

**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on November 20, 2019 at 7:00 p.m., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with President Priscilla deLeon, presiding.

**ROLL CALL: Present:** Priscilla deLeon, President; Ryan Stauffer, Vice President, Sandra Yerger, George Gress & Donna Louder, Council Members; Leslie Huhn, Township Manager; Thomas Barndt, Chief of Police; Brenda Detweiler, Administrative Assistant; Linc Treadwell, Township Solicitor; Avia Weber, Jr. Council Member. **Absent with Prior Notification:** Brien Kocher, Township Engineer; and Judy Stern Goldstein, Township Planner.

**PLEDGE OF ALLEGIANCE**

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

Mrs. deLeon said Council did not meet in Executive Session prior to tonight's meeting.

**PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mrs. deLeon said if you are on the agenda, you have Council and Staff's undivided attention. If you choose to speak, we ask that you use one of the microphones and state your name for the record. If you have a non-agenda item, she asks that you give your fellow public the courtesy of the floor. There's a sign-up sheet in the back of the room. You can follow tonight's agenda on the website on each of the agenda items. If you aren't signed up for agendas or newsletters, please go to our website and sign up.

**II. PRESENTATIONS/HEARINGS – None**

**III. DEVELOPER ITEMS – None**

**IV. TOWNSHIP BUSINESS ITEMS**

**A. SAUCON RAIL TRAIL OVERSIGHT COMMISSION – PROPOSAL TO INSTALL STATION INDICATION SIGNS**

Mrs. deLeon said the Saucon Rail Trail Oversight Commission (SRTOC) is proposing the installation of station signage along the Rail Trail. The signs will be paid for by the SRTOC; however they are requesting that the Public Works Department of each respective municipality install their sign.

Mrs. Huhn said Roger Jurczak our representative to the SRTOC is present this evening. The signage has been passed in Upper Saucon, Coopersburg and Hellertown. These are signs indicating where the actual RR stations used to be; the Bingen Station was located in LST. The SRTOC does have the money to do this and they are asking for approval of the location and for our Public Works to install it for them.

Mrs. deLeon asked how the Rail Trail gets their money, is it donations? Mr. Jurczak said when the Rail Trail was initially open, there was a budget established by the Commission which was \$2,000 a year and each municipality gave annually. Mrs. deLeon said has it been an annual thing? Mr. Jurczak said no. Mr. Jurczak said it's been about five years since they got that initial amount. The money was first used to establish a website. Subsequently, monies have been received. We did the water fountain at LST's site and that was funded through donations. We've used some of the monies for the maintenance of the website, but improvements along the trail have been done by individual communities where there were individual needs required and that's part of the Commissions By-Laws. Mile markers were done on a donation basis. When they were initially installed there was a cost established and individuals and businesses paid for the mile maker.

Mrs. deLeon asked what the balance was in their budget. Mr. Jurczak said there's about \$7,500 in it. Mrs. deLeon said there are a lot of outsiders and they are not going to know there was a train station there at Bingen. She doesn't want the trail littered with signs everywhere.

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Mr. Jurczak said nothing was really done to identify where the train stations had been and a number of people have commented about what's along the trail. Lehigh University found some of the initial geology and there's a sign just south of Bingen Road, which points out very old geological markings. There's another one that just went in in Upper Saucon. This particular proposal establishes a uniform sign at the four municipalities. We want to encourage people from the communities to come up with ideas just like the water fountain at LST. That's the way a lot of improvements on the trail have evolved.

Mrs. deLeon said she was always adamant that whatever was left there by the RR should be renamed somehow so it would be a relic of the past. We have the kiosk, is there room that we could put a sign there with information on the four stations so when people get to that point of the trail, they can read it. Mrs. Huhn said maybe the commission could put some of the history on their website on the different stations and give an explanation of where the stations are. We can then put something in the kiosk and she'll work with Mr. Jurczak on that.

Mrs. deLeon asked what the approximate time would be for our road crew to work on this project. Mr. Jurczak said Barry Yonny had suggested putting concrete in to strengthen the posts.

