

**I. OPENING**

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

**II. PRESENTATIONS/HEARINGS**

**III. DEVELOPER ITEMS**

**IV. TOWNSHIP BUSINESS ITEMS**

- A. Wildlands Conservancy - Stream Restoration Proposal for Dam Removal at Water Street & Draft Resolution
- B. Approval to Send Letters to IESI Regarding Hiring of a Compliance Manager & DEP Regarding IESI's Performance Issues
- C. Authorize Disposal of Nortel Phone System through Municibid
- D. Award of Lawn Mowing Services for 2016
- E. Resolution #41-2016 – Amending Resolutions #02-2016, #03-2016, #04-2016 and #29-2016
- F. Authorize Professional Services & Indemnification Agreements for Township Consultants
- G. Local Government Week – April 11 – 15, 2016
- H. Draft Fire Companies Reimbursement Ordinance
- I. Signage at Route 412 North and Shimersville Road

**V. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of February 17, 2016 Council Minutes
- B. Approval of February 2016 Financial Reports

**VI. PUBLIC COMMENT ON NON-AGENDA ITEMS**

**VII. COUNCIL & STAFF REPORTS**

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

**VIII. ADJOURNMENT**

Next Zoning Hearing Board Meeting: March 21, 2016  
Next Planning Commission Meeting: March 24, 2016  
Next Saucon Rail Trail Oversight Commission Meeting: March 28, 2016 @ CB  
Next Park & Rec Meeting: April 4, 2016  
Next Council Meeting: April 6, 2016  
Next EAC Meeting: April 12, 2016  
Next Saucon Valley Partnership: May 11, 2016 @ SVSD

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday March 16, 2016 at 7:07 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

**ROLL CALL:** Present: Ron Horiszny, President; Priscilla deLeon, Donna Louder and Glenn Kern, Council members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Junior Council Rachel Panek. Absent: Sandra Yerger, Vice President; Brien Kocher, Engineer; Mike Bueke, Planner.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

Mr. Horiszny said Council did meet in Executive Session since the last meeting and discussed land acquisition. Attorney Treadwell said they also discussed the Special Exception litigation with the landfill.

Mr. Horiszny said the EAC has conducted an open space study on a property No. 2016-1.

**MOTION BY:** Mrs. deLeon moved for approval for conserving the property at 2540 Martins Lane and send them a letter of acceptance.

**SECOND BY:** Mr. Horiszny

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

Mr. Horiszny said the EAC has evaluated a property on Kally Ridge Road and recommended not to purchase it.

**MOTION BY:** Mrs. Louder moved to have the Manager write to the property owners on Kally Ridge Road telling them we are not interested in purchasing the property.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

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

**II. PRESENTATIONS/HEARINGS** – None

**III. DEVELOPER ITEMS** – None

**IV. TOWNSHIP BUSINESS ITEMS**

**A. WILDLANDS CONSERVANCY – STREAM RESTORATION PROPOSAL FOR DAM REMOVAL AT WATER STREET & DRAFT RESOLUTION**

Kristi Fach from Wildlands Conservancy was present. She reviewed PowerPoint presentation and discussed the project with Council about stream restoration through dam removal at Water Street Park. Ms. Fach said the problems it causes are i.e., flooding, public safety. She said they have approval from PHMC and have gone through all the conservation agencies for their approval.

Ms. Fach said typically they would apply for grant funding and oversee the project, but the landowner would be with them along the way. There wouldn't be any financial obligation to the Township. Mrs. deLeon said where did the dam come from and how long has it been there? Ms. Fach said it was built to provide water to the mill race.

Mrs. deLeon said she'd like to hear from the fisherman. Ms. Nancy Topping said she's here representing her husband who is President of the Delaware River Fisherman's Shad Association. The fishermen are all in favor of eliminating dams in PA. Mr. John Berry was present and said they worked closely with the City of Bethlehem to remove the dam in Saucon Park and the result was it aerated the water and they were able to reduce the flooding. The fishermen endorse the project for dam removal.

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**MOTION BY:** Mr. Horiszny moved for support of Resolution #40-2016 for the stream restoration project and dam removal at Water Street area by Wildlands Conservancy.

