

**I. OPENING**

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

**II. PRESENTATIONS/HEARINGS**

- A. Resolution #64-2017 – Honoring Guy Lesser Upon Retirement

**III. DEVELOPER ITEMS**

**IV. TOWNSHIP BUSINESS ITEMS**

- A. Zoning Hearing Board Variances
  - 1. Louis Pavelcze, Jr. – 1766 & 1776 Friedensville Road – Variance Request in Conjunction with Proposed Lot Line Adjustment
  - 2. David & Tracy D’Agostino – 1530 Highland Drive – Variance Requests For Zoning Violations Associated with Construction of Pool
- B. Resolution #65-2017 – Application for Traffic Signal Approval – Upgrades to Warning Devices on Friedensville Road
- C. Lower Saucon Township & Matrix Agreement for Interim Police Chief Services
- D. Review of Updated Job Description for Chief of Police
- E. Review of Chief of Police Employment Advertisement
- F. IESI Bethlehem Landfill – 2335 Applebutter Road – PADEP Air Quality Plan Approval – Notification of 30-Day Comment Period
- G. Parks & Recreation Board Recommendations:
  - 1. Little Free Libraries
  - 2. Bird House Installation

**V. MISCELLANEOUS BUSINESS ITEMS**

- A. Approval of September 20, 2017 Council Minutes

**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: October 23, 2017 @ CB  
Next Saucon Valley Partnership: November 8, 2017 @ LST  
Next Planning Commission Meeting: October 26, 2017  
Next Park & Rec Meeting: November 6, 2017  
Next Council Meeting: October 18, 2017  
Next EAC Meeting: October 10, 2017  
Next Zoning Hearing Board Meeting: October 16, 2017

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 4, 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 and Donna Louder, Council Members; Absent: Glenn Kern. Leslie Huhn, Township Manager; Linc Treadwell, Township Solicitor; Brien Kocher, Township Engineer; John Scruggs, Interim Police Chief; Jr. Council Member: Samuel Striz. Judy Stern Goldstein, Township Planner, was absent with prior notification.

**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. He would like to move Item IV G.1. and 2. after 2A.

Mrs. deLeon said she would like to have a moment of silence for Ed Inghrim who passed away, he was a School Board Director for 12 years and was also on the SVP; as well as for the families affected by the horrific events that happened in Las Vegas.

**II. PRESENTATIONS/HEARINGS**

**A. RESOLUTION #64-2017 – HONORING GUY LESSER UPON RETIREMENT**

Mr. Horiszny read the resolution.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #64-2017.

**SECOND BY:** Mrs. Louder

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

Mr. Lesser thanked Council for taking the time to recognize him and said it's greatly appreciated. He's been surprised and overwhelmed by the many wishes of appreciation from the residents. Many of the programs that have been implemented over the years were a combined effort and the support of Township Manager's in the past and present, and support from Council.

**III. DEVELOPER ITEMS**

**IV. TOWNSHIP BUSINESS ITEMS**

**G. PARKS & RECREATION BOARD RECOMMENDATIONS:**

**1. LITTLE FREE LIBRARIES**

Mr. Atom Kallen, Parks & Rec Board Member, discussed the prototype of a Little Free Library (LFL) which was built by Tom Butera with materials donated by Spirk Bros. This LFL will be installed in Polk Valley Park and will be under his stewardship. He explained the goals of the program. Mrs. deLeon said she is excited about the program, thinks it's a great idea, thanked Spirk Bros. for the donation of the materials, and asked if they would all look the same? Mr. Kallen said they could all be different – there is no set standard of design.

Mrs. Louder thanked Mr. Kallen for his efforts and she hopes Steel City Park will be the second park to have one installed, and she'll sponsor it. Mrs. Yerger asked if they would include children's books and if someone has a large number of books to donate, should they be put in gradually? Mr. Kallen said books for all ages are accepted, and since this initial LFL is larger, a good number of books could be placed in it initially.

