

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

I. OPENING

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

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

III. PRESENTATIONS/HEARINGS

IV. DEVELOPER ITEMS

- A. Aria Energy East LLC – 2335 Applebutter Road – Extension of Time Request
- B. Bethlehem Landfill – 2335 Applebutter Road – Special Exception Request

V. TOWNSHIP BUSINESS ITEMS

- A. Lot Line Adjustments
 - 1. Brian & Lauren Bruneio – 150 Woodland Road
 - 2. Gregory & Lorraine Kelly – 1626 Saucon Valley Road & 3414 Bingen Road
- B. Multi-Municipal Comprehensive Plan – Comments & Recommendations
- C. Town Hall Water Line Installation Bid Award
- D. Authorization for Release of Final Payment – VN Hardwood – Seidersville Hall Floor Restoration
- E. Authorization for Execution of Lower Saucon Fire Rescue’s Section 147(F) Loan Form
- F. Discussion on Pavilion Rental Policy
- G. WalkWorks Grant – Authorize Letter of Intent and an RFP for a Consultant

VI. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of September 16, 2020 Council Minutes

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

<u>UPCOMING MEETINGS</u>
Environmental Advisory Council: October 13, 2020
Saucon Valley Partnership: October 14, 2020 @ 6:00 p.m.
Township Council: October 21, 2020
Planning Commission: October 22, 2020
Saucon Rail Trail Oversight Commission: October 26, 2020 @ CB @ 6:00 p.m.
Zoning Hearing Board: October 26, 2020
Township Council Budget: October 28, 2020 @ 6:00 p.m.
Parks & Recreation: November 2, 2020

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order with the Zoom teleconferencing link on Wednesday, October 7, 2020 at 7:03 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; Tyler Dickens, Jr. Council member.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mrs. Yerger said Council did not meet in Executive Session this evening.

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.

III. PRESENTATIONS/HEARINGS – None

IV. DEVELOPER ITEMS

A. ARIA ENERGY EAST LLC – 2335 APPLEBUTTER ROAD – EXTENSION OF TIME REQUEST

Mrs. Yerger said Aria Energy East LLC received preliminary/final land development and site plan approval from Council on November 19, 2019. As a result of a current claim in court against the Owner of the previous landfill gas to energy plant, the project has been placed on hold. Aria Energy East LLC is requesting a two year extension of time from Council.

Steven Smith from Aria Energy was present. He said right now the legal proceedings are in the discovery period with the COVID and various different things going on in our society today that's taking a lot longer than anyone anticipated. They have all the grading and air permits. They are ready to build until this event occurred and it's not within their control, so they are requesting an extension.

MOTION BY: Mrs. Yerger moved to approve the request for an extension of time to October 7, 2021 to complete the conditions of approval for Aria Energy East LLC for preliminary/final land development and site plan at 2335 Applebutter Road.

SECOND BY: Mr. Banonis

Mrs. deLeon said it says in the draft motion October 7, 2022 at the bottom of the page, but in the draft motion language part of it, it says 2021. Mrs. Huhn said the one at the bottom of the page is correct.

MOTION BY: Mrs. Yerger amended her previous motion and moved to approve the request for an extension of time to October 7, 2022 to complete the conditions of approval for Aria Energy East LLC for preliminary/final land development and site plan at 2335 Applebutter Road.

SECOND BY: Mr. Banonis amended his second

ROLL CALL: 5-0

B. BETHLEHEM LANDFILL – 2335 APPLEBUTTER ROAD – SPECIAL EXCEPTION REQUEST

Mrs. Yerger said the applicant is seeking Special Exception and Variances for the Northern Realignment Modification of the existing landfill.

Present were Maryanne Garber on behalf of the landfill, Joe McDowell and Kevin Bodner from Martin and Martin and Dave Pannucci and Astor Lawson from the Bethlehem Landfill.

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Ms. Garber said they are here tonight representing Bethlehem Landfill's (BL) proposed Northern Realignment (NR) project. The NR project involves several levels of approval at the Township level as well as a Major Permit Modification and Waste Permit that they will have to submit to DEP. They submitted applications with the Township for Special Exception approval, Site Plan approval, a Lot Consolidation approval, and Preliminary/Final Land Development approval. Those are all pending before the Township. They are in the process of finishing up the applications to DEP for a Major Permit Modification. They expect that to be submitted that in the next month or so. They will provide that package in its entirety to the Township.

Ms. Garber said over the next several months they will be appearing before Council, the Planning Commission (P/C) and the Zoning Hearing Board (ZHB) on all of those different applications she just listed. They are here tonight for a very specific and limited purpose, which are two things. They are going to be seeking Council's waiver of a perimeter berm requirement under the Township Zoning Ordinance. They are also asking Council to make a determination as to the position that it will be taking when they appear before the ZHB on their Special Exception. They will have their Special Exception hearing on a parallel course with the Site Plan, Land Development, Lot Consolidation and will be working through comment letters with Hanover Engineering (HEA) and will next appear to the P/C after they have gotten a decision from the ZHB on the Special Exception. In this first instance it's for the perimeter berm requirement and for Council to take a position on their Special Exception application.

Ms. Garber said they appeared before the P/C on September 26th to present the NR project to them; and for the limited purpose to ask the P/C's determination that the Site Plan component of all these applications they submitted is adequate for Council and then the ZHB to review that in the context of the Special Exception application. At the P/C meeting, they walked through the project like they will with Council tonight. There was a lot of back and forth for some additional information that the Planners wanted them to present to Council. The P/C determined that the Site Plan component of this was ready to move forward to Council and the ZHB as long as they provided the additional information they requested and they did and will walk through that with Council tonight.

Ms. Garber said she wants to talk about the NR project and why they are here tonight seeking approvals for this project. Back in the summer of 2017, the Bethlehem Landfill (BL) received Lower Saucon Township (LST) approvals and DEP approval for a project called the Southeastern Realignment (SR) project. That's the area of the landfill they are currently filling. At their current waste acceptance rate, there's about 3-1/2 years of life left in the SR, so in order to continue their business operations the BL needs additional disposal capacity. They are proposing to obtain that additional disposal capacity through the NR.

Ms. Garber said she'd like to share her screen so she can pull up what is in Council's packet for the audiences benefit. She brought up Sheet 10 of 17 and this shows the Land Development Plan for the NR. The NR area is in the crosshatched area. It's very much like the SR where you may recall is down further, which was approved in 2017. It's entirely within the landfill's 206-acre DEP permit that has existed for years so they are not seeking any changes in the DEP boundary. It's located entirely within the existing landfill parcel which is 224-acres and zoned for the landfill use. There's no new zoning required. The new disposal area consists of an overlay on top of existing disposal area and a small new footprint that is along the northern boundary. The new footprint is about 3-3/4 of an acre and the blue hatched area is about 25-3/4 acres. For comparison purposes to the SR, the majority of the SR was also comprised of overlay on existing disposal area on both lined and unlined and there was a new disposal lined area and that was about 6 acres. Also like the SR, the NR is proposing a vegetated MSE berm which she pointed out to Council. The gray area on either side of the MSE berm, one is an access road on the inside and on the outside of the berm is a maintenance road which allows the landfill to go behind the MSE berm and maintain that over time. Mrs. deLeon asked what is that going to do to the North Road, the one that's there already. Ms. Garber said that's going to be moved and there will be a new access road on the South side of

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the berm. Mr. Bodner said that's accurate that the northern road will move and the access road will be on the south side of the MSE berm and the maintenance road. Mrs. deLeon said will that be going in the protection hatched area. Ms. Garber said along the Northern boundary that is 100' wide with an easement that is part of the recorded easement that she will be talking about it a bit. That's a protected area and will not be touched by the NR project in any way.

Ms. Garber said when she was referring to the south vegetated berm, and the top elevation of the south berm wall is 20' higher than what the top elevation of the MSE berm for the NR will be. She said there were a lot of questions at the P/C about what the vegetated berm was going to look like because not everyone was familiar with the existing MSE berm for the SR. She showed photographs of the MSE berm associated with the NR and it was during the construction process, so it's not yet fully built out, and any reseeding in the future will be very easy to do in terms of maintenance.

Mrs. deLeon asked if the two walls would connect on the top. Ms. Garber said there will be space in-between. She said the P/C was concerned that the MSE berm was going to be like this concrete wall. In addition to submitting the photos of what the vegetated wall would look like, they also asked for construction details of the MSE berm. Those are in your packets, and these details will be submitted for their Major Permit application to DEP. This shows how the walls will be constructed.

Mr. Bodner said the different colored stripes are put in horizontal and then in-between each layer of grid is compacted soil with topsoil being placed along the outside edge and then the different colors represent the different geo-grid with the bottom being the strongest grid based on the design criteria and as you go higher, it's a lighter geo-grid with a drain at the inside toe and it also shows the detailed baskets with grass growing out of it. It's a pretty simple process, it's just time-consuming. There's no concrete involved but it's all soil and grass with the synthetic geo-grade.

Ms. Garber said one of two things they are asking Council to do tonight and that has to do with the requirement under the Zoning Ordinance that there be an earthen berm between 5' and 30' should be placed around the perimeter of the landfill where there are adjacent uses. This requirement dates back to many, many years, but the Zoning Ordinance also provides that Township Council can determine that the existing features at the site are an acceptable substitute for this permit or berm requirement. In the past, Council has made a determination that the existing conditions suffice. They are asking for that same waiver and it's only triggered because they have this very small footprint area; otherwise this is all existing landfill disposal area. The question is whether there is a berm required in these areas where there's an adjacent use. On the western side of the new footprint for the NR, this is still on the landfill parcel so there's no adjacent use that would trigger the berm requirement. Even so, they are proposing a fair amount of landscaping that's detailed on Sheet 17 of the Land Development Plan. Along the northern boundary there is a 100' wide woodlands protection easement that prevents them from disturbing any of that area, so those all existing well established trees.

Ms. Garber said at the request of one of the Council members, there are two sheets of aerial photos. The area in between the orange and pink line depicts the existing woods easement. On the aerial photograph taken in June 2018, it's the most recent photograph they were able to get that wasn't a satellite photograph. It shows what it looks like with the leaves on the trees and then another photograph with no leaves on the trees. It's a very densely wooded area so that would be the existing vegetation that would permit the waiver of the permit berm requirement. Going back to the Land Development Plan, they have an option to purchase the properties that are on the other side of this and as part of all of these applications they are submitted for this project, they are consolidating the original landfill parcels with parcels to the north. There would be a small area where a permit or berm would be required without a waiver, as there's a lot of existing trees and vegetation in that area already. They are asking that Council waive the permit or berm required

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because of the existing conditions. Mrs. deLeon said several years ago, PPL came through there and took down some trees, was that in the hatched area or on your property? Ms. Garber said she doesn't remember, but she'd be surprised if it was in the hatched area, but that wouldn't be for a landfill use so she doesn't know the answer to that question. She can do a little digging. Mrs. deLeon said regarding the North Slope Road, the monitoring and gas wells that are accessible by that road, which side of the berm will they be on, will it be the north side? Mr. Bodner said correct. Mrs. deLeon said you are filling up against the wall, so they wouldn't be moved or disturbed. Mr. Bodner said for the most part they will not be disturbed. One monitoring well may end up being located, but the berm will miss those wells. Mrs. deLeon said there are 5 or 6 of those wells. Mr. Bodner said at least, there's a couple clusters of 2 or 3. Ms. Garber said any changes that would be needed for those wells, they would be part of the Major Permit Modification package to DEP, correct? Mr. Bodner said absolutely.

Ms. Garber said going back to the overall project, the maximum elevation of the NR is not going to exceed 725' at its highest point, which is the maximum elevation that was permitted for the SR. She's pulling up cross sections of the NR, which will show Council what the NR project would look like compared to existing conditions and currently permitted conditions. It would be like if you took a slice out of the landfill and you were looking at it from that perspective at a couple of different points. The overall plan shows the locations, which the cross section were taken. One is C1 and it runs across this way, so if you are taking a slice out of the landfill you are standing from Applebutter Road in the middle of the landfill. The other locations are taken from an opposite view so if you were standing on the eastern or western side, that's where a cross section is taken here and another one taken here. Mr. Bodner said correct.

