

**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

- A. Lehigh Valley Chamber of Commerce Mayors' & Municipal Officials' Reception Event Recap

IV. DEVELOPER ITEMS

- A. Zoning Hearing Board Variance – John & Susan Blair – 3725 Old Philadelphia Pike – Proposed Subdivisions and Office Buildings

V. TOWNSHIP BUSINESS ITEMS

- A. Approval of 2021 Minimum Municipal Obligation for Uniform/Non-Uniform Pension Plans
- B. Seidersville Hall – Bathroom Renovations Bid Award
- C. Discussion on Multi-Municipal Comprehensive Plan Update
- D. Request from The National Association of Rocketry
- E. Authorization for Release of Final Payment to Gunton Corporation d/b/a Pella Windows for Window Replacement at Seidersville Hall

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of September 2, 2020 Council Minutes
- B. Approval of August 2020 Financial Reports

VII. COUNCIL & STAFF REPORTS

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

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

IX. ADJOURNMENT

UPCOMING MEETINGS

Planning Commission: September 24, 2020
Saucon Rail Trail Oversight Commission: September 28, 2020 @ 6:00 p.m. @ HB
Zoning Hearing Board: September 28, 2020
Parks & Recreation: October 5, 2020
Township Council: October 7, 2020
Environmental Advisory Council: October 13, 2020
Saucon Valley Partnership: October 14, 2020 @ 6:00 p.m.

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, September 16, 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; Tom Barndt, Chief of Police; Cathy Gorman, Director of Finance; Linc Treadwell, Solicitor; Brien Kocher, Township Engineer; Avia Weber, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did meet in Executive Session this evening to discuss potential land acquisition.

MOTION BY: Mr. Banonis moved for an appraisal for open space property, No. 2020-1 not to exceed \$3,500.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

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

Victoria Opthof, resident, said they did receive their autism sign in the front of their home and she wanted to thank everyone for their cooperation and for the other mom and future residents. She posted a picture on the Township website of herself and her son in front of the sign. Victoria Opthof said she also wanted to discuss the recent news we've heard about the application for the pavilion that went through for the Northampton County Republicans. She's seen some things about it and she has a lot of concerns. Not that they are renting the pavilion, anybody can rent the pavilion; however, they didn't disclose on their application that they were renting the pavilion to have people that are highly controversial, that already have brandished weapons in front of their own home and are charged with felonies and it seems to be encouraging people to come out with weapons. She understands the application goes through the office Manager without any kind of issue. They didn't disclose what was happening or who was coming or they were having a speaker that could bring some safety concerns plus we have the issue of COVID-19 right now which brings the question with all these people coming to hear a political rally, are they going to be wearing masks, are they going to be bringing weapons, are they having any kind of safety for that, or are there any rules in place for that. That's a big concern too, so it's not an agenda item; however, it's important to hear from Council what, if anything, you are going to be able to do to protect our Township with a bunch of people wielding weapons and not wearing masks and spreading COVID. She's also heard they want to have amplification and how there are people that are going to speak with microphones and that's not what our pavilion use is meant for. She's asking for an extension for another two minutes by the rules.

Mrs. deLeon said she doesn't have a problem with that. Mr. Carocci said he thought it was up to the President. Attorney Treadwell said he thinks that's what it said but he doesn't have it in front of him. Mr. Banonis said he thinks that's right. Mrs. Yerger said at this point, you've said a lot and she doesn't know how many other people we have behind you. She asked if Council wanted to address this concern.

Mr. Banonis said it's clearly been a topic that's drawn some attention and it's important for us to recognize that we are a community that encourages the free and reasonable unimpeded thoughts and ideas and that's what he thought and he hopes to continue that we are. The First Amendment allows freedom of assembly and freedom of speech and that includes a speech someone may disagree with, and also includes a speech that some may find boring. He's not sure what is so toxic about the McCloskey's. He understands they are both lawyers in good standing and highly accomplished in Missouri. They represent personal injury victims who specialize in traumatic brain injury cases. They've sworn an oath to uphold the law, the

**General Business & Developer Meeting
September 16, 2020**

constitution, and as he understand their circumstances, they simply stood there in defense of their home and person deterrent to a mob of 100 people who had trespassed in their neighborhood. These protestors were upset with the Mayor of St. Louis who disclosed the name to the protestors for an urgent defunding of the police. The McCloskey's are enjoying eating dinner outside their home and this mob smashes through their gate, which is posted as private, and they enter private property and there are arguments that ensure and the McCloskey's felt fearful about the threats. They never touched or assaulted anyone, never discharged any weapons and now they are being persecuted for their apprehension in defending themselves and exercising their rights.

Mr. Banonis said he would add others on this Council have attended and supported rallies for various other causes and he'd point out this is not a rally that is being proposed here, this is simply a rental of a pavilion and he knows one person on Council only a few months ago attended a rally in Hellertown that occurred on Borough-owned property with 150-200 people that attended; and not all those people are from the Borough or the Township. He recognizes some of those causes may not be acceptable by everyone, but that's their right and that's your right. What's taking place here is not a rally, it's a meeting, a private function taking place under a pavilion as rented by the Township pursuant to the Township rental policies and we've always allowed these events. There are weddings that take place, veterans meetings, birthday parties, etc. There may be some people who don't like marriage and we don't stop those events; some may not like the military or wars but we allow them to gather.

Mr. Banonis said it's also important to recognize the ruling that came out this week from U.S. District Judge Stickman, he said that Governor Wolf's actions on gatherings violated the constitution of due process and equal protection and the court found that the Governor's actions were arbitrary and an ad hoc process and in all respects, the Governor and Secretary of Health actions were unconstitutional. The suggestions and demands that we as a Council should somehow implement an ad hoc process to suppress free assembly flies in the face of that and it's very current. If we do that, we risk costly and timely litigation just because some people disagree with the guest speakers of a local political committee renting a pavilion for their own private committee people to meet. We are here as a Council to provide a local government. We're not here to be the language police for a private function that someone may disagree with and as much as some may prefer or hunger, we're not here to rule people based upon biased or political whims, and he hopes that clears the air for many people who may have comments on this as to what is taking place and how we as a Council and a Township have to act in accordance with the law. He would defer to Linc and the legal ramifications to that. This is just his understanding as a Council member.

Attorney Treadwell said he was going to give a little bit of background with everyone participating in this meeting knows exactly what occurred. The Northampton County Republican Committee filled out a form and sent it into LST. That form is a request for pavilion rental. When that form came in, he and the Township Manager had a discussion and he advised the Manager that the Township should treat this request as it would any other request from any other organization and that the Township should not look at it any differently than if it was the Little League who wanted to have a post-game party or someone who wanted to have a birthday party or a church party. We should treat this request exactly the same and on a content-neutral basis and that's what happened; and the Township should follow the pavilion rental policy that it has in place, and to the best of his knowledge, the Township followed that policy and the request. There's no permit, no Council action, it's an administrative action where someone requests to rent the pavilion. They are given a reservation and that's the end of it. At no time in the past have we ever asked people renting the pavilion, who is coming to your event and what are they going to say. That's not something that we ask. It's entirely possible that the Little League or the church picnic could invite the same people to speak and we'd never know it. The only reason we know that these people are speaking as it's been reported in the media and another municipality said no to them. As background, LST treated this request for rental just as it would anybody else asking for a rental and the request was granted and that's where we are. He will also say that the Police Department (PD), he and Leslie had conversations and the PD is fully prepared for anything that might occur, that's why we have a PD, and they are always ready for what might occur. We're not going to stop somebody from renting the pavilion because something might happen. That's not the right thing to do and nor does that follow the guidelines.

