

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 #54-2017 – Honoring Mayor Richard Fluck for his Service to the Community
- B. Public Hearing and Consideration of Adoption – Ordinance No. 2017-03 – Removal of “Except Right Turn” Signs – Alice Drive & Willowbrook Drive
- C. Public Hearing and Consideration of Adoption – Ordinance No. 2017-04 – Removal of “Except Right Turn” Signs – Schwab Avenue & Ivywood Drive
- D. Tax Collector Presentation by Keystone Collections Group
- E. Presentation by Joe Uliana – LERTA (Local Economic Revitalization Tax Assistance)

III. DEVELOPER ITEMS

- A. Project Mustang – Little Town, LLC – 1125 Easton Road – Discussion of Traffic

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variances
 - 1. David & Tracy D’Agostino – 1530 Highland Drive – Variance Requests for Zoning Violations Associated with Construction of Pool
 - 2. Louis Pavelcze, Jr. – 1766 & 1776 Friedensville Road – Variance Request in Conjunction with Proposed Lot Line Adjustment
- B. Town Hall Complex Painting Bid Results
- C. Resolution #51-2017 – Eminent Domain – Black River Road Storm Water Project
- D. Discussion Regarding the Opposition of Larger Tractor-Trailers
- E. National Night Out – August 1, 2017
- F. Authorize Sale of Old Police Cruiser

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of June 7, 2017 and June 21, 2017 Council Minutes
- B. Approval of June 2017 Financial Reports
- C. Monthly Department Reports for June 2017

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 Saucon Rail Trail Oversight Commission Meeting: July 24, 2017 @ UST
Next Saucon Valley Partnership: September 13, 2017 @ HB
Next Planning Commission Meeting: July 27, 2017
Next Park & Rec Meeting: August 7, 2017
Next Council Meeting: August 16, 2017
Next EAC Meeting: August 8, 2017
Next Zoning Hearing Board Meeting: July 24, 2017

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, July 19, 2017 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mrs. Sandra Yerger, presiding.

ROLL CALL: Sandra Yerger, Vice President; Priscilla deLeon, and Donna Louder, Council Members; Leslie Huhn, Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; Mike Beuke, Township Planner. Absent: Glenn Kern, Council member. Mr. Ron Horiszny, President arrived at 7:02 p.m. then presided over the rest of the meeting after the announcement of Executive Session.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did meet in Executive Session this evening. Attorney Treadwell said they discussed upcoming negotiations with the Police Association. Mrs. Louder is not participating in them.

PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you choose to speak, we ask that you use one of the microphones and state your name for the record so the transcriptionist knows who is speaking for the minutes. He asks that you give your fellow public the courtesy of the floor. Attorney Treadwell said item IV.C. was taken off the agenda; Mrs. Huhn said IV.A.2 has also been taken off the agenda.

II. PRESENTATIONS/HEARINGS

A. RESOLUTION #54-2017 – HONORING MAYOR RICHARD FLUCK FOR HIS SERVICE TO THE COMMUNITY

Mr. Horiszny read the resolution. This will be presented to Mayor Fluck at Community Day.

MOTION BY: Mrs. deLeon moved for approval of Resolution #54-2017.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

B. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE NO. 2017-03 – REMOVAL OF “EXCEPT RIGHT TURN” SIGNS – ALICE DRIVE & WILLOWBROOK DRIVE

Mrs. Huhn said we have advertised the ordinance, which has been reviewed by the Police Department and Public Works, and they are recommending the removal of the signs.

MOTION BY: Mr. Horiszny moved to open the hearing.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

Attorney Treadwell said the stop sign remains, but the “Except Right Turn” gets removed.

MOTION BY: Mr. Horiszny moved to close the hearing.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

MOTION BY: Mrs. Louder moved for approval of Ordinance No. 2017-03.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

C. PUBLIC HEARING AND CONSIDERATION OF ADOPTION – ORDINANCE NO. 2017-04 – REMOVAL OF “EXCEPT RIGHT TURN” SIGNS – SCHWAB AVENUE & IVYWOOD DRIVE

Mrs. Huhn said this is the same as the previous agenda item, but at a different location.

MOTION BY: Mr. Horiszny moved to open the hearing.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

Mrs. Louder said there are parking issues at Ivywood before you make the left onto Schwab. The property owners need to be sent notification that parking needs to be off the street or further away

from the stop sign. Chief Lesser said he posted a bulletin for the officers to pay closer attention to that intersection. Mrs. Louder said Emergency vehicles would not make it through. Mrs. Yerger asked if it is legal to park there, and Chief Lesser said yes, on both sides. Attorney Treadwell said to send a request letter to the residents and Mrs. Huhn said we can explain the ordinance and ask them to be mindful of where they park. Mr. David Doll, resident, recommends when the signs are removed, to place a flashing light there for three weeks so residents are alerted to the change.

