

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Resolution #40-2019 – Recognizing the Saucon Valley Wrestling Team for their 2018-2019 Achievements
- B. Resolution #41-2019 – Celebrating the 50th Anniversary of the Hellertown Post Office
- C. Hellertown-Lower Saucon Chamber Awards Presented as follows:
 - 1. Resolution #42-2019 – Recognizing David Spirk – Good Samaritan Award
 - 2. Resolution #43-2019 – Recognizing Saucon Valley Bikes – Small Business Leadership Award
 - 3. Resolution #44-2019 – Recognizing Lost Tavern Brewery – Community Lifestyle Award
 - 4. Resolution #45-2019 – Recognizing Hellertown Library – Champion Non-Profit Award
 - 5. Resolution #46-2019 – Recognizing Mobile Technology Graphics – Community Service Award

III. DEVELOPER ITEMS

- A. Creekside Marketplace – 1880 Leithsville Road – Land Development Waiver for ATM

IV. TOWNSHIP BUSINESS ITEMS

- A. Saucon Valley Multi-Municipal Comprehensive Plan – Discussion on 10-Year Update
- B. Authorize Advertisement for Alternate Polk Valley Dog Park Fencing
- C. Review of Fireworks Ordinance – Ordinance No. 2019-02 – Authorize Advertisement for a Public Hearing and Consideration of Adoption
- D. Review of E-Bikes Ordinance – Ordinance No. 2019-03 – Authorize Advertisement for a Public Hearing and Consideration of Adoption
- E. Resolution #47-2019 – DCED Greenways, Trails & Recreation Program Grant Application
- F. Resolution #48-2019 – DCED Watershed Restoration and Protection Program Grant Application
- G. Resolution #49-2019 – Authorizing a Budget Adjustment Transfer of Funds

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of March 20, 2019 Council Minutes

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

UPCOMING MEETINGS

Environmental Advisory Council: April 9, 2019
Saucon Valley Partnership: April 10, 2019 @ SVSD
Zoning Hearing Board: April 15, 2019
Township Council: April 17, 2019
Saucon Rail Trail Oversight Commission: April 22, 2019 @ HB
Planning Commission: April 25, 2019
Parks & Recreation: May 6, 2019

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, April 3, 2019 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Priscilla deLeon, presiding.

ROLL CALL: Present: Priscilla deLeon, President; Ryan Stauffer, Vice President; George Gress, Donna Louder, Sandra Yerger, Council Members; Leslie Huhn, Township Manager; Thomas Barndt, Chief of Police; Linc Treadwell, Township Solicitor; Mike Beuke, Township Planner and Brien Kocher, Township Engineer. **Absent:** Matthew Wagner, Jr. Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. deLeon said Council did meet in Executive Session prior to tonight's meeting to discuss the non-uniform contract.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. deLeon 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.

II. PRESENTATIONS/HEARINGS

A. RESOLUTION #40-2019 – RECOGNIZING THE SAUCON VALLEY WRESTLING TEAM FOR THEIR 2018-2019 ACHIEVEMENTS

Mrs. deLeon read Resolution #40-2019 recognizing the Saucon Valley High School Wrestling team for their 2018-2019 achievements. Members of the wrestling team were present.

MOTION BY: Mrs. deLeon moved for approval of Resolution #40-2019 recognizing the Saucon Valley Wrestling team for their 2018-2019 achievements.

SECOND BY: Mrs. Yerger

Coach Chad Shirk said he'd like to thank everyone for taking the time to honor the kids. They are blessed living in a community like this. He lives in the Saucon Valley School District and there's a lot of pride and they just can't thank everyone in the community enough for supporting the kids and supporting our student athletes. Mrs. deLeon said we have to keep the kids busy.

ROLL CALL: 5-0

B. RESOLUTION #41-2019 – CELEBRATING THE 50TH ANNIVERSARY OF THE HELLERTOWN POST OFFICE

Mrs. deLeon read Resolution #41-2019 and said this has been prepared celebrating the 50th anniversary of the Hellertown Post Office and recognizing its service to the community.

MOTION BY: Mrs. deLeon moved for approval of Resolution #41-2019 celebrating the 50th anniversary of the Hellertown Post Office.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

C. HELLERTOWN-LOWER SAUCON CHAMBER AWARDS

1. RESOLUTION #42-2019 – RECOGNIZING DAVID SPIRK – GOOD SAMARITAN AWARD

Mrs. deLeon read the Resolution #42-2019 and said this has been prepared recognizing David Spirk for receiving the Good Samaritan Award, which will be presented to him at the Hellertown-Lower Saucon Chamber Awards dinner on April 11, 2019.