**General Business & Developer Meeting
September 16, 2020**

Mrs. Stauffer said thank you to Victoria for speaking. She has one point that is we respond to a resident while speaking and the timer is up on the screen, are we taking time away from them, should we let them speak for the full three minutes before saying anything or acknowledging their comments. She just wants to make sure they have their full time. The second thing is she hears Victoria's concerns that are just about general safety and well-being of residents, and it sounds like anyone who would be called upon potentially, like our PD, speaking to those safety concerns. Anytime we have a large public gathering, there is opportunity to be worried about safety. She also shares that concern, but she's curious how we are prepared for that and it may warrant that kind of discussion tonight to put residents minds at ease. She thinks those are the two questions she has, the first one is probably more for Council. The second is to acknowledge Victoria's concerns that were with the safety more than the content of the event was. She wanted to clarify the three-minutes and she doesn't think we should interrupt residents during their time.

Mr. Banonis said he doesn't think we have interrupted any residents but to your second point as to regard with safety, Linc has already indicated he had conversations with Chief Barndt. He doesn't know if we should be disclosing in a public forum exactly what Chief Barndt's plans are because that undermines Chief Barndt's efforts, which are good Police practices. Attorney Treadwell said the conversations we had with the Chief, and Leslie would agree, we are satisfied that the PD is fully prepared for whatever may happen. He doesn't think it was a good idea to explain the strategy, but the Chief is on this call and if you need him to confirm they are fully prepared, he's sure the Chief is ready to do that without disclosing the details as to how.

Mr. Carocci said you made a point to treat this application like every other application and that's what the constitution would require for gatherings under the First Amendment. On the application form, if somebody was charged with a felony or committed a felony and did serve their sentence and was out, they could apply for a pavilion permit and we couldn't deny that to them. They would have the right to rent a pavilion even if they were a convicted felon. Attorney Treadwell said correct, there's no restriction on the form. Mrs. Huhn said we don't request a Criminal Background Check. Mr. Carocci said everyone can rent as long as they follow the Township rules.

Mrs. deLeon said she is not opposed to any gathering or rally and if she does something Jason, you can say her name. She was at a gathering at the Black Lives Matters movement in Hellertown during the summer and she didn't see any incidents and she doesn't remember seeing that many people there. They went through all the permitting processes at the Borough. Again, she's not opposed to any gatherings or rallies, doing so would violate our rights, as long as everything is done to protect the Township and the residents. We have rules and regulations that are researched so we can protect our community. We do so with the pavilion rentals and the event application. In the past, requests for pavilion rentals with amplification, have been for functions, birthdays, anniversaries, weddings, fun things, picnics that involve food and she's always supported amplifications. She asked Leslie for some past copies of what was presented to the Township over the past couple of years and they always had a scenario of what they were doing. They are having a graduation party and there's going to be about 80 people there. We didn't get that with this, and the application doesn't even ask for a scenario. Maybe that's something the Township would like to look into and add that what they are doing, what kind of an event is it. Again, in her opinion this is an organized activity that is open to the public, all the others we approved something for the pavilion, they've been private gatherings, limited to family members, different organizations, but this is open to the public. It was publicly advertised on their Facebook page. The Township also has two forms that have to be filled out, there's a pavilion rental request and an event application request. In her opinion, it should have been the proper form, which should have been the event application because it says all organized activities involving the use or having an impact on a Township property, park, facility, sidewalk and it goes on, requires a permit approved by the Township. An event permit will only be issued when all permit requirements have been met and approved and all fees have been paid. That doesn't say that for the pavilion rental. It's pretty cut and dry with that and it needs to be looked at better. She'd like to know why the events form wasn't required instead of the pavilion request form which fits this activity better and Linc, as long as she's known you, you preach indemnification and hold harmless agreement. Here's an activity that the last page in this application for the events has the indemnification and hold harmless agreement in it. Are we asking them

**General Business & Developer Meeting
September 16, 2020**

to do that? We're having this rally, call it whatever you want, and opening it to the public, she doesn't care who is doing it or who is coming or not, that has nothing to do with what she's saying, but we have an event scheduled on our property tomorrow night and it's 7:30 p.m. and she's looking out her windows and it's pitch dark out there, this event is going on until 8:30 p.m. Do we have lighting up there at night? Mrs. Huhn said yes. When somebody rents the pavilion and they are renting it until 11 p.m. it gets dark at that time too but they have lights. Mrs. deLeon said that's good.

Mr. Banonis said as he understands it, it's not an event that is open to the public, it's a meeting to which there was an RSVP list that was maintained by the applicant. This is not a rally or parade or anything like that. It's a private function taking place under the pavilion.

Mrs. deLeon said she looked on the parties Facebook page today and there's clearly an event and there's clearly attending or not attending, or a maybe, and it's definitely an event and it's open to the public. She's not a Republican as you know and she had access to their Facebook page and if she wanted to go to that, as an American citizen, she would have the right to go to that. This event is public and do we really know how many will attend. She again asks why the event form required. There's two to three pages of it and it clearly asks about all kinds of things that have to be checked off and more importantly, please describe your procedures, not our procedures, your procedures for crowd control and internal security. It goes on with all kinds of other stuff. Can somebody tell her why wasn't this required of the applicant?

Mrs. Huhn said it didn't meet the criteria of what we have seen before in events. She's looking at one of the applications we received that requested amplified sound and they listed opening ceremonies, a moment of silence, closing ceremonies and that was just a pavilion rental. We did not make them fill out the Special Event form. That form asks if they are going to have vendors, if they are going to need to block off any of the Township property, so a pavilion rental is basically just that, they are just renting the pavilion. Nothing really triggered this as to are you going to have more of the criteria involved with the Special Event application.

Mrs. deLeon said she disagrees. The pavilion thing goes back to simple little get together and again, they all told us very nicely what they were doing. This application does not. So we don't really know that answer as they haven't told us. All we know is what's on the thing and it doesn't say anything so how can you even say that, it doesn't say it. It just says Northampton County Republican's Committee that it had 100 people, now there's 150 people. When she checked today, there might have been 239 people that were interested in attending. She wants a Plan B. We have these regulations in place because of the neighbors close to the park. We don't want to impose on them what's going on, the activities. That's why we have these rules in place, for their safety and protection. Is there going to be a bean counter here on how many people are coming in there, what about parking. She has the utmost faith in Chief Barndt in handling this should something happen but she's getting emails and phone calls today and they are asking her questions and she can't answer them. She's not really getting answers tonight. She really thinks that both of these applications need to be looked at and have revisions to them.