Mr. Jurczak said there have been certain locations on the trail where termites and carpenter ants are a problem. We've used cedar and pressure treated posts on various markings on the trail. We have cedar posts at each RR crossing identifying the road, they've stood up very well. The pressure treated quarter and three quarter mile markers are also standing up extremely well. In Upper Saucon at the entrance way to DeSales, they are going to put a bridge in over the roadway and when that happens we can get a full alignment of what the rail had been before the college developed it and took out the rail bed.

Mrs. deLeon said we have two diagrams, which way is it? Mr. Jurczak said they both represent the same thing. It will be put in parallel to the trail. It represents what sign existed when the station was there, that's how the train station signage was. Mr. Gress said the signs are nice and great for the history of our area.

**MOTION BY:** Mrs. Yerger moved for approval of the placement of Rail Trail Station signs to be installed by Public Works.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 5-0

**B. HELLER HOMESTEAD MASONRY WORK – 1890-1892 FRIEDENSVILLE ROAD – REVISED RAILING DESIGN**

Mrs. deLeon said in order to install two handrails at the bottom set of steps, the contractor will need to remove the existing railing. New railings will need to be fabricated to allow the required width and be reinstalled.

Mrs. Huhn said there are photos of what is existing out there currently. The steps have been repaired and revised to meet standards per code. The bottom railing is what is being brought back to you this evening. The one side of the railing was installed and when we came back to Council there was a question of having a railing on both sides. In order to do that, the contractor has come back with a rendition of what he's proposing. A second railing would not meet code, as it would only be 32" wide which is not wide enough, so he is moving the railing up one step away from the first pillar, so it will start at the edge of the first pillar and curve and then be installed at the top of the second pillar. That way we would get the 36" we need for code but he'd have to remove the existing railing and have it fabricated and then reinstalled. That would be an additional \$1,350. Mrs. deLeon said it's much safer to have the double railings.

Mr. Gress said that money originally came out of which fund? Mrs. Huhn said the historical fund for the Homestead. Mr. Gress said is there still some money in there? Mrs. Huhn said we still

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have enough in there for this. Mr. Jurczak said he's currently the VP of the SVC and asked if it is a code requirement to have handrails on both sides of the stairs? Mrs. Huhn said she can't answer that. Mrs. deLeon said 32" didn't meet code and 36" met code.

Mr. Gress said the concern was having two railings in the event someone who was walking up there couldn't use the railing on the left side, they'd use the railing on the right side. With only one railing being there and with people going in and out and being ADA compliant, the intent was to put a railing on the other side; however, with putting the second railing in for safety reasons, the minimum width was not met.

Mr. Jurczak said he understands the dimensional aspect, the question, as a taxpayer, we spent \$7,500 to do this project a year ago and had we had a requirement for railings on both sides, he thinks the stairway to the parking lot would have been fabricated wide enough and the railings that were initially in that cost would have been part of the bid. Mr. Gress said we only spec'd one. Then after looking at the finished product, there are two handrails there and the intent was to match down below, so it was an afterthought by Council that we should add a second one down there. Mrs. Huhn said aesthetically two at the bottom would match the two at the top.

Mr. Jurczak said near the Moravian Church in Bethlehem, there are wide stairs and only one railing goes up those stairs. He hears your commentary about being super vigilant about someone having difficulty; but he doesn't believe we are meeting any ADA requirements in the front anyhow. There was a recommendation three years ago about putting in an ADA sidewalk along the back of the house. From an ADA standpoint, that would be where good money should be spent.

Mrs. deLeon said this is a historic site and you have to do the best you can. She had both her knees replaced several years ago and knows she needs to use a handrail. She supports this and people coming there are older and need help. She agrees with the sidewalk going to the back, but that could be discussed at another time, tonight the issues are the steps.

