

---

---

**The Township Building remains closed to the public. This meeting will be held through a Zoom teleconferencing link. Information to join the meeting will be provided on our website.**

**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. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS**

**III. PRESENTATIONS/HEARINGS**

**IV. DEVELOPER ITEMS**

- A. Aria Energy East LLC – PA DEP – Air Quality Permit and Special Conditions for BTU RNG Processing Facility – 30 Day Comment Period
- B. Aria Energy East LLC – PA DEP – General Permit Approval for Use of Residual Waste – 30 Day Comment Period
- C. Bethlehem Landfill – PA DEP – Minor Permit Modification Application for RNG – 30 Day Comment Period

**V. TOWNSHIP BUSINESS ITEMS**

- A. Discussion of Host Municipal Inspector Landfill Engineering Consulting Services
- B. Quarterly Technical Consultant Committee Report on Bethlehem Landfill
- C. Resolution #50-2020 – Appointing Special Fire Police – Steel City Fire Company
- D. Discussion of Fire Department Annual Contributions and Merger Update
- E. Review of Grant Submission for Fire Apparatus – Lower Saucon Fire Rescue – Ladder Truck
- F. Fire Company Request to Receive Recruitment & Retention Money in Addition to SAFER Grant
- G. Resolution #51-2020 Lower Saucon Township Council Extending the Ratification of the Declaration of a Disaster Emergency within Lower Saucon Township Due to the COVID-19 Coronavirus Pandemic

**VI. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of May 20, 2020 Council Minutes

**VII. COUNCIL & STAFF REPORTS**

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

**VIII. PUBLIC COMMENT ON NON-AGENDA ITEMS – NON-RESIDENTS ONLY**

**IX. ADJOURNMENT**

**UPCOMING MEETINGS**

Environmental Advisory Council: June 9, 2020  
Saucon Valley Partnership: June 10, 2020 @ 6:00 p.m.  
Township Council: June 17, 2020  
Saucon Rail Trail Oversight Commission: June 22, 2020 @ 6:00 p.m.  
Zoning Hearing Board: June 22, 2020  
Planning Commission: June 25, 2020  
Parks & Recreation: August 3, 2020 @ 6:00 p.m.

[www.lowersaucontownship.org](http://www.lowersaucontownship.org)

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order with the Zoom teleconferencing link on Wednesday, June 3, 2020 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; Jason Banonis, Vice President; Priscilla deLeon, Kristen Stauffer, Thomas Carocci, Council Members; Leslie Huhn, Township Manager; Cathy Gorman, Director of Finance; Jim Young, Zoning Officer; Linc Treadwell, Solicitor; Brien Kocher, Township Engineer; Avia Weber, Jr. Council Member.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

Mrs. Yerger said Council did not meet in Executive Session.

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mrs. Yerger said we ask that you keep your comments to three minutes per item.

**II. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS**

Mrs. Yerger asked if we had any Township resident who wants to speak on a non-agenda item. Mrs. Huhn said she sees no hands at this time.

**III. PRESENTATIONS/HEARINGS – None**

**III. DEVELOPER ITEMS**

**A. ARIA ENERGY EAST LLC – PA DEP – AIR QUALITY PERMIT AND SPECIAL CONDITIONS FOR BTU RNG PROCESSING FACILITY – 30 DAY COMMENT PERIOD**

**B. ARIA ENERGY EAST LLC – PA DEP – GENERAL PERMIT APPROVAL FOR USE OF RESIDUAL WASTE – 30 DAY COMMENT PERIOD**

**C. BETHLEHEM LANDFILL – PA DEP – MINOR PERMIT MODIFICATION APPLICATION FOR RNG– 30 DAY COMMENT PERIOD**

Mrs. Huhn said we can cover both A, B, and C under developer items. We received the Air Quality permit for the BRE, the General Permit and the Minor Permit Modification application for RNG in association with the Bethlehem Landfill. This is an appeal period, so when they submitted their applications, Lower Saucon Council did submit questions and concerns on behalf of our consultants on their recommendations. Those questions we had were incorporated into the permits so technically this is an appeal period and she doesn't think we really have any items we'd really like to appeal as they did incorporate our concerns into the permits, unless Council has any questions.

Mrs. deLeon said on the first one, on page 10, she's reiterating something as we always are concerned about malodors coming from the landfill. Page 10 specifically states that it's a prohibition of certain fugitive omissions. On page 11, it also says they have one hour to notify the DEP if there is something going on that's significant. We usually ask the landfill to follow up with the Township if something is going on; and any DEP letters should be copied to the Township. When they passed the waste laws in 1988, Act 101, they said the Host Municipality needed to be copied on all correspondences; unfortunately, that only applied to the waste regulations, it did not apply to air, so we kind of get lost in the air department with BRE getting the air documents. She asked if Bethlehem Landfill was on this call, as it's important that they know they should follow through with this plan too, it is in the permit. For the General Permit, they received a deficiency letter and she was surprised even the simplest questions weren't even answered. It's an appeal, so she has nothing more.

Mrs. Yerger asked if anyone in the audience raised their hands. Mrs. Huhn said she sees no hands.

IV. TOWNSHIP BUSINESS ITEMS

A. DISCUSSION OF HOST MUNICIPAL INSPECTOR LANDFILL ENGINEERING CONSULTING SERVICES

Mrs. Yerger said Council has received two (2) proposals for Host Municipal Inspector Landfill Engineering Consulting Services and has invited the firms to this meeting to ask questions Council may have.

Mrs. deLeon asked that Maser Consulting go first. Mrs. Huhn said Bob Zelle, Ron Madison and Donald Bowman were on the line. Mr. Bowman said he's a Professional Engineer and present are also Ron Madison a Professional Engineer and Bob Zelle, a licensed Professional Engineer. Mrs. deLeon said who is an HMI? Mr. Bowman said he is and so is Ron Madison and Vince Carbone who is not here, they have three.

Mrs. deLeon asked what other landfills have you worked for? Mr. Bowman said they work for Chrin in Williams Township. Bob Zelle has worked for a total of 30 landfills. Mrs. deLeon asked serving as an HMI or Landfill Engineer? Mr. Bowman said the consulting engineer on behalf of the Townships, those are in NJ. Mrs. deLeon said as a HMI, can you go over some of the duties you would have. Mr. Bowman said we perform the inspections, monitor the permits with clients and look at landfill gas and see how they are operating. We also comment on the landfill's permit documentation and the permit submittals on behalf of the Township. Mrs. deLeon said you are speaking as an HMI and not a consultant. Mr. Bowman said speaking as an HMI.

Mrs. deLeon said it was in the early 90's when the State started this program and she was very happy as it added a layer of oversight because of having somebody representing the Township and being able to do all the things an inspector could do in between the DEP and host township. Mrs. deLeon said can you explain how you would be keeping us informed on your findings and inspections. Mr. Bowman said we would immediately let the Township know and we would meet with them as needed. If something does not comply with the permit, we have on our team, Bob Zelle, who was on the Board of Directors as Chairman in the landfill in NJ and he has actually been responsible and has the perspective of a landfill. We have that perspective as well as municipal engineering services we provide.

Mrs. deLeon said could you explain what would be a condition at the landfill that would result in immediate notification to the Township Manager and/or Council of a shutdown, which you are entitled to do. Mr. Bowman said odors being one. If the landfill gas is not operating correctly, they would let the Township know right away as well as if water was in the system, or pluggage.

Mrs. deLeon said what are your thoughts about planning a post closure, which was in the RFP. Mr. Bowman said one of the simplest things is the landfill gas collection system as you'd want to make sure that it's flared off or used so it doesn't create an odor problem for the Township. This is what they went through with landfills in NJ. They had to expand the collection system and they want to prevent the odor problem before it becomes an odor problem. That's one of the big things they would look at.

Mrs. deLeon said your quote came in higher than we are paying, can you explain why that's so high compared to what we are paying already. Mr. Bowman said we're giving you a depth of experience, we have \$110 an hour Vince Carbone, who does the majority of the inspections, he's an HMI. Our top rate with the most experience would be Bob Zelle who has been accepted as expert witness testimony, and would be available. Bob would not be conducting HMI inspections at that rate. Just like he's at William's, he'd be available for the Township to provide expertise. He's also been Chairman of the Board of a landfill, so he brings that. Mrs. deLeon said we're hoping not to go to court to use his expertise. Mr. Bowman said no one plans to.

**General Business & Developer Meeting  
June 3, 2020**

Mrs. deLeon said your quote of \$160/hour and that's for what? Mr. Bowman said that would be Bob Zelle's rate if you need him for those skills he just mentioned.

Mr. Banonis said if he understood your earlier answer, it sounded like Vince Carbone would be our named HMI, is that accurate? Mr. Bowman said yes. Mr. Banonis said what are his qualifications and experience. Mr. Bowman said he has quite a lot of experience with him. He has a degree in geology and has been conducting HMI inspections at Chrin for three years and has worked for landfills for Bob Zelle in NJ. A lot of that work is measuring methane gas. He also worked under a firm to install a gas collection system in Hillsboro. He's from Phillipsburg originally.

Mr. Banonis said how many landfills does he serve as an HMI. Mr. Bowman said just Chrin on behalf of Williams Township. Mr. Banonis said you mentioned folks in your organization that have credentials and yourself, Bob and Vince. How many HMI's does Maser have? Mr. Bowman said three, Vince Carbon, Ron Madison and himself. Mr. Banonis said if we were to hire you and you became unavailable, who would be the next go to person. Mr. Bowman said probably Ron Madison.

Mr. Banonis said can you explain just generally the scope or planned services you would be providing for the rate you said, \$110/hour, what would you be doing? Mr. Bowman said he would be providing inspections at the landfill, checking the conditions, checking the odors, operation of the gas plant, the tonnage limits, going to check their permit compliance, just what he does at Chrin. Mr. Banonis said is there a protocol that he would follow when performing these services. How would he go through the protocol? Mr. Bowman said it's a checklist they all follow for Chrin. It's standardized and they will check the loads, radioactive loads, how they were reported, were they rectified.

Mr. Banonis said if there was a non-compliance issue, how would that be observed? Mr. Bowman said they would let the landfill operator know and they would let the Township know. Mr. Banonis said besides notifying the landfill are there any other steps or would that be the extent of what you would do. Mr. Bowman said we would write it up and tell you what the regulatory requirement was and what the non-compliance was and try to find a solution. Mr. Banonis said obviously he would expect you would be communicating with DEP. Mr. Bowman said yes. Mr. Banonis said who do you deal with at DEP? Mr. Bowman said we have not had any non-compliances that we had to deal with DEP.

Mr. Banonis said do you have experience dealing with Form U's and other reports. Mr. Bowman said yes. Mr. Banonis said what's your experience with that? Mr. Bowman said he sensors soils, sends them to the cleaner facility in Philadelphia where a Form U is required. He's done coal ash, sent it for daily cover where he had to fill out a Form U. He's filled out a lot for soils.

Mr. Banonis said can you tell us generally what your internal operating procedures are for auditing the work that Vince would be doing if he was hired to do this. What sort of checks and balances would Maser have to make sure he's in compliance. It sounds to him like Bob has greater experience and he's the expert in this. Mr. Bowman said Vince reports to him. He reviews everything and mentors Vince. He has 30 years' experience and he would review his work as a supervisor.

Mrs. Stauffer said how do you manage the HMI's for these landfills for an extended period of time and what is the longest you've had an HMI at a particular landfill? Mr. Bowman said his firm has been an HMI to the Chrin Landfill for three years. Mrs. Stauffer said the longest term with a landfill, is it one specific landfill? Mr. Bowman said yes. Mrs. Stauffer said what is the largest non-compliant issue you had to deal with in working with Chrin or another landfill and how did you go about handling that. Mr. Bowman said do you mean Chrin or any landfill. Mrs. Stauffer said it could be Chrin, it could be any landfill that you have contact with. Mr. Bowman said

**General Business & Developer Meeting  
June 3, 2020**

probably the largest would be Fenimore in Roxbury Township and the Keegan Landfill in the town of Kearney. Fenimore had serious hydrogen sulfide issues throughout the township and on behalf of the township they analyzed the history of the landfill and provided recommendations with NJ DEP to insure the landfill gas system was properly managed and the odors were mitigated.

Mrs. Stauffer said that was actually resolved when you were working on that task? Mr. Bowman said yes. Mrs. Stauffer said the landfill came in compliance through your efforts there in resolving the odor issue? Mr. Bowman said yes. Mrs. Stauffer said as part of that compliance, was there a fine for those odors and not complying? Mr. Bowman said NJ DEP took over operation of the landfill from a private operator, that's how serious it was. In the town of Kearney, this is the most recent one and the landfill wanted to vertically expand, and the odors were so bad they could not expand and they were successful in the town for stopping that as they could not control the odors. In both cases, they provided expert witness testimony. No one wants to go to court, but Bob Zelle serves in that capacity. That landfill was closed and the landfill gas system is operating properly now. They wanted to install landfill gases and keep operating, without capping the landfill, it's not going to trap the gasses.

