

**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**

**III. DEVELOPER ITEMS**

- A. IESI Bethlehem Landfill – 2335 Applebutter Road – Demonstration of Satisfied Conditions as Stipulated at June 15, 2016 Council Meeting

**IV. TOWNSHIP BUSINESS ITEMS**

- A. Quarterly Township Technical Consultant Landfill Report
- B. Resolution #62-2017 - Conservation Easement Located at 2540 Martins Lane – Replaces and Repeals Resolution #55-2017
- C. Property Maintenance Ordinance Discussion
- D. Fire Department Funding Usage – Request to Amend Policy
- E. Approval of 2018 Minimum Municipal Obligation for Uniform/Non-Uniform Pension Plans
- F. Tax Collector Discussion/Selection
- G. Resolution #63-2017 – Northampton County Municipal Park Grant – Round 3 – Authorize Approval for Submission
- H. Authorize Advertisement for Sale of Used 2006 Ford F-550

**V. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of September 6, 2017 Council Minutes
- B. Approval of August 2017 Financial Reports
- C. Monthly Department Reports for August 2017

**VI. PUBLIC COMMENT ON NON-AGENDA ITEMS**

**VII. COUNCIL & STAFF REPORTS**

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

**VIII. ADJOURNMENT**

Next Saucon Rail Trail Oversight Commission Meeting: September 25, 2017 @ HB

Next Planning Commission Meeting: September 28, 2017

Next Park & Rec Meeting: October 2, 2017

Next Council Meeting: October 4, 2017

Next EAC Meeting: October 10, 2017

Next Zoning Hearing Board Meeting: October 16, 2017

Next Saucon Valley Partnership: November 8, 2017 @ LST

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, September 20, 2017 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

**ROLL CALL:** Ron Horiszny, President; Sandra Yerger, Vice President; Priscilla deLeon, Glenn Kern and Donna Louder, Council Members; Leslie Huhn, Township Manager; Cathy Gorman, Director of Finance; Linc Treadwell, Township Solicitor; Kevin Chimics, Township Engineer; Mike Beuke, Township Planner. Jr. Council Member: Ferris Abu-Ghosh.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

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

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

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

**II. PRESENTATIONS/HEARINGS – None**

**III. DEVELOPER ITEMS**

**A. IESI BETHLEHEM LANDFILL – 2335 APPLEBUTTER ROAD – DEMONSTRATION OF SATISFIED CONDITIONS AS STIPULATED AT JUNE 15, 2016 COUNCIL MEETING**

The applicant is proposing a six-acre expansion over existing fill area in the Southeastern area of the landfill within the Light Industrial (LI) zoning district and has received their DEP permit approval. At the June 15, 2016 Council meeting, one of the conditions was to appear before Council to demonstrate that the conditions of their Preliminary/Final approval have been satisfied. Maryanne Garber, attorney and Joe McDowell, their engineer, were present representing IESI.

Mrs. deLeon said HEA produced a two-page letter with three comments; Attorney Garber said the first comment with respect to Condition #10 regarding the host fees which were included for the DEP permit application, the dollar amounts did not factor in the escalation cost. The amounts were for purposes of assessing the economic benefit to the project. Attorney Treadwell said they can write us a letter saying they agree that the Host Agreement still applies to this phase of the landfill.

The second comment is with respect to Condition #12 of the DEP permit, which they will comply with. The third point Mr. Birdsall raised is Response #7 which states “no old waste will be excavated”. This response only pertains to the unlined area of the old landfill, whereas the response describes that approximately 315,000 cy of waste will be exhumed from the western portion of the site and transported and redispersed in the eastern portion of the site. Mr. Birdsall said there were statements indicating they would not dig up and expose old waste. The TCC wanted to make sure the public and Council were aware that waste will be excavated, but not in the old section where there's no liner under the landfill; the Nuisance Minimization plan does cover all of that which was submitted with the DEP. Mr. Birdsall said that Mrs. deLeon is asking for two or three sentences on how that process is going to occur and what odor protections there will be. Attorney Garber said she thinks that explanation is in the plans and has been provided.