**MOTION BY:** Mr. Horiszny mad a motion for approval of the Little Free Library program and that the unit that was made by Tom Butera be installed at Polk Valley Park.

**SECOND BY:** Mrs. Yerger

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

2. **BIRD HOUSE INSTALLATION**

Girl Scout Cathleen Zeigafuse was present. She had a sample of the bird house she would like to make. Mrs. Yerger commended her on the design and style of the box. Mrs. deLeon said she's very appreciative and it's a great idea. Mr. Horiszny said there are maps that the P&R Board made for recommendations of locations for the bird houses at the various parks. Mrs. deLeon asked if there was anything planned for the Heller Homestead Park. Mrs. Yerger said that will be tough because bluebirds do not like wooded areas.

**MOTION BY:** Mrs. Louder made a motion for approval of the building of and placement of 16 bird houses in our parks, 10 at Woodland Hills Preserve, and 6 distributed among the other parks as recommended by the P&R Board.

**SECOND BY:** Mrs. deLeon

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

A. **ZONING HEARING BOARD VARIANCES**

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

Attorney Piperato was present representing Mr. Pavelcze. He said this matter is scheduled for the ZHB on October 16<sup>th</sup> and the issue they are trying to solve was created years ago. Mr. Pavelcze owned property on Friedensville Road in 2009 and entered into an agreement of sale to sell a portion of it; the agreement specifically indicated that only one parcel was to be conveyed at the time of closing. Unfortunately, at closing both lots were conveyed to the buyer, which was not discovered until 2015 when Mr. Pavelcze received a letter indicating he should vacate the property. The parties still have monetary issues to resolve, which they believe will be done by the 16<sup>th</sup>.

During the process they are granting the Township a right-of-way, and there are some variances they will need. Attorney Treadwell questioned the new property line falling directly on the hedgerow and Attorney Piperato said they will make sure it's clear on which side it would fall. He said just the line change is occurring, and no other changes are proposed. Council took no action.

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

Attorney Laboski and Jason Smeland of Valley Engineering were present for the D'Agostino's. Mr. Laboski said they were before Council in July and talked about two issues of relief, one being setback violations and the other excess impervious coverage of approximately 11% over the ordinance. At that meeting, Council asked them to look at what they could remove or modify, and whether they could install storm water management facilities to try to capture water on the property.

Mr. Smeland said he's been to the site and didn't see any signs or evidence of water ponding, or problems to the adjoining property. They are proposing two seepage beds which would collect all the runoff from the impervious areas. He also looked at areas that could be removed to reduce impervious coverage, like the fire pit area, which could be moved to the patio, however they would prefer not to do that. He's also looked at the use of pervious pavers and would suggest that be considered as an option. Attorney Treadwell said under Mr. Smeland's proposal, there's a 25% maximum impervious and this would be 34.4%, if the fire pit was removed.

Mrs. Yerger asked what was exactly on the permit? Attorney Treadwell said the pool deck was 350 sf and when constructed it became 1,567 sf. The pool was 369 sf and when constructed it was 492 sf. Mrs. Yerger said if this was off by a couple of feet, it's one thing, but this is a dramatic difference and she's not comfortable with it.

Mr. Horiszny said Council asked this to be reduced, but it wasn't reduced at all. He'd oppose this and let them go to the ZHB and convince them that storm water management will work. Mrs. deLeon said the issues were not corrected. Mr. Smeland said 25% impervious coverage for a lot of this size is not a realistic percent for the enjoyment of someone's property, and will be part of their argument to the ZHB. Attorney Treadwell said it seems to him like the majority of Council's opinion is that the impervious is still too high. Mrs. Louder said in July she did do a drive by, unfortunately, this is an extreme and we need to follow due process.