Mrs. Stauffer said how long did it take for those projects to reach a resolution? Mr. Bowman said for Fenimore Landfill they were hired at the beginning of 2013 and it took about 1.5 years to substantially resolve that. Keegan Landfill took about 4 to 6 months.

Mr. Carocci said if he's understanding correctly, in NJ, they don't call them HMI's, but that's the role you have at the landfills. Mr. Bowman said yes. Mr. Carocci said in the RFP's, some of the service provided is a review of PADEP inspection reports, track and review and comment on permits, and the terms of the operating permits issued by DEP, you do this for Chrin currently? Mr. Bowman said yes.

Mr. Carocci said did our Township Manager give you a document called Landfill Consultant's Duties and Functions? Mr. Bowman said yes. Mr. Carocci said you can see this is kind of our current structure with Hanover and we have Tri-C Corporation that reviews Form U's and other filings with DEP and reports to the Landfill Committee, then we have Rich Sichler with Neversink, as a geologist. Scott Brown from Hanover is the HMI currently. What out of this list would your firm be able to do in-house. Mr. Bowman said all of it. Mr. Carocci said you have a geologist, Mr. Carbone. Mr. Bowman said geologist by degree and studying for the exam. Mr. Carocci said if you look under the duties of Spot, Stevens and McCoy, those ten items, if we went with you, would Mr. Carbone be able to accomplish those ten items and at what rate, his \$110 rate? Mr. Bowman said yes, it would be \$110. Mr. Carocci said would he be qualified without taking the exam to do those ten items? Mr. Bowman said he'd be working under our licenses. Mr. Carocci said Tri-C Corporation, they review reports to insure consistency, flag items in reports and review Form U's on a monthly basis, is this something you do for Chrin currently? Mr. Bowman said yes. Mr. Carocci said do you do this in NJ for the NJ DEP. Mr. Bowman said yes. Mr. Carocci said what rate per hour would that be. Mr. Bowman said \$110/hour. There would be oversight from himself and Bob Zelle. Mr. Carocci said we're currently paying \$120/hour for this.

Mr. Carocci said do you think this could be streamlined as to where your firm could complete all of these stated duties and functions. Mr. Bowman said yes, they do that now with other landfills in NJ and with Chrin.

Mr. Carocci said are you aware of any other municipalities that regulate a landfill like we do with this many consultants, with this many duties and functions. Mr. Bowman said no, in NJ, the towns have hired them as their landfill consultant and they do it all. Mr. Carocci said do you do it all for Chrin, they don't have a separate consulting firm for doing Form U's. Mr. Bowman said correct, they do it all. Mr. Carocci said they don't have a separate geologist firm. Mr. Bowman said they do all that for Chrin.

Mrs. Yerger said to reiterate, who would at this point be our HMI from your firm. Mr. Bowman said the primary person would be Vince Carbone. Mrs. Yerger said then there would be other people that would have to do some other things if he's not qualified to do them, we could stay within your firm, to Tom's point. Mr. Bowman said yes, we have depth, himself, Bob Zelle and Ron Madison to review his work.

Mrs. deLeon said what do you know about the existing Bethlehem Landfill. Mr. Bowman said you were going through adding an expansion a few years ago, expanding to the southeast. You are going horizontally to the SE, then vertically to the east/west/south. You are about double the tonnage per day as Chrin, but then Chrin's getting an expansion too so their tonnage will probably go up. You have odor problems, most landfills have odor problems. They want to try to prevent the odor problems rather than just respond to them. That's why he's big on looking at how the gas collection system is operating and making sure there's no dead legs, not filled with water, and it's operating properly and make sure they are balanced. Some of them don't draw enough air and you have to rebalance them. One thing we've noticed in the NJ landfills, we want to look out for construction demolition fines, that's what caused problems at the Fenimore Landfill and Keegan Landfill. Part of what we did for those towns is we looked back in research, where and what cell they put the fines in, it was with Hurricane Sandy. Mr. Bowman said when we look at BL, its bigger tonnage per day, but it's got similar issues they would tag for landfills. We want to prevent the odor problems and want the landfill to continue to operate so that they operate safely and the municipality gets their host fee. Mrs. deLeon said all the engineering review presented to the governing body, if they don't act on it then they are negligent and not following the advice of the consultants. Like you said our landfill just got an NOV as they were slacking off on capping certain areas of the landfill. We brought it to the Council's attention and then sent a letter to DEP and DEP acted on it, DEP can't be everywhere.

Mr. Banonis said you had mentioned earlier most landfills have odor problems and you indicated that BL has had some odor problems. Can you relate to us the nature of the odor problems here as to ones you experienced at other landfills in terms of whether they are any different, any greater, any more frequent, any way to compare the two. Mr. Bowman said he can't really compare them, but they dealt with serious landfill odors at Fenimore and Keegan, so they dealt with serious public health issues in both the towns. In Keegan the town went to court and got it shut down as they could not control the odors. Maser would be able to address your problems.

Mr. Banonis said can you explain what you mean by serious odor problems and serious health issues. Mr. Bowman said hydrogen sulfide has an EPA guidance level and he knows its exceeded 10 to 100 times the limit a number of times in the town of Kearney over the past year above EPA's guidance. In the case of Fenimore, the odors got so bad from hydrogen sulfide and there was a ballfield nearby and they had to close it during the summer as kids couldn't go out in it.

Mrs. deLeon said the Township has an engineering firm to review landfill documents and they offer suggestions or offer areas that the municipal body needs to send to DEP as they are the regulatory agency. She was always told we don't want our engineers telling the landfill how to fix their problems. We want to point out problems but we're not going to be the engineers or people to say how, as that's now our job, they are liable for what they do. How do you draw a line between that? Mr. Bowman said they would present it on behalf of the Township like they have in NJ. They can't tell the landfill, we can advise them on behalf of the Township. Mrs. deLeon said speaking for past Councils that she's been on, whenever recommendations would come from the consultants and Council would say, that's what we have DEP for and we don't want to tell them what to do, so how do you work around that as she doesn't want to hear that. Mr. Bowman said in the case of NJ, they have gone right to NJ DEP. Mr. Bowman said they would present, on behalf of the Township, go right to NJ DEP and present their case. They aren't telling the landfill, they are making a recommendation to the DEP on how to regulate the landfill. That's where we served as expert witness testimony in NJ.

**General Business & Developer Meeting  
June 3, 2020**

Mrs. Louder a resident of Steel City and a taxpayer would like to know how Maser would prepare to take over the landfill. Mr. Bowman said they would review the whole history of the landfill. He has reviewed some of it and they would review the expansion and use the HMI program and bring their expertise in. They are looking how they can prevent odor problems. Mrs. Louder said do you understand the math, the layout, where all of the gas wells are and how the gas destruction is set up and how Aria is getting put in place, how the gas line is going to go across Applebutter Road, are you familiar with all that? Mr. Bowman said he's not familiar with all those details. Mrs. Louder said do you realize there's a home within 100 yards of this landfill. Do you realize the landfill right now isn't complying with the Host Agreement as they are working after hours? You said you started down at Chrin in 2017, so what role did you play in cleaning up the slope failure? Mr. Bowman said that happened before them. Mrs. Louder said it happened in 2015 and that road to go to Chrin did not open for at least 3 or 4 years, so she's curious what role did you play in cleaning up the slope failure. Mr. Bowman said we reported in 2017 and that was after the slope failure.

Mrs. Louder said she understands that, but the slope failure had to be cleaned up when you were employed by Chrin. The slope failure occurred and the mess continued for at least 2 – 3 years. She wanted to know what role you played and how you dealt with that and with DEP. Mr. Bowman said they observed and other than that they did not have a role with DEP. Mrs. Louder said were you responsible for bringing that into compliance. Mr. Bowman said it was before they took over or became HMI.

Mrs. Louder said Chrin had a fine back in January 2020 for odors and it was appealed. She lives a mile from that landfill and she has dealt with odors, there was an air quality study done by DEP which actually was useless as they brought the wrong equipment. They have 300 homes and are the most condensed area of the Township. She wants to make sure you have the residents of this Township in your best interests. Mr. Bowman said yes. Mr. Carocci said let him respond. Mr. Bowman said they would be the HMI on behalf of the Township and what they would be looking to do is making sure the gas collection system is operating properly. Mrs. Louder said what about the gas destruction system, what if the flare goes down. There's only one flair for the entire landfill and that needs to be addressed. Mr. Bowman said once they take over, that's one thing they would address. They would look at how the whole gas collection system and flare operates. Mrs. Louder said the landfill had put in for a second flare and then UGI stepped in and they are putting a flare in with their facility. She takes this very seriously as the quality of life is in question here and most of the people you are sitting with are on the opposite end of the Township. It affected her quality of life as well as 200 or more residents. Mr. Bowman said he understands that. Mrs. Louder said Chris Taylor has done a great job.

Mrs. Louder said she knows Tom said we are doing this to possibly see different ways to do things, the landfill is supposed to close in 3 to 4.5 years, all of a sudden we have to change. She doesn't understand. If we wanted to change the way engineers handle it, but why do we have to change shifts in the middle of it all. Mr. Carocci said we haven't decided to change shifts yet. He was saying under the RFP, part of it is to provide planning for post closure of the landfill. Just because it's going to close doesn't mean you are not going to need services. Mrs. Louder said she's fully aware of that. Mr. Carocci said that's part of why they are interviewing people, for continued operation and post closure services they could provide to the Township. We are just interviewing people. Mrs. Louder said she understands, Hanover is completely capable of handling the post closure as well. Mr. Carocci said thank you for your opinion.

Mrs. Louder said she'd like to say more if she can. Mrs. Yerger said can you come to the point? Mrs. Louder said yes an. Priscilla asked how he was going to handle it with the DEP. She believes Chris Taylor always brought problems directly to the Township and the Township addressed it with DEP. She doesn't think the engineer would go directly to DEP. She believes the Township has to do that, the Council has control. You would still be an employee of the Township's taxpayers.

**General Business & Developer Meeting  
June 3, 2020**

Mr. Banonis said you mentioned you would do a thorough review to get up to speed if you were selected to take over as the HMI, would that review be part of your internal administrative cost or would you bill the Township for it? Mr. Bowman said they would discuss that with the Township before they did it. Mrs. deLeon said it goes way back to 1942 and all kinds of environmental issues and all part of that landfill.

Mr. Carocci said thank you for the insight Mr. Bowman and explaining your proposal. Mr. Banonis said your presentation was very professional and your materials as well. We thank you for your time and information.

Mr. George Gress, resident, said he was reading through the information provided in the packet. Do you have any conflicts of interest of anybody that works for the Township or Council relationship-wise? Mr. Bowman said they do not have any conflicts of interest.

Mrs. deLeon said she'll ask her same questions to Hanover. Mr. Scott Brown said they have three HMI's on their staff. They worked with Bethlehem Landfill since the late 80's before the HMI program. He's been certified as well as Chris Taylor and Jacob Schray who fills in and is familiar with the landfill. The duties they perform that DEP inspects and oversee the daily operation and check the working face, offsite and onsite odors, they will do inspections for that, check stormwater control for erosion issues, litter offsite and onsite, they will review the records and respond to the Township where the residents might have any issues and get somebody out there to evaluate the complaint. They can do sampling if necessary, but they operate as the Township sees fit, they are out there and report back to the Township. If the Township wants it daily, they do the same thing on a daily basis or on the opposite side if directed, and they want it done on a quarterly basis, however the Township directs. HEA from the beginning back in the late 80's, early 90's, they did not have all the expertise that Maser has and that's why they had teamed up with other consultants like Rick Sichler and Laressa McNemar. They have professional geologists on staff and also have professional engineers and are very familiar with the Township and all their ordinances. They have been the engineer for probably over 40 years. As far as current landfills, they are HMI's in Plainfield Township by Pen Argyl for the Waste Management facility and the Bethlehem Landfill and Chrin.

Mrs. Yerger said you were connected with Chrin previously. Mr. Brown said until 2010. Their proposal would continue and would handle all the facets of the landfill as they are directed as well as Tri-C and Rich Sichler. Mrs. deLeon said what would you consider to be a problem at the landfill that would result in immediate notification to the Township. Mr. Brown said obviously an odor. If they have that problem, outside of the immediate working face, they would notify the Township when they do their inspections. They would go to the landfill and get them out to show them and have them directly observe what they are smelling. If the Township would direct them, they would contact DEP as well as Leslie would contact DEP with the issue.

Mrs. deLeon said you've been through all the different applications with the landfill over the year and they have a post-closure plan, what are your thoughts once the landfill closes what the duties are going to be? Mr. Brown said they would check odors as that's a major operation that would have to continue after the closure; stormwater controls, they must be maintained; vector control if that's an issue, other than birds. They would continue to monitor the gas collection system and the leachate collection treatment through Rich Sichler and Tri-C.

