

I. OPENING

REVISED **

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Announcement of Executive Session (if applicable)
- E. Public Comment Procedure

II. PRESENTATIONS/HEARINGS

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Comment Period for Calpine Corporation – 2254 Applebutter Road – Plan Approval Application
- B. Presentation of 2019 Semi-Annual Financial Report
- C. TDS Technologies Quote for Township Building Security System
- D. Review and Approval of Addendum to Environmental Planning and Design Contract for Multi-Municipal Comprehensive Plan Update
- E. Authorization for Disposal of Police Department Surplus Property
- F. Authorization for Payment Release No. 2 to ArcheWild for Stream Buffer Restoration Plantings
- G. Authorization for Payment Release No. 4 to JNS Paving and Excavating for Woodland Hills ADA Loop Trail & Pond Board Access
- H. Saucon Valley Compost Center – Pole Building Installation Bid **

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of June 5, 2019 Council Minutes
- B. Approval of May 2019 Financial Reports
- C. Monthly Department Reports for May 2019

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

UPCOMING MEETINGS

Saucon Rail Trail Oversight Commission: June 24, 2019 @ CB
Planning Commission: June 27, 2019
Environmental Advisory Council: July 9, 2019
Saucon Valley Partnership: July 10, 2019 @ SVSD
Township Council: July 17, 2019
Zoning Hearing Board: July 22, 2019
Parks & Recreation: August 5, 2019 @ 6:00 p.m. @ Kingston Park

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on June 19, 2019 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Priscilla deLeon, presiding.

ROLL CALL: Present: Priscilla deLeon, President; Sandra Yerger, Ryan Stauffer, George Gress & Donna Louder, Council members; Thomas Barndt, Chief of Police; Cathy Gorman, Director of Finance; Attorney Treadwell, Township Solicitor; Lou Mahlman, Controller. Absent with prior notification: Leslie Huhn, Township Manager; Judy Stern Goldstein, Township Planner; & Brien Kocher, Township Engineer.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. deLeon said Council did not meet in Executive Session since the last meeting.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mrs. deLeon said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones and state your name for the record. If you have a non-agenda item, she asks that you give your fellow public the courtesy of the floor. There's a sign-up sheet in the back of the room. You can follow tonight's agenda on the website on each of the agenda items.

IV. TOWNSHIP BUSINESS ITEMS

A. COMMENT PERIOD FOR CALPINE CORPORATION – 2254 APPLEBUTTER ROAD – PLAN APPROVAL APPLICATION

Mrs. deLeon said Calpine Corporation intends to submit a Plan Approval Application by June 15, 2019 to PADEP to increase the hours of operation on each of the six combined units (primarily natural gas fired electrical generating units) from 7200 hours per year to 7300 hours per year.

Attorney Treadwell said that's all we really know, you are getting this public comment notification because you are in a neighboring municipality, Calpine is in the City of Bethlehem.

Mrs. deLeon said when they first built Calpine and they turned the switch on, we had horrible noise complaints, but she hasn't been aware of any problems. Mrs. Yerger said she goes by frequently and doesn't hear anything. Chief Barndt said he's not aware of any noise complaints.

Mrs. Louder said there are residents over there that say they do hear humming from it. Mrs. deLeon said we expected that when they built the plant. There are some noises that are part of the operating procedure.

Mr. Gress said with six cycle units there, he would imagine two or three are on line all the time, and 7300 is about 20 hours per day, it sounds like they are constantly running all the time anyway. It looks like they usually average around 6000 hours.

Attorney Treadwell said if you don't have any comments, you don't need to respond.

MOTION BY: Mr. Gress moved to make no comment to Calpine Corporation on their Plan Approval Application going from 7200 hours per year to 7300 hours per year.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

B. PRESENTATION OF 2019 SEMI-ANNUAL FINANCIAL REPORT

Mrs. deLeon said the Director of Finance has prepared and will present the Semi-Annual Financial Report.