Ms. Garber said she will show the various cross sections. The first is C1 if you were standing on the southern or northern side and looking at a slice of the landfill. Mr. Bodner said on this section they are depicting the MSE berm on each side as it runs and they have some structural fill behind those MSE berms, the darker green. The lighter green is the waste. You can see that is being placed on top of the old fill area or the original landfill. She asked if Council could see it in their packet. Mrs. Stauffer said their packets do not have the colors, and just to confirm, we are talking about instead of having an earthen berm, because there are trees there already, that is what the Special Exception is essentially for? Ms. Garber said no, the Special Exception is an entirely different application where they have to make a demonstration before the ZHB that has all the requirements of the Zoning Ordinance with respect to Special Exception Use for a landfill. Before they even get there, there's one little discreet provision of the Zoning Ordinance that requires a permit or berm but also gives Council the ability to waive that which is not typical. Usually if you are not complying with the Zoning Ordinance requirement, you have to get a variance from the ZHB, but here with this very limited instance, it allows Council to make that determination. Mrs. Stauffer said the thing we are discussing now, is whether or not we should allow or will approve a 5' to 30' berm exception here? Attorney Treadwell said the waiver request regarding the berm is that the landfill is asking Council to agree that the existing vegetation serves the same purpose as a berm. Mrs. Stauffer said basically all the trees that are already surrounding that we just saw in the graphic, kind of serve as a berm and the landfill does not have to construct a 5' to 30' berm right now? Attorney Treadwell said in layman's terms right now, would a berm add anything else. If you had to build the berm, you probably would have to take down a lot of the trees there. Mrs. Stauffer said thank you for clarifying.

Ms. Garber said the other thing they will be asking Council to do is decide what position it wants to take on their Special Exception application before the ZHB. That hearing is scheduled to start on October 26, 2020. In addition to the permit or berm request, they want to give Council an overall sense of the project so it's in a position to say okay we support the application or we remain neutral, whatever your options are. That's why she is walking you through the rest of the project.

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Ms. Garber showed the views of the cross sections of the landfill. Mr. Bodner said this is again a slice through the landfill. They have the MSE berm to the right, again the darker green is structural fill behind that MSE berm and then the lighter green is the waste. You can see to the left of that section is previous cells of development. They are not quite up to the 725' elevation and if they go to the next section again moving further to the east, you begin to see the SE cells which represents the SR. You can see at the far left is the MSE berm which was constructed and associated with the SR and to the far right is the MSE berm for the NR. You can see their peak elevation is really part of the SR at the 725'. They are just tying into that with the NR.

Mrs. Yerger said what is the depth of the tree buffer, is it 10', 20', 50' from where the waste is going to be the edge of the landfill itself? Ms. Garber said on the eastern side? Mrs. Yerger said where you are talking about the expansion. Ms. Garber said you want to know what the depth is of the existing woodlands and vegetation is. Along the northern boundary line, it's at least 100' because that needs to be preserved. You can see from that aerial, the entire slope is wooded. Mrs. Yerger said it's hard to see looking at the maps. Ms. Garber pulled up the Google aerial again so you can see it. She showed the protected woodlands easement and everything north of it. Mrs. deLeon said following up on Mrs. Yerger's question, if we wouldn't waive the berm, where would the berm be? It would be in front of the wall? Mr. Bodner said in front of the MSE berm. Mrs. deLeon said would you have to recalculate everything and move the wall back so you would have room to put the berm up? Mr. Bodner said no, he thinks they would move out to try to get relief from the woodland easement, they would have to take down trees to construct that around the perimeter. Mrs. deLeon said you own that woodland easement, correct? Ms. Garber said they will, they have the option to purchase and they are in the process of doing that now. Mrs. deLeon said part of that is on the Helms tract and part is on the Redington? Mr. Bodner said it's all on the Helms tract.

Mrs. Stauffer asked for the numbers again, the footage. You said it was how many feet that the tree line goes to the orange line? Ms. Garber said it's 100' wide. Mrs. Stauffer said how much room would an earthen berm take above that 100'? Mr. Bodner said when they talk about a 30' berm, and in order to get up 30' at a 2:1 slope, you are talking about something 60' wide, so it would be a very sizeable berm, but not as high as what those existing trees. Ms. Garber said you wouldn't see the 30' berm behind the trees or in front of it. Mr. Bodner said correct. Mrs. deLeon said the other thing is to remove the trees to put up the berm, now you are on top of the mountain and now you have to worry about stability when it rains and water goes down and you are disturbing all of that. When we talked about this for the SR, we were on the Applebutter Road side. Can you explain that when the berm was waived? Mrs. Yerger said she got it, it was very hard for her to visualize the depth of the tree line. Mrs. deLeon said when we removed the berm requirement, didn't you put up extra trees for that, more buffering. Ms. Garber said they did do some landscaping. At the time they did not own that property, but now they own it.

Ms. Garber said line of sight they prepared which measure from certain different points, looking up as an average height human-being from these certain points, and looking up at the NR, what are you going to see. This plan shows ten different points from which they measured the line of sight. If you start at the top, this AB-1, it's taken from Sue Severn's property. This line of sight taken from here is at the intersection of Applebutter Road and Ringhoffer Road. The next line of sight is taken from the church in Steel City and taken from the park in Steel City. These were two locations that shows lines of sight when they were going through the SR process, so that's why they used those. The next three lines of sight are taken from the towpath and these original locations were picked as part of the DEP permitting process way back in Phase 4. As a result of the conversation with the P/C on the 26th, they were curious to see what the line of sight would be from locations outside of the Township but more towards the northern viewpoint because that viewpoint wasn't really reflected in the original lines of sight. She knows for people who aren't used to looking at plans like this, it might be a little difficult to understand, so what they did was they took a Google Earth Aerial Map so that you can see where this stuff is in your community. She

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showed where the landfill was, the 100' woodlands easement and the woodlands behind it on the ridge, the Helms property, the Redington property and Applebutter Road. When they show you the line of sight from Sue Severn's property, that's where they are doing it from. She showed the intersection of Ringhoffer and Applebutter Road. From the Steel City viewpoints, she pointed out the church, the park, the three locations along the towpath and they did lines of sight for the response to the P/C meeting. She will let Joe and Kevin walk through the lines of sight so they can tell you exclusively what you are looking at.

Mr. Bodner said the line of sight is a profile and what is shown on the document, in the upper right corner is the picture of the locations that just went through. This is location No. 1 along the towpath and it's a shot towards the highest point of the proposed landfill which is 725'. They identify that point one, they come up an elevation of approximately 6' and shoot a straight line from that point to the peak of the landfill. That is designated by the orange line. The dashed lines show you existing grade as you go up the hill, across the river, and the green lines are the proposed NR final grade and the proposed MSE berm. The blue line shows are the approved lines standing on the tow path looking at the highest point of the landfill, the line of sight in this instance, we're showing that the tree height which we used 60', the standard we've used back since Phase 4, you would not see the MSE berm and the proposed NE final grades would not be viewable. Ms. Garber said this side of the MSE berm is going to be the vegetated side, much like the pictures that we showed earlier.

Ms. Garber said to go back to the overall project, the amount of waste they are able to accept under their DEP permit, the average daily basis and maximum daily basis is not going to change, so it would be business as usual with no change in traffic, no change the way they operate, it would simply be to continue our existing business. With respect to the project itself, for stormwater from the NR project is going to be gathered and directed to the existing Basin 2, which is on the south side of the landfill. With the NR project, there will be less stormwater going down the North Slope than existing conditions provide for, so that's a good thing. She showed everyone where Basin 2 was. They originally thought no changes would be necessary to Basin 2 except some changes to the outlet structures, but they've gotten comments from HEA and the Lehigh Valley Planning Commission (LVPC) on their stormwater management plan, so they are going to be tweaking Basin 2 just a little bit. The red lines shows the area where they are going to have to do some grading, to make sure it can accommodate the additional flow. The end result would be more stormwater is directed to the south and less is directed to the north and down the slope.

Ms. Garber said she did mention before that we're losing a lot consolidation as part of this project and we've been talking about the Helms and Redington properties. The sheets you have all have the existing landfill parcel. To get your bearings, she showed the 100' and Redington properties and this gives a different perspective. The sheets you've been looking at all involve the existing landfill parcels and to get your bearings is the 100' woodland easement they've been talking about so the NR is happening here. The properties that lie north of the existing landfill parcels are the Helms and Redington parcel. They are consolidating them with the existing landfill parcel, but to be absolutely clear, the entire NR project is going to take place on the existing 224-acre landfill parcel, entirely within the DEP permit boundary, and entirely within the property that is zoned for landfill use and there's not going to be any landfill activities or infrastructure on Helms and Redington as part of this NR project. Those properties are subject to a recorded conservation easement and she included that in the Council packet as someone from Council asked her to provide those easements. Mrs. deLeon said the two rectangular boxes on the Helms tract, there's people living there and were they contacted about this expansion. Ms. Garber said yes.

Ms. Garber said she mentioned that HEA has reviewed the Land Development and Site Plan and Lot Consolidations of this project and they issued a review letter and they are working through those comments. They are confident was they address the comments, the next time they come back before the P/C and before Council on the Land Development, Site Plan and Lot Consolidation

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component of it, that they will have narrowed the issues considerably. For now, the next step is going to the ZHB for their Special Exception hearing which is October 26th. To wrap it up and reiterate what they are asking Council to do tonight, is to waive the permit berm requirement that is contained in 180-109 (A)(1) pursuant to its ability to do that under Subsection A4 and secondly they are asking Township Council to support their application for Special Exception before the ZHB. Mrs. deLeon asked her to put back the full site plan. She thanked her to continue for all the different phases, it's very helpful looking at all the sections, and she appreciates that. To the west of the plan, that's the Fox property and that's a different zoning district, is there any way that can be identified as the RA zone? Ms. Garber said it says zoned RA. Mrs. deLeon said she'd appreciate having the different zoned areas identified more. Ms. Garber said they do them all along the boundaries. Mrs. deLeon said on the east side, you said you own the other property. Is there any way you can increase the buffering because you own that property now for the residents that live along the eastern border? Ms. Garber said she doesn't think there are any residents living there. Mrs. deLeon said where does Ms. Severn live? Ms. Garber zoomed in and showed where her property was. Mr. Lawson said it's on the other side of her property.

Mrs. deLeon said since there's DEP regs that deal with rights of adjacent property owners, with you consolidating these properties, you are adjacent to yourself technically. Can you explain that DEP reg? Ms. Garber said she's not quite sure what she's referring to. There are different setback criteria under the DEP regs from occupied dwellings to disposal area which doesn't change the Lot Consolidation whether it's the same lot or a different lot. Mr. Bodner said correct. Mrs. deLeon said you are going to be submitting the DEP plan in about a month or until after the ZHB. Ms. Garber said they will have a decision at the October 26th hearing but regardless they are tracking to get it in very soon. Mrs. deLeon said your documents showed fire protection. Everybody knows it's the City of Bethlehem, correct? Mr. Lawson said correct. Mrs. deLeon said she had the Township provide her with the Special Exception Conditions for the SR so going to the ZHB, she's assuming they will be approving their request and first thing as a condition is non-construction related noise levels at the landfill should be maintained in compliance with our LST ordinances. One of your sheets shows a lot about neighborhood protection analysis regarding noise and other issues. It says what the requirements are for the decibels. They've been getting a lot of complaints from people living in Steel City and on Applebutter Road about noise during the day. Has anybody checked to see if the noise exceeds those decibels? Mr. Pannucci said they weren't aware of those complaints. Mrs. deLeon said we talk about them at Landfill meetings. Mr. Pannucci said this is the first time he's hearing about this. Mrs. deLeon said Dave, aren't you on our meetings? Mr. Pannucci said if you have those complaints, please pass that information along and they will look into it. They always ask to follow up with them and they'll look into it. Mrs. deLeon said we did talk about it at previous meetings. Mr. Lawson said they talked about the tail gate slamming and they addressed that with the haulers that bring in the soil and during construction there was mention from a neighbor on Ringhoffer but he didn't think it escalated with the amount of complaints. Mrs. deLeon said a resident from Steel City brought it up twice at a Council meeting and at a Landfill Committee meeting. We've had an increase in odors and now you are going to be higher up and what are you doing to decrease odors? Ms. Garber said we won't be higher up because the elevation is not going to exceed. Mrs. deLeon said you are going to be filling in a higher area in another part of the landfill. Ms. Garber said she thought Mrs. deLeon was under the impression they were going to go higher than the 725'. Mrs. deLeon said she knows your height. She said there was something recently that the DEP approval said you were supposed to be capping within a year or so and you didn't do that. Mr. Pannucci said they developed a plan with DEP on a capping schedule and it's been submitted and that's what they found moving forward. Mrs. deLeon said the Township brought that up. She said if they wouldn't have brought it up, it still wouldn't be done. They are looking for you to complete that. This brings up a lot of different issues about performance and this landfill, to her, is the biggest impact on the Township residents, maybe not so much for residents living on different sides of the Township, but the people are impacted by the landfill odors and noise.