Mr. Banonis said if we were to approve the continued use of HEA, who would be the inspector, would it be you or someone else. Mr. Brown said he would be the primary inspector. Mr. Banonis said who would be your alternate? Mr. Brown said Jake Schray. Mr. Banonis said if we were to approve you, you would agree and be committed to that you would be primary and Jacob would be alternate. Mr. Brown said yes.

**General Business & Developer Meeting  
June 3, 2020**

Mr. Banonis said the rate you quoted us was \$80 +/- an hour, is that a blended rate for the two of you or is there a different rate depending on the person. Mr. Brown said it's \$94.75. That would be for himself or Jake. Mr. Banonis said you told us a bit about your background, can you tell us Jake's background as an HMI. Mr. Brown said Jacob is also one of the HMI's at the Plainfield facility, and at BL he has experience there for about 10 years on and off. Jake is very thorough and detailed in his reporting and he would oversee Jake's work as his supervisor.

Mr. Banonis said you had familiarity with two landfills, Plainfield and the one in LST, can you tell us how you stay abreast of trends and developments in the landfill industry in terms of professional training you receive and continuing education, participation in professional organizations specific to landfill HMI services. Mr. Brown said they take the training every three years like all HMI's have to. There used to be an HMI organization that would put out newsletters and put out training but they are not very active anymore. They would generally take courses. The HMI role hasn't really changed or isn't changing much, so they stay on top of DEP bulletins that go out.

Mr. Banonis said what is your understanding of the role or authority of an individual Council member over you, Jake, your employees and your consultants in performance of your duties as an HMI. Mr. Brown said he doesn't believe any one Council member has authority over them. They report to Leslie as the Manager and they are accountable to Council direction on matters. Mr. Banonis said it's your understanding then that you take your direction from the Township Manager and the Council, as a majority of the Councils body, right? Mr. Brown said yes, and if that Council asked them to take direction from a particular Council member, then that's what they will do. If they are directed it's got to be through the Manager and the Manager can get direction from Council, then that's how it will be. They will function as the Township wants them to.

Mr. Banonis said can you tell us briefly about HEA's policies and procedures for training its employees or consultants with regard to identifying ethical issues that could come up in the performance of their HMI duties. Mr. Brown said other than professionally, he doesn't think they have any specific training on that issue. Mr. Banonis said you mentioned right and wrong, how do your folks know what's right and wrong? What binds them and directs them as to how they should conduct themselves if they are faced with a situation where they are placed in an ethically compromised position because of some instructions or position that's been suggested to them? Mr. Brown said it's more of a natural thing, if they find that issue would confront them, then they let the Manager know what the issue is. If it's regarding regulations, they read the regulations to the best they can from a black and white perspective and they try not to look at anything in a gray matter or as gray issues and if there's any conflicts, they'd let the Manager know as their first primary contact if that arises.

Mr. Banonis said are there any internally auditing procedures for your billings. If it shows up there's some activity that has been undertaken inappropriately to flag that and to investigate and make sure those things don't happen. Mr. Brown said they primarily have a person assigned to the task and he would be looking at the billing as it goes out and reviewing it before it gets approved. If there are any questions, and there's multiple people on the bill, they'd go to that person that would be in question of their activity. If something doesn't make sense, they will investigate it.

Mr. Banonis said let me change gears here a little bit, you talked a bit about your protocols and how you would operate in the scope of your experience and your expertise, do you and Jake have experience reviewing Form U's and daily operational records and things like that. Mr. Brown said Form U's – no, they would pass that...Mr. Banonis said that wasn't his question, his question was do you have experience or capability to do that. Mr. Brown said no, they don't have the expertise to know something like that or investigate contaminated soil and analyze it. Operation reports, they can very well review those and see if they even make sense. Mr. Banonis said is there anybody within HEA that has that experience or expertise. You were probably on earlier with Maser and heard that they do have people in-house that can do those activities, he's wondering if

**General Business & Developer Meeting  
June 3, 2020**

HEA has the same sort of capabilities. Mr. Brown said not within HEA, that's why he wanted to make it clear in the beginning, that's why they have sub-consultants to look at those kinds of things.

Mr. Banonis said at Plainfield where you also serve as the HMI, who performs those services there? Mr. Brown said Chris Taylor primarily is performing the work up there. Mr. Banonis said he's talking about the sub-consulting services, reviewing the Form U's, the daily operational reports and things like that. Mr. Brown said he's not sure that Plainfield Township has appointed someone to do that work. They don't have the same coordination. That Township isn't looking for the same coordination, the HMI role they have us doing is much less than what they are doing in LST. Mr. Banonis said in what way is it much less? Mr. Brown said basically a monthly inspection and submitting their findings to the Township and that's pretty much the role unless they get an outside call of an odor issue or some other complaint that they ask them to follow up on. It's pretty much the limit of their work with Plainfield.

Mr. Banonis said in Plainfield where you have a lesser role, and you are going out doing monthly inspections and submitting findings, and if there's a complaint, you'll respond to it, does that seem to function in an acceptable way to maintain the health and safety of the community in Plainfield. Mr. Brown said he doesn't think that's for them to determine. That's the Township if they feel that role is adequate. Mr. Banonis said with your understanding, you are doing that on a monthly basis at Plainfield and you're there in the landfill and submitting reports and responding to complaints, is there an inordinate number of complaints or problems in Plainfield operating under that structure? Mr. Brown said no. Mr. Banonis said are there more or less complaints you are receiving at Plainfield operating under that structure than what you are getting here in LST. Mr. Brown said less. Mr. Banonis said you are getting less in Plainfield than in LST. Mr. Brown said Plainfield doesn't hand all the odor complaints to them, they don't have that activity. Mr. Banonis said can you contribute to anything, that there's less complaints than LST. Mr. Brown said their gas collection system is functioning a little better, and they are some distance from the residents. Mr. Banonis said the landfill is more distant to the residents. Mr. Brown said he's saying those are things that would be attributed to the complaints. You have Lower Saucon, you have Steel City, relatively close to the landfill and it's more sporadic around the perimeter of the landfill.

Mrs. Stauffer said in your experience, is it typical for a firm to manage the HMI role or the inspector role for a length of time or to maybe just come in for a particular reason which seems what Maser was describing most of their experience where they would handle an issue with Kearny and the other landfill they mentioned, is that what you typically see where a firm comes in for one or two things or do you see a firm would typically manage for a longer period of time? Mr. Brown said he's not 100% positive on that, his experience first-hand knowledge is BL. Chrin Landfill they were there for many years. Plainfield they have been there for three years, so it's usually a longer period knowing the history and getting up to speed on the histories that BL has and in this case it has a very long history from when Bethlehem City owned it to now to all the issues. There's value to the Township and Council as it changed over all the years to have somebody there who knows a lot of the history that can bring new members up to speed as to why things were done and just having that knowledge.

Mrs. Stauffer said speaking to that too, what is the largest non-compliance issue that you managed at the landfill, it can be BL, or any other landfill you mentioned, speaking about the issue, how it was resolved, how long it took to resolve it? Mr. Brown said the biggest is the Bethlehem facility and that would have to be when the City owned it. They were under court orders to clean up. It was a long struggle between the Township and the City to get things done properly. That had to take better than ten years to get a lot of the issues resolved. Mrs. Stauffer said what were some of those issues? Mr. Brown said the groundwater contamination, the odors, on-site maintenance and operation of the landfill in general. The City didn't have the budget to operate it professionally in the way the current facility owner and prior ones have. The facility is in better shape now than it

**General Business & Developer Meeting  
June 3, 2020**

was under the City ownership. That evolved over a long time and that's what generated the Host Agreement and the Township hiring an HMI to be a set of eyes in addition to DEP being out there on their monthly or sometimes more regular inspections. They would go out with DEP on those inspections to try and gain compliance and make sure the landfill was going toward compliance. There were many times when the inspectors would be out and see an issue and tell the landfill what they were seeing and they were given a couple of weeks to fix it. They would go back out with the DEP and check it to see if they fixed it. There was no monetary fine issued a majority of the time. They were trying to get them to operate correctly right from the start. Mrs. Stauffer said rather proactive than reactive.

Mrs. Stauffer said part of Bethlehem coming into compliance, how long have the sub-teams been functioning. Mr. Brown said probably from the early 90's. Mrs. Stauffer said even though they are not in-house, you consider that to be a healthy working relationship. Mr. Brown said they are an email or phone call away and they respond very promptly. They haven't had any issues and he doesn't believe the Township had an issues with responses from Tri-C or Rich Sichler.

Mr. Carocci said Jason asked you about ethics, the National Society of Professional Engineers has a code of ethics for engineers, do you follow that? Mr. Brown said yes. Mr. Carocci said are you members of that society? Mr. Brown said yes. Mr. Carocci said there are two fundamentals, one is avoid deceptive acts and conduct yourself honorably, respectfully and lawfully. We had one issue in a quarterly report that had a picture of ballooning that was taken about a year earlier, put in the current quarterly report and wasn't disclosed that the ballooning occurred a year prior. In your opinion is that deceptive. Mr. Brown said he would think it should have been noted. Mr. Carocci said so it's deceptive. Mr. Brown said he doesn't understand the context of the picture and if it was reporting at that time. Mr. Carocci said the context of the picture was that it was taken sometime previously, months or even a year, and put on a current report and the picture was not disclosed that it was taken at an earlier time. Mrs. deLeon said she'd like to give her comments to this. Mr. Carocci said he didn't interrupt her when she was speaking. Mrs. Yerger said Pris. Mrs. deLeon said she just wants to ask a question afterwards. Mr. Carocci said he'd appreciate not being interrupted, it was simple yes or no question. Mr. Brown said he doesn't know if the text in that report said there wasn't an issue of that ballooning you observed a year ago. If the report stated there was no issue during that quarter, and just a reference, the report would be correct. He knows that issue is monitored every time they go out and it's in good shape and they are observing that condition.

Mr. Carocci said another role, practice under the Code of Ethics for Engineers states engineers will not accept compensation, financial or otherwise, from more than one party pertaining to the same project basically. It says compensation, financial or otherwise. What items would you count as otherwise under the Code of Ethics? Mr. Brown said gifts of baseball tickets, trips, and those kinds of things. Mr. Carocci said meals and lodging? Mr. Brown said yes, that would be if they paid for us to go to a conference and he wouldn't think that would ever happen. When they went to conferences, they submitted for reimbursement and they would go to the Township and DEP would reimburse some of those costs. They've never to his knowledge, accept anything from the landfill owners to go anywhere. Mr. Carocci said or the Township, besides your regular compensation. Mr. Brown said right. If that's in their fee schedule for travel and lodging and is directed by the Township, they would always seek permission.

Mr. Carocci said with regards to the Form U's and Tri-C's review of them, you just stated you don't have the expertise to review the Form U's or other DEP filings. Mr. Brown said Form U's in particular. As far as some of the major/minor permits, there are certain things they can review like the grading, the stormwater. Form U's are different from other filings. Mr. Carocci said he just wanted to know what you had the expertise to review in-house and which filings you seem you don't have the expertise in-house. Mr. Brown said they don't have the expertise to review the gas collection system for balancing the operation of that, that's Tri-C's function. They don't have the

**General Business & Developer Meeting  
June 3, 2020**

Form U's in-house. The groundwater abatement system, they don't claim to be experts in that. Through Chris Taylor as a special geologist, he has some knowledge to see some of the trends, but they leave it up to Rich Sichler. The construction of the landfill, if it's calling for cells to be looked at and certain liners, they can look at that and be comfortable and use their professional judgment on what they believe they have the expertise in.

Mr. Carocci said with your \$94.75/hour rate, we also have to include Tri-C which we paid about them about \$17,000 over the past two years at \$120/hour so we have to figure out a way to compare apple and oranges of the billing rate of \$110 for Maser and \$94.75 for HEA. What's Mr. Sichler's billing rate?

Mrs. Yerger said as per the cover sheet of your proposal, the very first page has a list of personnel, from what this says, should the contract be awarded, would be Scott Brown and Jacob Schray, be our two HMI's. Mr. Brown said correct.

Mr. Carocci said so you think his rate is \$110/hour or over that. Mr. Brown said yes, that's his best guess. Mr. Carocci said he doesn't feel like we are comparing apples to apples, as far as the rate. He thinks we can get there on the services, but he'd like more time and for Council not to make a decision and have time to think and put numbers together to decide who to award the contract on a permanent basis. HEA would continue in its role as our HMI for the time being, but he'd like to figure out these numbers. It's not \$94.75 when you are paying Tri-C \$120/hour and possibly paying Mr. Sichler \$120/hour to do something that Maser can do for \$110/hour and he needs to have a better grasp. He didn't thoroughly understand that until these questions were asked tonight about Maser and Tri-C. He'd like to make a motion to table any decision until our next meeting and thank you Mr. Brown for answering our questions and for your service to the Township all these years.