Mrs. Gorman said there are no budgetary concerns and we are on track with all our funds. For the General Fund, the only recommendation discussed at the Pension Advisory Committee was that we

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make partial payments to the plan so we would target those purchases in stock when the market is low as opposed to being high and timing things for the plan a little more concisely with the way the market is working. Mrs. Gorman said if Council makes a motion to approve the report and the recommendations, that would cover it.

Mrs. Gorman said we are pretty much mid-way through and she sees no significant modifications needed at this time. Mrs. Louder said great job on all the grant money. In regards to the Black River Road/Fire Lane stormwater project, to date, only the engineering expenses have been paid with the loan fund, the \$510,000 is being retained for work on any Township stormwater repairs based on Council direction.

MOTION BY: Mrs. Yerger moved for approval of the 2019 Semi-Annual report and recommendations as presented.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

C. TDS TECHNOLOGIES QUOTE FOR TOWNSHIP BUILDING SECURITY SYSTEM

Mrs. deLeon said staff is requesting Council approve the quote from TDS to install a new security system to Town Hall Building, Seidersville Hall and the Public Works Building. The quote is for \$6,035.00. Mrs. Gorman said this is the fob system used to get into the building. Mrs. Louder said this is not internal cameras? Mrs. Gorman said no. This is for staff and the software that's currently in use is no longer being serviced, so we need to upgrade the entire system.

MOTION BY: Mrs. Louder moved for approval of the TDS quote at a price of \$6,035.00 for the Township building security systems at Town Hall, Seidersville Hall and the Public Works building.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

D. REVIEW AND APPROVAL OF ADDENDUM TO ENVIRONMENTAL PLANNING AND DESIGN CONTRACT FOR MULTI-MUNICIPAL COMPREHENSIVE PLAN UPDATE

Mrs. deLeon said after review by the Saucon Valley Partnership of the Multi-Municipal Comprehensive Plan, the original consultant is providing an agreement to conduct an update. Staff is requesting permission to enter into this agreement. The consultant that was hired to prepare the Multi-Municipal Comprehensive Plan, which was adopted by the three entities back in 2008, we want to rehire them to do the update as the MPC recommends we update the plan every ten years. The SVP looked at the addendum and approved it, but it has to go to the three bodies. Hellertown approved it on Monday evening; and the School District will look at it on June 25th. Phil Weber, Mike Karabin, Craig Butler, and Sandra Miller were at the last SVP meeting and we had a good discussion on this. We are picking parts of the plan that are outdated and added the ADA and stormwater sections to it.

Mrs. deLeon said we received a grant from the County and the rest is being made up by the funds of the SVP. We might be getting another grant and there are dues for next year. Once this is all approved, it will probably start in September.

Attorney Treadwell said if you are going to approve it, he would suggest that you do it subject to review of the actual document by the Manager and the Solicitor so we can look at it.

MOTION BY: Mrs. deLeon moved to enter into the Professional Service Agreement with Environmental Planning and Design, LLC to update the 10-year Multi-Municipal Comprehensive Plan in the amount of \$36,767.00 subject to the review of the actual document by the Solicitor and the Manager.

SECOND BY: Mrs. Louder

ROLL CALL: 5-0

E. AUTHORIZATION FOR DISPOSAL OF POLICE DEPARTMENT SURPLUS

Mrs. deLeon said after review of equipment that is no longer needed or has reached its useful life, the Police Department and Public Works Department are recommending disposal of these items through Municipal auction. If not sold through that process, the equipment will be recycled.

Mrs. Gorman said the items listed are light bars, a trailer hitch, a push bar, grill guards, cages for police cruisers, plastic rear seats, remote door opener for a K-9 unit, a Proguard shotgun lockable rack, six LED lights, 2 – Code 3 light/siren control units, 2 rear door panels, 3 molded plastic rear seats, a rear seat for a 2009 Dodge Durango, 2 center consoles, 5 long gun hard cases, and 3 plastic Bushmaster rifle cases. All of these items were reviewed by Officer Louder and Steve Yotter.