**SECOND BY:** Mrs. deLeon  
Mr. Kern asked about the effect downstream when the dam is removed. Ms. Fach said a lot of research has been done to show flooding won't increase downstream.

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**B. APPROVAL TO SEND LETTERS TO IESI REGARDING HIRING OF A COMPLIANCE MANAGER & DEP REGARDING IESI'S PERFORMANCE ISSUES**

Mr. Horiszny said two letters have been prepared for review by Council. He thinks the letters are too long. Mrs. deLeon said she doesn't think you can shorten without the concerns identified properly. Mr. Horiszny said we should just let DEP and IESI know our concerns without naming names. He went over the letter to Progressive Waste and explained what he would want eliminated and why. Mrs. deLeon and Mrs. Louder said they have no problems with the letter. They are trying to make a point that IESI is in need of a Compliance Manager and they are just stating the facts. Mr. Kern agreed with Mr. Horiszny.

Mr. Horiszny said regarding the DEP letter, he'd remove some of the sentences and discuss revised letters at the next meeting. Mrs. deLeon said we can't keep putting this off. Mrs. Louder referenced the PPC plan regarding the chain of command and emergencies. The situation in February escalated and no one was notified until someone dialed 911 and the Officer waited to get a call back. The letter states what happened and it was proven to DEP it's an issue.

**MOTION BY:** Mrs. Louder moved that the letters to Progressive Waste and DEP get sent as stated.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 2-2 (Mr. Horiszny & Mr. Kern – No; Mrs. Yerger – Absent) Motion failed.

Mrs. deLeon asked what Mr. Horiszny and Mr. Kern suggest to do with these letters? Mr. Horiszny said adjust them as discussed and see if we can pass them with a full Council. Mrs. deLeon said you aren't on the Landfill Committee and are making these suggestions. Mr. Horiszny said the Council runs it, not the Landfill Committee. Mrs. Louder said an expert wrote the letter stating the facts. Mr. Horiszny said the letter should state facts and not accuse Mr. Schleyer.

**C. AUTHORIZE DISPOSAL OF NORTEL PHONE SYSTEM THROUGH MUNICIBID**

Mrs. Huhn said we have used MuniBid in the past.

**MOTION BY:** Mrs. Louder moved for approval to dispose of the old Nortel phone system through MuniBid.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**D. AWARD OF LAWN MOWING SERVICES FOR 2016**

Mrs. Huhn said the bid opening for lawn mowing services was held on Tuesday, March 8<sup>th</sup>. We received five bids and the low bidder is Genos Greens in the amount of \$44,710.00. This is the same company we've had for the last two years.

**MOTION BY:** Mr. Horiszny moved for approval of Genos Greens in the amount of \$44,710.00 for the period April 2016 to December 2016 for lawn mowing services.

**SECOND BY:** Mrs. Louder

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**E. RESOLUTION #41-2016 – AMENDING RESOLUTIONS #02-2016, #03-2016, #04-2016 AND #29-2016**

Mrs. Huhn said these are to change the word "Acting" from Mrs. Huhn's title to Township Manager. They will attach this resolution to each of those resolutions for reference.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #41-2016.

**SECOND BY:** Mr. Kern

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**F. AUTHORIZE PROFESSIONAL SERVICES & INDEMNIFICATION AGREEMENTS FOR TOWNSHIP CONSULTANTS**

Attorney Treadwell said he uses these agreements in the other municipalities he represents and these would be for himself, Hanover Engineering and Boucher & James. They basically say, in the event any applicant has a dispute about one of the invoices that gets billed to them through the Township escrow accounts, those problems are the consultants and are not the Townships.

**MOTION BY:** Mr. Horiszny moved for approval of the Professional Services and Indemnification agreements prepared for our Township consultants.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

**G. LOCAL GOVERNMENT WEEK – APRIL 11 – 15, 2016**

Mrs. Huhn said Council asked Staff to look into options to promote Local Government Week. She spoke with the Director of Public Works who offered to display eight pieces of our equipment. He said he could have them out on Monday, Wednesday and Thursday of that week from 7 a.m. to 3 p.m. with the understanding if they had to use them, they wouldn't be on display. They will provide information on the equipment as to the year, cost, statistics, purpose of it and the use. He also offered to keep the trucks out from 3 p.m. to 6 p.m. on that Wednesday. Council liked the idea of what was proposed.

