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- 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. Zoning Hearing Board Variance – Regina Du & Kun Lam – 1953 Leithsville Road – Variance from Impervious Cover and Lot Width Relief
    - B. Council Direction for Voting Delegate Regarding PSATS Proposed Resolutions
    - C. Request to PA DEP for Ambient Air Sampling Due to Identification of Offsite Landfill Gases
    - D. Adoption of Township Policy on Notification of Vested Pension Benefits
    - E. Proposed Eagle Scout Project at Heller Homestead
    - F. Waiver of Township Fees at IESI Landfill for Great PA Cleanup Event
    - G. Contribution to David W. Lang Memorial Scholarship Fund
    - H. Resolution #65-2015 – Establishing Future Use of Woodland Hills Golf Course Property
    - I. Sale of Used Public Works Vehicles - Authorize Bid Advertisement
  
  - V. MISCELLANEOUS BUSINESS ITEMS**
    - A. Approval of March 18, 2015 Minutes
  
  - VI. PUBLIC COMMENT ON NON-AGENDA ITEMS**
  
  - VII. COUNCIL & STAFF REPORTS**
    - A. Township Manager
    - B. Council/Jr. Council
    - C. Solicitor
    - D. Engineer
    - E. Planner
  
  - VIII. ADJOURNMENT**

Next Park & Rec Meeting: April 13, 2015  
Next EAC Meeting: April 14, 2015  
Next Council Meeting: April 15, 2015  
Next Zoning Hearing Board Meeting: April 20, 2015  
Next Planning Commission Meeting: April 23, 2015  
Next Saucon Rail Trail Oversight Commission Meeting: April 27, 2015 @ HB  
Next Saucon Valley Partnership: May 13, 2015 @ SVSD

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, April 1, 2015 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

**ROLL CALL:** Present: Ron Horiszny, President; Tom Maxfield, Vice President; Priscilla deLeon and Dave Willard, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Matt Smith, Jr. Council Member. Not present: Glenn Kern, Council Member; Judy Stern-Goldstein, Township Planner; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer.

**PLEDGE OF ALLEGIANCE**

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

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

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

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

**II. PRESENTATIONS/HEARINGS – None**

**III. DEVELOPER ITEMS – None**

**IV. TOWNSHIP BUSINESS ITEMS**

**A. ZONING HEARING BOARD VARIANCE – REGINA DU & KUN LAM – 1953 LEITHSVILLE ROAD – VARIANCE FROM IMPERVIOUS COVER AND LOT WIDTH RELIEF**

Erich Schock was present representing the applicants. He said this is a 12-acre lot that was based upon the site calculations and theoretically could have been three lots. Their proposal was to do a two lot subdivision. There's a barn from the 1800's and it creates a large amount of the impervious and they would like to keep the barn. They will go back to the ZHB and ask them to tweak the lot lines a little bit for the purpose they indicated and to allow them to widen it. The purpose last time was to say we just want two lots and keep the historic barn.

Mr. Maxfield said it was recommended by Council and was conditioned upon the agreement and execution of the applicant's only having two units. Mr. Schock said when we first came in, we said we could do three, but we are continuing to do two lots.

**MOTION BY:** Mr. Maxfield moved to support this application with two lots and two dwellings with the changed dimensions.

**SECOND BY:** Mr. Willard

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**B. COUNCIL DIRECTION FOR VOTING DELEGATE REGARDING PSATS PROPOSED RESOLUTIONS (7:09 pm)**

There was a synopsis received of all the proposed resolutions coming up at PSATS this month. Mr. Willard said he's attended PSATS twice and there are resolutions presented by a committee and introduced by various Counties and Townships. He didn't find anything controversial in what is proposed and probably following the recommendations from PSATS would be the most sensible as these resolutions have already been reviewed. Mr. Maxfield saw a few things that we have elected not to use, but the freedom to use them is there, and he has no problem with any of them. Mrs. deLeon said she doesn't know if she'll be able to go to the PSATS conference as the voting

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delegate. Mr. Horiszny said he had two resolutions he disagreed with on the list, 15-17 he would support the litter tax; and 15-25 he would oppose not allowing a tax on municipalities that don't have a police force and utilize our tax money to support police forces.

**MOTION BY:** Mr. Horiszny moved that if we have a voting delegate at the PSATS Conference, or find we can vote in abstention, that we support No. 15-17 and oppose No. 15-25, which is opposite of the recommendation of PSATS.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**C. REQUEST TO PA DEP FOR AMBIENT AIR SAMPLING DUE TO IDENTIFICATION OF OFFSITE LANDFILL GASES (7:16 pm)**

Jim Birdsall was present to discuss. At the September 17, 2014 meeting Council directed the Manager to forward a letter to PA DEP requesting they undertake a program of ambient air quality sampling and testing and they have not responded.