Mrs. Stauffer said how do we know the applicants are keeping track of attendance and that's there's an RSVP list, can anyone else plan on attending this or be involved in this in any way. Mrs. Huhn said we don't ask anyone who submits a rental request to make sure they count the estimated number of users that are attending for their summer games, fundraisers, church picnics, graduation parties. We don't require them to take a count. Mrs. Stauffer said Jason just mentioned that understanding, so she didn't know if he had some familiarity with the event, how do you know that? Mr. Banonis said he's looking at the Facebook page that Priscilla just mentioned and he sees that right now there are 61 people that are going. Mrs. deLeon said what about the maybes, you add them together, there's a lot more, like 230 people. Mr. Banonis said you can include 1.2 million people in the Lehigh Valley, but they didn't respond here. Right now there's 61 people who have committed that they are going.

**General Business & Developer Meeting
September 16, 2020**

Attorney Treadwell said he's going to go back to what he said earlier, which his advice to the Township to treat this like any other pavilion rental and we did look back and there have been 136 pavilion rental reservations in the last four years and we have never had this type of discussion about any of them.

Mrs. Stauffer said it's also the time of COVID-19 so we've never had to discuss an event like this. Attorney Treadwell said that's correct, we also made a decision to open the parks and rent the pavilions. Mrs. Stauffer said she was just responding to what Victoria mentioned and that was another concern she had. Residents are just worried. Attorney Treadwell said he thinks the requesting party has been advised that they should follow CDC guidelines. Mrs. Huhn said they were sent the PRPS Guidelines as well. Mrs. deLeon said if it doesn't happen, what's the enforcement? Attorney Treadwell said the same enforcement as we would do for anything else. He doesn't think our PD has issued any citations since the COVID-19 started for people who somehow violate the state rules that Jason pointed out are no longer valid at this time.

Jeanette Peterson said she had a lot of issues that were already talked about, but Linc you said we are going to be treating this like any other meeting. She goes to a lot of meetings and there's never any police there. She thanked Chief Barndt so much for him and his officers keeping us safe; and she hates that they are throwing them into harm's way when it is not necessary and she's so sorry. She thanks them so much for their service. We have elderly here. She serves our community and works in our community. She just can't believe who we are now. The community that she knows during all this pandemic, she works at a food bank and there were so many people who helped others. People who they didn't know, they gave what they could and when they didn't have enough they volunteered. We have a good, good community, please don't bring this hate to our community. We had enough hate, enough, please. There's a lot more she'd like to say but she hopes you hear her. She hopes you serve our community, she's not going to make it X and Y, Democrats, Republicans, she's not going to do that. Please serve our community, please keep us safe. We have a lot of vulnerable people in our community, please serve them, don't serve your own needs, serve our people, you are to represent us, please represent us. Thank you very much for all that served, Chief, thank you so much and she's so sorry you are put into this situation, this is not a normal meeting and you know it. Chief Barndt said he thanks her and he'll pass it on to the rest of the department when he sees them. He can assure her they are there for the community's public safety, that's the top priority here and they will take the proper precautions tomorrow, in the event there is a situation.

Mrs. deLeon said thank you Chief, she has a question on that ruling from the Courts. She doesn't think wearing masks was ruled unconstitutional. Chief Barndt said he has no official documentation on that. Mrs. deLeon said she thinks she's correct and that still would have to be enforced. Attorney Treadwell said you have to wear masks outside? Mrs. deLeon said she doesn't know. Attorney Treadwell said he doesn't remember the Governor saying you had to wear masks at an outside event. Mrs. deLeon said unless you were social distancing. Mr. Carocci said he was at a public event at the Lehigh Chamber of Commerce and some people on this call were there. It was outside, people had masks when they wanted to wear them, pictures taken with and without masks. He'd say there were at least 100 people there and it was a fun night and a fine gathering and there was no outbreak and people socially distanced as best as they could and wore a mask.

Mrs. Huhn said Victoria would like to speak again, but she'll give some other people a chance. Mr. Carocci said you don't get to speak again on the same topic. That's in the rules.

Ms. Sue Lucrezi thanked all of the LST Council members for your service but she is distressed as our elected officials don't know what the mask law, protocol, requirements or guidelines are. She finds that very disturbing, especially since we are going to be inundated tomorrow. Let's face it, it's going to be a crowd and you don't even know what the mask rules, so please find it out, that is your job as our elected officials to find that out before this gathering starts. She's also concerned about the quote "don't give away the playbook on the safety measures", we are not at war with each other, we are not opposing sides, we are residents of the community and we just want to know what the safety measures are being taken for our safety. So to come at it with that attitude is very disturbing to her. She's thinking wow, she thought we

**General Business & Developer Meeting
September 16, 2020**

were all on the same side, but you are saying we can't give away our secrets, she's sorry but that sounds like a Trumpian saying and that is disturbing to her. Our PD are great police and we've never had anything but good positive interactions with them and she commends them, but she doesn't understand this secret. How many police are going to be needed for this meeting, since you're calling it a meeting. It's just not the LST that she knows and she wants to see on the license how many people do they expect. You really don't put that on the license but she just hopes at this time tomorrow, plus a couple of hours, that it all goes well and she hopes the signs in front of her house are not torn down for Biden, Wild and Branco. That's her challenge, will they survive the people who pass by her house on the way to this gathering. Thank you LST Council members, do the right thing and find out the mask rule please and enforce it. Mrs. deLeon said the number on the application is 150. Mrs. Stauffer said it was originally 100 now it's 150.

Attorney Treadwell said he certainly didn't intend to imply we were at war or there's a secret, so he'll ask the Chief, to the extent that you feel comfortable, can you describe how we prepared for this. Chief Barndt said we have taken the precautions. We have an operation plan set out for tomorrow evening for the PD, increased staffing. He's been in contact with the NC Emergency Management as well as our Township PMA Director and we have a plan in place should there be any incident that would need police enforcement or action.

Mrs. Stauffer said regarding the mask policy, and she thought it was something we were all familiar with, according to the www.pahealth.gov, do I have to wear a mask both inside and outside. The Secretary's order requires individuals to wear face covering in both indoor public spaces and in the outdoors when they are not able to consistently maintain social distancing from individuals who are not members of the household, such as busy sidewalks, lines, entering a place or near others or anyplace where others are congregating, whether inside at a public place or outside and are wearing a face covering or not, everyone should social distance at least 6' apart who are not a part of your household. She said the ruling it seems like as long as social distancing can be maintained per this guideline at the moment.

Ms. Andrea Wittchen said she actually has two different issues. One was left over from last meeting and that was that Ms. Gorman said kindly she would create a one page Executive Summary basically for the 5-Year Capital Plan so that residents could see a concise understanding of how it was going to change and she's hoping we can still do that. She doesn't see it on the website yet.