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Mrs. deLeon said the last time this went before the ZHB, in 1993, 2001, 2016, we had Chot Elliott represent the Township so she'd like to discuss that with Council and make a motion; and she looks at this as you are filling an area that's already zoned to have it landfill. At this point, she has to look at your application being on target with the regs and she'd like to make that motion. Why wouldn't we send Chot if we did it for all the other expansions.

MOTION BY: Mrs. deLeon moved to have Chot Elliott represent the Township at the ZHB meeting to make sure that the Township regs are followed and represent us.

SECOND BY: Mrs. Stauffer

Mrs. Yerger said what are they requesting as we have a memo in our packet and she sees four items. Can someone from the Landfill reiterate these? Ms. Garber said we preserved a legal argument that they have claims every time they've gone to the ZHB for Special Exceptions; in fact, Special Exception approval for the entire parcel, for their landfill use was given back in 1993 with connection with Phase 3 so Special Exception approval is not required. That's preserving their legal right. In the alternative, they are asking for Special Exception approval and that's exactly what they do every time. There were three variances that they needed to put in because they were requesting they waive a plan requirement like how you show things on a plan, it had to do with a final grading and the intervals you showed, it's just a plan kind of technical thing. The two variances to allow the location of the site to be drawn 1" = 50' on the grading intervals. The P/C agreed to waive those and so those variances are no longer on the table. The final thing is a variance request for the permit or berm requirement from the ZHB in the event that Council did not grant their request to actually waive that requirement, so those were sort of protective. Their hope is when they go for Special Exception at the ZHB, they are preserving their legal argument that it's required, they are asking for special approval and then they are done. Mrs. deLeon said the Special Exception requirements do have regulations that you have to meet and the Special Exception conditions for your SE, No. 8, says IESI withdraws its request for zoning relief or determines by determination from the ZHB that the SR is covered by Special Exception approvals granted by the landfill in 1993 and 2001 and that no new Special Exception approval for the NR is required. You just repeated yourself and turned it around and turned it on to the NR. Ms. Garber said she didn't mean to turn it around. Their withdrawal of that legal preservation and the SR they withdrew that as part of the conditions of the approval, but they did not agree they would not preserve that same legal argument in subsequent applications. You can see it was limited to the SR. They are confident they can meet all the requirements for Special Exception approval. They are going to go through that process with the ZHB but she would be doing disservice to her client if she didn't preserve that legal issue and she's sure Linc would agree with that. Mrs. deLeon said she would think the Township would stand up and say we are going to go along with what was in the other agreement. She thinks on our best interest in representing the community, she feels we are going into a Quasi-judicial proceeding and we have to preserve certain Township rights should you not do what you are telling her right now because you know what courts are like. She feels it's the necessary thing to do. Attorney Treadwell said maybe Council wants to decide what position they are going to take in front of the ZHB before you decide you want to send Chot. Mrs. deLeon said last time we supported the application but we want to make sure that all our regulations were met. Attorney Treadwell said that's not your motion this time, you made a motion to send Chot but we don't know what position Council is taking yet. Mrs. deLeon said that's premature then. Mrs. deLeon withdrew her motion until they decide what position they are taking. Mrs. Stauffer withdrew her second and said it's good to know there's a history what Council has served in past experiences. She said when it comes to consolidation, does it mean it will be a landfill parcel and these other properties will become all one parcel? Can we review the different zoning classifications? There are two parcels zoned different. Attorney Treadwell said that's not uncommon at all. Everywhere in PA there are hundreds, thousands of properties that have a zoning line running through them.

Mrs. Yerger asked if there was any public comment. Victoria Opthof said for the landfill, she's not familiar with the tracts of Helms and Redington and she's familiar with River Drive and it curves up and goes underneath 78 and become Redington Road and she's familiar with that. She's curious

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is the property you are acquiring and consolidating, is that called the Helms property? Mr. Pannucci said that is accurate, there's two parcels to the north of their current parcel as well as the property on Applebutter that they just purchased. There's three parcels, one they have an option on and two they currently own. Ms. Opthof asked if they were acquiring the property right that abuts right next to Redington Road? Ms. Garber said if they show one of the sheets in the Land Development plan you can orient yourself. Mr. Bodner asked that they show the aerial picture with the points identified. Ms. Garber said yes, that's a good one. Mr. Lawson said all properties would stop before Redington Road, it's just past the Bull Run, which is Petrie's property, not the properties they just acquired. Ms. Garber put up a map and pointed out the NR and Redington. Mr. Lawson said their property ends where you can see the imprint of the pipeline, they own the tank farm, and it cuts in and that's where the pipeline is. Ms. Opthof said it's always been rural and peaceful and she knows there is some easement there. Obviously your application isn't for that particular area but that is a huge concern for the residents that live in the area for noise and smell.

Mr. Alan Mege said Priscilla asked a question in regard to a notice to the residents on Helms Road and it said a notice was provided to the residents. As a resident of Helms Road, he doesn't recall receiving any notices and speaking to the other resident, he doesn't believe he received any notice either. Mr. Pannucci said if he remembers correctly, Priscilla asked if the residents on Riverside Drive have been notified and they have. They sent letters to other residents on Applebutter Road, but they did not send any notices to anyone on Helms Road. Mr. Mege said Priscilla asked that question specifically about Helms and the answer was yes. Mr. Pannucci said he misheard her. Ms. Garber said the question was with respect to the two properties that are on Riverside, Priscilla asked if we gave them notice, and that's why we answered yes. There are other requirements dictated by the Township's ordinances and we provided all those notice requirements. Attorney Treadwell said he thinks the confusion is Priscilla said the two houses that are on the Helms property, not Helms Road. Mrs. deLeon said Mr. Mege you bring up a good point, how close is Helms Road to any landfill activities of the NR? That road is kind of hidden so you don't remember it's there. Before the highway came in, it was connected up there, right? Mr. Lawson said the only Helms Road he sees is on the other side of I-78, near the Lutz-Franklin School, unless there's another Helms Road he's not seeing. Mr. Bodner said he's not familiar with where Helms Road is, it doesn't show up on any of their maps. Mr. Lawson said it's on the other side of I-78 near Lower Saucon Road. Mr. Pannucci said no notifications were sent to anybody on Helms Road. We sent notifications to the adjacent property owners and adjoiners to those properties that live near the landfill that they could identify. Ms. Garber said that is the language which is required under the Subdivision and Land Development Ordinance and for that component of it, there will be separate notices associated with the Special Exception approval. Those notices go out to the Township, and will be posted on the property.

Donna Louder, resident of Steel City, said this expansion you are doing on the north side of the SR, is this going to connect to the 92 acres you purchased recently? Ms. Garber said no. Ms. Louder said the plans are not to connect to the 92 acres because that's the same side of the road? What were your intentions for the 92 acres if you are not going to do anything with it? Ms. Garber said there's nothing proposed for those acres as part of this project. What they will or won't do with that adjacent parcel, hasn't been decided, but it's certainly not part of this project that's before the Township right now. Ms. Louder said is the landfill going to do anything to help the residents whose property values they are destroying? Is there anything in that book or do you have a plan for that? There's how many residents who have lost their property values? It's horrific, horrific, She doesn't know who, or when, or how this all started, but maybe Priscilla does, she's been there for 30 years, maybe she knows who voted yes to give all the open gates for all this crap. She doesn't understand how and why. You purchased 92 acres, you have no plans for that, she does not believe that at all. Mrs. deLeon said she can only speak to the area zoned LI, which allows landfilling and when an applicant presents an application just like a subdivision for houses, you have to let it go through the proper procedures. Ms. Louder said she's fully aware of the proper procedures. She's also aware Mrs. deLeon is sitting there and you are supposed to be protecting the residents and

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their interests, not putting your name on the walls and spending the money. You talk out of both sides of your mouth when it comes to this landfill and she knows because she spent time with Mrs. deLeon at the landfill. For God's sake, enough is enough. Mrs. deLeon said what are you suggesting we should do, Donna? Give her an example, speak up. Ms. Louder said give you an example? What's wrong with 378, let anything and everything go through on 378, let that business district become revitalized, get grant money from the County. She's sorry, she doesn't mean to yell, but she sees this getting bigger and bigger and bigger, and that 92 acres wasn't purchased to look pretty, so the folks out on that end, good luck.

Mrs. Stauffer said we need to make a decision on how we feel about the berm. Mrs. Yerger said it's in your memo and it is to not require a permit or earthen berm along the property lines in the vicinity of the NR where the new disposal area is proposed. That's pretty much the gist of what this whole conversation is about. Attorney Treadwell said that's the first question. The second question is what position do you want to take in front of the ZHB. Mr. Banonis said on the first issue, he thinks the issue of the berm came up in 2015 and as he recalls, a waiver was given to that back then. Does anyone have a recollection of that? Mrs. deLeon said you are correct. Mrs. Yerger said there are trees there. Mrs. deLeon said she believes we asked them to do additional buffering. Ms. Garber said there was landscaping that was put in on that eastern boundary where that berm might be, because there was no existing trees there. At the time, they did not own that adjacent parcel, so landscaping was put in there to protect the adjacent property owner. She's pointing out to Council that they now own that. If you look at the existing trees and vegetation in that area, there is existing and vegetation already there. Mr. Banonis said the vegetation requirement was made really to shield the neighboring property owners. You don't have an objection to this because you are a good neighbor? Mr. Lawson said correct. Mrs. deLeon said back in the early 90's, and this is something she can pat herself on the back for, Donna, if you are paying attention, they put in that 100' woodland protection area to try to preserve that Helms tract and that was something they did, and it was the RA zone. They didn't change the zoning to LI, now they have this woodland protection area that they can't cross. Attorney Treadwell said he doesn't know when it got put in as he wasn't here in 1990. Mrs. deLeon said she worked hard to put that in there. Attorney Treadwell said the first question is are we going to waive the berm requirement or not?

MOTION BY: Mr. Carocci moved to waive the permit for the berm requirement.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

Attorney Treadwell said the berm requirement since you now waived that, it's no longer a variance. The other two variance requests went away when the P/C agreed that the site plan could contain different things. The only question now is what position, if any, do you want to take regarding the Special Exception?

MOTION BY: Mr. Banonis moved to take no action.

Mrs. deLeon said if no action, she also wants to entertain the discussion about sending Chot to the ZHB like we did in every other Special Exception case when we took the same position. She can't support his motion.

SECOND BY: Mr. Carocci

Mrs. Stauffer said if we take no action, does that mean we can't make another motion to specify any preference who may go to handle the Special Exception. Attorney Treadwell said if you take no action, you could send an Attorney to the ZHB, he doesn't know what you are going to tell him to do. Mrs. deLeon said what did we tell him last time. She doesn't remember the last time, she thinks it was to support the application and then we sent Chot to make sure that our rights were represented and the conditions were met, regulations were met. Mrs. Yerger said if we aren't taking action, there's nothing to support to Linc's point. Mrs. deLeon said do you want to protect the residents and make sure that the Special Exception requirements are met. She asked Attorney Treadwell what they were. Attorney Treadwell said there's probably 16 pages of things in the ordinance that landfills are required to show. When the landfill goes in front of the ZHB, they have to present their evidence and then the ZHB will decide whether they met those requirements or not.

