

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Resolution #75-2015 – Recognizing Ernest Stavrovsky for Earning the Eagle Scout Award

III. DEVELOPER ITEMS

- A. IESI Bethlehem Landfill Southeast Expansion – Applebutter Road – Authorize Comments be Forwarded to DEP

IV. TOWNSHIP BUSINESS ITEMS

- A. PennEast Pipeline Update
- B. Contract with Lafayette College Meyner Center – Recruitment of Township Manager
- C. Appointment of Budget Advisory Committee Members
- D. Resolution #76-2015 – Woodland Hills Preserve – Designation of Use
- E. Northampton County Community Development Block Grant Program Cooperation Agreement
- F. Orchard View Estates Basin Repair and Plantings – Authorize Bid Advertisement

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of June 17, 2015 Council Minutes

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Park & Rec Meeting: July 6, 2015
Next EAC Meeting: July 14, 2015
Next Council Meeting: July 15, 2015
Next Zoning Hearing Board Meeting: July 20, 2015
Next Planning Commission Meeting: July 23, 2015
Next Saucon Rail Trail Oversight Commission Meeting: July 27, 2015
Next Saucon Valley Partnership: September 9, 2015 @ HB

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, July 1, 2015 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

ROLL CALL: Present: Ron Horiszny, President; Thomas Maxfield, Vice President; Priscilla deLeon and Dave Willard, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Linc Treadwell, Township Solicitor; Absent: Judy Stern Goldstein, Township Planner; Brien Kocher, Township Engineer; Glenn Kern, Council Member & Matt Smith, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

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

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

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

II. PRESENTATIONS/HEARINGS

A. RESOLUTION #75-2015 – RECOGNIZING ERNEST STAVROVSKY, JR. FOR EARNING THE EAGLE SCOUT AWARD

Mr. Cahalan read Resolution #75-2015. Council congratulated Ernest.

MOTION BY: Mrs. deLeon moved for approval of Resolution #75-2015 recognizing Ernest F. Stavrovsky, Jr. for receiving the Eagle Scout award.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

III. DEVELOPER ITEMS

A. IESI BETHLEHEM LANDFILL SOUTHEAST EXPANSION – APPLEBUTTER ROAD – AUTHORIZE COMMENTS BE FORWARDED TO DEP

Mr. Jim Birdsall from Hanover Engineering was present. He stated that they attended the DEP public meeting and heard comments from the citizens. He reviewed HEA's revised letter dated June 24, 2015. DEP set a deadline of July 10th for the first round of public comments as DEP wants to issue their first review letter in July. Council can make formal comments on the letter before they take any action.

Mr. Maxfield questioned the reference to EV (exceptional value) wetlands. They drain into a tributary that goes to the Saucon Creek and that creek is a cold water fishery. That section of the Saucon Creek is HQ (high quality). No part of the Saucon Creek that he's aware of goes to EV. The entire system is called high quality/cold water fisheries. It would be hard for a wetland to be EV supplying water to a tributary. That tributary only touches the Saucon Creek in the last hundred or two hundred feet as it hits the Lehigh. He thinks that should be changed. Mrs. deLeon asked if that was in the Form D? Mr. Birdsall said yes. Mrs. deLeon said a lot of that wasn't updated from the old Form D. Mr. Birdsall said the wetlands were specifically updated at that location. Mr. Maxfield asked Mr. Birdsall to look into it.

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Mr. Birdsall reviewed the letter and gave a summary of the harms and benefits and what they are suggesting is that the application does not address the level necessary, the impact of traffic, noise, visual impact, air quality and odors and their impact on surrounding residents.

Mrs. deLeon asked if this was an opportunity to address their stormwater management regarding the North Slope erosion by the last storm and runoff going down by the Narrows? Mr. Birdsall said they do raise it a couple of different times in this letter. It's more of a technical review which will come later in the the application process.

Mr. Willard said from reading the letter he sees how complex this process is, so what would be our expectation of what would happen next? Mr. Birdsall said he doesn't know if DEP will respond point by point. He would hope that IESI would provide a point by point response and Richard Bodner indicated he would be doing that regardless of DEP's requirements. DEP will take the comments very serious and will want to see if they are valid or invalid comments and whether any additional damage is being corrected or offset by some benefit.

Mr. Birdsall said the second letter of July 2nd is a cover letter for you to authorize Jack to send with the technical letter, which covers the key points just discussed.

