for recreational purposes. Once we identify that, go back to the landfill and see if they would foot the balance for what would be owed so we can potentially preserve this structure at no cost to the Township. The other thing he would ask is the Township Manager talk with Public Works to see if they could take care of any site work that may be needed to allow this to be reconstructed and to minimize the potential cost of doing so. Mrs. Huhn said sure.

MOTION BY: Mr. Banonis moved to direct the Township Manager to get proposals for the survey, disassembly and cost regarding the historic barn that the landfill wants to donate as stated above.

SECOND BY: Mr. Carocci

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- He said he's sure the public is aware and the Council is aware there are a lot of discussions about citizens or parents seeking a School Resource Officer (SRO) at the Saucon Valley School District for various reasons and it's his understanding that SVSD is the only school district in the Lehigh Valley that does not have an SRO. It's also his understanding through a Freedom Act information request that in the past year, and those who may not be aware of it, the school district is located in the Township and the LST Police are the ones who generally respond to concerns and needs at the school. In the past year, there were 182 school days and over 170 police calls. The idea of having an SRO is not just to prevent a catastrophe like the Columbine shooting or something like that, it's also to provide resources to the students at the school to provide a deterrent effect and to provide counseling and to be able to intervene on a quicker basis when there are situations that arise. He would suggest we create a task force since it's our PD who are heavily tasked with the burden of responding here and in addition to that, we do have an officer who spends some time on a monthly basis with the 5th graders through the DARE program. He would suggest we create a task force of LST officials to meet with the School District to find out what their level of interest is in pursuing the SRO and to address these various concerns and he would propose the members of that task force be himself as he has school-age children, Mr. Carocci since he has school-age children and the Chief since he oversees the department, the Township Manager and also the Solicitor.

MOTION BY: Mr. Banonis moved to create a task force of LST officials, the Police Chief, Mr. Carocci, the Township Manager, the Township Solicitor and himself in pursuing an SRO as stated above.

SECOND BY: Mr. Carocci

ROLL CALL:

Mrs. Yerger said what about someone from the School District? Mr. Banonis said this would just be our task force from the Township to meet with the School, so we would request a meeting if we can establish this task force, then his next motion is going to be to have the Township Manager request a meeting with the School District where our task force can sit down and have a candid and productive discussion about this. One of his concerns is that the school district is made up of students from LST and Hellertown

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Borough and he's not suggesting the Township foot the bill for an SRO, his suggestion is we have a dialogue with the School District to find out whether the School District is interested and willing to pay for that. He thinks it's a more urgent issue because of budgeting that's coming up. If this is something we could implement, it would be nice to pursue it now and budgeted by the School District as we go through their budget to hopefully fill this position and have it in place for the 2020-2021 school year. Mrs. Yerger said would you consider talking to Hellertown. Mr. Banonis said absolutely. Mrs. Yerger said it's a joint school district so they should have some say in it also. Mr. Banonis said he would encourage Hellertown to participate in this as they see fit. We can't force them or the School District to do this, but he thinks since he's on the Saucon Valley Partnership, this is something that he'd like to bring to their attention that we would like to have a task force assembled. There are representatives from the School District and Hellertown Borough who are participants in this meeting, so he'd like to get some traction to advance this or find out where everyone stands on it. It's not a political issue, it's an issue about public safety and an issue about providing resources that is going to protect the children in the school in various ways. We as a Township, considering our resources, are being devoted very heavily to responding to concerns at the school district. We have an interest in this and should form a task force to investigate and pursue a dialogue and see what can be done. Mrs. Yerger said the only thing going through her head is she has no problem with the task force, it's a good idea and something that needs to be explored, but she's thinking perhaps we need someone who is not on Council or directly related to the diocese up here. Jason and Tom have kids in the school district and know what's going on there, that's fine, the Solicitor is always needed, and she was wondering if maybe a resident or citizen that's not on Council that has children in the district might be considered. Mr. Bryan Evans said as a parent, taxpayer, citizen, emergency responder including the Township designated EMC, he would be happy to participate in that process if it would interest the members of Council. Mr. Banonis said he would amend his motion to include Mr. Evans. Mr. Evans said he applauds the Council for taking a proactive approach. There's a lot of information out there like the Coronavirus, and not a lot of it is true. He thinks the SRO discussions are no different, there's a big focus on it only being for that various small percent of the "what if" scenario. There is so much more to an SRO and with the way things are in our society, the importance of it is really being undervalued and a proactive approach open-dialogue is a very important way to go.

MOTION BY: Mr. Banonis moved to amend his previous motion and include Mr. Bryan Evans in the task force.

SECOND BY: Mr. Carocci amended his second

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- He asked if there was an update on the Meadows Road Bridge. Mrs. Huhn said she checked and did not hear anything back from the State; the Director of Public Works from Northampton County responded and said there was nothing new from the last time. She'll keep up on it. PennDOT is who we really need to get an answer from.
- Mrs. Huhn asked if they wanted to revisit the resolution in agenda item V.D. or do you just want to table that now. Mr. Banonis said yes, this was revisiting Resolution #36-2020 and this was for the School Violence Prevention Program. He thinks if we can formulate this task force and have a meeting with the SVSD in the next 30 days, he'd like to bring among the topics of the task force, this resolution with us and address it with the SVSD at this point.

MOTION BY: Mr. Banonis moved that we table the Resolution #36-2020 for 30 days pending a meeting with the School District through our task force.

SECOND BY: Mrs. Yerger

Mr. Bryan Evans, Susan Lane, said his only concern is with the number of people involved, who knows when this meeting could take place, is there a SVP meeting taking place in the near future that this could be discussed at. Mrs. Huhn said next week. Mr. Banonis said he'll bring this to their attention and that's a good point.

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ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Attorney Treadwell said is he correct that there's direction to the Manager that she get in touch with Hellertown Borough and the SVSD to try and set up the task force meeting.

C. SOLICITOR

➤ Attorney Treadwell said he'd like to have an Executive Session when we are done to talk about two potential property acquisitions under the Open Space Program.

D. PLANNER – Absent

E. ENGINEER – No report

Attorney Treadwell said we will recess for Executive Session; the time was 9:38 p.m. Council reconvened, the time was 9:53 p.m. Attorney Treadwell said we just had an Executive Session to discuss the potential acquisition of property for the open space program and we do not need any action at this point.

VIII. ADJOURNMENT

MOTION BY: Mr. Carocci moved for adjournment. The time was 9:53 p.m.

SECOND BY: Mr. Banonis

ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President