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- I. OPENING**
- A. CALL TO ORDER**
  - B. SWEARING-IN**
  - C. ROLL CALL**
  - D. PLEDGE OF ALLEGIANCE**
  - E. ANNOUNCEMENT OF EXECUTIVE SESSION (IF APPLICABLE)**
  - F. PUBLIC COMMENT PROCEDURE**
- II. PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS**
- III. INITIAL REORGANIZATION**
- A. ELECTION OF COUNCIL PRESIDENT (YEARLY)**
  - B. ELECTION OF VICE PRESIDENT OF COUNCIL (YEARLY)**
  - C. DESIGNATION OF COUNCIL MEETING TIME, PLACE & DATE FOR 2022**
  - D. RESOLUTION #01-2022: DEPOSITORY OF FUNDS (YEARLY)**
  - E. RESOLUTION #02-2022: SECONDARY SIGNATURES FOR DISBURSEMENTS (YEARLY)**
- IV. APPOINTMENTS BY COUNCIL**
- A. TOWNSHIP SECRETARY (YEARLY) – RESOLUTION #03-2022**
  - B. TOWNSHIP PLANNING/ZONING ADMINISTRATOR (YEARLY) – RESOLUTION #04-2022**
  - C. RIGHT-TO-KNOW OFFICER - RESOLUTION #05-2022:**
  - D. TOWNSHIP SOLICITORS**
    - 1. GENERAL/CIVIL (YEARLY): RESOLUTION #06-2022**
    - 2. PLANNING COMMISSION (YEARLY): RESOLUTION #07-2022**
    - 3. ZONING HEARING BOARD (YEARLY): RESOLUTION #08-2022**
    - 4. TOWNSHIP EAC/OPEN SPACE SOLICITOR (YEARLY): RESOLUTION #09-2022**
    - 5. TOWNSHIP LABOR SOLICITOR (YEARLY): RESOLUTION #10-2022**
  - E. TOWNSHIP ENGINEER (YEARLY): RESOLUTION #11-2022**
  - F. SEWAGE ENFORCEMENT OFFICERS (YEARLY): RESOLUTION #12-2022**
  - G. TOWNSHIP LANDFILL CONSULTANTS (YEARLY): RESOLUTION #13-2022**
  - H. TOWNSHIP EAC/OPEN SPACE CONSULTANT (YEARLY): RESOLUTION #14-2022**
  - I. TOWNSHIP AUDITOR (YEARLY): RESOLUTION #15-2022**
  - J. TOWNSHIP ACTUARY (YEARLY): RESOLUTION #16-2022**
  - K. TOWNSHIP TAX ADMINISTRATOR/DEPUTY TAX COLLECTOR: RESOLUTION #30-2022**
  - L. COUNCIL LIAISONS (YEARLY)**
- V. REORGANIZATION RESOLUTIONS AND FEE SCHEDULES**
- A. RESOLUTION #17-2022: Manager Salary**
  - B. RESOLUTION #18-2022: Chief of Police Salary**
  - C. RESOLUTION #19-2022: Director of Finance Salary**
  - D. RESOLUTION #20-2022: Public Works Salary**
  - E. RESOLUTION #21-2022: Zoning Officer Salary**
  - F. RESOLUTION #22-2022: Administrative Assistant Salary**
  - G. RESOLUTION #23-2022: Administrative Assistant Salary**
  - H. RESOLUTION #24-2022: Adopts Pay Scale for Non-Uniformed Employees**
  - I. RESOLUTION #25-2022: Adopts Pay Scale for Police Officers**
  - J. RESOLUTION #26-2022: Non-Uniform Employee Contributions to the Non-Uniform Employee Pension Fund**
  - K. RESOLUTION #27-2022: Police Officers Contributions to the Uniformed Employee Pension Fund**
  - L. RESOLUTION #28-2022: Adopting Fee Schedule**
  - M. RESOLUTION #29-2022: Establishing a Permit Application Fee Schedule for Onlot Sewage Systems**
- VI. MANAGER’S APPOINTMENTS WITH COUNCIL CONSENT**
- ZONING HEARING BOARD**
  - PLANNING COMMISSION**
  - ENVIRONMENTAL ADVISORY COUNCIL**
  - FIRE MARSHAL**
  - TOWNSHIP HISTORIAN**
  - TOWNSHIP HISTORICAL COMMITTEE**
  - LANDFILL COMMITTEE**
  - PARKS AND RECREATION BOARD**
  - SAUCON VALLEY COMPOST RECYCLING COMMITTEE**
  - EMERGENCY MANAGEMENT COORDINATOR**

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- LOWER SAUCON AUTHORITY
  - SAUCON RAIL TRAIL OVERSIGHT COMMISSION
- VII. ADJOURN REORGANIZATIONAL MEETING

**GENERAL BUSINESS MEETING**

- I. **OPENING**
- A. CALL TO ORDER
  - B. ROLL CALL
- II. **PUBLIC COMMENT – TOWNSHIP RESIDENT ONLY – 3 MINUTE TIME LIMIT – NON-AGENDA ITEMS**
- III. **PRESENTATIONS/PUBLIC HEARINGS**
- IV. **DEVELOPER ITEMS**
- V. **TOWNSHIP BUSINESS ITEMS**
- A. Resolution #31-2022 - Revision of Agenda Policy and Code of Conduct for Council Meetings
  - B. Authorize Execution of Engagement Letter with Hutchinson, Gillahan and Freeh for the 2021 Audit
  - C. Authorize Attendance at PSATS Conference & Voting Delegate
  - D. Request to Advertise for Public Works Crewman
  - E. Authorize Contract for Feral Cat Program
  - F. Discussion of COVID-19 Bonuses for Part-Time Police Officers
- VI. **MISCELLANEOUS BUSINESS ITEMS**
- A. Approval of December 1, 2021 Council Minutes
  - B. Approval of November 2021 Financial Report
- VII. **COUNCIL & STAFF REPORTS**
- A. Township Manager
  - B. Council/Jr. Council Member
  - C. Solicitor
  - D. Engineer
- VIII. **PUBLIC COMMENT ON NON-AGENDA ITEMS – NON-RESIDENTS ONLY**
- IX. **ADJOURNMENT**

**I. OPENING**

- A. **CALL TO ORDER:** The Reorganization meeting of the Lower Saucon Township Council was called to order on Monday, January 3, 2022 at 6:30 p.m., at 3700 Old Philadelphia Pike, Bethlehem, PA with Sandra Yerger presiding.
- B. **SWEARING-IN:** District Judge Mege was present and swore in Mr. Jason Banonis and Mrs. Jennifer Zavacky. Mr. Tom Carocci who was on speaker phone was previously sworn in by Judge Mege at the courthouse. Mrs. Yerger offered her personal congratulations to Mrs. Zavacky and Mr. Banonis.
- C. **ROLL CALL: Present:** Council Members – Sandra Yerger, Jason Banonis, Priscilla deLeon, Tom Carocci, Jennifer Zavacky. Township Staff – Chief Thomas Barndt and Administrative Assistant Stacy Werkheiser.
- D. **PLEDGE OF ALLEGIANCE**
- E. **ANNOUNCEMENT OF EXECUTIVE SESSION (IF APPLICABLE)** – Mrs. Yerger indicated Council did not meet in Executive Session.
- F. **PUBLIC COMMENT PROCEDURE** – Mrs. Yerger said we do welcome input, but we ask that you keep your comments to the 3-minute limit as per item. She said at this time they will move on to the initial reorganization for 2022, and they will begin with the Election of Council President. (This agenda item now follows after public comment.)

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

- Ellen Buck, 1221 Seidersville Rd, said she is outraged that you are considering withdrawing the money for the Hellertown Public Library (HAL). She has been going there for 20 years, and it is an oasis of knowledge in this valley. They have programs for children, babies, adolescents, and they provide programs for adults. They can bend over backwards to give us whatever you ask for books. She said she is 74 years old and she reads a lot. She goes to the library every two weeks. She does not want to go to Bethlehem. There is no parking on the Southside and even on the Northside if it's time when the schools let out. She has been given.....she just can't tell everyone how good the staff is there. They are friendly, and get any kind of book someone would want through interlibrary loan, they just bend over backwards, and it is just a gem of a library. She doesn't understand why it is being considered taking funding, from of all things, the HAL.