**MOTION BY:** Mrs. deLeon moved to oppose this application based on the plan dated September 27<sup>th</sup> that we looked at this evening that now shows 34.4% impervious coverage, and have our Solicitor attend the ZHB.

Mr. Horiszny asked if the motion should mention our engineers look at the storm water management possible solutions? Attorney Treadwell said if we oppose, we will bring the engineer with us to give us an opinion of what the storm water potentials are. Mr. Laboski said they are asking for an extension as Mr. Smeland is not available.

**SECOND BY:** Mrs. Louder

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

**B. RESOLUTION #65-2017 – APPLICATION FOR TRAFFIC SIGNAL APPROVAL – UPGRADES TO WARNING DEVICES ON FRIEDENSVILLE ROAD**

Mr. Brian Smith from Barry Isett & Associates was present for Hellertown Borough. He said LST and Hellertown share a permit for the advanced flashing beacon at the Heller Homestead. The Borough wants to install a rapid flasher which is new technology comprised of a light bar. PennDOT indicated it has to be done one way or the other, they will not approve two different types of signs on one permit.

Hellertown is asking the Township if it is okay with removing the advanced beacons that are there now and replacing them with rapid flashers, and replacing the signs with new ones. The flashers would be installed at the crosswalks of the Saucon Rail Trail and the Heller Homestead. Work would be completed in 2018, as they are attempting to have it done prior to the bridge replacement in 2019.

Mr. Smith said the cost estimate is about \$40,000.00 just for the one on the Heller Homestead side. Hellertown is picking up the tab for the one at the Saucon Rail Trail. Mr. Horiszny said he thinks we definitely need them at both places for pedestrian safety and maybe we can get a grant. Mr. Smith said currently Hellertown has a grant. The Borough has been picking up the engineering and permit cost, so it will not be borne by the Township. Mrs. Huhn said we have some funding available in our PennDOT line item, which covers acquisition, maintenance and repairs. We could also look for grant money.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #65-2017.

**SECOND BY:** Mrs. deLeon

Mrs. Huhn asked to include the submission of the PennDOT TE-160 application and a support letter to PennDOT.

**MOTION BY:** Mr. Horiszny moved to amend his previous motion for approval of Resolution #65-2017 and include the submission of the PennDOT TE-160 application and a support letter to PennDOT.

**SECOND BY:** Mrs. deLeon

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

**C. LOWER SAUCON TOWNSHIP & MATRIX AGREEMENT FOR INTERIM POLICE CHIEF SERVICES**

Mrs. Huhn said this is for the contract with Matrix for the Interim Police Chief; it has been reviewed by Attorney Treadwell and outlines the services discussed at the last meeting. Attorney Treadwell said they included the changes he requested.

Mr. Bryan Evans asked for details of the agreement. Mrs. Huhn said it is for a period up to 12 weeks for Matrix to provide services at a rate of \$2,500 per week, which is inclusive of professional time and

expenses. It addresses the methods of payments, terminations, and hold harmless and insurance coverage. Mr. Evans said up to \$10,000 a month is a lot of money, and if the Police Chief was gone from the Township for periods of time, we never hired anyone interim during those periods as there was a succession plan within the department to account for that.

Mrs. deLeon said the Township has previously hired an Interim Manager so this is not unprecedented. Mrs. Louder said there are extra duties being taken care of as well. Mrs. Huhn said he's also assisting with the search of the new person. Mr. Horiszny said this does help us follow through on the Matrix study that was done earlier.

- MOTION BY:** Mrs. deLeon moved for approval to enter into the agreement with Matrix Consulting Group as Interim Police Chief, not to exceed a cost of \$2,500 per week for a 12-week period.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 4-0 (Mr. Kern – Absent)

**D. REVIEW OF UPDATED JOB DESCRIPTION FOR CHIEF OF POLICE**

Mrs. Huhn said this is a revised job description for the Chief of Police. Mrs. deLeon said it was well done. Mrs. Louder said the Township taxpayers spent \$70,000 on the Matrix study and this is an opportunity for the Township to clean up this Police Department's mess, get it done right, and set the standards. We need to move forward by setting the standards to require a bachelor's degree, and not combining it with something. We need a well-rounded Chief. She doesn't think by creating a job description, which opens the door for multiple people, wasting time and energy, because the window for this job to be filled is narrow.

