

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. Ordinance No. 2015-02 – Public Hearing & Consideration of Adoption – Authorizing Refinancing & Increasing Indebtedness in the Amount of \$265,030.00 for the Purchase of a Fire Truck

III. DEVELOPER ITEMS

- A. Anderson/Martin – 3326 and 3331 Green Acres Dr. – Minor Subdivision Preliminary/Final Approval

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variance – Grau – 2010 Velvet Trail – Variance of Setback for Patio/Pool/Pavilion/Cabana
- B. Update on Response from DEP Regarding Landfill Odors
- C. Authorize Advertisement of Library Construction Bid
- D. Richard Marson Conservation Easement – 2383 Wassergass Rd. – Authorize Survey Work
- E. Resolution #67-2015 – Recognizing the 22nd Annual Relay for Life
- F. Saucon Valley Community Center – Approval of 2015 Summer Recreation Programs
- G. Award of Bid Results for 2015 Used Vehicles
- H. Award Track Loader Contract
- I. Request Approval for Summer Work Hours for Public Works Employees

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of April 15, 2015 Minutes
- B. Approval of March 2015 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 Saucon Valley Partnership: May 11, 2015 @ SVSD
Next EAC Meeting: May 12, 2014
Next Zoning Hearing Board Meeting: May 18, 2015
Next Council Meeting: May 20, 2015
Next Planning Commission Meeting: May 28, 2015
Next Park & Rec Meeting: June 1, 2015
Next Saucon Rail Trail Oversight Commission Meeting: June 22, 2015 @ CB

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 6, 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; Linc Treadwell, Township Solicitor; Karen Mallo, Township Planner; Kevin Chimics, Township Engineer. Absent: Glenn Kern, Council Member and Matt Smith, Jr. Council Member.

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

A. ORDINANCE NO. 2015-02 – PUBLIC HEARING AND CONSIDERATION OF ADOPTION – AUTHORIZING REFINANCING & INCREASING INDEBTEDNESS IN THE AMOUNT OF \$265,030.00 FOR THE PURCHASE OF A FIRE TRUCK

MOTION BY: Mr. Maxfield moved to open the hearing.
SECOND BY: Mr. Willard
ROLL CALL: 4-0 (Mr. Kern – Absent)

Attorney Treadwell said this ordinance would authorize the Township of Lower Saucon to issue a general obligation note to borrow \$265,030.00 to put towards the purchase of a fire truck which is identified as a Spartan Pumper. The total purchase price of the fire truck is \$530,060.00. This ordinance has been advertised and the purpose for tonight's hearing it to take public comment. The note that's proposed to be issued by LST would bear a fixed rate of interest of 2.52% for five years; the balance being payable on December 31, 2019. Mrs. deLeon asked where this money is coming from in the budget. Mr. Cahalan said the down payment will come from the Fire Equipment Replacement Fund. We will be paying the annual five-year payments out of the fire tax fund also.

MOTION BY: Mr. Maxfield moved to close the hearing.
SECOND BY: Mrs. deLeon
ROLL CALL: 4-0 (Mr. Kern – Absent)

Mrs. deLeon asked Mr. Cahalan to put together a policy for use of the vehicle.

MOTION BY: Mr. Maxfield moved for approval to adopt Ordinance No. 2015-02 to increase the Township's indebtedness in the amount of \$265,030.00 to purchase a Spartan ERV IPS Pumper in the amount of \$530,060.00 with the additional funding coming from the Capital Fund.

SECOND BY: Mrs. deLeon
ROLL CALL: 4-0 (Mr. Kern – Absent)

Attorney Treadwell said he would like a motion for Council to authorize the President of Council to sign the contract for the vehicle purchase.

MOTION BY: Mr. Maxfield moved for approval for the President of Council to sign the contract to purchase the fire truck.

SECOND BY: Mr. Willard
ROLL CALL: 4-0 (Mr. Kern – Absent)

DRAFT

General Business & Developer Meeting

May 6, 2015

MOTION BY: Mrs. deLeon moved to direct the Manager to look into a policy for use of this vehicle for the firemen to follow and bring it back to Council.