Ms. Wittchen said on another subject, she's surprised that Mr. Banonis doesn't know more about who's coming to the process as you are the Vice President of the organization that is sponsoring the event, so if 61 are going and 200 some are interested, we all know that by Facebook, but unless somebody is handing out tickets, nobody is controlling the size of the crowd. Secondly, given the controversial nature of the gathering, who is going to foot the bill for any additional public safety officers if they are needed for crowd control or to keep the peace as the Police Chief said there will be additional officers on duty, will the sponsoring group be charged for that or will the Township be bearing the cost. Obviously, a \$50 deposit for the use of the facility does not carry the cost of increased police presence. Third, will the Township be enforcing the Township rules against any "posting or displaying any sign, banner or advertisement of a political or commercial nature" which is part of the rules? She'll also point out there's a conflict in wording on the issue on carrying firearms in the park, and so you might want to go back and fix that up. Finally given that Council's repeatedly stated concerns about how taxpayers money is spent and the needs to be good stewards of that money, and Mr. Banonis in particular has been very vocal on these concerns, why would the Township permit an event that would potentially cause damage to Township property and/or incur additional public safety costs when such an event could have just as well been held on private property putting the Township at no risk. This is not a First Amendment issue as some would have you believe, it's a liability and risk issue and she doesn't see that the Township is being particularly conservative on this matter and she also agrees with Priscilla, this is more an event than renting a pavilion. Mrs. Huhn said Mrs. Gorman is with us tonight and she does believe we have that on the website regarding the Capital Plan. Regarding Mrs. Wittchen's question regarding the political signs, that is in our Park Regulations and Rules that we do ask that everyone read and sign. This application did have that box checked and it says "I have read and acknowledged that I read the Parks and Athletic Use Policy" so she

**General Business & Developer Meeting
September 16, 2020**

would assume they read that portion about the political signs, so hopefully that addresses that. If she can just jump back and she doesn't believe Mrs. Wittchen stated this, back to the wearing of the masks, they were given as everyone who has rented the pavilion during this time of the pandemic, the PRPS regulations which says mask wearing is necessary so everyone is provided that information. She doesn't know if Chief wants to address people who don't and how we can handle that, but they are given all those guidelines with the mask wearing requirements.

Mrs. Gorman said she put the summary within the document, but she'll make sure that it's exported out and put on the website as a separate entity so it's easier to find. Mrs. Yerger thanked Leslie and Cathy.

Mrs. Huhn said on the firearms issue, it was created back when Mr. Cahalan was here, so we'll take a look at it. Attorney Treadwell said he doesn't know what the inconsistency is. Mrs. deLeon said he thinks its park rule signs. You can't restrict firearms in a park. Ms. Wittchen said the wording is not the same on the LST Park Rules and Regulations and on the separate list on the website, which is actually the dated list that shows the history of how that was created and then revised by the Council. The wording on that particular item is not the same on the section that talks about the use of parks and athletic facilities. The words are not the same and the phrase that is missing is probably legally significant. Mrs. Huhn said we can review that.

Mr. Ron Peterson said he didn't hear an answer to the question about who is footing the bill for the PD that are going to be at this event. Attorney Treadwell said the Township. Mr. Peterson said if he was holding a wedding, or a school dance and they rented out the pavilion and he requested that the police would be there, would the Township pick that up? Attorney Treadwell said yes. Mr. Peterson said you never charged the schools or proms or those kinds of events like that. Mrs. Huhn said for graduations we do. Mrs. Stauffer said Stabler. Mr. Peterson said other events you charge them, and if someone is having a wedding, you'd pay for that. Mrs. Huhn said upon request. She said they can look at this but it's upon request, this was not requested. It's very similar to the hill climbs that are held out at Steel City and we have police presence out there and it is not requested but for the safety of the residents in that area, we do put out a contingent of police and work with the State Police as well out there. Chief can speak to that if he has more information. Chief Barndt said that is correct and for clarification, the police will not be attending this event. The police will be deployed in areas of the Township. Mr. Peterson said so they won't be at the event, they will just be throughout the Township. Chief Barndt said they will be throughout the Township but nearby the municipal complex. Mr. Peterson said if something happens, how long will it take them to get there. Chief Barndt said the operation plan that is put in place has police officers staged in the general vicinity of the municipal complex. Mr. Peterson said it seems that this event, gathering or meeting, however you want to define it, if they are giving a speech, he'd say it's a rally but he's not going to go party lines on this, but it seems it doesn't meet the criteria well; it's just we have to treat this like any other event when it seems we are not with the security we are putting into place for this. It's a shame that when this is happening and we are putting people in there for the security then he would think they should be charged so it's not on the taxpayer burden when it's not going to be just our local people showing up, they will be coming from all other communities when the speakers themselves are from Missouri.

Mr. George Gress asked are there going to be any other Republican officials there from the party besides the two speakers that are coming to speak? Mr. Banonis said he's a Council member, he's not here to speak about what's taking place, that should be addressed to the Republican Committee. He thinks the application speaks for itself and there have been questions followed up by Leslie, the Chief and Linc. He's not going to be the one answering the questions. Mr. Gress said you are the Vice Chair of the GOP of Northampton County so you should have some knowledge of what's going to be going on tomorrow, that's why he addressed it to him. Mr. Banonis said it's not his application and he's not here on behalf of the Committee, he's here as a Council member. Council and Township staff have spoken to the applicant and he'll defer to them. Mr. Gress said he was just trying to find out if there were any other political members there other than the other people who were going to speak. Mr. Banonis said he doesn't know the answer to that question and he won't speculate.

**General Business & Developer Meeting
September 16, 2020**

Ms. Sue Lucrezi said the firearms wording with the discrepancy between the two, will it be reviewed before tomorrow before the event. Attorney Treadwell said PA is an open carry state, the only thing you can't do with a firearm in a Township park is you can't carry it concealed on your person without a permit to carry a concealed weapon. He could openly walk into the park tomorrow with a rifle in his hand. Mrs. Stauffer said that's not terrifying at all. Attorney Treadwell said we have been through this over the last 20 years, we have tried to enact legislation that would prevent people from carrying guns in the park and we lost. Ms. Lucrezi said then it's time to change the wording, so thank you.

Ms. Opthof said she wanted to follow up on things what people said. With the political signs, if the PD isn't having any security or police there, how are we enforcing that rule? As a Township resident, she doesn't want our Township to be on Fox News, CNN, whoever, as a Township that supports one political party or another. You know there will be press there from all over the place, and you're going to have a LST park sign next to somebody holding a sign and who is going to do something about that.

Attorney Treadwell said renting a pavilion does not express support for anything. Ms. Opthof said it's about enforcing the rule about no political signs at rentals. Mr. Banonis said it's also his understanding it's a private event and not open to the public and not open to a press core to participate or attend the event. Ms. Opthof said who's going to be at the entrance at our park making sure the press don't come and that people don't have signs and that they are wearing masks, and all these things that weren't thought thru.