MOTION BY: Mrs. deLeon moved for approval of Resolution #42-2019 recognizing David Spirk for the Good Samaritan award.

SECOND BY: Mr. Stauffer

David Spirk said he is President of the Wrestling Club so it's a really good night for him; he's really proud of the team. He is very appreciative for this award. It's humbling to get an award like this. He'd like to thank everyone. Mrs. deLeon said what you are showing

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to the wrestling team is a role model and how to give back to the community. That's the example Mr. Spirk is trying to teach you, listen to him, be good and it will pay off.

ROLL CALL: 5-0

2. RESOLUTION #43-2019 – RECOGNIZING SAUCON VALLEY BIKES – SMALL BUSINESS LEADERSHIP AWARD

Mrs. deLeon read the Resolution #43-2019 and said this has been prepared recognizing Saucon Valley Bikes for receiving the Small Business Leadership Award, which will be presented to them at the Hellertown-Lower Saucon Chamber Awards dinner on April 11, 2019.

MOTION BY: Mrs. Louder moved for approval of Resolution #43-2019 recognizing Saucon Valley Bikes for the Small Business Leadership Award.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

3. RESOLUTION #44-2019 – RECOGNIZING LOST TAVERN BREWERY – COMMUNITY LIFESTYLE AWARD

Mrs. deLeon read Resolution #44-2019 and said this has been prepared recognizing Lost Tavern Brewery for receiving the Community Lifestyle Award, which will be presented to them at the Hellertown-Lower Saucon Chamber Awards dinner on April 11, 2019.

MOTION BY: Mr. Gress moved for approval of Resolution #44-2019 recognizing Lost Tavern Brewery for the Community Lifestyle Award.

SECOND BY: Mr. Stauffer

ROLL CALL: 5-0

4. RESOLUTION #45-2019 – RECOGNIZING THE HELLERTOWN LIBRARY – CHAMPION NON-PROFIT AWARD

Mrs. deLeon read Resolution #45-2019 and said this has been prepared recognizing the Hellertown Library for receiving the Champion Non-Profit Award, which will be presented to them at the Hellertown-Lower Saucon Chamber Awards dinner on April 11, 2019.

MOTION BY: Mrs. Yerger moved for approval of Resolution #45-2019 recognizing the Hellertown Library for the Champion Non-Profit Award.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

5. RESOLUTION #46-2019 – RECOGNIZING MOBILE TECHNOLOGY GRAPHICS – COMMUNITY SERVICE AWARD

Mrs. deLeon read Resolution #46-2019 and said this has been prepared recognizing Mobile Technology Graphics for receiving the Community Service Award, which will be presented to them at the Hellertown Lower Saucon Chamber Awards dinner on April 11, 2019.

MOTION BY: Mrs. Yerger moved for approval of Resolution #46-2019 recognizing Mobile Technology Graphics for the Community Service Award.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

III. DEVELOPER ITEMS

A. CREEKSIDE MARKETPLACE – 1880 LEITHSVILLE ROAD – LAND DEVELOPMENT WAIVER FOR ATM

Attorney Treadwell said the Creekside Marketplace wants to put in a drive-up ATM. There is also a plan on where they want to put it. Normally this would be a land development plan, but because the impact is so small, they have asked for a waiver of the land development plan. There are two parking spaces that will be removed in order to put this ATM up. They have plenty of parking

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spaces and are over their required minimum. It doesn't increase the impervious surface and doesn't change the stormwater.

Mrs. Louder said we need some kind of surveillance cameras unless they have it in the plan. Chief Barndt said there are no surveillance cameras at that end of the shopping center. He said he would reach out to the company who is doing it to see what the possibilities are of putting cameras up. Mrs. Huhn will also talk to the Zoning Officer tomorrow.

MOTION BY: Mrs. Louder moved to approve the waiver of Land Development for the Creekside Marketplace to allow for the installation of a drive-up automated teller machine (ATM) subject to the applicant complying with the Chief's recommendation.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

IV. TOWNSHIP BUSINESS ITEMS

A. SAUCON VALLEY MULTI-MUNICIPAL COMPREHENSIVE PLAN – DISCUSSION

Mrs. deLeon said The Multi-Municipal Comprehensive Plan was approved in the summer of 2009 and includes planning within Lower Saucon Township, Hellertown Borough and the Saucon Valley School District. The Municipalities Planning Code recommends updating the plan every 10 years. We are currently at the 10-year mark and through the Saucon Valley Partnership (SVP), we are preparing that update.