**MOTION BY:** Mr. Carocci moved to table this agenda item until our next meeting.

**SECOND BY:** Mr. Banonis

Mrs. deLeon said she'd like to make a comment. She'd like to back up to the picture that was in the packet that takes us back to the meeting in March that she was unable to attend because they did a rapid response on her father that day and he was dying in the hospital and she was unable to attend the meeting. Had she attended, she would have been able to add her comments to the report because when we met, and you attended the quarterly landfill meeting the other week, when that meeting occurred for the report that night, and we were discussing the methane escaping through the surface of the landfill, she said that's so hard to comprehend. It's hard for a lay person to understand that. You think of methane and you think of the piping and you think of it going to the flare, that's not happening at the landfill. Methane finds the cracks and crevices in the soil and escapes that way. It was captured when they put that capping material on it several years ago where it ballooned up which was the perfect way of showing lay people how methane comes up above the ground and gets trapped. She asked to put that picture in there to help people explain. That was her only reason as she's on the Committee. She plays a role as attending as liaison, she's not going to sit at a meeting and not say anything. She participates in meetings and attends, so that's how the picture got in that packet, she asked to have it be put in there. Mr. Carocci said thank you for explaining. Mrs. Yerger said she appreciates the clarification. Mrs. deLeon said maybe if you have a question and she's not at a meeting, you could give her the courtesy to be there to ask a question, which would be professional, talking about ethics.

Mrs. Louder said Jake Schray used to cover for Chris Taylor so Jake is very confident as an HMI. She thanked Council for tabling this. When we go back to this, she would like to see the cost from Maser for them to review the history of this landfill. Mrs. deLeon said excellent question. Mrs. Louder said she'd like to have that included in the pricing. Her take is she believes HEA came in here, this landfill came up and she doesn't think HEA had any kind of structured relationship with the Township. It was kind of basically you go out and do your thing and that's it. She thinks if we sit down and look at how we can direct HEA to continue to do this job and she heard all Tom and

**General Business & Developer Meeting  
June 3, 2020**

Jason's questions and she respects that, but the bottom line is when it comes to the landfill, they know what they are talking about and what they are looking at. They are familiar with it and they know the territory. The other thing is the people of the Township feel comfortable with them doing that. Kristin, if you are interested in the landfill you can contact the City of Bethlehem and do a RTK and they will share all the information on the background of that landfill. Mrs. Louder said she respects your decision tonight, it was a good one.

Ms. Andrea Wittchen, 1885 Dartford Road, asked how long has HEA had a contract with the Township? Mrs. Yerger said the 90's. Mrs. deLeon said when she started on Council in 1988, Jim Birdsall was our Township Engineer. Mrs. Yerger said in the resume it says 1990. Mr. Brown said that was only for HMI services. Ms. Wittchen asked that's what you are contracting for now? Mrs. Yerger said yes. Ms. Wittchen said is their contract about to expire, is that why there was a new RFP issued? Mrs. deLeon said no contract. Ms. Wittchen said no contract, they have been hired as an ad hoc basis. Mrs. deLeon said it's an annual appointment at our first meeting of the year. Ms. Wittchen said what triggered the need for an RFP at this time if it was not an end of a contract? Mrs. deLeon said she guesses it was her picture of the ballooning landfill. Ms. Wittchen said did the RFP have to be competitively bid. Attorney Treadwell said it's not a competitive bid situation where you have to pick the lowest bidder. It's a professional service and the RFP then asked for responses. Ms. Wittchen said it's an open RFP, you can have multiple bidders, you only had two qualified bidders that responded? Attorney Treadwell said there were only two bidders that responded. Ms. Wittchen said when you make a decision, will this result in an actual contract or be a yearly ad hoc arrangement. Attorney Treadwell said he would think it would remain a yearly arrangement. Ms. Wittchen said if this is not a long-term contract, her assumption from the discussions and questions she heard, that the purpose might have been to create a contract that will cover the period over which time the landfill will be closing down and you would want a group in place to cover that, so she's a little confused if it's not an actual term contract that you are looking at bidding here, why is that a particular concern at this time? We have four years or so until the landfill shuts down and this RFP you requested will not necessarily result in a contract that will cover that shutdown period. Attorney Treadwell said correct. Mrs. Yerger said there's no contract. Attorney Treadwell said all of the Township consultants, the engineer, the planner, the landfill consultants and himself all serve at the will of Council. We all know that, it's an at-will job, it could end tomorrow. Ms. Wittchen asked why there were so many questions tonight, what you are going to do when the landfill shuts down in four years if neither of these companies has any guarantee that they will be responsible for that? How have you felt about HEA's performance as they have been working in this capacity for the Township for 30 years? While she's never one to say that you just do things as that's the way you've always did them, are there particular complaints about your performance that caused you to feel that you needed to issue an RFP and look for additional providers. Mr. Banonis said he thinks Scott had suggested earlier his understanding and HEA's understanding of their need to be ethically compliant and independent in the performance of their HMI duties, and if he understood Priscilla's comments earlier, her dog was barking, but she said she directed HEA to insert a picture in a current report when the picture represented a condition not existing currently but some months or years prior to this. Also in a prior Council meeting, it was brought to the public's attention that the HMI had undertaken tasks at the direction of a single Council member, not at the direction of the Township Manager or the body of a majority of Council and had in fact on one occasion undertook activities of a private citizen. Against that background, this Council has questions about the objectiveness and the fairness and balanced approach that the HMI is bringing and we felt it was appropriate, and he's speaking for himself, to investigate whether there are other HMI's who would conduct themselves in this way and how they would conduct themselves and whether or not there are other options that may be more financially viable for the Township and also provide a better product to the Township. He's speaking of himself. Ms. Wittchen said were those difficulties or those problems that you identified with HEA directly addressed to HEA? Mrs. Yerger said they were brought up at a Council meeting when there was a representative from HEA was there, so they certainly were aware of it. Ms. Wittchen said was their response to those questions acceptable? Mrs. Yerger said

**General Business & Developer Meeting  
June 3, 2020**

as far as she knows, there was no response. Mrs. deLeon said that was on March 4<sup>th</sup> and she wasn't able to attend because of a personal issue. As a Council liaison and Council member serving on many committees that she participates just like she expects the other four Council members when they are on a committee, she would hope they would comment and participate in a discussion, the Parks & Rec Board, the Library Board, the EAC. You all provide comment and direction to what's going on and Tom you were on that quarterly committee on Tuesday and she handled herself the same way every meeting, that's what she does. She asks questions, she provides input, what about this, what about that. That's what you do at a committee meeting, correct her if she's wrong. That's why she brought up during the discussion when the committee usually provides photographs to show Council. You don't always go up on the landfill to see what's up there, so by providing the capping and liners and new roads being put in, it provides a little bit of an aspect for people. Not only for Council, but it's shown at a Council meeting. She thought that was a perfect picture. She guesses there's disagreement whether she asked for it, but if she had to do it again, she would. She didn't get anybody in trouble. She was participating in a discussions, isn't that what you do. If you're not participating, then you aren't doing your jobs then. That's how she does her job. Mr. Banonis said he doesn't want to be within that net, he doesn't direct paid consultants of the Township to put things in their reports or not put things in their reports, and he doesn't direct them to overtake any tasks that he specifically directs them to do without having a majority of Council. That's on his tax dollars. Mrs. deLeon said you are not understanding what she is saying. Mr. Carocci said he made a motion, can we have a vote? Mrs. Stauffer said we haven't answered Ms. Wittchen's question if this is going to be a long-term plan when it's really an at will situation. Mrs. Yerger said she doesn't have an answer for that.

**ROLL CALL:** 3-2 (Mrs. Stauffer & Mrs. deLeon – No)

Mr. Banonis would like to have the Manager provide an RFP for the services that are provided by Tri-C and Rich Sichler. We heard that Maser can provide at least the Tri-C services for a lesser rate. We owe it to the taxpayers to investigate whether there are other consultants available to provide those services such as gas collection system, groundwater abatement systems, and other things that would be handled by Tri-C and Mr. Sichler to see if there's a more financially viable option for us.

**MOTION BY:** Mr. Banonis moved to direct the Manager to prepare RFP's so we can investigate services that are provided by Tri-C and Rich Sichler.

Mrs. deLeon said will those RFP's include what Donna had said about how much it's going to cost to go back to 1942 to review the landfill to bring them up to speed. Mr. Carocci said he'd like to get that number from Maser, we don't need an RFP. We can ask them for that number and how many hours it would take them. He does want that number. Mrs. Yerger said do you want to amend your motion. Mr. Banonis said no, it's a question we can ask any applicants that come in and are interested in providing those services. That's why we have those interviews to see what they have experience-wise.

**SECOND BY:** Mr. Carocci

Ms. Wittchen said she was not finished and she didn't appreciate being cut off. Mrs. Yerger said she apologizes.

**ROLL CALL:** 3-2 (Mrs. Stauffer and Mrs. deLeon – No)

Mrs. deLeon said can she ask Andrea what her question was as Mrs. deLeon said she cut her off and she apologizes. Ms. Wittchen said she was just simply trying to determine what the motivation was for all of this sudden necessity for all the RFP's and that sort of thing was. You have provided information on this history of this which she sincerely appreciates but she's simply trying to understand that apparently it comes down to the fact that a Council person requested a photo being inserted in a report to provide additional clarity to the members of the community and that was considered inappropriate behavior. Mrs. Yerger said no, the way she's approaching this is it's trying to be fiscally responsible and cost-effective for the Township. We're asking for RFP's, how much they charge for their services, that's why we're going through this next process. With the COVID, especially now in this era, our budget is going to be affected significantly so we are going to be looking to make sure we are fiscally responsibly. That's how she's going to approach this and that's her reason for doing it. She's not trying to speak for everyone. Mr. Carocci said one of his

**General Business & Developer Meeting  
June 3, 2020**

reasons is to see what else is out there. How do we know that the money we are spending we're getting the best services for the Township residents and taxpayers if we don't at least look, not necessarily change, but look to see what is out there and what other firms can do and will do for us? You just don't do thing because you've always done them that way. You should be open to change if change is required. It may not be required here. He's not made his mind up, that's one of the reasons he asked it to be tabled. He's certainly glad we went through the process and have a decision to make. Mrs. Stauffer said she's curious to know if the same ethical questions can be directed to Maser as we didn't have them directed their way.

Mrs. Stauffer said if we are comparing apples to apples when we felt we had apples to oranges, it might make sense for Jason and Tom to ask those questions so we have equal apples. Mr. Banonis said he sees no need to ask those questions, he has enough information to answer his questions. If you want to ask them, feel free. Mr. Carocci said if you want to ask them, go ahead. Mrs. Stauffer said in the interest of fairness, she'd like to hear their answer.

Mr. Madison said in terms of ethics, they will consult with the Township Manager and it's a difficult job, but she has to answer to five member elected officials of Council. They will take their direction from the Township as a whole, on what you would like us to respond. They have their Code of Ethics that they will always follow. They cannot take direction from one elected official. He's served many municipalities and when he gets a phone call from an elected official who wants him to do something, he simply listens and he asks them to bring it up at the next Council meeting so all can hear it as a whole. Mrs. deLeon said the one Council person, herself, was in a committee talking about recommendations to be made to the full Council. Nothing was done in her opinion wrong as we didn't go to the Council meeting with that information, so that the full Council could review it and make the determination to send a letter to DEP if they wanted to or something else. At our monthly landfill meetings, she sits there, she asks questions, we discuss it, we come up with a response and if there's an issue that has to be sent to the Township Manager, the HMI will follow up. She's part of that. She's one Council person and she will continue to do that as she thinks it's the right thing to do. If that's considered one Council person directing a firm, that's not really what is going on here. Mr. Banonis said he'd like to make a motion to terminate discussion on this topic.

Mrs. deLeon said she's talking. Mr. Banonis said let me finish. Mrs. deLeon said you're rude. Mrs. Stauffer said you didn't allow Ron to answer Priscilla's question. Mr. Banonis said there was a statement that she was saying she was defending her actions in the past and there wasn't a question pending. Mrs. Stauffer said he was about to respond. Mrs. Yerger said one at a time. Mrs. deLeon said you're not following our resolution on decency, please Jason, do we need to show it to you again? Mr. Banonis said no you don't, but he'd consider her reviewing it and following it. After Ron is finished with the question, he'd like to speak again. Mr. Madison said he's finished, there's no need to continue that discussion. Mr. Banonis said he'd like to make a motion to terminate this discussion. The topic was interviews of two potential HMI's and we've gotten pretty far afield here in terms of certain Council people trying to defend their positions or their actions in the past. It has nothing to do with these applications and their qualifications for providing these services, so we're already had a motion that has been voted on and passed, so let's move on to the next topic so he would ask we do that. If it has to be done by motion, he'll do that, but he'd like to move on to the next topic as it's already almost 9:00 p.m. and there's other people who are on this call who have topics of interest that they would like to be heard.

Ms. Wittchen said she wanted to thank Mrs. Yerger for the explanation. She agrees with the Council about taking actions like that in order to maximize their understanding of what's available as far as the cost and services. She's a little disappointed that was not the original explanation that was given why this RFP was produced, but in any event, that's a reasonable reason to undertake an RFP. She's looking forward to seeing what other RFP's Council produces whether there are better,

more cost-effective services that can be obtained, like the Council Solicitor, that are on that annual ad hoc basis.