Mrs. deLeon said if we are going to be selling these police items, how will you screen that you are selling it to a police department. Chief Barndt said as far as the light bars, anybody can use light bars like on tow trucks, contractors are using them, so there's no control and anyone can go out and buy them on the internet.

Mrs. Louder said it says the equipment will be recycled, can we just eliminate that and see how it goes. The way she's looking at it there is a possibility of smaller police departments in smaller towns that have minimal staff and at that point just donate it to them. Mrs. Gorman said we can reach out through PSATS or communicate with other municipalities.

- MOTION BY:** Mrs. Louder moved to approve disposal of Police Department surplus equipment or donate it and then recycle it if there is no interest.
SECOND BY: Mrs. Yerger
ROLL CALL: 5-0

Mr. Stauffer left at 7:21 p.m.

F. AUTHORIZATION FOR PAYMENT RELEASE NO. 2 TO ARCHEWILD FOR STREAM BUFFER RESTORATION PLANTINGS

Mrs. deLeon said Boucher & James is recommending release of Payment No. 2 to ArcheWild for \$16,168.94 for stream buffer restoration plantings, which brings the balance to \$0.00. Mrs. Yerger said they've done extensive planting and it looks good. Mrs. Louder said can we use this as an MS4 project? Mrs. Gorman said we can check into that. Mrs. Yerger said this will be good as it's a very wet area.

- MOTION BY:** Mrs. Louder moved to authorize the release of Payment No. 2, per receiving their maintenance bond, to ArcheWild in the amount of \$16,168.94 for stream buffer restoration plantings for Woodland Hills.
SECOND BY: Mrs. Yerger
ROLL CALL: 4-0 (Mr. Stauffer – Absent)

G. AUTHORIZATION FOR PAYMENT RELEASE NO. 4 TO JNS PAVING AND EXCAVATING FOR WOODLAND HILLS ADA LOOP TRAIL AND POND BOARD ACCESS

Mrs. deLeon said Boucher & James is recommending release of Payment No. 4 to JNS Paving and Excavating of \$5,234.65 for the final payment of the Woodland Hills ADA Loop Trail & Pond Boardwalk Access.

Mrs. Gorman said the inspection was done and everything looks good and the maintenance bond was received.

- MOTION BY:** Mrs. Yerger moved for authorization of release of Payment No.4 in the amount of \$5,234.65 to JNS Paving and Excavating for the final payment for the Woodland Hills ADA Loop Trail and Pond Boardwalk Access.
SECOND BY: Mrs. Louder
ROLL CALL: 4-0 (Mr. Stauffer – Absent)

H. SAUCON VALLEY COMPOST CENTER – POLE BUILDING INSTALLATION BID

Mrs. deLeon said a bid opening for the pole building installation for the Saucon Valley Compost Center was held on Thursday, May 23, 2019. The Finance Director will discuss the outcome with Council.

Mrs. Gorman said in the packet are the bid amounts we received. The lowest amount was \$67,571, which exceeds our budgetary constraints. The Committee is requesting that we reject these bids and go back to the sub-committee to redraft the specs and then rebid at that time. We had \$40,000 budgeted. We have a little bit of money in reserves and this would spend everything that's in there and we don't want to risk that.

MOTION BY: Mr. Gress moved to reject all bids for the pole building installation at the Saucon Valley Compost Center due to budgetary constraints.

SECOND BY: Mrs. deLeon

Attorney Treadwell said can we change that to say it's in excess of the budgeted estimated cost.

MOTION BY: Mr. Gress amended his previous motion and moved to reject all bids for the pole building installation at the Saucon Valley Compost Center due to budgetary constraints as stated above by the Solicitor.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Stauffer – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JUNE 5, 2019 COUNCIL MINUTES

Mrs. deLeon said the June 5, 2019 Council minutes are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the June 5, 2019 minutes.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mr. Stauffer – Absent)

B. APPROVAL OF MAY 2019 FINANCIAL REPORT

Mrs. deLeon said the May 2019 financial reports are ready for Council's review and approval.

