

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

- A. Proclamation Recognizing Junior Council Members
 - 1. Resolution #52-2020 – Recognizing Avia Weber
 - 2. Resolution #53-2020 – Recognizing Tyler Dickens
 - 3. Resolution #54-2020 – Recognizing Ethan Kennedy
 - 4. Resolution #55-2020 – Recognizing William Werner
 - 5. Resolution #56-2020 – Recognizing Madeline Lohr
 - 6. Resolution #57-2020 – Recognizing Maclaine Oskin
 - 7. Resolution #58-2020 – Recognizing Bela Silverman
 - 8. Resolution #59-2020 – Recognizing Thomas Spirk
 - 9. Resolution #60-2020 – Recognizing Mason Simms
 - 10. Resolution #61-2020 – Recognizing Breanna Kemmerer
 - 11. Resolution #62-2020 – Recognizing Sean Cherry
- B. Resolution #63-2020 – Recognizing the Volunteers of Lower Saucon Township

IV. DEVELOPER ITEMS

V. TOWNSHIP BUSINESS ITEMS

- A. Heller Homestead – 1852 Friedensville Road – Widow’s House – Window Replacement Discussion
- B. Seidersville Hall – Bathroom Replacement – Authorization to Advertise
- C. Discussion Regarding the Coalition Against Bigger Trucks (CABT)
- D. Discussion of Worker’s Compensation Insurance Renewal
- E. Discussion Regarding Planning Services
- F. Resolution #64-2020 – Authorizing the Submission of a Grant Application for the WalkWorks Program Through the PA Department of Health

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of May 2020 Financial Reports

VII. COUNCIL & STAFF REPORTS

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

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| <p style="text-align: center;">UPCOMING MEETINGS</p> <p>Saucon Rail Trail Oversight Commission: June 22, 2020 @ 6:00 p.m. @ UST Zoning Hearing Board: June 22, 2020 Planning Commission: June 25, 2020 Saucon Valley Partnership: July 8, 2020 @ 6:00 p.m. @ SVSD Environmental Advisory Council: July 14, 2020 Township Council: July 15, 2020 Parks & Recreation: August 3, 2020</p> |
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VIII. PUBLIC COMMENT ON NON-AGENDA ITEMS – NON-RESIDENTS ONLY

IX. ADJOURNMENT

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 17, 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; Linc Treadwell, Solicitor. **Absent:** Brien Kocher, Township Engineer.

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.

Scott Nocek, President of Steel City Fire Company, said after the last couple of meetings, the Township was looking for a document stating that Lower Saucon Fire Rescue (LSFR) and Steel City (SC) was working towards a merger. He did email Leslie and she distributed it to the rest of Council. He's wondering if that is sufficient enough to allow for the allotment to be released. Mr. Tom Carocci said it's not on the agenda, and he'd like to address it, but it's going to take longer than three minutes, so could they do it after they recognize the students. Mr. Nocek said that's fine.

Ms. Victoria Opthof, resident, said this isn't on the agenda, but she's been speaking to other residents like Lisa Basara about this. She is interested in putting up a couple of signs on her road. She has two autistic children, but her son primarily is none verbal and is attracted to the street and he doesn't have any awareness of anything. Ms. Basara alerted Ms. Opthof about the autistic signs she was interested in and the problem with the current policy that charges the residents for the sign materials. She's been working with the Township and Ms. Opthof wanted to thank you for working on this and just a confirmation it's going to be on the meeting agenda for the next meeting and its proposed it's on a case-by-case basis for people with disabilities. Mrs. Huhn said we did receive your request and we also have Lisa's request so we will bring them to Council at the next meeting. They will be passed through the Police Department and Public Works for recommendation of the placement and type of signage. Ms. Opthof said thank you and asked if there was anything the Township needed further from her. Mrs. Huhn said she has Ms. Opthof's contact information and will give her a call if there are any questions.

III. PRESENTATIONS/HEARINGS

A. PROCLAMATION RECOGNIZING JUNIOR COUNCIL MEMBERS

RESOLUTION #52-2020 – RECOGNIZING AVIA WEBER; RESOLUTION #53-2020 – RECOGNIZING TYLER DICKENS; RESOLUTION #54-2020 – RECOGNIZING ETHAN KENNEDY; RESOLUTION #55-2020 – RECOGNIZING WILLIAM WERNER; RESOLUTION #56-2020 – RECOGNIZING MADELINE LOHR; RESOLUTION #57-2020 – RECOGNIZING MACLAINE OSKIN; RESOLUTION #58-2020 – RECOGNIZING BELA SILVERMAN; RESOLUTION #59-2020 – RECOGNIZING THOMAS SPIRK; RESOLUTION #60-2020 – RECOGNIZING MASON SIMMS; RESOLUTION #61-2020 – RECOGNIZING BREANNA KEMMERER; RESOLUTION #62-2020 – RECOGNIZING SEAN CHERRY

Mrs. Yerger said resolutions have been prepared recognizing the following Junior Council members who served the 2019-2020 school year:

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Township Council – Avia Weber & Tyler Dickens; Environmental Advisory Council – Madeline Lohr, Maclaine Oskin, & Bela Silverman; P&R Board – Thomas Spirk, Mason Simms, Breanna Kemmerer, & Sean Cherry; Planning Commission – Ethan Kennedy & William Werner

MOTION BY: Mr. Banonis moved for approval of Resolutions #52-2020 through #62-2020.

Mr. Banonis thanked all the students for their hard work, their efforts, and their energy. It's exciting for them as Council members to have younger citizens involved in Council and Township related items, so he commends them because it's meaningful to Council and he's hoping it was meaningful to them as well.

SECOND BY: Mrs. deLeon

Mrs. deLeon said we will be doing this for the 2020-2021 school year and we'll be taking applications so spread the word to your friends. Thank you and she hopes you all had an enjoyable year. Mrs. Yerger said each one of the Jr. Council members will receive their own proclamation.

ROLL CALL: 5-0

Mrs. Stauffer thanked them for attending the Council meetings as some of them went long.

B. RESOLUTION #63-2020 – RECOGNIZING THE VOLUNTEERS OF LOWER SAUCON TOWNSHIP

Mrs. Yerger read Resolution #63-2020 and said this resolution has been prepared to recognize the volunteers who served the 2019-2020 year.

MOTION BY: Mrs. Stauffer moved for approval of Resolution #63-2020.

SECOND BY: Mrs. Yerger

Mrs. deLeon said thank you for everybody's efforts, hard work and coming to meetings. Mrs. Stauffer wished they could have had the picnic this year. Mr. Carocci said he'd like to thank Ron Horiszny who is leaving the Township who served many years and has served on Council so he'll be missed as a volunteer. He's moving out of the Township, and he was a special volunteer for the past 20-25 years. Mrs. Yerger said he's moving closer to his family and she hopes he enjoys it.

ROLL CALL: 5-0

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

Mrs. Huhn said at this time, we'll go back to Scott Nocek. Mr. Carocci said we received the email and he wanted to thank you for meeting with your respective boards and voting to merge, that's a big important first step. He's personally disappointed in the timeline, he thinks it can be done much quicker and that concern was expressed multiple times. The timeline is fairly unacceptable and he's hoping we can work with that to get a timeline. We were interested in your boards voting and the timeline.

Mr. Nocek and Scott Krycia talked and had a lot of phone calls with this. The timeline is just a suggestion at this time. Once the Se-Wy-Co – Southeastern merger is completed, it will move it a little faster, but at this time it's only 1.5 years. With all the COVID stuff going on, it kind of plays into that a little bit. All the previous mergers, Leithsville – Se-Wy-Co was over 2.5 years, maybe closer to 3. Once the merger they are working on right now is complete, it will go faster.

Mr. Banonis asked what is the status of completion of the other merger, that was hanging out and was stated the only thing left was the filing of the deed in the Courthouse. He's wondering where that stands.