SECOND BY: Mr. Willard

Mr. Matt McClarin, Riverside Drive, asked who insures the fire truck? Mr. Cahalan said because we own this truck, we will insure it just like our other equipment.

ROLL CALL: 3-1 (Mr. Maxfield – No; Mr. Kern – Absent)

III. DEVELOPER ITEMS

A. ANDERSON/MARTIN – 3326 AND 3331 GREEN ACRES DR. – MINOR SUBDIVISION PRELIMINARY/FINAL APPROVAL (7:11 pm)

Scott Mease, Mease Engineering was present. He said this is a lot line adjustment and explained what the applicant is proposing to do. This is in the R-80 zoning district. He reviewed the letters from the Township consultants and will comply with their comments and they have some waivers.

Ms. Stern Goldstein said their letter of April 1, 2015 outlines a few minor items, all of which can easily be complied with, so there are no outstanding major issues.

Mr. Mease reviewed all the waivers on the draft motion that was prepared by Hanover Engineering. Mr. Chimics said most of their comments are drafting related. Most of the rest of the information is provided typical standard notes out of the SALDO then signing and sealing the plan.

MOTION BY: Mrs. deLeon moved for approval per the Hanover Engineering draft motion as prepared for the May 6th Council meeting.

SECOND BY: Mr. Maxfield

MOTION BY: Mrs. deLeon amended her previous motion and moved for approval of the Anderson/Martin minor subdivision preliminary/final as per the Hanover Engineering draft motion prepared for the May 6th Council meeting.

SECOND BY: Mr. Maxfield amended his second

ROLL CALL: 4-0 (Mr. Kern – Absent)

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCE – GRAU – 2010 VELVET TRAIL – VARIANCE OF SETBACK FOR PATIO/POOL/PAVILION/CABANA (7:21 pm)

Mr. Erik Grau was present and said he has a corner lot and the normal lot configuration has a 40' setback on the back of the lot and it's restricting the available area for development. His request is to allow for the development of the back of the property to have a patio, pavilion and pool cabana. All the neighbors have been notified of this request. Council took no action.

B. UPDATE ON RESPONSE FROM DEP REGARDING LANDFILL ODORS (7:24 pm)

Mr. Cahalan said this is an update on what has taken place regarding the landfill odor issues. Council had directed a letter be sent to the State representatives who in turn sent a letter to John Quigley, Acting Secretary of DEP. Mr. Cahalan read the letter dated April 27, 2015 received from Mr. Quigley.

Mrs. deLeon said Mr. Quigley was not aware that DEP was conducting inspections of air and waste at the facility on April 21st. As a follow-up, two days ago we got copies of those reports. She said the Landfill Committee met and Jim Birdsall put a letter together to Mr. Quigley, which she read.

Mr. Horiszny said he's reluctant to send it at this time as it doesn't include anything about the April 21, 2015 inspection that really pertains directly to it and we should give them a chance to respond to that. Mrs. deLeon said the landfill does this analysis of the methane and the committee felt they need to do it more often.

DRAFT

General Business & Developer Meeting

May 6, 2015

Mr. Maxfield said No. 4 on the letter, which Mrs. deLeon read, is a little non-specific. Mrs. deLeon said because of the latest inspection report and violations noted, maybe we should table this until the next meeting so it's a little more accurate. Mr. Maxfield also would like to see how they would achieve No. 4, and what kind of results we would get. Mr. Cahalan said Jim Birdsall will be at the May 20th meeting. Mrs. deLeon said these were suggestions from our consultants. Mr. Willard said if we send the letter, we should put a deadline date on it because that seemed to work the last time.

Mrs. deLeon found an article on a health study of the Keystone Landfill and the health department is conducting studies in the areas to see if there are any health problems. She feels a letter should go out asking the PA Dept. of Health to do a similar study in our area to see if there are any health consequences.

MOTION BY: Mrs. deLeon moved to have a letter written to the PA Dept. of Health asking them to conduct a study at the IESI Bethlehem Landfill like they are doing by the Keystone Landfill.