Mrs. deLeon said she's been through many Manager searches and she prefers the language that Mrs. Huhn has proposed as it gives us options. This is a very important position to fill and Leslie is doing a good job in trying to make it as professional and extensive as possible; she supports the language in the document. Mrs. Louder said she thinks she's a little closer to knowing what's going on in the PD than Mrs. deLeon.

- MOTION BY:** Mrs. deLeon moved for approval of the Lower Saucon Township job description for the Chief of Police that was presented to us this evening.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 3-1 (Mrs. Louder – No, Mr. Kern – Absent)

**E. REVIEW OF CHIEF OF POLICE EMPLOYMENT ADVERTISEMENT**

Mrs. Huhn said in conjunction with the job description, her recommendation to Council, once it's been approved and advertised, will be for the formation of a search committee. She reviewed some minor changes on the advertisement which will go on websites, journals and newspapers. Mr. John Scruggs, Interim Chief of Police, said there is a cost with some of the websites, and the total would be about \$2,000. This will go to thousands of potential applicants. Regarding the length of the ad, when you send out job announcements, and there are good things included about the area, it shows that this is a great community to also live in.

Mrs. Huhn said she'd like the search committee to consist of two Council members, two resident members, one member of the LST Police Officers Association, Interim Chief Scruggs, and herself. They would review the applications with the panel and seek their recommendations as to the semi-finalists. Coinciding with the selection, she'd like to prepare a community input survey through SurveyMonkey and bring a draft to Council with some questions and rankings.

Mr. Evans asked about Act 120 in PA for officers who are from departments out of state. Mr. Scruggs said PA Act 120 does have a waiver through the Commission and they do accept other states. Mr. Evans said he'll volunteer to be on the search committee. Mrs. Louder and Mrs. deLeon both expressed interest in being on the search committee as well.

- MOTION BY:** Mrs. deLeon moved to approve the LST Chief of Police advertisement.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 3-1 (Mrs. Louder – No; Mr. Kern – Absent)

**F. IESI BETHLEHEM LANDFILL – 2335 APPLEBUTTER ROAD – PA DEP AIR QUALITY PLAN APPROVAL – NOTIFICATION OF 30-DAY COMMENT PERIOD**

Mrs. Huhn asked if Council would like the Landfill Consultants to review this permit.

**MOTION BY:** Mrs. deLeon moved for approval to have the TCC review the plan and come back with comments.

**SECOND BY:** Mrs. Yerger

Mrs. deLeon said Jim Birdsall gave an update on the quarterly report and mentioned this plan which includes language that no odors were supposed to be occurring offsite. On Friday morning she received notice that they were again smelling landfill garbage odors. She sent an email and copied DEP about the complaint. She'd like Mrs. Huhn to pass this on to the consultants.

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

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF SEPTEMBER 20, 2017 COUNCIL MINUTES**

Mrs. Louder said page 4, line 32, it should have been Cathy Gorman instead of her name.

**MOTION BY:** Mr. Horiszny moved for approval of the September 20, 2017 Council minutes, with corrections.

**SECOND BY:** Mrs. Yerger

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

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

- Mr. Gino Russo of the The Belmont Inn said he had an issue when trying to build a \$900 wall to enclose the front porch and there was a requirement for a permit of \$1,500 in escrow in which there were no inspections necessary. He decided not to make any improvements as the cost more than tripled due to fees. He asked Council to look at the costs and fees because residents are deterred from making improvements. Attorney Treadwell said this business is in our Village Commercial District which has architectural requirements and requires review. Mrs. Huhn said we can look at the fees for the reorganization meeting.