Mr. Banonis thanked her for her comments, and said there may be other people here tonight who are interested in the library. He has received emails from residents and non-residents. The library is not on the agenda for tonight, and they are certainly welcome to comment on it if you feel the need to. He said they anticipate the library will be on the agenda during the January 19<sup>th</sup> meeting. As it stands now, our solicitor is in discussions with the attorney for the library, and those discussions are ongoing. Mr. Banonis said he personally does not have information to report on those discussions. He said he thinks for everyone who has contacted him, he has explained to them that the Township and staff are conducting their due diligence on this issue. We are doing the investigation, and no decision has been made either way as to the Hellertown Library and Lower Saucon's affiliation with it. Knowing this, he is sharing this with everyone now. Certainly, if anyone else would like to speak up because they are here, you have the right to do that, but know also that this will likely be on the agenda in 2 ½ weeks.

- Stephen Harvilla, Reservoir Rd., said he has been a resident for over 50 years in Lower Saucon. You people gave us a choice a long time ago on whether we wanted a library, a park and number of things, he cannot recall them all from that time. Now you want to take it away. He asks, with all due respect, to really think about not taking it away. He personally uses the library a lot, and he see a lot of scouts, mothers with children. All of you people have already had your children, and now you are talking about taking education away. That is the wrong thing to do. He asks that you really, really seriously think about this at night when you go to bed. He is outraged about it too, but he is trying to be calm. He does respect what they are doing, and wants to make a suggestion. For the people who are not here, and don't know about what is going on, he suggests they do what they did when they sent everyone a survey on the choices we had regarding having a library, and now you want to take it away. He said to send another survey out to all the residents asking them for their opinions and how they feel about it and particularly the people who are not being reached. This is a small body of people, and he didn't

know about it until he went to the library, and he didn't see it online anywhere. Someone said it may have been on Facebook, but he said that is not enough. He feels something physically should be sent out like when they did to the residents when they were given a choice of building a library or a park or whatever else it was back then. It is disturbing to take education away from people. The children that he sees going in the library puts a smile on his face, and to know that there are caring people out there for their children. Don't take it away – we need it. We don't need the funds to go somewhere else that our taxes are paying for. Thank you.

- Robin Socha, 3521 Drifting Drive. This is my library card – 695 out of the thousands. This is how long I have been in the library. She has taken 4 children, 4 grandchildren, and this to her is unbelievable. Her youngest grandchild who is 5, has Asperger's. The only way he has come out of it as a small tiny library with the help of Andrea and the staff there. She is asking them to think about what they are doing to the children. It is a hub, it is friendship, it is community. This will disappear if you take that library and the funds away. Please reconsider. Go visit the library a few times this month to see what goes on, see how the children and the older people like us react. Please go.
- Brianna Rich, Old Philadelphia Pike said good evening Council. She comes in front of all of you tonight as a citizen of Lower Saucon Township advocating for the HAL. She became aware of the current issue of funding towards the Library the day after the last meeting. She then listened to the transcript and decided that she needed to advocate, not only for her children, but also for her community. She is a mother of three – ages 5, 3, and 1. Not only does she spend each week at the library, but they also attend many calendar events that the library holds. Miss Andrea specifically is a huge influence in all of her children's lives. They are a homeschooling family and the library provides her children with resources that she can use to help flourish their minds in a social atmosphere to help them meet friends, as well as herself. In the last meeting, it was said that Council would be looking into other libraries, such as Southern Lehigh or Bethlehem because they felt Hellertown was inadequate with their services. This is not true. When the statement was made, please make note that none of the Council members were actually members of the HAL. It was only a week after that, one of the members did actually become one. This has her wondering if any of them have even bothered to look at their calendar events or see what they have to offer. She began to do her own research into the other libraries to see what they have. First, she would like to note that class sizes that each of their story time represents. In Bethlehem, they average from 0 to 10 kids, Southern Lehigh averages 0 to 6 kids, and Hellertown averages 10 to 20 kids. She would also like to point out that Southern Lehigh requires registration to events before attending the events, and Hellertown does not. Bethlehem and Southern Lehigh are also not face friendly, whereas Hellertown honors the right to choose what is best for their family and children. Something that many beyond Council advocate yourselves with your platform. Next, she would like to note the accessibility. Hellertown is the most convenient as students from both Hellertown and Lower Saucon attend Saucon Valley. The library is approximately 0.7 miles away. Southern Lehigh is 4.9, and Bethlehem is 3. Now, she would like to talk about the tax dollars. To fund HAL, the per capita is around \$10.00, and Bethlehem is \$19.00, this is double. This will not save our taxpayers money, nor should we support another city who already receives plenty of funds. Speaking of community, it is beyond me why we would even consider funding another library. Lower Saucon adult residents had 24,000 circulations and juveniles had 2.7. This is low considering that COVID is still happening. While she can't provide for other libraries, she can assure you that Lower Saucon residents do use the library. In an attempt to get the word out, she did start a petition that now has over 600 signatures. If this isn't about tax dollars, and it isn't about the resources, what is it? In a world full of cancel culture and defund movements, Lower Saucon is choosing to defund our library. While they are seeking other options to fund, they are also doing a disservice to the residents by limiting free speech, our first amendment right.

Mr. Banonis said he needs to interrupt here as her 3-minute time limit is up. Again, this is a non-agenda item and he expects this will be on the agenda at the next meeting, and he thanked her for her comments.

- Good evening Lower Saucon Township Council, my name is Lincoln Houpt, 1647 Cross Lane. He is here tonight to ask you to please continue to fund the HAL. When he entered kindergarten two years ago, I was already a fluent reader and a strong mathematical foundation. His reading and math skills, along with his love for learning were molded at the HAL. His mom brought him to a vast array of programs with the children's

librarian, Miss Andrea. He made most of his first friends at the library. These same friends also love to learn like I do, and most find learning easy. He wished all the kids in his school could have been brought to Miss Andrea's programs, because he feels badly when he sees his fellow students struggle to learn. He said we need find ways to get more children to these programs – not cut the programs. He said our community and our future will be stronger for it, and it is because of this he implores Council to allocate Lower Saucon's library funds to the HAL. He thanked everyone for their time.

Mr. Banonis thanked Lincoln for his comments. He said Lincoln has a calling, and maybe at some time in his life he will be up here doing something else. Mr. Banonis said he spoke very well, and asked him if he wrote all the comments himself. Mr. Banonis said it sounded like it and he did a great job and thanked him again. Ms. deLeon said he is a big act to follow.

- George Kramer, 2150 Wassergass Road said congratulations on being sworn in tonight, and congratulations on the election. He said he doesn't believe the crowd is here for the congratulations though as you can see. He is going to speak on the Resolution on the next meeting's agenda because technically it is a reorganization meeting to limit comments on public items and we'll pledge allegiance to the flag. He said quite honestly, he doesn't know anyone here that thinks only two comments per item is fair, and he will just leave it at that. Thank you.
- Judy Atherholt, Mansfield St., said she has been a resident of Lower Saucon for 21 years, and she has written a letter to Council and she believes they have all received it and read it. There are hardly words to express how she feels about the HAL and the wonderful benefit they are to our community. She is a senior, and she does not want to go to Bethlehem to get a book, or rent a DVD. She has met so many wonderful friends at the HAL. Women her age, who have become her friends that she wouldn't have met otherwise. She is at the library practically every week. They are so helpful with all the things they help them with. They are there to help people with their taxes. She just can't go on and on about the benefits that the library does give to the community, and how helpful all of the library staff is and how friendly. When she goes in, and sees the smiles on the children's faces who are getting books and doing the wonderful activities that Andrea has for them, plus she participates in the adult activities that they have as well. She hopes that you continue to stay with the HAL. She said her question would be why on earth would you even consider not being with the HAL? What is their reasoning that would validate such a move? Thank you for your time. Mrs. deLeon said thank you.
- Diane Hollowell, 1519 Highland Drive, said she really did not plan to speak tonight. She is the librarian at Dieruff High School, and when she saw this posted on Facebook that you were thinking about not funding it, it just blew her mind. She did post this on her library blog, and people are asking what kind of town does she live in? It was really hard to answer. She added to what someone else said, a library is just more than books. It is a community – it builds community. That's all she has to say, but it is just blowing her mind that they would not consider funding something like this.

Mr. Banonis asked if there are any other comments on non-agenda items.

- Sue Lucrezi, 1984 West Point Drive, said she has been a resident of Lower Saucon since 1988. She has not attended many of these meetings, but some things just get you out. First of all, the library also is an issue for her as she totally supports it, it offers a sense of community and she can't even try to do better than what Lincoln did, so she will endorse what he said. Her second concern is about the limitations for citizen interaction with future meetings. She hopes that they will not be restricting citizen input time. Along with this, there is Zoom. Why are we not offering these meeting on Zoom? St. Luke's is begging people to.....not begging but, the schools are looking at masking again. If you read the numbers, they numbers are skyrocketing. This is not a healthy environment, look around at all these unmasked people. This is insane. She will have to leave right after the comment section is over because he is not going to sit in a room with all of these unmasked people. Let's please consider Zoom so we all have access to our government. Thank you. Ms. deLeon said Zoom is on the back burner, it is just not moving forward fast enough – for her anyway.