**B. QUARTERLY TECHNICAL CONSULTANT COMMITTEE REPORT ON BETHELEHEM LANDFILL**

Mrs. Yerger said Priscilla deLeon, Council member, will provide a review of the 1<sup>st</sup> quarter 2020 Technical Consultant Committee Landfill report.

Mrs. deLeon said every three months we meet to go over the prior quarter. This is for the 1Q20 and the consultants put together a report and they break it down into bulleted items. The first item being waste acceptance and management. They go through and there's several bullets under that. Council did get a copy of this and it's in the Council packet for residents to follow. The committee had no concerns related to the topic of waste acceptance and management. Mrs. deLeon said under Landfill Gas Management, the committee recommended reporting to Council that odor complaints continue to be received from the residents through DEP and directly to the Township.

Mrs. deLeon said under Leachate Management, the committee had no concerns but recommends continuing to monitor the flows and that Mr. Brown discuss with BL the high leachate flow in the primary collection system, LMC-7, that had been occurring since February.

Mrs. deLeon said under Groundwater Management, there are no concerns to report to Council. Mrs. deLeon said under Traffic Management, there are no concerns. There is ongoing trucks that are overweight, which is an ongoing thing. Mrs. deLeon said under Stormwater Management, no concerns at this time to recommend to Council. Mrs. deLeon said Permit Applications to DEP, there are no concerns to recommend to Council.

Mrs. deLeon said Operation Changed, there are no concerns. Ms. McNemar commented that the final cover capping that is required as discussed earlier in the meeting, may generate some noise complaints due to the construction activity which may be occurring at the top or near the top of the landfill. Mrs. deLeon said under Regulatory Oversight, the committee had no concerns to recommend to Council.

Mrs. deLeon said Miscellaneous Items, the committee had no concerns to recommend to Council. Mrs. deLeon said under Review of Inspection Reports, it goes on to list the different times of the year. DEP hasn't been out there very often for the quarter, COVID played a lot into this also.

Mrs. deLeon said Review of Citizen Complaint Log, in January there were 11 odor complaints report. In February one odor complaint reported; March there were three odor complaints reported. Mrs. deLeon said under Summary, the following concerns have been detailed in the report above. That would be the Landfill Gas Management continued odor incidents document with DEP and Leachate Management, no immediate concerns were requested but that Mr. Brown follow up on high flow readings in LMC-7 primary system.

Mrs. deLeon said on May 20<sup>th</sup>, at 6:50 p.m. she received an odor complaint from a resident that they also called in to DEP and on May 23<sup>rd</sup> at 8:00 p.m. another odor complaint called into DEP. As a follow-up on April 29<sup>th</sup>, DEP sent an NOV to the landfill and as a result, BL's capping schedule as outlined in the approved SE realignment expansion plan received information detailing waste placement timelines. The DEP has determined the landfill is in violation of the Solid Waste Act. They failed to place final cover within one year of disposal in the final lift or soon thereafter as weather permits. They are in violation of the codes. They have 15 days to respond and the Township did get a letter from the landfill regarding this recent response and they had various meetings with DEP and during the meetings, DEP indicated that the situation was being reviewed with possible reinforcement. While preparing their response, the landfill reviewed the last two years of fly over mapping for the 2018, 2019 annual operations report which indicated that the

majority of the uncapped area of the BL is not and has not been to final grade. The NW corner, the peak and upper portions of the South slope in the Phase 4 area were not filled to final grades in late 2017 and 2018. Going forward as part of the BL's capping efforts, these areas will be filled to grade before capping construction commences as shown on the attached plan to promote proper drainage and stormwater controls. They did present a capping schedule and maps of the area.

Mrs. deLeon asked if there were any questions. Mr. Carocci said he wants to thank her. He attended that meeting as well and it was an excellent summary of the meeting.

Mrs. Louder said can somebody tell her where the Genons property is? Mrs. Louder said it's approximately 90 acres that the landfill bought recently. She didn't know if anyone knew what this property was. It was like the tank farm or something. It's just an FYI, BL bought 90 acres there. Mrs. deLeon asked what road it was on? Mrs. Louder said she thinks its Applebutter or adjacent to the landfill, it's at the top of the hill. Mrs. deLeon said that would be the tank farm property and that property has the pipeline. Mrs. Louder said that's what she thought, they are probably going to tie into that plant. She didn't recognize the name and just wanted to know.

**C. RESOLUTION #50-2020 – APPOINTING SPECIAL FIRE POLICE – STEEL CITY FIRE COMPANY**

Mrs. Yerger said Resolution #50-2020 has been prepared appointing the Special Fire Police for the Steel City Fire Company. The resolution lists the Fire Police as follows:

Kevin Kalman, Fire Police Captain – #6391  
Nicholas Santiago, Fire Police Lieutenant – #6392  
Chris Snyder, Fire Chief – #6351  
David Rockstroh, Assistant Fire Chief – #6352  
Scott Nocek, Jr., Assistant Fire Chief – # 6353  
Ken Wright, Fire Police Officer

**MOTION BY:** Mr. Banonis moved for approval of Resolution #50-2020.

Mr. Banonis thanked Kevin Kalman, Nicholas Santiago, Chris Snyder, David Rockstroh, Scott Nocek, and Ken Wright for their volunteerism. It's really important to the Township and they do so much for us, and we really appreciate their time and effort.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

**D. DISCUSSION OF FIRE DEPARTMENT ANNUAL CONTRIBUTIONS AND MERGER UPDATE**

Mrs. Yerger said Lower Saucon Fire Rescue has provided the required documentation pursuant to Township resolution and is requesting release of the 2020 Budgeted funds of \$150,000.00. At the May 6<sup>th</sup> Council meeting, direction was given to the two fire companies to meet prior to the June 3<sup>rd</sup> Council meeting and discuss merger options and to submit some type of plan in writing and a timeline to accomplish a merger into one department.

Mr. Carocci said he made that request. Mr. Banonis asked Mrs. Huhn if she received anything in writing. Mrs. Huhn said regarding the merger – no. Mr. Carocci said or a timeline. Mrs. Huhn said she has not. Mr. Carocci said he'd like to make a motion. It's not too much to ask for \$200,000 to have a plan going forward as one department.

**MOTION BY:** Mr. Carocci moved to not make an annual contribution at this time until we get something in writing of their intentions to merge and a timeline as we requested.

**SECOND BY:** Mr. Banonis

Mr. Scott Nocek, Assistant Chief at Steel City Fire Company, said Lower Saucon Fire Rescue (LSFR) and Steel City did meet on May 21, 2020 and had about a two-hour discussion about an operational agreement. Unfortunately, at that meeting they cannot sign anything as it has to be brought back to their general body meeting which is actually Monday and its LSFR's meeting as

**General Business & Developer Meeting  
June 3, 2020**

well. Both companies put out what they were looking for and they have another meeting set up for June 25<sup>th</sup> after their meeting itself. There was a good discussion and everything was laid out and they are moving forward with it. Mr. Carocci said he's glad to hear they are meeting and making some progress. They look forward to see something in writing and a timeline. At that time, we'd be more than willing to release funds for the annual contribution that the Township needs. Hopefully sometime in late June or July, we can do that. Thank you for meeting and thank you for continually meeting and we look forward to seeing what you come up for.

Mr. Banonis said you said there are going to be board meetings, both LSFR and Steel City on Monday, what do you anticipate coming out of those board meetings and he's asking because our next Council meeting is June 17<sup>th</sup>. He's wondering what you will have at that point or is it something that's going to wait for our meeting in mid-July. Mr. Nocek said they are going to definitely need more time than the two weeks. There's a lot to it than just signing a document. They can sign a document saying they are going to work together but it's not going to hash out all the little details for response areas and things along that line. The meeting on Monday will be approval to keep moving forward. They had a list of things they came up with and they have to go back and forth with each other and continue moving forward from there. He thinks a reasonable timeline by the end of the year or maybe a little bit before the year for operational merger, but it's definitely something that they are moving forward with and he understands about withholding the funds but if they were to have something in writing, were you going to do one lump sum with it or trying to do payments like you talked about at the last meeting.

Mr. Carocci said he'd like to see what we get in writing before he commits one way or the other on that. We're trying to incentivize the discussions and incentivize getting some type of an agreement done. It's not punishment, we don't want to take the money from you. We're trying to incentivize something that will be good for you guys in the long run as operating as one department. It will be good for the Township residents and Township administration and he's glad to hear you are working and he asks you please keep working hard. When we get something in front of us that we can evaluate, we'll talk and discuss releasing funds and how much. He's not going to commit to how much tonight as he hasn't had anything presented to review or evaluate.

Mrs. Yerger said since this was a motion, and we can't hear LSFR, can we just talk about this later. Mrs. Louder said thank you to Tom for handling this the way they are handling this and thank you to the firemen for working on this together, it's greatly appreciated by the community.

Mr. Scott Krycia said they are on the phone now. They want to talk about the Township allotment that is coming their way this year. LSFR completed their grant application and they met all the requirements for funding prior to the Council meeting on May 6<sup>th</sup>. They actually had a Fire Services meeting on May 5<sup>th</sup> and there was no talk of withholding any of our money at that meeting and now there's talk about withholding their money and Steel City's money and making them work on this merger. The timeline for the Southeastern-Se-Wy-Co merger is actually about 2.5 years. The timeline for the Se-Wy-Co-Leithsville merger was about two years. Before LSFR could even consider entering a merger with another organization, legally they have to complete their first merger with Southeastern which they are still working on. The merger must be voted on and approved by each member of the fire company. Steel City would have to vote on it and LSFR would have to vote on it and approved by each. They did send their operational plan to Steel City and they met with them and had a very long discussion. Mr. Krycia and Mr. Nocek have worked many hours on the phone to try and work out some kind of agreement with them so they can move forward. Their immediate request for funding and the long timeline for this merger, LSFR is more than willing to consider merger discussions with Steel City, but they also have to have some support from the Township and they are requesting that the Township actually provides each of the fire companies their funding this year. Federal and State government have recognized the fire services, as essential businesses, especially during this time. Businesses and municipalities have stepped up to help LSFR and other fire companies and services and help their members through

**General Business & Developer Meeting  
June 3, 2020**

financial support, discounts, and those kinds of stuff. They are now asking the Township to do the same thing, to provide the year allotment that LSF and Steel City Fire Companies need to operate and to provide emergency services for the residents of our Township. He understands that you guys want them to merge. You are holding the emergency services of LS like hostage. Let them work on it and give them their money so they can operate.

Mr. Carocci said it's not your money, it's the taxpayer's money first. He's sorry but there's not a need, you have close to \$800,000 in the bank and Steel City has close to \$300,000 in the bank. They are not asking that you have a finalized merger. They are asking you have an agreement to merge and a timeline for the merger. That can certainly be done even now, and it can be started and mostly completed. He understands you have to complete the first merger, although he's been told for months, since the February 4<sup>th</sup> fire meeting that it was just a matter of filing a deed, and the Recorder of Deeds office in Northampton County has been open throughout this pandemic. You can file deeds, is his understanding. He's not sure what the hold-up is there. He's sorry, we asked something in writing that we could review and we asked for a timeline and we asked for that 30 days ago. We have nothing to review, we have no timeline, you met which is great, and he'd encourage you to keep meeting. You have not provided what we asked for and for \$200,000 he just doesn't think we are asking for a lot. We're asking for a written agreement and a timeline to become one fire department because it's the best for the Township, it's the best for the Township Council, administration, taxpayers and in the long run, it would be the best for you guys. He knows it will be better equipment, better firehouses, all that stuff, but if we can't get cooperation on this for \$200,000, it's disappointing to say the least. It's just a disingenuous argument to say we're holding money hostage when you have \$800,000 in the bank and Steel City has \$300,000. It's just a disingenuous argument and pretty frankly, he loses a little bit of respect who makes that statement.

Mr. Krycia said it's very shortsighted by you to put more burden on the fire departments to have to worry about this financial on-going issue with you guys right in the middle of this outbreak that's going on, right in the middle of increased calls and everything they are trying to do for emergency services. We shouldn't be here having to worry about this. We should be worrying about our guys responding to fire calls and what we need to do to serve the residents of LST.

Mr. Carocci said that's one of the things he's worried about, and that's why you'd operate better as one department. We wouldn't be here as often in the future talking about these things if you were one department. If you can get us something by the next meeting or the meeting after that, we asked for something, nothing was provided. We're asking again for something to be provided and when that is provided we will evaluate it and we'll certainly make an allocation. We're not in the wrong here, if we ask for something. You pretty much agreed to provide us with something and you didn't. You can say what you want about putting the community at risk, it's not true. You have \$800,000 in the bank, Steel City has \$300,000 in the bank, and it's fine if that's the way you want to play it. He doesn't recommend that strategy, but we look forward, and he's still hopeful. He thought Steel City was very positive and they sounded very hopeful. You don't sound as hopeful, he's sorry to say, but he's hopeful that by the next meeting or the meeting after, we'll have a solid plan, a solid timeline going forward and this issue will go away, but you'll get your allocation. We just need to see something.