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Mrs. deLeon said if there's no lawyer there protecting our residents, they can do just what they want. Attorney Treadwell said once Council decides what position to take, there may or may not be anything to send an Attorney for. If it was himself, and you said Linc, we are taking no action and I want you to go to the ZHB, the first question he would ask is what do you want me to do when I get there, just sit there? Mrs. Stauffer said as a Solicitor? Mrs. Yerger said correct. Mrs. deLeon said if we supported it, would you still go? Attorney Treadwell said he would go and stand up and say Council voted to support this application, they are in favor of it. Mrs. deLeon said she remembers Chot at the last three Special Exceptions and Jason, you were there and heard the presentation. Do you remember what they did? Mr. Banonis said like Linc said, the Attorney stood up and he said what the Council's position was. He doesn't see the need to pay for a Solicitor or Attorney to go and say Township Council is taking no position on this. The ZHB is its own independent body and as a judiciary function, it has a Solicitor. His motion is as it is. We take no action and period. Mrs. deLeon said residents will come to put in a swimming pool and we'll send an Attorney. Mrs. Yerger said we aren't taking a position. Mr. Banonis said his time on the ZHB, there were probably hundreds of matters that came before the ZHB, that the Township did not send an Attorney for. They could be from very simple things to more complicated things. There's no protocol when you need to send an Attorney especially when you're not taking a position on it, what is there to protect? If the citizens want to show up and voice their position, they have the right to do that. As a Council, we're taking no position on the matter, so there's nothing to advocate, there's nothing to defend, and we're just simply taking no position on it. It seems like a waste of the Attorney's time to go there and say he's just sitting there to observe. There are minutes created from this, they are approved, and they are available to us and we can see what took place in the minutes. It seems unnecessary to have an Attorney go there and say he took no position and this is what they did. We'll know what the outcome is when they vote on it and we get the report from the ZHB. Mrs. deLeon said she remembers sitting at the ZHB meetings where the Township Solicitor put on a presentation and asked questions during the meeting to make sure the regulations were met. Trust her, if Chot wasn't there, we never would have had No. 8 inside these conditions and that bothers her. Attorney Treadwell said No. 8 of the conditions goes away when the ZHB says you need a Special Exception. That's why you are here. Mrs. deLeon said they were arguing and to make sure it was understood it went away and that language got put in there.

Victoria Opthof said she as a resident, thinks it's very important to send an Attorney. As an Attorney herself, it's really important to make sure the Township rules and regulations are followed. There's no way to know that if we just get a transcript after the fact that says they presented something and there's no questions on it. She thinks it's important if there are 16 pages of regulations, that somebody is protecting the Township. She hopes that at least the Board would take a position which would include protecting the Township rules and regulations as they are in place for Special Exceptions and then send Chot or Linc there to say these are our rules and regulations and if there's something that happens that causes a question, that there be proper questioning on it. She doesn't see why there would be any issue with the Council taking a position. She hopes that each Council member take that into consideration. If you are going to just sit there and say you want to read the transcript after the fact, you lost your chance to protect us. Mrs. deLeon said exactly and if something shows up in the transcript we don't like, we aren't even a part of the procedure and we have a bunch of lawyers here on Council and they all know that, so we kind of lost our standing then. Mrs. Yerger said what is the ZHB's Attorney's job if it's not to protect our residents. Ms. Opthof said it's to protect the ZHB. They don't protect the Township. Attorney Treadwell said the ZHB's job with its Solicitor is to decide if the requirements that you need for a Special Exception have been met. Just like they decide if you met the requirements for a variance and if you haven't met the requirements for a variance, they issue a decision that says there's no hardship here. A Special Exception is basically a permitted use unless there is testimony that this landfill goes way beyond what any other landfall does in the State of PA. A Special Exception, unlike a variance, is where you have to prove a hardship, there's no hardship requirement for a Special Exception. It's basically a permitted use and it allows the ZHB if it feels

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it's necessary to impose conditions. That's a ZHB decision. Mrs. deLeon said that's why she thinks the Township should be protected and party to the proceedings that if something goes opposite from what we want, we have an option to appeal something.

Mr. Banonis said he's not withdrawing his motion, it's been seconded as it is. We can debate this for three more hours, but that's what his motion is. Mrs. Yerger asked him to repeat his motion. Mr. Banonis said it's to take no position. Mrs. Yerger said and Tom made a second. Strictly on this to take no position, this is what we are voting on. Mrs. deLeon said you just said we're taking no action, then Linc said why should we have an Attorney go. Attorney Treadwell say that's not what he said. He said if you take no action and then you vote to send an Attorney whether it's Chot, himself or anyone else, you are going to have to tell that person what you want them to do when they get there. Mrs. deLeon said doesn't it make sense that they would know that we want them to follow the Special Exception regulations and make sure they are met. Attorney Treadwell said the Attorney is not there to tell the ZHB what to do. The Attorney is there to advocate for one thing or another. Mrs. deLeon said what would be your best advice for the Township to give to Council to protect the residents with regard to this expansion. Attorney Treadwell said if originally you were going to support the Special Exception application in which case he would go or Chot would go in front of the ZHB and say the Township Council voted to support this, please approve it. The opposite of that would be that the Township opposes the Special Exception application which means if you sent himself or Chot, they would get a whole bunch of engineers and a whole bunch of testimony and they would go into the ZHB and explain to them why this is a bad idea and the ZHB wouldn't approve it and it would take about a year's worth of hearings to go through it. No action means no action, go to the ZHB and the ZHB will hold a hearing and make its decision. We're not a party to anything then.

Mrs. Stauffer said doesn't the Township always have a standing to appeal if it disagrees with the ZHB decision. Attorney Treadwell said the Township does, yes. If you were to support it, how are we going to disagree with what they do unless they deny it and we appeal that but the landfill will already be appealing that. Mrs. deLeon said if we support a permitted use providing that they meet the requirements. What if they don't meet their requirements? Attorney Treadwell said that's what they need to show to the ZHB. He's assuming and he's not going to speak for Maryanne, that her presentation is, here are the requirements for a Special Exception and here's how we meet them, just like they did with the SR. Mrs. deLeon said we had Chot Elliott there, what did he do. Attorney Treadwell said he has no idea, he wasn't there. Mrs. deLeon said she was.

Ms. Opthof said you can easily take a position that you support it. Like Priscilla was saying all the rules and regs are met and that allows Chot or Linc to know what they are there for and it allows Chot or Linc to ask questions if something during the presentation comes up so you can easily say you support the application provided that all the rules and regulations are met. As a resident, that sounds like the most sound thing to her that would cover everybody's position. To say you have no position does nothing for us. Mrs. deLeon said she agrees. She thinks we are doing a disservice to the residents for voting to not do that.

ROLL CALL: 4-1 (Priscilla – No)

V. TOWNSHIP BUSINESS ITEMS

A. LOT LINE ADJUSTMENTS

1. BRIAN & LAUREN BRUNEIO – 150 WOODLAND ROAD

Mrs. Yerger said the applicant is requesting to eliminate the lot line within Williams Township to turn two (2) lots into one (1) lot. The lot acreage within Lower Saucon Township will remain at 21.5155 acres.

Mr. Darrin Heckman from KCE was present. He said the property is 25 acres and split by a boundary in LST and Williams Township. They've been in front of the Williams Township P/C to get their approval and recommendations. There's a resolution of

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approval for Williams Township Board of Supervisors to approve the plan. The engineers had a few comments on the Williams Township side. They have submitted the plans to the LVPC and there's a letter dated September 18, 2020 indicating they are consistent with their plans and policies. They have a letter dated September 10, 2020 from HEA. He plans to comply with the letter; however, there are a few items he'd like to see waived. He prepared a letter dated October 1, 2020. It's about showing existing features in 500' of any part of the land to be subdivided and shall be identified on the plan. This is a lot line adjustment and no building is being proposed at this time. Mr. Bruneio is conveying a portion of the 25 acres to other land holdings he has in Williams Township. The first waiver would be to show existing features with 500' of the property. The second one is showing contour lines within 500' of the boundary of the property. There's nothing being proposed or being built. They would request a waiver showing those features, it's a cost-effective process to go through that. The third waiver is to show the age of the trees of the wooded land. A major portion of that property is wooded and he has the wooded areas depicted on the plan. No trees are proposed to be taken down, and no building is proposed at this time. All the other items in Mr. Kocher's letter he plans to comply with.

Attorney Treadwell said you have three waivers. Mr. Heckman said they are grouped together. Attorney Treadwell said have you seen the draft motion. Mr. Heckman said he has not. Attorney Treadwell said to Mr. Kocher, the waivers Darren just mentioned are the ones listed in your draft motion? Mr. Kocher said yes and the draft motion is good to go and Darren has indicated he'll comply with everything and he believes the draft motion is applicable.

Mrs. deLeon said she just read the Columbia Gas Facility is on one of these sites. That's still there and functioning. Mr. Heckman said the Columbia Gas is south of the property, there is an access easement to get to that property and it's in the Williams Township portion of Mr. Bruneio's land. Mrs. deLeon said when you say easement and access road, so that's how they access the site? Mr. Heckman said yes. Mrs. Yerger said she doesn't have a draft motion in her packet. Mr. Banonis said the letter we have from Darren identifies the request for the waivers from Section 145-33.C(1) and 145.34.C(3), 145.33.C.(2) and 145.33.C.(3). If those are what is in the draft motion, then he will make a motion.

MOTION BY: Mr. Banonis moved for approval of lot line adjustment at 150 Woodland Road in accordance with the draft motion prepared by HEA dated 10-01-20 outlining the conditions of approval.

SECOND BY: Mrs. Yerger
Attorney Treadwell asked Brien Kocher to read the draft motion. Mrs. Huhn said it might not say draft motion at the top, but it starts with the project background and the lot line conditions, that's what they are referring to. Mr. Kocher said No. 1 would be to comply with their letter of September 10, 2020, No. 2 that the waiver just granted appear on the plans, No. 3 they provide two Mylar's and seven prints for recording; No. 4 two CD's of the plans; No. 5 payouts standing escrow balance and No. 6 satisfy these conditions within one year of Council approval unless an extension is granted.

MOTION BY: Mr. Carocci moved for approval of the waivers.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

2. GREGORY & LORRAINE KELLY – 1626 SAUCON VALLEY ROAD & 3414 BINGEN ROAD

Mrs. Yerger said the applicant proposes a lot line adjustment between 1626 Saucon Valley Road & 3414 Bingen Road. There are no new lots proposed and no changes in use or numbers of units.

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Ms. Stephanie Koenig from Fitzpatrick, Lentz and Bubba was present as well as Mike Preston from Ott Engineering on behalf of the Kelly's. Ms. Koenig said presently the Kelly's own two lots. They own both 1626 Saucon Valley Road as Lot 1 and 3414 Bingen Road at Lot 2. They are both developed with single family homes. There's no future development of either lots proposed, it's just to candidly make Mr. Kelly's lot a little more buffer room between him and the house next door to him. They are looking for conditional approval of the lot line adjustment plan and they have three waivers similar to the waivers before you on the last application. Those waivers relate to showing features within 500' of any part of any land to be subdivided or developed. This isn't being subdivided or developed. They are asking for a waiver of a requirement to show the existing and proposed contour lines within 500' vertical intervals of not more than 2' for land with an average natural slope of 25% or less. This is being asked because there is no development or improvements on this plan and the third is the requirement that the elevation control shall be the closest to the U.S. Geological Survey benchmark within a one mile radius of the site. There's nothing new proposed here.

Mr. Preston was going to go over the HEA review letter, but there were communication problems. Ms. Koenig said her understanding is the HEA letter comments, they will comply with and most of them they have already complied with because they've updated their plan accordingly. That's where they stand.

Mrs. Yerger asked Mr. Kocher if there were any questions or issues granting those waivers. Mr. Kocher said no issues. Mrs. Yerger asked if anyone on Council had any issues with the waivers.

MOTION BY: Mr. Carocci moved for approval of lot line adjustment at 1626 Saucon Valley Road & 3414 Bingen Road in accordance with the draft motion prepared by HEA dated 10-01-20 outlining the conditions of approval.

SECOND BY: Mrs. Stauffer
Mr. Banonis said they were not only asking for the conditional waivers but a lot line change plan.

MOTION BY: Mr. Carocci amended his previous motion for approval of lot line adjustment at 1626 Saucon Valley Road & 3414 Bingen Road in accordance with the draft motion prepared by HEA dated 10-01-20 outlining the conditions of approval and the waivers SALDO Sections 145.33.C(1), 145.34.C.(3) waiver regarding the identification of existing features within 500' of the property, 145.33.C.(2) waiver regarding the identification of contour lines within 500' of the site and a datum of the closest U.S. Geological Survey established benchmarks and 145.33.C.(3) waiver regarding the identification of the first floor elevations and ages of existing structures and the approximate ages of the wooded areas and tree rows as stated on HEA's letter.