Mrs. deLeon said it is a public event, it's on the Facebook page as a public event. Mr. Banonis said that's your interpretation of it. Mrs. deLeon said it says it in black and white, she can read, she did graduate high school. Mrs. Yerger said it says public event? Mrs. deLeon said yes, she wouldn't say it if she didn't see it, she saw it this afternoon, pull up the Facebook page. Mr. Banonis said your interpretation of it is incorrect, this is open to members of the Republican Committee, which there are literally dozens. So it's open to them as a public event, it's not open to the general public and as you know, there's a RSVP list to see if they are in fact Committee members who should be attending this meeting.

Mrs. deLeon said she's not a Republican and she's looking at this event and on the GOP page for NC, it says public event, hosted by the Northampton County GOP. Mr. Banonis said it has a RSVP as well. Mrs. Yerger said people can't just walk up there and say here I am. They have to RSVP. Mr. Banonis said correct. Mrs. deLeon said she doesn't see that on the page as it says details, Mark and Patricia McCloskey have a message for America. McCloskey spoke on behalf of President Trump at the convention, please enjoy our free event as they speak on the importance of the Second Amendment and the right to defend yourself. It doesn't say RSVP, right above it, it says public. She's only reading English.

Mrs. Yerger said what does Mrs. Huhn need from Council this evening, if anything, on this agenda item. Mrs. Huhn said this isn't an agenda item, we just needed authorization for the amplification system.

MOTION BY: Mr. Banonis moved for approval of the application request for the pavilion rental at Town Hall Park on September 17, 2020, from 5:30 p.m. to 8:30 p.m. including a cordless microphone for amplification and sound to address the attendees.

Mr. Carocci said he thought we were approving the sound, he thought the Township approves the permit. Attorney Treadwell said the only thing that comes to Council is the approval of amplification.

MOTION BY: Mr. Banonis amended his previous motion and moved to permit the use of amplification during the event on Thursday, September 17, 2020 at the pavilion at Town Hall between 5:30 p.m. to 8:30 p.m.

SECOND BY: Mr. Carocci

Mrs. Yerger asked if there was any public comment. No public comment. Mrs. Stauffer said she doesn't see any legal reason for her not to vote yes for this, but she thanks the residents for their concerns and she hears them deeply and she will have faith in Chief Barndt and our PD that they will be responsive to any situations that will arise for our Township safety. Mrs. deLeon said well said.

ROLL CALL: 5-0

**General Business & Developer Meeting
September 16, 2020**

Mr. Banonis asked Mrs. Huhn if she will notify the applicant the terms of this and what the approval was. Mrs. Huhn said yes; and we have Sue Lucrezi again and Mrs. Louder.

Ms. Sue Lucrezi said for the record, she just went on the Republican Facebook page and she clicked “going” and it accepted her response as going and she is not a member of the Republican party. Mrs. deLeon said thank you. Mrs. Stauffer said to Mr. Banonis how did he know it was a private event? He did say he wasn’t going to speculate it but how did you know that? It doesn’t make any sense.

Mrs. Donna Louder said she’s questioning that Chief Barndt has been part of this, is the GOP paying for the Police Officer’s overtime? Attorney Treadwell said no. Mrs. Louder said the taxpayers are paying for the Police Officer’s overtime, so it means we are supporting this rally. Attorney Treadwell said we also pay for overtime for the hill climb. Mrs. Louder said that’s a sore spot too. This is the only other event the Township pays for overtime for the Police Officers. Every other event, they pay for their own overtime. She’s not saying she supports it or doesn’t support the event, she doesn’t care about that. Her concern is the overtime for the Police Officers who are normally paid for by the attendees or the event planner. Attorney Treadwell said it’s only when the attendees or event planners request it. Mrs. deLeon said she doesn’t necessarily agree 100% with that as she wants the other application filled out and that might have been a different story.

Attorney Treadwell said he’ll also direct anybody who is really interested in checking this out more, go to the ACLU website and research knowing your rights about demonstrating and protesting First Amendment, it has a lot of good information about what a municipality can charge for extra costs for events that involve the First Amendment when they are controversial or not. We don’t need to spend hours on this, but go to the ACLU website and read some of their information. Mrs. Louder said she will do that.

III. PRESENTATIONS/HEARINGS

A. LEHIGH VALLEY CHAMBER OF COMMERCE MAYORS’ & MUNICIPAL OFFICIALS’ RECEPTION EVENT RECAP

Jessica O’Donnell and Lauren Bertucci from the Chamber were present. Jessica said thank you everyone, they appreciate allowing them to present briefly this evening. She just wanted to go on the record and congratulate our very own Leslie Huhn on being awarded the Lehigh Valley Township Manager of the Year. Jessica said Leslie said it best, this award was for everybody at the Township and truly us at the Hellertown-Lower Saucon Chamber have loved our partnership, our working relationship with the Township as we try to support small businesses, our community members and all the things we do. On behalf of the Chamber, on behalf of Hellertown-Lower Saucon Board, we want to congratulate Leslie, but also the Council members for everything you have done and continue to do for our business community and community members. She’d like to say thank you to all of you that kept this a secret for a very long time, as it was supposed to be in April. It ended up being at Steel Club, which was awesome for you being able to win in your community and she wants to thank the Council members that were there. She truly appreciated them being there and individuals that were there and those that were not, please believe that your presence was felt and Leslie you were phenomenal on stage and really you just said it best, it was for the entire Township and well deserved and want to continue working the momentum with doing great things for our community, so congratulations Leslie and the entire Council for an award well deserved.

Lauren Bertucci said congratulations Leslie, you deserve this honor so much, but she can see the dedication and passion she puts into her work and the dedication from the Council and the entire community, so like Jessica said, it’s for everybody and to be able to celebrate this all together on that night was so special and thank you to everyone who kept the secret and we look forward to doing great things with you in the future and really bringing everyone together.

Mrs. Huhn said she can’t say enough what an honor it is, and she appreciates the support. It’s a team effort here and we all work together and we’ve been going through this from day one, March

26th and you both have been there, the emails, the support, the support of the Township, the small business, the residents, and it's been a breath of fresh air, so she appreciates all you do and the Council and the support of everybody. It's an honor.

Jessica said looking forward to greener days ahead and continuing this momentum. Soak it in the entire year as it's well deserved. Mrs. Yerger thanked the Chamber for showing how much we appreciate Leslie, it's well deserved and Managers and a lot of staff are behind the scenes doing a lot of hard work and keeping all of us elected officials looking better than we should as they are the ones doing the day-to-day stuff. Mrs. deLeon said this wouldn't happen without you.

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCE – JOHN & SUSAN BLAIR – 3725 OLD PHILADELPHIA PIKE – PROPOSED SUBDIVISION & OFFICE BUILDINGS

Benjamin Kutz said there are four sections of the Zoning Ordinance that they are going to be seeking relief from. The first being Section 180-98.C(1)(a), which is regarding the required parking for two of the lots and he'll go into detail on the amount of relief being sought. The second one is Section 180-98.B(3)(d) which is regarding the location of the proposed driveways for the development. There are two driveways for the northern two lots. It's basically where the driveways will be located across a highway, road or driveway. The third section is similar, it's Section 180-98.B(3)(e) which specifies the separation distances for access center points. The driveway for Lot 1 cannot meet the requirements due to the location of the property lines. The final one is Section 180-97.B(5) which is regarding the proximity of the planting screens to the adjacent property lines which should be at least 3' away.