Ms. Lucrezi asked what is holding it up? Ms. deLeon said one of the very first Zoom meetings they had went really well and she really enjoyed the contact with the people and everything and she said to the Manager that we really need to think about this when they meet in person. Well, we met in person and it never happened, so they are looking into the technology to do it, but it has been.....how long now Leslie? Mrs. Huhn said they are still waiting for another quote. Ms. deLeon said it has been 3 or 4 months – it was too long. Ms. Lucrezi asked who has to give a quote, who are you waiting for? Mr. Banonis commented that this is her time for public comments so....Ms. deLeon said she is allowed to talk to the residents if she wants to, is she not right? Mr. Banonis said he is the one speaking to her now, you are not speaking to her so please do not interrupt, okay? Ms. deLeon said fine. Mr. Banonis said if the resident has questions about that, she can certainly reach out to Leslie Huhn, Township Manager, by email or by phone and he knows she would be happy to give an update as to what is going on with her efforts to identify potential streaming options for Council meetings. Ms. Lucrezi said thank you, and she thanked Ms. deLeon for honoring a citizen question. Ms. deLeon thanked her and said she hopes it will be on the next agenda but if the rules go forward for the next agenda, the next meeting, she is going to need another person to support her request. Ms. Lucrezi asked another person here or another Council member? Ms. deLeon said another Council member. Ms. Lucrezi said she implores another Council member to support her in her request. Mr. Banonis thanked her. Ms. deLeon said government in action.

Mr. Banonis said to the speaker at podium, sir I think you already spoke, right? He said it is not related to the last subject. Mr. Banonis said he had his 3 minutes on the non-agenda, I think. He said maybe you have a balance left so he will give him another minute if he wants to jump in – go ahead. Mrs. Yerger told him to come to the podium.

- Stephen Harvilla, Reservoir Rd., said he wants to address a safety issue and it has been ongoing wherever we drive. It has to start somewhere, so why don't it start here. It is going to go statewide because he is going to address it. Too many people are stopped for riding bicycles without lights – ok? That's fine, but what about the citizens that are jogging and running at night with dark clothes and no lights? How many of you here have almost hit somebody, or just avoided hitting somebody because they were not wearing light clothing? He would like to propose a suggestion to the Police Department that this be looked into and start somewhere with it because you could be saving lives right here. You might me saving one of your family members lives or a relative or a friend – you don't know. He said a co-worker of his was struck when he was bicycle riding overseas and it took his life. He said there are so many instances where he nearly came up on people and avoided them the last minute because they were not wearing reflective garments or lights on their bicycles. This has been ongoing for years, so the Police Department does stop someone for riding a bike without a light because they stopped him, and he used to work for the Police Department back in the late 60's and early 70's here in Lower Saucon under George Rasich. He said we have a way of saving lives, so why don't we do it and initiate a fine. This is another way of saving lives and making money for the Township. He thinks this should be addressed and not overlooked. Thank you.

Mr. Banonis thanked him and said he believes the Police Chief reviews the data on accidents and conflicts between pedestrians and vehicles. They receive a report with each council meeting from the Chief of Police regarding incidents, and if this was an issue that was a problem in the Township, it would have certainly been brought to our attention, but thanked him for bringing this to our attention.

- Kyle John, 1593 Hafler Road said he is curious if it is possible when posting the Planning Commission agenda that the draft minutes can be included from the previous month. Sometimes it is 3 or 4 months before there is an actual meeting held, and it would be nice to see the minutes from the previous meeting in a more timely fashion. Ms. deLeon asked if he was talking about Planning Commission. Mr. John confirmed Planning Commission.
- Jessica King, 2456 Alpine Drive, said good evening, she really appreciates that she received responses to the emails that she and her children sent to Council. Lower Saucon Township and Hellertown are blended for our school district. She apologizes as she is very upset that instead of putting our energy toward improving the library going forward with programs that the friends are trying to accomplish, that we are fighting for funding.

That feels absolutely absurd. We have a beautiful gem of a library in our community and Mr. Banonis you replied in a timely fashion, very quickly, about the free state-wide library card, and I appreciated the time that you took to reply to me. But the information you are sharing with us isn't accurate if you are talking about our library membership. She said they do not want to belong to Southern Lehigh or Bethlehem. In order for them to get that Access Card, the Township has to be a member somewhere. Freemansburg doesn't have a membership somewhere, so they are paying for an Access Card. They don't get the full range of those services. She doesn't want those services to disappear – they want full access to all of the materials provided to them. They want the ladies Knitting Club, they want women to come in and look at their quilts, they want the children, young adults, young families to continue to volunteer and she thinks the one thing this whole hub-bub has created is an awareness that our little library is at risk. Maybe that means more people showed up tonight, and hooray for everyone who did that because we needed it. We needed more involvement. For the last four years, she has been the Vice President of the Friends of the HAL. I am the one who does all the raffles. She is the one that goes to Braveheart, and when TAPS was around, selling arm-length tickets, helping host events like “Books, Brews, and Barbecues” trying to make sure the library continues above and beyond the budget. Please, really think long and hard about what you are considering for our community, and do not limit the amount of people can comment about what is going on in our community. We are a part of this place, and we want to see parliamentary motions happening. We want Roberts Rules of Order to be followed, we want you to be respectful to the people that are around you. If you are cutting off and belittling and degrading the folks that are all volunteering just like you, that is not okay. She has listened to the transcripts of the meetings, and we are all going to be listening a little bit closer because you all have a better job that you could be doing. Please do it.

- Margaret Tomic, Viola Lane, said good evening to everyone here and to Council. She understands and appreciates the update that they are doing their due diligence regarding the library. She also thinks they really need to think about all of their comments and concerns as you do that due diligence, because there are so many reasons to stay at the HAL. Financially, Lower Saucon taxpayers would lose money out of their pockets and out of the community if they change libraries. At Bethlehem, their taxes would likely double, and cause residents to have to travel elsewhere in order to have full access to a library. Remember, please that not all families have the time or the financial means to constantly travel everywhere and further away to access what should be free, educational, and accessible opportunities from a library. She understands that Lower Saucon does contribute more per capita tax dollars to the library and always have based the larger population, but when we did originally consolidate with Hellertown, it was agreed to the idea of a more equal representation and a joint collaboration in decisions about the library, but now that council seems to be looking for a majority representation to the Library Board. She asks them to consider as a Township what they would do, and what we would do if the shoe was on the other foot? If a larger municipality wanted to merge into a resource that the Township had that we founded, that we fundraised for, and that we built from the ground up as Hellertown did, would we be open to just giving them a majority control, or would we think that a balanced approach would be more fair? In comparison, at other libraries that are being explored, we would actually have a smaller overall representation, and therefore, a lesser voice in those library's decisions. In her opinion, the HAL is excellent. Though small in size, the library is immense at heart. She has watched it grow into a wonderful and valuable resource centrally located within Saucon Valley. It is a convenient and accessible place that fosters a sense of caring and a sense of community. It makes everyone feel welcome. Their programs are great and the staff are kind and friendly. It gives teens and kids of all economical levels a place they can easily walk to right after school. They can walk there to do work, take out a book, or participate in one of Miss Andrea's teen activities. She could go on and on about Miss Andrea, for she thinks we all know, and she doesn't think she has to. She wants to reiterate the fact that they must actually fund a library after January, and she is so glad there was an extension, but they have to fund one in order for the residents to continue to access any public library at all. So when you consider really every standpoint fiscally, equitable accessibility, quality people in the educational programs and how we just support, grow, and really work together as a community, what truly benefits all of the residents of Lower Saucon Township the most is to continue to belong to and fund our library, the HAL.
- Victoria Opthof-Cordaro, 1682 Woodfield Drive, said she will save her comments on the public comment policy for when that comes up later in tonight's agenda, but she did want to comment on the library that to her, it appeared that the process of discussing the library began in December and now there is open dialogue between

people and Council members about the fact they are considering and looking at other libraries. Priscilla or anybody else on Council, if you could remind her, when they initially joined HAL, they did a very, very long process. The community members were involved, surveys were taken, and there was open dialogue and discussion so everybody in the Township had their ability to review and discuss. Right now, she is just hearing that members of Council are the only ones, along with maybe the Township Manager, gathering information and making a decision and then will put it on the agenda next time after a new public policy comment may or may not be passed. She thinks that having these two things together is a little disingenuous for the residents and other people who utilize the HAL who are impacted by the decision that Lower Saucon makes. She is hopeful that Council will take a further look at what they do with the library, and create a commission of Council people along with residents, and do a study like they did last time if they really want to consider how the tax dollars are being spent. This is her comment, and she hopes that they do not come before you on January 19<sup>th</sup> with an ordinance or proposal on there where we are just going to be choosing a library that quickly after only two months.