Ms. Koenig said that is not what she is reading on the waiver letter. That sounds like the last application. She is reading that the requirement for the plans shall set forth features on or within 500' of any part of the land to be subdivided or developed, the second is a waiver from the requirement that the existing and proposed contour lines on the site and within 500' of the site at vertical intervals of not more than 2' of land with an average natural slope of 25% or less and interval of not less than 10' for land with an average natural slope exceeding 25%; and then the third is a waiver from the requirement that the elevation control shall be the closest to the U.S. Geological Survey established benchmarks where available within a one-mile radius of the site, and a 500' limit can be reduced to 250' for subdivisions and land developments of 10 acres or less. Mrs. Stauffer said what is the plan date of what you just read? Ms. Koenig said that was the waiver letter that was submitted on October 5th to Hanover Engineering with a copy to Jim Young. Mrs. Stauffer said what's in our packet is August 21, 2020. Attorney Treadwell said what Stephanie just read is what's in the draft motion that HEA and Brien prepared. Mr. Kocher said the draft

motion is based on the sections in their review letter. We are asking for the same things here, it's just his references follow his letter, and he thinks we are okay.

SECOND BY: Mrs. Stauffer amended her second
ROLL CALL: 5-0

B. MULTI-MUNICIPAL COMPREHENSIVE PLAN – COMMENTS & RECOMMENDATIONS

Mrs. Yerger said Carolyn Yagle with Environmental, Planning & Design will discuss comments & recommendations that have been received to date in regards to the Multi-Municipal Comprehensive Plan. Comments from Council will be incorporated into the plan prior to the public meeting which will be held on Wednesday, October 14, 2020 at 6:00 p.m. via WebEx. Mrs. Huhn said this has been on the website for any comments. This is the next step before we go to the public meeting next Wednesday.

Ms. Carolyn Yagle said we have not had any comments from any of the meetings to date that would entail a major shift of the plan or things being requested or having any items that were adjustments to direction and policy and we do look forward to interacting with the public next week. So you can all continue in the efforts with the Borough and with the School District in some forward motion for continued planning achievements and implementation. One element which is a standout is that the municipalities have been looking at their performance in terms of sustainability and that's not just sustainability from a perspective of say carbon footprint kind of things but that full range of actions and effort from the financial aspects of things and positive management of those resources all the way through to seeking out ways in which resources can be conserved, so congratulations, through the analysis in working with both Cathy and Leslie, the municipalities actually would qualify and are seeking to continued discussion with Sustainable Pennsylvania so that she can get you all recognized for your achievements and that's been possible through this effort. She thanked everyone and thanked Priscilla for her time and the number of committee members.

C. TOWN HALL WATER LINE INSTALLATION BID AWARD

Mrs. Huhn said late this afternoon the bid tabulation was sent out to Council for the bids that were opened on October 2nd for the Town Hall Water Line Installation. At this point, we are recommending that all bids be rejected. They came in extremely higher than what was expected for the scope of work they are looking at. They have talked with Brien and worked with HEA for alternatives and they will bring something back to Council. The lowest bid was \$136,808 with the high bid being \$226,326, which is just more than what they feel the waterline work should entail. Mr. Kocher said that's a great summary. Attorney Treadwell said the motion would be to reject all of the bids because they are significantly higher than the cost estimate.

MOTION BY: Mr. Banonis moved to reject all the bids as they are significantly higher than the cost estimate.
SECOND BY: Mrs. Stauffer
ROLL CALL: 5-0

D. AUTHORIZATION FOR RELEASE OF FINAL PAYMENET – VN HARDWOOD – SEIDERSVILLE HALL FLOOR RESTORATION

Mrs. Yerger said the Township received the final invoice request from VN Hardwood. Upon inspection by our Director of Public Works, he is recommending Council approve final payment in the amount of \$1,635.50. Mrs. Huhn said there are pictures in your packet. It turned out beautifully. They have sanded the wood floors, and they did a great job. Roger has inspected the work and feels they have done everything that was in their scope of services. The final payment is \$1,635.50.

MOTION BY: Mrs. Yerger moved to authorize final payment to VN Hardwood in the amount of \$1,635.50 for the Seidersville Hall Floor Restoration.
SECOND BY: Mrs. Stauffer
ROLL CALL: 5-0

E. AUTHORIZATION FOR EXECUTION OF LOWER SAUCON FIRE RESCUE'S SECTION 147(F) LOAN FORM

Mrs. Huhn said they had the Fire Services meeting which Sandy and Tom were a part of and they did receive information from the fire company that they are saying this is not a necessary step at this point because they've secured other funding. Mrs. Yerger said she doesn't know where they got it from. Mr. Carocci asked Attorney Treadwell for his advice, do we sign this or not. Attorney Treadwell said he thinks you should vote to sign it. We don't have any information on anything else. The last thing we had from them that they needed this signed. All this form does is say they serve LST as a volunteer fire company and they held a public hearing which they were advised what they needed to do. He doesn't have a problem to make the motion of signing it.

MOTION BY: Mr. Carocci moved for approval to have Sandy Yerger sign the Section 147(F) loan form.
SECOND BY: Mr. Banonis
ROLL CALL: 5-0

F. DISCUSSION ON PAVILION RENTAL POLICY

Mrs. Yerger said a request was made to review the current Pavilion Rental Policy & Application and the Special Event Policy & Application for use of Township pavilions and parks. The Parks & Recreation Board also requested to review the policies, which they did at their meeting on Monday. Their comments will be provided to Council prior to Wednesday night's meeting.

MOTION BY: Mrs. Yerger said she would like to table this item for now so everyone can go through the extensive research that Leslie has done for us so we can make an informed decision perhaps at the next Council meeting.

SECOND BY: Mr. Carocci

Mr. Banonis said he thinks that's a good idea simply because we generally don't have a lot of pavilion rentals in the months of November, December and January when it's cold and snowy. Mrs. Huhn said they usually close the end of October. Mrs. deLeon said she didn't get a chance to look at the emails today. It's kind of hard to prepare for a meeting and then late afternoon get bombarded with all these emails to look at. Are you going to be looking into fines and penalties when a regulation isn't followed as she'd like to request that you do? Mr. Banonis said we can discuss any number of topics when we revisit the issues and review these materials that came in today. Anything is subject to discussion. Mrs. deLeon said she's asking Leslie if she can see what other municipalities do for fines and penalties not following the regulations. Mrs. Huhn said she can certainly research that. Mrs. Stauffer said to clarify the materials we are talking about that people haven't had a chance to review. Policies from surrounding Townships have been sent to us today in addition to some of the landfill materials we received today that we were encouraged to read before the meeting. Mrs. Huhn said we sent it yesterday after Parks & Rec had discussed it.

Mr. Banonis said he participated at the Parks & Rec meeting on Monday and these topics were discussed and Parks & Rec would like to have some input and provide some thoughts and suggestions based on what they see in our current policies and procedures as well as what they may find. Mrs. deLeon said why weren't they prepared to review the information that was in their packet because the policies and procedures were provided to the Board members. Mr. Banonis said he can't speak to that as he doesn't know what they received and what they reviewed. Mrs. deLeon said you were on the call, she was on the call. Mr. Banonis said he was, but he wasn't in their mind, he was just on the call. Mrs. deLeon said it was in the packet and it could be in anybody's mind, in black and white. Mrs. Stauffer said she asked for a copy of the Parks & Rec packet and the policy that is on our website, and Leslie did a great job consolidating the one Special Event and that was in the Parks & Rec packet. She attended and listened in as there was a quorum and three on the call and she was hoping Parks & Rec would have had some recommendations for us so they could have discussed this now so we could give Leslie and the administrative staff some direction as to how we might like to see improvements or process changes to what we call a pavilion rental, what we call a special event, and what's the right line so staff can take care of that even just for the next three weeks if needed.

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Mrs. Huhn said she did see something from Bill Ross who is on Parks and Rec board. They also just as Council asked tonight, wanted to see some other municipalities and what they do. They wanted to have something to look at as well and reference, and that's what Bill Ross might have sent to Council as well.

Ms. Opthof said she hopes that the full depth of this issue is addressed when you do have another meeting on this. When the event occurred, there was blatant disregard and disrespect to the Township. She hopes that the Township Council can implement some procedures so that this doesn't happen again and that we're not the joke of the County. It was all over the media as she predicted that they were going to have an event and have political signs everywhere and associate our Township with a particular party, which she doesn't think anybody wants. She will have more to say when you are going to address this issue. First and foremost, she thinks pavilion rentals should be reserved for Township residents and that way you can get rid of everything. Any organization if they want to have an event in our Township, they should be clearly under the Events reservation and not under a pavilion rental. If she wants to have a birthday party for her daughter, that's what a pavilion rental is for. It's not for organizations. As a Township resident, it's disgraceful that this happened to us.

Mr. Banonis said if we were to take that to the extension of the Cyclocross event that occurs during the summer, that wouldn't occur as it's not sponsored by a Township resident and there are other events that take place in the Township that are quality events that would be prevented. He hears what she's saying but we will have a discussion in some point in the future as to the policy and procedures that have been in place and if they have to be tweaked or changed or revised. Ms. Opthof said she was in no way suggesting that you can't have events from organizations in the Township, what she was saying was you shouldn't be allowing non-Township residents to rent the pavilion. If they want to use Township property, then it should be classified as an event; therefore, there's a black and white line that Township administration can follow so we don't have this mess again. That was her suggestion and she hopes that Township Council is thinking about what kind of statement they are going to have given the fact that our rules and regs weren't followed and it was a slap in the face. Mr. Banonis said he doesn't know what rules and regulations you were referring to, there's a lot of conjecture in the media about different aspects of the event that took place and some of that may be accurate, some of it may not be. That's something we may need to look into what's factually legitimate and what's not.

Katrina Schreefer said she was in the Parks & Rec meeting on Monday and what was frustrating to her was that we tabled the discussion as everyone wanted to review the event policy but the event policy doesn't apply as the Township didn't consider this an event, so that's what she would like to see. There's not a clear definition between a pavilion rental and an event, she keeps hearing the word "event" being used, and that's not how this was treated. She was reviewing the Council meeting minutes from last month and the discussion came back as everyone could rent as long as they followed the Township rules and what she saw as she knows the parks rules, there was a ton of illegal parking, they were parking all over the grass, she has pictures. There was parking on both sides of the entrance, and it was definitely a risk if someone would have had a heart attack or there was an emergency, you would not have been able to send a fire truck through there. There were political flags which are in the rules and it was clearly stated that that group it shouldn't incur that as it's against our park rules. There was aggressive behavior towards the media which there's a video of that, and you can take it as you will but those are the type of things we try to put in place to protect the citizens of the park that want to use the park. She actually went up with her two-year old who was very upset that we couldn't use the park as there literally was no parking. She knows parking on the grass to some people is no big deal, but we want to keep our parks nice and make sure everyone can use them. She's concerned that the Parks & Rec board on how do we handle this when somebody violates some of the rules we have in place, there was really no answer to that and she got the sense that it's above the board as we are just a volunteer group and that the Township Council would have to handle that. She'd really like to hear what we should do when

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we see some evidence of rules being violated because we want to protect our parks and make sure it's in good standing for everyone in the community, not just one group. Mrs. deLeon said if you can send Council the rules that were sent to Lee Snover telling her what the rules were, that way all of Council will see what the rules were. Mrs. Huhn said it should be in the Park and Rec rules that we provided and is in your packet tonight. Mrs. deLeon said by sending the email out with what they were supposed to follow, and you can pick out the ones by looking at pictures or being there, or listen to what people say, which ones weren't followed.

Mr. Ben Stemrich with PBS39, said regarding the event with the McCloskey's, was it a 250 person limit. Mr. Carocci said he thought this was just for residents. Mr. Stemrich said is there no media allowed to question. Mr. Carocci said do we have a comment on that. Attorney Treadwell said its public comment, not a question and answer. Mr. Stemrich said is there a section where he can ask questions. Mrs. deLeon said this is it. The Sunshine Law said whenever we do a motion, and there's a motion on the floor we allow public comment, it doesn't distinguish between residents or non-residents. Mrs. Huhn said did Sandy make that motion. Attorney Treadwell said somebody made a motion to table this agenda item. Mrs. Yerger said she did. Mr. Carocci said he seconded it. Mr. Stemrich said won't there be any questions answered. Mrs. deLeon said the application was for 200 people, that's the limit for renting the park pavilion, that's in our regulations on line. Mr. Stemrich said are there any consequences attached to violating that? Mrs. deLeon said that's what she is asking. Mrs. Stauffer said that's the question they asked and are hoping to address tonight with this agenda item.