Ms. Susan Severn, 2425 Applebutter Road, said at the last DEP meeting, Rick said there was not going to be any old garbage exhumed anywhere; this is news to her. Mrs. deLeon asked which part of the landfill is it when you say western? Mr. McDowell said Cell 4E is where the waste would be exhumed, and it will occur at the back end of the six year timeline.

IV. **TOWNSHIP BUSINESS ITEMS**

A. **QUARTERLY TOWNSHIP TECHNICAL CONSULTANT LANDFILL REPORT**

Mr. Jim Birdsall was present to review the subject report. Regarding “Waste Acceptance & Management” they are actively working on Cell 4E which started in January, and the Committee had no concerns. Regarding “Landfill Gas Management”, Exelon was issued an NOV from DEP on July 18<sup>th</sup> for their plant failing to perform daily landfill gas sulfur sampling. They are working with DEP to alleviate this situation. The Committee had concerns that while odor complaints have decreased during 2Q17, continuing detection of methane demonstrates it is escaping and an odor incident was reported to IESI and DEP on June 23<sup>rd</sup>.

Regarding “Leachate Management,” the Committee found concerns that the leachate flows in LMC-8 continue to trend up and down in reaction to precipitation events, which may indicate a problem in their liner system. Regarding “Groundwater Management,” the volatile organic concentrations have fallen to very low levels on most wells, and cites the abatement wells as an example. There were some increasing trends noted due to earth disturbance and not associated with a leaky liner. The Committee had no concerns. Regarding “Traffic Management,” this needs to be monitored all the times; and regarding “Storm water Management,” the landfill did not experience any major storm water-related incidents. The Committee found no concerns to report on either topic. Mr. Birdsall reviewed “Regulatory Oversight” and said DEP was not coming out regularly and the Township sent them a letter regarding this; DEP is attempting to fill the inspector vacancies and has just hired one. The Committee was concerned about regular monthly inspections being restored by the Waste Management Program.

Mrs. Louder said on August 31<sup>st</sup> at 8:30 a.m. she had an odor in her backyard which was trash; she visited the landfill that Saturday morning. She asked if there was consideration given toward a tear or breach in the liner for LMC 6-7-8; is that what Laouressa was stating in the report? Mr. Birdsall said he doesn’t think she can offer that opinion. Mrs. Louder asked in the area where they are going to be doing the piggybacking, is it going to be a “sponge affect”, sending leachate into the detection zone? Mr. Birdsall said he would not offer an opinion on that. Mr. Hallock stated that Exelon has been paying gas royalty fees.

B. **RESOLUTION #62-2017 – CONSERVATION EASEMENT LOCATED AT 2540 MARTINS LANE – REPLACES AND REPEALS RESOLUTION #55-2017**

Attorney Treadwell said this was previously approved; when the engineer went out to do the survey, they determined that the acreage in the last resolution was incorrect, and it changed for both Springfield and LST; the end result was that LST will be paying \$10,000 less than previously. Mrs. Huhn said because of a reduction in the sale price, the seller is asking both Townships to pay the stewardship fee.

**MOTION BY:** Mrs. Louder made a motion for approval of Resolution #62-2017.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0

C. **PROPERTY MAINTENANCE ORDINANCE DISCUSSION**

Mrs. Louder said she would like something to address the vacant and abandoned properties in the Township. She provided examples from other Townships and Emmaus just passed an ordinance. Mr. Horiszny asked if we have the ability to act on blighted properties through state laws rather than our own ordinance? Attorney Treadwell said you have in place the Uniform Construction Code which allows the Township to state that a certain structure is uninhabitable and it can be posted. The International Property Maintenance Code has a lot of other things in it; if you would use that code, you would have a lot of properties in the Township that would immediately be in violation.

