

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 Variances
 - 1. David & Kathy DeRemer – 2167 Girard Avenue – Determination of Zoning Officer – Variance Requests for Lot Area, Steep Slope & Woodlands to Construct a House
 - 2. Nicholas Gress – 1362 Trotter Lane – Variance Requests for Side & Rear Yard Setbacks to Construct a Garage
- B. Review of PPL Request for Temporary Access Road Agreement Through Town Hall Property
- C. Discussion on Heavy Truck Traffic – Route 412 – Clarann Filko & Glenn Orwan
- D. Adelpia Gateway Project – FERC Notice of Intent to Prepare an Environmental Assessment – Review of Draft Comment Letter
- E. Authorize Advertisement of Ordinance No. 2018-01 – Revisions to Police Pension Fund
- F. Resolution #52-2018 – Authorizing Submission of a PA DCED Greenways, Trails, & Recreation Program Grant Application for Alternate Dog Park Site
- G. Request to Authorize Submission of Letter of Intent to Apply for a Northampton County DCED Community Investment Partnership Program Grant for Interior Modifications to Seidersville Hall
- H. Resolution #53-2018 – Authorizing Support of a Greater Lehigh Valley Chamber Main Street Lehigh Valley Grant Application
- I. Resolution #54-2018 – National Public Works Week – May 20 – 26, 2018

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of May 2, 2018 Council Minutes
- B. Approval of April 2018 Financial Reports
- C. Monthly Department Reports for April 2018

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

Zoning Hearing Board: May 21, 2018
Planning Commission: May 24, 2018
Parks & Recreation: June 4, 2018 @ Town Hall Park
Township Council: June 6, 2018
Environmental Advisory Council: June 12, 2018
Saucon Valley Partnership: June 13, 2018 @ LST
Saucon Rail Trail Oversight Commission: June 25, 2018 @ LST

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 16, 2018 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: Present: Sandra Yerger, President; Priscilla deLeon, Vice President; Glenn Kern, Donna Louder and Ryan Stauffer, Council Members; Leslie Huhn, Township Manager; Cathy Gorman, Director of Finance; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Sam Striz, Jr. Council Member. Absent with prior notification: Mike Beuke, Township Planner.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did not meet in Executive Session prior to this meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. Yerger 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. She asks that you give your fellow public the courtesy of the floor.

II. PRESENTATIONS/HEARINGS – None

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING BOARD VARIANCES

1. DAVID & KATHY DEREMER – 2167 GIRARD AVENUE – DETERMINATION OF ZONING OFFICER – VARIANCE REQUESTS FOR LOT AREA, STEEP SLOPE & WOODLANDS TO CONSTRUCT A HOUSE (7:01 p.m.)

Mr. DeRemer, applicant, Matt Sorrentino, Castle Builders, and Michael Gula from VanCleeve Engineering were present. Mr. Gula said they are attempting to obtain a zoning variance for an existing lot on Girard Avenue that is over 14,000 square feet and was created by subdivision in 1968. The lot does not meet current setback requirements and there are some slopes and it's wooded. They will be removing some trees.

Attorney Treadwell said the only yard requirement they don't meet is the front and after speaking to Mr. Kocher regarding this, with the way zoning has changed over the years, this is one that's best left to the ZHB to determine. Mrs. deLeon asked if there was anything that would address the slopes and stormwater issue? Mr. Kocher said if they get a zoning variance, they have to submit a grading plan.

Mr. Edward Roma, 2162 Girard Avenue, said he lives across the street and asked if anybody looked at this lot before a decision is made? Attorney Treadwell said the only decision being made tonight is Council will support, oppose, or take no action on the application to the ZHB. Mr. Roma spoke about the age of the trees on the lot, and was wondering if someone would mark the trees that they'd like to keep. Mr. Roma said maybe the driveway could be pushed to the side to preserve the trees? Mr. Gula said he doesn't think that's an issue and it's something they can make work. There was also discussion of any future plans to pave the cul-de-sac. Mrs. deLeon asked if they would redraw the driveway before it goes to the ZHB? Mr. Gula said when they do the grading plan that will happen. Council took no action.

2. NICHOLAS GRESS – 1362 TROTTER LANE – VARIANCE REQUESTS FOR SIDE & REAR YARD SETBACKS TO CONSTRUCT A GARAGE (7:19 p.m.)

Mr. Nick Gress, 1362 Trotter Lane, and Mr. Gordon Gress were present. Mr. Nick Gress said he's seeking a variance for setbacks to replace the existing shed with a 24'x28' garage.