Mr. Kutz said they were in last October seeking relief from the ZHB, which was granted and largely for impacts to environmentally features and it was tweaked slightly but nothing that has altered the amount of relief requested last year. John Blair has two properties, the northern one is 3725 Old Philadelphia Pike and then there's the southern lot which they consider the landlocked PennDOT lot as it's on the interior of a horizontal curb and it would not allow access to the property. Mr. Blair needed to get access from Old Philadelphia Pike to be able to develop this lot. That was the trigger for vast majority of the environmentally sensitive feature variances that were sought last year and obtained.

Mr. Kutz said what's being proposed has changed slightly since what was shown last year, which is an existing single family residence at the northern part of this property. The garage is currently in poor condition and there's a deck out there that being replaced as part of this work and there is an existing driveway with two access points. The driveway is being relocated to the northern lot and then it's being subdivided. On the newly subdivided lot, a proposed office building is supposed to be going in and then on the southern lot, a similar professional office building is supposed to go in. What has changed since last year is this building was oriented in this direction, larger in footprint and parking was located over here. At that time we thought stormwater was going to work it down where we could have it just be some surface and we wouldn't need any surface features but basically the infiltration testing out there indicated that ground water was shallower than we anticipating and in conversations with the Conservation District, they were left with only two options. One was spray irrigation which would have required them to trench through the riparian buffer areas with irrigation lines which would have increased their impacts and environmentally features and it was also cost-prohibitive as well. The second option which was left to them was an alternative stormwater design, but basically it requires a surface feature like a rain garden and then there's additional subsurface detention to meet all of the required stormwater management requirements. With the addition of the surface features, it basically cut down on the available area for them to have the parking necessary and the building as well. Both of these building footprints, the floor area has been reduced from what was shown last year; therefore, the parking demand has been reduced for them as well. They are seeking relief for the first one is parking demands is for

**General Business & Developer Meeting
September 16, 2020**

Lot 2 and they are seeking a variance to allow 12 parking spaces instead of the required 14 per the ordinance and for the southern lot it would be to provide 25 spaces instead of the required 29.

Mrs. deLeon said regarding the parking spaces, our ordinance is pretty specific and you said you can only do 12 out of the 14 and 25 of the 29. Mr. Kutz said a couple things worth mentioning. Last year one of the variances they did seek and it was granted, was from the parking requirements for Lot 3 and at that time it was granted to be six less than the required. What they are now asking for is the same total number, 6 less, but it's just split between the two lots. There's been a reduction already in the floor area being proposed and Mr. Blair has indicated what is being proposed is sufficient for the needs for his anticipated use.

Mr. Blair said they are dealing with a separate property that they are limited with and their variances they received earlier, they are tweaking them as they are finalizing the layout which is less than they anticipated, but they are trying to meet the requirements, and are asking for some relief. Mr. Kutz said for this property there's a PPL right-of-way (ROW) which is 15' on the southern lot and then it extends 50' up to the northern lot. They had conversations with PPL and they've actually got an encroachment agreement they are signing, but they basically agreed to and one thing they want to limit is to see the amount of parking within their ROW limited. It made this area of the lot a pretty sizeable portion and you can't have permanent structures in there so the building is an absolute no no. Parking they were willing to grant three spaces. In addition as you get to this portion of the property, there's an unnamed tributary to Black River which basically runs north south and in an effort to minimize the need for increasing the intensity of the variances already obtained for the environmental sensitive features. It has to be a building footprint that has to be sufficient for John's anticipated needs and at the same time they are really trying to maximize the available area left for parking. You can take a look at it, but he's not really seeing additional available options to expand the parking beyond what's shown and sufficient for what John needs.

Mrs. deLeon said last year when you went to the ZHB they gave you a relief for six spaces? Mr. Kutz said correct. Mrs. deLeon said now you are asking for more relief? Mr. Kutz said the layout has changed but all six of those were on Lot 3. Lot 2 they had all of the parking that was required at that time, so basically they are asking to provide 25 spaces instead of 29 so this is four less and this is to provide 12 instead of 14 which is two less. In the grand scheme of things, it's essentially equivalent to what was proposed.

Mr. Blair said our buildings are smaller correct? Mr. Kutz said yes, the floor area has been reduced. Mrs. deLeon said she wanted to make sure that they weren't 12, that they were still six. She saw you moved them around. Mr. Kutz said they aren't asking for six on each lot. It would be two less on Lot 2 and it would four less on Lot 3. Mrs. deLeon said the same six you were given relief for from last year. Mr. Kutz said yes, and it was six on Lot 3 that they were granted last year. Mr. Blair said it was six then and six now. Mr. Kutz said they would need the variance specifically for his lot. There wasn't a parking variance for Lot 2 last year.

Mrs. deLeon said that bothers her, now where are people going to park, on Old Philadelphia Pike? They need more spaces and what are you going out do if there is overflow parking? Mr. Kutz said the magnitude last year, which was approved, they are basically saying cumulative between these two lots, it would be six spaces less than what was required which was the same as last year. All he's saying is that last year this lot had proposed all of the spaces required of it so there was no variance required for Lot 2. This time, they can only get 12, but there's 14 required, so a variance is required here and if anything, it's Lot 3, there's less relief required for this one. Maybe Linc can clarify, he doesn't know if a variance would necessarily be needed in that case, but the parking demands changed slightly because of the floor plan as that changed slightly.

Attorney Treadwell said you are going to the ZHB, how many parking spaces did you have on the plan that the ZHB approved. Mr. Kutz put up the plan. Mrs. deLeon said we're talking about last

**General Business & Developer Meeting
September 16, 2020**

year. Attorney Treadwell said he's talking about at the ZHB, what was the number of spaces on the plan that they granted the variances for. Mr. Kutz said before it was on Lot C, 34 were required and they were proposing 28. The middle lot, 14 were required and 14 were provided. Attorney Treadwell said you had 42 spaces. Mr. Kutz said correct. Attorney Treadwell said 42 spaces on the previous plan with much bigger buildings. Mr. Kutz said correct. Attorney Treadwell said now you have smaller buildings and how many spaces total? Mr. Kutz said in total they have 37 proposed. Attorney Treadwell said the ZHB approved you to have 42 spaces with larger buildings, so the magnitude of the relief is basically the same. Mr. Kutz said yes. Mrs. deLeon said okay, she gets it now.

Mr. Kutz said the second variance is basically where possible driveways should be located across from a highway, road or driveway. Again, there are two driveways proposed. In order to line up with this roadway, it would basically have to fall on the property line which wouldn't be an option. A proposed residential driveway is proposed to come in here closer to the house and there's no additional driveways here. There are constraints with the PPL ROW which meant we really couldn't have a different parking arrangement because DEP requires this driveway crossing to be at the narrowest point to minimize disturbance to streams, so your driveway has to come in here. We already talked about having the building oriented in this direction and really force the driveway which has been approved by PPL where it's currently at. The section of the Zoning Ordinance is worded as "where possible" driveways should be located. He spoke with Jim Young as to whether this variance is required because of how that was worded, but to be conservative, we wanted to have that conversation, so that's the second section.