Mr. Gene Boyer, Saucon Avenue, questioned the wetlands and if they were in the boundaries of the landfill. Mr. Birdsall said yes.

MOTION BY: Mrs. deLeon moved to authorize the Manager to send the cover letter and the June 24th draft letter prepared by Hanover Engineering Associates to DEP and have Hanover look into the paragraph about the wetlands.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

IV. TOWNSHIP BUSINESS ITEMS

A. PENNEAST PIPELINE UPDATE

Attorney Charles Elliott was present to discuss the June 18th meeting with PennEast Pipeline representatives. The purpose of the meeting was to hear a presentation from the representatives and an opportunity for the Township officials to ask questions. The representatives reviewed a Power Point presentation prepared by PennEast. He doesn't think the presentation offered any significant new information. They asked PennEast why they wouldn't make their presentation in the public forum. PennEast said they have found that making presentations was not effective and claimed opponents would hijack the meeting and make it difficult to ask questions. He reviewed the comments from the Power Point presentation from PennEast (which is on the website).

Mrs. deLeon asked who would approve the Hellertown lateral? Attorney Elliott said FERC would have to approve that and determine that it's needed. Mrs. deLeon asked if the gate station on Easton Road is considered a compressor station? Attorney Elliott said he has not looked at it, so he can't answer that. Mrs. deLeon said we need to keep our eye on the Hellertown station. Mr. Maxfield said you can see they are constantly working on the site at Easton Road and making additions to it. A few months ago it looks like they put in a valve system that will attach to the new pipeline without the pipeline even being approved. They notify the Township when they are going to be doing something, but they don't need any permission from us. Mrs. deLeon wondered if they could condemn property. Attorney Elliott said he thinks so.

Mrs. deLeon said the residents that live close to the gate station complained of noise and odor and they don't know who to call. Attorney Elliott said they should try to call DEP. Mr. Maxfield said there is no flare there and there is definitely a gas smell. He asked them about it before and was told it's a sealed system. Attorney Elliott said he will take a look at it.

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Mr. Willard said he signed up for the E-notification system from FERC, but everyday more comments are coming. He read a comment that was posted today regarding the pipeline. Mrs. deLeon said the Governor appointed a Task Force for the pipeline, and asked if Attorney Elliott thought it would be helpful to write to them to help in some way. Attorney Elliott said he can't profess to have any information about that, but his understanding was they intend to create a process where there would be some kind of state-wide coordination for this kind of thing rather than simply allowing individual pipeline construction opponents to make proposals and file applications.

Mr. Horiszny asked Attorney Elliott if he heard anything about Tetrattech. Attorney Elliott said no, but if there was an investigation, they would be doing their investigation outside of the public eye.

Mr. Willard said the comments he has seen, it's overwhelming that people are against this pipeline. He's wondering how much weight that will carry. Attorney Elliott said people are not giving them authorization to do their surveys. If they can't conduct these surveys, they can't have an adequate impact statement and resource statements.

Ms. Donna Louder said Governor Wolf is backing the pipeline. The Task Force person he set up was an employee of DEP and he's now Chairman of the Task Force.

B. CONTRACT WITH LAFAYETTE COLLEGE MEYNER CENTER – RECRUITMENT OF TOWNSHIP MANAGER

Mr. Horiszny said we asked Lafayette to submit a contract proposal which they have done. We also asked the Manager to look at other consulting services. Mr. Cahalan said he conducted an internet search found three firms engaged by PA and NJ local and county governments in the past three years. One was paid \$13,000.00 for each successful recruitment; the second was paid \$23,000.00; and the third one was paid \$7,500.00. Mr. Horiszny said all three are more expensive than the Meyner Center. He suggested we wait to sign the contract until we have the first meeting with Mr. Woglom.

Mrs. deLeon said she asked for the different proposals and she asked who Mr. Cahalan was referring to when he said he spoke to our consultants? Mr. Cahalan said he spoke with our Planning Consultant. Mrs. deLeon said you did a search on line and got information, one was a city in Florida, but they aren't similar to Lower Saucon, we don't know what the size was, the budget, how many employees and what the services were. That's not really comparing apples to apples. Mr. Cahalan said that's all that is available. She asked if he contacted PSATs? They might have a plan for appointing a Manager. Mr. Cahalan said he didn't contact PSATs. Mrs. deLeon said we need comparisons.

