

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

I. OPENING

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

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

III. PRESENTATIONS/HEARINGS

IV. DEVELOPER ITEMS

- A. Henig Subdivision – 2174 Kistler Avenue – Approval of Subdivision

V. TOWNSHIP BUSINESS ITEMS

- A. CMB Properties LLC Property – 1244 Seidersville Road – Well Isolation Distance Exemption
- B. Resolution #69-2020 – Approval of Lower Saucon Township Council Ratifying the Declaration of a Disaster Emergency Within Lower Saucon Township Due to the COVID-19 Coronavirus Pandemic
- C. Water Line Installation at Town Hall – Authorization to Advertise
- D. Multi-Municipal Comprehensive Plan – Authorization to Advertise Public Meeting
- E. Lower Saucon Fire Rescue & Steel City Fire Company Requests & Merger Update
 - 1. Lower Saucon Fire Rescue – Ladder Truck Funding Request
 - 2. Steel City Fire House Grant – Additional Assistance with AFG Grant
- F. Creek Investors LLC – 2105 Creek Road – City of Bethlehem – Rezoning Request
- G. Report on Tropical Storm Isaias
- H. Discussion Regarding Storm Water Regulations

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of July 22, 2020 Council Minutes
- B. Approval of July 2020 Financial Reports

VII. COUNCIL & STAFF REPORTS

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

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

IX. ADJOURNMENT

UPCOMING MEETINGS

Saucon Rail Trail Oversight Commission: August 24, 2020 @ LST @ 6:00 p.m.
Zoning Hearing Board: August 24, 2020
Planning Commission: August 27, 2020
Township Council: September 2, 2020
Environmental Advisory Council: September 8, 2020
Saucon Valley Partnership: September 9, 2020 @ LST @ 6:00 p.m.
Parks & Recreation: September 14, 2020

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, August 19, 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; Jim Young, Zoning Officer; Linc Treadwell, Solicitor; 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. If you want to speak, please raise your hand.

II. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS – None

III. PRESENTATIONS/HEARINGS – None

IV. DEVELOPER ITEMS

A. HENIG SUBDIVISION – 2174 KISTLER AVENUE – APPROVAL OF SUBDIVISION

Mrs. Yerger said the applicant is seeking waivers and final approval for a one lot minor subdivision. Scott Mease and Tracey Henig were present. Mr. Mease said he reviewed the Conditions of Approval and Ms. Henig did sign that and submit it today. Mrs. Yerger said they are proposing to divide a 2.112-acre lot split by Kistler Avenue, with an existing dwelling on the north side of Kistler Avenue into two lots. Lot 1 is 0.812 acres which will include the existing dwelling with driveway access to Kistler Avenue. Proposed Lot 2 is 1.050 acres and will include a proposed dwelling with driveway access to Kistler Avenue. The applicant proposes to dedicate an easement of the ultimate Kistler Avenue ROW area to Lower Saucon Township. Both lots will be served with public water and sanitary sewer services.

MOTION BY: Mr. Banonis moved for approval of the request from the applicant subject to the staff recommendations set forth, which are as follows:

1. The applicant shall address the review comments contained in the letter dated August 13, 2020 from HEA, to the satisfaction of the Township Council.
2. All granted waivers, deferrals and variances with any conditions shall be denoted on the Plan in a manner satisfactory to the Township Solicitor.
3. The applicant shall provide two Mylar and seven paper prints of the Record Plans with original signatures, notarizations and seals.
4. The applicant shall provide two CDs of all plans in both a functional AutoCAD format as well as a static image format.
5. The applicant shall pay any outstanding escrow balance due to the Township for review of the plans and preparation of legal documents.
6. The applicant shall satisfy all these conditions within one year of the date of the conditional approval unless an extension is granted by Township Council.

SECOND BY: Mrs. deLeon

Ms. Henig said she doesn't think she has any escrow balance owed right now, as she hasn't seen anything come from the Township. Mrs. Huhn said she doesn't believe she does, but she will check it tomorrow and let her know. Ms. Henig asked Scott if he saw the letter from August 13th. Mr. Mease said yes he did and the waivers and deferrals need to be included in that motion. There are two comments in the HEA letter that they know are not being required and one is Comment 15 where they talk about the fact that there will be an easement ROW at Kistler Avenue and the fact that there is an existing block retaining wall along the eastern side of Lot 1 existing driveway which is located with the proposed ROW area, and the Township shall determine the acceptability

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of this retaining wall within the proposed ROW area. He said this is just a little retaining wall at the entrance of her driveway and it probably goes from 1' high to 18" high for a length of 15'. Ms. Henig said she's actually having the retaining wall reconstructed as it's starting to lean a little bit so if she needs to bring it back, she's willing to do that. Right now it's far from the roadway like 4' from the edge.

