

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 – Wayne & JoAnn Apple – 1914 Fawn Lane – Variance for Side Yard Setback for Accessory Building
- B. Site Plan Review for a Kennel Use – Kelly Reilly-Rice – 2240 Reilly Lane
- C. Polk Valley Dog Park (Alternate) Fencing Bid Awards
- D. Resolution #51-2019 – Recognizing National Police Week – May 12 – 18, 2019
- E. Resolution #52-2019 – Recognizing the Annual Relay for Life
- F. Resolution #53-2019 – COPS School Violence Prevention Program Grant Application
- G. Resolution #54-2019 – Approving Placement of Property Located at 2583 Martins Lane, Hellertown in the Williams Township Agricultural Security Area
- H. Ratification of Contract between LST and the Non-Uniform Employees Association

V. MISCELLANEOUS BUSINESS ITEMS

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

UPCOMING MEETINGS

Parks & Recreation: May 6, 2019 @ 6:00 P.M. @ Woodland Hills Preserve
Saucon Valley Partnership: May 8, 2019 @ HB
Environmental Advisory Council: May 14, 2019
Township Council: May 15, 2019
Zoning Hearing Board: May 20, 2019
Planning Commission: May 23, 2019
Saucon Rail Trail Oversight Commission: June 24, 2019 @ CB

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 1, 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; Sandra Yerger, George Gress, Donna Louder; Leslie Huhn, Township Manager; Thomas Barndt, Chief of Police; Cathy Gorman, Director of Finance; Roger Rasich, Director of Public Works; Linc Treadwell, Township Solicitor; **Absent:** Judy Stern Goldstein, Township Planner and Brien Kocher, Township Engineer (with prior notification); Matthew Wagner, Jr. Council Member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. deLeon said Council did not meet in Executive Session prior to tonight's meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. deLeon 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 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.

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCE – WAYNE & JOANN APPLE – 1914 FAWN LANE – VARIANCE FOR SIDE YARD SETBACK FOR ACCESSORY BUILDING

Mrs. deLeon said the applicant is requesting a variance from Section 180-2, side yard requirement to allow the construction of a residential accessory building with a side yard setback of 30' where 40' is required. JoAnn Apple was present. They would like to put a pole building as a secondary garage space for their needs. According to the old zoning, they met the 30' requirement; and according to the new zoning, they do not meet that requirement on the side yard. It's off the back of the driveway at the corner of the house.

Mrs. Louder asked what the size of the pole building was. Mrs. Apple said 24'x30'. They purchased the home in November. Mrs. Louder said doesn't know if we should question 10' just because of the way the property is laid out. The property to the left is on a little bit of a slope and the water would end up running down the back yard and it's an open field behind you. There's a hardship because of a septic. Mrs. Apple said in the original plans of the home, the septic showed it coming off the back of the property with three fingers coming down toward the little "T", but it's actually not. This winter they could see the dips in the yard and it's much bigger than the original yard. It actually takes up the entire back yard pointing towards the field.

Mrs. Yerger asked is where you are putting the pole building so you can access it from the driveway. Mrs. Apple said yes. Mrs. deLeon asked if there was an alternate site. Mrs. Apple said the only alternate site is in the far left corner, which it would then be too much impervious coverage. Attorney Treadwell said did you talk to your neighbors. Mrs. Apple said they spoke to their neighbor that is closest to where they want to put the building and he seemed like he had no issue with that whatsoever. He knew they were applying for a variance. Mrs. Yerger said it looks like you have a good amount of buffer between the two properties.

MOTION BY: Mrs. Louder moved that Council took no action.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

B. SITE PLAN REVIEW FOR A KENNEL USE – KELLY REILLY-RICE – 2240 REILLY LANE

Mrs. deLeon said the applicant is requesting site plan approval allowing her to have a kennel use on her residential property located at 2240 Reilly Lane.