SECOND BY: Mr. Horiszny
Ms. Karen Bleam said on April 19th at 9:30 a.m. she called DEP because of an odor. DEP came down and went from house to house of those who were complaining and he did smell the odor at two of the places. She asked if a report was ever received. Maybe the Township could contact DEP and find out where the report is.

ROLL CALL: 4-0 (Mr. Kern – Absent)

C. AUTHORIZE ADVERTISEMENT OF LIBRARY CONSTRUCTION BID (7:44 pm)

Mr. Cahalan said the Hellertown Area Library (HAL) put together an application for Keystone Recreation Park and Conservation Fund grant and they were awarded \$117,000.00 from that fund. That money in conjunction with the capital contribution LST is making for 2014 and 2015, which is another \$117,000.00 will give the library a total of \$234,000.00 in funding to be used to renovate and improve the interior space of the library. There are bid documents prepared by the architect and approved by the State, and the next step would be to advertise for the submission of bids for this work to be completed.

MOTION BY: Mr. Maxfield moved to advertise the bids for improvements to the Hellertown Area Library.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Mr. Kern – Absent)

D. RICHARD MARSON CONSERVATION EASEMENT – 2383 WASSERGASS RD. – AUTHORIZE SURVEY WORK

Mr. Horiszny said in order to prepare an easement document, a survey will be need to be done on this property. A quote from Cowan Associates in the amount of \$3,980.00 for the plan and \$150.00 per monument (if needed) was received.

MOTION BY: Mr. Maxfield moved to approve a quote from Cowan Associates for the survey of the Marson property in the amount of \$3,980.00 and for \$150.00 per monument for staking out the building envelope.

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0 (Mr. Kern – Absent)

E. RESOLUTION #67-2015 – RECOGNIZING THE 22ND ANNUAL RELAY FOR LIFE

Mr. Cahalan read Resolution #67-2015.

MOTION BY: Mr. Horiszny moved for approval of Resolution #67-2015.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Kern – Absent)

DRAFT

General Business & Developer Meeting

May 6, 2015

F. SAUCON VALLEY COMMUNITY CENTER – APPROVAL OF 2015 SUMMER RECREATION PROGRAMS (7:50 pm)

Mr. Cahalan said this is the annual recreation program for Township residents that we contract with the Saucon Valley Community Center to operate. It will run from June 23rd until August 14th. The programs are at Town Hall Park and Southeastern Park. The funding was approved in the 2015 budget, in the amount of \$19,902.00 for the summer recreation program and \$3,207.92 for the summer children’s program.

MOTION BY: Mrs. deLeon moved for approval to execute agreements and approve payment to the Saucon Valley Community Center for the 2015 summer recreation program in the amount of \$19,902.00 and for the summer children’s program in the amount of \$3,207.92.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

G. AWARD OF BID RESULTS FOR 2015 USED VEHICLES (7:54 pm)

Mr. Cahalan said the Township advertised for sale to the highest bidder of three dump trucks, which have been replaced by new vehicles. The bids were opened on April 29th and we received a total of five bids. The high bidder for the 1999 Sterling Dump Truck was E. J. Hill for \$30,150.00; the 2001 Sterling Dump Truck to Barker & Barker Paving for \$11,100.00; and the 2004 Sterling Dump Truck to Bushkill Township for \$35,009.00.

MOTION BY: Mr. Horiszny moved for approval of the sale of used Public Works vehicles as follows: 1999 Sterling Dump Truck to E. J. Hill & Sons for \$30,150.00; 2001 Sterling Dump Truck to Barker & Barker Paving for \$11,100.00; and 2005 Sterling Dump Truck to Bushkill Township for \$35,009.00.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

H. AWARD TRACK LOADER CONTRACT (7:56 pm)

Mr. Cahalan said we solicit quotes for the rental of a track loader to be used by Public works for our park projects. We sent out a request for quotes and only received one quote from Christine Rasich in the amount of \$300.00 per day and only on the days actually used.