Mr. Birdsall has contacted DEP to see if there will be a response to this letter and has not received any to date. He spoke to Mr. Andrew Schweitzer from the District Office who said he passed the request on to the regional office and the staff had not responded. Mr. Birdsall called again today about the odor and he hasn't received a response. Mr. Birdsall said maybe the next step would be contacting a superior. Mr. Maxfield said a copy should go to the landfill and Mr. Schweitzer. Mr. Cahalan said he had a request to copy Senator Boscola and Rep. Freeman.

Mrs. deLeon referred to several articles on hydrogen sulfide. She read a few articles she found about landfills where residents were complaining of the same odors as the Steel City residents smell. She found articles on air monitors that measure levels of gas. Mr. Birdsall said hydrogen sulfide is part of the landfill gas that can escape. Mr. Horiszny said hydrogen sulfide has not been mentioned by DEP, as it's a distinctive odor. Mrs. deLeon said she asked DEP what was in the gas. Every landfill that has landfill gas has a percentage of these because of whatever is in the garbage. She asked that Council ask DEP what they can do to help us identify these odors.

**MOTION BY:** Mr. Willard moved to send DEP an urgent letter with a response by April 14<sup>th</sup> to give us some answers and let them know we have residents complaining and looking for answers.

**SECOND BY:** Mrs. deLeon

Cindy Bruneo said she called about the odors and was told to call the DEP Waste Management Supervisor. She spoke to Dean Fisher and he's not doing anything to help. Mr. Maxfield asked to add on the motion to send a copy to the Regional Supervisor, Mr. Schweitzer; District Supervisor; Sen. Boscola and Rep. Freeman.

**MOTION BY:** Mr. Willard amended his previous motion adding that when sending the letter to DEP, to copy the Regional Supervisor, Mr. Schweitzer; District Supervisor; IESI; Sen. Boscola and Rep. Freeman.

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

Mr. Maxfield said he's been hearing a lot about the shale monitoring up north and they seem to have a sniffer monitor, which could be placed close to the source which could possibly be done for hydrogen sulfide. Could we look into something directed to the more immediate area and possibly identify some of these compounds. Mr. Birdsall said we certainly can and we can go to the reports that DEP and IESI issue where they take ratings of the gas on the surface of the ground. They do have hits of exceedances. Mrs. deLeon asked Mr. Birdsall to contact the appropriate consultants and get back to us by the next meeting. She said the DEP representatives for air and waste, were out and did respond as there had to be over 15 complaints, but by the time they got there it was gone. Steel City has a lot of septic systems, and sometimes it might be a sewage odor, but it's not coming from the sewage treatment plant. Mr. Birdsall said there's enforcement action that can be taken by EPA. Mr. Cahalan said there is DEP ambient air monitoring equipment in Freemansburg. Mr. Cahalan said he found the information on the DEP website. It looks like there are ambient air

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sites throughout the state and some manual collection of the samples. Maybe this could be useful for Steel City.

Ms. Gloria McVeigh questioned DEP about some sort of monitoring system that would pick up odors. She said an Environmental Engineer she knows gave her some information on monitoring equipment and suggested that IESI buy this monitoring equipment and put it in Steel City.

Ms. Patricia Hulsizer said she called the DEP six times in March and called Dean Fisher and got no return calls. Mr. John Hulsizer said we wouldn't be having this issue as the dump was supposed to have been closed by now.

Ms. Donna Louder said in November and December 2014 there was an air quality inspection and odors were detected offsite of the landfill and there were no violations. If DEP is not issuing any violations, can the Township do anything about this?

Mrs. deLeon said Rep. Simmons and Senator Boscola sent a representative to the LMIP meeting. She would like to ask the administration to look into the existing regs. She thinks we need to go back to the original application and see how they addressed it and how they were going to abide by our regulations.

Mr. Matt McClarin said the first time he smelled an odor was in 2012. Before that he never had a problem with the landfill or smelled it. Something changed from that point on. He hopes you continue to fight for what's right.

Gene Boyer, Saucon Avenue questioned why someone hasn't pursued putting a machine out there? We're just waiting for DEP to come out. Mr. Horiszny said we didn't know about the system before. Mr. Cahalan said in October 2012, Council requested DEP come and discuss these issues. In June 2014, the DEP representatives came here for a meeting.