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Ms. Kelly Reilly-Rice was present. She has six Labrador Retrievers and by state law regulations you have to have a kennel license if you have more than 26 puppies a year. Right now she only has two females that are old enough to have puppies, but she has two more that will eventually be able to be bred. If they have puppies at the same time, she'll go over the 26 mark and then the state will frown upon that. Mrs. Louder asked if the P/C approved this. Mrs. Yerger said yes.

- MOTION BY:** Mrs. Louder moved for approval of the kennel use, provided that Kelly Reilly-Rice complies with all Township ordinances in regard to the use.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

C. POLK VALLEY DOG PARK (ALTERNATE) FENCING BID AWARDS

Mrs. deLeon said a bid opening was held on Monday, April 29th for the Polk Valley Dog Park alternate fencing. The Manager will review the results with Council. Mrs. Huhn said we received four bids for the fencing with ProMax Fence Systems from Reading coming in with the lowest price at \$10,818. We are recommending they be awarded the fence contract. We submitted a grant for \$20,000 and it's a 15% match from the Township. Since the bid has come in significantly less than what was projected, we discussed with Roger Rasich and Cathy Gorman that it might not be a bad idea to run water up to the dog park and we'd be able to provide a fountain for the dogs and for the people who bring their dogs. We can see if the grant will allow that.

Mrs. deLeon said what about freezing temperatures. If you put in a water line in the winter time, they won't be able to use it. Mr. Rasich said he would suggest putting in the same type as at the Reading Road Trailhead access, which is a freeze-proof fountain. Mr. Stauffer asked if that costs more. Mr. Rasich said the material would be about \$1,250 and the labor and the fountain would be about \$4,000. It's the Borough of Hellertown's water line, which is already there. There wouldn't be any additional charge other than the usage. Mrs. Huhn said since we were coming in low on the grant amount, Mrs. Gorman suggested that we add some trees and landscaping as someone from the Dog Park Facebook page said it would be nice to have some shade. Mrs. Yerger said there are some trees, but they are small. Mrs. Gorman said this isn't a given. She has to request it from DCED. They did request she should send a letter requesting the changes. If it's approved, we can move forward.

- MOTION BY:** Mrs. Yerger moved for approval of ProMax Systems LLC for \$10,818 for the Polk Valley Dog Park alternate fencing bid award.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

D. RESOLUTION #51-2019 – RECOGNIZING NATIONAL POLICE WEEK – MAY 12 – 18, 2019

Mrs. deLeon said Resolution #51-2019 has been prepared honoring peace officers for their bravery, dedication and heroism and designates May 15, 2019 as "Peace Officers Memorial Day" with May 12 – 18, 2019 designated as "Police Week" in Lower Saucon Township. She read the resolution.

Chief Barndt said on behalf of all the current LST Officers, past and fallen, we thank you for the recognition and continued good working relationship. Mrs. Louder asked if we have a blue-striped flag on this property. Chief Barndt said we do not; we have one in their station and squad room. Mrs. Louder said she would like to purchase and donate one for the Township to be hung with our American Flag if that's a possibility. Chief Barndt said he will get her the information.

- MOTION BY:** Mrs. deLeon moved for approval of Resolution #51-2019 recognizing National Police Week May 12 – 18, 2019.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

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E. RESOLUTION #52-2019 – RECOGNIZING THE ANNUAL RELAY FOR LIFE

Mrs. deLeon said Resolution #52-2019 has been prepared supporting the American Cancer Society's Relay for Life at Dimmick Park on June 1st from 10:00 a.m. to 10:00 p.m. She read the resolution.

MOTION BY: Mrs. Yerger moved for approval of Resolution #52-2019 recognizing the annual Relay for Life

SECOND BY: Mrs. Louder

Ms. Janet Reilly was present. She said she's the Sponsorship Chairperson for this event. Mrs. Louder said she will present the Resolution to them on that day. Ms. Reilly said they have a survivor dinner for cancer patients and their families. It's free of charge for them. The dinner is at 5:00 p.m. on June 1st and they also do a slide projection of people who have passed, including animals, and they do a luminary ceremony where the first lap is a silent lap and this year it's led by the bagpipes. Mrs. Louder said she works in a cancer center and sees it every day. Mrs. Reilly said there are a lot of tears and the second lap everyone joins in. They do the driveway at the park and behind the stadium they make a cancer ribbon and it's all lit up and it's a beautiful site. They have a speaker and it's a great day with lots of food and activities. Mrs. deLeon said the Township will put that on our Facebook page and we can put it on Constant Contact. Mrs. Reilly will send Mrs. Huhn the information.