Mr. Banonis said Mr. Mease mentioned two points in the letter, but only mentioned one. Mr. Mease said the other one was Comment 18 it says we note Focht Avenue and Connolly Avenue ROW terminate along the proposed Lots 1 and 2 property lines, respectively. The Township shall determine whether ROW and/or easements shall be provided/reserved across proposed Lots 1 and 2 for the continuation of these street ROW. He said these in his estimation it doesn't relatively terminate and doesn't look like it would be extended for any reason. You are dealing with the extension of Connolly Avenue which would erupt a lot of woodlands and steep slopes and if you extended Focht Avenue you'd be sending it right into Mrs. Henig's house.

Mrs. Yerger asked Mr. Kocher if he had any concerns. Mr. Kocher said they have been reviewed by the Planning Commission and they are in agreement with Mr. Mease as well as Mr. Kocher is. Mrs. deLeon said that doesn't affect our motion? Mr. Kocher said correct. Attorney Treadwell said Mr. Banonis' motion is to approve the draft motion that HEA prepared and includes the approval of the waivers and allocation of one EDU of sanitary sewer. Mrs. deLeon asked do we have to approve that? Attorney Treadwell said we have to approve it then it goes to the LSA, and it's in the motion, it's Item C.

ROLL CALL: 5-0

IV. TOWNSHIP BUSINESS ITEMS

A. CMB PROPERTIES LLC PROPERTY – 1244 SEIDERSVILLE ROAD – WELL ISOLATION DISTANCE EXEMPTION

Mrs. Yerger said the applicant is requesting a well isolation distance exemption request for the replacement of their septic system located at 1244 Seidersville Road. In the letter it states because of the configuration of the lot, it is not possible to replace the septic system and be within compliance with the current distance required. Mrs. deLeon said they are basically keeping the distance to the new one the same distance as the old one. Mrs. Yerger said yes.

MOTION BY: Mrs. deLeon moved to approve the well isolation distance exemption at 1244 Seidersville Road for CMB Properties LLC.

SECOND BY: Mrs. Stauffer

ROLL CALL: 5-0

B. RESOLUTION #69-2020 – APPROVAL OF LOWER SAUCON TOWNSHIP COUNCIL RATIFYING THE DECLARATION OF DISASTER EMERGENCY WITHIN LOWER SAUCON TOWNSHIP DUE TO THE COVID-19 CORONAVIRUS PANDEMIC

Mrs. Yerger said Resolution #69-2020 has been prepared for approval of Lower Saucon Township Council extending the Declaration of a Disaster Emergency within Lower Saucon Township due to the COVID-19 Coronavirus pandemic.

Mr. Banonis said as we've done in previous meetings, this is simply to keep the disaster emergency open in case we incur additional costs that may be subject to reimbursement from the State. Mrs. Huhn said yes for this is for FEMA.

MOTION BY: Mrs. Stauffer moved for approval of Resolution #69-2020.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. WATER LINE INSTALLATION AT TOWN HALL – AUTHORIZATION TO ADVERTISE

Mrs. Yerger said the Township received a grant from the Commonwealth Finance Authority PA Small Water and Sewer program to replace the water line behind the Public Works Building. Staff is requesting authorization from Council to advertise the project for bidding. Mrs. Huhn said we've discussed this several times and it's been delayed due to the bog turtles, but we now have everything in line and this would be authorizing the advertisement of the bid specifications, we would be going through the PennBid process.

Mrs. Stauffer asked how long it would take as they are up against winter and bog turtles. Mrs. Huhn said for the actual work, once we get the bids, it shouldn't take that long. Everything is ready to go once we get the bids in.

Mr. Banonis said with regard to the bog turtles, we can do the construction from November 1 until March 31 without having the bog turtle surveyor present and payment for someone to count bog turtles that may or may not be there. Mr. Kocher said that is correct. Mr. Banonis said we want to get that work done before the winter freeze. Mrs. Huhn said that is correct.