Mrs. Louder said the people who own these properties need to be accountable until this is corrected. Mrs. deLeon said they had some and the person didn’t care if they were being fined or had orders from a judge; fortunately, Chris was able to work it out with the property owners. Mrs. Louder said to

take a look at the ordinance from Emmaus, talk to Chris Garges, and bring it back. Mrs. Yerger said she would rather have Chris here when discussing this.

**D. FIRE DEPARTMENT FUNDING USAGE – REQUEST TO AMEND POLICY**

Ms. Cathy Gorman, Finance Director, said at the Fire Company sub-committee meeting, Se-Wy-Co had indicated their wish to have relief this year of one provision in the policy that states there would be no transferring of funds, as they received their allocation in May and had paid 2017 expenses from January to April with funding from previous year's revenue sources. Also, the companies are concerned as some of their expenses are both utilized by company and department, such as their phone, water, sewer, electric; they would like to be able to pay those bills with donated funds. Additionally, Se-Wy-Co is going to have a cash flow problem and would be requesting their money a lot sooner than they used to, and won't be compliant with the IRS filings requirement. She thinks it would be in our best interest to say as long as they comply and forward that documentation at some point in the year, they would be compliant with the money.

Mr. Sal Ghazi, President of Se-Wy-Co said he wants to correct the record and have it shown that they received a check and deposited it in June 2017. Prior to that they spent \$146,194 on fire department expense only. He was told he cannot apply any of that toward the \$100,000 they received in June. Since June 1<sup>st</sup> they spent \$94,145.00 of the Township's money in a separate account which leaves them \$5,455 left and through this month he still has an outstanding debt of \$25,605. He wants to know if he overdrafts the account to pay those bills or does he write a check for a partial bill, bring it to zero, and then the bank charges him for the next 8 months because he has no money in that account. If he doesn't spend it all, does that mean he doesn't get the \$100,000? Ms. Gorman said in meetings he relayed this would not be a problem because he'd be able to write four checks and be done with the \$100,000. Mr. Ghazi said he will comply with the ordinance.

Mrs. deLeon asked about the wish list from year's ago; Ms. Gorman said there was a rotation of funding that was originally \$200,000 a year which didn't work out, then it turned into a certain contribution per fire company which also didn't work out; what they came up with was to have DCED study all of their equipment and come up an inventory to make a recommendation, which is in the process now. Council will have it in time for budget deliberations. Mrs. deLeon said the Se-Wy-Co Fire Company has asked Council not to proceed with a motion regarding the one-time transfer of funds.

Mrs. deLeon asked if the other fire companies were having issues with the policy? Ms. Gorman said the only thing was the utility bill issue.

**MOTION BY:** Mr. Horiszny made a motion to allow fire companies to expend Township-donated funds for the payment of utility bills, even if the Fire Company and Department share one account.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0

**E. APPROVAL OF 2018 MINIMUM MUNICIPAL OBLIGATION FOR UNIFORM/NON-UNIFORM PENSION PLANS**

Ms. Gorman said this year's budget for both MMO's was \$374,134. The state unit aid amount has increased to about \$200 per unit value. We're receiving slightly more money in state aid this year than what we budgeted for. The actual amount paid for 2017 is \$374,134 of which \$144,721.33 is the Township's responsibility. Because of the assumption changes approved at a previous meeting, the MMO's for 2018 increased to \$563,573. The actual units are dropping because of an officer we lost last year and we won't get as much state aid. The Township MMO would be \$343,336.84 after state aid. It's about \$200,000 more than last year, but two years from now, we should end up in the plus side.

Mrs. Louder said where does the management team fall under? Ms. Gorman said all other salaried personnel are under the non-uniform plan other than the Chief of Police who is under the

**General Business & Developer Meeting  
September 20, 2017**

Uniformed plan. The management staff has been contributing even when the state aid covered the MMO. The new MMO will trigger the non-uniform members to pay the percentage that's required in their contract agreement which is 1.25% for next year; pursuant to ordinance we will give them notification in the beginning of the year and it will be active the first pay in April.