Mr. Krycia said he actually talked to the lawyer on Friday and that paperwork is still going through the process. They have deeds to be signed over to the new organization. They have vehicles to transfer and once that stuff is done, then they need to sign the official paperwork that dissolves the two original organizations. He expressed their concerns that they want to get that done and they are working on it and that's basically all they have.

Mr. Banonis said did he give you any idea to when that's going to be finished and completed. He knows Mr. Krycia talked to them about it back in February and he knows that there are a lot of lawyers looking for work. Mr. Krycia said he did not tell him anything in terms of a timeline. He told him the paperwork did

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go into the office there. There's a couple questions that went back and forth and he resubmitted that. He was just waiting on the Deed Office to finish the paperwork.

Mr. Carocci said this one issue has lingered on for a while. At a Fire Services meeting on June 4, 2019, over a year ago, you said "we did not reach an agreement a year ago on the fire side, we had separate bank accounts in the beginning of 2019, we met with our lawyer and got approval to merge everything. So Southeastern general checking account is still open with \$1,000 in it. Se-Wy-Co general checking account is still open with \$1,000 in it. But everything else has been going into the LSFR account, the general savings and the Township account. There is still two separate tax ID numbers so there's still two separate entities and then Cathy asked if LSFR has its own tax number, you said yes. You said they signed the document, they just need to go to Orphan's Court and then it is done. After that it will be transfers of existing properties and dissolving of Se-Wy-Co and Southeastern and then that is it". So this was in June 2019, his first Fire Services meeting was February 4, 2020 as a member of Council and at that meeting you said it was imminent. Is there something wrong with the deeds because it's taking too long? Multi-million dollar corporations merge in six months. He sees it every day with his job. What's going on?

Mr. Krycia said he's not a lawyer and he follows the guidance of their Counsel that the fire company has chosen to handle the merger process. He spoke to the lawyer on Friday and he said it's still being worked on and there was some questions on the deeds and that they went back and forth with the Deeds Office and now apparently it's going to be resolved. Beyond that, he doesn't know what to tell you. That's why they have a lawyer.

Mr. Carocci said on paper, we still have how many fire companies? LSFR, Southeastern still exists on paper with a tax ID number and they have a bank account. What about Se-Wy-Co? Mr. Krycia said they do too. Those companies are inactive. The bank accounts actually aren't having any transactions on them. He believes the Se-Wy-Co account has \$64.00 in it and the Southeastern probably has maybe a few hundred dollars in it. He did instruct the Se-Wy-Co and Southeastern guys at the last company meeting that they were going to actually close those accounts, they don't need to have them anymore. They had some bills they needed to move around and wanted to make sure the auto pays were coming out of the new organization account.

Mr. Carocci said the bottom line is none of these three companies are legally merged. They are all three separate legal entities, not your operations and what you are doing, but you are still separate, even a year after this Fire Services meeting. They are not merged and two of them haven't been dissolved.

Mr. Krycia said he can send you the paperwork from the Orphan's Court if you would like that shows LSFR was created in July and that it exists of the two original companies. He understands your point but for all operations for all business matters for everything, it's all running through LSFR. As soon as the deeds are completed, it's his understanding that the next step would just be retitling of the trucks and they would be put in the new organizations name and then dissolving the two original companies.

Mr. Carocci said he finds it very odd if these deeds are clean that it takes a year and it's not getting done. It's no closer to getting done than it was a year ago. June 4th was when you made those statements. Mr. Krycia said he will have the lawyer for the fire company send Council a letter outlining the process and outlining where they are with the process just so you know what's going on.

Mr. Carocci said what they want is that the merger is completed, that the two fire companies are dissolved, don't have their own bank account, don't have their own tax number, and at that point, then we can talk. Right now you are not merged and you represent in Council minutes that they are merged and they are not merged. They are still three separate entities and they are not legally merged.

Mr. Krycia said legally there are three separate entities. In the State Fire Commissioner's Office, they are 48016 which is the number that is assigned to them, they are LSFR. Mr. Carocci said the only thing he's interested in sending our Solicitor and the Township Manager is proof that the fire companies have merged,

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the dissolution of the two fire companies and you're all operating under one tax ID number and it's truly a merged company. It's going on two years and that's why when he sees the timeline for January 2022 being finalized, he has no faith in that whatsoever. You are talking about this over a year ago and it's not done yet. Mr. Krycia said he doesn't know what else to tell you. The lawyer is working on the process.

Mr. Banonis said you are a client, Scott, or at least the fire company is a client and if you want something done by your attorney it's incumbent on the fire company to push your attorney to get it done. He shares Tom's concerns. He doesn't know why there's this delay of a year. If it's simply filing some paperwork in the Courthouse, why isn't it done? That's a question you can ask your attorney and say look, we need to get this done ASAP because we need to put this behind us as we are going to be working on another merger.

Mr. Krycia said he agrees with Mr. Banonis totally. Mr. Banonis said you said previously this merger with Steel City could not be finalized until there was a finalization of the previous merger and that's not done yet so what's hanging out there currently is going to delay what already seems to be a pretty lengthy timeline you are giving us because of the unresolved pending issues.

Mr. Krycia said he understands their concerns and it's a concern for them too. Like he said, he talks to their lawyer on a weekly or bi-weekly basis and they are working on it. LSFR was a totally new organization and the two existing companies were merged into that new organization, so the process is a little bit difficult or different than doing a company merging into another company like a takeover or anything like that.

Mr. Banonis said there have been representations made to Council that you need the money from us. He understands your position on that. He doesn't know if he necessarily agrees with it, but he understands what you are asking for. It is also not in your financial interest, he would assume, to continue to pay your lawyer to not have this issue resolved. You said you talk to him every week or every other week, and he's sure he is billing you for that time and that doesn't seem to be the best use of money when this could have been resolved many months or a year ago. He's not telling you how to operate your fire company, but at the same time, when you are asking the Township to give you money and you're making a plea for that, he doesn't know how significant or important that money is when you are spending it on a lawyer who isn't getting the job done.

Mr. Krycia said there's other stuff that the lawyer has been working on for them. Some of that stuff has been part of the conversations too, so it's not just all about the merger. Mr. Banonis said fair enough. Mr. Krycia said he doesn't know what else to tell you guys except he will talk to the lawyer and ask him to give us a schedule, as he'd like to know too. He'll call him tomorrow and tell him Council wants to get this done and the fire company wants to get this done and find out what the timeline is. Mr. Carocci said he has no faith. That's exactly what you said at the June 4th meeting a year ago. He has no faith whatsoever, nothing.

Mr. Krycia said what he is supposed to do, what would you like him to do? Mr. Carocci said he would like him to either have this lawyer get it done or find another lawyer who will get it done. Mr. Krycia said they have been working with this lawyer and he's handled everything from this point forward. The fire company isn't going to go out and he's not going to go out as the President and find a new lawyer. They don't work like that, they have to vote on this kind of stuff.

Mr. Banonis said let me bring something out for an option. The Township has a Solicitor and if it's simply the matter of filing a deed, he can't imagine that it's that time consuming or costly to have it done and if your lawyer isn't getting it done, do you want us to consider asking the Township Solicitor to get it done for you, to get it resolved?

Mr. Krycia said he'd have to talk to their lawyer first to find out where he is in the process. Mr. Banonis said you said it's almost ready to go. Mr. Carocci said you just told us five minutes ago it was ready to go. Mr. Krycia said it's his understanding that the deeds were already sent. It went back to the lawyer; he

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called Mr. Krycia up and asked him a couple questions and they were resubmitting them. That's as far as it is.

