

**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. Jonah Beers Eagle Scout Project

**III. DEVELOPER ITEMS**

- A. Regina Du Minor Subdivision – 1953 Leithsville Road – Preliminary/Final Approval

**IV. TOWNSHIP BUSINESS ITEMS**

- A. Quarterly Township Landfill Consultant Report
- B. IESI – Martin and Martin Traffic Report Discussion
- C. BRE – Discussion Regarding Periodic Review
- D. Homy – Puggy Lane – Request for Road Vacation
- E. PennEast Pipeline Update
- F. Request to Authorize Advertisement of Bids for Fencing & Landscaping at Steel City Park
- G. Saucon Rail Trail Oversight Commission – Sherwin-Williams Offer to Paint Bridge Railings
- H. RFP for Police Study – Selection of Finalists

**V. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of August 17, 2016 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: September 12, 2016  
Next EAC Meeting: September 13, 2016  
Next Saucon Valley Partnership: September 14, 2016 @ HB  
Next Zoning Hearing Board Meeting: September 19, 2016  
Next Council Meeting: September 21, 2016  
Next Planning Commission Meeting: September 22, 2016  
Next Saucon Rail Trail Oversight Commission Meeting: September 26, 2016 @ UST

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday September 7, 2016 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; Sandra Yerger, Vice President; Priscilla deLeon and Donna Louder, Council Members; Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Judy Stern Goldstein, Township Planner; Kevin Chimics, Township Engineer. Absent: Glenn Kern.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE):** Mr. Horiszny said Council did not meet in Executive Session this evening. Attorney Treadwell said we just received a fax of the appraisals for the properties affected for the Black River Road project. He would like to have an Executive Session after the meeting to discuss 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 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/HEARING**

**A. JONAH BEERS EAGLE SCOUT PROJECT**

Jonah Beers was present and gave an overview of his project which was reviewed by the Parks & Recreation Board who recommended approval. Mrs. Huhn said there is money in the budget under contribution items; Mrs. deLeon said this is a wonderful idea. She asked Jonah if he would consider talking to Lowes and see if they may make a contribution. Jonah said he would speak to them and will start within the next few weeks.

**MOTION BY:** Mrs. deLeon moved for approval of Jonah Beers Eagle Scout project as discussed above.

**SECOND BY:** Mrs. Yerger

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

**III. DEVELOPER ITEMS**

**A. REGINA DU MINOR SUBDIVISION – 1953 LEITHSVILLE ROAD – PRELIMINARY/FINAL APPROVAL**

Justin Vassie was present from Terraform Engineering representing the Du's and said they are trying to receive subdivision approvals. They received review letters from HEA and B&J and most of those items have been addressed. He reviewed five of the waiver requests which were in HEA's draft motion dated 09-07-16. He stated it's a shared driveway. Mr. Chimics said they had no comments.

**MOTION BY:** Mrs. Louder moved for conditional preliminary/final approval based on Hanover's draft motion dated 09/07/2016.

**SECOND BY:** Mrs. deLeon

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

**IV. TOWNSHIP BUSINESS ITEMS**

**A. QUARTERLY TOWNSHIP LANDFILL CONSULTANT REPORT**

Mr. Jim Birdsall was present. The meeting of the Technical Consultants was held on August 16, 2016. He said as progress is being made, it sometimes occurs after the quarter ends so they are adding a comment section which says "recent developments" which brings them more up-to-date.

He stated that the MSE wall is continuing to be built; Ms. McNemar reported the out-of-state waste in the 2Q16 is still about 50%, but the average daily volume has gone down to 753 tons per day versus the permit limit of 1,375 tons per day.

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The BRE plant is back on line as of July 6, 2016 with a couple of starts and stops with the flare and the BRE gas generator. There was some ballooning due to accumulation and trapping of landfill gas underneath, but stopped when all systems were in operation.

A letter was sent to DEP regarding the methodology of joint testing on Surface Emission Monitoring; DEP and IESI are much closer together than they were before on testing methodology. The presence of methane is recent and will be monitored. Mrs. deLeon asked if they were in the same or random places – Mr. Birdsall said two were on the south side and one on the north side. He did not know if they were in the same spot every time.