**H. DRAFT FIRE COMPANIES REIMBURSEMENT ORDINANCE**

Mr. Horiszny said we have sample ordinances from other communities. Mrs. Huhn said this was discussed at the Fire Services meeting. The purpose allows the fire companies to bill insurance companies. Attorney Treadwell wanted to know what types of incidents would be covered. He doesn't know if there's a State statute that allows the Township to do this. We need some type of State legislation to authorize us to do this type of an ordinance and he doesn't know that it exists. He would like to see what the State proposes to adopt and whether that states Townships are allowed to do this. Mr. Horiszny said let's look into Attorney Treadwell's questions.

Mrs. Louder asked what happens when an insurance company refuses to pay. Who will be responsible for that fee? Attorney Treadwell said in most of these examples it's not necessarily the Township's obligation to send the bill or collect the bill. It would be an ordinance saying we authorize you to do that, and he doesn't know what kind of authority we have to do that.

**I. SIGNAGE AT ROUTE 412 NORTH AND SHIMERSVILLE ROAD**

Mrs. deLeon said she has heard complaints about driving on Route 412 approaching Shimersville Road and ending up in the wrong lane. She contacted Ron Young about this and he said the signage was appropriate. Mrs. Louder noted they need let the people know they can swing around and get back on Route 412. She was hoping to get Council's support to send a letter saying we'd like this re-evaluated. Attorney Treadwell said we will ask Hanover if they are aware of a different type of PennDOT approved sign to put there, but not to spend a lot of time on it.

**IV. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF FEBRUARY 17, 2016 COUNCIL MINUTES**

**MOTION BY:** Mr. Horiszny moved for approval of the February 17, 2016 Council minutes, with correction.

**SECOND BY:** Mr. Kern

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

**B. APPROVAL OF FEBRUARY 2016 FINANCIAL REPORTS**

Mrs. Louder questioned the entry for Boot Camp and the "reissue of payroll check for \$1,100.00". Mrs. Huhn said she will look into it and she stated the Boot Camp was for four people to attend.

**MOTION BY:** Mrs. deLeon moved for approval of the February 2016 financial reports.

**SECOND BY:** Mrs. Louder

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

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**V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

- Mr. Gene Boyer said regarding the turn sign on Route 412, there is still construction there and it is somewhat dangerous. When they get done, there will be two lanes going into Bethlehem.
- Mr. Gene Boyer said Mr. Horiszny made a comment that we'd hear more about the threat of litigation that was discussed in Executive Session. Attorney Treadwell said it is technically litigation. We're a party to an application and there's potential what happens in the ZHB may result in litigation.
- Mr. Gene Boyer asked Council who wrote the letters regarding IESI? Mr. Horiszny said Chris Taylor, the Host Municipal Inspector. Mr. Boyer asked why Mr. Horiszny and Mr. Kern wanted to be so gentle about what was in the letters. Mr. Horiszny said he didn't think the letters were very professional and they don't have to listen what a consultant says. We aren't sending the best letters in the Township's interest. Mr. Kern said he doesn't agree with the content of the letter.

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- Mrs. Huhn provided Council with an update of the Meadows Road Bridge. Mrs. deLeon said at the last SVP meeting, she was pleased to find out the bridge was on the rehabilitation list.
- Mrs. Huhn gave an update on the Narrows on Riverside Drive regarding the eight locations to be completed. Ron Young informed her they expect this to be done by the end of Spring.
- Mrs. Huhn gave an update on LVIP VII. She said the study from Barry Isett was forwarded to LVPC and PennDOT for consideration. Hanover Engineering will be addressing a response to the Barry Isett study.
- Mrs. Huhn said a letter prepared by Hanover regarding roadway improvements on Easton Road is being sent to our residents as Hanover being the engineer to the developer. This will notify our residents that driveway permitting will be done at no cost to them.
- Mrs. Huhn said Brien Kocher and Bob Grim along with Mrs. Louder and Mr. Horiszny the Director of Public Works were present at a meeting with about ten residents of Black River Road last night in which they reviewed the plans and how it will affect the residents. The project is moving forward. Mrs. Louder said the residents were very grateful.
- Mrs. Huhn said there is a request from Hellertown/LS Veterans Memorial Association. They are proposing a new addition to the Memorial Wall at Union Cemetery in Hellertown and are seeking donations to honor the Veterans.