Mr. Carocci said why would you call him and ask where the process stands. Mr. Krycia said because when he talked to him on Friday, he said basically the same thing he just told you. Mr. Carocci said all we're asking you is to let Linc take a look at it. Mr. Krycia said if that's what the Township wants to do, he has to bring it up to the Board and the membership. Mr. Banonis said the Township just wants to have that merger completed so we can move forward with what's being proposed now. Mr. Krycia said he wants the merger to be completed too. This will be the second one for him so at this point he's not sure. Let him talk to his lawyer. Attorney Treadwell said can you email him the name of the lawyer and he can have a discussion with that person. Mr. Krycia said he can do that, he doesn't have a problem with that.

Mrs. Stauffer said she thinks the thing she's hearing now is a little different than the one we had a couple of weeks ago asking for a plan and a timeline. The other thing is, the fire companies have met and they needed to present to the Township so they could receive their funds for this year. She does think there is value in a merger. She thinks the fact that Council wants to support a merger is a good thing. She's also thinking that at every meeting the conversation tilts a little different and there's a new piece of paper or something that might be needed for the fire companies. She thinks we are kind of having two separate conversations and sort of taking it a little too far and the fire companies should at least receive a portion, if not all of the funding that is promised to them for the year so we can kind of support them during this merger.

Mr. Carocci said he thinks Mrs. Stauffer is right and he has some thoughts on perhaps we do give them partial payment for what they've done so far by voting on the merge and putting a timeline together. He would be hesitant to give LSFR more than \$50,000 without the other merger being finalized, which it's going on two years now and they've represented many times it would be finalized.

MOTION BY: Mr. Carocci moved for an approval that LSFR receives \$50,000 of the \$150,000 and Steel City receives their \$50,000.

Mr. Carocci said it's his understanding that they have all their paperwork in with Cathy. Cathy can speak to that, they don't have any deed issues like this, so they should get their money, they did meet, they did vote the merger and they did provide a timeline.

Mrs. Stauffer said time out, Priscilla did not get the floor yet, and she had a comment. At the same time we're making a motion to support SC at 100% of what we promised and only making a motion for LSFR at 30% what we promised if she's understanding correctly. Mr. Carocci said if you only wanted to give SC 30%, he's fine with that too, but the incentivizing is working. SC met, they voted on a merge, they have a timeline, so obviously we need it for the other merger too as they've stated this SC merger can't get done until the other merger is completed. If you want to do one-third for LSFR and one-third for SC, that's fine. He'd be willing to vote on that too.

Mrs. deLeon said at the last meeting we had, they both had requirements, is that correct? Mrs. Gorman said both fire companies have submitted their annual paperwork. Mrs. deLeon said the last meeting when she discussed this, she said she didn't want to hold these fire companies hostage that they should be at the minimum, getting a portion as like Kristen said, they provided the required information that we ask on an annual basis to get this money. She understands and it seems like every meeting they have to provide more as they didn't know they had to before they got here. It's great that we have a signed contract and she'd like to see them get a portion of the money. When you are talking about a portion and she can go along with the 30%, but when will they need to know when they are going to get the rest. Are you going to say you aren't getting it for a year because she couldn't support that?

Mr. Carocci withdrew his first motion and said the motion would be that they get the rest when they have completed the Southeastern/Se-Wy-Co merger; and therefore, that would allow SC merge to proceed, hopefully more rapidly than the time what they proposed.

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MOTION BY: Mr. Carocci moved to authorize the Manager to release \$50,000 to LSFR and a third to SC which would be \$16,666.67, and then when the Solicitor and Township Manager are satisfied that the merger between LSFR and Southeastern and Se-Wy-Co is complete including all necessary deed filings, including the dissolution of the Southeastern and Se-Wy-Co Fire Companies, including they operate under one Federal Tax ID number, one non-profit number, when all those conditions are met, they receive the rest of the funds. If they can do that in the next two weeks, we could vote on that at the July meeting.

SECOND BY: Mr. Banonis

Mr. Banonis said it's his understanding that they have all their paperwork in with Cathy. Cathy can speak to that, they don't have any deed issues like this, so they should get their money, they did meet, they did vote the merger and they did provide a timeline. Mrs. deLeon said if we are going to go by thirds, it's never going to happen in two weeks, let's be realistic here, the Courthouse just opened, there's a lot of backlogs. She's involved in a backlog and you just have to wait your turn until you can get into the Court.

Mr. Carocci said the Deeds Office has been open and a year ago they were saying this was eminent and it would take weeks. Mrs. deLeon said we accomplished a lot so far. She is giving them credit for that and doesn't want to punish anybody and she thinks we need to honor our part of it. 50/50 you want this, and they did that and now we have to do this and you are saying we have to cut it in one-third. She doesn't do things like that.

Mr. Banonis said just to be clear, Priscilla represented that the letter that came in June 11th was a contract, actually it's better called a Letter of Understanding. With regard to the content of it, what we've asked them to provide us with is a realistic merger proposal and for it to be realistic, there are conditions pre-existing that need to be met and that is to finalize the earlier merger that is still hanging out there because of the outstanding needs. He doesn't think we are acting anyway different than originally asked for because if they are submitting this proposal, this anticipated timeline and milestones to us, we certainly have an obligation to look at it to see if it's realistic. As it stands now, it may not be realistic and it's not really realistic because the earlier merger has not been finalized. He disagrees in that regard that we're somehow dangling a carrot or changing the game. We're not, we're just asking for something to be provided to us that what is being submitted here is anticipated to be a timeline and milestone and is realistic. Until that earlier merger takes place, every deadline or milestone on this proposal is really meaningless.

Mr. Scott Nocek, SC, said he understands what Tom and Jason are saying with that. He doesn't wholeheartedly agree with that. They submitted all of their year-end statements. They submitted the timeline and they do understand what LSFR is going through and he feels SC is being penalized for the merger they are doing in which SC has no control over. It isn't fair on their end of it and he does think it needs to move forward but it sounds like it's out of their control. He thinks the resolution as it stands, they met the original request itself and every time they come back, it's more and more getting added to it. Is this going to happen every year if you guys don't like something, it's going to change over and over again and we've met this and have another meeting set up on June 25th between the two boards and if we do a Fire Service meeting, it can be updated monthly where and how things are moving forward and go from there. We have to keep moving forward with it and if we do any longer holding the allotments, is there going to be required for them to spend that allotment in six months now or less and is it going to delay the allotment for next year as well.

Mrs. deLeon said you guys work, you have jobs and this is volunteer hours and you have to do all this extra stuff when you are free. Mr. Nocek said he understands. Mr. Krycia got him the letter Thursday night and unfortunately Friday at his job, he had no control over getting it printed out, scan it and send it back. They are putting in full-time hours at their full-time job and then almost full-time hours with the fire company besides doing 9-1-1 calls. It's a lot.

Mr. George Gress, resident, said he watched this power trip for a couple of months. He asked, did Leslie or Cathy do any paperwork for Se-Wy-Co or Southeastern fire companies at this time. Mrs. Huhn said, as in what kind of papers? Mr. Gress said we're pushing this merger, which he totally agrees with. LSFR

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already exists and that is who the Township deals with. Did the Township deal with Se-Wy-Co Fire Company for Southeastern Fire Company independently at this time for anything other than some late tax stuff from last year? Mrs. Gorman said no. Mr. Gress said the point of forcing this to be the end all and make sure all the paperwork done is moot. There is only one fire company that the Township is dealing with. He was President of Se-Wy-Co Fire Company when this began. When they initiated a merger with Southeastern, it was for the residents and the visitors of LST. That's what this is about. It's not about holding money or a power trip to say we want you to merge or we're not giving you money. They have given you every single piece of paper at every meeting that you requested, then you make up a new requirement. When they first met with the attorney, that attorney came well recommended by several fire companies that have merged and was involved with PA State Fire Commissioners office and their representatives there. They told us at that meeting it will be 2 – 3 years for a volunteer fire company merger. Jason, Tom and Linc, if you guys have experience in volunteer fire company mergers, then by all means he appreciates you putting your input in here giving your two cents, but if none of you have never done that, let's leave it to the experts who have done this before where they have requirements that have to be met as well. He's sorry but they picked this attorney because she was the best of the best. That's why we picked her. It may have cost a little bit more money, but she came well recommended with a great reference. Since we are dealing with only one fire company, until that merger begins with SC, then it's not like there's any extra paperwork for the Township because this other merger is not officially finalized, and he'll put that in quotes. They are waiting on things and everything's already there. The Township is not dealing with any of these fire companies independently. These fire companies do a great service for this community, its residents and visitors. That's why they exist. If this continues and he can see it happening, oh we're not going to give you money for this anymore, we're not going to give you money for that, the Township isn't the only one losing funding right here. Volunteer fire departments are losing funding just as everyone is. They are not giving money anymore like they used to. You guys still spend, you got to keep the lights on, you got to keep the heat on. These fire companies rely on this. We as a Township and him as a taxpayer are there to support these fire companies, not to give them a hard time, not to ridicule them, not to drag them through the mud.

