

- 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.** IESI Southeastern Realignment – Land Development
 - B.** Saucon Valley Partnership – Request Donation to the SVSD Environmental Education Center
- V. MISCELLANEOUS BUSINESS ITEMS**
- A.** Approval of May 6, 2015 Minutes
 - B.** Approval of April 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 Planning Commission Meeting: May 28, 2015
Next Park & Rec Meeting: June 1, 2015
Next Council Meeting: June 3, 2015
Next EAC Meeting: June 9, 2015
Next Zoning Hearing Board Meeting: June 15, 2015
Next Saucon Rail Trail Oversight Commission Meeting: June 22, 2015 @ CB
Next Saucon Valley Partnership: September 10, 2015 @ HB

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I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, May 20, 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; and Matt Smith, Jr. Council Member. Absent: Glenn Kern, Council Member; Judy Stern Goldstein, Township Planner; and Brien Kocher, Township Engineer.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

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

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

II. PRESENTATIONS/HEARINGS – None

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. SAUCON VALLEY PARTNERSHIP – REQUEST DONATION TO THE SVSD ENVIRONMENTAL EDUCATION CENTER

Ms. Huhn said at the last Saucon Valley Partnership (SVP) meeting, the Saucon Valley Education Foundation was seeking funding. They came to the SVP requesting a monetary donation. The SVP discussed it and felt that \$1,000 from each partner would be a donation they thought they could present to them. They have the money in the SVP checking account and each entity would have to approve their individual \$1,000.00 donation. They are asking Council to approve the our donation. Mrs. deLeon said the SVP was looking for projects that would benefit the three entities so they felt this was very worthy of it.

MOTION BY: Mrs. deLeon moved to approve payment from the SVP checking account in the amount of \$3,000 on behalf of LST, Hellertown Borough and the Saucon Valley School District to assist funding of the SV Environmental Education Center, which would be \$1,000 from the LST.

Mr. Willard asked for a detailed description of the work to be done. Mrs. deLeon said the plans of the education center includes a paved entry way and path, configured parking area and trenching for the insulation of water and electric. Mr. Maxfield asked if the other two entities voted on this? Ms. Huhn said the SVSD has and Hellertown was doing it at their next meeting.

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0 (Mr. Kern – Absent)

B. IESI BETHLEHEM LANDFILL – SOUTHEASTERN REALIGNMENT MAJOR PERMIT MODIFICATION LST TECHNICAL CONSULTANT COMMITTEE REVIEW

Mr. Jim Birdsall from Hanover Engineering was present. He reviewed his May 12, 2015 draft review letter which is on file at the Township.

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- MOTION BY:** Mrs. deLeon moved for approval for Mr. Birdsall to finish working on the letter and have Mr. Cahalan send it to the appropriate officials.
- SECOND BY:** Mr. Willard
- MOTION BY:** Mrs. deLeon amended her previous motion and moved for approval to have the Township Manager send Mr. Birdsall's letter as stated.
- SECOND BY:** Mr. Willard amended his second
- ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mr. Birdsall reviewed Hanover's comment letter for the Southeastern Realignment. He spoke of the MSE wall that IESI is proposing to build and how they planned to do that. Mrs. deLeon commented that the phases depicted on the map were confusing. Mr. Birdsall said he apologizes for the misunderstanding of phases to anyone in the audience and gave an explanation of why the phases were the way they are. They are addressing it in a generic sense right now and there will be a technical review later on. What is being reviewed right now is the environmental assessment phase of the review.

Mr. Birdsall said DEP has scheduled a meeting for the public input on June 22nd. His letter has comments that are geared to an overview of an environmental impact to the whole facility. There may be a planning review phase which would be more technical in front of the P/C when they go to submit a land development plan or need any zoning approvals. DEP will be looking for comments after their June 22nd letter.

Mr. Birdsall reviewed the elevation. The 725' elevation did have approval three years ago and when they lowered an area on the SW corner, they actually lowered the area to their future cap so that's why the chart they handed out shows the area as a maximum area of 707' and they are going back for approval at 725'.

Mr. Birdsall spoke specifically on No. 14 of his May 12th letter which is the benefits and harm analysis. DEP uses this process to see if it's reasonable to issue a permit of this nature if some of the benefits of the permit offset some of the negative impacts. HEA listed impacts which are not being mitigated, as follows: existing and increased traffic harms; existing and increased air quality degradation harms; odor harms, not capped for five years; existing and increased uncontrolled leachate harms; removal of the area currently serving the public for recycling drop will be removed to accommodate new construction. This is an active benefit to the community, and no replacement area was noted; and increased visual impacts not studied.