The drawings show 2' which is incorrect – it would be 4' or 5' and would make sense as the driveway comes back that far. He is also seeking relief from the impervious coverage. Attorney Treadwell said since the application didn't list the impervious they will have to ask the ZHB if they'll allow them to amend the application there. Mr. Gordon Gress said the reason it wasn't is because they measured wrong; it adds 4% to 5% to the impervious coverage. Mr. Nick Gress said he spoke to all the neighbors and they are fine with it. Council took no action.

B. REVIEW OF PPL REQUEST FOR TEMPORARY ACCESS ROAD AGREEMENT THROUGH TOWN HALL PROPERTY (7:23 p.m.)

PPL was before Council in October 2017 about this request and has met with Township personnel to plan the best route for the least amount of disturbance. They submitted a revised temporary access road agreement with an exhibit showing the access route, which Attorney Treadwell has reviewed.

- MOTION BY:** Mrs. deLeon moved to approve that the Council President execute the Temporary Access Road Agreement through Town Hall property with PPL Electric Utilities.
- SECOND BY:** Mr. Stauffer
- ROLL CALL:** 5-0

C. DISCUSSION ON HEAVY TRUCK TRAFFIC – ROUTE 412 – CLARANN FILKO & GLENN ORWAN (7:25 p.m.)

Mr. Glenn Orwan and Ms. Clarann Filko were present. Ms. Filko said her her concern is the gas line. Mr. Orwan said his house is over 200 years old and their houses shake with the trucks going by. Other concerns are the trucks in the early morning hours plus the speeding. She knows Rt. 412 and Flint Hill Road are State roads and they have to deal with PennDOT, but would appreciate any help Council could give them. Mrs. deLeon said PennDOT is controlled by the legislators, and it they should ask for a meeting with Boscola and Freeman. Ms. Filko said their representative is Mr. Simmons and he has no time for them. Mrs. deLeon asked to find out whose gas line it is and contact them to tell them we had a resident concerned about the trucks.

Mr. Orwan said the speed needs to be lowered. He spoke to Dennis, an Engineer from PennDOT and in charge of lowering the speed limit, and was told that there's something wrong with his foundation. One day he counted 300 tractor trailers one way, not including the cement and dump trucks. He knows Ms. Huhn sent PennDOT a letter, but what did they do? The GPS is having them come down Flint Hill Road to go to I-78.

Mrs. Louder asked Mrs. Huhn if she could meet with the Chief and see if there's a time they could sit there. The Township has a speed trailer and that could give drivers a warning. Attorney Treadwell asked if it can record the data which could then be presented to PennDOT?

Mrs. deLeon said there were dump trucks going to the landfill and at the Landfill meeting, she talked to IESI and told them to have these trucks slow down, and Mr. Hallock said he has talked to the drivers. Mr. Stauffer asked if there ever been discussion of traffic signals? Mr. Orwan said 25 years ago they wanted to put a blinking yellow light there. Ms. Filko said there should be a traffic light at the bottom of Flint Hill and also at Apples Church Road; and Polk Valley and Main where the McDonald's is. Mrs. deLeon suggested they put something on Facebook and tell people to private message them if they are experiencing this problem or telephone their neighbors.

D. ADELPHIA GATEWAY PROJECT – FERC NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL ASSESSMENT – REVIEW OF DRAFT COMMENT LETTER (7:55 p.m.)

Mrs. Huhn said Attorney Elliot prepared a draft filing. Mrs. Louder said the pipeline in Northampton County is an existing pipeline, so she's confused at what we are opposing since the rest of the new construction of the pipeline is in other counties. As a steward of the tax dollars, she doesn't support any more financial tax burden. Mrs. deLeon said this document doesn't say we are

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opposing anything; she read an email she sent to Council back in February that local government public officials are responsible for the health, safety, and welfare of their communities. FERC is supposed to take our concerns into consideration and put it into a document.

Mrs. deLeon said she had no issues with the draft letter. Attorney Treadwell said this is similar to the response we sent to FERC regarding the PennEast Pipeline. Attorney Elliott was already authorized to prepare it, so we have to send it. Mrs. Louder said why are we spending tax dollars on the pipeline? Mrs. Yerger said we voiced some concerns, but we are not opposing it. Mr. Stauffer said it's a statement of the Township's interest.

MOTION BY: Mrs. deLeon moved to authorize submission of the comment letter as prepared before the deadline.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-1 (Mrs. Louder – No)

Mrs. deLeon said this is a repurposed pipeline and she wants to know what the depth of coverage over the existing natural gas pipeline is and whether or not it's adequate.

MOTION BY: Mrs. deLeon moved to authorize Attorney Elliott to attend the scoping meeting on behalf of the Township.