Mr. Banonis said lets be perfectly clear here. We're not ridiculing the fire company, we're not dragging them through the mud. We're not doing anything other than checking the accuracy of what's been submitted to us and without having, and it's by your own words, George, at one point, maybe somebody else from the fire company, that any future merger cannot be done until the prior merger is complete; and it's now been a year that the prior merger has been represented as being ready to go and it's all tied up and buttoned up and ready to be finalized and it's still not done, so to represent we're somehow on a power trip is entirely inaccurate and he takes issue with that. What they are trying to do is have a merger that benefits the taxpayer's because this is taxpayer dollars that are going to the fire companies. We appreciate all that the fire company does. We certainly do and he's sure a lot of the citizens in the Township do as well, but at the same time what is being presented to us cannot be fulfilled until that precondition is done so how are we supposed to resolve that conflict. Are we supposed to just accept, yes, it's going to be done even though it hasn't been done in the past year, even though it's been represented that it can be done very easily. He doesn't think we can do that in good faith. He doesn't think what we are proposing here is unrealistic or unreasonable. It's been represented to us many times that both fire companies are very solvent with hundreds of thousands of dollars, well over a million dollars combined, in their bank accounts, and we're not holding back all the money here. We're agreeing to give some of the money with the hope that perhaps it will incentivize to get done what you said was going to get done. He does take issue with how you are characterizing our handling of this as he doesn't believe it has the right perspective.

Mr. Gress said years ago this was initiated by Se-Wy-Co and Southeastern independently without any push from the Township to try and do better for the Township, to try and consolidate resources and we wanted to join SC at that time and do all three at once, but they weren't ready. He totally respects that. That's their decision as a fire company and that was their decision to make at the time. Southeastern and Se-Wy-Co moved forward independently to try and get it done. Unlike you said with the advice of Council, you said in the past, you are not up there to give legal advice, so the Counsel did say as he was there, you cannot begin another merger until that merger is finalized because it was brought up about SC at our original

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meeting and what if they decide to join in a couple of months and we were told that could not happen until your merger is finalized. Until all your paperwork is done and completed, you cannot begin another merger. He doesn't know, he's not a lawyer either, that's why they pay the experts. If they are going on the advice of their Counsel, maybe Linc does need to talk to their attorney, maybe he can shed some light on it because at this point, all we have is what we are told by the lawyers. Unfortunately, they seem to run the world anymore.

Mrs. deLeon said she thinks it's a good idea to have Linc speak with that attorney. That way we'll hear and he can ask the right questions and come back to us with a more legal point. Mrs. Stauffer said we would have a better understanding of what is needed since she doesn't think anyone on this Council is familiar with the ins and outs of the fire merger as they are maybe with a business merger and she thinks the two are different. We have to respect that knowledge. She said Mrs. Yerger has been quiet on this, and she's wondering what her thoughts are.

Mrs. Yerger said she has no problem with them giving them a third, nothing else, in that we are supporting their legal finances at this point. It gives Linc some time to talk to their attorney and come back to us to give up some more information so that we can then move forward on how we want to work with them in the near future. We had a motion for a third to each fire company, and she thinks that's still on the floor. She asked if there was anyone else who wanted to speak at this time.

Mrs. Donna Louder said she feels that the progress is positive. Linc's involvement will bring clarity as it's going to be lawyer to lawyer and the communication is going to be a little bit better and it might expedite the merger for Rescue 16 and bring that to fruition. This fire company issue has been on the books since 2011 or 2012. Mr. Kern had tried to accomplish that and it has just gone on for years and years. When she was on the Fire Service thing, she was given the paperwork from Mr. Willard as he sat on the board and he said good luck, this is crazy. She feels this is a positive step. She wants to remind the firemen, this money is not being withheld from you. It's in the bank with your name on it, but there are things that have to be done as everybody can say that the taxpayers are being taken care of, there's a lot of questions out there about the fire companies lately. That money is earmarked for you, so don't think you don't have that money in the bank, you do. Again, she totally agrees with the way this is being handled. When it comes back, once we have the answers to Rescue 16's merger then we can move forward and it can be expedited a whole lot quicker than they are saying. She's not a lawyer, so she doesn't know. She wants to thank you for all the hard work that's been put into this – everybody involved. Mr. Carocci said thank you for your support.

Mr. Nocek said in relation to the 30%, that's going to be \$15,000 for them versus \$50,000 for LSFR. He's not trying to get favoritism or anything like that, but at least 50% to give them \$25,000 as they have some other bills coming out and he would be more comfortable with that. He wants to clarify again they have met all the year-end reporting and the timeline. They do have a meeting June 25th and hopefully the Township will have a Fire Services meeting the beginning of July so they can give a better update on where they are going and how they are moving forward with it.

Mr. Banonis said he's okay with that simply because SC has no control or influence over the loose ends that need to be tied up. Mrs. Stauffer said the argument could be made that SC did not merge at the time the three others did and so it should be kept fair for both companies, the same percentage to both. Mr. Banonis said the motions were a third and a third so we can vote on that and he seconded that and if that passes the issue is resolved. If not, we can look at the proposal if someone wants to make a motion for a third to LSFR and 50% to SC. We could consider that option as well. Mrs. deLeon said or the option would be for you to withdraw your motion and make a new motion with a different amount of money. Mr. Banonis said it was Tom's motion.

Mr. Carocci said he really doesn't want to withdraw his motion, it's a fair motion. What he will say to SC is he understands this deed issue you are not involved with and when it comes to future meetings this summer and for some reason this deed issue is not resolved, he would be for allocating them the rest of the

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money, the remaining two-thirds to SC even if the deed issue that LSFR is not resolved because they are not really a party to it, so he would do that at future meetings. He's hoping that by the next meeting or by the August meeting the deed issue is resolved, the two fire companies are dissolved to one fire company with one tax ID number and we can just distribute all the money to both fire companies at that time. That would be the best case scenario and he hopes that will happen. He's not withdrawing his motion, he has a motion for thirds, he doesn't know if it's going to pass or not.

Mrs. deLeon said a third of \$150,000 and then a third of \$50,000, it's like \$16,000, so that's not a lot of money and when the fire company has operational costs starting in January until now that are adding up that they were depending on that money for, and now they are waiting for it. She knows they have money in the bank, but it's just not enough money for them to operate.

Mr. Carocci said is the \$50,000 going to LSFR not enough money or is the \$16,000 going to SC not enough money or is it both? Mrs. deLeon said the \$16,000 seems like so little money to give them. The \$50,000 we have three fire companies that merged into one, she would think there's a decrease in bills and we were all being supportive of the fire companies and that's why everyone got \$50,000 because they proved they needed that much money for their routine bills, insurances and whatever, so this is a great discussion, but now we're at the end and hearing all of this discussion, that's not enough money.