- Dave Boulin, 2023 Alice Drive, said wow, I was here for the last meeting when this was discussed, and he thinks that anybody here that has read the meeting minutes from last meeting, will see that nominally half of the meeting was consumed in the discussion about the library. In his impression, and he may be wrong, because he sees there is some division, was not that they are getting the rid of the library – the problem was that the Library Commission brought this to the board, and asked them to approve it. And for anybody that is aware of the budget, his understanding is that it is between \$100,000.00 and \$105,000.00 that this organization will be spending on behalf of the residents. He doesn't think it is a problem, but he thinks the problem what they ran into, if he understands it correctly, was Mr. Treadwell, who is the attorney, had not been asked to review it in conjunction with the attorney from Hellertown. He said all of these things that people wanted were there, but nobody had reviewed them and to spend that kind of money with absolutely not looking at the legal terms and obligations and who is going to do what, is ludicrous – at least in his opinion. He said nobody is going to get rid of this library. There were some discussions about if it would be better to be Bethlehem, or better to be with somebody else – Lower Saucon. You really had to be here, and by gosh, I will tell you that if everybody turned out here and always turns out like they do tonight, we would be way better off. He thinks maybe there were 10 people there, and this item just sort of drifted in and it became cause celebrate. He is very happy they are all here, and he encourages them to read the minutes online and really easy to get to in PDF, and then they will know the facts. It shouldn't be emotional and nobody is going to get rid of this library. Thank you. He said he has one more thing as he has 49 seconds, he does applaud the idea of having the ability to speak without being, you folks were not here last time, being able to speak without having somebody from the Council talk over you, or somebody from the audience pop up and tell you “no, that's not right”, that is not going to get it here in this town, he will tell ya, people will want to have their right to speak and with that he will stop.
- Carol Auernheimer, 3232 Apples Church Road, said she never comes to these meetings, but she is going to from now on. She is going to be short; she is very upset about the library. She belongs to the Saucon Valley Women's Club, and they did a lot of the fundraising initially when the library was opened, and they have been giving to them ever since. She said they hold their meetings there also, so are we supposed to go there and then if we need a book somewhere else, we can't access it. That is just ridiculous. It is a wonderful library. She just wants to say that she knows it is not in this but about the time limits and all the things for the participation, that is ludicrous.

Mr. Banonis thanked her and asked if there was anyone else who wished to comment on non-agenda items. He said having heard none, they will now go back to the reorganization part of the meeting. He believes they left off at voting on the Designation of Council Meeting Time, Place and Date. He wanted to take a moment as there are some people that are adjourning.

### **III. INITIAL REORGANIZATION**

#### **A. ELECTION OF COUNCIL PRESIDENT**

**MOTION BY:** Mrs. Yerger moved to nominate Jason Banonis as President.

**SECOND BY:** Mr. Carocci

**ROLL CALL:** 5-0

Mr. Banonis thanked Mrs. Yerger, and said he has big shoes to fill and he appreciates all she has done for the Township over the years.

**B. ELECTION OF VICE PRESIDENT OF COUNCIL**

**MOTION BY:** Mr. Banonis moved to nominate Jennifer Zavacky as Vice President.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**C. DESIGNATION OF COUNCIL MEETING TIME, PLACE & DATE FOR 2022**

**MOTION BY:** Mr. Banonis moved to adopt the schedule for the time, place, and date for the Council meetings.

**SECOND BY:** Mrs. Yerger

Ms. deLeon asked if the Non-Agenda Items were forgotten, Public Comment. Several audience members stated that they overlooked it, and Mr. Banonis said they will go back to it after they complete the vote for Designation of Council Meeting, Time, Place, and Date for 2022. Ms. deLeon thanked him. Mr. Banonis asked Mrs. Huhn to list the dates proposed for the 2022 Meeting Dates.

**ROLL CALL:** 5-0

Mr. Banonis said as part of the reorganization, they did not include the Public Comment Township Resident Only 3-Minute Time Limit Non-Agenda Items that will also be available during the General Business Meeting which will occur after the Reorganization Meeting. Mr. Banonis asked if there was anyone in the public, a Township Resident who would like to make a comment on Non-Agenda Items. Ms. deLeon asked if Mr. Banonis is combining both business meetings for the same public comment. Mr. Banonis said he is not.

**D. RESOLUTION #01-2022: DEPOSITORY OF FUNDS**

Mr. Banonis said the staff is recommending to continue with PLGIT, Fulton Financial Advisors, Truist, and Embassy Bank.

**MOTION BY:** Mr. Banonis

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**E. RESOLUTION #02-2022: SECONDARY SIGNATURES FOR DISBURSEMENTS**

Council is required to appoint two members of Council for secondary signatures for disbursements. The Council President and Vice President serve as signatories for the year. Council should also name an alternate. He would propose that Sandra Yerger be the alternate and asked for a motion.

**MOTION BY:** Mr. Banonis

**SECOND BY:** Mrs. Zavacky

**ROLL CALL:** 5-0

**IV. APPOINTMENTS BY COUNCIL**

**A. TOWNSHIP SECRETARY – RESOLUTION #03-2022**

This resolution has been prepared appointing the Township Manager as Township Secretary.

**MOTION BY:** Mr. Banonis

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 4-1 (Ms. deLeon – No)

**B. TOWNSHIP PLANNING/ZONING ADMINISTRATOR – RESOLUTION #04-2022**

This resolution has been prepared appointing the Township Manager as the Planning/Zoning Administrator.

**MOTION BY:** Mr. Banonis

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 4-1 (Ms. deLeon – No)

**C. RIGHT-TO-KNOW OFFICER – RESOLUTION #05-2022**

This resolution has been prepared appointing the Township Manager as the Right-to-Know Officer and the Director of Finance as the Assistant Right-to-Know Officer.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 4-1 (Ms. deLeon – No)

**D. TOWNSHIP SOLICITORS**

**1. GENERAL/CIVIL: RESOLUTION #06-2022**

This resolution has been prepared appointing B. Lincoln Treadwell, Esq. as the Township's General/Civil Solicitor at the hourly rate of \$200.00. Mr. Banonis recalls during their discussions when it was budget season that they had talked about increasing his rate of pay to \$220.00, and that was in response to the lack of raise that he had not received for multiple years.

**MOTION BY:** Mr. Banonis makes a motion to approve Resolution #06-2022, but appointing Lincoln Treadwell as the Township General Solicitor, but at an hourly rate of \$220.00.

**SECOND BY:** Mr. Carocci  
**ROLL CALL:** 4-1 (Ms. deLeon – No)

**2. PLANNING COMMISSION: RESOLUTION #07-2022**

This resolution has been prepared appointing B. Lincoln Treadwell, Esq. as the Planning Commission Solicitor at the hourly rate of \$200.00.

**MOTION BY:** Mr. Banonis makes a motion to approve Resolution #07-2022, but amend the hourly rate to \$220.00 per hour consistent with the discussions during the budget.

Ms. deLeon asked we have to designate who is making the seconds – is someone keeping track because of the three female voices? Mrs. Huhn said she is keeping track. Mr. Banonis said he made the motion. Ms. deLeon said we all sound the same and she knows his voice.

**SECOND BY:** Mrs. Yerger  
Ms. deLeon asked if are doing Roll Call for Linc's Planning? Mr. Banonis said yes.  
**ROLL CALL:** 4-1 (Ms. deLeon – No)

**3. ZONING HEARING BOARD: RESOLUTION #08-2022**

This resolution has been prepared appointing George Heitzman, Esq. as the Zoning Hearing Board Solicitor at the hourly rate of \$200.00.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**4. TOWNSHIP EAC/OPEN SPACE SOLICITOR: RESOLUTION #09-2022**

This resolution has been prepared appointing Terry Clemons, Esq. as the Solicitor to the EAC (as needed) at the hourly rate of \$175.00.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**5. TOWNSHIP LABOR SOLICITOR: RESOLUTION #10-2022**

This resolution has been prepared appointing Michael McAuliffe Miller, Esq. as the Township Labor Solicitor at the hourly rate of \$290.00.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mr. Carocci  
**ROLL CALL:** 4-1 (Ms. deLeon – No)

Mr. Banonis said he is going to join together the following items: E, F, G, and H for the Township Engineer.