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

- The Steel City Fire Department Open House is on Monday, October 9<sup>th</sup>.
- School Bus Safety Week is October 16<sup>th</sup> to the 20<sup>th</sup>. On October 18<sup>th</sup>, LSTPD will be participating by observing several problem bus stops in the area.
- We received a quote for the replacement of the K9 vehicle, which is next in the rotation. The quote came in at \$1,526.00 over the budgeted amount. We received \$988.00 from the sale of the last cruiser which will offset the overage, which leaves \$538.00 that was not approved in the budget. We will also sell the vehicle that is replacing this one.

**MOTION BY:** Mrs. Louder moved for approval of the \$538.00 overage for the replacement of the K9 unit that was not in the budget.

**SECOND BY:** Mrs. deLeon

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

- The Borough of Hellertown is seeking donations for holiday decorations along Main Street and she recommends to Council that we support this. She's asking for approval of donating \$250.00 toward the purchase of a wreath.

**MOTION BY:** Mrs. deLeon moved for approval to give the Borough of Hellertown a donation of \$250.00 for their holiday wreaths.

**SECOND BY:** Mrs. Yerger

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

- We received a quote to repair the roof of the PD Carport after cupola's, which were rotting, were removed. The quote is from Glenn Zimpfer for \$815.00.

**MOTION BY:** Mrs. Louder moved for approval of the quote for \$815.00 from Glenn Zimpfer to repair the holes in the PD Carport.

**SECOND BY:** Mrs. deLeon

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

**B. COUNCIL/JR. COUNCIL**

**Samuel Striz, Jr. Council Member** – None

**Mrs. Yerger**

- On October 11<sup>th</sup> the LST Historical Society is having a fundraiser at Hop Hill Brewing Co. from 6:00 p.m. to 9:00 p.m.
- She was going to attend the Steel City Park ribbon-cutting but something came up at work.

**Mrs. deLeon**

- She will be attending the Northampton County Association of Township Officials conference on October 5<sup>th</sup>.
- October 11<sup>th</sup> – Black River Farm Winery is having a ribbon-cutting and opening celebration from 5:30 p.m. to 7:30 p.m.
- She previously asked to have resolutions attached to the agendas for our meetings and posted on the website and the Township has done that. Tonight the advertisement for the Chief would have also been helpful on the agenda for the residents. Mrs. deLeon said on the agenda page, you should number the pages.

**Mr. Kern** - Absent

**Mrs. Louder**

- The Gaming Commission met on Monday, September 25<sup>th</sup>. A motion was put forth for a first round grant money, but it failed as their Solicitor commented that if they start giving out the money, the state could recall it when they make their decision on legislation.
- Last week she was leaving Steel City and a tractor trailer was coming in. She assisted in getting it turned around, and asked him to please get his GPS working. The next day she went to Harris Rebar Company and they told her that they are frustrated as well. Riverside Drive in Salisbury Township is a private road owned by Norfolk Southern. They gave her contact information for their public liaison who she told of the situation and the biggest solution would be to have Harris Rebar contact PennDOT and put up a sign where Rt. 412 and Shimersville Road split.
- The Steel City Park ribbon cutting ceremony was awesome and she appreciates everyone who came out. She looks forward to a second grand opening in the spring.
- She would like the property maintenance ordinance put back on the agenda.

**Mr. Horiszny**

- He attended the P&R meeting, the ribbon cutting this evening and a recent Watershed meeting.

**C. SOLICITOR** – No Report

**D. PLANNER** – Not Present

**E. ENGINEER** – No Report

**VIII. ADJOURNMENT**

**MOTION BY:** Mrs. Yerger moved for adjournment. The time was 9:02 p.m.

**SECOND BY:** Mrs. deLeon

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

Submitted by

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Leslie Huhn  
Township Manager

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Ron Horiszny  
Council President