Mr. Willard said contacting PSATs is a good suggestion and there seems to be time. He thought Mr. Woglom's presentation was quite strong. He'd rather work with Lafayette. Mrs. deLeon said she has nothing to compare with it. Mr. Maxfield said we have time to do that.

MOTION BY: Mr. Maxfield moved to table this agenda item and suggested the Manager contact PSATs.

SECOND BY: Mrs. deLeon

Mr. Boyer asked if Mr. Cahalan found Mr. Woglom by just looking on the internet? Mr. Cahalan said he's been working with Mr. Woglom for the past thirteen years. He's well-known in Eastern Pennsylvania as a search firm for recruiting Township Managers. Mr. Boyer said if you don't talk to other firms to get information other than what may be online you may not get any details nor negotiate prices. Mr. Cahalan said if Council wants him to do that he can. Mr. Boyer thought it would be more than just doing a Google search or however you found them.

ROLL CALL: 4-0 (Mr. Kern – Absent)

C. APPOINTMENT OF BUDGET ADVISORY COMMITTEE MEMBERS

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Mr. Cahalan said this was tabled from the last meeting and Mr. Willard had referred another candidate to him interested in serving. Mr. Cahalan reached out to that individual and she indicated she was not interested in serving. Today he received an email from another Township resident that interested in serving and Cathy Gorman is reaching out to him to get additional information so she can provide that to Council. Mr. Horiszny said we need to get this going as there is supposed to be a report out by the end of the year, and it's already July.

MOTION BY: Mr. Horiszny moved that we appoint Ms. Tina Krasnansky and Mr. Charlie Luthar to the Budget Advisory Committee, pursuant to the LS Budget Advisory Committee responsibilities that were adopted by Council on January 21, 2015.

SECOND BY: Mr. Maxfield
Mrs. deLeon said we had in the requirements they should have somewhat of a financial background and thinking about this, she thinks these two individuals do have financial background and if another person is interested and does not have the credentials that Charlie and Tina have, that would add a balance to the Committee. Mr. Willard said he would support that comment.

ROLL CALL: 4-0 (Mr. Kern – Absent)

D. RESOLUTION #76-2015 – WOODLAND HILLS PRESERVE – DESIGNATION OF USE

Mr. Cahalan said this establishes the designation of the Woodland Hills Preserve as a township owned recreation place, subject to the rules and regulations as set forth in Chapter 118 of the Township Code.

MOTION BY: Mr. Maxfield moved for approval of Resolution #76-2015 to establish the designation of use for the Woodland Hills Preserve as a Township owned recreation place.

SECOND BY: Mr. Willard
Mrs. deLeon said it says subject to the rules and regulations, what if there's a different use designated for this park that is not permitted in other parks, how would we handle that? Mr. Cahalan said the uses you designated at the last meeting are compatible with the park use rules. Mrs. deLeon said she didn't determine that was a final use for that park. Didn't we ask B&J to look into that? Mr. Cahalan said they are doing a maintenance plan, but you adopted a resolution that said these are the uses of the property. Attorney Treadwell said you can change the resolution. The purpose of the resolution right now is we're calling it the Woodland Hills Preserve which is a different name than the Polk Valley Park which is clearly a park. If you don't adopt this resolution, then there are no rules to be enforced at Woodland Hills.

ROLL CALL: 4-0 (Mr. Kern – Absent)

Mrs. deLeon said she'd like to see the Parks & Recreation Board do some kind of resident survey to find out what the residents would like us to do with our parks.

MOTION BY: Mrs. deLeon moved to have the Manager ask the Parks & Recreation Board to conduct a survey using SurveyMonkey or something similar, to see what the residents would like in our parks.

Mr. Cahalan said we had a survey over ten years ago, and there was one conducted when we did the Open Space Plan with Upper Saucon Township in 2006.

SECOND BY: Mr. Willard
Mr. Willard said the Citizens Committee decided to survey a pretty limited subject which is permitting for the Township. They had 25 responses, so it would be interesting to see what the residents have to say. Mr. Maxfield said keep in mind we got money to buy this from outside sources that require us not to allow certain things. Mrs. deLeon said this is for all parks. Mr. Maxfield said we stated publicly there are restrictions on this property.