MOTION BY: Mrs. Yerger moved for approval of the May 2019 financial report.

SECOND BY: Mr. Gress

ROLL CALL: 4-0 (Mr. Stauffer – Absent)

C. MONTHLY DEPARTMENT REPORTS FOR MAY 2019

Mrs. deLeon said the May 2019 monthly department reports have been submitted by Police, Public Works and Zoning per Council's direction.

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Bob Swaim was present. He rides the Saucon Rail Trail almost every day and he rode it all last winter. Last winter one area in LST ices over and it's icy almost all winter. He wondered if we would consider maintaining that somewhat over the winter. He doesn't expect any major expense. The base is crushed concrete so you could use some of that base at a very nominal cost to sprinkle on the ice and it would just add to the base. He sees people trying to avoid slipping or falling as they are walking on this icy area. He knows you don't have any disclaimers like Upper Saucon does, no winter maintenance, which he questions the legality of that. He thinks the bike trail is an asset to the community. Mr. Gress said is there a certain stretch. Mr. Swaim said yes where the sun doesn't hit it. Mrs. deLeon said Hellertown Borough is trying to link a trail crossing Route 412, hopefully over Meadows Road Bridge, onto the trail through Hellertown and then up to the School District, that's still in talks. She hears what he's saying, but she doesn't know what the Township's policy is for the winter. Mr. Gress said maybe it's a drainage issue that could be addressed or a long-term issue for the entire trail as far as winter maintenance. Mr. Swaim said he'd appreciate your consideration at a nominal cost. Mrs. deLeon said they'll have Mrs. Huhn look into it. We can try to identify that area. Mr. Swaim said the benches don't seem to be used

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too much. Mrs. Louder said she'd recommend having Mrs. Huhn look into this and send a letter out to the Saucon Rail Trail Oversight Committee and see where this goes. We can get an answer back to you.

- Mr. Gordon Gress said he's lived there 53 years and has never seen water come down Fire Lane and Black River Road like yesterday. Mrs. Louder said the retention pond on Fire Lane was bone dry. Mr. Gordon Gress said it's always dry. Mrs. deLeon said can we have it looked at. Attorney Treadwell said you need an engineer opinion as to whether it's supposed to be collecting water or if it's functioning as it's supposed to. Not all of those are supposed to be wet all the time. If that detention pond was intended to handle the storm water from the development and it's dry, that means there's not as much storm water coming from the development as they thought there was going to be. Mrs. Louder said it's coming from across the street. Attorney Treadwell said you can't go on to someone else's property and say we are now going to divert the storm water from there into your dry basin. Mrs. Louder said we don't have to, we can just run it along Fire Lane. Mr. Gordon Gress said when the road crew put that little berm in front of his house, that worked very well, but yesterday it went right over the top. Mrs. deLeon said she was on Seidersville Road and the water coming down from Route 378 was like a river. Mr. Gordon Gress said has anyone ever been on Black River Road when there's a storm, he would ask you to go down there. The water sprays up to his house. He'd like Council to take another look at what's going on. He thought he had a good answer, but it would just destroy someone else's property. We already spent all this money on engineering fees, and Council has done one heck of a job trying to solve this problem, what he'd ask you to do is not have it re-engineered. **(TAPE SHUT OFF SO THE FOLLOWING IS NOT VERBATIM)** Attorney Treadwell said the road he lives on had a foot of water in 20 minutes. The storm drains were not designed to handle this much rain. Mr. George Gress said it all ends up in the stream. The bulk of time it is not going down the underground pipe but going above on the road. Attorney Treadwell said once someone does something to their property to divert the water and it impacts someone else, they are liable. Mr. George Gress asked about when a development goes in. Attorney Treadwell said all stormwater systems are designed by engineering studies. They calculate the amount of estimated rainfall and the water table. They cannot redesign for more water. You would have drains everywhere. Mr. Gordon Gress said that Upper Saucon put in drains on Taylor Drive every 100 feet. Attorney Treadwell said these are underneath. When you go underneath Fire Lane and Black River there are a lot of utility lines under there which makes this more difficult. Mr. Gordon Gress said since the mansions were built, the problem has multiplied. Attorney Treadwell said that basin was designed specifically for that subdivision. He has been at other municipal meetings where residents were complaining that the basins were wet causing a problem with mosquitos. The problem is everywhere. Once again, everything in this location is underground and it will not be cheap. Mr. George Gress said after water on Old Philadelphia Pike goes down to the Gress's, the 2 ft. pipe catches the bulk of it. Before Old Philadelphia there is nothing. Mrs. deLeon said the next time it rains she will try to get out there. Mr. Gordon Gress said it is not the first time and he does not want to cause a problem for anyone else. Mrs. deLeon said we cannot make someone do something if they are working within our regulations, development goes on. Mr. Gordon Gress said please have Roger Rasich and Jim Young take a look at it and see if they can come up with something a little bit cheaper, maybe a gutter on both sides.
- Ms. Mary Lou Yurkanin, Saucon Avenue brought up the Fireworks Ordinance. She questioned how the penalties for the fireworks ordinance will be enforced. Chief Barndt said someone would be charged. Attorney Treadwell said it would be done through the District Magistrate. Ms. Yurkanin called once or twice on Memorial Day weekend. She feels the Police have more to do than chase these guys down. Police cannot be there when it is being done, only after the fact. Mrs. deLeon said we put the information out everywhere. Mr. Gress said it is a complaint based ordinance. He believes that the officers would use the utmost care/professionalism in speaking with people. Mrs. Yerger said it can be a danger and that would fall in community safety. Ms. Yurkanin spoke to an officer. He used the analogy that no ATVs are permitted to be used in the Township. If someone has one in their garage and drives it to their trailer, should they arrest them? Mrs. deLeon said driving ATVs in the Township is permitted but there are regulations.