Mrs. deLeon asked if she had to make a motion to have Mr. Cahalan look into the ZHB thing or will he do that? Mr. Cahalan said he'll get back to Council on that. Mrs. deLeon said as part of the motion, we're going to ask IESI to identify where Hurricane Sandy deposits were placed and what cells on the landfill.

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**MOTION BY:** Mrs. deLeon moved to ask the Landfill Consultants to ask IESI to identify the placement of Hurricane Sandy waste, which cells, and show us a map showing where the cells are; ask the Landfill Committee to look into the monitors and detectors; ask about the ambient air monitoring in Freemansburg whether it exists or not; and have the Technical Committee look through the records of the surface monitoring to see if any H<sub>2</sub>S is even identified or monitored and to report back at the next Council meeting.

**SECOND BY:** Mr. Willard

Ms. Donna Louder asked if there was any way we could check into BRE and how they are affecting the odors. BRE needs to be incorporated into this entire thing. Mr. Cahalan said we discussed that BRE sends reports to DEP and we said we could ask if DEP would share copies with us. We have not received any copies. Mrs. deLeon asked the staff to look into this. Mr. Birdsall said his understanding is BRE has a Title V permit and they have to meet certain thresholds.

Mr. David Shosh said he called Sam Donato and talked about the one smell. Mr. Donato did mention that BRE went off-line.

Mr. Willard said he's concerned about the comments that the Council is not taking appropriate action. He'd like to ask Jack, Linc, Jim and Chris to advise us if there's anything we should be

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doing as a Council that we haven't done and let us know at the next meeting. He's talking about the big code book that could be applied and have it brought to his attention.

Mrs. deLeon said we talked about asking the PD as they are passing Applebutter Road if they smell an odor to report it to Guy Lesser. Has that been done? Mr. Cahalan said the Chief is away and he's working on a response. Mrs. deLeon said she'd like if he could provide that to the Landfill Committee.

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**D. ADOPTION OF TOWNSHIP POLICY ON NOTIFICATION OF VESTED PENSION BENEFITS (8:17 pm)**

Mr. Cahalan said we have three former employees who have vested non-uniform pension benefits. This policy would require us to send an annual notice to them about the vested benefits. This was prepared by the Pension Advisory Committee and they are recommending Council adopt it.

**MOTION BY:** Mrs. deLeon moved for approval of the adoption of the Township policy on notification of vested pension benefits.

**SECOND BY:** Mr. Horiszny

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**E. PROPOSED EAGLE SCOUT PROJECT AT HELLER HOMESTEAD (8:18 pm)**

Mr. Cahalan said we have several troop members present. They approached us with a possible project at the Heller Homestead. Roger Jurczak recommended the project to provide additional space on the property intended to be used for an expansion of the event space.

Justin Morgandale from Troop 319 was present and he explained the project to Council which he was hoping to get done by May 30<sup>th</sup>. Mr. Maxfield said he's curious about the 1% grade and only sensitive to it because of the problems we have with other places where the ground topography is changed and water problems result from that. He wouldn't change the grade too much.

Mrs. deLeon said there was an email from Chris Garges reviewing the plan. Mr. Cahalan said Justin had provided a drawing. There was a discussion on using stone on the surface and the plan was revised accordingly. The only problem is the time constraint, Public Works is 100% tapped out on projects from now until it snows again. This project is a four-day job for four Public Works men and we can't guarantee we can do this by May 30<sup>th</sup>.

There was discussion on the trees that needed to be taken down. John Hulsizer said he will donate his services and take the trees down and grind the stumps.

**MOTION BY:** Mr. Maxfield moved for approval of support of the Eagle Scout project at the Heller Homestead with the conditions as discussed.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**F. WAIVER OF TOWNSHIP FEES AT IESI LANDFILL FOR GREAT PA CLEANUP EVENT (8:40 pm)**

Mr. Cahalan said we've been doing this every year and the event runs from April 1<sup>st</sup> to May 4<sup>th</sup>.

**MOTION BY:** Mrs. deLeon moved for approval of the waiver of Township fees at the IESI Landfill for the Great PA Cleanup event with the groups that are registered.

**SECOND BY:** Mr. Willard

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

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**G. CONTRIBUTION TO DAVID W. LANG MEMORIAL SCHOLARSHIP FUND (8:41 pm)**

Mr. Cahalan said this is a contribution that Council has been budgeting annually for \$125.00. The funds go to the Hellertown-Lower Saucon Little League and a scholarship fund to benefit future athletes at Saucon Valley High School.