- MOTION BY:** Mrs. deLeon moved to approve demo and reinstallation of handrails on lower steps at an additional cost of \$1,350.00.
- SECOND BY:** Mr. Gress
- ROLL CALL:** 4-1 (Mrs. Louder – No)

**C. AUTHORIZE ADVERTISEMENT OF INVITATION TO BID FOR GAS AND DIESEL FUEL**

Mrs. deLeon said the Director of Finance is recommending to bid for the Township's gas and diesel fuel for 2020 to see if we can obtain better pricing. Mrs. Huhn said Cathy Gorman suggested this during our budget deliberations, that we would put fuel and gas out to bid this year. There are two options, one for approximately 25,000 gallons for the year of unleaded gas and the option to extend that for an additional year if the pricing meets certain criteria and we are pleased with the company. The bid will have all the bid information that we include in every bid packet, so tonight is just asking for authorization to advertise the bid.

- MOTION BY:** Mr. Gress moved for approval to authorize the advertisement for gas and diesel fuel.
- SECOND BY:** Mrs. Louder
- ROLL CALL:** 5-0

**MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF OCTOBER 23, 2019 AND NOVEMBER 6, 2019 COUNCIL MINUTES**

Mrs. deLeon said the October 23, 2019 and November 6, 2019 Council minutes are ready for Council's review and approval.

- MOTION BY:** Mrs. Yerger moved for approval of the October 23, 2019 minutes.
- SECOND BY:** Mrs. Louder
- ROLL CALL:** 5-0

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**MOTION BY:** Mr. Stauffer moved for approval of the November 6, 2019 minutes.  
**SECOND BY:** Mr. Gress  
**ROLL CALL:** 5-0

**B. APPROVAL OF OCTOBER 2019 FINANCIAL REPORTS**

Mrs. deLeon said the October 2019 financial reports are ready for Councils approval.

**MOTION BY:** Mrs. Yerger moved for approval of October 2019 financial reports.  
**SECOND BY:** Mr. Gress  
**ROLL CALL:** 5-0

**C. MONTHLY DEPARTMENT REPORTS FOR OCTOBER 2019**

Mrs. deLeon said the Police, Public Works and Zoning reports for October 2019 are complete.

**VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None**

**VII. COUNCIL & STAFF REPORTS**

**A. TOWNSHIP MANAGER**

➤ Mrs. Huhn said Light-Up Night is Friday, November 29, 2019.

**JR. COUNCIL MEMBER – Avia Weber**

➤ She said they don't have half days like the middle and elementary schoolers do, but they are ready for thanksgiving

**B. COUNCIL**

**Mrs. Louder**

➤ She asked Chief to come up to the podium. She said Steel City Fire Company has been awarded grant money and they purchased bullet proof vests. At the Fire Services meeting, it was mentioned and she wants to know where Chief Barndt stands on this. Chief Barndt said there were no discussions with him on bullet proof vests two years ago and if it was, it was just in passing. A lot of fire departments are going to training but that's out of his realm. They can do the training if they want. The PD has no agreement with the fire department that they are coming to active shooter drills. They have no policy set up at this time. He is working on it and trying to set up training next year. Mrs. Louder said right now they would not be called to respond to something like that. Chief Barndt said they wouldn't be specifically called, but heaven forbid something like that would ever happen, every emergency responder would be there staged in a location and there would have to be checks and balances if they were trained to do certain aspects of the job. He's unfamiliar with what vests they got and what training they received. Mrs. deLeon asked is this something you need to step in on? Chief Barndt said he doesn't think the PD needs to step in on it as the fire department wouldn't be taking over the incident, it would be a police incident from the get go. The FD would be a resource to assist them. If they have vests, they have vests and they could pull them and use them. He doesn't know what brand they got, and what it would stop, which is the most important thing. If they are getting the training to do this and bought the vests as part of that, he's fine with that. There's no agreement between the LST PD and Steel City Fire Department. His hope is that in 2020 he can have a class with the fire departments and EMS and build upon the active shooter training and move forward.

**Mrs. Yerger** – No report

**Mr. Gress**

➤ He said he was at the dinner honoring Jessica O'Donnell and he wishes everyone a Happy Thanksgiving.