DEP has responded to the Township's request and is requiring IESI to sample additional wellheads and crack locations that may not fall in a standard grid for the SEM and the instrument to do the recording must be held 2" to 4" from the surface of the point being measured.

Mrs. Louder said regarding the June 6, 2016 letter from Council to DEP it states the existing flare capacity is adequate for projected gas generation. Is that with the consideration of BRE in place or without BRE in place and is the SE realignment part of that consideration? Mr. Birdsall said they believe the existing flare capacity is adequate right now, but also believe the plan has to change and we have to have details for the expansion before it's approved. Mrs. Louder had concerns about the flare not running at full capacity and asked where is the back-up? Mr. Birdsall said there is some redundancy in the blowers, but if more than one blower goes down, he's sure the system would be overtaxed and we can see a little bit of the overtaxing anytime there's ballooning which means it's not pulling as much as it should. They can take a look at that and report back to Council if DEP should actually try to provide redundancy to the redundancy.

Mrs. Louder said another concern is in the plans for the SE Realignment, there was never a flare mentioned. Mr. Birdsall said that's a very large concern of theirs and has been reported to DEP on the expansion as well as the placement of blowers and the lateral extension on which they must pull gases over to the flare in the first place seems to be a pretty major tax on the system.

DEP has not approved the plan yet for the expansion. Assuming we get the letter tomorrow that the planning has been approved, there's a whole other round of technical review that will occur that we'll get to see what they are doing with the gas management system.

Mr. Birdsall reviewed the leachate management and detection zones and said there were concerns in the LMC-8 detection zone; the new management at IESI said that they are actively investigating the higher flows at LMC-8. Mrs. Louder said if we don't have answers on what the issue is of the possibility of a tear in the liner, how is that going to play out as far as piggybacking and other intricate details underneath the landfill, like the piping and the gas and the groundwater and everything else? Mr. Birdsall said he can't answer that. Mrs. Louder said post-closure is like the bottom line she would be concerned about.

Mr. Birdsall reviewed the operational changes with Waste Connections and reviewed all the key personnel at IESI. Mr. Birdsall said as the landfill approaches it's completion of filling, DEP requires that the final cap be put over the most recently disturbed area. Council doesn't have to act on this right now.

Mrs. Louder had concerns about them just walking out before the landfill is final capped. Attorney Treadwell said the way the regulations read is they are required to cap it. If they disappear, the bond is there. The company who bought it out is a fairly large company and if they go away, DEP is going after that company.

**B. IESI – MARTIN AND MARTIN TRAFFIC REPORT DISCUSSION**

Mrs. Huhn said pursuant to the conditions of the ZHB, Martin and Martin submitted the engineering study for Applebutter Road. Since this is a PennDOT road and partly in Bethlehem,

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does Council want to send the recommendations to the City of Bethlehem and PennDOT for their review comment? Mrs. Louder said there was just an accident on August 30<sup>th</sup> on Shimersville Road in the Bethlehem city portion, so definitely get the city involved.

**MOTION BY:** Mrs. deLeon moved to direct the recommendations be provided to both the City of Bethlehem and PennDOT for review and feedback.

**SECOND BY:** Mrs. Louder

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

**C. BRE – DISCUSSION REGARDING PERIODIC REVIEW**

Mrs. Huhn said at the June 1<sup>st</sup>, Council meeting, a motion was made to authorize the landfill technical consultant committee to review the information on BRE as it relates to the landfill in their site plan approval. Mr. Birdsall provided a summary to Council. Money was not budgeted in the 2016 budget for this, so would Council like to set a cap for the scope of work to be done.

Mrs. Louder said since there is no host municipal agreement with BRE, can't we initiate one and just write them a letter asking if they would be interested in setting up some kind of inspection schedule with us? Attorney Treadwell said maybe the first step is to have the Manager or Jim Birdsall sit down with Exelon and have a discussion on what they are going to do and how can we work together. Mrs. Huhn said they can reach out to them.