Mr. Banonis said we're here in Northampton County still in the red phase. We are changing Friday to the yellow phase and it seems there's plenty of time for the stakeholders in this to have the opportunity to communicate with one another. They don't necessarily have to meet in person, but they can do a Zoom like we're having this Council meeting or this phone call or whatever, so the timing of this is actually quite good to move this forward. He doesn't think we are asking for a finalized plan. We are asking for some idea in writing, a commitment to pursue this further and a timeframe as to when it may happen. The hardship argument is really a hollow argument. We aren't putting public safety in jeopardy in any way. You have plenty resources to do your

**General Business & Developer Meeting  
June 3, 2020**

emergency services, so we appreciate you'd like the taxpayers money to continue to your operations but there's plenty there to do that. We're not foreclosing that you are never going to get the money. We're just asking for something very basic and hopefully you'll reconsider and come with the right approach to make this happen. In conversation with the folks we had in LST, there's a consensus there that LS is a better fire service because of the combined resources from Leithsville, Se-Wy-Co and Southeastern. That speaks for itself that the product you are going to have in the end of this, if we can finalize a merger with Steel City, will make it even better. We hope you'll stay with it and stay at it and work hard and we are willing to hear from you when you have something to present to us.

Mrs. deLeon said she feels that the Resolution we passed, whatever the Resolution is, the one with the funds that asked for certain requirements, you guys met and did that. That was our agreement. You want the money, you do this. It took us a long time to get to this Resolution to be able to say this is what the Township needs and you know what is says. You did it and now she feels there's certain people on Council that are holding you hostage because they want you to merge. She wants you to merge also. That's unanimous among the Council members, but she doesn't think that holding you hostage with this Resolution is the right thing to do. She thinks that's bad.

Mr. Carocci asked to read the Resolution again and what it calls for. It calls for more than just a meeting. Mrs. Huhn said the one in the agenda for the requirements for disbursement. Mr. Carocci said the one that was read earlier. Mrs. Yerger said the one at the May 6<sup>th</sup> meeting, we asked for a written timeline. Mrs. deLeon said she's talking about the one #34-2020. Mr. Carocci said that's not what he's talking about. Mrs. Huhn said you are referring to the motion from the May 6<sup>th</sup> meeting. Mrs. Stauffer said the Resolution trumps the motion, is that correct. Attorney Treadwell said Resolutions are just written motions. Mr. Carocci said it doesn't matter at this point, the minutes of the meeting clearly state that we asked for a written agreement and a timeline. We just didn't ask for them to meet. Mrs. Huhn said it was for some type of plan, in writing, and a timeline to become one department. Mr. Carocci said it was more than just meeting. It was all that as well. He disagrees, he doesn't think they did all that we asked of them.

Mrs. deLeon said again, she wasn't finished with her comments. The motion you just read it had nothing to do with this Resolution. That was just another motion that was made. She's talking about the Resolution #34-2010 which asks for certain requirements, for various financial documents and whatever. Once that is presented to the Township it says the fire companies are supposed to receive the money, \$50,000 to Steel City and \$150,000 to LSFR. Is she correct in that assumption? Mrs. Huhn said that's what the Resolution states, yes. Mrs. deLeon said have both fire companies submitted the proper information. Mrs. Huhn said she believes they have. Mrs. deLeon said as far as she's concerned, they are not following the Resolution that was passed by a previous Council and for ten years, we've been doing this, and because you want them to merge, you are holding them hostage and she disagrees. They should be given their money and in good faith we should be working with them. They are out there doing a job and yes, they are essential and we thank them every past meeting since the pandemic, thanking the front line people and now you are going to hold this on them. She just thinks it's wrong. She wants them to merge and want them to come up with the proper documents, and if that happens the next meeting, that would be great, but we're already six months into the year at that point and she just thinks it's wrong.

Mrs. Yerger said refresh her memory, was there an actual motion or was it just a request for them to have that. Mrs. Huhn said it was an actual motion at the May 6<sup>th</sup> Council meeting during the discussion of the fire department annual contributions. Mrs. deLeon said read the motion. Mrs. Huhn said Mr. Carocci moved for the two fire companies to come back to the Township at their June 3<sup>rd</sup> meeting...Mrs. Yerger said Mrs. Huhn is cutting out. Mr. Banonis said he'll read it, Mr. Carocci moved for the two fire companies to come back to the Township at their June 3<sup>rd</sup> meeting with some type of plan in writing, and any timelines, for them to become one department. That motion was seconded by Mr. Banonis. Mrs. Yerger said it didn't reference they were going to

withhold the funds. Mrs. deLeon said her point, Sandy. Mrs. Huhn said there was six pages of discussion but prior to Mr. Carocci's motion he said he'd like to make the proposal to not allot any money for 30 days and see if they can come back to us with some type of plan in writing and a timeline to become one department, which turned into the motion then. Mrs. deLeon said it was a statement, it wasn't the motion.

Mr. Carocci said he'd make a motion again to allocate the money. He thinks he already did make a motion tonight that we not allocate any of the money until we receive something in writing, what we asked for at the previous meeting. Mrs. Huhn said there was a motion and a second. Mrs. Yerger said she wanted to clarify what was in the other one. Mrs. deLeon said she commented on the motion that's on the floor and her reasons why. Mrs. Yerger said is there any other discussion by Council or in the audience. Mrs. Huhn said none.

**ROLL CALL:** 3-2 (Mrs. Stauffer and Mrs. deLeon – No)

**E. REVIEW OF GRANT SUBMISSION FOR FIRE APPARATUS – LOWER SAUCON FIRE RESCUE – LADDER TRUCK**

Mrs. Yerger said Lower Saucon Fire Rescue has submitted grant application #2 for the next installment toward the Township's 75% agreement for the purchase of the ladder truck.

Mr. Carocci said can you explain the breakdown again. We're supposed to make payments of \$170,000 in 2020, 2021 until 2023; and then is LSFR supposed to get a loan for the remaining balance of the vehicle. Mrs. Gorman said the vehicle is in LSFR's name. They are the ones that are required to get the loan. They are going to be getting two different loans. One from PEMA for a maximum of \$300,000, which is help pay for their portion of the based on the 75/25 split of the \$368,925 that would be their responsibility. They are also taking out the loan for the balance which the Township paid \$425,600 as a deposit. The remaining \$600,000 or so of the \$1.1 million number based on a spreadsheet we provided last year. They were requesting \$187,126.51 which their application states. That's including the interest on the loan.

Mr. Carocci said the interest on their loan. Mrs. Gorman said the loan that's in their name, yes. Attorney Treadwell said the easiest way to understand it is if you look at that sheet that was in the packet of the breakdown of the 75% obligation, it showed the initial down payment money that was given last year, and then four annual payments of \$170,293.75. That would complete what was the conception agreement for the Township to pay 75% of the cost of the vehicle. What was discussed at two different meetings last year was the question of who is going to pay the interest on the loan? That issue was never voted on, so the concept comes from this paper where it's 75%, but the difference between the \$170,000 and the \$187,000 that he believes they are asking for is the interest which Council didn't make a decision on, who is paying the interest.

Mr. Carocci said and the 75/25%, which was voted on. Mrs. Huhn said yes. Mr. Banonis said his recollection, he was at that meeting of September 2019 and as he recalls, the discussion about the interest payment and Council not agreeing, at that point, to pay the interest that was going to become due on this, but he also recalls some discussion about Council existing at that time, being unable to bind future Council's. Is that what this \$170,000 represents? It's conceptual as it was never formally agreed-upon because that Council could not bind future Council's.

Attorney Treadwell said correct. The way it was set up and the way we discussed it last year was that the fire company would come back to the Township each year with a grant application. The idea was that Township Council agreed conceptually that Council would fund it in the amount of the \$170,000 number each year with the caveat that Council needed to vote on that because they weren't going to bind future Councils. If we were going to obligate ourselves to pay that number every year, it's kind of like going into debt and we might have needed to go to Harrisburg to get approval to do that which is why we tried to set it up each year you come in and each year Council will deliberate and make a decision.

**General Business & Developer Meeting  
June 3, 2020**

Mrs. Stauffer said she thinks it was also mentioned at that meeting that we couldn't imagine future Councils kind of not lending support. That was a pretty long meeting. We wouldn't be bound.

Mr. Banonis said where does this extra \$17,000 come in. He realizes we aren't bound to the \$170,000 but the thought was future Councils would likely be supportive of this. Where does the extra \$17,000 come from?

Attorney Treadwell said his understanding was that extra money comes from an interest rate that LSFR has estimated. Mr. Banonis said who agreed to that. Mrs. Yerger said nobody, we didn't agree to that. Because they didn't have a loan, it was a guess, and so we couldn't agree to something that was conceptual. Mr. Banonis said what are they doing about the loan and what are they doing to take care of the interest?

Attorney Treadwell said we got a document from them the other day that he would characterize as a pre-commitment letter that said there was a bank, he believes in Kansas City that had agreed to fund an amount they needed. It didn't have a specific interest rate identified and it also referring to some type of a credit that the manufacturer was giving, something like \$12,000. It didn't have enough in it to be a commitment letter, that's why he called it a pre-commitment letter.

Mr. Carocci said why would we pay the interest on a loan that doesn't exist. Mr. Banonis said why would we pay the \$170,000 when they haven't secured the financing for their share of this and the interest they should be incurring. Attorney Treadwell said that's why it's on the agenda tonight as the request came in and we need to discuss it. Mr. Carocci said if there's no interest rate in this commitment letter, how do we know the interest is \$17,000. Attorney Treadwell said he doesn't. Mr. Carocci said where does that number come from. Attorney Treadwell said that number came from what LSFR put into their grant application, so we'd have to ask them that question.

Mr. Krycia said they could answer a lot of those questions for them if you want. He will put Jim Rayner on, he's the guy that's been taking care of this and he'll answer all your questions. Mr. Rayner said he just wants to clarify a few things on the discussion they heard. The amount they are asking for is this year is the same number they showed last year. The money they are asking for this year does not include any payment towards interest. There is no payment towards interest or towards the loan that is due this year. The amount they are requesting this year is the amount of \$187,126.51 be used as a further down-payment on the truck. The first payment on the loan is due within 12 months after the loan is taken out, so they would take the loan out before they take delivery as full payment will be due on the truck when it's delivered. None of the money we are requesting would be put towards any interest at all.

Attorney Treadwell said where did the \$187,000 number come from. Mr. Rayner said that was the number that was shared last year. That was based on quotes they had gotten for a loan from the same bank while they were at the time pricing it out. Actually rates were different back then. Attorney Treadwell said does the \$187,000 number include interest or not? Mr. Rayner said it did last year but it doesn't this year because they aren't asking for any money towards interest. Attorney Treadwell said when you calculated the number last year and presented it, the \$187,000 number presumed that there was going to be interest included in that. He understands you don't have the loan yet this year, but now you are asking for \$187,000 and the question was how did you arrive at that number and the answer is you arrived at that number by taking the principal and interest off of a loan you were guesstimating from last year. Mr. Rayner said it wasn't a guess, they got a quote from the bank. It was not a guesstimate, it wasn't an estimate, it was a quote. Attorney Treadwell said it included interest. Mr. Rayner said it did last year, it does not this year.

Mr. Banonis said if he understands it in September, Council did not agree to pay the interest on it. He realizes the figure now doesn't include interest, but why would you think Council would now be agreeable to that figure when the same figure was not agreeable back in September 2019. Mr.

**General Business & Developer Meeting  
June 3, 2020**

Rayner said he would think Council would be agreeable to it as the entire amount there is being put towards the amount of the truck, not a penny is being put towards interest which is what the Council was concerned about. None of the money they are asking for is being put towards interest.

Attorney Treadwell said he's confused. If Council would agree to pay the \$187,000 this year, does that then reduce the three payments you would ask for in the next three years with the same 75% number. Mr. Rayner said it would reduce that number. Attorney Treadwell said so what you are really asking for is \$187,000 this year and then if you divide the extra \$17,000 by three, you would be asking in 2021, 2022, and 2023 approximately \$165,000 each year. Mr. Rayner said he doesn't have that exact number here, but what was stated earlier was that Council from one year is not willing to commit to anything for the next year so he's not here to ask for anything for next year. Of course they will be back because they have to pay the truck off and that's a discussion they'll be prepared to have next year but that's not something they have prepared for right now.

Mrs. deLeon said is there any way we can get paperwork. She knows we can't talk about next year but is there a way we can word it so we can kind of talk about it next year so we have somewhat of a number.

Mrs. Yerger said in our packet, we've got the breakout, so it's equal payments so it's \$170,293, so to her that makes the most sense as it's pretty much the way it broke out, that's our 75%. That's what we promised them for the truck.