**Mr. Stauffer**

➤ He was the Council VP this year and he'd like to withdraw from that role and ask Council to appoint a new VP. He would like to nominate George Gress as VP for the remainder of the year. Mrs. deLeon said we accept your resignation as VP. Attorney Treadwell said

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you are resigning as VP, so Council would then need to act on that resignation first before we move onto everything else.

**MOTION BY:** Mrs. deLeon moved to accept Ryan Stauffer's resignation as VP with regret.  
**SECOND BY:** Mrs. Louder  
**ROLL CALL:** 5-0

Mrs. deLeon said so we have a motion to nominate? Attorney Treadwell said you could do it now, you could do it next meeting, it's up to Council how you want to approach it.

**MOTION BY:** Mr. Stauffer moved to nominate George Gress as Council VP for the remainder of the year.  
Mrs. deLeon asked if there are any other nominations. No one raised their hand.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0

Ryan Stauffer said with regret, he's announcing his resignation from Council effective at tonight's meeting as he's been offered a job involving government work and it does not permit him to serve as an elected official. He wants to thank the residents for giving him the chance to represent them and it's been an honor have the opportunity to serve the people of the Township. He thanked the members of Council. He thanked all the Township employees and volunteers for all the great work they do serving our residents and keeping things running smoothly. In particular, Leslie is a great Manager and we're lucky to have her. He wanted to say a few words about Council. George, he's enjoyed working side by side with him and he has no doubt George will make his voice heard. Donna, he's always admired her as she's an advocate for our residents, particularly those living in the shadows of the landfill. It was always good to know when we received violations; she always demanded to know an explanation. Sandy, your passion for protection of the environment and preservation for open space is an asset to Council and you place a lot of value on safeguarding our history and our natural resources and he trusts those principals will continue to guide her and Council in keeping LST healthy and a pleasant place to live. Priscilla, our current Council President, you bring a wealth of knowledge to Council through decades of experience. She always carefully considers both sides of an issue before taking action; whether you are helping preserving historic sites or analyzing the benefits of development or its negative impacts including pipelines. There are a lot of things that take place behind the scenes; and she takes pride in LST and he hopes she does for years to come. He said it's been a pleasure to work with all of you and a privilege to serve the residents and work alongside you especially when the Township paid off its debt and would be remiss if he didn't mention Cathy and all she does. Mrs. deLeon said that was nicely said, and he brought with him his wisdom and the way he analyzed different decisions, he was always level-headed, so he will be missed. She thanked him for his service. Attorney Treadwell asked Mr. Stauffer if this is effective at the end of tonight's meeting and if he had anything in writing? Mr. Stauffer said he did not. Attorney Treadwell asked him to write something so we have something for the file and to put the effective date he's resigning. Mrs. deLeon asked what about the email? Attorney Treadwell said you have an email that says effective at tonight's meeting? Mr. Stauffer said it did not say effective tonight, he will write something on the back of an envelope he has with him. Attorney Treadwell said that is fine as long as it has the effective date. Attorney Treadwell said under the Second Class Township Code, Council has 45 days to accept the resignation. The resignation then becomes effective on the later of the date you vote to accept it or the effective date that he puts down in writing, so that is why it should be in writing, so he has stated that it is effective at the end of tonight's meeting. So it will be effective at the end of tonight's meeting or earlier if you choose to accept it tonight or later if you choose to wait to accept it, so it is up to Council. Mrs. Louder said she would move to make it effective tonight because she doesn't know how it will affect his new job.