MOTION BY: Mr. Horiszny moved for approval of the quote received from Christine Rasich for track loader rental in the amount of \$300.00 per day to be charged only on the days used.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Mr. Kern – Absent)

I. REQUEST APPROVAL FOR SUMMER WORK HOURS FOR PUBLIC WORKS EMPLOYEES (7:58 pm)

Mr. Cahalan said we annually request Council approval of the summer work hour schedule which will begin June 1st and end on August 30th.

MOTION BY: Mr. Maxfield moved for approval of the summer work hours for Public Works employees which will run from June 1st to August 30th.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Mr. Kern – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF APRIL 15, 2015 COUNCIL MINUTES (7:59 pm)

Mr. Horiszny said the minutes of the April 15, 2015 Council meeting are ready for Council’s review and approval. He had asked for one correction to be made. Mr. Willard had a correction under the Heller Homestead.

DRAFT

General Business & Developer Meeting

May 6, 2015

MOTION BY: Mr. Horiszny moved for approval of the April 15, 2015 minutes, with corrections.

SECOND BY: Mr. Willard

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

B. APPROVAL OF MARCH 2015 FINANCIAL REPORTS (8:01 pm)

Mr. Horiszny said the March 2015 financial reports are ready for Council's review and approval. He questioned a \$15,000.00 payment on page 7. Mr. Cahalan said that was the Petrie property survey.

MOTION BY: Mrs. deLeon moved for approval the March 2015 financial reports.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:02 pm) – None

VII. COUNCIL & STAFF REPORTS (8:40 pm)

A. TOWNSHIP MANAGER

- Mr. Cahalan read an email from Charles Elliott dated April 29th. It had to do with the PennEast Pipeline resource reports response to comments. Mr. Elliott is asking for approval to conduct research to respond and bring it to Council for your decision on how he should proceed. Mr. Maxfield said we should proceed exactly as Mr. Elliott recommends. We need to stay on top of this. Mrs. deLeon and Mr. Willard agreed as Mr. Elliott is the expert.

MOTION BY: Mr. Maxfield moved for approval to proceed with Mr. Elliott's recommendations as stated in the email Mr. Cahalan read.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Kern – Absent)

- Mr. Cahalan said he didn't give you the Special Events application for History Day event at Lutz-Franklin on May 2nd. Everything was in order and the documents were submitted which he approved. He's asking for Council ratification of that decision.

MOTION BY: Mrs. deLeon moved for approval of the ratification for the Special Events application for History Day at the Lutz-Franklin Schoolhouse on May 2, 2015.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Mr. Kern – Absent)

- Mr. Cahalan said Council approved Zimpfer Roofing to fix the roof at the Heller Homestead in the amount of \$16,052.50. He had to replace the wood on the front portion of the main house. When he did the Widow's House, the wood was all rotted, which he replaced. The work was completed at the same price.

B. COUNCIL/JR. COUNCIL

Matt Smith, Jr. Council – Absent

Mr. Maxfield

- He said at a recent library meeting, they discussed by-laws and have a little more work to do. There was a glitch with the terms of the members which would not give the rotation they were looking for. They will bring back the whole thing for approval when the by-laws and the terms are ready.
- He said History Day at the Lutz-Franklin was a great day.

Mrs. deLeon

- She said she attended the Hellertown-LST Chamber meeting on merchant services and changes to credit cards.
- She said May 28th at 7:30 a.m. at Hellertown Borough, PennDOT officials will be talking about progress on Route 412.

- She attended History Day at the Heller Homestead.
- She said there's been a lot of discussion with the Heller Homestead and placing tents. She would like Staff to re-evaluate the map and pick out the areas with electric lines and draw lines around them from the Heller House to where the garage was and between the two houses and barn ruins, and tell them you don't want anyone to dig or place stakes in those areas.
- She attended the P/C meeting on April 23rd and had a lot of contact with residents on a couple of issues. Woodmont and Silver Creek/Silver Land had sketch plans and reviews by HEA and B&J, and she asked that an update be put on the agenda and is disappointed that it did not happen. She'd like an update on what's going on with Woodmont and the zoning issues. Attorney Treadwell explained to Council and the members of the public the Woodmont proposal from day one to the present and how the Township process works. Mrs. deLeon said there are residents here that want to partake in what's going on in their neighborhood and stated this same explanation should have been provided at the P/C meeting. Attorney Treadwell said Woodmont Management came here on two occasions and did not receive a nice reception. They were not present at the P/C. He thinks the issue is not a concern at this moment.