**E. TOWNSHIP ENGINEER: RESOLUTION #11-2022**

This resolution has been prepared appointing Hanover Engineering as the Township Engineer, per their 2022 fee schedule.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Ms. deLeon  
**ROLL CALL:** 5-0

**F. SEWAGE ENFORCEMENT OFFICERS: RESOLUTION #12-2022**

Hanover Engineering requests the following individuals be appointed as the 2022 SEO's: Scott Brown, Jacob Schray, Robert Grim and Christopher Taylor. The Sewage Enforcement Officer at a rate of \$79.50 per hour for 2022.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Ms. deLeon  
**ROLL CALL:** 5-0

**G. TOWNSHIP LANDFILL CONSULTANTS: RESOLUTION #13-2022**

Resolution #13-2022 has been prepared appointing Rich Sichler from Neversink Environmental, Inc., at the hourly rate of \$95.00 as Township Landfill Consultant (as needed); and Scott Brown from Hanover Engineering Inc. as the Host Municipal Inspector with Jake Schray as the alternate at the hourly rate of \$102.00.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Ms. deLeon  
**ROLL CALL:** 5-0

**H. TOWNSHIP EAC/OPEN SPACE CONSULTANT: RESOLUTION #14-2022**

Resolution #14-2022 has been prepared appointing Laura Baird as the Open Space Consultant to the EAC (as needed) at the hourly rate of \$85.00 as per the schedule from Heritage Conservancy.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Ms. deLeon  
**ROLL CALL:** 5-0

Mr. Banonis said he is also going to join together the following items: I, J, and K.

**I. TOWNSHIP AUDITOR: RESOLUTION #15-2022**

Continuing the services of Hutchinson, Gillahan & Freeh per their October 29, 2021 letter. The base rate for the 2021 audit not exceeding \$16,100.00. Additional services will be payable at the hourly rate of \$150.00.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**J. TOWNSHIP ACTUARY: RESOLUTION #16-2022**

**COUNCIL INFORMATION:** The staff recommends continuing the services of Municipal Finance Partners (Chuck Friedlander) per their rate schedule.

**MOTION BY:** Mr. Banonis  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**K. TOWNSHIP TAX ADMINISTRATOR (YEARLY): RESOLUTION #30-2022**

**COUNCIL INFORMATION:** This resolution appoints Keystone Collections as the Township Tax Administrator/Deputy Tax Collector for the year 2022.

**MOTION BY:** Mr. Banonis

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**L. COUNCIL LIAISONS (YEARLY):**

Mr. Banonis said the next item is the Council Liaisons (yearly). Several of them have previously served in liaisons roles, and he will go through to make a motion as follows:

**MOTION BY:** Mr. Banonis makes a motion that Jennifer Zavacky be the liaison for Parks and Recreation

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Jennifer Zavacky be the liaison for Saucon Valley Conservancy.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Tom Carocci be the liaison for Lower Saucon Authority.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Sandra Yerger be the primary liaison and Jason Banonis is the secondary liaison for Saucon Valley Partnership.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Jason Banonis be the liaison for the Landfill Committee.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Sandra Yerger be the liaison for Lutz-Franklin Schoolhouse.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Sandra Yerger be the liaison for Environmental Advisory Council.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Jason Banonis remains the liaison for the Pension Advisory Committee.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Tom Carocci be the liaison for Fire Services.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Priscilla de Leon be the liaison for Hellertown-LS Chamber.

**SECOND BY:** Tom Carocci

**ROLL CALL:** 5-0

**MOTION BY:** Mr. Banonis makes a motion that Jason Banonis remain the liaison for Saucon Valley Compost Center.  
**SECOND BY:** Tom Carocci  
**ROLL CALL:** 5-0

Ms. deLeon asked that happened to the Hellertown Library Appointment. Mr. Banonis said it is not on here. Ms. deLeon asked why? Mr. Banonis said it is not on here. Ms. deLeon said well we have another month that we are paying the library for services so why wouldn't it be on here? I am just asking a question.... why wasn't it put on? Mr. Banonis said it is not on here. Ms. deLeon said she knows it is isn't on. Mr. Banonis said he does not make the agenda so he can't answer that question. Ms. deLeon said then she is asking Leslie, why isn't it on here? Mrs. Huhn said she honestly didn't know – she thinks it was just a misprint that is should be on there. Mr. Banonis said if it needs to be on there for the Hellertown Library liaison, he will it to the motion to amend it.

**MOTION BY:** Mr. Banonis makes a motion to amend the agenda to name Jennifer Zavacky as the liaison to the library.  
**SECOND BY:** Tom Carocci  
**ROLL CALL:** 5-0

Mr. Banonis said he is going to make another motion joining together the items under Roman Numeral V. which are the reorganization and fee schedules.

**V. REORGANIZATION RESOLUTIONS AND FEE SCHEDULES**

- A. RESOLUTION #17-2022:**  
Resolution sets the Manager's salary at \$104,826.35.
- B. RESOLUTION #18-2022:**  
Resolution sets the Chief of Police salary at \$104,687.48.
- C. RESOLUTION #19-2022:**  
Resolution sets the Director of Finance's salary at \$72,096.12.
- D. RESOLUTION #20-2022:**  
Resolution sets the Director of Public Work's salary at \$81,302.24.
- E. RESOLUTION #21-2022:**  
Resolution sets the Zoning Officer's salary at \$74,314.46.
- F. RESOLUTION #22-2022:**  
Resolution sets the Administrative Assistant's salary at \$52,354.40.
- G. RESOLUTION #23-2022:**  
Resolution sets the Administrative Assistant's salary at \$48,410.00.
- H. RESOLUTION #24-2022:**  
Resolution adopts the pay scale for Non-Uniformed employees per their current union contract.
- I. RESOLUTION #25-2022:**  
Resolution adopts the pay scale for the Township Police Officers.
- J. RESOLUTION #26-2022:**  
Resolution adopts the employee contributions to the Non-Uniform Employee Pension Fund for 2022.
- K. RESOLUTION #27-2022:**  
Resolution adopts the Police Officers contributions to the Uniformed Employee Pension Fund for 2022.
- L. RESOLUTION #28-2022:**  
Resolution sets the various Township fees.
- M. RESOLUTION #29-2022:**  
Resolution establishes a permit application fee schedule for on-lot sewage systems.

**MOTION BY:** Mr. Banonis makes a motion to approve all of the Resolutions: Nos. 17-22, 18-22, 19-22, 20-22, 21-22, 22-22, 23-22, 24-22, 25-22, 26-22, 27-22, 28-22, and 29-22.

Ms. deLeon said she has a question about A, B, C, D, E, F, and G. Council received an email from Jeremy Hantz, President of the Police Association and in his email, she doesn't know if anyone recalls getting it. Ms. deLeon reads his letter: Council Members, our Association has reviewed the agenda and materials associated with the reorganization meeting on Monday, January 3, 2022. In reviewing Resolutions #17-2022, #18-2022, #19-2022, #20-2022, #21-2022, #22-2022 and #23-2022, the several positions not in any of the two unions at Lower Saucon Township, it appears they only address the salary and very minimal pension contribution for those positions. It fails to address healthcare contributions. Having just come out of negotiations for the Uniform Employees, it was made very clear that employees needed to contribute more to healthcare. The Uniform Employees recognize this fact and had agreed to 400% increase to their healthcare contributions from 2021 to 2022, and that increase continues for the next 5 years through 2026. Therefore, it is quite perplexing that there would be employees who continue to get free healthcare for their families from the Township. In fact, the Uniform employees have given back and paid into their healthcare since 2009 while other employees continue to receive free healthcare through the Township since then. If these several employees are more favorable or valuable, that is the Township's prerogative. If this agenda is a type of reward or benefit awarded to the several employees for not being part of any union, that could be considered discriminatory. Whatever the reason, we felt we needed to offer our opinion in hopes every employee would be close to be treated fairly.

Ms. deLeon said the one other resolution that was included in all of these was #27-2022. In regards to the Uniform Pension Contributions. The CBA, she said forgive me because she wasn't sure what CBA means, can someone help me with this? Tom Carocci replied Collective Bargaining Agreement. Ms. deLeon said thank you and said that employees shall not be required to contribute to the pension fund during this agreement unless an actuary study finds that they are required. The last actuarial study never stated that you are required and appears in agreement with the PA Auditor General's Report that we are actuarially sound. The resolution states that the only criteria for the elimination/reduction of contributions according to Act 30 are any reduction or elimination of contributions shall be authorized on an annual basis by resolution or ordinance. The resolution goes on to state Lower Saucon Township has reviewed this amendment and criteria and unanimously approves the above criteria has not met and the continuation of members contributions by the Uniform Employee Pension Fund members who are represented by the Police Officers Association to be 2.5% for the year of 2022. Thank you, Respectfully Submitted, Association President, Jeremy Hantz.