MOTION BY: Mr. Banonis moved to authorize advertisement for bids for the water line installation at Town Hall.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

D. MULTI-MUNICIPAL COMPREHENSIVE PLAN – AUTHORIZATION TO ADVERTISE PUBLIC MEETING

Mrs. Yerger said at the Saucon Valley Partnership (SVP) meeting held on August 12, 2020 a draft timeline was discussed for the next steps toward adoption of the Multi-Municipal Comprehensive Plan Update. The timeline is being presented for discussion tonight since our first step will be conducting a public meeting. This is tentatively being proposed for September 10, 2020 at 6:00 p.m. Hellertown Borough and the Saucon Valley School District indicated agreement with this date. We are seeking Council's approval to advertise the meeting date and time.

Mrs. Huhn said we do have the draft timeline in your packet and we have a draft advertisement prepared that we will share with Cathy Hartranft tomorrow as it encompasses the whole partnership.

Mrs. deLeon said we discussed this and were interactive with Carolyn Yagle the consultant and they did a very good job. It's on our website and you can review the PowerPoint. Mrs. Huhn said there's also a place where you can submit your comments.

Mr. Banonis said at the last meeting it was announced that the funding for this is coming from the three partners and is it close to being exhausted for the development of this plan. Mrs. Huhn said it's very low but we still have some of the grant money. Only that portion of it can be used for the ADA compliance and stormwater, so it has to be relative to that in order for us to use that money. Mrs. deLeon said when we first started the process we knew that this may happen and if it does, we'll have to talk about it. In the beginning of every year the fee we pay to belong is \$1,000 and \$3,000 isn't a lot of money, but hopefully it will be over by then. Mrs. Stauffer said will there be an online component option, if someone wants to attend by Zoom. Mrs. Huhn said that's in the advertisement.

MOTION BY: Mrs. Yerger moved to authorize advertisement for a public meeting for the Multi-Municipal Comprehensive Plan.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

E. LOWER SAUCON FIRE RESCUE & STEEL CITY FIRE COMPANY REQUESTS & MERGER UPDATE

1. LOWER SAUCON FIRE RESCUE – LADDER TRUCK FUNDING REQUEST

Mr. Carocci said he'd like to make a motion that this is tabled. He has some concerns with the ladder truck with the actual ladder being painted black, when we had a safety expert recommend against that. We just found out this information late last week and he'd like to meet with the Fire Services Committee to discuss the ladder.

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

SECOND BY: Mr. Banonis

Mrs. deLeon said she's glad you brought that up about the color of the ladder as she also had concerns about that from the last meeting after our consultant give us the report and we paid for that report and that was a big issue. She has strong concerns. Is there any way we can make a motion to an appropriate color so we're not holding up the truck.

Mr. Carocci said he's in agreement with her, he just feels that he wants to talk to them about what can be done. He'd prepare not to delay the truck but also he finds it unacceptable the ladder is black and he wanted to see what can be done.

Mrs. deLeon said is the truck already built, is there a stage where they can come back and say it's already on the truck, they can't fix it. Mr. Banonis said that's a topic to be discussed at the Fire Committee as to what possible solutions there are. One concern he has is the firefighters are on the Township's W/C insurance and to the extent a consultant recommended against a certain component on the fire truck and we're funding it and there's an injury that occurs, it comes back to the Township for compensation, so that's a circle we don't want to get into. Mr. Carocci said the pictures he saw the ladder was not attached to the truck yet, but he doesn't know if that's the case yet.

Mr. Ty Johnson said if you want to have a Fire Services meeting and talk about it, how does Tuesday night sound and the ladder is mounted to the truck. In the email we sent to you guys, the consultant reviewed all the changes and approved it. Here again, it was just recommendations by a consultant so the ladder is going to be Chevron with reflective material on the bucket. The ladder itself is not something that we enter from when we are exiting a building, you enter the bucket. There's no way to get on the ladder if you are set up against the building. The ladder is not designed for that. The lighting on the ladder is state-of-the-art and we put every available light on there that is possible. The ladder itself has lighting so it would make a nice contrast when a firefighter is climbing at night. This isn't a new theory having a black ladder, there's many volunteer and paid fire departments that have black ladders. It's NFPA compliant so there's no safety issue as far as NFPA is concerned. If you want to talk about it then so be it.

Mr. Banonis asked for a copy where the consultant approved that ladder where he confirmed his change of position. Mr. Johnson said in the email you guys were sent on Monday, it says right in minutes "Cathy Gorman said that she forwarded it to the consultant and he was fine with the changes".