Mr. Willard said you have the six points, and for (e) it was noted no replacement area for the recycling drop-off but in the drawing it shows it on the left hand side. Mr. Willard asked if the height of the new MSE wall was specified. Mr. Birdsall said not in their letter. Mr. Willard said is there a maximum height for landfills in PA? Mr. Birdsall said no. Mr. Willard said he stated at the public meeting at Se-Wy-Co that if 15 feet is a story in a building that would be equivalent to a 48 story building at 725', is that correct? Mr. Birdsall said 725' is from sea level, so you don't have 725' out here, so that's not a proper calculation. Mr. Willard asked if there are other landfills that have waste over waste? Mr. Birdsall said yes there are other landfills that have.

Mr. Maxfield said when you say refill permitted grades, are we talking about the mesh between the proposed additions and what is there now? Most of the green stuff is established already and then they have to mesh the contours. Mr. Birdsall said right. He said he's not sure why they have to say refill as it's pretty much filled already.

Mr. John Hulsizer spoke about the height from the walking trail on the other side of the canal at the river. Mr. Birdsall explained how they viewed that and we think the summer would be okay to do that. The way to do it would be bring in a balloon and put it at the elevation of 725' and whoever

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is observing can see if they can see the balloon. Mrs. deLeon said if this is a DEP permit condition that they can't be seen and it's proven that they are being seen, what would happen? Mr. Birdsall said he didn't know. That is not a Township zoning matter.

Mr. Horiszny asked if these concerns have been presented to IESI? Mr. Birdsall said he doesn't know if these were shared with IESI. He said they haven't answered questions in any of the forms they can find, so they are asking IESI to bring that information forward. The second thing they are doing, is dealing with the specifics of the air permit application and the amendment to the Title V permit they have to go for, both very important components. They ask all the permits be issued simultaneously and meet DEP's approval before the three are issued. He's in favor of more communication often and more quickly, but logistically, it's unwise to call that many people together when they don't have all the components. From the June 22nd meeting, he thinks we would have until July 25th, but he can get you that date. Mr. Horiszny asked if he was thinking of Lou Militana as an outside air quality inspector? Mr. Birdsall said they have used him in the past.

Mr. Willard asked about the time table. Mr. Birdsall said if this schedule holds, your first review should be in their hands by July 28th. You get a second chance to review it on September 16th or October 11th. Mr. Birdsall said he would ask the May 6th letter be sent to DEP and hold the May 12th letter and if IESI, the audience, or the Township sees any error, it can be amended after the June 22nd meeting.

- MOTION BY:** Mr. Maxfield moved for approval for Mr. Cahalan to send the Hanover Engineering's May 6th letter to DEP and send a copy to IESI.
- SECOND BY:** Mrs. deLeon
- ROLL CALL:** 4-0 (Mr. Kern – Absent)

Mrs. deLeon said since the May 12th letter is in draft, would it be beneficial to put it on the website? Mr. Horiszny said on the landfill page. Mr. Maxfield asked that all the pages be marked "draft".

Mrs. deLeon asked Mr. McClarin to tell us where you could see the landfill from the towpath. Mr. McClarin said you can see it from Freemansburg and a mile down, you look up there and can see the sea gulls and the wall and the landfill from that distance.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MAY 6, 2015 COUNCIL MINUTES

Mr. Horiszny said the minutes of the May 6, 2015 Council meeting are ready for Council's review and approval. He asked for a correction with the Planner. Mrs. deLeon said on page 6 of 7, she asked for a re-evaluation of the map of the Heller Homestead. She said on line 33, Keri Maxfield spoke at the podium and called her a liar several times and she would like that in here. On line 20, she attended the P/C on the 23rd and it was important for people to hear Linc's explanation of Woodmont's proposal and Silver Creek, and the minutes don't say that. Mr. Horiszny said these are the minutes and they can go to the audio recording of the minutes. Mrs. deLeon said she feels there should be something in there. The next page 7, line 10, it starts off with Mrs. Louder and you put her comments in but kept out part of Mrs. Maxfield's comments. Matt McClarin spoke and that wasn't in. Mr. Horiszny said the meeting was over before he spoke. Mrs. deLeon said she objects to that. Mr. Horiszny said if Mrs. deLeon has additions to make, she will have to come up with a word for word on what Mrs. Maxfield said, again, listen to the audio. Mr. Willard said on page 6, line 21, Silver Creek is referred to as Silver Land. Mr. Horiszny said that's what they are calling it. Mr. Willard said on Page 7, he'd like that stricken from the minutes as it was after the adjournment. Mr. Horiszny said these will be tabled.

B. APPROVAL OF APRIL 2015 FINANCIAL REPORTS

Mr. Horiszny said the April 2015 financial reports are ready for Council's review and approval.

MOTION BY: Mr. Horiszny moved for approval the April 2015 financial reports.