Mr. Kutz said Section 180-98.B(3)(e) stipulates separation distance from the access center points. He can't remember the exact distance, but it's basically from intersections with adjacent streets. Illes Lane is the only street that's close enough to where this requirement gets put into effect. He thought 175' is required, so this driveway is within 146' of the center line of Isle Lane and the driveway would be 31' to Illes Lane which would be within that requirement. Due to grading, the rain garden has to be located down here, PPL prefers parking areas not within their ROW and they approved this layout with the driveway as proposed. There's not really any option to get either driveway within that requirement.

Mr. Kutz said Section 180-97.B(5) requires that the planting screens that are used to provide a visual barrier from adjacent properties, the edge of the vegetation must be back at least 3' from the property line. He showed where the property lines were. Where it has become a hardship or difficulty for the property owner is these buffers that are located within the PPL ROW, so PPL because of their overhead transmission lines that run through basically east-west, have height restrictions on any proposed plantings. You'll notice even in the riparian buffer plantings, we don't have any large deciduous trees here because PPL won't allow them because of the wires. They have to try to find plantings that meet the 6' height requirement for the Township ordinances but won't exceed. PPL's allowed up to 10' for them so something that is within that height range, but also not wider in diameter. They are asking they get relief from that to allow those planting screens to go up to the property lines so they'd be 3' back just because for a lot of the shorter shrubs and evergreens that they can go with to meet those height requirements, the diameter that typically goes with them would make it difficult to keep back from the property line given the restrictions on the site. It's something that would have to be obtained by the property owner and PPL has their own vegetation management as well on top of it that the property owner will be held to but that's something they are seeking relief from.

Attorney Treadwell said all those circles that were located on the plan are all new trees and there's a lot of new shrubbery being planting. Mr. Kutz said correct. The zoning exhibit that was provided for the application was sent in prior to PPL getting back to them that they were going to accept their initial application. They allowed them to go with trees that were higher and taller than they thought they were going to go so they would be presenting as a replacement exhibit at the ZHB we're

**General Business & Developer Meeting
September 16, 2020**

basically going back to the landscaping plan they had prior. They were anticipating them requiring them to reduce the height, but they were able to go with plantings that were a little bit taller. It's the same location. It's kind of a one for one replacement, it's just slightly different, the species of trees. Attorney Treadwell said you can oppose, support it or take no action. Council took no action.

V. TOWNSHIP BUSINESS ITEMS

A. APPROVAL OF 2021 MINIMUM MUNICIPAL OBLIGATION FOR UNIFORM/NON-UNIFORM PENSION PLANS

Mrs. Yerger said Act 205 requires the Township Manager as the CAO for the two employee pension plans to annually determine the Minimum Municipal Obligation (MMO) of the Township for the coming year. The 2021 MMO's for both plans have been prepared by the Township Actuary. They have been reviewed by the Pension Advisory Committee at their meeting on September 9, 2020 and are being presented to Council for approval.

Mrs. Huhn said you have a memo in your packet from Mrs. Gorman explaining the required amounts and the State Aid and the two actuarial sheets from Thomas Anderson.

Mrs. deLeon said we discussed this at our Pension Meeting on Wednesday. She didn't know if we do a motion or just file it. Mrs. Gorman said we acknowledge them in the meeting minutes. Attorney Treadwell said you have to make a motion to acknowledge it and then it goes into the budget. Mrs. Huhn said correct.

MOTION BY: Mrs. deLeon moved to approve the 2021 MMO's.

SECOND BY: Mrs. Stauffer

Attorney Treadwell said you should state the amounts. Mrs. Huhn stated the amounts are \$134,394 for Non-Uniform and \$467,907 for Police.

MOTION BY: Mrs. deLeon amended her previous motion to approve the 2021 MMO's for the Non-Uniform in the amount of \$134,493 and the Police in the amount of \$467,907.

SECOND BY: Mrs. Stauffer amended her second.

ROLL CALL: 5-0

B. SEIDERSVILLE HALL – BATHROOM RENOVATIONS BID AWARD

Mrs. Yerger said a bid opening for the Seidersville Hall Bathroom Replacement was held on Thursday, September 3, 2020. The Manager will discuss the proposed work and recommend to Council the lowest bidder.

Mrs. Huhn said we have been doing a lot of major renovations at Seidersville Hall. The bathroom renovations were presented to Council. They put it out to bid and received two bids. One from Boyle Construction in the amount of \$66,550.00 and Ondra Huyett Associates in Allentown in the amount of \$85,722. They are recommending going with the bid from Boyle Construction, not only because it is the low bid, but Boyle Construction was the contractor who built this building. They will look at the same fixtures as we have in this building.

MOTION BY: Mr. Banonis moved for approval of the bathroom renovations award to Boyle Construction at a cost of \$66,550.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

C. DISCUSSION ON MULTI-MUNICIPAL COMPREHENSIVE PLAN UPDATE

Mrs. Yerger said the public meeting has been advertised and will be held on Wednesday, October 14, 2020 at 6:00 p.m. via WebEx. Council is being provided the draft plan update for review this evening prior to EPD formalizing the public draft.

Mrs. Huhn said this is just being presented to Council to show you that this is the working draft document that is going to be given to the Planning Commission (P/C) for their meeting next week. This has been on-line, and they have been working on it pretty much through the summer. It will

**General Business & Developer Meeting
September 16, 2020**

be on October 14th for the public meeting with the Planner. Then after the P/C looks at it, we will bring it back with their comments and recommendations to the October 7th Council meeting. You can look at it and compare what the P/C presents to you before we take it to the public hearing.

Mrs. deLeon thanked Mrs. Huhn and Cathy Hartranft for all their help on this. Mrs. Huhn said the school district has also been working on this and will be reviewing it as well as the Borough. We'll get back together for that October 14th meeting. Mrs. deLeon said it was a good team effort. Mrs. Huhn said we accomplished a lot. The on-line web page is still interactive, and questions and comments can still be submitted.

D. REQUEST FROM THE NATIONAL ASSOCIATION OF ROCKETRY

Mrs. Yerger said Lower Saucon Township received a letter from the National Association of Rocketry for support of model rocket launching activities in and around the Township area.

Mrs. Huhn said this is an interesting one. We did route it through our Parks & Recreation Board and they really did not have any concerns. They asked the PD to review it and they also had no recommendations or comments. She reached out to the Rocketry Association and she doesn't know if anybody is joining us this evening, but she wanted to ask a couple of questions like where they are looking to do this, how often they are looking to do this, is it done monthly or just the summer months. She doesn't have those answers back yet, but she brought it to Council to see if you have any concerns.