Mr. Carocci said if he did withdraw his motion and ask for \$50,000 for LSFR and \$25,000 for SC, would that help you support it in any way? Mrs. deLeon said that would sit better with her. Her opinion is she didn't want to hold them hostage but if they are getting something, that's fine. What she would like to then see happen is our next meeting, that we can give them a little bit more. Mr. Carocci said he's not going to commit to doing anything at a July meeting without first understanding from Linc what is going on. Mrs. deLeon said she's not asking him to. We have all these things we need to find out about and it's going to be a good conversation from Linc and that attorney.

Mr. Carocci said he'll withdraw the motion for the third and Mr. Banonis withdraw his second, and he'll make another motion:

MOTION BY: Mr. Carocci moved for approval that LSFR gets \$50,000 and SC gets \$25,000 and that we revisit these issues at future meetings when we get some information from Linc. They get that money this week or next week, whenever the Township gets it to them.

SECOND BY: Mr. Banonis

Mrs. deLeon asked Mr. Nocek if he was more comfortable with that amount. Mr. Nocek said SC is for the merger and they are moving forward with it. He said he understands LSFR is involved with merger and they have no control over. SC shouldn't be penalized for stuff that no one has control over except the courts and lawyers. It seems better with the \$25,000 with the incoming bills they are going to be having shortly. If it's not resolved by July, are you still going to give us the remaining \$25,000? Mr. Carocci said it will be a Council vote, it's not him. What he's telling you is he understands that this deed issue and the dissolution of the other two fire companies really doesn't involve SC and he understands that going forward at future meetings. Council will have to vote, he's telling you his personal position on it and other Council members will vote as they please. Mr. Nocek said thank you and thank you for the Resolution #63-2020 for recognizing the volunteers again.

Mr. Bryan Evans said he's commenting as a taxpayer and not a representative of LSFR, but it just seems like there's been a significant amount of time, both at last Council meeting and at this meeting, which is obviously important and certainly time well spent. He thinks there may be benefit to some of these discussions being held at the committee level and some of that information being sought there and given time in-between Council meetings for information to come back. If we can look at increasing the frequency of the Fire Service on some of these topics, it would help move the Council agenda along and be able to focus time on other agenda items as well. We've gotten away from those Fire Services meeting being regularly scheduled that he thinks it would benefit some of this work being done there. Mr. Carocci said he agrees and he would like to have more regular meetings to discuss these things. He'll point out this was not an agenda item tonight. The only reason we're talking about it and coming to this motion is

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because it was brought up by the Fire President of SC as a non-agenda item. It was not supposed to take an hour of Council's time tonight. Mr. Evans said completely understood.

ROLL CALL: 5-0

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. HELLER HOMESTEAD – 1852 FRIEDENSVILLE ROAD – WIDOW'S HOUSE – WINDOW REPLACEMENT DISCUSSION

Mrs. Huhn said Lower Saucon Township was awarded a \$50,000.00 grant for the replacement of windows at the Heller Homestead Widow's House. The application was based on wooden window frames. In your packet, they have tried to depict there are three different types of windows in the Widow's House and they are bringing to Council tonight a request to choose the type of window as they prepare the bid package. There is a quote for the windows and the question is if you want a vinyl clad window which we are not recommending due to the historic nature of the building. The other question is are you looking for more historical type of glass or an energy efficient glass. With those items in mind, she heard back from PHMC. We no longer have a covenant with them based on the lease agreement with the Conservancy; however, we do reach out to them for their input when it comes to the historical nature of the building. Karen Arnold the representative of PHMC is recommending the configuration of the six pane over six pane window for the lower level and then the second level is four pane over four pane and then you have the gable windows and they are like a casement window with some muttuns. We need to discuss if you would like energy efficient windows. She is suggesting to keep the integrity of the muttuns, which is the dividers between the windows to keep that look. Staff's recommendation would be if you want to see what the contractor would come in at is to bid with an Option A and an Option B. If you want to look at an energy efficient window, the Widow's House is small and it has been costly to heat through the years, but that is the current status of the windows that they are just in such bad shape. She thinks putting new windows in whether you choose the energy efficient glass or the more historical nature, you're still going to get some substantial cost savings in the heating aspect.

Mrs. deLeon said thank you and she's so glad we got the info from PHMC as Karen Arnold was always guiding us through this for 15 years or so. She agrees we should put out the A and the B, but the windows should be in before winter which would really help with the cost of heating.

Mrs. Huhn said once we get the bids out and receive them, she doesn't think that should be a problem. Mrs. Yerger said she agrees, we should do A and B. Mrs. deLeon said we'll know what the cost different is.

Mrs. Huhn said is everyone comfortable with the 6 over 6 and the 4 over 4 configuration of the double hung window. Council said yes.

MOTION BY: Mrs. deLeon moved to authorize preparation of the bid package and subsequent advertisement for the windows of the Heller Homestead Widow's House.

SECOND BY: Mr. Banonis

Mr. Banonis said this will be funded by a grant, not from taxpayer money. Mrs. Huhn said yes.

ROLL CALL: 5-0

B. SEIDERSVILLE HALL – BATHROOM REPLACEMENT – AUTHORIZATION TO ADVERTISE

Mrs. Huhn said we are moving through some replacements that were awarded through grant funding and this is now the bathroom replacement in Seidersville Hall.

Mrs. Yerger said Staff is requesting Council's permission to advertise bidding for the interior bathroom renovations at Seidersville Hall. Staff will discuss design options with Council. The cost for this project is covered under a grant received by the Township. Windows and flooring

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bids/quotes have previously been awarded by Council and work is scheduled on those items in July. This is one of the remaining components we had the roof and the windows are being scheduled to be installed. There are some photos in your packet and they are also online of the current conditions of the men's and ladies room in Seidersville Hall. What we're seeking from Council tonight is we would like to authorize the bid package and our recommendation is fashioning the bathrooms very similar to what we currently have here in new Town Hall. There's nothing out of the ordinary, commercial grade toilets, your fixtures with Formica countertops of some sort being ADA accessible. We would have the ADA doors and railings in the stalls themselves and just what you see what we have here.

Mrs. Huhn said the one question is flooring because the floor is tile, which would be a little more costly than some type of vinyl or linoleum flooring for Seidersville Hall. If you have any questions on the amenities, we can discuss them.

Mrs. Yerger said a tile floor will be more costly than the linoleum one. Mrs. Stauffer said will it last longer. Mrs. Yerger said that's what she was going to be her question, she's not sure of the durability, it might last longer in the long run. Mrs. Huhn said linoleum can be fairly durable. Mrs. Yerger said she doesn't know that there's an extremely heavy use over in that building with that many people coming and going.

Mrs. Huhn said with it being an older building, she's not sure what we would find in the sub-floor support to have tile which is heavier. Mrs. Yerger said that's true too. Mrs. deLeon said if you're in a wheelchair and trying to get into a bathroom, the doors don't open, that always bugged her. Is there anyway the doors can be taken off. Sometimes at a PennDOT rest stop or whatever state you are in, there's a maze type thing to get in. You don't see inside the restroom, it's private, but you can get in.

Mrs. Stauffer said that might be more costly than a handicap accessible button mechanism. Mrs. Huhn said the doors are currently ADA width. Mrs. deLeon said they are always open anyway. Mrs. Huhn said you just push it open, it's the door into the restrooms. They can check with the contractor on an ADA type of accessible door. Mrs. Yerger said that would be good, put it into the bid packet.

Mrs. deLeon said she's trying to keep the building historic. The doors going into the bathroom, do they have glass on the top part of them. Mrs. Huhn said the privacy glass, yes. Mrs. deLeon said we're getting rid of them then. Mrs. Huhn said it wasn't planned. Mrs. deLeon said she doesn't want to lose the oldness of it. Mrs. Yerger said she doesn't know how old those doors are compared to the building. Mrs. Huhn said maybe there's some type of a hinge they could change it to that it would be more like a restaurant door. They can look at that.