MOTION BY: Mr. Horiszny moved to close the hearing.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

MOTION BY: Mrs. Yerger moved for approval of Ordinance No. 2017-04.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

D. TAX COLLECTOR PRESENTATION BY KEYSTONE COLLECTIONS GROUP

Mr. Jayson Lawson, General Counsel and Ms. Rose Harr, VP of Customer Relations for Keystone were present. Both reviewed a slide presentation describing how their tax collection services work. They serve as the current tax collector for the SVSD. Mrs. deLeon asked when they took over for SVSD, what were some of the issues? Ms. Harr said the main problem was the office location and the fact that the elderly were not aware that there was a ramp in the back of the building. Other than that, they had a few customer complaints. Mrs. Huhn asked if they have evening office hours? Mr. Lawson said they do during tax season, and also on the weekend. Taxpayers can also send them an email that is answered in 24 hours. They are aware that some people don't have computers, and can work with any taxpayer no matter how they want to pay.

Ms. Harr said eight to ten days after the residents receive their bills, Keystone notifies mortgage companies who get an electronic file. They have a good working relationship with both major companies and hometown banks. Residents do not have a role in this. Ms. Barr said they want to partner with the Township and have a long-term relationship.

E. PRESENTATION BY JOE ULIANA – LERTA (LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE)

Mr. Joe Uliana was present on behalf of Majestic Realty. He reviewed a slide presentation on how the LERTA program was started in 1977 by the Commonwealth of PA. The City of Bethlehem approved LERTA and it has to be approved by the County and both the Saucon Valley and Bethlehem school districts. LERTA is a 10-year abatement of the assessment in which it is graduated. You get the original taxes paid and after the improved value, 10% is added to the assessment until you get to 100% after ten years. Majestic has been paying taxes to LST since 2007; currently they pay \$3,450 in taxes to LST.

Mr. Uliana said the only access to their property is via Rt. 412; fire, police, sewage, and storm water all run through the City of Bethlehem. If the Township were to agree with this and adopt LERTA, it would affect one future building. If the property is sold, it carries on with the land. Their goal would be to adopt a resolution in August. Councilmembers are welcome to tour the site and can contact him to arrange it.

III. DEVELOPER ITEMS

A. PROJECT MUSTANG – LITTLE TOWN, LLC – 1125 EASTON ROAD – DISCUSSION OF TRAFFIC

Mrs. Huhn said Barry Isett reviewed the project, but did not see any plans, so it was hard for them to give their opinion; they did provide a draft letter for Council. Mrs. Yerger said an important item listed is the cumulative effect, as this is the 3rd or 4th driveway with tractor trailers exiting onto Easton Road. Nicole Galio, of Maser Consulting, said they are required to submit an HOP

through PennDOT, who is requiring LVIP to perform an overall traffic study once all of the construction has been completed; their client has offered to pay a portion of that.

Mrs. Louder said the speed limit is 40 MPH which should be lowered. Ms. Galio said regarding Cherry Lane and Easton Road, she believes they are looking at putting a traffic signal there. This former MFS site is contaminated, so you wouldn't put residential homes there; reusing the site is good for that property – it's not adding another driveway to the road and most trucks will only turn right. The train line will be installed at the same time as the building.

Ms. Huhn reviewed the Barry Isett letter which will be sent to PennDOT, which listed a secondary access; Ms. Galio said the second access by JB Hunt is no longer viable as they weren't able to come to an agreement with that property owner. Attorney Treadwell said we may want to give Isett that information for their letter. This letter must be sent ASAP because of time constraints.

MOTION BY: Mrs. Yerger moved to authorize release of the amended draft letter prepared by Barry Isett & Associates to PennDOT.

SECOND BY: Mrs. deLeon

Mr. David Doll, resident, said his church is on Easton Road, and it is dangerous to pull out onto it due to no stop signs. He suggests two stop signs be added, one at Mockingbird Hill Road and one at Lower Saucon and Easton Road. Mrs. Huhn said we would address that as a separate matter to PennDOT. Chief Lesser said many years ago they conducted a traffic study and reduced the speed on Easton Road, but the portion from Ringhoffer Road west to the Borough of Hellertown, which is in the City, was not impacted. He would request a reduction from 45 MPH to 40 MPH so it's consistent. Council directed Mrs. Huhn to contact the City and include the Borough for a meeting.