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**MOTION BY:** Mrs. Louder moved to accept Ryan Stauffer's resignation on Council, with regret, effective tonight, November 20, 2019.  
**SECOND BY:** Mrs. deLeon  
**ROLL CALL:** 5-0

Mrs. deLeon said we have a vacancy on Council, so she would like to authorize Leslie to advertise for the position and ask for letters of interest. She'd like to get this going and we have two meetings left this year, December 4<sup>th</sup> and December 18<sup>th</sup>. She said the letters should be in by November 27<sup>th</sup> and then depending on how many we get, we can either have that as an agenda item on December 4<sup>th</sup> to interview candidates or if we get a large number like the last time, we'd need a special meeting. She asked Council to look at their calendars and see if we're available on December 9<sup>th</sup>. Mrs. Louder said Mr. Banonis has to make a decision on what position he's taking, so wouldn't we just run those two together whenever that would take effect. The other question is did the County make our numbers official yet and how would that play into it if it is still unofficial? Attorney Treadwell said the election results don't become official until December 5, 2019. In terms of any vacancy that may or may not be created later on, that's not on the table at the moment. Mrs. deLeon said we just can't appoint somebody, we have to ask for letters of interest. Mrs. Louder said just do the same protocol for both. Mr. Gress said how would that work with Jason's spot, would that take effect at the beginning of the year? Attorney Treadwell said right now, you don't have a vacancy until this meeting ends as Ryan is still on Council until the termination of this meeting, then you have a vacancy. Mrs. deLeon said we should be talking about finding someone for Ryan's position and we should pick another date in case we have to have a special meeting. We cannot do the 11<sup>th</sup> as we have a Partnership meeting and are in the middle of our comprehensive plan, so the next meeting is the 18<sup>th</sup>. Mrs. Yerger said she's concerned about having it due on the November 27<sup>th</sup> with today being the 20<sup>th</sup>. Until we get this information out there, we want the broadest audience obviously to get the best candidate so she thinks that pushing it, especially with the holidays coming up. People could be gone for the whole week with the holiday. Mrs. deLeon said we did it on our website. Mrs. Yerger would prefer to have the letters due December 6<sup>th</sup> and then look at them on December 18<sup>th</sup>. We need more time for the letters to get in. Mrs. deLeon asked if everyone is available on December 9<sup>th</sup> because we could go into that week. Mr. Gress said the 9<sup>th</sup> would be a little soon, what about the 12<sup>th</sup>. Mrs. Yerger said it gives people a little more time to think it through and there is no PC or EAC meeting. Council was not sure of their schedules. Mr. Gress said the last time this happened, the Township put this out on November 26<sup>th</sup> and they had to have it in on November 30<sup>th</sup>. Mrs. deLeon said we did not give them a lot of time. Mrs. Yerger said her concern is the holiday and Mr. Gress agreed. We need to give Leslie a date so she can put it out there. Mrs. Huhn said last time we put it out, they had to provide us with an email address and then we let them know what date was set for the interviews, because we actually gave them specific times. Attorney Treadwell said if you decide to have letters of interest submitted by December 6<sup>th</sup>, you still have your December 4<sup>th</sup> meeting to look at your schedules and see if you want to have a special meeting or not.

**MOTION BY:** Mrs. Yerger moved to direct Mrs. Huhn to advertise the Council position and have letters of interest sent to her by December 6, 2019.  
**SECOND BY:** Mr. Gress  
**ROLL CALL:** 5-0

**Mrs. deLeon**

- She attended the SVCC event honoring Jessica O'Donnell for all she does. She attended the SVP meeting last week and we are moving along with the Multi plan. We're keeping on schedule with that. Mrs. Huhn said it is on our website.
- We received a Victory House donation request letter, do we want to talk about it before our next budget meeting. We can think about it and make that decision on December 18<sup>th</sup>.
- When she attends our other meetings, and she's stressed and asked that we have the audio visual equipment and for every agenda item we should at least have a site plan for the

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residents coming to a ZHB, P/C and EAC meeting, so they have the opportunity to see it on the screen and it didn't happen the other night. Mrs. Huhn said there was no site plan submitted but we could do an aerial.

- C. **SOLICITOR** – No report
- D. **PLANNER** – Absent with prior notification
- E. **ENGINEER** – Absent with prior notification

**VIII. ADJOURNMENT**

**MOTION BY:** Mr. Gress moved for adjournment. The time was 7:53 p.m.

**SECOND BY:** Mrs. deLeon

**ROLL CALL:** 5-0

Submitted by:

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Leslie Huhn  
Township Manager

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Priscilla deLeon  
Council President