Mr. Banonis said he doesn't know what the application of this is under architectural standards, and whether the building would be grandfathered under former standards, but if there's a certain extent of renovation that takes place in the building, it needs to be brought into ADA compliance so he would hope that any estimates we get or bids we get would include an assessment of all of the requirements to either bring it up to current code or to address whether or not it needs to be left in former code and if it can be left under a former code because of its historical status, that we could look to provide handicap accessible amenities to whatever proposal comes in. It may be that as the whole submission is made it needs to be brought up to current standards. Mrs. Huhn said sure, they can do that.

Ms. Stephanie Brown said she appreciates Mr. Banonis' comments. As somebody who had to deal with somebody who was disabled and using a bathroom, one of the problems with linoleum depending on the type, it gets very slippery or is really slippery even before you add water, so that's just a thought and it's something she wants to call to your attention. Mrs. Huhn said we can

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discuss that with the contractor. She's sure they have something that has some kind of roughness to it, but they will discuss it with them.

Ms. Andrea Wittchen said she would like to request consideration be given to, especially if you are replacing things like sinks and toilets, to water conservation measures and that they are low flow toilets, there are automated sinks as far as the water is concerned so as long as you are going through this you take whatever steps are necessary to make sure there is opportunity to conserve water in the bathroom features. That's a significant amount of water that can eventually be wasted if you don't include that in your specifications for the replacement. She would suggest that we be environmentally responsible here.

Mr. Banonis said that's a good point. He thinks if it's built under current building code standards, there are measures in place that provide for low flow toilets and automated faucets and things like that for water conservation, so it's something we have to look at. Mrs. Yerger said that's a good point, she's glad Ms. Wittchen added that.

MOTION BY: Mrs. Yerger moved to authorize advertisement for bathroom replacement in Seidersville Hall.

SECOND BY: Mrs. deLeon

Mr. Banonis said this is being funded by grant money and not by Township funds. Mrs. Huhn said yes.

ROLL CALL: 5-0

C. DISCUSSION REGARDING THE COALITION AGAINST BIGGER TRUCKS (CABT)

Mrs. Yerger said Council member deLeon received a request from the Coalition Against Bigger Trucks (CABT) seeking support in the opposition of allowing longer and heavier tractor-trailers on our roadways. There is a draft resolution prepared by the Township.

Mrs. deLeon said she received an email and doesn't know if everyone else got one about this. Over the years, we have supported this and the resolution from 2017 and with the landfill having overweight trucks riding on our roads, there are dangers, they wear and tear the roads and she thinks it's something that previous Councils have supported and she asked Leslie to put this on the agenda tonight so we could reiterate that again as support.

MOTION BY: Mrs. deLeon moved to authorize staff to prepare letters of support to send to legislators.

Mr. Banonis said he has not heard of the CABT so he looked them up. It's his understanding that this is at a Federal level and that Congress voted in 2015 to reject both heavier trucks and the longer double trailer trucks so it seems that this issue has already been resolved at the national level. He's wondering why it's being brought up again and specifically why a local municipality like ours is being asked to abide by a position on when what seems to be an issue that's pertaining to national highway safety. Mrs. deLeon said she doesn't know how to answer his question, all she knows is she received the email from those people and apparently we do have local roads in our Township and we do have State roads and it's just a letter of support, which doesn't hurt. Mr. Banonis said he doesn't necessarily disagree with Mrs. deLeon but he wonders are we creating a slippery slope here that every time an issue comes up that's before the U.S. Congress that LST is going to be weighing in on things like that. Granted highways are important, we have an interstate that travels through part of LST, we have State roads as well and have a lot of truck traffic from the warehouses, but he's wondering what's the next shoe to drop that we are going to be asked to weigh in on. He just doesn't want to create a precedent in that we're going to be weighing in on all sorts of issues that are more properly addressed at a higher level than our local community.

Mrs. deLeon said we've often, over the years that she's been on Council, have written letters of support to all the Federal, State and Local agencies, and she doesn't think every time we are making a motion it's setting a precedent as we can always vote differently the next time, so we need to take each issue on its on merit and to her, this was important because of the landfill with the trucks and the new warehouses and all the truck traffic on Easton Road and Cherry Lane, she thought it was something for her to support. Mr. Banonis said he doesn't disagree with her in

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terms of truck traffic and concerns, but are we going to be inviting additional requests. Mrs. Yerger said we can decide that as we go forward. Mrs. deLeon said if you don't support it, you don't support it.

SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

D. DISCUSSION OF WORKER'S COMPENSATION INSURANCE RENEWAL

Mrs. Yerger said we currently carry Worker's Compensation insurance through MRM Trust, which is a pooled trust. Our insurance agent suggests that we seek rate quotes from other carriers.

Mrs. Gorman said in preparation of the 2021 budget, she's looking at our insurance coverages and we are with MRM Trust, who a self-insured program for our municipal workers comp. In accordance with the by-laws, we have to give them written notice by July 1st of our intent to put them on notice. We're not leaving, it's just a matter we are saying we are going to be looking for other quotes. We're asking Council for permission to do that. Mrs. deLeon said Worker's Comp insurance is based on wages and different companies have different rates for each of the different levels of what the employees do. Mrs. Gorman said there's different tiers levels of risk on each type of description.

Mr. Banonis said just to be clear, this is telling MRM that we're placing them on notice that we are going to be shopping around but not necessarily withdrawing from MRM. Mrs. Gorman said exactly. Once we figure out or get quotes from other insurance companies, we'll bring it back and have the comparison between whether or not its viable for us to remove ourselves from the Trust if it's in our best interest. Mrs. Stauffer said by sending this information will that give them time to adjust their rates. Mrs. Gorman said they could. Mrs. Stauffer said to make themselves viable if they know we may be bidding out. Mrs. Gorman said she's hopeful with the COVID-19, but we never know. She's sure everybody is going to be adjusting for that. In order to do our due diligence before the 2021 budget, she would advise to see what else is out there.

Mrs. deLeon said that's a good idea. Mrs. Yerger agreed. Mrs. deLeon said isn't that in that little thing we did together, that financial report. Mrs. Gorman said our Budget Advisory Report? Mrs. deLeon said that's it. Mrs. Yerger said do you want us to do an official motion? Attorney Treadwell said yes.

MOTION BY: Mr. Banonis moved for approval to have the Township place MRM on notice of our intent to seek rate quotes from other carriers, to comply with the provisions of our agreement that sets forth in the notice requirements for us to undertake those activities.

SECOND BY: Mrs. deLeon
ROLL CALL: 5-0

E. DISCUSSION REGARDING PLANNING SERVICES

Mrs. Huhn said she requested that Gilmore & Associates submit a proposal for completing the work that was started on the Woodland Hills Riparian Restoration project. They've also included their rate schedule for general planning services in case there's anything we look to do or RFP in the future. You have their overview of what's remaining on the applied nucleation that was previously approved by Council. This is the cost estimate involved with completing that portion of the Woodland Hills riparian buffer plantings. This money would be coming out of the Open Space Fund, the line item for that where other project costs have come out for the management plan.

Mr. Banonis said how does that \$118.50 rate compare to what we are currently paying for Valerie Liggett's work? Mrs. Huhn said it's the same rate we were paying. Mr. Banonis said the proposed budgetary cost we have, the \$5,014 is that consistent with the balance we had allocated that had not been exhausted for the work originally when Boucher & James had it. Mrs. Huhn said this might be in addition to what was currently planned in the management plan as the applied nucleation was what ArcheWild said they were going to doing because what they tried out there in the first phase

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failed, so ArcheWild is doing this under their contract with us at no cost because the plantings died and they were under the year timeframe to make sure they stayed alive. They are trying to supply nucleation which Council approved at no cost to us; however, that wasn't included in Boucher & James planned cost as we weren't planning on the applied nucleation with the management plan.