Mr. John Hulsizer, 2085 Johnston Avenue said everybody that's here is apparently up in arms that this might get changed over just like everyone here is up in arms over the dump.

Ms. Keri Maxfield said sorry she is a little anxious speaker. In 1999, her husband and her formed the Citizen's Coalition of LST, a 300-member coalition that worked to preserve Meadows Road property. We've been through this process 15 years ago. She handed Mr. Willard tonight a petition they used to save the property and the biggest spearheading of zoning that property tighter was Priscilla deLeon. Hindsight is everything, but she voted for the landfill and all the odors that are now. She voted for the dense zoning that there now. Mrs. Maxfield is tired of the fires Priscilla is creating in getting people here and she's sorry you all wasted your time tonight, but we will work to preserve that property again. Fifteen years later, we're still on it. Thank you.

Mrs. deLeon said she did not vote every time for the landfill, she voted for expansions that were permitted by zoning, you can't say no to something that's already zoned. Mrs. Maxfield said I was there Priscilla. Mr. Maxfield said you voted to rezone the area. Mrs. deLeon said I have a question Tom, would you please explain that? Mr. Horiszny said let's move on. Mrs. deLeon said Tom made a comment, and she'd like to know what he means. Mr. Maxfield said refer to the chair. (The preceding two paragraphs were transcribed verbatim.)

- She asked Attorney Treadwell to finish his report on Silver Creek/Silver Land. Attorney Treadwell said they have not heard anything from them since they were here on January 5th.

Mr. Kern – Absent

Mr. Willard

- He said they had their second meeting of the Citizen's Committee. Their next meeting is June 18th where they will begin gathering their recommendations which is open to the public starting at 7:00 pm in Council chambers.
- He said on the earlier discussion on Woodmont, there have been two failed proposals to develop that property. Using that land as open space, the property owner has to talk to the Township, the property has to be evaluated by the EAC, but that would certainly be another avenue for concerned residents to take. Mr. Horiszny said the only problem is the price he's heard is \$5.5 million for that land and the Open Space Fund wouldn't cover that.

Mr. Horiszny

- He and the Manager attended Senator Boscola’s local government forum on April 29th. Mr. Cahalan said they brought up PennDOT issues with Riverside Drive, Flint Hill truck concerns, the bridges in the Township, the weight limits, landfill odors and the pipeline. Senator Boscola is in favor of the pipeline.
- He said Public Works week is coming up May 17th to the 23rd and he’d like to see some of our equipment put out so that citizens can come and see that equipment and recognize the fine job Public Works does.

D. SOLICITOR – No report

E. PLANNER – No report

F. ENGINEER – No report

Ms. Louder asked to speak at the end of the meeting and Mr. Horiszny said she could talk. She said it’s not going to be quick. Mr. Horiszny said she should have talked during the public citizen non-agenda items. We’re at the end of the meeting. You get 3 minutes. Ms. Louder said in 1991 the paperwork was signed for this landfill. It was taken over and everybody sitting on Council agreed, and then there was the expansion. Southeastern realignment is coming through, you approved it with Phase IV. This is affecting their quality of life. You all signed on it. Mr. Maxfield asked her what did they sign? Ms. Louder said she’s talking about the host agreement and she knows whose signature was on it. Mr. Maxfield said not his. Ms. Louder said that’s right, but there was a vote. Mr. Maxfield said he wasn’t even on Council then, you don’t know what you are talking about. Ms. Louder said you were on Council when Steel City residents came here asking for the Township to turn away IESI and their expansion. You sat up there belittling the people of Steel City. Mr. Maxfield said you are making foolish statements and left the meeting. Mr. Horiszny said Ms. Louder was done as she was being unruly. Mrs. Louder said assholes.

VIII. ADJOURNMENT

MOTION BY: Mr. Willard moved for adjournment. The time was 8:49 p.m.

SECOND BY: Mr. Horiszny

ROLL CALL: All in favor

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President