Mr. Stemrich said have you spoken with Lee Snover with the NCGOP about not allowing press and things like that? Mrs. deLeon said she hasn't personally met and it should be the Township's part for not having rules followed, but we can't seem to get an answer on that. Mr. Stemrich said were any Council members or any other public officials involved in organizing the events? Mrs. Yerger said not that she's aware of. Mrs. deLeon said she was not. Mrs. Stauffer said she was not, do Tom and Jason want to answer that? Mr. Banonis said he has no comment on that. Mr. Stemrich said there were mentions at the event that there were certain local politicians being involved, is there no comment to that? Mrs. deLeon said she wasn't at the event, she couldn't be there. Mrs. Yerger said she wasn't at the event. Mr. Carocci said he wasn't at the event. Mr. Banonis said he understands the application was submitted by Lee Snover who is the Chair of the NC Republican Committee. Mrs. Yerger said there's nothing she can give you.

Mr. Stemrich said as this subject is tabled, will all other applications be accepted as normal? Mrs. Yerger said they anticipate very few applications coming in as the parks will be closing soon. Mr. Stemrich said if one does come in those three weeks, will it be treated as it was previous to this? Mrs. Yerger said she assumes it has to be. Attorney Treadwell said his advice to anyone at the Township would be the same advice as he gave them before, to treat every application the same. Mrs. Yerger said she would see no reason, but again the parks will close in three weeks. Mrs. deLeon said you have to understand that it's an administrative decision. The only time Council has a say is if amplification is needed, and we have to do that at a public meeting. Mrs. Stauffer said she'd like to know if Jason was at the event, he's the VP of the NCGOP. Mr. Banonis said what he does on his personal time is really no one's business of this Council or you Kristen. Mrs. deLeon said Jason, you brought up her presence at that movement in Hellertown when we were talking about this, but she guesses her personal life can be all over the place. Mr. Banonis said that was brought up because of the political agenda that was discussed during our Council meeting where it seemed to suggest you were trying to spite a certain political message or non-political message and he provided that as an example where you freely attended that event and there was really no negative position taken by this Council based upon your presence there. Any political body can meet and you can attend anything you want to attend, but you can't attend something then say that's good to attend one thing in Hellertown but try to suppress it in LST, it might not have sunk in with you. Mrs. deLeon said again, she just wants to know if she's in his mind or not. Mrs. Yerger said please. Mr. Banonis said thankfully she's not. Mrs. deLeon said she's glad. Mrs. Stauffer

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said she doesn't think that was the discussion that Council was intended to have, she thinks it was a direction that maybe certain people who spoke last Council meeting may have taken it. The concern at the time was amplification and that was the item that we were discussing. Residents voiced other concerns at that time.

Mr. Stemrich said if a Council member was at that event and witnessed violations, are they in any obligation to address them? Mrs. Stauffer said that's a very good question. Attorney Treadwell said no. Any violation of the park rules are criminal offenses, no Council person has the ability to enforce a summary criminal offence. Mrs. deLeon said do the police? Attorney Treadwell said the police do if they are called. Mrs. deLeon said if they are called, what if they are present at a function and they witness stuff and nobody calls them, what do they do, just stand there and look. Attorney Treadwell said he didn't know, he's not on the PD, but if you are talking about parking on the grass, if you are going to enforce that, you have to have a sign that says no parking on the grass. Mrs. Yerger said and we don't have that.

Mr. Banonis said there are a number of sporting events that take place in a lot of different parks and there's large crowds that attend those, and people park all over the place so to make a distinction of what took place at this event and any other park where there's cars parking, it's really selective at best.

Mrs. Stauffer said that's why it's a good reason why we have the Special Events policy, the pavilion policy if we even have a pavilion policy, we only have a Special Events policy. We're on the agenda because this is an opportunity for us as a Township to really take a look at how we would like our parks guidelines to be in effect for all and for those who want to use it late at night to get away from COVID and hang out with their kids and go to the playground or to sporting events where there is parking on the grass and maybe that can be a part of our policy in the future where we put signs in our parks about that parking. This is an opportunity to have an improvement. Mr. Banonis said that's why he made a motion to table this so we can make an informed decision. Mrs. Stauffer said exactly, as that will give us an opportunity to decide and draw a line what a pavilion rental is and what a special event is. How many people are allowed? We'd like the form to trigger path A where admin staff say this is a pavilion rental, or we would like that form to trigger path B, where the staff can say this is going to be a special event or an event and we can take steps X, Y, Z from there. That's what we would need to be looking for and to table this to have a productive discussion at the next meeting with lots more research done and in the interest of giving this a chance to set our parks up for success next season is what we can do, then that's what we should do as it would be for the betterment of our Township. Mrs. deLeon said Kristen that was very well said.

Mr. Banonis said he agrees with Mrs. Stauffer in large part, but one thing he does have an issue that you say this be addressed at the next meeting and Parks and Rec is to weigh in on this and they don't have a meeting until next month. Mrs. Stauffer said okay. Mr. Banonis said that's part of the equation. The other part is we're coming up on budget time and our time on Council is going to be heavily devoted to that and in addition to that, and as Leslie confirmed, pavilions shut down October 31, so this doesn't seem to be a burning urgency. Mrs. Stauffer said, Mr. Banonis said don't interrupt. Mrs. deLeon said you interrupted me. Mr. Banonis said he didn't know you were trying to speak. We're on a Zoom call and he's trying to say something. We have months to get this squared away before the spring. Mrs. Huhn said we open the pavilion reservation process in January for the first reservation period that people can sign up, but they don't open up until April or May. Mr. Banonis said we have plenty of time to get this squared away. They have been in place for decades and probably were implemented by Priscilla so they functioned properly and to the satisfaction to everyone until there's an event with a message or a group that someone disagrees with. Let's call it what it is but we can address this so we don't have these concerns in the future to the satisfaction of many and life will go on. Mrs. Yerger said in courtesy, Leslie do we have someone else on the phone. Mrs. Huhn said you have four hands.

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Mrs. deLeon said can she finish her thoughts, after what Kristen said, Council sets policy and this is a good discussion for the administration and Leslie to hear what our thoughts are so they can keep that in mind when they come back with a draft whenever that is. Mrs. Huhn said she agrees and to bring this back at the next meeting is going to be very difficult. We are going right into budget season and the holidays and for staff to effectively bring something productive back, we need a little more time to research and review other municipalities, get some more information, do some background into what other areas do to see if there are fines. She just doesn't think that can be accomplished by the next meeting. Mrs. Yerger said she agrees and that's why she tabled it.

Mrs. Stauffer said she appreciates Mrs. Huhn saying that about going into budget season. When is an opportune time to bring it back? Mrs. Huhn said they will start working on it now. Before they bring it to Council if you are going to look for Parks & Rec recommendations we need to get it to them prior so they are able to look at what we're going to give to Council. Mrs. Stauffer said we are also heading into budget season and the holidays but are also heading into a downtime and it seems like late winter, early spring would be a good time. Mrs. Huhn said before the parks open that would be a good time and we can do the proper research and bring something back to you that's put together. Mrs. deLeon said was Ben finished? Mrs. Huhn said his time was up.

Stephanie Brown said she was in the park that night and she was harassed by event organizers, they thought she was the media, they did not ask, they just came up and started harassing her. Why should the media be harassed. Then she went to complain to the police who were standing there and they told her she had to complain to the event organizers. She was harassed, she was intimidated by some biker guy who was there on behalf of the Trump-Pence campaign and she's still waiting to understand why she was allowed to be harassed and she wasn't able to make a police report. Mrs. Yerger said you would have to ask the Police. Ms. Brown said she did, Chief Barndt was even standing within a few feet of the officer. Mrs. Yerger said she doesn't have an answer. Ms. Brown said she needs an answer as soon as possible. The behaviors she saw there were not okay. It's a public park. People should not be intimidated or harassed no matter what's going on. Mr. Banonis does have the right to do whatever he wants to, but he does represent the Township when he's out and about, and on Township property. There's absolutely no reason she had to go through that and then the Police refused to do anything. It brings back very bad memories of her time at the Township and no matter who that person standing there was, there were non-residents and out-of-state people there and it's unacceptable what happened and it's not okay, it needs to be addressed; and she's very, very, very unhappy. Mrs. deLeon said it's her understanding that anybody who had a problem that night was supposed to call the Non-Emergency 9-1-1 number and if they didn't do that, then technically it wasn't a problem. Ms. Brown said she wasn't told that. She had to speak with the event organizers and while she was standing there, although she didn't see Mr. Banonis, but she knows he was there, as he was supposed to do a question and answer session, so he was there, and so was Chief Barndt, and she spoke with another officer. This has to be addressed. She can't take being intimidated or harassed, nobody should and she needs some answers because you all know she is on edge, and that's all she is going to say.

Andrea Wittchen said she would agree with Kristen that it's wise to table this and she thinks Leslie has brought up good reasons why it should be tabled until both Parks & Rec can weigh in and until she can complete her research into what is done in other Township's, she would certainly not to see this postponed indefinitely. She thinks we should put a little tickler in the file that come the first of the year as we need to figure out an exact date that this needs to go on an agenda. Another reason this gets resolved, we are putting Leslie in an incredible awkward situation because the rules are so confusing and so contradictory. She'll point out, and she's the one who told you that at the last meeting, she is now faced with the inability to have a clear direction on how to make decisions on these kinds of situations, so if nothing else, to provide an employee of the Township with the appropriate guidance to know how to handle future situation's is something that is clearly within

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the Council's responsibility and she hopes you will return to this in plenty of time to get this straightened out before the next park season begins. Mrs. Yerger said that is their intent.

Ms. Schreefer said are we saying we are tabling the policy and we're tabling how the park rules are being handled? Mr. Banonis said it sounds like we are tabling our review of the parks pavilion rental policy and procedures pending additional information from Leslie, pending input from Parks & Rec, and pending our own evaluation of the existing rules and regulations and those from neighboring communities as to how they treat their pavilion rentals. Ms. Schreefer said she didn't hear her name who said she was harassed and those are her concerns that it doesn't currently sound like an agenda item so if it's possible we can consider that because in the Parks & Rec meeting she got the sense the group did not feel comfortable tackling enforcement of rules. Mrs. Huhn said they will look at that in the big picture. Ms. Schreefer said its two separate issues. Mrs. deLeon said that's why she asked Leslie to look into penalties and consequences for not following the rules.

Ms. Opthof said she's taking screen shots of her clock so she knows how much time she has left from the initial three minutes. She thinks that Linc had clearly stated there's a criminal penalty for violation of the rules, so she doesn't see why the Township can't go ahead and issue a citation. We've seen the pictures of political signs. She appreciates Council Member Banonis discussing that, but when there are pictures they speak for themselves. That's not even counting the parking issue, but when you look at the political sign picture, she thinks that's a clear violation you have. Mrs. Yerger said she believes the signs cannot be inserted into the ground. If they are carrying signs, that is not technically a violation of the park rules. That is the way it is currently stated. Mrs. deLeon said she never remembers seeing that. Attorney Treadwell said he thinks the question is, what does that section of the park rules mean. Does it mean that you can't put a "vote for me" sign in the ground at the park or does it mean you can't walk through the park holding a sign as it's not clear? Mrs. Yerger said we can't determine right now if it's a violation or not. Attorney Treadwell said if you can't hold a political sign as you walk through the park, can you wear a T-shirt that has a political slogan on when you walk through the park. All these things have to be addressed as it's unclear. If you are going to start telling people that you can't do anything political anywhere in the park, you'd better look at what the First Amendment says as well.

Ms. Wittchen said she would like to read you rule 17, "posting or displaying any sign, banner or advertisement of a political or commercial nature". There is no definition of sticking it in the ground, there is no indication of clothing, it says sign, banner or advertisement and it says posting, that to me would mean to her, no you can't stick it in the ground, you can't stick it on the wall of the pavilion, on a fence post, or display it, to her it seems that waving a flag around is displaying it. Mr. Banonis said if we take that to the extreme, we should probably take down every American flag on every Township property as that portrays a political message as to some, they like to take a knee when the flag is raised, some like to burn the flag, some like to drive their vehicles over the flag, some like to proudly display the flag. Like Linc was saying, where do you stop encroaching upon free speech just because you don't like the message? What if a Cuban-American group came in and put up a Cuban flag, are they doing that in support of democracy or are they doing that in support of communism. We're having this conversation, and we have a motion 20 minutes ago to have a conversation in an informed way on these topics and instead we're looking at angels dance on the head of a pin, over absurd extremes. He would make a motion right now to table this discussion because we're talking about dealing with this issue in the future and we'll deal with it on our own terms and our own time when we see fit and when Council and staff sees fit, end of story.