MOTION BY: Mr. Banonis moved for approval to retain Gilmore & Associates for the continued work at Woodland Hills specifically for Task No. 1, the applied nucleation cells with a budget of \$5,214 and a rate of \$118.50 per hour until completed and not to exceed within the \$5,214 budget.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

Mrs. Huhn said she will formalize that in a letter to Gilmore & Associates. Mrs. Stauffer said for Task No. 2, the bi-annual inspection so we would just hope that the nucleation works at that time. Mrs. Huhn said she believes the nucleation timeframe is, don't quote her, but its 7 years. You may want to approach this portion of Task 2 on an annual basis where we could bring to Council at the Reorganization meeting or at budget time to look at it each year. Mrs. Stauffer said that would be smart to do, and this is a large scale thing to do. We wouldn't want to see these fail. The inspections would be really useful for the replanting of the area and moving along. Mrs. Yerger said and for the shear value of the failure the first time. Mrs. Huhn said she can communicate with ArcheWild and get their schedule for the plantings and communicate with Val within our Task 1 guidelines and talk to them about it and bring something back to Council for the annual or bi-annual inspections.

F. RESOLUTION #64-2020 – AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE WALKWORKS PROGRAM THROUGH THE PA DEPARTMENT OF HEALTH

Mrs. Huhn said WalkWorks is pleased to be able to provide grants to communities for the development of such plans and policies that will, when implemented, improve walking, bicycling, wheeling, and transit connections to everyday destinations and increase safe and accessible opportunities for residents to be physically active. Resolution #64-2020 has been prepared authorizing the submission of this grant application through the WalkWorks grant program. It is not a matching grant so there is no cost associated with it but it would be at a maximum allowable of \$20,000. We would submit the grant and prepare something authorizing the submission and look to connectivity and we could look at our corridors we are looking at to entice businesses and connect to the Rail Trail, so this resolution has been prepared.

Mr. Banonis said when we're applying for this grant do we have to specify exactly what we would hope to use it for or is it simply a grant given to us to our discretion, we use it within the Township. Mrs. Gorman said it has to be used for planning. Mr. Banonis said do we have to represent in the grant and application where or how we intend to use it specifically within the Township. Just not planning in general, but for a certain location within the Township. Mrs. Gorman said she's thinking of applying for it in a sense of where's the best feasibility for it unless Council has other directions they wish to go.

Mr. Banonis said who makes the determination as to the feasibility. What he's thinking of here in full disclosure is we had created it previously, the Route 378 Task Force and Route 378 doesn't have very much walkability. Is it something that would be devoted for that or is there an idea to use it elsewhere or is just sort of a grant that is applied for and we can use it wherever we see fit once we hopefully get the grant.

Mrs. Gorman said what she is hoping for is that if we do receive the grant and we put out an RFP for a planner or engineer to review different areas of the Township that you wish to be looked at, whether it's connectability from the Rail Trail to the school district area or Old Philadelphia Pike or somewhere along there, or they could just look at the Township as a whole and give

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recommendations to where they might think it would work and that design plan or recommendation, she can look for other grants that would help us with construction costs.

MOTION BY: Mrs. deLeon moved for approval of Resolution #64-2020 authorizing the submission of a WalkWorks grant application.

SECOND BY: Mrs. Stauffer

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MAY 2020 FINANCIAL REPORTS

Mrs. Yerger said the May 2020 Financial reports are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the May 2020 Financial reports.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

Mr. Banonis said while we're on the subject, can you tell us how we're doing financially in terms of revenues and receivables based upon the COVID shutdown. Mrs. Gorman said for Real Estate taxes, we are almost at 92% receipt rate, so the motion that Council had passed to waive the penalty, there are people taking advantage of that and it's probably helping them out, but it's certainly something that is totally not impacting us operationally. As for EIT, she did a little snapshot from today and from last year and we're about \$10,000 more in EIT received than last year. Based on the TCC reporting's, we are probably not going to get a clear picture until the first week of August as the tax deadline is July 31st but so far we are looking okay. Mr. Banonis said that's great news, let's hope it continues.

VII. COUNCIL & STAFF REPORTS

A. MANAGER – Leslie Huhn

- She said we received a resignation from Ron Horiszny, he's resigning from the ZHB and the LSA. We have advertised on our website for the ZHB vacancy and Bill Ross from the Authority is seeking a new member for their board, which will have to be approved by Council, but he will seek interested applicants. We also received a resignation from Lachlan Peeke from the ZHB. We will also post that vacancy on our website and see if we can get some interested candidates to bring back to Council. She will send both Ron and Lachlan expressing our regret in losing them but wishing them well in their endeavors. Ron is moving to be closer to his family and grandchildren.
- She said the SVP has also developed the Multi-Municipal Comp Plan Update and the working document has been posted on our website so we're hoping people will go and visit it and it's an interactive document that they can look at maps and have some narrative associated with it. It allows you to navigate through the areas being evaluated. This is the first step in public review. We will then be conducting public hearings in late summer and additional input from the public. If you have any questions, it is on our website and you can find it up the SVP and there's a link you can click on and browse through it.
- She said the Landfill Committee meeting will be held tomorrow evening at 6:00 p.m. via Zoom. Council requested we have an evening meeting conducted periodically for those who cannot attend the daytime meetings when they are usually held. The Zoom registration is on our website. We've also sent it out to the public through Constant Contact and it's noted on our F/B page.
- She said the Township received a letter from Martin and Martin indicating Bethlehem Landfill is submitting an application to DEP for modification to their landfill disposal area. The proposed modification, they are saying will consist of a 29-acre lined landfill expansion totaling about 48 acres within their permit boundary. They have not submitted anything yet, this is part of their application process that they must complete a Form D Environmental Assessment and that's the question being posed to the Township, so we will place that on the next Council agenda for Council discussion. Mrs. deLeon said what's the deadline on getting that in? Mrs. Huhn said there is no deadline on the letter. The last

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time we did it, there wasn't a deadline but we certainly try to get our response in as soon as possible.

- She said Public Works is conducting their Oil and Chip project along with their annual street sweeping. This information is posted on our website and on our Facebook page and it is updated daily where the work is taking place so people can check. If people have not signed up for Nixle alerts, we also recommend that as what roads are being oiled and chipped, so we try to get the information out there so people are aware.
- She said we've been receiving questions throughout the entire COVID-19 pandemic as to whether our dog parks, playgrounds and parks are open. As she's indicated throughout this time, our parks have remained open and we have encourage passive recreation along the Rail Trail, encouraging social distancing and that type of use so people can get out and stay active. We have surveyed surrounding municipalities in NC and it's a mix of playgrounds that are open. That's been a concern as we are not able to sanitize the playground equipment. Some municipalities have put up "Use at your own risk, they are not being sanitized". She wants to see how you might feel. We are in the yellow phase and hopefully we'll be in the green phase by the end of June. Dog parks in the areas have been opened. They have not had restrictions. It again is using at your own risk, if you want to wear a mask you can, and you should if you feel that way. She wants to know how you feel about the playground, playground equipment and the dog park. She's still recommending we keep our restrooms closed. We don't have the personnel, manpower and equipment to sanitize them as much as they would need to be if we had them open. The port-a-johns are still available and being taken care of by those companies. Mrs. deLeon asked if the port-a-johns were sanitized. Mrs. Huhn said they are sanitized but that is only done on a weekly basis as well.

MOTION BY:

Mr. Banonis moved to reopen the dog park and reopen the playgrounds and place signage to use at your own risk and to also keep the restrooms closed while we remain in this yellow phase.