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- Ms. Yurkanin asked, if the Township has ever considered a single trash hauler. She lives in an area where there are 5 different haulers that come in during the week. Mrs. deLeon said that they have discussed this before and Council did not want to put family businesses out of business. They want residents to have the right to choose. Ms. Yurkanin said that some municipalities bids it and bill the residents but she said that she understood some people have price points. Mrs. deLeon said Hellertown has their own and they are responsible for maintenance.
- Chief Barndt said in regards to the fireworks, the fireworks described are legal and can be legally purchased. Ones that shoot up in the air, which can be higher than 60', they are legal. They cannot do anything unless they fall into the category in the ordinance, which was drafted after the State regulations. He said Memorial Day they had 4 calls. On Father's Day some were going off on Old Philadelphia Pike, but they had no calls. He said people should call non-emergency and they will prioritize. Mrs. deLeon said when we passed the ordinance we talked about this. If it falls on your property you can look at other ordinances like littering and/or nuisances. Chief Shupp in Hellertown has the same problems.

VII. COUNCIL & STAFF REPORTS

A. FINANCE DIRECTOR – No report

B. Mrs. Yerger – No report

Mr. Gress

- Wished his wife Happy Birthday. He said he wouldn't be at the July 17th Council meeting because he was going on a Boy Scout retreat with his son.

Mrs. Louder – No report

Mr. Stauffer – Absent

Mrs. deLeon

- She went to the Large Flowerheads concert. There was a ribbon cutting for Quest, which is owned by Chris Snyder and his wife. They moved to Main Street in Hellertown. Sunday is Music in the Park from 6 p.m. to 8 p.m. with Cunningham and Associates. National Night Out is scheduled for August 6th from 5 p.m. to 8 p.m.

C. SOLICITOR – No report

D. PLANNER – Absent with prior notification

E. ENGINEER – Absent with prior notification

VIII. ADJOURNMENT

MOTION BY: Mr. Gress moved for adjournment. The time was 8:12 p.m.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0 (Mr. Stauffer – Absent)

Submitted by:

Leslie Huhn
Township Manager

Priscilla deLeon
Council President