

- 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.** Quarterly Township Landfill Consultants Report
  - B.** PennEast Pipeline Procedural Discussion
  - C.** Request to PennDOT for Speed Limit Reduction on Portion of Rt. 412
  - D.** Resolution #68-2015 – Budget Amendment
- 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**

Next EAC Meeting: June 9, 2015  
Next Zoning Hearing Board Meeting: June 15, 2015  
Next Council Meeting: June 17, 2015  
Next Saucon Rail Trail Oversight Commission Meeting: June 22, 2015 @ CB  
Next Planning Commission Meeting: June 25, 2015  
Next Park & Rec Meeting: July 6, 2015  
Next Saucon Valley Partnership: September 9, 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, June 3, 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; Priscilla deLeon and Dave Willard, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Linc Treadwell, Township Solicitor. Absent: Glenn Kern & Thomas Maxfield, Council Members; Judy Stern Goldstein, Township Planner; Brien Kocher, Township Engineer; 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 – None**

**III. DEVELOPER ITEMS – None**

**IV. TOWNSHIP BUSINESS ITEMS**

**A. QUARTERLY TOWNSHIP LANDFILL CONSULTANTS REPORT**

Mr. Jim Birdsall from Hanover Engineering was present to give his quarterly report for the landfill. He reviewed the waste acceptance and management for IESI. One item he brought to Council's attention was the intermediate cover is not stabilized as quickly as they believe the plans call for so they are raising that question with DEP. They expect DEP will be looking at that issue. It doesn't mean they aren't covering it with intermediate, it means the grass is not growing and there's a capping process as the landfill proceeds and we believe they may be behind schedule with the capping which is the permanent cover in some of the areas in Cell 3.

Mr. Birdsall reviewed the landfill gas management. He said BRE is now running and on-line. IESI is installing additional gas collection wells. He said they have had exceedances in various locations, the 500 ppm of methane which they watch out for. In ten days they take new readings. Mrs. deLeon said she thinks items f. and g. of his report are important for the record. Mr. Birdsall said the 3Q14 Surface Emission Monitoring for methane reporting was not received until February and they would ask IESI to report this more promptly. Mrs. deLeon said we were going to communicate to DEP that we wanted more regular testing; then DEP issued the NOV and the response letter from IESI said they are meeting all the requirements, but they were in violation. Mr. Birdsall said Council did authorize that letter for release. Mr. Willard asked if IESI is filing with DEP on time or are they behind? Mr. Birdsall said he didn't know.

Mr. Birdsall reviewed the leachate management. He said of concern is the leachate management chambers, and the quality of flows between the collection zone and detection zone. The leachate from the landfill is now approaching the chemical equivalency of leachate found in the landfill itself so they are concerned in the detection zone. It's an indication there may be some leakage out of the liner system, although if it is in that location, it's a small amount as PS2 has never recorded

**General Business & Developer Meeting  
June 3, 2015**

high readings. They aren't saying it's a major problem; they just want to keep an eye on it. They don't think there's any pollution getting to the groundwater.

Mr. Birdsall reviewed the traffic management. The Police Department has been conducting overweight truck enforcements. Mrs. deLeon said the trucks that come in with the soil don't get weighed and we don't know if they are overweight or not. Mr. Birdsall said correct. Mrs. deLeon said for the March numbers, they are very high even though they are taking in less trash. Mr. Cahalan said the question on the dirt trucks came up in the past and he asked the landfill if they were weighed. The landfill said not at the landfill, but they are weighed at the point of loading. Mr. Birdsall can make an inquiry on the weight of the trucks.

Mr. Birdsall reviewed the stormwater management. He said it's working properly. He said they have submitted a permit for the Southeastern Realignment, which is a major permit modification and is being reviewed separately.

Mr. Birdsall reviewed the operational changes saying they have used the new trailer tipper occasionally and they've seen it in operation and it doesn't appear to be creating any problems. They are putting on more intermediate cover than they had before to help mitigate the odor, but stopped because of inclement weather. Sam Donato is no longer there, and he's been replaced by Lee Zimmerman. The Committee is concerned about adequately staffing the facility

Mr. Birdsall reviewed the regulatory oversight and said IESI received an NOV relating to the maintenance of intermediate covering of solid waste after placement and intermediate gas control on monitoring plan. IESI has issued a response to DEP. IESI basically felt they were already in compliance almost before the letter was issued. He's concerned they are not restoring the vegetation and capping it as quickly as the plans call for. Mrs. deLeon said the inspection was April 21<sup>st</sup> and it should have been way before that.