Ms. deLeon said there are a couple of things in here that they need to address before they approve the fee schedules. She asked if someone can please tell her why aren't the Manager, Chief of Police, Director of Finance, Director of Public Works, Zoning Officer, and the two Administrative Assistants – why isn't healthcare included in there? When we approve raises, we were given a chart in Executive Session and it showed what everybody made and what the increases would be should we choose 2%, 3%, 4%, 5%, and nowhere does she remember it saying they pay or not pay the healthcare.

**MOTION BY:** Ms. deLeon would like to make a motion to pay to approve the Resolutions in A, B, C, D, E, F, and G to equal the amounts paid, that the other employees pay. That's a motion.

**SECOND BY:** None

Mr. Banonis said he does not hear a second so the motion fails. Ms. deLeon said her next motion, or her next question would be regarding the Pension Requirements for Resolution #27-2022. Is there any explanation on that, according to his letter? She said this is important, she thinks they need to make sure that they all are following what they are supposed to.

**MOTION BY:** Ms. deLeon made a motion to follow the recommendation in the letter. She wants to know about an actuarial study. Was it done or not and what did it say? How can we approve this without knowing that?

Mr. Banonis apologized, but stated he doesn't understand her motion. Another member said they do not either. Ms. deLeon said if they take issue with Resolution #27-2022 in regards to the Uniform Pension Contributions, it states that the employee should be required to contribute to the pension fund

during the agreement unless an actuarial study finds that it is required. In her opinion, they should not approve Resolution #27-2022 unless they know the answer to that question. Mr. Banonis said his understanding is that the contributions are set forth in the Collective Bargaining Agreement that the Police Union had negotiated with them, and that they had agreed to. Mr. Carocci said that is his understanding too, but he said Priscilla in her own way, is trying to apologize to Officer Hantz. Ms. deLeon said she can't understand him. Mr. Banonis said I think he said that it sounds like in some way Ms. deLeon is trying to apologize to Officer Hantz for the comments she made in a prior Council meeting. Ms. deLeon said wow. Mr. Banonis asked Mr. Carocci if that is what he said? Mr. Carocci said yes. Ms. deLeon said that is interesting. Mrs. Yerger said this is the contract that they signed, meaning the Police Officers. She said it is their contract. Ms. deLeon said she okay, she knows how she is going to vote so let's move on. Mrs. Yerger said nobody made them sign it. Mr. Banonis asked Ms. deLeon if there was a motion that she made. Ms. deLeon said no, not on this one. She said she made a motion on the first one that failed because there was no second. Mr. Banonis said okay. Mrs. Yerger said she isn't throwing one on this one? Mr. Banonis said, right, so again he said his motion was to approve Resolutions #17-22 through #29-22.

**MOTION BY:** Mr. Banonis moved to approve Resolutions 17 through 29-2022.

**SECOND BY:** Mr. Carocci

**ROLL CALL:** 4-1 (Ms. deLeon – No)

Mr. Banonis said the next items on the agenda is the Manager's Appointments with Council consent. He asked Mrs. Huhn to go through them. Ms. deLeon asked why we didn't get the candidates' names that you are going to be appointing? Mr. Banonis said I don't think she has spoken yet; she is going to do it now. Mrs. Yerger also said she is going to do it now. Ms. deLeon said in the past, forgive her as she has been here for 33 years, in the past the previous Managers have always provided the names of the candidates that they were recommending. Mrs. Huhn apologized if it wasn't in their packet, and that it was just an oversight. Ms. deLeon said well, it would have been nice to know in advance, would you not make that mistake next year? Mrs. Huhn said absolutely.

#### VI. MANAGER'S APPOINTMENTS WITH COUNCIL CONSENT

Mrs. Huhn reviewed the following appointments and vacancies for the various committees and she is recommending the following:

- **ZONING HEARING BOARD** – David Jauregui
- **PLANNING COMMISSION** – Craig Kologie
- **ENVIRONMENTAL ADVISORY COUNCIL** – Alan Johnson, Dru Germanoski, Michael Boyle, Ann Spirk, Glenn Kay, Tom Carocci, Nicholas Lynn, Kaitlyn O'Connor-Sommer, and there is one vacancy.
- **FIRE MARSHAL** – Bill Csaszar
- **TOWNSHIP HISTORIAN** - Vacancy
- **TOWNSHIP HISTORICAL COMMITTEE** – Karen Samuels, Jodi Hijazi, Allison Millevoi, and 2 vacancies.
- **LANDFILL COMMITTEE** – Haz Hijazi and Neil Ortwein
- **PARKS AND RECREATION BOARD** – Dave Spirk, Tom Butera, Frank Thompson, Bill Ross, Krista Baum, Niloo Aflatooni, and Keith Meier.
- **SAUCON VALLEY COMPOST RECYCLING COMMITTEE** – Charlie Luthar and Preston Werner.
- **EMERGENCY MANAGEMENT COORDINATOR** – Bryan Evans
- **LOWER SAUCON AUTHORITY** – Bob Keich
- **SAUCON RAIL TRAIL OVERSIGHT COMMISSION** – Jennifer Zavacky

**MOTION BY:** Mr. Banonis moved to adopt and accept the Manager's appointments to the Zoning Hearing Board, Planning Commission, EAC, Fire Marshal, Township Historian, Township Historical Committee, Landfill Committee, Parks and Recreation Board, Saucon Valley Compost Recycling, Emergency Management Coordinator, Lower Saucon Authority, and Saucon Rail Trail Oversight Commission.

**SECOND BY:** Mrs. Zavacky

**ROLL CALL:** 5-0

Mr. Banonis said this concludes the Reorganizational Meeting, and asked if we have a motion to adjourn.

## VII. ADJOURN REORGANIZATIONAL MEETING

**MOTION BY:** Mrs. Yerger  
**SECOND BY:** Mr. Banonis  
**ROLL CALL:** 5-0

## GENERAL BUSINESS MEETING

### I. OPENING

- A. CALL TO ORDER** – The General Business Meeting of Lower Saucon Township Council was called to order on Monday, January 3, 2022, at 7:39 p.m., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Jason Banonis, President presiding.
- B. ROLL CALL – Present** – Council President Jason Banonis, Council Vice President Jennifer Zavacky, Council Members Sandra Yerger, Priscilla deLeon, and Tom Carocci.

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

Mr. Banonis said he knows we have already heard extensive non-agenda item comments during the Reorganizational Meeting. He asked if anyone has any additional non-agenda item/public comments that they would like to make at this time.

- Andrea Wittchen, 1885 Dartford Road, said it is her understanding that Ms. deLeon requested that an item be put on the agenda for an update on the status of the library, and she would like to know why it is not there. She said she believes it was in writing. Mr. Banonis said this is her opportunity to make public comments. Ms. Wittchen said it is a public comment. Mr. Banonis said it is a comment, but it sounds like a question and he will just briefly respond to it. Our solicitor, as he indicated earlier, is still engaging in the due diligence that they had identified and he is communicating with the library's attorney, so he will leave it at that. Ms. Wittchen asked where does he have the authority to decide what is put on the agenda? Mrs. Huhn said he doesn't, she does. Ms. Wittchen asked where does it say that Mrs. Huhn has that authority? Mrs. Huhn and Mrs. Yerger both answered in the Township Code. Ms. deLeon asked where in the Township Code because she is confused herself. Mrs. Huhn replied Section 5-10 #5. Ms. Wittchen and Ms. deLeon asked if she can read it aloud. Mrs. Huhn said sure. She indicated that this is under the duties of the Manager, Administration of Government, Executive Officials, Township Manager, and #5 states: Prepare a detailed agenda for all meetings of the Council and supply facts pertinent thereto. Each agenda shall be prepared and posted not later than 3 days before each scheduled meeting. Posting shall include, but not be limited to, the Township Hall. Each agenda shall be sent to the local newspapers. Copies of the agenda shall be given in advance to all of the Council Members, and such other Township Officials as deemed necessary. Ms. Wittchen asked where does that indicate that the Manager has the authority not to include an agenda item or that the President of the Council has that authority? Ms. Wittchen asked why it was not on the agenda? Mrs. Huhn said they were not prepared – it was not ready. Ms. Wittchen asked did not a council person request that it be placed on the agenda? Mrs. Huhn said yes, she did – yes, they did. Ms. Wittchen asked then why was it not there? Mrs. Huhn said because she explained to her that they were in negotiations, and it wasn't ready. In fairness to the library.....Ms. Wittchen asked who gives her the authority to make that decision? Mrs. Huhn replied the Township Code. Ms. Wittchen said you just read me the Township Code and it does not address that issue at all. Mrs. Huhn said that is up to Council. Ms. deLeon said she does not believe it does. Tom Carocci said he does. Ms. deLeon said anytime she has ever asked for an agenda item, it's 99%, she has been here a long time, it's been on the agenda. She is an elected official and she represents constituents and she is not subject to approval by Jason, Tom, Jennifer, or Sandy. She stated she is her own person, and stated I was elected for me – okay? She can ask to put anything that she wants that is relative to what is going on within the community. She said Jason said it all in the very beginning of the last meeting.