**MOTION BY:** Mr. Horiszny moved for approval of the contribution of \$125.00 to the David W. Lang Memorial Scholarship Fund.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**H. RESOLUTION #65-2015 – ESTABLISHING FUTURE USE OF WOODLAND HILLS GOLF COURSE PROPERTY (8:43 pm)**

Mr. Cahalan read the resolution. They are going to the County for an exemption of taxes so they felt it would be good to let the County know the intended use of the property.

**MOTION BY:** Mr. Maxfield moved for approval of Resolution #65-2015 establishing the future use of Woodland Hills Golf Course property now known as Woodland Hills Preserve.

**SECOND BY:** Mr. Willard

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**I. SALE OF USED PUBLIC WORKS VEHICLES – AUTHORIZE BID ADVERTISEMENT (8:46 pm)**

Mr. Cahalan said we are asking for approval to advertise for the sale of three dump trucks. We would advertise on the Township website and also through PSATS.

**MOTION BY:** Mr. Horiszny moved for approval to advertise the bid advertisement for the sale of three Public Works vehicles.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF MARCH 18, 2015 COUNCIL MINUTES (8:47 pm)**

Mr. Horiszny said the minutes of the March 18, 2015 Council meeting are ready for Council's review and approval. He had some corrections that were made.

**MOTION BY:** Mr. Horiszny moved for approval of the March 18, 2015 minutes, with corrections.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 3-1 (Not Present – Mr. Kern; No – Mrs. deLeon)

**VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:48 pm) – None**

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER – No report**

**B. ASSISTANT TOWNSHIP MANAGER**

Ms. Leslie Huhn said staff has determined a need for a disposition of permanent records and we will be scheduling a shredding company to come in to do this. We would like to open this event up to the residents to allow them to dispose of sensitive material. The quote from the shredding company was \$700.00 and no fee would be charged to residents taking advantage of this. We have contacted Rep. Simmons and Freeman to see if they would donate to the cost, but have not heard back from them yet. We'd like Council's approval and will come back at the next Council meeting with a resolution of the documents that will be shredded. Mrs. deLeon thinks it's a good idea. This is tentatively scheduled for Saturday, May 9<sup>th</sup>.

**MOTION BY:** Mr. Maxfield moved for approval of the use of the shredding company at a cost of \$700.00 and to open it up to the public.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

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**C. COUNCIL/JR. COUNCIL  
Matt Smith, Jr. Council**

- He said he talked to the Guidance Counselor about the scholarship fund from the Chamber and it was distributed to all seniors. He's continuing to go on the announcements at the school and offer anyone the position of a Jr. Council member.

**Mr. Maxfield**

- He said about a year ago, PennDOT fixed the sinkhole at Easton Road and Countryside Lane. It has continued to sink and it's pretty dangerous. He would like to ask Council to authorize staff to send a letter to PennDOT asking for this to be repaired and repaired properly this time.

**MOTION BY:** Mr. Maxfield moved for approval to have the staff send a letter to PennDOT asking for the sinkhole at Easton Road and Countryside Lane be repaired.

**SECOND BY:** Mr. Horiszny

**ROLL CALL:** 4-0 (Not Present – Mr. Kern)

**Mrs. deLeon**

- She attended the March 26<sup>th</sup> Chamber banquet. She updated Council on upcoming events including History Day, Saucon Valley Conservancy and Chamber events. She was in touch with SV School District regarding their student artistry exhibit. Because of the requirement of insurance, the school district said it's not a school event and cannot provide insurance for the students so that's cancelled.
- She said the DEP sent a letter saying they did a completeness review of IESI Southeastern realignment and she'd like it posted on the website.
- PennEast distributed a new map, which should be posted on the website.
- She sent a Right to Know request for disks of the landfill's submittal of the Southeast Realignment. She's like Staff to ask the landfill to provide us with disks that are able to be copied.

**Mr. Kern** – Not present

**Mr. Willard**

- He referenced two articles from the Bethlehem Press regarding the PennEast pipeline and what other municipalities are doing. Council had discussion on the pipeline.

**Mr. Horiszny**

- He said when Mr. Cahalan meets with Linc and Chris regarding the landfill odors, please investigate the possible use of their dirt on their land for cover. Mrs. deLeon said that requires a host agreement amendment. He asked for it to be placed on a future agenda. Mrs. deLeon said she hopes the staff is prepared that night by looking into this information.

**D. SOLICITOR** – Not present

**E. PLANNER** – Not present

**F. ENGINEER** – Not present

**VIII. ADJOURNMENT**

**MOTION BY:** Mr. Willard moved for adjournment. The time was 9:10 pm.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 4-0 (Not Present –Mr. Kern)

Submitted by:

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Jack Cahalan  
Township Manager

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Ron Horiszny  
Council President