Mrs. Louder said that would be the first step before we would initiate this, then we would have some backing whether or not how detrimental they are. She knows the DEP only does certain inspections at BRE. Maybe Leslie and Jim could sit down together with Exelon and just talk. Mrs. Huhn said they could discuss this with Exelon before the next meeting and include Chris Taylor in the discussions. Mrs. deLeon said have we been getting their DEP inspection reports on a routine basis? Mrs. Huhn said she thinks we got them on time, and we can discuss that in the conversation.

**D. HOMAY – PUGGY LANE – REQUEST FOR ROAD VARIANCE**

Mr. Scott Mease from Mease Engineering, Mr. Hoday, and Mr. Birk were present. Mr. Mease said Mr. Hoday is buying a piece of land from Mr. Birk and looking at the survey of the properties. There's a piece of property that separates Mr. Birk into two pieces and that's the old section of Puggy Lane that's no longer in use and reverting back to grass. One of the conditions the P/C is placing upon them is asking them to clean up that section of the road that still remains and revert it back to a lawn area.

Mrs. Louder said she had a hard time figuring out what piece we are looking at. Mr. Mease showed a map and explained what they are looking at. Mr. Horiszny said it hasn't been vacated already? Attorney Treadwell said it's just a question of cleaning it up. Mr. Mease said other than the one little section on Route 378, that's the only paperwork they could find that was being vacated.

**MOTION BY:** Mr. Horiszny moved to authorize preparation of advertisement for a public hearing of an ordinance and notification of surrounding property owners, as well as Lower Saucon Authority and Township departments.

**SECOND BY:** Mrs. deLeon

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

**E. PENNEAST PIPELINE UPDATE**

Mrs. Huhn said the Delaware Riverkeepers Network notified Mrs. deLeon that DEP issued a notice on August 27<sup>th</sup> in the PA Bulletin seeking comments regarding the PE Pipeline. Mrs. Huhn contacted Attorney Elliott who looked into it and compared the original notice from DEP with the recent August 27<sup>th</sup> notice and said they are identical except for some editorial changes. The deadline is September 26<sup>th</sup> for comments. Mr. Horiszny said we should put notice on our website if citizens want to make additional comments.

**F. REQUEST TO AUTHORIZE ADVERTISEMENT OF BIDS FOR FENCING & LANDSCAPING AT STEEL CITY PARK**

Mrs. Huhn said bid documents have been prepared for this work and we are asking for Council's approval to advertise the bids. The parking lot and basketball court is now being installed and the tot lot is scheduled to be reinstalled.

**MOTION BY:** Mrs. Louder moved for approval to advertise bids for fencing and landscaping at Steel City Park.

**SECOND BY:** Mrs. deLeon

Mrs. Blean from Steel City had concerns on who was going to maintain the landscaping once the park was in? Mr. Horiszny said he's sure it will be Public Works. Mrs. Huhn asked if the shrubs need maintenance at Steel City Park? Ms. Stern Goldstein said none of the shrubs will need to get cut back and shaped and there should be minimal maintenance. The perennials will reseed themselves.

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

**G. SAUCON RAIL TRAIL OVERSIGHT COMMISSION – SHERWIN-WILLIAMS OFFER TO PAINT BRIDGE RAILINGS**

Mrs. Huhn said these are railings that are on the Rail Trail in the Mill Race area. Sherwin-Williams contacted Mr. Jurczak and said they will provide the labor and materials free-of-charge and will paint the railings. She showed Council some pictures of the railings. Mrs. deLeon said maybe we can do a resolution thanking them. Mrs. Huhn said we would.

**MOTION BY:** Mrs. Louder moved to approve the offer presented by Sherwin-Williams.

**SECOND BY:** Mr. Horiszny

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

**H. RFP FOR POLICE STUDY – SELECTION OF FINALISTS**

Mrs. Huhn said Council authorized the RFP and it was sent to approximately ten firms and we received seven RFP's in return. The next step would be for Council to choose finalists and she will interview by phone and bring that information back to Council on September 21<sup>st</sup> for an award.