Mr. Carocci said that wasn't specifically about the black ladder, it was just changes in general. Mr. Johnson said if he reviewed it, he didn't have an issue with it the second time around. Mr. Banonis said this is why the motion was made to table it as these things need to be addressed at the Fire Services meeting to work through this. He's not sure why we are spending Council's time on this subject when it seems to be details that should be worked out at the committee level.

Mrs. deLeon said she's not on the committee and she respects the Council and people who are on the committee, if she could relay questions back to you that you could ask, it would

be much appreciated as she is elected and she is supposed to be giving opinions. Her opinion would be that when the consultant said that he approved everything, he didn't bother to talk about the ladder as he had already in his previous study said it wasn't recommended. She's getting older now, and they paint those reflective stripes on the edge of the road, you can't see them sometimes at night when it's bad out so if there's a fire and smoke, she really has problems and she is respecting that other departments may or may not do that, but they don't pay our W/C insurance, so that was a good point, Jason.

Mr. Carocci said he wants to clarify with the consultant what his feelings are with the black ladder and did he exempt that. This will give us time if we table it so we can get those answers. He said if Mrs. deLeon wants to participate, he's fine with that. Mrs. deLeon said let her know when you are having that conversation with the consultant. Mr. Carocci said sure, he hopes she will and we'll talk to him and have a Fire Services meeting. He thinks we need more time. He wasn't made aware of this until Friday and the packet for this meeting had already gone out with that motion in it. That's why we he's making a motion to table it.

Mrs. Stauffer said with the motion to table this, she just wants to check timelines. When will the next Fire Services meeting be? That might be a good thing to clarify and to address and would that impact any payment installments. Mr. Carocci said he thinks we have one on the schedule. Mrs. Huhn said she believes its September 1st. Mr. Carocci said we are not even required to make this payment until June 2021. We were simply saying that perhaps we could make this payment now and it would save them interest on the loan. As far as missing a payment, that won't happen until June 2021. Mrs. deLeon said hopefully you can meet on Tuesday. Mrs. Yerger said we're talking September 1st. Mr. Carocci said he'd like to keep that date so he has time to speak with the consultant. Mrs. Huhn said it's usually the first Tuesday of the month. Mrs. Yerger said it's only a week later and would give time to talk to the consultant and bring back the information. Mrs. deLeon said this could go on the Council agenda for September 2nd.

Mrs. Huhn asked Mr. Johnson if the bucket was also black. Mr. Johnson said yes it's black. He should have pictures of that by Friday. The way the plant is set up with COVID, they only allow someone to go in the plant on Fridays to get the photos. That's not just our truck, it's any of the trucks out there and they then get forwarded to the customer. It won't have the Chevron on it at that point as we have a fellow that we hire that does all the lettering for us. Just to Priscilla's point about the fog lines on the side of the road, you can't even compare the two. The fog lines are just paint, the reflective material that is on the ladder is top of the line and it pretty much glows in the dark. Mrs. deLeon said thank you, she'll wait to see what the consultant says.

ROLL CALL: 5-0

2. STEEL CITY FIRE HOUSE GRANT – ADDITIONAL ASSISTANCE WITH AFG GRANT

Mrs. Yerger said Council previously approved engaging a grant writer to assist the fire companies with their grant submissions. Lower Saucon Fire Rescue had already completed a number of submissions and did not feel they needed the assistance at this time. They deferred the use of the grant writer for Steel City's use. Steel City has been awarded a \$66,700 AFG grant for air packs with the assistance of Firehouse Grants, which has provided an additional cost estimate to aid with the implementation of the grant requirements. The AFG implementation services would include:

- Advise client on procurement process
- Calculate and submit payment request
- Prepare semi-annual progress report
- Prepare semi-annual federal financial report (SF-425)

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- Advise client on the use of excess funds
- Prepare amendment requests as necessary
- Prepare closeout report

The fee to provide the above services is \$1,000. Mrs. Huhn said we discussed this at the Fire Services meeting and since it's a substantial grant, we thought it would be a good investment into assisting them with all these additional services.

Mr. Banonis said that's a nice return for \$1,000 and you get \$66,700. Mrs. Yerger said you have to manage the grants and use the criteria they want.