Mrs. Huhn said you were given information referred to as the Digest, which is the areas that the partnership has briefly looked at and felt these were the areas we should consider updating. A lot of the other areas within the Comprehensive Plan are still viable as they stand. Transportation/Infrastructure has changed in the last ten years as well as Business and Economic Development. These are the areas we would like the consultant to review and include in the update. Our next step is taking this to each of our Council's (LST and HB) and then to the school district to move forward with the plan. Once that has been done, we will work with Environmental Planning and Design who created the original Comprehensive Plan, to do this update.

Mrs. Huhn said the plan update is approximately \$29,767. The SVP in discussions, which is outside of the Digest that was included in the original Comprehensive Plan, is adding an ADA and stormwater component, which is an additional \$7,000. We felt that was important at this time. The SVP currently has \$22,381 in the savings account. They received an additional \$10,000 grant from Northampton County, so with what they have in savings and the grant award, approximately \$5,000 would remain to be split three ways between the school district, LST and HB.

Mrs. deLeon said when we hit 2020; we have to pay another \$1,000 for SVP membership, so we'll get another \$3,000 for next year. Mrs. Huhn said correct.

MOTION BY: Mrs. Louder moved for approval to authorize Environmental Planning and Design (EPD) to prepare the update to the Multi-Municipal Comprehensive Plan as discussed to include the cost estimate of \$5,000 that we need to have funded and equally split between LST, HB and the school district.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

B. AUTHORIZE ADVERTISEMENT FOR ALTERNATE POLK VALLEY DOG PARK FENCING BID

Mrs. deLeon said Lower Saucon Township was awarded funding through the Greenways, Trails and Recreation program for the addition of fencing to create an alternate dog park to the existing dog park for large dogs. The intent is to rotate the fields to provide for the maintenance and continued use. Staff is requesting permission to advertise this bid.

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Mrs. Huhn said this is just advertising the bid to seek pricing and quotes on the additional dog park fencing. We have a very heavily used dog park and this will be beneficial in keeping it open more often. Mrs. Louder said she heard from Public Works that it's always busy. Mrs. Yerger said she takes her dog up on Sunday mornings very early and there are already people there. It's always used. Mrs. Louder asked where the rest of the funding comes from. Mrs. Huhn said we did have it on the agenda previously for the award of the grant money and then this was discussed in our budget meeting of 2018 to put the funds away to have the additional money for the dog park. Mrs. Gorman said we budgeted the money for it.

MOTION BY: Mrs. deLeon moved to approve advertisement for alternate Polk Valley Dog Park fencing bid.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

C. REVIEW OF FIREWORKS ORDINANCE – ORDINANCE NO. 2019-02 – AUTHORIZE ADVERTISEMENT FOR A PUBLIC HEARING AND CONSIDERATION OF ADOPTION

Mrs. deLeon said Ordinance No. 2019-02 has been prepared amending the Code of LST by creating Chapter 85 (Fireworks) to provide regulations for the display and use of professional and consumer fireworks within the Township.

Attorney Treadwell said we talked about this with Council a couple of months ago. This creates a new chapter in your code and deals with both display fireworks, which are basically the professional displays put on at carnivals and also consumer fireworks. Probably the most important thing to the people and Council is the consumer fireworks limitation that you cannot use them within LST between 10 p.m. and 9 a.m. That's the rules this would put in place. Anything after 10 p.m. would be a violation of this section. There's also some discussion that you can't use them on Township property and within 150' of an occupied structure. The timing issue is probably the most significant. 150' is the same as the State law. LST up until this point doesn't have a fireworks ordinance.

Mrs. deLeon said if there's a State law, why do we have to have an ordinance? Attorney Treadwell said because if he didn't have it in there, you'd say why isn't it the same as the State law. If you want to take it out you can take it out. If somebody goes to look at Chapter 85 and says the State says I can't, but you don't say I can't, it doesn't hurt to have one.

Mrs. Louder said with the legalization and the public being able to go out and buy fireworks that are more powerful than a sparkler, that's what has initiated for most townships, so she's all for this. She'd like to suggest that we put on the Township website, 85-17 Consumer Fireworks and then 85-18, 85-19 and 85-20 to be put on the Township website to give everybody a nice heads up. There have been fireworks already going up in her neighborhood as soon as the sun went down. The most important thing is the 150' from an occupied structure.