ROLL CALL: 5-0

F. RESOLUTION #53-2019 – COPS SCHOOL VIOLENCE PREVENTION PROGRAM

Mrs. deLeon Resolution #53-2019 has been prepared authorizing a submission of a US Department of Justice COPS Stop School Violence Prevention Program grant application.

Mrs. Huhn said this is a resolution in order to submit the grant request. Mrs. Gorman said this is a federally-funded program. We are applying for an amplifier system for the school district and radios for the Police Department. LS Fire Rescue had asked for a couple of radios also that we have added in. We have to identify that in the grant and it is permissible. The total cost of everything would be \$327,000.44; and the Federal funding would be 75% and a 25% match from the Township. If we don't get this award through this program, she's going to make a recommendation later on in the year to at least get the repeater system for the school district as that is the Chief's major concern.

MOTION BY: Mrs. deLeon moved for approval of Resolution #53-2019 for the COPS School Violence Prevention Program grant application.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

G. RESOLUTION #54-2019 – APPROVING PLACEMENT OF PROPERTY LOCATED AT 2583 MARTINS LANE, HELLERTOWN IN THE WILLIAMS TOWNSHIP AGRICULTURAL SECURITY AREA

Mrs. deLeon said Resolution #54-2019 has been prepared, which will approve the placement of property owned by James & Barbara Hulett at 2583 Martins Lane in the Williams Township Agricultural Security Area. She said it's unfortunate that LST doesn't have an Ag Security area. Mrs. Yerger said it's the amount of contiguous acres and we do not have that. Williams has a lot of contiguous farmland and acreage and quite a few of their farms are in the ag security area. Williams has always been cooperative in this.

MOTION BY: Mrs. Louder moved for approval of Resolution #54-2019 approving placement of property owned by James & Barbara Hulett at 2583 Martins Lane, Hellertown, in the Williams Township Agricultural Security Area, and authorize the reimbursement, not to exceed \$800 to Williams Township for advertising and other costs associated with the request.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

H. RATIFICATION OF CONTRACT BETWEEN LST AND THE NON-UNIFORM EMPLOYEES ASSOCIATION

Mrs. deLeon said contract negotiations between the Township and the Non-Uniform Employees Association have been concluded and the contract is being presented to Council for approval and ratification.

Mrs. Huhn said there are a couple of Public Works employees present. Most of what is contained in here is a lot of language that we worked out that the Association had concerns with and so did we. To give you a summary of the contract, we are looking at a 4-year contract and with increases the first year 2%, second year 2%, third year 2.5%; and fourth year 2.5%. That is in addition to a \$.50 increase in year 1 and 2 for the PW employees and a \$1.00 increase for the receptionist.

Attorney Treadwell said all the terms are the same as what we've discussed previously in Executive Sessions and some of the language changes were language changes that we needed to clarify some things to simplify it and make it less confusing. Mrs. Huhn said their attorney also reviewed the contract and they are in agreement. Mrs. Louder said she had the opportunity to talk to one of the Public Works employees and she told him that Council was voting on this tonight and they said they were in agreement. If they are good, she's good.