MOTION BY: Mr. Banonis moved to approve the additional grant services in the amount of \$1,000 provided by Firehouse Grants to complete the award requirements for Steel City.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

Mr. Carocci said there's an updated timeline that the LS Fire Rescue and Steel City will merge and that is April 2021. He wants to thank them for updating the timeline and working hard to get the merger done. Mrs. deLeon thanked everyone for working together and accelerating the schedule and accomplishing this. It's a long time waiting.

F. CREEK INVESTORS LLC – 2105 CREEK ROAD – CITY OF BETHLEHEM – REZONING REQUEST

Mrs. Yerger said the Township received notification from the City of Bethlehem that they have received a request to zone 2105 Creek Road and Friedensville Road from Rural Residential District (RRD) to Residential Retirement Complex (RRC) District.

Attorney Treadwell said just to clarify that this was the last one they asked for, this time they are asking for variances as the rezoning request was denied. Mrs. deLeon said the zoning thing was denied, but then there are variances. Attorney Treadwell said because they didn't get the zoning request approved, now they are asking for variances so they can do what they wanted to do in the district where they are not allowed to do it. Mrs. deLeon said was that in a letter that we got? Mr. Banonis said yes the letter of August 7, 2020. Mrs. Stauffer said she would think we are positioning ourselves in the same way, the variances versus rezoning is kind of like apples to apples. Mrs. deLeon said our concerns would still be the concerns we had before, so we need to support what we sent in the prior letter and do another one.

Mrs. Yerger said Leslie had a real good idea. After the hurricane, there were pretty frightening pictures and they should be included with the letter. Mrs. deLeon said they were all astonished at what the tropical storm did to us. Mrs. Yerger said a picture speaks a thousand words and these will. If anything is going to make an impact to the City, these pictures will.

Mr. Banonis said last time when this was up for rezoning, did we approve Linc to participate in the meetings that the City was having to state the Township's position. Attorney Treadwell said you did and he had a conflict that night so Attorney Elliott did it. Mr. Banonis said to the extent we want to maintain the same position we maintained all along to the rezoning, do we want to include Counsel as part of the Township to state Council's position in that way any meetings that may coming up. Mrs. deLeon said she would like to see that if Attorney Elliott would like to do it as he was there for the first time and just follow through.

Mr. Carocci said he thinks a letter with the pictures is sufficient. He asked Leslie prior to the meeting how much it costs and it cost the Township about \$1,700 for Mr. Elliott to attend the meeting. He stated a position and we are simply restating in a letter and our position hasn't changed, and he doesn't know if another \$1,700 to attend a meeting is the best use of taxpayer's money. Mr. Banonis said he agrees, so we are just reinforcing it and a letter might be more appropriate than having Counsel there. Mrs. Yerger said maybe we can make sure the press gets a hold of those pictures.

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Mrs. Huhn said we can also reference in the letter that we did have representation at the last meeting and he spoke on our behalf. Mr. Carocci said which would be in the minutes of the meeting and we can reference where he spoke. He's probably going to say the same thing and we are going to pay him \$1,700 to repeat the same thing. Mrs. deLeon said that's a good idea with the minutes and he's saying it again on paper.

MOTION BY: Mr. Banonis moved to authorize the Township Manager to draft a letter on behalf of the Township maintaining the same position which was set forth in regards to the efforts to rezone 2105 Creek Road and to also include in that letter the photographs showing the conditions of flooding following the tropical storm earlier this month.

SECOND BY: Mrs. deLeon
She said if we send them all this information, it really needs to get written and read into the record as it's a hearing and she doesn't want the paper shuffled somewhere. They may not read the letter, and we need more of a guarantee. How do we do that? Mr. Banonis said he would hope that any entities that are participating in that meeting who are opposed to it, whether it's the City and City Solicitor, a citizen's group, the neighboring residents, whoever it may be, would cite to that letter any comments they would be making in opposition. Mr. Carocci said can we request in the letter that it be read at the meeting. Mrs. deLeon said yes. Mr. Carocci said or one of us could log on to Zoom and read it. Mrs. Yerger said yes, maybe we should. Mr. Carocci said any volunteers? Mrs. Yerger said September 15th.