Mrs. deLeon said there's already a motion on the floor. You can't have two motions. Mrs. Stauffer said there was a motion on the floor. Mr. Banonis said then let's have a vote on the motion. Mrs. deLeon said the Sunshine Law says you have to hold public comment and that's what we are doing now. Mr. Banonis said we gave individuals their three minutes to speak and they spoke and it's time to move on. Mrs. Stauffer said can we just acknowledge it's important

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that residents have a chance to speak tonight instead of telling them they are splitting hairs and she thinks the point we are trying to make, at least she's trying to make, not about the message conveyed, it's about avoiding abuses of pavilion policy to hold special events and making sure our rules are followed because the event that might have happened is a little different than your typical 3-year olds birthday party and that's what she saw of pavilion rentals that came through to Council. She thinks having a conversation when we have more information, we can do that, but there's room for improvement and we can find happy medium between the extremes we are having. It's really not about the message conveyed, it's about what our boundaries are, our park rules and pavilion versus special events.

ROLL CALL: 4-1 (Mrs. Stauffer – No)

G. WALKWORKS GRANT – AUTHORIZE LETTER OF INTENT AND AN RFP FOR A CONSULTANT

Mrs. Huhn said we received notification we got this grant award last week. This is the next step. You have a draft of the letter in your packet and if you are okay with that, and Council would like to make a motion, we will get that sent in. They also sent us a list of consultants they have worked with on this project and we can also send it out to others. They are asking for two motions, one to submit the letter of intent for the program and one for a RFP for the consultant to work with us on the project. You'll see in the letter there's a lot of other criteria they will work on. They are going to form a Steering Committee and have stakeholders involved in that. They will bring that back to Council.

MOTION BY: Mrs. Yerger moved to approve submitting a Letter of Intent for the WalkWorks program which is being facilitated by the University of Pittsburgh and to RFP for a consultant to prepare and develop a plan.

SECOND BY: Mr. Banonis

ROLL CALL: 5-0

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF SEPTEMBER 16, 2020 COUNCIL MINUTES

Mrs. Yerger said the September 16, 2020 Council minutes are ready for Council's review and approval.

MOTION BY: Mr. Banonis moved for approval of the September 16, 2020 Council minutes.

SECOND BY: Mrs. deLeon

ROLL CALL: 5-0

VII. COUNCIL, JR. COUNCIL & STAFF REPORTS

A. MANAGER - Leslie Huhn

➤ She said we received notification we were awarded the NC COVID Block Grant in the amount of \$12,157 for the purchase of laptops and sanitizing equipment. This will give us the ability to sanitize our offices for the safety of our employees, Public Works and PD and the laptops will allow us all to join in Zoom meetings instead of someone using their laptop and working remotely if it's necessary. Mrs. Yerger said good job.

➤ She said we need to close out a grant for the alternate Dog Park we have installed at Polk Valley Park and one of the remaining issues is planting trees. Currently we have \$2,000 remaining and after discussing with Roger Rasich and Cathy Gorman they are recommending to Council instead of purchasing several small trees and waiting for them to take years to grow to produce shade, just purchase one large tree which is about 30'-35' and plant it. That would come in around the \$2,000 we have remaining. Roger contacted a local nursery and they have a Sugar Maple which is a native tree for this area. If Council is agreeable, we can get this in for the fall planting season. Mrs. Yerger said most fall plantings are more successful.

MOTION BY: Mr. Banonis moved for approval to purchase the Sugar Maple tree for the Polk Valley Dog Park with the other \$2,000 remaining.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0

B. COUNCIL/JR. COUNCIL
Tyler Dickens, Jr. Council – No report
Mrs. Stauffer

- She said they had their library meeting last night and they are still doing a good job there and they are thinking about extending their hours. You can check out their hours and engage that way and they will probably have some evening hours. Mr. Carocci said is there any news on State funding they get and Hellertown funding. Mrs. Stauffer said no news she can report. Mr. Banonis said he can share a report on that. He was on the Borough of Hellertown's meeting on Monday night and the topic of the funding of the library came up and the Borough Council voted to maintain the same funding that they had last year, so that's good news and it's his understanding it's on a Per Capita basis and their funding is going to be very similar to what they funded previously. That helps to provide us clarification as we start to prepare the budgeting process so we know exactly what Hellertown will be doing and he hopes we continue to do the same funding as we have done in the past and that should help with the concerns of residents who have contacted him about the viability of the library. Mrs. Stauffer said that would be helpful for the library and that LST plans to do that, but we haven't started discussing our budget yet and that wasn't a topic tonight so it sounds premature to make any statements on that. Mr. Banonis said then we can just ignore the fact that Hellertown agreed to fund at the same level as they did before. He apologizes for bringing that to the attention of the Liaison of Council for the library. Mrs. Stauffer said we are talking about State funding and she thinks that was very poor.

Mr. Carocci

- He said it is coming up on budget season and he was told we can make suggestions for the proposed budget and since he's one of the two Fire Department liaisons he did make a motion to try and clarify some funding timeline for next year in regards to the merger. If you recall, we had a lot of discussions in spring and summer about the merger and he just wanted to put something in writing for the Township and to see if Council would agree that in the proposed budget that they put this in consideration so everyone is aware of exactly what would happen. It's just for the Township staff to propose a 2021 budget that would allocate \$150,000 to Lower Saucon Fire Rescue (LSFR) and \$50,000 to Steel City (SC), to assist their funding operations and this money would be put in their account after the June Council meeting and if the April 1st deadline is met, the payment can be authorized at a meeting shortly thereafter. The \$200,000 is the same funding level as last year; however, none of the allocated funds in the 2021 budget will be paid unless the following conditions be met, and that is that LSFR and SC completely merge their operations and become one legally merged fire company to the satisfaction of Township Council and under PA and Federal law by April 1, 2021. If by April 2, 2021, they have failed to complete their merger, the allocated funds will be reduced by 50% meaning LSFR would only be eligible for \$75,000 and SC \$25,000 and then if they are not merged by May 1, 2021, funds would be cut an additional 50% to \$37,500 for LSFR and \$12,500 for SC and if it's not done by June 1, 2021, LSFR and SC would not be eligible for any of the funds. He'd like this to be in the proposed footnote for the mechanisms and conditions that have to be met.

Mrs. Stauffer said how would you feel if someone laughed at you during a Council meeting, she was just curious on the statement before that when someone says something, you can be polite. She's not asking for an apology as she doesn't want that, but she does want it stated that this type of behavior amongst Council is not acceptable. Mr. Carocci said he didn't laugh, there was nothing funny. He said do you have a question about this motion? Mrs. Stauffer said it would be nice if it was an agenda item so we could talk about it. Mr. Carocci said it will be as it will be in the proposed budget. Mrs. Huhn said it should be in by the next week. Attorney Treadwell said your motion is to add this to the

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proposed budget as a footnote because the amount in the budget would still be the \$200,000 but you would have this in there as benchmarks.

Mrs. deLeon said the current policy we have for the funding of the fire companies where they have to submit receipts and rosters, when do we allocate the money? Mrs. Huhn said it's upon their submission of that. She thinks it varies. Sometimes it's been in April, sometimes in May, and one time in June, it just depends. Mrs. deLeon said to be hit with this under reports, she's not in favor of waiting until June. You held them hostage earlier this year because of trying to get them to merge. She was against that then, and she's against that now. That shouldn't have anything to do with their allocations. Mr. Banonis said holding them hostage is a bit extreme. It's more that they were incentivized. Mrs. deLeon said are you in her mind again Jason? Mr. Banonis said he prefers not to be. Mr. Carocci said he feels it is incentivizing them to merge which they need. They've been talking about it for a while. He'd appreciate a vote on the motion and people can vote on it. Mrs. Yerger said you'd like this to be incorporated into the budget review process, is that correct? Mrs. Yerger said in the proposed budget and it keeps the funding level the same as in 2020. Attorney Treadwell said since it wasn't an agenda item, you have to open it to public comment. No one from the public spoke.

MOTION BY: Mr. Carocci moved for the Township staff to prepare a proposed 2021 budget that will allocate \$150,000 to Lower Saucon Fire Rescue and \$50,000 to Steel City Fire Company to assist in the funding of their operations which payments will be placed on the June 3, 2021 Council agenda for approval. If the April 1, 2021 deadline is met, then payment may be authorized for the next regularly scheduled Council meeting. These amounts maintain the 2020 Township funding levels; however, none of the allocated funds in the 2021 budget will be paid unless the conditions stated above are met.

SECOND BY: Mr. Banonis

ROLL CALL: 3-2 (Mrs. Stauffer and Mrs. deLeon – No)

Mr. Carocci said also for the proposed budget, he has a motion that the Township staff prepare a 2021 budget that will allocate one payment for the LSFR ladder truck which is what the Township agreed to, but only if the issues relating to the ladder truck are resolved to the satisfaction of Council. There's some issues with the color of the bucket and the ladder and our insurance company has some questions and we pay the W/C for our firefighters, so he wants that footnote in there so the payment will be budgeted for, but we need some resolution as far as the currently black ladder and bucket.

MOTION BY: Mr. Carocci moved have Township staff prepare a proposed 2021 budget that will allocate one payment for the LSFR ladder truck only if all issues relating to the ladder truck are resolved to the satisfaction of Council.

SECOND BY: Mrs. deLeon

Mrs. Stauffer said she thinks having motions during our reports that aren't agenda items is something we might want to reconsider. Mrs. Yerger said we will proceed with this, and if you want to address it next meeting, it would be the proper way to do it.

ROLL CALL: 4-1 (Mrs. Stauffer – No)

Mr. Carocci said it's a motion for the Township staff to prepare a proposed budget that will ease the financial burden for LST residents taxpayers during challenging economic conditions due to the COVID-19 pandemic by reducing the 2021 tax rate for fire equipment currently at 1 mill to .75 mills which is equal to \$0.75 of \$100 assessed value. It give the residents a tax break.

MOTION BY: Mr. Carocci moved to reduce the fire tax from 1 mill to .75 mills to give the residents a tax break.

SECOND BY: Mr. Banonis

Mrs. Stauffer said why can't this be as an agenda item. Mr. Carocci said it will be. They have to get the information first so Cathy can prepare the proposed budget and these are things he'd like to see. Attorney Treadwell said this motion wouldn't actually reduce the fire tax, it would just to be to prepare the budget with a reduction of the fire tax in it, as you vote on the fire tax much later. Mr. Carocci said correct. Mrs. deLeon said these are things that should be thought about and that's

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why we have agendas. To hit us with this under reports, and not bring it to the budget meeting, that's why we have a meeting with just the budget so we can discuss these things. Cathy changes the budget all the time and we have a preliminary and we have final. Mr. Carocci said we can discuss it that night as well. Mrs. deLeon said reports is more of a discussion of activities that you've been at. There's a reason why we have agendas to inform the public, get people to come and comment. We are a partnership with the residents. Mrs. Yerger said she agrees, as this is a tax issue, it should be an agenda item. Mr. Carocci said alright. Mr. Banonis said Tom is just suggesting that he wants Cathy to simply prepare a budget with the understanding that it would be a .75 fire tax and not enacting any tax changes, it's not doing anything like that. It is just to direct her in preparing the budget to do so reflective of that figure. We have plenty of time to discuss that, but we'd like to see those figures in the proposed budget so we know what we are looking at. Like Priscilla said, there are aspects of the budget that are going to change up and down and are going to be moved, but he'd still like to see exactly what it is what is going to be the impact of what is being proposed, he doesn't think it's premature. He doesn't think its blind siding anybody; in fact, it's the opposite of that. It's providing notice that this is something that is being considered so everyone is informed and he'd rather have this discussion now than to spring it on individuals who may be impacted by this or other things when your goal is the opposite. Mr. Carocci said he agrees and feels it gives the public even more notice, a good two weeks' notice before the next meeting when we even start to discuss the proposed budget to weigh in on it. Mrs. deLeon said she thinks Cathy can, and Cathy can correct her if she's wrong, prepare a memo showing what the impact would be if that's what you want to do and not put it in the budget and have it for our discussion so we can inform an opinion that night. Mr. Carocci said it would be in the proposed budget. Mrs. deLeon said no, she can create a memo and then at the end of the night when we talk about of different things, she'll have an accumulated list and that will go into the draft budget that she presents to us as preliminary. Mrs. Gorman said basically the meeting at the end of October is a work session meeting, so it's what the Manager is proposing to Council; and at that point, it then moves into whatever changes you want and then it's preliminary and final. She can write a memo, she can show it to you both ways. Mrs. Yerger said that would be the most productive. Mr. Carocci said he understands why some people feel that way, you are providing the public less of a time to digest what this motion is and respond to it. You are talking, for example, if we waited until after the Manager's proposal and our proposal, that's a very short time frame. Mrs. Stauffer said it would be a separate line item on the agenda so that people could see it and what we are discussing. Mrs. Yerger said is this a request so she can have it for the next Council meeting. Mr. Carocci said he thought that was what the motion was, prepare a proposed budget with this in it and we can talk about it. Mrs. Stauffer said a proposed budget is not the memo though. Mrs. Yerger said prepare a comparison of the two and have it next agenda item so that would be a request, or maybe we do need a motion, that way we would have it in front of us and direct her then what we want in the budget. She hates to see her keep doing all the work and putting in and taking out. Mrs. Gorman said however Council would like her to proceed, she can do it either way. Attorney Treadwell said isn't it a spreadsheet? Mrs. Gorman said pretty much. Attorney Treadwell said so you change the number from 1.0 to 0.75. Mrs. Gorman said yes. Mrs. Yerger said can we have her do it both ways. Mrs. Huhn said you can.