Mrs. deLeon said it's good to have the time in there, is it the same as the State? Attorney Treadwell said the State doesn't have a time limit. Mrs. deLeon says she hears fireworks from a lot of different places where she lives, how do you know where they are coming from. She lives across from Bethlehem Township, and you can see them go off in the sky, but where do they come from. How are we going to enforce this? Chief Barndt said we are cannot enforce the law in another municipality. This would just be strictly for the Township. If someone in the Township would call and say my neighbor is setting off fireworks and it's 2 a.m., they would be in violation. It gives them more bearing to enforce something because with the State law there was no time limit. Mrs. deLeon said a resident calls up and tells you his neighbor is doing it, do you have to see it yourself or just take the neighbors word on it. Chief Barndt said if the neighbor sees him and they will testify, they can charge them accordingly if they have sufficient evidence.

Attorney Treadwell said that was the point of trying to get something more comprehensive as the Nuisance Ordinance didn't have any time limits and it was "is it a nuisance or not"? Mrs. Louder

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said her concern is the 150'. She's already had neighbors shooting off fireworks as she found the long wires on the road and in her yard. Her concern is a fire.

MOTION BY: Mrs. Yerger moved to authorize advertisement of Ordinance No. 2019-02 for a public hearing and consideration of adoption.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

D. REVIEW OF E-BIKES ORDINANCE – ORDINANCE NO. 2019-03 – AUTHORIZE ADVERTISEMENT FOR A PUBLIC HEARING AND CONSIDERATION OF ADOPTION

Mrs. deLeon said Ordinance No. 2019-03 has been prepared amending and revising Chapter 118, Parks and Recreation of the Code of Lower Saucon Township to allow for the operation of Class I E-bicycles with a maximum speed of 20 MPH on the Saucon Rail Trail.

Attorney Treadwell said this was discussed two meeting ago and the only change to Chapter 118 was it used to say “motorized wheelchairs and Segway’s were allowed” now it adds in “Class I E-Bikes with a maximum speed of 20 MPH”. Mrs. deLeon asked if there were any issues with this? Chief Barndt said no.

MOTION BY: Mr. Gress moved to authorize advertisement of Ordinance NO. 2019-03 for a public hearing and consideration of adoption.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-1 (Mrs. Louder – No)

E. RESOLUTION #47-2019 – DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT (DCED) GREENWAY, TRAILS & RECREATION PROGRAM (GTRP) GRANT APPLICATION

Mrs. deLeon said Resolution #47-2019 has been prepared for a grant application for funding under the Greenways, Trails and Recreation Program in the amount of \$26,848 for the purchase and installation of an additional swing set and spinner playground equipment to be installed at Town Hall and Polk Valley Park. The equipment is specialized for disabled children but also may be used by all children to promote inclusion in play. Staff is requesting Council approval to submit the grant and to dedicate \$4,737 from the Park Capital Fund along with possible Township Public Works Department time to assist installers.

Mrs. Huhn said this was discussed at staff level and we realized there isn't really anything in our parks that some of our disabled children and members of the community can use. This would be a swing set someone could use that can't use the regular equipment we have. Mrs. Gorman looked for some grant funding and this is what that grant will do. We passed this through the Parks & Recreation board and they are in support of it with a recommendation to move forward with this handicap accessible equipment.

MOTION BY: Mrs. deLeon moved for approval of Resolution #47-2019 for the DCED Greenway, Trails and Recreation Program Grant application submission.

SECOND BY: Mr. Gress

ROLL CALL: 5-0

F. RESOLUTION #48-2019 – DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) WATERSHED RESTORATION AND PROTECTION (WRPP) PROGRAM GRANT APPLICATION

Mrs. deLeon said Staff has identified an area on Reading Drive where the streambank has eroded and requires stabilization. DCED Watershed Restoration and Protection Program offers funding for watershed projects that refurbish, restore, or create stream banks or stream channel stabilization. The Public Works Department has indicated that this project can be added to the work schedule for 2020, if we are awarded the funding. Mrs. Huhn said this is similar to the stream bank restoration that was done in 2013 on Meadows Road. They put a lot of large rock in there to stabilize the stream bank. Mrs. Gorman has been working with Hanover Engineering to

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provide a probable cost. It's a 15% match and we'll be using in-kind services and cash to total \$12,675. The estimated cost is \$84,500. If we are awarded the grant, PW can add this to our schedule for 2020.

- MOTION BY:** Mrs. deLeon moved for approval of Resolution #48-2019 for the DCED Watershed Restoration and Protection Program grant application submission.
- SECOND BY:** Mrs. Louder
- ROLL CALL:** 5-0

G. RESOLUTION #49-2019 – AUTHORIZING A BUDGET ADJUSTMENT TRANSFER OF FUNDS

Mrs. deLeon Resolution #49-2019 is a budget adjustment resolution and is based on the 2018 CAFR recommendations reviewed and approved by Council at the last Council meeting.