Mr. John Vivian, resident, said you were kind enough to send Charles Elliott, and Mr. Vivian has all the information you need. He prepared a complete packet from the HOA and Brian Monahan submitted that for him as he's on the Board and they are located right across from the property that they want to develop. As far as your concern of pictures, if you all go on www.savecreekroad.org there are zillions of pictures and videos that shows Saucon Creek from the Grist Mill to 100' wide going down through this guy's property and you can kayak through it. We're giving them all that. There's two things going on. He has requested a hearing in front of City Council on September 15th, even though the Planning will not recommend it. We are already on record with the stuff Charles did on your behalf and under the MPC, if you state in your letter to them that you want to be listed as an objector, you get the same rights the applicant gets. If you're just someone from the audience commenting they give you five minutes. Originally they were planning on having Mr. Atiyeh and all his witnesses live and allowing us as participants and objectors by phone. He will be there as an attorney representing the HOA and the petition is now up to over 500 signatures and many of them are LST residents. They are going to have to figure out some way to hold this where they balance that because as an objector when you state you are an objector under the code, and you send the stuff out, on the August 26th hearing should go to planninginfo@bethlehem.pa.gov and it's addressed Craig D. Pfeiffer who is the Zoning Officer in charge of things. Anything that goes to the City should probably go to the Solicitor, copy to the Council President as well as the Mayor. Our records are already of record at the P/C, so it will be record again. He just finished drafting a letter and it incorporates all the stuff we did before and it also specifically addresses the variance issues to which is different than a rezoning issue. What's different is he's applied for a use variance. He bought the property for \$215,000 in 2018 and then by December 2019, he submitted on Zillow and other places a price of \$799,000 for this place and what it had was a sketch of what he's trying to do which is a scaled down project of essentially ten homes. In order to do that, he has to cross driveways and one of the hallmarks is you can't create your own hardship. You have to prove an unnecessary hardship because of the way it is and he doesn't really have a hardship. What he wants to say is he wants to make \$500,000 by selling this pipe dream of selling ten homes inside the flood zone. He's taken care of all that legal work so it really isn't necessary. He did alert Mr. Elliott of the September 15th meeting because that's a continuation of the Planning Board thing and that's where he's still trying to get the apartment buildings. He thinks what the plan may have been is distracting us by going to City Council, but that's not working. Mr. Banonis said is it fair to expect you are going to participate for the HOA at the August 26th and September 15th meetings? Mr. Vivian said he will at both of them and www.savecreekroad.org is also participating. Mr. Banonis said if we send a letter into them, you

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would raise that letter to the attention to the decision makers participating at both of those meetings. Mr. Vivian said if you could send him a copy of the letter, he'd be happy to do that and he will make it part of his record. In his packet last time, he had your letter and Hellertown's letter opposing the last project. You have to make this stuff of record and if you don't, and they do something foolish, you go to the Common Pleas Court, you can't introduce your stuff then. You must insist that you are there as an objector and that this is part of the record. Mrs. Stauffer said if we didn't have someone representing us at the meeting and just had a letter, would we give up the right to appeal any variances. Mr. Vivian said you don't give up the right to appeal, what happens is whatever you put in the record and in your letter, you will be limited to those issues when it gets to the Common Pleas Court. That's his understanding. Linc's your Solicitor and he thinks he will agree with him and Jason's an attorney also. Mr. Banonis said he'll amend the motion he made. Attorney Treadwell said we are actually objecting to the variances.

MOTION BY: Mr. Banonis amended his previous motion and said he'll suggest we have the Township Manager draft a letter to the City of Bethlehem identifying us as an objector to the proposed rezoning and also citing to the reasons and history that's set forth in the minutes from the prior objector opposition we made, with regard to rezoning variances, and have it read into the record

SECOND BY: Mrs. deLeon amended her second

ROLL CALL: 5-0

Mrs. deLeon said this letter will cover both meetings on August 26th and September 15th. Mr. Banonis said yes.