Mr. Banonis said why are you asking for that number. Why don't you ask us for \$250,000 this year or \$400,000 this year, why is it that number. Mr. Rayner said if the Township is willing to put any amount above that towards the truck, which is even better. Mr. Banonis said he's not suggesting that, he's just asking the question of why that figure. Mr. Rayner said it's that figure because that was the number that was shown last year so he's just trying to be consistent. The other reason they didn't ask for more is they were under the impression that the Council also wanted to protect some of the money in the Fire Fund for Steel City purchase of a truck if that's needed because in the apparatus report the Township had said Steel City was going to need a vehicle. The third thing is we are trying to partner with the Township in order to manage that well so it's available for future purchases, and that's why they aren't asking for a larger amount but if there's a possibility there, they are certainly open to that.

Mr. Banonis said you had mentioned something earlier that you are asking for this for a further down-payment on this for the truck. You've already gotten \$426,000 from the Township last year, what has LSFR put down as a down payment. What have you put down so far? Mr. Rayner said they have not put anything down so far and they will be next month when the truck is delivered. They will be taking out their own loan for the \$300,000 that they will owe and on top of that they will be putting cash down of \$65,722.25.

Mr. Carocci said that loan is not secured yet or finalized? Mr. Rayner said it is secured. They have the bank's letter and they are approved for that loan is well. Mr. Carocci said it's a commitment letter and our Solicitor thinks that's all it is, a commitment letter, not a solid commitment, not a loan document, it's not finalized. Mr. Rayner said it's not a signed loan document, you are correct, but the bank has said they would issue us that loan. We are credit approved.

Attorney Treadwell said does that letter have an interest rate in it. Mrs. Huhn said no. Mr. Rayner said it doesn't and he doesn't know why they would need one in there. Attorney Treadwell said so you know how much interest you pay. Mrs. deLeon said what's the date of the letter. Mr. Rayner said May 28<sup>th</sup>. It was issued last week.

Mr. Carocci said you still don't have an interest rate. Mr. Rayner said they have the quote from the bank and Cathy called up the bank to try to get that and the bank will not give it to her, so he called

**General Business & Developer Meeting  
June 3, 2020**

Cathy and gave her the interest rate for the loan. Mr. Carocci said it doesn't seem the loan is finalized. He never has known of a loan that hasn't had the interest rate stated clearly in it sometimes more than once. What happens if you don't get this loan in the next 30 days and they want to deliver the truck? Mr. Rayner said then he guesses the truck gets returned or they come up with the money elsewhere. They have a bank that will loan them the money. They provided documentation to the bank and they issued a letter saying they will give us the loan. They haven't signed to loan document as they aren't there yet. The truck will come at the end of next month. Mr. Carocci said we don't have to make the \$170,000 payment today or the \$187,000 payment today as you don't have the loan finalized. You don't have documentation with the Township that you are definitely going to get that loan, so you don't need this money today. We'll see if you get the loan and then we'll pay the money, but you don't need it today.

Mr. Banonis said his concern is that, let's round the numbers the fire truck is \$1.5 million, you already have \$426,000 and if we gave you another \$187,126.51, you are now at \$613,000. The Township's share of the \$1.5 million at 75% is \$1.125 million, and \$613,000 represents more than 50% of the value of that truck that the Township will have in this and the fire company hasn't put a single dollar in yet. He doesn't know how he could vote for that because there's no guarantee you are going to come through on the loans or you are going to have any money on the down payment and he doesn't know what happens when you pay for half of a fire truck. A half of a fire truck isn't worth much, that's just his thought.

Mr. Carocci said he can't in good conscious give \$170,000 in taxpayer money out when you don't have the loan.

Mrs. Yerger said we had the breakdown and we've always been operating with the breakdown, so the \$170,293, she doesn't see any reason to deviate from that. That's what it would be going forward. Mr. Carocci said it's not that we are bound by the prior Councils, but he's fine with what prior Council agreed to and that was \$170,293, but he's not fine with paying any amount tonight without Cathy and the Township having solid loan documents from the fire company. We can't give \$170,000 in taxpayer money out when they don't have the final loan documents. That's just absurd.

Mrs. Stauffer asked why we didn't have the final loan documents. Mr. Rayner said we can't get it until the truck is delivered. Mrs. Stauffer said you sign the papers when the truck is parked in the driveway? Mr. Rayner said correct. The bank needs to see, and he even believes it's in the commitment letter, they state the things they need to see like documentation and invoice from the vendor showing all serial numbers for the equipment installed clearly identifying a total amount and down payments. There are things they need and it also mentioned needing the VIN numbers and things like that. There are things that we just cannot provide to the bank right now to issue that loan; however, they asked last week what was needed by the Township to move this forward and we were told the letter from the bank, and that's what they have. Attorney Treadwell said you were told a commitment letter from the bank, that's not what you have. Mr. Rayner said this is what they asked the bank for and this is what they provided, this is the bank committing. Attorney Treadwell said it doesn't have an interest rate in it. When the bank comes back to you and says this bank is lending you money, what's the number? He'd like to hear the answer to his question, how much is this bank lending LSRF.

Mr. Rayner said he's got to get his calculator out. Attorney Treadwell said the numbers aren't in the letter. There's no loan amount in the letter, there's a purchase price, a discount, a whole bunch of other stuff but no final loan amount. Mr. Rayner said he'll get you that number right now. Mr. Carocci said it's still not in the document.

Mr. Banonis said what's the discount you are mentioning? Mr. Rayner said \$12,800. Mr. Banonis said who gets that. Mr. Rayner said it's because of the pre-payment that's been done on the truck

**General Business & Developer Meeting  
June 3, 2020**

so far. It's the manufacture discount. They are reducing the overall price of the truck. Mr. Banonis said who gets that windfall. Mr. Rayner said 75% goes to the Township and 25% goes to the fire company. Mr. Carocci said why, we made the pre-payment. Why wouldn't we get it all?

Mrs. Yerger said it sounds like until we get documentation from the bank, and it satisfies our attorney and everybody else, we should table this. Mr. Banonis and Mr. Carocci said they agree. Mrs. Yerger said until we get everything legal and satisfied from a legal perspective, we can't release \$170,000 plus dollars until everything is in order. Do we need a motion for that? Attorney Treadwell said if that's what you want to do, you should make a motion to table it, but he thinks it would also be in everybody's best interest, including the fire company, if Council decides this evening whether Council is going to pay interest or not. Mrs. Yerger said okay. She objected to the interest last year. Mr. Banonis said he'll make the motion.

**MOTION BY:** Mr. Banonis moved that the Township will not pay interest for this loan or any other loan related to this fire truck. It's been 9 months since this has been initially approved and there's still no plans in place. Certainly if there's any interest that is growing, it's not the Township's responsibility or fault.

**SECOND BY:** Mrs. Yerger

Casey Zelena from LSFR said as far as the whole loan thing and the interest, the truck is currently being built and is this motion for the Township to pay a loan payment or is this motion for the Township to pay towards the down payment. Mrs. Yerger said we had a 75/25% agreement. When you break it down over the payments over the years, the Township last year talked in terms of \$170,000 that was going to be the rest of our 75% of the truck and so right now at one point last year, loan interest got added into that payment and we objected to it then. The motion right now is that we do not want to pay any interest on the loan as we never agreed to it prior. Mr. Zelena said there's a lot of questions on obtaining the loan document, how do you obtain a loan document when there's no physical property yet? How do you get a loan for something you can't get a loan on? Mr. Carocci said why is the Township is paying \$170,000 when there's no physical asset? Mr. Zelena said have you ordered something and have it being built and they say they want an amount of money before they are going to commit to this. He gets where you are coming from, but he doesn't quite understand how you are expecting a loan document on something that doesn't even really totally exist yet.

Mr. Banonis said the Solicitor's already indicated what was provided to us and extended to us a loan commitment letter, but it's not a loan commitment letter, so we need something that shows that there is an approval for the fire company to have a loan and what those terms of the loan are. The amount, the payments, the term, the interest rates and all that stuff that suggests you are approved for a loan and that's what the loan is going to be.

Attorney Treadwell said he's pretty sure the loan documents are not going to be generated the day you take delivery of the truck. Mr. Rayner said that's incorrect. Attorney Treadwell said you aren't going to see the loan documents until you take possession of the truck? Mr. Rayner said he purchased three trucks in the years he's been with the fire company and signed loan documents every time on the day that the truck came up. Attorney Treadwell asked you read them that day? Mr. Rayner said we see them ahead of time. Attorney Treadwell said that's what he said. He's pretty sure the first time you see the loan document, it's not going to be the day you take delivery, so show us the loan document.

Mr. Krycia said we can go out and do that. The fire company is taking out the loan. If the Township would have just given us 75% up front, it would be a moot point. Mrs. deLeon said we have to have documentation to satisfy our residents that we are doing this. We just can't do it in good faith. Mr. Rayner said that's fine. LSFR is requesting that LS Council and the Township send us a letter stating exactly what they want so they can prepare paperwork for you guys and send it in. That's what we are asking for. It can be emailed or sent to the fire station under the attention of Mr. Scott Krycia. They will prepare the proper paperwork and bring it back to

**General Business & Developer Meeting  
June 3, 2020**

Council. Mr. Carocci said we are going to tell you right now we want the loan documents. Council and Township staff don't need to do this. You guys want the money. The burden should be on you.

Mr. Krycia said last meeting you guys said you wanted a letter of approval and that's what we gave you, now all of a sudden you want loan documents and are talking about interest. Mr. Carocci said who said a letter of approval at the last meeting. He doesn't remember that at all. Mr. Krycia said when we talked with Leslie on the phone. Attorney Treadwell said we had a phone call and he said give me a commitment letter. Mr. Krycia said that's what this is. Attorney Treadwell said where's the interest rate? Where is the interest rate? He's never seen a commitment letter that didn't have an interest rate in it.

Mrs. deLeon said did you ever see this letter Linc? Attorney Treadwell said he saw it on May 28<sup>th</sup> when it came in to the Township. Mrs. Yerger said none of us have seen it to her knowledge. Mrs. Stauffer said can we have that sent. Attorney Treadwell said the motion on the floor has to do with paying interest on any type of loan that LSFR gets for this vehicle. Mrs. Yerger said we have a motion and a second.

**ROLL CALL:** 5-0

Attorney Treadwell said they asked you for the \$187,000 now you have to decide what you would like to do with that request. Mrs. Yerger said it has interest in there, is that what you are saying? Mrs. Yerger said it doesn't but we need to go by the original plan with the \$170,000 and break out our payment in equal shares, so that's what we had talked about last year and she is comfortable with. Attorney Treadwell said the discussion was to table that until we are closer to the delivery date and we see the loan documents. Mrs. deLeon said she has no problem with that money but we need to have the proper credentials. She's supporting the concept and theory. Mrs. Yerger said we supported it last year, it's not a matter of not wanting to give them the money, but we need to the verification of the loan. Mr. Carocci said not only that, if everyone's diligent as this bank is being as getting a VIN number, getting the vehicle, what the vehicle has, the reason the bank should be diligent is it's their money and they don't want to lose it, they want to make sure they are financing what they are actually financing. We as a Township with taxpayer's money should be just as diligent. Mrs. Yerger said we were talking about tabling this agenda item and if we want to add the caveat of getting the proper loan verification. Mrs. Yerger said she will make a motion.

**MOTION BY:** Mrs. Yerger moved to table the funding for the fire rescue ladder truck until we receive appropriate documentation on the loan commitment.

**SECOND BY:** Mr. Carocci

**ROLL CALL:** 5-0

**F. FIRE COMPANY REQUEST TO RECEIVE RECRUITMENT & RETENTION MONEY IN ADDITION TO SAFER GRANT**

Mrs. Yerger said Lower Saucon Township Council funds a recruitment and retention program for the Fire Departments in the amount of \$15,000.00 annually. Lower Saucon Fire Rescue utilized \$10,000 of that funding for their Pay Per Call (PPC) program. This is a fuel reimbursement payment. LSFR was awarded federal funding through the SAFER grant to pay for this program. They are requesting at this time to use the funding for other purposes for recruitment and retention.

Mr. Carocci asked if Leslie could explain this. Mrs. Yerger said she was going to ask Leslie or Cathy to explain this. Mrs. Huhn said LST Council funds a recruitment and retention program for the fire departments. Its \$15,000 annually, \$10,000 is allotted to LSFR and \$5,000 to Steel City. LSFR utilized their \$10,000 of funding towards their PPC program and we included that information in your packet. It's a PPC program that LSFR developed. That's what they do with the donation we give them. Last year they were also awarded Federal funding through a Safer Grant to pay for recruitment and retention or their PPC program. At this time, they are requesting the \$10,000 that the Township normally gives them.

**General Business & Developer Meeting  
June 3, 2020**

Mr. Carocci said so they got a grant for \$40,000 for this year and they have to use it for this purpose, retention, and they want the additional \$10,000 that the Township usually gives them. Mrs. Huhn said she didn't calculate the amount they are getting this year and maybe Scott or Jim can speak to it. She believes the grant amount was \$287,000 over a four year period, so she's not sure how it's allotted. She doesn't know if they get it in a lump sum and they have to pro-rate or pro-ration it over four years or if they get it annually.