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCES

1. DAVID & TRACY D'AGOSTINO – 1530 HIGHLAND DRIVE – VARIANCE REQUESTS FOR ZONING VIOLATIONS ASSOCIATED WITH CONSTRUCTION OF POOL

Attorney Gavin Laboski, Mr. Scott Payne of Payne Custom Pools, and the D'Agostino's were present. Mr. Laboski said the ZHB application seeks relief from a pool that's already been constructed which has some minor dimensional violations of the zoning ordinance. Mr. Payne was hired to remove an existing pool and install an in-ground pool. While excavating the pool, there was a sewer line through the yard, and since it's a drop in shell-type pool, the pool got shifted, and it encroached into some setbacks. There were also some plan changes – they expanded the deck and put in a fire pit.

Mr. Laboski said the relief the applicant is requesting is an intrusion in the side yard by 4.7' for pool decking; the pool is entirely within the building envelope. The rear decking and fire pit intrudes into the rear yard by about 12 feet; the shed intrudes into the side yard about 3 feet; the impervious coverage is increased by 11%. Mrs. Yerger said there was an additional 1,340 sf of impervious than what was indicated on the permit. Mr. Laboski said there were no storm water problems on the property. They are in a situation that although there's an increase in impervious coverage, there doesn't appear to be an impact. If there's something that should be done, his client will do it, but they're not sure there is any evidence of it.

Attorney Treadwell said he doesn't believe that the setbacks are an issue, but the impervious coverage is an issue. The original application didn't have a fire pit or any impervious connection between the house and the pool, and now it's all connected. Mr. Horiszny said you may need to remove some of the deck, the fire pit, and the shed and see where you are at. Mr. Laboski said they could have their engineer determine that, but would not be able to make the next ZHB meeting. Mrs. Louder asked if there is anything that can be done bordering the property to direct the storm water that would preserve what was created already? Mr. Laboski said they can have their engineer look at it. Mrs. Yerger said this

project was changed multiple times and it's a bad precedent; the best solution is to have their engineer do a study and get back to what they originally proposed to do.

Mr. Kocher said HEA's letter indicates that they haven't reached the 2500 sf, therefore the storm water management ordinance doesn't kick in, but it doesn't make an opinion to say there's no storm water impact. Mr. Laboski said they don't see standing water or water running off their property.

MOTION BY: Mrs. deLeon moved to oppose this application based on the discussion this evening unless they submit a letter to continue the hearing and correct the issues.

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

2. **LOUIS PAVELCZE, JR. – 1766 & 1776 FRIEDENSVILLE ROAD – VARIANCE REQUEST IN CONJUNCTION WITH PROPOSED LOT LINE ADJUSTMENT**

Tabled

B. **TOWN HALL COMPLEX PAINTING BID RESULTS**

Mrs. Huhn said they put out to bid the Town Hall Complex Painting, which requested bids for the exterior painting of the buildings at the Town Hall Complex. They received one bid and the base bid was \$156,728.00, which was more than the cost estimates. At this time she is recommending Council reject the bid and re-evaluate the project.

MOTION BY: Mr. Horiszny moved to reject the Town Hall Complex painting bid due to being over the budget amount.

SECOND BY: Mrs. Louder

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

Mrs. Huhn said her recommendation is to start with the Town Hall building as it has a lot of wood and if we don't get something on the wood, she's concerned about rot and we're going to have to be replacing it. Council directed Mrs. Huhn to put together specs for this building.

MOTION BY: Mrs. deLeon moved to have Mrs. Huhn advertise for bids for painting this building and the police garage.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

C. **RESOLUTION #51-2017 – EMINENT DOMAIN – BLACK RIVER ROAD STORM WATER PROJECT**

Tabled

D. **DISCUSSION REGARDING THE OPPOSITION OF LARGE TRACTOR-TRAILERS**

Mr. Horiszny said we received a request from the Coalition Against Big Trucks (CABT) and their concern is the proposed legislation at the federal level to allow more tandem trailers, and maybe even three trailers on a truck. Mrs. Huhn said they provided sample letters to send to our Senators and Representatives.

MOTION BY: Mr. Horiszny moved for approval to authorize staff to prepare a resolution in opposition of larger trucks and prepare letters of support to legislators.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

E. **NATIONAL NIGHT OUT – AUGUST 1, 2017**

Mrs. Huhn said National Night out is August 1st. We reached out to Hellertown Borough about conducting a joint venture with our PD's and fire companies. They were very receptive and set up a meeting, discussed ideas, and prepared a draft flyer. They also encourage Council members join us that evening. We will get out into the community and different neighborhoods. Next year we would like to get the community even more involved, with presentations and fun things for kids to do.

F. AUTHORIZE SALE OF OLD POLICE CRUISER

Mrs. Huhn said they advertised through Municbid and received a final bid in the amount of \$1,002.00. They first offered it to the PW or fire departments and no one wanted it. Mrs. Louder asked what if a policeman wanted it? Mrs. Huhn said it is open to the public and anyone can bid on it.