**MOTION BY:** Mrs. Louder moved for approval of a donation to the Veterans Memorial Wall in Hellertown.  
**SECOND BY:** Mrs. deLeon

**MOTION BY:** Mrs. Louder amended her motion and moved for approval of a \$1,000.00 donation to the Veterans Memorial Wall in Hellertown.

**SECOND BY:** Mrs. deLeon amended her second

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

- Mrs. Huhn said the PA State Fire Academy is offering a course on flammable liquids response on railroads at no cost. The class is being held Friday, April 22 and Saturday, April 23<sup>rd</sup>. Four of the PW fire employees are requesting to be released with pay to attend the Friday class. Mrs. Louder said we need to put this out to our Steel City firefighters and asked this information be sent to all Fire Chiefs. Mrs. deLeon said she doesn't have a problem with our employees fighting fires on Township time, but as for going to seminars, they should go on a Saturday.

**MOTION BY:** Mrs. deLeon moved that our employees who are fire fighters not attend training during work hours, and if they wish to do that, they have to take their own personal time.

**SECOND BY:** Mrs. Louder

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

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- Mrs. Huhn said the existing pavilion at Steel City Park is slated to be removed and replaced. The Steel City Fire Company has indicated they would like to repurpose the pavilion to replace a deteriorating shed on the fire company grounds. The Director of PW is fine with this. The other fire companies stated they have no need for the pavilion. Council had no problem with this.

**B. COUNCIL/JR. COUNCIL**

**Rachel Panek, Jr. Council** – Nothing to report.

**Mr. Kern** – No report

**Mrs. Yerger** – Absent

**Mrs. deLeon**

- She said a resident asked why wasn't there an option for LST taxes to have two payment plans. She asked Mrs. Huhn to look into this.
- She said regarding PennEast, the response from the Manager to a recent request about the right-of-way testing was excellent. She'd wanted to know if there was a way the residents could know if they were getting contacted by PennEast for the right-of-way issues. Attorney Treadwell said he'll think about it and respond.
- She attended a Budget Committee and Pension meeting.
- They raised over \$3,000 at the HALO event to give to the SV Foundation.
- She said Al Schleyer didn't provide us with information at the last Landfill Cte. meeting.
- She said she attended the recent Boot Camp and the instructor went over her topic of the minutes and said minimally you have to follow the law and have motions and a little information. She will continue to vote no as they are inadequate even though they meet the law. He said if there was an issue, you'd better have enough information in the minutes to pursue a case in court.

**Mrs. Louder**

- She said she'd like Saucon Avenue in Steel City be a one-way street by a request of a resident who was almost killed there. She'd like to have records pulled on accident incidents at this intersection and see where it goes from there. Mrs. Huhn said we would need to conduct a traffic study as it's a public road.

**MOTION BY:** Mrs. Louder moved for approval to have the PW do a traffic study and pull all public records for the intersection of Saucon Avenue and Riverside Drive.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

- She said there was a tractor trailer going into Riverside Drive. She'd like the City of Bethlehem to put the word "Industrial" on the end of their Riverside Drive

**MOTION BY:** Mrs. deLeon moved for approval to have Mrs. Huhn contact the City of Bethlehem asking them to change the name of their Riverside Drive to Riverside Drive Industrial to avoid the confusion.

**SECOND BY:** Mrs. Louder

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

- Mrs. Louder asked Maryann Garber if there were any updates on the Compliance Manager at the landfill. Attorney Garber had no update.

**Mr. Horiszny**

- He said he attended the Black River Road and Authority meeting. The Authority is entering a "letter of taking" on an easement needed for a meter pit and there will be another one later on.
- He received a note about a fence at Southeastern Park that was put up by us at one time and it's beginning to fall down. He'll email it to everyone.

**C. SOLICITOR** – No report

**D. PLANNER** – Absent

**E. ENGINEER** – Absent

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**VIII. ADJOURNMENT**

**MOTION BY:** Mrs. Louder moved for adjournment. The time was 8:57 p.m.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Mrs. Yerger – Absent)

Submitted by:

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Leslie Huhn  
Township Manager

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Ron Horiszny  
Council President