He gave a library update. Why couldn't you put down "Library Update" and put that they have hired an attorney and we are working on it, and it is going to be on the meeting of January 19<sup>th</sup>. That would have eased a whole lot of people. Don't you care? This is the Holidays. These people care about what is going on in this community, that is why she wanted it on the agenda. Mrs. Huhn said at that time, there really was not an update. Ms. deLeon said, oh come on Leslie. Mr. Banonis let Ms. Wittchen know that her 3-minute time limit was up for non-agenda item and he is not going to grant any additional time. Ms. deLeon said to Ms. Wittchen she is so sorry. Ms. Wittchen said that is alright, if she worked for me, she would be fired. Ms. deLeon said she guesses she steals people's time now too, so write that down if you are keeping track. Mr. Banonis said that is what you chose to do. Ms. deLeon said, you know what, please tell me – what is the problem? Mr. Banonis said Pricilla, if I may respond to you. You certainly can talk about whatever you want on your Council Report. You have the right to do that and nobody is stopping you from doing that. You can raise questions; you can bring up any topic that you want on your Council report. Whether or not the Township Manager can respond to it at that point really depends on what her knowledge is on the subject and whether she had an opportunity to research it and to provide you with information that is accurate that may meet what your needs are. There is nothing that prevents you from bringing up any topic. To suggest that this Council or this Township is somehow preventing you from putting items in the public purview is entirely inaccurate. Ms. deLeon said well, it just happened – it's not inaccurate. Mr. Banonis said it didn't happen because you haven't had a chance for your Council report yet, and you can bring it up in your Council report, and you chose to bring it up now as opposed to then. Ms. deLeon said only because she didn't know Andrea was going to bring it up. Mr. Banonis said he is not going to debate her on it. Ms. deLeon said she can engage with comment with the residents when they come up to the podium and speak. Mr. Banonis said she can. Mrs. Zavacky said she feels it is important to let them have their 3 minutes – she would like to hear them speak. Ms. deLeon said thank you Jennifer. Mrs. Zavacky said let's let them speak, and then if we want to, make a comment or address what was said. Mr. Banonis said ladies and gentlemen, we are not going to have people yelling back at Council members. We are trying to conduct a business meeting here for the Township. If you want to speak, you can step up to the podium and make your comments, identify yourself, but we are not going to have this turn into a circus. We are here to conduct business on behalf of the Township, we were elected to do so. We are treating you respectfully and we would ask that you please do the same, thank you. Mr. Banonis asked if there were any other public comments on non-agenda items? He said we will now move on to presentations/hearings and there are none.

**III. PRESENTATIONS/HEARINGS – None**

**IV. DEVELOPER ITEMS – None**

**V. TOWNSHIP BUSINESS ITEMS**

**A. RESOLUTION #31-2022 – REVISION OF AGENDA POLICY AND CODE OF CONDUCT FOR COUNCIL MEETINGS**

Mr. Banonis said this was something that was prepared by him. After having been on Council for two years, and seeing how meetings had been conducted, and he said they just saw an example of this moments ago about the need to conduct the business meetings in an orderly and fair fashion. There are some people who have written to him expressing concerns, and he thinks they did during today's meeting about this proposed Agenda Policy and Code of Conduct somehow restricting free speech – it does not. He can assure everyone it does not. Everyone has had the opportunity to speak and they will have the opportunity to speak. This was not put together haphazardly. He went back and looked at how the current agenda policy was established and it was set up initially in 2003, and he said Priscilla may recall it because she was involved in it at that time. Ms. deLeon said she did recall it. Mr. Banonis said it was established in 2003 that there would be two public comment periods. One at the beginning of the meeting, and one immediately prior to adjournment of the meeting which is what is incorporated into this Resolution that is before us today. It also provided that there would be additional public comment that would be allowed at the discretion of the President of the Council which is included in this Resolution that is before them today. It goes through how the President should preside over the public comments, recognizing the individual, requiring that the individual identify themselves by name and address, allocating available time, ruling out of order scandalous and pertinent or redundant comment

or any comments of a discernable purpose of which is to disrupt or prevent the conduct of the business meeting. The President also has the authority to defer the public comment to the next meeting. The purpose of this was actually stated by Priscilla back in 2003 and was to help ensure that our citizens are orderly and productive. We do ask that they public follow Roberts Rules of Order for parliamentary procedure. On the other hand, we need our meetings to be productive so as not to waste public or private money spent on consultants or attorneys. It was also mentioned by Priscilla at that time we needed a written policy that would apply to everyone and not appear to be made up on the spot. Council also talked at that time about PSATS, which is the statewide organization for Township Supervisors and that the Resolution at that time was taken in part from the sample PSATS Resolution. In 2014, there were revisions that were made to the Agenda Public Comment Policy – #4 said that that the purpose of the public comment shall be for residents or tax payers to comment on matter of concern, official action, or deliberation, which are or may be before the Council prior to taking official action. Under #5, they added public comment shall be limited to 3 minutes. It was noted at that time that the reason why the second meeting of the month was on the agenda, or was set at that time, was for Township Business because there was a lot of subdivision submissions that were presented back then, and it was impossible to do all the subdivision work with actually conducting the business of the Township in a single meeting. It was a scheduling type thing to keep developers on the agenda.

Back then, Mr. Maxfield who had been on Council for a long time, said he is not in to 15-minute presentations – don't forget our goal is to run a business meeting. A business meeting has to move along. Ms. deLeon said she is not forgetting that, Tom. Mr. Maxfield said, a business meeting has to move along, you can't do that if you have someone up there for 15 minutes. Most of the other municipalities around us have the comment period at the beginning of the meeting. Mr. Maxfield also went on to say, when they set the discretion of the President, that's perfectly acceptable because that's the one thing the President has that the rest of us don't have, and that is to run an orderly and productive meeting. If we elect someone as President, we trust them to have the type of discretion to be able to express when we need to move along, as you have done already tonight. If we felt that we needed to go longer, we would go longer.

The proposed Resolution incorporates the rationale that was provided in 2003 and 2014. It also incorporates language from other Townships where they included the exact language that is included in this Resolution. Those other Townships include Washington Township in Berks County, Williams Township, which is a neighbor to us which was established in 2016, Lower Macungie Township in Lehigh County that was established in 2012, and it includes others as well. It includes the Upper Saucon Township Board of Supervisors as well from 2012. All of these provisions were assembled with the understanding as to how this Township has organized its meetings, how they wanted to conduct their meetings. It is consistent with how those meeting had been conducted and it is entirely consistent with how other neighboring Townships, such as Williams Township and Upper Saucon Township themselves expressly conduct their meetings. It was vetted by the Township Solicitor to assure it is in compliance with The Sunshine Law, and The Sunshine Law provides that the Board or Council has the option to accept all public comment at the beginning of the meeting, Public Comment is not public question and answer, nor is it oral argument. Lower Saucon Administrative Code Section 5-10 #5 placed the responsibility of preparing the agenda on the Township Manager. The Home Rule and Option Plans Law Section 3062, Sub-Section 6 makes it the duty of the Manager to prepare the agenda. The Manager has always had the sole responsibility in Lower Saucon Township for deciding what goes on the agenda. We have multiple examples of this in the past where things were not placed on the agenda until they were ready for action. A request that was made for an update does not require a vote or an official action and an update was provided to all Council members in a confidential memo. Mr. Banonis said his request requests a vote on a specific resolution and he is asking for official action to adopt a policy. There is not written procedure in state law or Township Code that prevents anything that's set forth in this resolution. It is not to stifle public comment.

He had received some emails that suggested that he is trying to suppress public comment or that we are trying to suppress public comment, and we expressly state here that we are not doing that and we are

strong advocates of free speech and you saw that today. During the public comment section, we had 16 different people who spoke and they got their point across, we understood it, we heard it, and we are advocates of free speech but we also are advocates of conducting ourselves in an orderly manner that allows for the efficient and effective conducting of Township business. This is why he put together.... he apologizes for being so long winded, but he thinks it is necessary to establish the background for this so that public understands why we are at this point and what the intended purpose of this. It is not to stop people from talking, it is to allow them to conduct their meetings in an orderly way that allows them to accomplish their goal in providing good governance for the local residents.