**MOTION BY:** Mr. Horiszny made a motion to approve the 2018 Minimum Municipal Obligation for the Uniform of \$397,555 and Non-Uniform of \$166,018 for a total of \$563,573.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 5-0

**F. TAX COLLECTOR DISCUSSION SELECTION**

Ms. Gorman said this agenda is to discuss the appointment of a full time tax collector, either Berkheimer or Keystone Collections. Currently, Berkheimer is our administrator and they do all the reporting and filing; they are not local but are less expensive. Keystone now has a local presence and they are the school district's tax collector; however, they are a bit more expensive. Also, this might be the appropriate time to opt for installment payments as several seniors said it's getting difficult for them. Both are willing to do this, and it will be about \$2,200 a year additional.

Attorney Treadwell said the question is do you want to change to a full-time tax collector, and if so, do you want Berkheimer or Keystone? Mrs. deLeon said she doesn't want to pay more for something that is working. Attorney Treadwell asked what is the benefit of having a full-time tax collector compared to what we have today? Ms. Gorman said it makes it a lot easier on her because of the problems she had with both Lafayette and Berkheimer. Mrs. deLeon said the convenience for our residents is to walk in that door and pay their taxes. Mrs. Huhn said we could sit down and speak with Berkheimer. Mr. Kern said there were some issues with Berkheimer and he wants to know if they are significant enough to make a change? Ms. Gorman said no, but because she's been asking for the changes for the last several years, it's still not being done and she has gone up the chain of command and that's the only reason she's here.

Mrs. Louder asked regarding residents being able to pay their taxes at Town Hall are their hours limited to 8:30 a.m. to 4:30 p.m? Ms. Gorman said correct, but they can also drop them in the dropbox and Lafayette Bank takes them. Ms. Gorman said that since the school district was using Keystone, for uniformity and less confusion, if we are going to move in this direction, she'd go with Keystone as they have a local presence.

**MOTION BY:** Mrs. deLeon made a motion to have the Manager ask Berkheimer to implement an installment payment plan for our residents.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 5-0

Mrs. deLeon said she would like to attend a meeting with staff and Berkheimer to work out issues.

**G. RESOLUTION #63-2017 – NORTHAMPTON COUNTY MUNICIPAL PARK GRANT – ROUND 3 – AUTHORIZE APPROVAL FOR SUBMISSION**

Mrs. Huhn said there are recommendations from staff for upgrades to parks for this funding, and also for some new fencing at the Dog Park. These are matching grants and we have some money in the Open Space Fund that can be used if the park was purchased using Open Space funds. Mrs. Louder asked who would install the fence? Ms. Gorman said it will all be contracted out.

**MOTION BY:** Mrs. Louder made a motion to approve Resolution #63-2017 and the Dog Park fencing should take priority, and whatever else can get done.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0

**General Business & Developer Meeting  
September 20, 2017**

**H. AUTHORIZE ADVERTISEMENT FOR SALE OF USED 2006 FORD F-550**

Mrs. Huhn said the replacement truck has been received and this is to authorize the advertisement, and the recommended starting bid is going to be \$25,000.

**MOTION BY:** Mrs. Louder made a motion to advertise for the sale of one (1) used 2006 Ford F-550 truck.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF SEPTEMBER 6, 2017 COUNCIL MINUTES**

Mr. Horiszny said the vote for the minutes should be corrected. The Planner and Engineer's reports should say "not present".

**MOTION BY:** Mrs. Louder made a motion for approval of the September 6, 2017 Council minutes, with corrections.

**SECOND BY:** Mr. Horiszny

**ROLL CALL:** 4-1 (Mrs. deLeon – No)

**B. APPROVAL OF AUGUST 2017 FINANCIAL REPORTS**

**MOTION BY:** Mr. Horiszny made a motion for approval of the August 2017 financial reports.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

**C. MONTHLY DEPARTMENT REPORTS FOR AUGUST 2017**

Mrs. Huhn presented the department reports for August 2017.