MOTION BY: Mrs. Louder moved to approve the sale of a 2007 Ford Crown Victoria to Moises Arce of Auburn, PA for the sum of \$1,002.00.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JUNE 7, 2017 AND JUNE 21, 2017 COUNCIL MINUTES

Mr. Horiszny said he had asked for a couple of typographical errors to be corrected.

MOTION BY: Mr. Horiszny moved for approval of the June 7, 2017 and June 21, 2017 Council minutes.

SECOND BY: Mrs. Yerger

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

B. APPROVAL OF JUNE 2017 FINANCIAL REPORTS

MOTION BY: Mr. Horiszny moved for approval of the June 2017 financial reports.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

C. MONTHLY DEPARTMENT REPORTS FOR JUNE 2017

Mrs. Huhn said these are the department reports for June 2017.

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Mr. David Doll, resident, expressed concerns regarding road conditions, the Public Works Department, and PW Director Roger Rasich. He has been having issues with Mr. Rasich returning his phone calls. Both Fawn Lane and Banko Lane have had deteriorating road conditions over the last couple of years. He provided pictures to Council and stated they show grass and weeds are growing in 6” deep potholes. He asked for the Council or the Township Manager to start looking at the quality of work that our road crew is doing.
- Mr. Doll said the second item is the brush on the roads. He knows Lower Saucon has a tractor for mowing 3’ on the right-of-way, but when you drive through Wassergass, brush, weeds and the natural vegetation has crept up and grown over the roads creating a tunnel.
- Mr. Doll said another problem that is occurring is in front of his home at 1925 Fawn Lane. Last year he noticed the dirt was washing out of a swale, the 24” pipe and running into his lawn. He filled the hole in and tapped it and it sank down. He showed photographs of the sinkhole and swale. His best guess is the corrugated pipe has rusted away at the joints and the rainwater coming down is just washing it into his yard and making a mess. The road crew has not made any lasting repairs and he would like them to.
- Mr. Doll said he went on the website to see what roads were up for repairs; and Fawn Lane is not on the list. One road on the list is Macarro Way, which is a new development. The development appears to be done, why is the Township chipping and sealing that when it has no holes or degradation? Mrs. deLeon said she appreciates him bringing it to Council’s attention and that Leslie is our Manager, so she’ll be checking into it. Mrs. Huhn said this is the first time she’s hearing of this so she’ll look into it and prepare something to bring back to Council in response.

VII. COUNCIL & STAFF REPORTS

A. MANAGER

- We were awarded grant funding through the Main Street Lehigh Valley Grant program for two applications we submitted in May. One was for the electric work at Steel City Park, which we were awarded \$2,000.00 toward the total cost of the estimate which was \$5,017.00. We also received \$845.00 for the installation of the additional fencing on the Rail Trail at Meadows Road, which covered the total cost of the project.

- We received a letter July 3rd from Penn Environmental and Remediation Inc. regarding the PPL Hosensack Seidersville rebuild project. They sent a sample letter which staff discussed and determined Penn Environmental has not provided sufficient information. They prepared a draft response asking for the detailed plans and documents. She requested authorization to send the letter.

MOTION BY: Mrs. deLeon moved for authorization to send Penn Environmental and Remediation Inc. the letter as stated above.

SECOND BY: Mrs. Yerger

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

B. COUNCIL

Mrs. Yerger – No report

Mrs. deLeon

- Hellertown-Lower Saucon Chamber is holding Restaurant Week July 23 – 29.
- She attended two City ZHB meetings; they ruled in favor of the variances and special exceptions for the 2-million gallon tank on Ringhoffer Road. We have 45 days to get the decision and we should be able to go to the P/C at the City when the site plan is presented.

Mr. Kern – Absent

Mrs. Louder

- The Gaming Board is meeting on July 24, 2017.
- Steel City Park is moving along nicely; she appreciates the hard work of the PW.
- She knows there are issues with Black River Road. Mr. Kocher said the LSA has easements on the same ground that we need an easement, and the LSA may have to sign off. The road is already full of pipes from edge to edge.

Mr. Horiszny

- He was at the LSA meeting last night; there's continuing work on meters that the City put in because of readings. Their Bingen Road project is almost completed. Mrs. deLeon asked what is going on with Act 537? Mrs. Huhn said Bill Ross emailed saying we should have a meeting regarding Act 537 and he is looking into it for us.

C. SOLICITOR – No report

D. PLANNER – No report

E. ENGINEER – No report

VIII. ADJOURNMENT

MOTION BY: Mrs. Yerger moved for adjournment. The time was 9:31 p.m.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0-1 (Mr. Kern – Absent)

Submitted by

Leslie Huhn
Township Manager

Ron Horiszny
Council President