Mr. Krycia said he was the person who actually wrote the grant for the fire company. It's a Federal Safer Grant through FEMA. It's for recruitment and retention. The PPC portion of it is \$25,000 a year for the next four years, so it's \$100,000 for the PPC portion of the grant. There's other things included in the grant but the PPC is \$25,000, and typically our PPC program every year will max out at about \$25,000 and then what we end up doing is taking the \$10,000 that the Township gives us and scaling the percentages that the guys receive down to meet the \$10,000 so what they are asking for is the \$10,000 and Steel City is asking for their \$5,000 to use that for our own internal retention program for some of our members. We wouldn't be necessarily using that for the PPC, they'd be using it for some internal stuff for our members.

Mrs. Banonis asked what is the internal stuff for your members? Mr. Krycia said mostly, probably uniform items. Mr. Banonis said T-shirts or actual firefighting equipment. Mr. Krycia said no, not actual firefighting equipment because they wouldn't use it for that. This is strictly for recruitment and retention. It would be like T-shirts, pants, that kind of uniform type of stuff.

Mr. Banonis said let me give you my perspective on this. You are not happy with us as we aren't giving you \$150,000 because we are asking you to merge. You are asking us to give you money to put down for a down payment of the fire truck when you haven't put any money down on the fire truck or haven't gotten a loan; and now you are asking us to allow you to re-appropriate \$10,000 so you can buy hats and T-shirts.

Mr. Krycia said we...Mr. Banonis said is my statement a fair statement? If he's not being fair, then tell him he's not being fair and tell him where he's wrong. Mr. Krycia said he thinks you are being fair but it's not different than what Steel City would be doing too. They would be doing the same thing with their \$5,000 payment. Everybody does. It's not just hats and T-shirts. It would be other items that we typically give to our members to prove to them how worthy they are and how much we appreciate them coming out and doing fire calls and all the fire volunteering they do around the organization.

Mr. Banonis said he thinks you guys do a great job and you're certainly worthy and he appreciates you and he appreciates everything you guys do; but when you ask me for this against the backdrop of everything else we talked about tonight, it makes him scratch his head.

Mr. Krycia said they've been asking for the truck payment since the beginning of January and if you remember correctly we came in and we started talking about all of this. All this stuff had backed up, it's not that we planned to ask about all this stuff tonight. Quite honestly, if the \$10,000 is a problem tonight and you don't feel comfortable about it, let us put a document together and a plan on how we will use this and we can bring it back to the next Council meeting. He's sure Steel City would follow suit and do the same thing.

Mr. Banonis said personally, it would be more palpable for him. Mrs. Yerger said she agrees. Mr. Carocci said same here. Mrs. deLeon said Resolution #34-2010 and it's in the 5<sup>th</sup> WHEREAS, "The Council encourages the fire companies to apply for other State or Federal sponsored grants to offset the assistance provided from the Township General Fund". We normally would have given \$5,000 and \$10,000, and you guys applied for a grant and got how much? Mr. Krycia said for the PPC program, \$25,000 over four years. Mrs. deLeon said to her, Council is asking for the fire companies to apply for grants that are contributions, isn't that what we're doing. Mr. Krycia said

**General Business & Developer Meeting  
June 3, 2020**

he didn't read it like that. They went out on good faith and applied for a grant on their own to help the organization and get additional funding. Mrs. deLeon said she apologizes, maybe she missed something. What was the initial intent of the \$5,000 and the \$10,000? Mr. Krycia said it's for recruitment. The SAFER grant was one component of it for recruitment and retention for our members. Mrs. deLeon said she'll re-read the resolution as maybe she read it wrong. "The Council encourages the fire companies to apply for other State or Federal sponsored grants to offset the assistance provided from the Township General Fund". She doesn't mean to be mean here, but we're in hard times right now. Mr. Krycia said they are too. Mrs. deLeon said she knows, but you got the grant and that's...I don't know. That's how she sees it. Mr. Krycia said let's bring it up at a Fire Services meeting and talk about it in the future. Mrs. Yerger said do we have to officially table this? Attorney Treadwell said yes.

**MOTION BY:** Mrs. Yerger moved to table the recruitment & retention money to the fire companies.  
**SECOND BY:** Mrs. Stauffer  
**ROLL CALL:** 5-0

**G. RESOLUTION #51-2020 – LOWER SAUCON TOWNSHIP COUNCIL EXTENDING THE RATIFICATION OF THE DECLARATION OF A DISASTER EMERGENCY WITHIN LOWER SAUCON TOWNSHIP DUE TO THE COVID-19 CORONAVIRUS PANADEMIC**

Mrs. Yerger said Council will discuss extending Resolution #42-2020 until July 17, 2020. In order to be eligible for FEMA funding, Council should consider extending the Township's Disaster Declaration until July 17, 2020.

Mrs. Huhn said we're extending it again since we are still in the red phase, and hopefully we will be moving to the yellow as stated on Friday, but in case there are still funds that may be applied for or we may incur, we are asking to extend it, like the last time. Either the Governor lifts it or LST decides to lift it by Council, or we extended it to July 17, 2020 which is just after our meeting in July. If you want you could take it out to the end of July to be on the safe side, but that's the date we put in.

Mrs. Yerger said we are meeting before July 17<sup>th</sup>. Mrs. Huhn said our meeting is July 15<sup>th</sup>. Mrs. Yerger said we can amend it then if we want to. Mrs. deLeon said if we wait until the end of July, our August meeting isn't until the middle of the month. Mrs. Yerger said we'll meet before this goes out. Mr. Banonis said do you have a ballpark figure as to what our expenses have been so far specifically for responding to this. Mrs. Huhn said actually we are still under \$5,000.

**MOTION BY:** Mrs. Yerger moved for adoption of Resolution #51-2020 approving the extension of the Township Disaster Declaration until July 17, 2020.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0 (Mr. Banonis said his yes is simply for the availability of funds, if it is necessary for us to seek funding. He doesn't see that there's an ongoing disaster emergency).

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF MAY 20, 2020 COUNCIL MINUTES**

Mrs. Yerger said the May 20, 2020 Council minutes are ready for Council's review and approval.

**MOTION BY:** Mr. Banonis moved for approval of the May 20, 2020 Council minutes, with corrections.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**VII. COUNCIL & STAFF REPORTS**

**A. MANAGER – Leslie Huhn**

➤ Hellertown Borough discussed at their meeting on Monday going back to normal Friday and Saturday hours of the Compost Center. If Council is okay with that, we would discontinue the Monday thru Thursday and go back to our normal operating hours for this time of year. We would still keep in place all the precautions we are enacting now.

**General Business & Developer Meeting  
June 3, 2020**

**MOTION BY:** Mr. Banonis moved for approval for the Compost Center to go back to their normal operating hours of Friday and Saturday from 9 a.m. to 1 p.m.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

- They discussed pavilion rentals during the COVID pandemic at our last meeting and said we would bring it back to the June 3<sup>rd</sup> meeting. Those rentals were cancelled. We were looking at, since we will only be going to the yellow phase, we have rentals for June 20<sup>th</sup> and 27<sup>th</sup> and 28<sup>th</sup>. We do have another Council meeting prior to those pavilion rentals but they are in excess of 100 people, so even if we go green before that time, that's still more than the guidelines allow for. She wanted to bring it to Council's attention and reach out to these people and see what their plans are. At that time, our restrooms still will not be open and sanitized to what the requirements are. Mr. Banonis said they could still have the pavilion but have to follow the restrictions in place with the size of the gathering. In other words, whatever number of people are permitted under yellow, then you can be there and you have to keep it at that number. Whatever number of people that are there for green, you can be in that number. He doesn't know if we can deprive them of the pavilion but we can certainly follow the CDC or Department of Health restrictions in size of the gathering. Mrs. Yerger said Leslie will have to reach out to them and see if they agree to that. Mr. Banonis said if it doesn't serve their purpose and want to have a bigger party, then sorry, you can't utilize it. Mrs. deLeon said then the Township has to sanitize the restrooms. Mrs. Huhn said the restroom still won't be open. Mrs. Yerger said you have to make sure they are aware of that. If they don't have restrooms, are they going to want to do that. Mrs. deLeon said the picnic tables too. Mrs. Huhn said they won't be sanitized. Mrs. Huhn said we'll contact the people and see how they feel about it.
- She said moving into the yellow phase, it's her recommendation that we still keep the offices closed. We're working in the same parameters that we have been working in. We are available, we are here every day in normal hours and we still have the drop box. People have made arrangements to drop off things that are larger than the drop box and we have been able to accept and also provide information to people if they stop here. We've had someone come in and notarize an agreement and were able to do that. We're still working as if nothing has changed, it's just that we are not open to the public coming in at this time during this phase. Mrs. Yerger said it's going to be hard to control how many are coming in. Mrs. Huhn said we would definitely incur more cost as there would be a lot more sanitizing when people come in and we'd have to do all that as well. Mr. Banonis said has anyone complained about having access to the offices. Mrs. Huhn said we have not received any complaints as we are accommodating as best we can within certain restrictions. If someone comes in, the masks are used we have the hand sanitizer and we keep a distance, she hasn't heard any complaints. Mr. Banonis said he's glad to hear that.
- We received a request from the LV Chamber for a letter of support to their request in inviting Brian Stephenson as a keynote speaker at their diversity summit. Air Products is the major sponsor of the event. This will occur in Spring 2021, but they are trying to get their lineup ready and requesting the letters be sent in by the end of this week. If it's okay with Council, she can draft a support letter this week. Mr. Banonis said is there a charge for him coming in. Mrs. Huhn if there is, it's being paid for by the sponsors. They aren't asking us for anything. Council said it was okay to send out the support letter.

**B. COUNCIL/JR. COUNCIL**

**Jr. Council**

- Avia said their last day is officially Friday so they have long awaited that with virtual school. They've had a couple of meetings over Zoom but everything is coming to an end and they are waiting for the summer. She thanked Council for having her on the Jr. Council. Mrs. deLeon said are you a senior? Avia said she's a Jr. Mrs. deLeon said it's a terrible situation with the senior's missing proms and all that. You'll remember this is one of the best times of your life. Council wished her good luck.

**General Business & Developer Meeting  
June 3, 2020**

**Mrs. Yerger** – No report

**Mrs. deLeon**

- Yesterday, June 2<sup>nd</sup>, PA Historic Board met and the Meadows Road Bridge was unanimously amended as eligible for listing on the National Register of Historic Places. The next step is for the nomination to be forwarded to the National Park Service in Washington, DC who will formally list the bridge in the register and thanks to Gerry Kuncio from the firm of Skelly and Loy. She was on the call and it was interesting history. She sent a notice to Lamont notifying him and to Mike McGuire, the PennDOT rep and he wrote back saying thank you for the information. He said he didn't have an update and will have a meeting with PennDOT staff to better determine what direction this project might go. He hopes to have more of an update next month.
- The SVP will be meeting next week with Carolyn. Mrs. Huhn said she'll have to check with her. Mrs. deLeon said she thought we were going to skip a meeting. The updates are on the website.
- She said she didn't hear of any issues on Election Day and that went okay.
- She attended the May 19<sup>th</sup> Quarterly Landfill Meeting.
- Over the weekend, the Hellertown-Lower Saucon Chamber had a virtual business day but she doesn't have an update.
- She had an update on the pipeline, she read "the original PennEast Pipeline has two important permits that have yet to be granted by DEP. This permit is required for all earth disturbances, greater or equal; than one acre. Chapter 105 concerns water obstruction and stream encroachment. Components of the pipeline are contending that the new Phase 1 project has changed in length and in purpose and therefore should be considered a new project and opportunity for the public to comment. The Governor's office has released a comprehensive reduction strategy for PA. The proposed rules are now being considered in a public comment period open until July 27<sup>th</sup>. There will be virtual public hearings late in June. Methane has a very potential impact on global warming. Unbermed and leaked methane is 80 times worse than carbon dioxide emissions in terms of (could not hear). PA the second largest producer of wheat methane. Every state of production including gas and wells and storage facilities and pipeline emit methane." The pipeline is still out there. She doesn't have an update on the other one.

**Mrs. Stauffer**

- She attended the Library Meeting and was amazed at the creativity they have during this time being able to stay active. They had a recent grant and managed to spend it all as it was spend it or lose it. They did Story Walks in the parks. Being outside is really awesome right now with all the stress of the pandemic so if you are able to check it out, they are in several parks. It really sounds creative.

**Mr. Carocci** – No report

**Mr. Banonis**

- He had a coyote in his yard.

**C. SOLICITOR** – No report

**D. PLANNER** – Absent

**E. ENGINEER** – Absent

**IV. ADJOURNMENT**

**MOTION BY:** Mr. Banonis moved for adjournment. The time was 10:52 p.m.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

Submitted by:

---

Leslie Huhn  
Township Manager

---

Sandra B. Yerger  
Council President