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

- Gail and Herb Van Helmond, 1693 Kevin Drive, said after 42 years of service Chief of Police Guy Lesser is retiring in less than 48 hours and they have a few questions, namely who would be replacing him? Mrs. Huhn said she has a proposal from the Matrix Consulting Group to provide temporary interim administrative services and they would be the Acting Chief. Per our Administrative Code, we have a hierarchy that would be in place. Mr. Van Helmond asked if there's not an Acting Chief on Monday, who do the residents hold accountable? Attorney Treadwell said LST has a Department of Public Safety which the PD falls under, and the Township Manager is in charge; then there is a hierarchy in the PD. Matrix would be taking direction from the Manager. Regarding their fee, the proposal is \$2,500 a week which Attorney Treadwell said this is roughly equal to what the Police Chief's salary is. Ms. Van Helmond asked will you be looking externally or looking to people internally to hire as the new Chief? Attorney Treadwell said both. Mrs. Huhn said we haven't replaced a Chief in 42 years and we will be reviewing other municipalities to look at their job descriptions and take every avenue available to us. When Matrix came in they provided recommendations for moving forward. Mrs. Yerger said our intent is to find the best person for that position for the Township and its citizens.

**MOTION BY:** Mrs. Louder made a motion to direct the Manager to contact Matrix to offer them the position to come in as Interim Chief for a period not to exceed 12 weeks.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- The "Stuff the Truck Event" was held this past Saturday, and they thanked the Township for this support and hope to continue it next year.
- She would like to get a date for the Steel City Park ribbon cutting ceremony. Council picked Wednesday, October 4<sup>th</sup> at 6:00 p.m. The public will be made aware of this date.
- At the last SVP meeting, they had a discussion on the Municipal Comp Plan that was completed in 2009 and we are approaching the 10-year anniversary for that, so we're looking at updating it. The recommendation was to discuss with our respective Solicitors

**General Business & Developer Meeting  
September 20, 2017**

to see if we can appoint the same Solicitor. Mrs. deLeon said previously everyone was pleased with the work that Environmental Design & Planning (EDP) did.

**MOTION BY:** Mrs. deLeon made a motion to hire EDP to do the Multi Municipal Comp Plan updates  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

- We received a request from David Heintzelman, who is Chair of the Spirit Parade, as it's going to be a very large parade. They will have the Liberty High School Marching Band perform and is requesting Council's consent for the band to take over the roads at Polk Valley Park that Sunday. Also, Mrs. Huhn said to let her know if anyone is going to attend and ride in the truck during the parade.

**B. COUNCIL/JR. COUNCIL**

**Ferris Abu Ghosh** – No report

**Mrs. Yerger**

- The LST Historical Society is going to have a fundraiser at Hop Hill on October 11<sup>th</sup> which will continue to fund the LS Historical Society.

**Mrs. deLeon**

- She received a certificate of recognition from PSATs when her article was in the paper.

**Mr. Kern** – No report

**Mrs. Louder**

- She attended the Park & Recreation Board meeting at the Steel City Park and gave them a tour. There was some concern about all the fencing. A Girl Scout was present who proposed putting up birdhouses in the parks.
- She has a Gaming Commission meeting on Monday evening.

**Mr. Horiszny**

- He attended the LSA meeting yesterday, things are going quite well with the new Administrator.
- He said there's a Cyclocross at Town Hall Park on Saturday morning.

**C. SOLICITOR** – No report

**D. PLANNER** – No report

**E. ENGINEER** – No report

**VIII. ADJOURNMENT**

**MOTION BY:** Mrs. Yerger made a motion for adjournment. The time was 9:18 p.m.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 5-0

Submitted by

---

Leslie Huhn  
Township Manager

---

Ron Horiszny  
Council President