SECOND BY: Mr. Stauffer

Mrs. Louder asked if there is a dollar amount. Attorney Treadwell said it would probably be his hourly rate for as long as he is there.

ROLL CALL: 2-3 (Mrs. Yerger, Mr. Kern and Mrs. Louder – No) Motion failed

E. AUTHORIZE ADVERTISEMENT OF ORDINANCE NO. 2018-01 – REVISIONS TO POLICE PENSION FUND (8:05 p.m.)

Attorney Treadwell said our auditors discovered in the Police Pension Ordinance there was some language that they determined should have been removed when they changed something about 15 years ago. The changes were approved by the Police Association.

MOTION BY: Mrs. Yerger moved to authorize the advertisement of Ordinance No. 2018-01.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

F. RESOLUTION #52-2018 – AUTHORIZE SUBMISSION OF A PA DCED GREENWAYS, TRAILS & RECREATION PROGRAM GRANT APPLICATION FOR ALTERNATE DOG PARK SITE (8:06 p.m.)

The existing dog park is heavily used by residents and people surrounding the Township. There are two options presented by Boucher and James; one is with a small dog area, and one without it. Public Works does not see a need to have a second small dog area, as it is not used as heavily. Option 1 is \$59,133 and Option 2 is \$38,479; we only need to have a 15% match for the grant. Mrs. Louder asked if the money can come out of the Open Space Fund? Mrs. Yerger said no, because it was not purchased with open space money.

MOTION BY: Mrs. Yerger moved to approve Option 2 and approve Resolution #52-2018 for submission to DCED.

SECOND BY: Mrs. Louder

Mrs. deLeon asked if we should amend the site plan to include this as we are putting an improvement on it? Mr. Kocher said we do have a recorded land development plan but putting fencing up doesn't constitute a land development.

ROLL CALL: 5-0

G. REQUEST TO AUTHORIZE SUBMISSION OF LETTER OF INTENT TO APPLY FOR A NORTHAMPTON COUNTY DCED COMMUNITY INVESTMENT PARTNERSHIP PROGRAM GRANT FOR INTERIOR MODIFICATIONS TO SEIDERSVILL HALL

(8:14 p.m.)

Staff suggests submitting this for improvements in Seidersville Hall. Years ago we made improvements to the old Council room, which is used by the Senior Program. Now we want to improve the restrooms as they are circa 1940's. Mrs. Louder asked where the money was coming

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from? Mrs. Gorman said it would come out of our Capital Plan where money is reserved for building infrastructure and improvements.

MOTION BY: Mrs. deLeon moved to authorize the submission of a Letter of Intent to the Northampton County DCED's CIPP for modifications to Seidersville Hall.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

H. RESOLUTION #53-2018 – AUTHORIZING SUPPORT OF A GREATER LEHIGH VALLEY CHAMBER MAIN STREET LEHIGH VALLEY GRANT APPLICATION

(8:18 p.m.)

Mrs. Huhn said at the last meeting we discussed submitting this Chamber grant and that we would submit for the three new park signs. This is the resolution supporting it.

MOTION BY: Mrs. deLeon moved for approval of Resolution #53-2018.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

I. RESOLUTION #54-2018 – NATIONAL PUBLIC WORKS WEEK – MAY 20 – 26, 2018

(8:18 p.m.)

Public Works week is May 20 – 26, 2018, which this resolution recognizes.

MOTION BY: Mrs. Louder moved for approval of Resolution #54-2018.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MAY 2, 2018 MINUTES *(8:19 p.m.)*

MOTION BY: Mrs. Louder moved for approval of the May 2, 2018 minutes.

SECOND BY: Mr. Stauffer

ROLL CALL: 4-1 (Mrs. deLeon – No)

B. APPROVAL OF APRIL 2018 FINANCIAL REPORTS *(8:20 p.m.)*

Mrs. Louder asked about the Sanitation and Landfill Hosting, which says the General Fund has \$1,533,000 – Mrs. Gorman said that's inclusive of the BRE fees and the Composting Center revenues. Mrs. Louder asked how much are we banking for the future closure of the landfill? Mrs. Gorman said in the Operational Reserve Fund there is approximately \$2 million and in savings is \$4,100,000, which is where we deposit the landfill money. The maximum amount that's supposed to be in there is unrestricted and Council can utilize it, but we need that to offset every year's budget. Anything that exceeds \$3 million, she will come to Council next year to ask for direction on how it should be used. Mrs. deLeon said at the quarterly landfill meeting it was mentioned BRE was late in their payments. Mrs. Gorman said she will check on that.