Mrs. deLeon said they met with the Department of Health, the CDC, and Roger Bellas from DEP on June 4<sup>th</sup>. This was in response to the Township's request regarding a health study of the area around the landfill. The representatives did a tour of the landfill area. She's hoping for a good study result. They are also putting the mobile unit at the Steel City Church to take samples. Mr. Cahalan said the Department of Health report would be based on data they would get from DEP, who is collecting the data, which is air sampling. They did talk about the possibility of doing water sampling and we indicated they can look at the trend analysis reports. We discussed residents who are on public water and they said they would pull the data together, analyze it, and in several months issue a report.

Mr. John Hulsizer, Johnston Avenue, asked if they are looking into asthmatic people? Mrs. deLeon asked that and they said they don't get that specific regarding health issues and they don't go door-to-door asking for health histories. The CDC people said there's a registry where if someone has cancer, their doctor can report it on the registry and they may take a look at it.

Atom Kallen, Roberts Avenue, asked if there was a way they can report health problems to make it part of the study? Mrs. deLeon said that's separate. She asked about other illnesses and they don't get that specific. Mr. Kallen said he's noticed an increase in birth defects with the local animals.

**B. PENNEAST PIPELINE PROCEDURAL DISCUSSION**

Mr. Cahalan said we requested to have a public meeting with the PennEast Pipeline representatives and their response was "not at this time". They are offering a meeting with just the elected officials. Mr. Horiszny said there is a meeting coming up on June 10<sup>th</sup> at 6:30 pm at Penn State Lehigh Valley. Mr. Cahalan said it's generally on pipeline issues with a staff member from the University and another consultant who will provide general information.

**General Business & Developer Meeting  
June 3, 2015**

Mr. Cahalan asked if Council wants to meet with PennEast. Mrs. deLeon also made a request to have Charles Elliott communicate with FERC about their refusal to meet with the residents at a public meeting. Mrs. deLeon said she feels it's very bad that PennEast won't meet publicly with us. Mr. Horiszny said we should go back to them and tell them the Council will meet with them privately if it's still open. Mr. Willard would like Attorney Elliott to attend the meeting.

**MOTION BY:** Mr. Horiszny moved to authorize a letter be prepared to PennEast Pipeline representatives indicating Council members and staff would like to have a private meeting with them and include our Environmental Solicitor, Charles Elliott.

**SECOND BY:** Mr. Willard

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

**MOTION BY:** Mrs. deLeon moved to have Charles Elliott write a letter to FERC about their refusal to meet with us at a public meeting at Lower Saucon Township.

**SECOND BY:** Mr. Horiszny

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

**C. REQUEST TO PENNDOT FOR SPEED LIMIT REDUCTION ON PORTION OF ROUTE 412**

Mr. Cahalan said the Police have made a recommendation to Council that we send a letter to PennDOT requesting that they conduct a traffic study on Route 412 between Rosalie Drive, north to the Hellertown Borough line, due to the fact that the road has several intersecting roads on it, two sharp bends and there have been several crashes. In 2015, they have nine vehicle crashes at the Apples Church intersection and three at the Flint Hill/Route 412 intersection. They want the speed limit reduced from 40 mph to no more than 35 mph.

**MOTION BY:** Mrs. deLeon moved to authorize a letter be sent to PennDOT requesting a traffic study on Route 412 between Rosalie Drive to the Hellertown Borough line based on the study conducted by the LST PD.

**SECOND BY:** Mr. Willard

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

**D. RESOLUTION #68-2015 – BUDGET AMENDMENT**

Mr. Cahalan said this was funding that Council approved in the 2014 budget and it was encumbered at that time for the purchase of vehicles which did not happen because there were delays on the manufacturing end and we finally did make a purchase in 2015, so the Finance Director needs to move the funding of the revenue into the Vehicle Purchases line item so she'll have a matching expense in that amount. Mrs. deLeon doesn't remember discussing this in our 2015 budget meeting. Mr. Cahalan said it was discussed at the 2014 budget meeting and the money was carried over. At the end of 2014, we were anticipating it would be completed in two months and that didn't happen. When the auditors do the 2015 audit, it will be in the correct line item.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #68-2015.

**SECOND BY:** Mr. Willard

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

**V. MISCELLANEOUS BUSINESS ITEMS – None**

**VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None**

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

➤ Mr. Cahalan said he provided to Council the odor detection log completed by the LST PD, which was a request that Council made. The log contains 104 stops in Steel City that were

logged in May. Of that, there were two reports of odor that were described as landfill gas and two reports of either rotting garbage or the same smell as in front of the landfill.