- MOTION BY:** Mrs. Louder moved for approval of the Non-Uniform Contract as presented by the Manager and Solicitor.
- SECOND BY:** Mrs. Yerger
- ROLL CALL:** 5-0

V. MISCELLANEOUS BUSINESS ITEMS

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Jim Gress said we talked about the runoff of the water on Black River Road and Fire Lane, and the problems associated with that. The position of the Engineer at the last meeting was that the current system that was there, the size of the pipes could not handle the water which crossed the street and caused a hazard. They had the opportunity to take pictures on Saturday of the 20th, to show and explain to Council, as there was a monsoon for about 40 minutes. Mr. Gordon Gress said the Widener Village subdivision was presented in 1966 and built by Albert Toll. At that time there were no stormwater regulations. When he put the water in, he tore up the rip rap on the side of the gutter that was handling the water at that time. The pipes that are down there were engineered very well for the time period. If you look on Black River Road, it's over half of the road on Ted Griggs property. Mrs. Louder said that water comes out of the stone driveway if you are going up the hill. They showed pictures of the drain which seems to be handling the water just fine. You can see a tremendous amount of water coming down. There was a drain that was clogged which causes the water to back up. Mrs. deLeon said whose responsibility is that? Mr. Rasich said Public Works. Mr. Jim Gress found a chart from the National Weather Service on the amount of rain that day, and it was 6/10th of an inch of rain. Another chart shows what a 20" pipe can handle and according to the chart, it's 12,000 gallons a minute. Some of his contacts that work in a similar field at the City said a 20" pipe can handle 12,000 gallons a minute so that means it would have to rain 12" in an hour for the pipe capabilities. The engineer mentioned the pipe wouldn't be able to handle this. Mr. Gordon Gress said according to this, there's plenty of capacity to handle it. Mr. Jim Gress said they wanted to show Council what happens on Black River Road. Mr. Gordon Gress said these are not guestimates. They are as close as they can get to the actual problem. Does Hanover have a hydrology expert that does this? Is Mr. Kocher an expert in water? Mrs. Yerger said she would think he refers to the hydrologist. Mr. Gordon Gress was amazed that Mr. Kocher insisted that the drain overflows. Mrs. Louder said can we set up a meeting with Mr. Kocher and a hydrologist to come here and sit down and educate. Mr. Jim Gress said do you use any additional engineering firms to evaluate this problem. Mrs. Louder said that would cost us for a whole other set of plans for that to happen. Attorney Treadwell said you think the water coming off of Fire Lane that comes down Black River Road can all get into the two existing pipes and get