ROLL CALL: 4-0 (Mr. Kern – Absent)

E. NORTHAMPTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM COOPERATION AGREEMENT

Mr. Cahalan said this is the renewal of the three year agreement that the County Executive requests all of the 36 Townships and Boroughs in Northampton County to participate in. It provides the County with a designation from the Dept. of Housing and Urban Development of an urban county which allows the County and municipalities to apply for grants. We did this three years ago and this is a renewal. We submitted for a grant for the work planned on Black River Road and we were notified we did not qualify as we didn't meet all the criteria.

MOTION BY: Mr. Horiszny made a motion to execute a Cooperation Agreement with Northampton County to renew its eligibility to receive CDBG Block Grant Funds.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

F. ORCHARD VIEW ESTATES BASIN REPAIR AND PLANTINGS – AUTHORIZE BID ADVERTISEMENT

Mr. Horiszny said this developer defaulted on the project. Mr. Cahalan said the Planner put together a list of items that have to be addressed to complete the improvements. We're holding the money to do that and we'd like approval to advertise a bid for the work which is primarily in the storm water detention basin on Route 412 across from Bechtold's Orchard. Mrs. deLeon said it would be helpful to put road locations on the agenda.

MOTION BY: Mr. Horiszny moved to authorize the advertisement of the Orchard View Estates basin repair bid.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

Mrs. deLeon said the bid document doesn't have the road, maybe we need to change our motion to correct the bid with the address on it or is it understood. Attorney Treadwell said it's understood.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JUNE 17, 2015 COUNCIL MINUTES

Mr. Horiszny said the June 17th minutes are ready for Council approval.

MOTION BY: Mr. Maxfield moved for approval of the June 17, 2015 Council minutes.

SECOND BY: Mr. Willard

ROLL CALL: 3-1 (Mr. Kern – Absent; Mrs. deLeon - No)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. Gene Boyer, Saucon Avenue, asked a question about the letter being written to DEP, and if is timely to put in there or ask DEP that the MSE wall they are putting up to prevent a slide is pretty important. There should be a timetable for them to have it done when they move a lot of the dirt and uncover the trash. Mrs. deLeon said that's a technical question, which is later on in the process, but Mr. Cahalan should check with Mr. Birdsall.

VII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said regarding the Steel City Park project, Public Works has been busy with a lot of projects. They finished up the Polk Valley Park playground and this week they were repairing a sinkhole on Viola Lane. They will start in early July replacing inlets up on Mountain Drive South and then they will start the surface treatment to begin their road projects in August, and the list of those road projects are on the website. Beginning in September, they will begin the Steel City Park for Phase I and be finished before they are out plowing snow. Mrs. deLeon said the Public Works is really busy with projects.

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- B. COUNCIL/JR. COUNCIL**
Matt Smith, Jr. Council – Absent
Mr. Maxfield – No report
Mrs. deLeon

- She said on the Township website, you have to remember to go on every day to see the announcements. She's wondering how hard it would be when you post something on the announcement pages, to send out a Constant Contact message at the same time so residents know there's an announcement on there. Mr. Cahalan said it's a whole other notification process. There was the RSS feed. Ms. Huhn said we were having issues with it and she'll check into with the web host.
- She said we got a PennDOT update on the Narrows. Mr. Cahalan said an email came in from Ron Young on June 25th which is on the website. Mrs. deLeon read the email and said since then, we have Chris Taylor's report on his investigation out there. She asked if we can send the report to PennDOT. Mr. Cahalan said that was already done. Mrs. deLeon asked if it was sent to DEP? Mr. Cahalan said no. Mrs. deLeon asked that it be sent to DEP also.

Mr. Kern – Absent

Mr. Willard

- He said we had the third meeting of the Economic Citizens Committee on June 18th with three guests attending who gave helpful comments to the committee. He said Chris Garges is heading the committee and doing a good job.
- He said he will be absent from the July 15th Council meeting.

Mr. Horiszny

- He said the State Government has passed Bill No. 299, which is an incentive for volunteer emergency responders which is a tax break, but it is not well-defined in his mind, as to what that means.
- He said they have a meeting with the Fire Chief's on July 30th.

D. SOLICITOR – No report

E. PLANNER – Absent

F. ENGINEER – Absent

VIII. ADJOURNMENT

MOTION BY: Mr. Willard moved for adjournment. The time was 9:04 p.m.

SECOND BY: Mr. Maxfield

ROLL CALL: 4-0 (Mr. Kern – Absent)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President