SECOND BY: Mr. Willard

ROLL CALL: 4-0 (Mr. Kern – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Joe Zielinski, 2148 Schwab Avenue, said they are allowed to burn trash and people are burning plastics, carpet, countertops. Maybe they shouldn't be able to burn. He asked why the Louder's were given special permission to put a fence in the alley and they installed it without a permit. He can't get any answers. He wants to buy a camper and put it in his yard and there's a fence in his way. Attorney Treadwell said we'll have to ask the Zoning Officer. Mr. Zielinski said he'd appreciate a meeting. The fence is clearly over the property line. He said he has been there since 1993 and has never smelled the landfill.
- Ms. Donna Louder, Johnston Avenue, said in rebut to what Mr. Zielinski just said, the fence went in three years ago and they did have a permit from the Township.
- Mr. Joe Zielinski said he contacted Lowes and they told him there was no permit. They said Mr. Louder had a friend in the Zoning Department and he got special permission.
- Mr. Matt McClarin, Riverside Drive said we just enacted a Soliciting ordinance in this Township and representatives from IESI were going door-to-door soliciting contracts. He wants the Manager to look into it and see if they applied for the permit. He was walking on Johnston Avenue and a lot of roads in Steel City need bad repair. The main one is Johnston and Adams and a couple heading up to Nelson's garage. Mr. Cahalan said we have a classification system for every road in the Township that are rated every year. He'll look up the roads and report back.
- Ms. Patty Hulsizer, 2085 Johnston Avenue, said on April 19th, they called DEP as there were intermittent odors throughout the day. DEP came out to her house that day, was there a follow-up on this? Mr. Cahalan said the only thing they'd get is a report from DEP and they are posted on the website.
- Mr. Walter Zagwoski asked when the parking at the golf course park will be done. Mr. Cahalan said Public Works will be doing it within the next month.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said he reviewed a staff recommendation for the special event request for the SV Conservancy art festival at the Heller Homestead on May 30th. Staff is recommending approval with some recommendations from the Police, Public Works, and the Fire Marshal. Each vendor needs a certificate of insurance. Amplification will not be allowed. The SV Conservancy said there are no issues with these recommendations.

MOTION BY: Mr. Horiszny moved for approval of the special event request from the SV Conservancy for their festival on May 30th.

SECOND BY: Mr. Willard

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent) Mr. Maxfield left at 8:29 pm.

- Mr. Cahalan said he received a memo from Roger Rasich that the emergency generator needs a new control panel assembly for a price of \$7,260.00. It will be capable of automatic weekly tests and will virtually be like new. Mrs. deLeon asked what a new generator would cost? Mr. Cahalan said probably about \$30,000.00 to \$50,000.00.

MOTION BY: Mr. Horiszny moved for approval for repairs on the Public Works generator for a price of \$7,260.00.

SECOND BY: Mr. Willard

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent)

- Mr. Cahalan said our agents are telling us we should get cyber insurance which is to protect us in the event we are hacked. He has a proposal from the insurer for \$1,922.16 a year and this would cover us to obtain \$1 million of aggregate coverage for any claims.

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MOTION BY: Mr. Willard moved for approval for the Township to obtain cyber insurance at a cost of \$1,922.16 a year.

SECOND BY: Mr. Horiszny

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent)

- Mr. Cahalan said they have three retired police bicycles in storage. They have a value of \$150 each. The Township would like to dispose of two of the bikes by providing them to Officer Bredbenner in exchange for his leg press machine and two 100 lb. plates for the weight room. It's a professional piece of equipment valued at \$500.00. To even the exchange, the PD would pay Officer Bredbenner \$200.00 of donated funds that they have available. Council had authorized the Manager to dispose of Township property valued under \$1,000.00 and he is to notify Council at a public meeting before it's accomplished.

MOTION BY: Mr. Horiszny moved for approval of the trade as indicated in the memo and as stated above.

SECOND BY: Mrs. deLeon

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent)

Mr. Horiszny asked if we could donate the remaining bike to a bicycle group in Bethlehem that gives them to kids. Mr. Cahalan said he can look into that.

B. COUNCIL/JR. COUNCIL

Matt Smith, Jr. Council – He will be at the Volunteer Picnic on June 8th.

Mr. Maxfield – Absent

Mrs. deLeon

- She said we got a letter from the Department of Health and they are going to do a health study.
- She said we got an email from the pipeline and they want to meet with Mr. Cahalan and other interested LST officials with an update of the project. She'd like to have Mr. Cahalan send an email that LST would meet with him, but it has to be in a public meeting.

MOTION BY: Mrs. deLeon moved that Mr. Cahalan send an email to the PennEast pipeline officials saying we want a meeting, but it's not going to be private, it's going to be public.

SECOND BY: Mr. Willard

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent)

- She asked if Mr. Cahalan could activate the pedestrian crosswalk for the Art Festival event.

Mr. Kern – Absent

Mr. Willard – No report

Mr. Horiszny

- He asked if the lights at the basketball court were coming on? Mr. Cahalan said he'll look into it.

D. SOLICITOR – No report

E. PLANNER – Absent

F. ENGINEER – Absent

VIII. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 8:51 pm.

SECOND BY: Mr. Willard

ROLL CALL: 3-0 (Mr. Maxfield and Mr. Kern – Absent)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President