G. REPORT ON TROPICAL STORM ISAIAS

Mrs. Yerger said the Township Manager will provide Council with a report on how Tropical Storm Isaias impacted the Township. Mrs. Huhn said there is a report from Chief Barndt with all the flooding issues they reported, the hours they worked, and the officers that were on. Ty Johnson also provided her with the Emergency Services they were called out on. After the storm, she held a debriefing meeting with Chief Barndt, Bryan Evans, Roger Rasich, Gary Kichline and Cathy Gorman. They discussed the damages and responses by all our departments and Emergency Services. They reviewed how they prepared for the storm, as we always do, which went very well as we've been through these before. We also discussed how we could enhance our operations for future events. In doing that, she contacted Cathy Hartranft and suggested we hold a meeting with them to continue our coordination efforts with their Public Works and Emergency Services. She's also going to request a PennDOT representative join us when we are able to schedule that meeting to see how we can work with PennDOT in situations like this because a lot of the flooding occurs in our areas, on our roads, we can take care of that but we would really like to find some kind of detour or alternate emergency routes and those would entail working with PennDOT. We're not sure what they would be but to include PennDOT in it would hopefully open things up that we could try and find ways around for people who are going down these flooded roads and turning around and just creating dangerous situations. After the storm, HEA went out and inspected all of our bridges and several areas and roads that were flooded to see how they fared through it. They also applied for emergency permits on our behalf. She's pleased to say that Brien informed us they were successful in getting our emergency permits. We will need to formulate erosion and sedimentation control plans which Roger is reviewing right now and as soon as he reviews those, see what we need to do, we'll be working on Sanbrook to get that open, which should clearly be a quick fix once he has all those plans in place. We'll have more information when Roger looks at those and then comes back to what we are going to be doing out at Reading Drive as there was road damage there where the road actually lifted. We'll have to repair that and won't be much of a problem. Brien also said we were able to get our emergency permits for the culvert replacements out there, which will also help in these situations.

Mr. Banonis said he wanted to thank her and everyone in the Police Departments and everybody in Fire and Rescue as he thought the handling of the crisis was tremendous. It really was a bit of a surprise for everyone, the volume of water we got and how quickly it came up. Fortunately there

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was no loss of life; there was some property damage, but that's what Mother Nature does. He thought Leslie did a great job and extended that to Cathy Hartranft at the Borough as well. There was great coordination between the two of you to really be on top of things, so thank you for that, and he's saying that as a taxpayer and not as a Council member. Mrs. Huhn said it was a great coordination and we all really worked well together.

Mrs. deLeon said she's following up on what Jason said. She asked if the school district might be interested in partnering with this effort with PennDOT. They do have their own facilities they have to take care of. Mrs. Huhn said she'll reach out to them.

Mr. Banonis said with regard to the bus routes, that may also be important. Mrs. Huhn said good idea. Mrs. deLeon said then we'll have something to report under roads at our Partnership meeting.

Mrs. Yerger said congratulations and thanks, she worked that day and went through multiple municipalities and we were much better than a lot of them. Kudos to our road crew, the police and our Emergency Services, and you too especially, Leslie. Mrs. Huhn said she'll pass that on.

H. DISCUSSION REGARDING STORM WATER REGULATIONS

Mrs. Yerger said Council Member deLeon would like to discuss Storm Water Regulations in Lower Saucon Township.

Mrs. deLeon said she did request this to be on the agenda, but that was before she knew what Leslie was doing behind the scenes. She said to Leslie we need to do something. The storm was devastating to the residents with their property damage and she thinks it was the worst storm she can remember. She is glad to hear about the pending meeting and is there something else we can be doing to help. She knows we are always going to be getting storms and they are probably going to be getting worse now. You hear about people being flooded out and the waters go down and then they go back in their house, is it safe. Is there anyone that inspects the safety of their house to see if there was any structural damage with these waters? They were torrential waters racing through everywhere. She saw pictures of Creek Road and you look at those pictures and it's just amazing. She is reaching out to our staff to see if there's something else we can do.

Mrs. Huhn said we have been posting a lot of information that the County is seeking information in order to assist people, so that has been coming into the Township and we have been forwarding it out to the right people and getting residents in contact with anyone who can assist them. That is still open and ongoing. If anyone needs any assistance, they should contact us and we'll direct them in the right way.

Mr. Banonis said to Mrs. deLeon's point, he's wondering if in our next Council newsletter that goes out to the residents, maybe we could provide a reminder about the hazards of floodwaters in sweeping vehicles and people away. That didn't happen here, but in Upper Saucon it did. He knows Fire and Rescue were trying to shut down the various bridges depending on water levels. We can never predict when these storms will occur and how high the waters are going to be, but at least putting out that message it sinks into someone and prevents them from putting themselves in a hazardous situation.

Mrs. Huhn said absolutely, we're preparing a newsletter right now. Mrs. deLeon said when we had Ivan it happened in a flash flood and the devastation it did to downtown Hellertown. Before that, people had sheds in the riparian buffer and they had things where they weren't supposed to put things. People don't know and they need to be educated so that there isn't further damage downstream.