MOTION BY: Mrs. Louder moved for approval April 2018 financial reports.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. MONTHLY DEPARTMENT REPORTS FOR APRIL 2018 *(8:25 p.m.)*

Mrs. Louder thanked everyone for all of their hard work and asked regarding 88 hours spent opening inlets and storm sewer pipes, doesn't the Authority take care of that? Mrs. Huhn said the inlets are in our roads and the storm sewers are on our property.

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS *(8:26 p.m.)*

- Matt McClarin, Riverside Drive, said Steel City Park started getting demolished May 2015; it is now May 2018 and it looks terrible. It is completely appalling that it's been three years and the park still is not done. He walked around the baseball field and found big boulders sticking out of the grass. There's a new basketball pole and there's a big dip right underneath the basketball hoop. Mrs. Louder said the park was not subcontracted, it was given to our Public Works Department, which was mistake No. 1. The silt fences are there because all the grass seed wasn't put in; the

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boulders were pulled up because they have to be picked up. Next is the shrubs and the trees; she sat down with Mrs. Huhn and the Planner and looked at what needs to be installed. We've come a long way in the past year. As far as the high grass in the trench, she thinks that's supposed to be wild flowers. We are doing the best we can and Mrs. Huhn and she have had constant conversations about this. Mr. McClarin said the baseball field was supposed to be sod, not a big pile of dirt on the inside. Mrs. Louder said it was changed to be like the rest of the fields in the Township. Mrs. Louder said she thinks that is done. Mrs. Huhn said the topsoil was kept onsite and reused, and that they are aware they have to remove the rocks.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER (8:26 p.m.)

- She recommends to Council the appointment of Ronald Horiszny to the ZHB. The term would end 12/31/2021.

MOTION BY: Mrs. Louder moved for the appointment of Ron Horiszny as a member of the ZHB.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

- There is a special event application for the SV Arts Festival on June 2nd from 10 a.m. to 5 p.m. Everything is in order. Mrs. deLeon said she'd like to see language in there in addition to the no dig area, do not move the rocks.
- The Hellertown Library Director is applying for a grant for storytelling hours at the library. It will be coming back for discussion if she is successful. Her request is the use of Seidersville Hall as a satellite library location in the summer and possibly utilize some of the outside. She is also looking to utilize Southeastern and Steel City Fire Companies.
- Public Works will be starting their summer work hours from June 4 to August 31 from 6:00 a.m. to 4:00 p.m.

B. COUNCIL/JR. COUNCIL (8:38 p.m.)

Sam Striz, Jr. Council Member

- They had their prom at Lehigh's Mountaintop campus. Last week they had the mini-thon to benefit childhood cancer; and they raised \$35,000. Next Tuesday they have a spring choir concert and then graduation.

Mrs. Yerger

- On May 5th, the EAC in partnership with the Saucon Creek Watershed Association conducted a rain barrel workshop for our MS4 compliance outreach. They constructed 17 rain barrels and everyone seemed very happy with it.
- On June 13th at 7 p.m., Rob Wozniak will be doing a lecture at the Lutz-Franklin Schoolhouse on the project he completed and will talk about the highlights of it.

Mrs. deLeon

- There was discussion at the SVP meeting about contacting PennDOT regarding signaling on the detour roads when the Water Street Bridge gets closed next year. Mrs. Huhn said Tom Rieger was talking about temporary traffic signals within the Borough. Mrs. deLeon said maybe we could do a letter of support for Hellertown.
- On May 8th she attended "Confronting Pipelines Protecting Your Rights". One of the topics was knowing your rights. There were five panelists speaking.
- As a landfill representative, she got an official NOV regarding their eight violations but didn't note any fines assessed. This morning she attended the NC Legislative breakfast for NC Ambulance Association and was sitting with Bob Freeman and Kurt Derr; she told them about the NOV's and asked them to find out why they didn't get a fine.
- On May 30th there's a scoping meeting by FERC regarding Adelpia from 5 p.m. to 9 p.m.

Mr. Kern – No report

Mrs. Louder

- She will be attending the Relay For Life on Saturday, May 19th.

Mr. Stauffer

- He and his wife walked the Woodland Hills Preserve with their dog. The grass was well cut but they found lots of ticks on themselves and their dog. He's not sure what else can be done about the ticks, and is wary about going back there.

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- C. **SOLICITOR** (8:47 p.m.) – He would like to have a brief Executive Session to discuss the eminent domain action filed against PennEast, the Township and the Petrie’s.
- D. **PLANNER** – No report
- E. **ENGINEER** – No report

Council recessed for Executive Session at 8:47 p.m. Council reconvened at 8:54 p.m.

VIII. ADJOURNMENT

MOTION BY: Mrs. deLeon moved for adjournment. The time was 8:55 p.m.
SECOND BY: Mrs. Louder
ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President