Mrs. Louder said she is asking to have CGR, Matrix, McGrath and Novak be interviewed. Each of these offer a little bit of difference and all seem to be great. She feels the most comfortable with CGR. Mrs. Yerger said she liked Matrix, had some reservations with Novak, but they might be worth pursuing. If she had to rank them, she would like Matrix, McGrath and then Novak.

Mrs. deLeon said she saw the website for CGR and wondered why we couldn't do our own questions and answers on the website, why do we have to pay them to do it. That might take the cost out of it. Mrs. Yerger said she thinks it can be accomplished with a lesser price.

**MOTION BY:** Mrs. Louder moved for approval to contact candidates and conduct phone interviews with Novak, McGrath, Matrix and CGR.

**SECOND BY:** Mrs. deLeon

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

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF AUGUST 17, 2016 COUNCIL MINUTES**

Mrs. Louder said she would appreciate if everything she said is in the minutes. Mrs. deLeon said the minutes should be relooked at as she goes back and looks at them now and they don't say anything. Mr. Horiszny said what they are now are accurate and proper and we're trying to vote on these particular minutes.

**MOTION BY:** Mr. Horiszny moved for approval of the August 17, 2016 Council minutes, with corrections.

**SECOND BY:** Mrs. Louder

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

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**VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

- Mr. Gordon Gress asked if the Black River Road project would move forward this year. Council said possibly.

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER** – No report

**B. COUNCIL/JR. COUNCIL**

**Mr. Kern** – Absent

**Mrs. Yerger**

- She said the Apple Fest is on October 1, 2016 at the Lutz-Franklin Schoolhouse and this year they are giving hay rides in the Woodland Hills preserve.

**Mrs. deLeon**

- She received two phone calls from County 9-1-1 and Altronics regarding an alarm from Heller Homestead. They were ready to break down the doors. They talked about a Knox Box and she would like the Township to see how much it will cost and install it ASAP.

**MOTION BY:** Mrs. deLeon moved to have the Township find out how much a Knox box would cost and get it installed ASAP.

Mrs. Huhn said we did send a letter back in July 2014 to PHMC stating we would be attaching a lock box to a steel bollard; she'll have to look and see why it wasn't installed. Mr. Jurczak said you should talk to Roger Rasich and see why they are waiting. Mr. Horiszny said we need to call the alarm company and give them the correct names to call. Mrs. deLeon said we need it ASAP. Mrs. Louder said why don't we just give a key to the fire company. Mr. Jurczak said it has to do with the security. Mr. Horiszny said we need to call the alarm company and give them the chain of command. Mrs. Huhn said she will check with Altronics and will also try to get the Knox box put up.

**SECOND BY:** No second

- She stated she missed two Council meetings because of surgical procedures.

**Mrs. Louder**

- She thanked the road crew for working on Steel City Park.

**Mr. Horiszny**

- He had a request about the Polk Valley Road house that may be for sale, which he'll bring up at Executive Session.
- He said the LSA is prepping for the 378 crossing, which they hope to accomplish by next month.

**C. SOLICITOR** – No report

**D. PLANNER** – No report

**E. ENGINEER** – No report

Council adjourned to Executive Session at 8:32 p.m. Council reconvened at 8:42 p.m. Attorney Treadwell said we discussed the acquisition of a piece of property and if you chose to do so, the motion would be to authorize Attorney Treadwell to negotiate the purchase of .273 acres of property currently owned by Saucon Valley Properties, LLC on the north side of Black River Road.

**MOTION BY:** Mrs. Louder moved for approval to have Attorney Treadwell negotiate the purchase of .273 acres of property currently owned by Saucon Valley Properties, LLC on the north side of Black River Road.

**SECOND BY:** Mrs. deLeon

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

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**VIII. ADJOURNMENT**

**MOTION BY:** Mr. Horiszny moved for adjournment. The time was 8:43 p.m.

**SECOND BY:** Mrs. Yerger

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

Submitted by:

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Leslie Huhn  
Township Manager

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Ron Horiszny  
Council President