Mr. Banonis said as he recalled when Ivan occurred, there was a dumpster that went down Silver Creek and blocked all the water at the dam and created all the problems at the hardware storm and

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downtown. It also might be good to put a reminder about keeping things out of the riparian area so those things don't flow downstream and create a damaging situation which worsens the flooding for everyone else. Mrs. deLeon said she went down to see the Meadows Road Bridge and there was this big log in front of the two arches. It came from somewhere.

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF JULY 22, 2020 COUNCIL MINUTES

Mrs. Yerger said the July 22, 2020 Council minutes are ready for Council's review and approval.

MOTION BY: Mr. Banonis moved for approval of the July 22, 2020 Council minutes.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

B. APPROVAL OF JULY 2020 FINANCIAL REPORTS

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

MOTION BY: Mrs. deLeon moved for approval of the July 2020 Financial reports.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

VII. COUNCIL & STAFF REPORTS

A. MANAGER - Leslie Huhn – No report

B. COUNCIL

Mrs. Yerger – No report

Mrs. deLeon

- The Dewey fireworks are Friday, August 21st at 9:30 p.m.
- She attended the Landfill meeting on August 13th and the quarterly meeting on August 18th. There are still odor complaints going on at Steel City and Applebutter Road and they continue as well as noise issues.
- Wednesday, September 9th is normally our Partnership meeting, but in the beginning of the year, prior to COVID-19, we realized that it was conflicting for a Chamber event for their Municipal Leaders reception and Hellertown always went to that and we tried to support the Chamber. When we saw there was a conflict, we were going to cancel the September 9th meeting. They have now scheduled the reception for September 9th from 5:00 p.m. to 7:30 p.m. at the Steel Club and it's going to be outdoors. If there's anyone out there who would like to go to this reception contact the Chamber.
- Tomorrow morning from 8:00 a.m. to 9:00 a.m. the Chamber is sponsoring a Superintendent Series report for the Saucon Valley and Southern Lehigh School districts. It's a great opportunity to get a first-hand look at the 2020-2021 school year from our Superintendent. If you want to register, the Township has it on their website.
- She found out Hellertown Borough cancelled all their activities until October 31st, so the parade is cancelled and the September Music in Dimmick Park is cancelled.
- The PennEast pipeline, has five tasks they have to do. They have to get the Supreme Court to take up the case State laws to the State of NJ, they must win their argument before the Supreme Court, they must gain approval from the NJ DEP, they must attain a permit docket from the DRBC, and they must prevail in the pending case that awaits them in the third circuit.

Mrs. Stauffer

- She said the library met at the end of July. There is awareness that that deep State cuts are coming and the library is concerned about those cuts.
- She has been in touch with some residents on Easton Road in terms of what is going on with potential developments. Hearing from them about a lack of action, she doesn't know if there's anything we can do to support the residents over there with some of the stuff going on over on the Bethlehem side. Mrs. deLeon said she was going to bring up under her report, if Council is willing, we can maybe send a letter to the City of Bethlehem as the expansion of the warehouse property was just on the P/C agenda on Thursday night.

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She had a conflict with another meeting and she got the tail end before the Landfill meeting started and residents are not happy out there and if there is something we could at least address in a letter to the City, maybe that would be helpful. She was going to ask that we send a letter asking the City to address the existing noise, lighting, garbage flowing off site, the increase in truck traffic, and there's more things. Jim was on the call so he heard a lot more concerns. That's something we can do to maybe intercede and maybe they'll address some of those issues.

MOTION BY: Mrs. deLeon moved to send a letter to the City and include the above issues mentioned and other issues if there are some she missed.

SECOND BY: Mr. Banonis
Mrs. Stauffer said that's excellent, she knows residents aren't happy and they think at least sending this letter is a start to voicing their concerns. Mrs. deLeon said she doesn't know when their Council meeting is, so someone has to check on that.

ROLL CALL: 5-0
Mr. Carocci said how much State aid does the library get now, and what did they get this year. Mrs. Stauffer said she would have to look that number up. Mrs. deLeon said the contract is prorated so Hellertown and Lower Saucon pay the same rate and it's based on our population. Mr. Carocci said he knows what we pay, he was asking about the State aid. He wanted to know how much they get on a yearly basis.

Mr. Carocci – No report

Mr. Banonis – No report

C. SOLICITOR – No report

D. ENGINEER – No report

VIII. PUBLIC COMMENT ON NON-AGENDA ITEMS – NON-RESIDENTS ONLY – None

IV. ADJOURNMENT

MOTION BY: Mr. Banonis moved for adjournment. The time was 8:13 p.m.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President