Ms. Wittchen said why does this require even a motion at 10:30 p.m. at night. Her observation is 52 participants started this meeting and we've only got 32 left. There are three motions, one of which we can't even see the wording of. We've had no time as a public to read any of this, and she's not sure why this has to be a motion. Why can't it just be a simple request to Cathy to do this, or if you feel if you have to put it in writing, let's have a sense of the Council statement, but why do we have to formalize motions. Are you going to do this for every single item that turns up in the budget this year if there's something on there, they want to make sure Cathy puts in there. This seems to be a ludicrous waste of time and it does nothing for transparency because people are not still on the meeting.

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Mrs. deLeon said why she supported it as a second on the motion was because the fire company ordered a truck that has a black ladder and it was in our consultant report and she has issues with that. Mr. Carocci said do you want me to make this motion a request that Cathy just put the numbers together and bring them back to Council at a future meeting as a memo. Mrs. Yerger said yes. Mr. Carocci said he'll withdraw his original and make another motion.

MOTION BY: Mr. Carocci moved that Mrs. Gorman bring the numbers as related to the fire tax reduction back to Council showing what the reduction would entail and Council can talk about it then as an agenda item or any way you want to.

SECOND BY: Mrs. Yerger
Mr. Bryan Evans said commenting as a taxpayer, Tom, for clarification on the numbers as there was a lot of back and forth there, and your request is a reduction by 0.25 to 0.75? Mr. Carocci said correct. Mr. Evans said he wanted to make sure he heard the numbers right.

ROLL CALL: 3-2 (Mrs. Stauffer & Mrs. deLeon – No)

Mr. Banonis

- He'd like to acknowledge the Hellertown-Lower Saucon Little League. They are wrapping up their season successfully and safely. Tonight there was a game and the two teams in Hellertown were the cream of the crop and they played in the championship game and it was very good for the community, and very good for families and student athletes to engage in some sort of recreation. It's not just at that level, but at the Farm and Pony level, the Hellertown teams have done a great job and are headed towards championships at Districts. It's nice to have some recreation sport and normalcy to everyone's lives and he thought he'd share the good news with Council.
- One thing that came to his attention and all Council members had received an email on September 29th, was a communication about increased sludge material at the landfill and recommendations to be brought to DEP and a letter had already been drafted to DEP. The letter was prepared by Laressa McNemar at Tri-C and she had raised the alarm that the sludge would be 69% of the waste that would be going into the landfill and the tonnage sludge was going to increase from 1,104 tons to 246,226, tons. He inquired about the necessity of this letter and he was wondering why this was not brought up at a Landfill Committee meeting and why there was no communication with the landfill and there was no position from the landfill on these great statistics that were quoted. What concerned him was the issues could have been identified and addressed with a better communication with the landfill and it seems there was nothing critical or impending emergency based upon what she was reporting to us. Why wasn't she picking up the phone and simply calling or sending these alarming emails or letters on the taxpayer's dime. After he raised those concerns, the landfill immediately responded and they corrected her and said the sludge as actually 1.43%, not 69%. They said they had some special waste projects they were bidding on and that the majority of that waste would go elsewhere. In fact, it would be absurd to take 69% sludge in for their own safety as the hillside would basically collapse into their offices. He then looked into what Laressa's job duties are and she has 7 of them. All of her duties are the same as what we are paying HEA for as the Host Municipal Inspectors and among her duties are to provide a list of concerns, do the landfill reports, compare reports and flag items, and review the quarterly reports. We are already paying HEA to do that. The only thing she does that is different than what HEA does is reviewing the Form U's and reviewing special reports and permit applications. It appears that Laressa and Tri-C, the services they are highly redundant and unnecessary to what we have. DEP itself reviews the Form U's and we also have HEA reviewing these things and we also have the Landfill Committee reviewing these things. In light of that and in light of what appears to be an alarmist approach and an adversarial approach towards the landfill and redundancies and unnecessary tasks that are being undertaken, he is going to make a motion.

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MOTION BY: Mr. Banonis moved to remove Laressa McNemar and Tri-C Corporation for their ongoing consulting role immediately and to the extent that there are ongoing permit issues that are pending with the landfill that we replace them with Maser Engineering, as a limited engagement, simply for the review and consultation on those permit applications.

Mr. Banonis thinks the reason for doing so are very clear and his understanding is we spent hundreds of thousands of dollars on these services in the past for what is essentially redundancy alarms and adversity towards the landfill, which is a good partner with our community. Mrs. deLeon said Leslie could you respond to what happened with that and explain about the Form U's and the Host Agreement with the 15 days and all that stuff and the process. Mrs. Huhn said Form U's are submitted from the landfill and we have a 15 day turnaround time which is what Laressa reviews. DEP gets it at the same time, so Laressa turns them around very quickly. In this case she was concerned because she thought the amount of sludge that was proposed on a Form U, she raised that concern. She does review the Form U's that get sent into DEP and we have that 15 days in which to respond. Mr. Banonis said DEP reviews the Form U's itself so what she's reviewing is already being reviewed by a State agency which has the ultimate authority over the landfill. Mrs. Stauffer said why are we doing this? Mr. Carocci said she's not required by the Host Municipal Inspector prior to...Mrs. deLeon said it's in the Host Agreement that the Form U's get a 15 day review by the Township so DEP knows that and the problem with sludge is in the past, and she's going way back, 33 years, might be 34, we had issues, and that was when the City had the landfill, taking in sewage sludge that was dewatered and it was very wet and it had an odor and was really bad. We got the City to stop accepting that and then, she doesn't know if it's in the Host Agreement or not, they are only supposed to be taking a percentage and Tom you were on the landfill call when she asked about the percentage, and she doesn't remember if it's 90/10, but because of the less water it's not going to smell. There's also concern, the wetter the sludge is, the less stability that you have. Now they are putting garbage on top of garbage and piggybacking and it raises concerns. They got approval for all the Form U's that are basically all kinds of sewage sludge so the concern was because of the past issues of the percentage. If they are taking in 69% of sludge, in a given period, that's a whole lot of sludge on top of garbage for stability issues. Mr. Banonis said she could have simply clarified that by picking up the phone. Mrs. deLeon said she did talk to Leslie. Mr. Banonis said she could have clarified that by contacting the landfill, and finding out in fact that it's not 69%, it's 1.43% which is a hugely different number. He questions why you just don't pick up the phone and have a line of communication instead of having an adversarial relationship with a large part of our Township. Mr. Carocci said it does seem that relationship is acrimonious from sitting in on those meetings and he's not sure it's serving the Township with the acrimony between the two parties. He's not sure the Township is being served correctly. Mr. Banonis said it's redundant to already what's being provided by HEA and by the Landfill Committee. Mrs. Yerger said why can't HEA handle it if they are handling it already, why does she have to do this. Mrs. deLeon said they are not Landfill Engineers. Mrs. Huhn said she doesn't think they have the technical ability to review the Form U's, that wasn't in their scope of work. Mr. Banonis said this came up during a prior meeting when we were talking about replacing Chris Taylor and that is when Maser came in and Maser is the entity who responded to the RFP, the other one was HEA. Maser said they had the ability to handle the Form U's and HEA said they did not have the technical person to review the Form U's. We know DEP is reviewing the Form U's. What he's suggesting is that we bring on board Meiser for a limited engagement because we have a permit pending right now for the realignment that's being proposed and to the extent there are concerns about that and how the Form U fits into that equation, Maser can provide those services. Mrs. Stauffer said Maser is like \$100 more. Mrs. deLeon said the RFP was not comparing apples to apples. The RFP was for Host Municipal Inspector, not for a Landfill Engineer. Mr. Banonis said the fact that Maser is \$100 more, we're paying for a letter, we're paying for emails that are raising alarms where there are no alarms to be raised. Any money we're

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spending on that is greater than what should be spent. They aren't creating a situation that helps to benefit themselves by raising alarms when there's nothing to be raised. They can simply pick up the phone. Mrs. deLeon said she thinks the policy is for Laressa to work with Leslie. She doesn't have the authority to just call the landfill as that would be an expense. Leslie makes the determination and that's what happened in this instance where she raised her concern to Leslie and Leslie said to write the letter and then you know what happened. Mrs. Huhn said Laressa contacted her and said there was a lot of sludge and it's beyond her technical expertise, she doesn't know anything about Form U's, so she told Laressa to put it in writing and provide it to her if she has these concerns. Mrs. deLeon said she doesn't think Laressa did anything wrong. Mrs. Stauffer said Jason you emailed all of Council, and that's even something that's a separate issue here, it's not even something we're supposed to be doing about something like this or shouldn't it have just gone to Leslie and said can we review this process as an agenda item at the next meeting. Mr. Banonis said his email wasn't addressed to all of Council, Council had to be copied. It was addressed to Leslie, why are we hearing about this in the manner we are hearing about it. Mrs. Stauffer said we can't hear Jason. Mr. Carocci said he said emails were copied to Council but it was addressed to Leslie. Mrs. Stauffer said if there was a response, it should have been an agenda item. Mr. Banonis said no one responded. What are you talking about it for? Mrs. Stauffer said she might have responded, would she have been in trouble if she did that or would Jason have been in trouble? Mrs. deLeon said let's go back a few months ago when she sent an FYI email to everybody notifying everybody of an odor complaint. She didn't want a response from anyone, it was just an FYI and Jason blasted her in an email for doing that, so he did the same thing, but that's okay because he did it. Mr. Banonis said the difference is you authored the email and you authored it to us. He didn't author the email, he was responding to an email to him and you happened to be copied on it and his communications were not directed to you as a Council person or no one else as a Council person. Mrs. Stauffer said Linc what? Mr. Banonis said are you going to apologize to Tom because you accused him of laughing because now you are laughing. Mrs. Stauffer said no, she didn't get an apology. She didn't ask for one. Mr. Banonis said good, keep your expectations low. Mrs. Stauffer said when we're in meetings that is a potential thing. Attorney Treadwell said he thinks the productiveness of this meeting is deteriorating, so there's a motion on the floor, was there a second?

SECOND BY: Mr. Carocci

ROLL CALL: 2-2 (Mrs. deLeon & Mrs. Stauffer – No; Sandra Yerger – Absent – Motion fails)

Mrs. Yerger – Absent

Mrs. deLeon – No report

Attorney Treadwell said does Mr. Kocher have anything? Mrs. deLeon said shouldn't Jason be taking over as V.P.? Attorney Treadwell said he's just trying to end the meeting, he doesn't have any report.

C. **SOLICITOR** – No report

D. **ENGINEER** – No report

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

IV. ADJOURNMENT

MOTION BY: Mrs. Stauffer moved for adjournment. The time was 10:51 p.m.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Mrs. Yerger – Absent)

Submitted by:

Leslie Huhn
Township Manager

Sandra B. Yerger
Council President