Mrs. deLeon said she's mixed on that because of the sanitation and as the days go by, she's more involved on going out and doing this and that, and people just aren't social distancing and they aren't wearing masks in stores. She knows this is outside, but she'd never want to bring her child to a playground and say play on this because how do you sanitize it before that child plays on that equipment and then she's just bothered by that. The dogs are okay, you put them in the fence, and they do their own thing and you take them back home. Mrs. Huhn said she understands what she's saying, she thinks for dog parks you even have more possibility of coming in closer contact because the dogs go and play with each other and then the owners come in closer contact as well. Mrs. Stauffer said children are the same as well. She thinks it would be very difficult from having one child playing with another on the playground, but at the same time, that's up to each parent. She just wishes everyone would exercise caution and not get sick. Mrs. Yerger said it makes it harder as our neighboring municipalities are open, and again, this is up to the parents to take care of their children. Mr. Carocci said he agrees with that. Mrs. Huhn said you also have daycares that are open now and they have playground equipment as well. Mrs. Yerger said some of her colleagues have their children in summer camp. Mrs. deLeon said they have to follow CDC guidelines on cleaning. We're not limiting it to 10 people in the park, we're not doing anything. We're just saying what if someone decides to have a birthday party and shows up with 30 kids. She's just mixed on this. Mrs. Yerger said we're all mixed on it because you want your kids to be outside, it's good for them, but you want them to be safe. To your point, Kristen, it's up to the individual parent. Mrs. deLeon said we would put up signs. Mrs. Huhn said we would put up all the appropriate signage. Mrs. deLeon said when will you be able to do that? Mrs. Huhn said we will make signs. Mr. Carocci said there are signs on the Rail Trail. Mrs. Yerger said as long as the bathrooms are closed. Mrs. Huhn said they will look for the wording on the signs. They can try to open everything tomorrow if they can get the signs made and put them out on the playgrounds. Mrs. Stauffer said she hopes everyone uses caution.

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Ms. Stefanie Brown said she uses the park every day in a different county, and their bathrooms are open, they've been open through the whole pandemic. She also was at a state park and they have limited bathroom use. There's a lot of inconsistencies if you go to places like grocery stores, as they don't clean their bathrooms after every use. That falls on you, so she's not sure why you would not open the bathrooms if you are going to that extent.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

B. COUNCIL

Mrs. Yerger – No report

Mrs. deLeon

- Saturday, June 13th she attended the Black Lives Matter rally in Hellertown.
- Regarding the Hellertown-Lower Saucon Chamber, July 19th to 26th is a summer restaurant week with lots of specials; Music in the Park has been cancelled but there are two dates in September – the 13th and 26th for fall concerts.
- She listened in as a resident to the EAC meeting on June 9th; on June 10th she attended the Pension Committee meeting; and on June 10th she attended the SVP meeting.

Mrs. Stauffer

- She attended the EAC meeting as a resident hoping to find out more information about the Rain Barrel event and hopefully we can do that fundraiser.

Mr. Carocci

- He attended the LSA meeting last night and everything is good there financially and they said goodbye to Ron and they thanked him for his services as well.

Mr. Banonis

- He said you had mentioned Ron Horiszny earlier. Ron has served the Township very admirably in a number of ways. He was a Councilman, he was on Zoning, he was on the LSA, we often times recognize certain individuals who have provided service to the community in different ways, and he'd like to make a motion in that regard.

MOTION BY: Mr. Banonis moved to place on the next agenda a resolution recognizing Ron Horiszny for his service at LST for literally decades. He recognized he may be moved away at that point, but he'd like to have the resolution available and mail it to him.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. SOLICITOR – Attorney Treadwell asked if Scott Krycia was still on. Attorney Treadwell said you submitted the loan documents for the ladder truck and in that loan document package, there's one form that the Township has to sign, it's basically an IRS form and it states in the IRS regulations that the Township has to have a public hearing to sign this form, so when do you need to have these documents back to the bank? Mr. Carocci said can we have a public hearing meeting in July? Attorney Treadwell said that's why he's asking so we have time to do it at the next meeting before they have to submit the loan document. Mr. Jim Rayner, Treasurer, said there is time, he thinks it's around July 10th or so that we need to have the forms in. Attorney Treadwell said we don't have a meeting until July 14th or 15th. Mr. Rayner said he can follow up and see if we can get a few extra days if needed. Mrs. Huhn asked if this has to be advertised? Attorney Treadwell said yes. Mrs. Huhn said she needs an advertising timeline. Attorney Treadwell said the IRS regulations call it a public hearing, he doesn't think they mean a public hearing like we are used to, but he doesn't want to mess it up, so to be safe, we should just have one. Mr. Rayner asked what page he was referring to. Attorney Treadwell said page 16 of the loan documents, it's in Section 147. Mr. Rayner said let him double-check that because LSFR is taking out the loan, he believes that we will be having the public hearing. He's not sure it's something the Township has to have, but he will confirm it and get back to the Township. Attorney Treadwell said there's a line on it for the signature of the municipality. Mr. Rayner will confirm with the bank as there's a

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chance you wouldn't have to do that, they would do it. Attorney Treadwell said we'll tentatively schedule that for the July meeting.

- D. **PLANNER** – Absent
- E. **ENGINEER** – Absent

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

- Suzette Califano, West Rader's Lane said you said that two people are resigning from the ZHB and she wanted to know the dates of their resignations. Mrs. Huhn said Lachlan Peeke was effective immediately and Ron Horiszny did not give an exact date, but she believes it was effective when he sent it in. Ms. Califano said then at Tuesday's meeting there will be two less people for the ZHB meeting. Mrs. deLeon said the meeting is Monday night. Mrs. deLeon said speaking of the ZHB and there's only three members there, a quorum would be? Attorney Treadwell said it's a five-member board, so a quorum is three. Mrs. deLeon said the vote to pass it would be three members voting the same way. Attorney Treadwell said the ZHB is a majority of the quorum, which would have to be 2-1. Mrs. deLeon said she recalls it being different, but she's not a lawyer. Attorney Treadwell said he's not 100% sure, he's going off the top of his head. Mrs. deLeon said someone has to check on that. Mrs. Huhn said she will contact Attorney Heitzzman. Mr. Banonis said now that Priscilla says that, he had recollection there were only three and there was an instance that did occur and it may have had to be a unanimous vote because it was not a majority of a quorum, it was a majority of the members. There are two vacancies, so he doesn't know if that's different because of that. There are no longer five members of the board. Mrs. deLeon said she goes to various board meetings and she remembers sitting in the audience and hearing people saying we have to have three people or it won't pass.
- Mr. Banonis said he wanted to give notice that on July 15th, he will be away for a work commitment, so he will not be available for that meeting. Mr. Carocci said he's scheduled to be away as well and he's hoping we can reschedule. Mrs. Stauffer and Mrs. deLeon said they will be available. Mrs. Yerger said she will not be able to attend due to medical issues. She's going to be starting treatment. Mrs. Stauffer said that's good news. Mr. Carocci said is there a date we can find in July, like July 22nd and we can make public notice ahead of time, we'll have a quorum at least all five of us. Mrs. deLeon said what does that do to the fire companies that we just discussed. Mrs. Yerger said that day will work as she has to be quarantined for a week, she can do Zoom and will see how it goes. Mrs. deLeon said she's not looking forward to going back to the Township right now.

MOTION BY: Mr. Carocci made a motion to move the July meeting to the 22nd.

SECOND BY: Mr. Banonis

Mrs. deLeon said is that going to affect any deadlines? We really don't have too many developers.
Mrs. Yerger said she didn't think so.

ROLL CALL: 5-0

Mr. Carocci said we had all votes tonight at 5-0.

IV. ADJOURNMENT

MOTION BY: Mrs. Yerger moved for adjournment. The time was 9:12 p.m.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President