- Mr. Cahalan said the Hellertown Area Library is trying to resurrect the “Friends of the Library” program and there is a meeting tomorrow at the library for residents at 6:30 p.m.

**B. COUNCIL/JR. COUNCIL**

**Matt Smith, Jr. Council** – Absent

**Mr. Maxfield** – Absent

**Mrs. deLeon**

- She said she would like the Manager to contact the landfill regarding the inability to copy the disks they give us. Ms. Huhn said she will follow up with them.
- She asked if we got any information on the meeting for the expansion to be held on June 22<sup>nd</sup>? Mr. Cahalan said we haven’t received anything official from DEP as of yet. We secured the SV High School for the location.
- She said she got a phone call that IESI was going door to door putting door hangers on the doors. She sent an email to the Manager and apparently the Township officials didn’t think this was peddling. She disagrees with that. It talks about selling a contract for residents. It’s no different than a realtor going around. She hopes this doesn’t keep happening and she’d like an explanation why it isn’t a violation of our ordinance. Attorney Treadwell said do you have to pay them for the contract? Mrs. deLeon said no, they pay you to buy the contract. Attorney Treadwell said then what are they selling? Mrs. deLeon said they are buying your house. Attorney Treadwell said unfortunately, that’s not what the ordinance says. He doesn’t think there’s a provision that would not allow a realtor to knock on your door and say would you like to sell your house? He read the definition of peddling from the ordinance. His understanding of the ordinance is when we discussed and the PD requested it be revised, was not that it would cover every single person who goes up and knocks on your door. It only covers peddling and soliciting and the activity that the landfill was engaged in, and he never saw the hanger they were putting on the door, but there’s no goods, ware, service or merchandise being sold. Mrs. deLeon said you could stretch it and say it’s a service. Attorney Treadwell said you could stretch it, but unfortunately, it’s up to the Police Department to go in front of the Magistrate and prove that they violated the peddling ordinance and the Police Department along with himself, the Manager and the Zoning Officer, all did not think that would be successful had we cited them for violating the peddling ordinance. The first question the Magistrate would ask is what is the good, ware, service or merchandise they are selling; and he wouldn’t say go ahead and stretch it. There’s nothing to say we couldn’t ask the Landfill to knock it off. The question was asked is it a violation of the peddling and soliciting ordinance. Mrs. deLeon said she’ll change here request then to ask them not to do that. Attorney Treadwell said as a Council to ask them not to discuss purchasing individual properties for people who live in the Township, you could do that, as he’s not sure all the residents of the Township would go along with that. Mr. Willard said his concern is some of the residents might be interested in what’s being offered, so if they aren’t in violation of any ordinance, he wouldn’t support the motion.

**Mr. Kern** – Absent

**Mr. Willard**

- He brought some pictures from the Saucon Valley Arts Festival which was held on Saturday, June 6<sup>th</sup>. They had 60 vendors and there was a report they had 500 people attend. He observed the traffic on Water Street and Seidersville Road on Saturday morning for several hours and in relation to the Woodmont properties location, there’s a tremendous amount of traffic on that road.
- He said he’s going to meet with Officer Haggerty tomorrow to review the Neighborhood Watch program, which has been in place for eight or nine months.
- He said Chris Garges has developed an on-line survey on the subject of permitting, for the Citizen’s Committee, which will be available to residents.

**General Business & Developer Meeting  
June 3, 2015**

- They have a meeting on June 18<sup>th</sup> for the Citizen's Committee and they invited John Landis, Andrew Warner, and Scott Mease to give input which will conclude the information sessions, then two more meetings to come up with their recommendations.
- He said our Jr. Council Member, Matt Smith, was named an outstanding Senior on the basketball team and most improved on the soccer team.

**Mr. Horiszny**

- He said the Volunteer Appreciation Picnic is Monday, June 8<sup>th</sup> starting at 6:00 p.m. at the pavilion at Town Hall.

- D. SOLICITOR** – No report
- E. PLANNER** – Absent
- F. ENGINEER** – Absent

**VIII. ADJOURNMENT**

- MOTION BY:** Mrs. deLeon moved for adjournment. The time was 8:11 p.m.  
**SECOND BY:** Mr. Willard  
**ROLL CALL:** 3-0 (Mr. Maxfield and Mr. Kern – Absent)

Submitted by:

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Jack Cahalan  
Township Manager

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Ron Horiszny  
Council President