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to the stream. Mr. Gordon Gress said yes. Mr. Jim Gress said it's happening now above ground. Attorney Treadwell said you think there's a system designed to get that water from Fire Lane into a pipe and then it goes into the existing pipes to the existing stream. Mr. Jim Gress said absolutely. Attorney Treadwell said that's something we have to give to the Township Engineer and say what is the issue with this. HEA did a lot of studies and for whatever reason, they don't think that worked, but let's figure it out again. Mr. Gordon Gress said you can see it in the pictures. Attorney Treadwell said what you are talking about is another set of piping system to get it to the existing pipe. Mr. Gordon Gress said that's what Mr. Kocher proposed in the first place for the \$509,000. Attorney Treadwell said it was an outlet in a different spot. Mr. Gordon Gress said he wanted to go further because he thought those two pipes couldn't handle it. You can see they are handling this. Mrs. Huhn asked Mr. Gordon Gress to send us a copy of the Power Point so we can discuss it at staff meeting next week and start there. Mrs. deLeon said we can bring this back as an agenda item at another Council meeting. Mr. Gordon Gress said they'd like some kind of a solution. The property owner has to conform to all regulations. What happens when it goes back out on the road and the property can't handle it? Does it become the Township's responsibility or what happens? We don't want to cause the Township a bundle of money, but it's only going to get worse. Mrs. Louder said the stormwater system in that area needs to be visited again and she doesn't know what the Township can handle in repairing any kind of stormwater, because she has video on her phone from someone over at McCloskey who had a new building going on and when there was a torrential rain, that person's foundation filled up with water like a swimming pool. They got themselves some nylon hose and a pump and pumped it out into the street. All the houses downstream from that, their backyards are all flooded from that water. She thinks the stormwater needs to be readdressed and she's talking big money here. Mr. Jim Gress said the system at Walters Street works well. Mr. Gordon Gress said maybe there's a way to go down each side that's more economical. It's a problem in the summer but in the winter it's horrendous. Credit to Roger Rasich, he comes down with the loader and cleans it up, but if it was underground it wouldn't be necessary. Mrs. Louder asked staff to take this back to the Engineers. Mr. Gordon Gress said could it go out to bid for others to see this. Attorney Treadwell said what we bid is the construction, not the design. We can hire another engineering firm and say take a look at it, but that's at a cost. Attorney Treadwell said it's just not LST, it's every municipality everywhere. All you have to do is look at the Saucon Creek; its banks can't hold it. A 100-year storm happens seven times a year now. Mr. Jim Gress said where does the responsibility for quality of life fall. Attorney Treadwell said for quality of life for stormwater, it falls on the Township, but when you see how expensive it is, it's not coming out of anyone's pocket sitting up here, as they don't have that big of a pocket. The only people it can come from are the residents. At what point do you raise taxes to the max and fix all the stormwater problems. He doesn't have that answer. Mr. Gordon Gress said if you can get enough heads together, maybe they can come up with a reasonable answer. Mrs. Yerger said she's lived at her residence for 30 years and she's never seen it like it is now. She has dead spots in her yard; the creek is overflowing all the time now. She doesn't have an answer for that kind of change. Her neighbors are experiencing the same problems. Mrs. Louder said we need to sit down and see how we can approach this, maybe try to find grant money. Mrs. Gorman said there is no grant money available for this. Mrs. Huhn said maybe we should have a conversation with Dr. Griggs again because that is your fix that is not hundreds of thousands dollars. Mr. Gordon Gress said that would be the perfect solution, but his wife is not happy with allowing that to happen. You could try sending them a letter and explain it to them. Attorney Treadwell said we can send a letter, but let's figure out what the design was. If it's an underground pipe, you aren't going to know it's there once it's put in. Mrs. Yerger asked what Mrs. Grigg's concern was. Mr. Gordon Gress said she didn't want anyone telling her what to do with her property. Ted seemed agreeable. It would solve his problem.

VII. COUNCIL & STAFF REPORTS

A. MANAGER

- Mrs. Huhn said we have a Special Event application that has been reviewed by the P&R Board. It's the Kermesse Sport LLC bicycle event and is scheduled for May 25th from 9:45

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a.m. to 12:10 p.m. There's a small portion that comes through LST. The PD will be made aware of it.

MOTION BY: Mrs. Louder moved for approval for the Kermesse Sport LLC bicycle event.
SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

B. COUNCIL/JR. COUNCIL

Matthew Wagner, Jr. Council Member, Jr. Council – Absent

Mrs. Yerger – No report

Mr. Gress – No report

Mrs. Louder

- She said the Relay for Life is on June 1st and she will present the resolution.
- May 15th are we having an E-Bike meeting here? Mrs. Huhn said it's on the agenda for a public hearing and possible adoption.

Mr. Stauffer – No report

Mrs. deLeon

- April 23rd she and Leslie attended the NC COG and they talked about the Spotted Lanternfly. Effective May 1st whoever travels with trucks hauling dirt or anything like that, they have to have a permit and she doesn't think people know that. Mrs. Huhn said it even applies to UPS and FedEx. There was an event regarding a cultural historic survey and people from LVPC were talking about if we had to portray our historic resources, you can identify things you feel are historic. Mrs. deLeon said she spoke about the Meadows Road Bridge and the County. There was someone from Tatamy and they had one barn left and it was taken down.
- She forgot to compliment the PD on "Color with a Cop" and "Coffee with a Cop". She asked how Crime Watch was going. Chief Barndt said it's going great. May 13th at 5:30 p.m. there is a roundtable at LST with both Chief's speaking.

C. SOLICITOR – No report

D. PLANNER – Absent with prior notification

E. ENGINEER – Absent with prior notification

VIII. ADJOURNMENT

MOTION BY: Mr. Gress moved for adjournment. The time was 8:12 p.m.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Priscilla deLeon
Council President