Mr. Banonis said this is a great opportunity for educational initiatives. He asked if the Fire Department has weighed in on this. Mrs. Huhn said she doesn't believe they did. She said they can certainly send it to them and get any comments or recommendations. Mr. Banonis said he was just wondering about a risk of fire, and he's not against it, but maybe the Fire Department could give us some of their thoughts. Mrs. Huhn said in the letter, they said they are cognizant of that and they do look at the safety history and try and meet regulations regarding the National Fire Protection (NFP). They are saying the NFP has exempted model rocketry from the fireworks classification. That's another question when she hears back from them, she'd like to get more information on that. Mrs. Yerger said do you want to table this and bring it back to the next Council meeting?

- MOTION BY:** Mr. Banonis moved to table this agenda item until the next meeting.
Mrs. deLeon said find out what happens if there are drought warnings. Mrs. Huhn said we need more information from them.
- SECOND BY:** Mr. Carocci
- ROLL CALL:** 5-0

E. AUTHORIZATION FOR RELEASE OF FINAL PAYMENT TO GUNTON CORPORATION D/B/A PELLA WINDOWS FOR WINDOW REPLACEMENT AT SEIDERSVILLE HALL

Mrs. Yerger said the Township received the final invoice request from Gunton Corporation d/b/a Pella Windows. Upon inspection by our Director of Public Works, staff is recommending Council approve final payment in the amount of \$86,496.00.

Mrs. Huhn said you do have photographs in your packet. The windows look fantastic. The company was great and they actually had some damaged windows and came back and replaced them. We are recommending final payment and we ask that this be contingent upon the payment not being released until we receive their maintenance bond.

- MOTION BY:** Mr. Banonis moved to release the final payment of \$86,496 to Gunton Corporation d/b/a Pella Windows, contingent upon receiving the maintenance bond.
- SECOND BY:** Mrs. Yerger
- ROLL CALL:** 5-0

**General Business & Developer Meeting
September 16, 2020**

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 2, 2020 COUNCIL MINUTES

Mrs. Yerger said the September 2, 2020 Council minutes are ready for Council's review and approval.

MOTION BY: Mr. Banonis moved for approval of the September 2, 2020 Council minutes.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

B. APPROVAL OF AUGUST 2020 FINANCIAL REPORTS

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

MOTION BY: Mr. Banonis moved for approval of the August 2020 Financial Reports.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

VII. COUNCIL, JR. COUNCIL & STAFF REPORTS

A. MANAGER - Leslie Huhn

➤ She said we have an opening on the EAC as we had a resignation that was a voting position, so the EAC has recommended to move up a non-voting member and that was Cindy Oatis. That has left us with another Associate position. She is recommending Nicholas Lynn to fill that position. He attended the EAC meeting and felt it was a good fit and enjoyed listening to what the EAC does. He's been in the construction industry for 15 years so he understands the importance of the impact on the environment if construction planning is not monitored. She would like to recommend Nicholas for this appointment. Mrs. Yerger said that will be great if he's in construction and will be a tremendous asset. Mr. Lynn said thank you for the opportunity. Mrs. deLeon asked who resigned off the board? Mrs. Huhn said David Jauregui as he's now on the ZHB and he cannot serve on the two committees.

MOTION BY: Mrs. deLeon moved for approval of Nicholas Lynn to fill the vacant Associate position on the EAC.

SECOND BY: Mrs. Stauffer

ROLL CALL: 5-0

B. COUNCIL/JR. COUNCIL

Avia Weber, Jr. Council

She said they are powering into their third week of school which is amazing. A lot of the students had the option to do the fully virtual or fully in-person and for the most part they are staying pretty healthy. Saucon Valley is doing an amazing job by keeping us 6' apart, having masks, and hand sanitizers everywhere. She's really proud of Saucon Valley. The sports are still going on and there have been a lot of concerns about that. They have done sports since July and there have been no cases. She just had her first Cross Country meeting yesterday and there were other teams but they had them 6' apart at the starting line and the starting line was extended, and Cross Country is really not a contact sport. Overall, they are doing great, and she hopes everyone else is doing great during this time.

Mrs. Yerger – No report

Mrs. deLeon

➤ She asked if we received the notification for the major permit modification for the Northern expansion of the landfill. Mrs. Huhn said no.

➤ She attended the September 9th Pension Committee meeting, went to the September 9th banquet where we honored Leslie, and coming up, the Chamber is mixing and mingling with The Drip and Black River Farms on the last Tuesday of September, open to anyone.

➤ She has an update on the Meadows Road Bridge from Michael McQuire. He said as you are aware, he's been updating Mrs. deLeon and promises to do so. In February he met with FHWA to discuss the project as they are providing the bulk of the funding. They

have to follow their rules. Given the amount of required maintenance, other available traffic pedestrian routes in the area, and that the bridge does contribute to ongoing flooding, the agency raised some valid concerns about even having a bridge at this location. The designer of the project is now completing an alternatives analysis to determine which alternative will excessively reduce maintenance costs and frequency, reduced flooding, improved safety (inadequate site distance on the bridge has caused crashes which have damaged structures) and provide access for pedestrians and cyclists safety. Three options are being considered: 1. Major rehabilitation, Meadows Road would probably have to become a one-way street and someone would have to take on the continued maintenance on the structure. 2. Remove and replace with a new bridge of two lanes and a sidewalk. 3. Remove and don't replace and put in a cul-de-sac at both ends. Once this report is approved by PennDOT, which will be before the end of this year, then the report will go to the two parties that are funding the project for their review and comments, which would be the County and the Feds. At that point, he will engage the Township as the Township is aware that PennDOT has successfully saved and rehabilitated many arched bridges in the LV and Pocono region over the last decade. We are taking our time with this. He does know how much this structure means to us and he will keep us updated. Mr. Banonis said you mentioned the bulk of funding is coming from the Federal Government, do we know what the percentage would be. Mrs. deLeon said she thinks it's an 80/20 with the County being the 20. Mr. Banonis said you mentioned about the major rehabilitation and someone will have to take on the continued maintenance. Who is that someone? Mrs. deLeon said that's unknown at this time.

Mrs. Stauffer – No report

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

- Ms. Stephanie Brown congratulated Leslie, it's a great thing and she does a great job. She asked if we could get that in writing that they aren't tearing the bridge down anytime soon. She doesn't trust them and she has seen a lot of bridges disappear in the last couple of years. She appreciates you keeping on top of the issue but things can happen and she doesn't want to see this bridge gone. Mr. Carocci said to Mrs. deLeon weren't you reading from a letter that was written. Mrs. deLeon said it was an email and she can't imagine that happening to the bridge as it's going through the TIP process and she doesn't think that will happen. She can't assure or promise her that. She doesn't think anybody would put that in writing as it's not part of the plan. Mrs. Huhn said we'll continue to keep on top of it and monitor it. Mrs. deLeon said she heard the same scenario at this time last year and then COVID hit. Let's hope they can come up with a decision and they will be looking into cost estimates.

IV. ADJOURNMENT

MOTION BY: Mr. Banonis moved for adjournment. The time was 9:05 p.m.

SECOND BY: Mr. Carocci

ROLL CALL: 5-0

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President