- MOTION BY:** Mr. Gress moved for approval of Resolution #49-2019 authorizing a budget adjustment transfer of funds.
- SECOND BY:** Mrs. Louder
- ROLL CALL:** 5-0

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MARCH 20, 2019 COUNCIL MINUTES

- MOTION BY:** Mrs. deLeon moved for approval of the March 20, 2019 Council minutes.
- SECOND BY:** Mrs. Yerger
- ROLL CALL:** 5-0

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Jim Gress, 2064 Wydnor Lane, said Revolutions suddenly closed over the weekend adding to many store fronts closed in the shopping center. He asked if there was any communication with the Township about the future of the shopping center. Mrs. Louder said the owners of Revolutions own two other places like that, and they closed them up and re-opened them up under a different name. Mrs. deLeon said it's just awful all of these empty places. She'd rather see an existing building get filled rather than a vacant lot get built on. Can we put on the website a link that says these are available properties in LST. Attorney Treadwell said he doesn't see any problem with that, but whoever owns the shopping center is way more interested in filling it up than we are. Mrs. Yerger said she works in Doylestown, and it's happening all over.
- Mr. Tim Steely, 2485 Applebutter Road, said he was wondering what's been going on with the Swint property. Attorney Treadwell said he and Leslie sat down with the Zoning Officer to discuss that same issue and come up with another strategy last week. Attorney Treadwell said it's a complicated issue and he certainly doesn't want to discuss what we may or may not do in a public meeting, but we are aware of it. Mr. Steely said it's really getting bad and they are getting odors. Mrs. deLeon said report it to DEP. Attorney Treadwell said the Swint property is a trash hauling business that got approval from the ZHB in 1996 to store trash trucks on the property and supposedly the business plan is that the trash trucks leave empty, go out pick up trash, dump it at the landfill, come back empty, and the trucks remain on the property, but it's grown into something else.

VII. COUNCIL & STAFF REPORTS

A. MANAGER

- Mrs. Huhn said there is a special event application for the Historical Society "Passport to History", which will be held on April 27th from 11 a.m. to 2 p.m. This was reviewed by the Parks & Recreation Board and the recommendation is to waive the fees.
- MOTION BY:** Mrs. Yerger moved for approval of the special event for the Historical Society's "Passport to History" and waive the fee.
- SECOND BY:** Mrs. Louder
- ROLL CALL:** 5-0

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- Mrs. Huhn said the special event application was received for the Saucon Creek Arts Festival on June 1st from 10 a.m. to 5 p.m. and was reviewed by the Parks & Rec Board and was recommended with the caveat that the Public Works Director, Fire Marshal and Police Chief are acceptable to all of the provisions in the application which has been reviewed by them.

MOTION BY: Mrs. deLeon moved for approval of the Saucon Creek Arts Festival being held on June 1st for the SV Conservancy.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

- Roger is ready to install the sign for Steel City Park, so he's asking for a location. Mrs. Louder said she will meet out there with him.

B. COUNCIL/JR. COUNCIL

Matthew Wagner, Jr. Council – Absent

Mrs. Yerger

- She was out last weekend at Woodland Hills and had her son-in-law's family with her and her grandson and they walked to new ADA loop. Her son's mother has some handicapped issue and she enjoyed it very much. She sees the P&R Board made a motion to have that trail at Woodland Hills named in honor of Glenn Kern and it's very fitting as he was very instrumental in getting Woodland Hills Preserve and she knows he would have enjoyed that trail immensely. She wants to thank Boucher & James for helping us get that trail off the ground. It's a nice size, just long enough and everyone enjoyed it.

MOTION BY: Mrs. Yerger moved for approval of the plaque at Woodland Hills Preserve on the ADA trail in honor of Glenn Kern.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

Mr. Gress – No report

Mrs. Louder

- She thanked Public Works for doing a great job, she sees the Memorial for Ken Luybli is coming along quite nicely, and she saw three ducks floating around in there. She can't wait to see the plaque, it's going to be beautiful.

Mr. Stauffer – No report

Mrs. deLeon

- She said April 11th is the Honors event at the Steel Club.
- She congratulated Leslie and the administrative staff for paying off our debt on April 1, 2019. She thanked Leslie for carrying through a Council directive as this has been going on years and years and it didn't seem to happen.
- Monday night she met with the Police Chief and officers, and she appreciates that opportunity.
- She attended Saucon Valley School Districts first track meet on the new surface.

C. SOLICITOR – No report

D. PLANNER – No report

E. ENGINEER – No report

VIII. ADJOURNMENT

MOTION BY: Mrs. Yerger moved for adjournment. The time was 8:11 p.m.

SECOND BY: Mr. Gress

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Priscilla deLeon
Council President