Ms. deLeon said thank you. Mr. Carocci said he agrees. Ms. deLeon said she thanks him for the refresher course on the past years, and she also recalls being here until midnight and 1:00 in the morning going over stormwater issues and a lot of subdivisions when they were very prevalent, and a lot of people objected to a lot of subdivisions being in their back yard and the meetings went for a long time. At that time, PSATS came up with, or not the state issued a change in The Sunshine Law and implemented and asked the municipalities to implement some changes if they wanted to, so we copied pretty much the resolution, so we did that but what was bothering her when she was reading the stuff on the agenda tonight, residents/tax prayers only. She said this bothered her and she looked in the Administrative Code, which to her is their bible, and meetings of Council. This would be #2 under meetings of Council, and you can pull it up on the website if you want. At all meetings of Council, regular or special, interested citizens with legitimate matters to lay before the Council shall be granted the right and privilege to address the council. The Council may prescribe procedures for citizen presentation to ensure decorum at all times and to prohibit personal and insulting language, total irrelevances and harassment either on the part of members of Council or members of the assembly at the meeting. So, she would like somebody to..... Mr. Carocci said he thinks that is exactly what Mr. Banonis is talking about – what he just read. Ms. deLeon said but I don't think you listened to me. Ms. deLeon said it says interested citizens – you are saying residents and taxpayers only – there is a difference. Mrs. Zavacky said this meeting is for residents and taxpayers of Lower Saucon, correct? Ms. deLeon said our meetings are for – no – according to our code which is the bible, all meetings of Council, which is what we are doing tonight, says at regular or special meetings, this is a regular meeting, interested citizens with legitimate matters to lay before the Council. Mrs. Zavacky said citizens in the entire United States can come and speak at our meetings? Ms. deLeon said it doesn't.... right, anybody can come. Ms. deLeon said just like when...Mr. Carocci tried to comment and Ms. deLeon said sorry, I am talking, excuse me, I am not sure if you can hear me. Ms. deLeon said she wanted to give a reference for several years ago when off of Ringhoffer Road they wanted to put a 2 million-gallon LNG tank in the City of Bethlehem. She asked Mrs. Huhn if she remembers because they went to the Zoning Hearing Board meeting, and they didn't even know if they were going to allow them to speak because they didn't live in the municipality, and they were like what because..... Mr. Banonis you were on the Zoning Hearing Board. Mr. Banonis said for a long time. Ms. deLeon said I don't think you would have told a person that they couldn't speak – you would at least listen to what they have to say, and tonight under my reports I am going to bring up a concern from a resident on Easton Road that has to do with across the street, City of Bethlehem. Well, what do I say, that is interested citizens with legitimate matters to lay before the Council? She thinks they are using the wrong words, and they are a community in the Saucon Valley and we have joint issues, not only the residents of Lower Saucon, but the residents of Hellertown. We are a shared community; we shouldn't look at boundary lines because we are together. We have the same school district, we use the library, we have traffic concerns whether they are around the corner in Hellertown or around the corner in Lower Saucon, we care about them. Are we going to tell them they can't come to the meeting and complain? She said she is sorry, but she is really bothered by this whole thing and she can't support it.

Mr. Banonis said if he can respond to this. He said with regard to citizens, residents and taxpayers are citizens of Lower Saucon Township, and with regard to issues of commonality with neighboring municipalities, they have the Saucon Valley Partnership which used to meet fairly regularly but recently there have been meetings that have been cancelled, but in addition to this, the Township Manager has an email address and telephone and she can receive complaints and if there is a topic that is of concern

to Lower Saucon Township, she can bring that up in her Manager's report during one of these meetings. It's not that individuals are being shut out, they can communicate with us and they can also communicate directly with a Council person by email or telephone or by running into them locally, and that Council person can bring it up as an issue of concern during that meeting. He respectfully has to disagree with your views on these points. Ms. deLeon said she wishes Mr. Treadwell was here because she said this is kind of a legal question to have a solicitor respond because to her, interested citizens and tax payers are two different things – sorry. Mr. Banonis said he ran this by Mr. Treadwell and he saw no issues of any legal concern to the Township by enacting and it was really just consolidating and coordinating a lot of what had already been established over years in practice with the Township. Ms. deLeon said, so you asked Mr. Treadwell to review this and spend his hours charging his hours without the rest of Council's knowledge? Mr. Carocci said he did it and said he talked to Mrs. Huhn and Mr. Banonis. Mr. Banonis asked Mr. Carocci if he said, if Mr. Treadwell told Mrs. Huhn and himself that if it passes constitutional muster that you were fine with it? Mr. Carocci said yes. Ms. deLeon said it is against our...do you know what the administrative code is, you do know that, right? Mr. Banonis said he does know it. Ms. deLeon said she is just checking. Mr. Banonis said he disagrees with her interpretation of it. Ms. deLeon said well interested citizens and residents and taxpayers are different words. Mr. Banonis asked Ms. deLeon if she yields the floor, if she does, he will ask Mrs. Yerger or Mrs. Zavacky if they have any questions or comments about it. Ms. deLeon said that's fine.

Mrs. Zavacky said she would like to comment, or just bring up in which she heard in the comments today about group of people attending the meeting and wanting to share their point of view on a particular topic, specifically referencing #10 where it says groups of people attending a meeting to present a common position or idea to the Council shall designate no more than two of the members to speak for the group. The way that she read that, which she is understanding that some people might think of that differently, the way she read it is that if she came to a Council meeting as a citizen, as a resident, and she is part of a Jen's Coalition to do something – whatever that is, I come as a collective group, we will designate one or two people to speak on behalf of group. However, if there is an overall topic of the Township that people who want to raise their concern about, we can listen to all those people raise that concern. We are not limited it to two people per topic or concern. She asked if she has that correct? Mr. Banonis said that is absolutely correct. Mrs. Zavacky said, okay, that's important. Ms. deLeon said it doesn't say that – it is confusing. Mrs. Zavacky said that she read as she just explained it. Perhaps it's verbal in the way it is written, but she wants to make sure the way she read it and the way it is written to her, that if she comes as a group, you can't have all 20 people of the group come up and say something. Elect a person or two to speak on behalf of that group, however, it is an important topic like the library today, then please she would like to hear deafferring opinions and perspectives. We are not limiting it to just two people about the topic of the library as an example. She wanted to make sure that was clear – crystal clear and if there are suggestions to write that in a way that is clearer, perhaps that what we do. Mr. Banonis said he proposes maybe adding the word, under #10, "organized" groups to suggests it's a group of people who are part of an organization who are coming here. So, in other words, the Little League Organization is coming here, we don't necessarily need to hear from every single head coach of every Little League team from T-ball to the High School team or whatever it may be. That was the intent of exactly, and he told Mrs. Zavacky he appreciated her bringing it forward. Mr. Banonis said he is more than happy to amend item #10 to add the word organized to before the work groups.

Ms. deLeon said she is not in favor of the whole thing; she appreciates the thoughts and efforts into this but she is not going to support it. Mr. Banonis asked Mr. Carocci if he had any comments or additions or changes to it? Mr. Carocci said he doesn't mind the changes and he will second the motion. Mr. Banonis said he doesn't know if there is a first yet, he said they are still talking about it. Mr. Banonis asked Mrs. Yerger is she has any.....Mrs. Zavacky added she would like to make one more comment. She said obviously she is newer to this, and she is the newcomer and she has been watching meetings occur and just being in business. It is always important to stay on topic to cover the things that are on the agenda and on topic, the very beginning makes it so that we can get through the business, get through the things that are needed to be covered in that meeting and then at the end, having the non-agenda items

is fine because if you section them off a little bit it will help the flow of the meeting and productivity of the meeting and keep us all on task. Yes, it may stink for some of the folks to have to wait until the end, but they are here and if they are participating in the meeting, and we can get through the meeting and they are becoming a part of the business and understanding what is going on regularly vs. popping in and saying their piece and leaving, it actually gets people to be more engaged in the dealings of the Township. She sees a benefit in this by sectioning off the agenda and non-agenda items for public comment where there is no limitation of that comment, it is simply sectioned off in the frontend and backend of the meeting. Ms. deLeon said so in the front of the meeting then it would be the agenda items. With what she always had a problem with when she would go to other municipalities, and they expected the public to speak in the beginning, the residents or whatever, the interested citizens would only know what was in written format on the agenda with the other documents. They wouldn't hear the conversation of Council, they wouldn't have the input of residents, and to balance that and to.....like right now, people here, I am sure are going to get at the podium and they are going to have comments based on what they just discussed. They wouldn't have that opportunity if they could only speak in the beginning of the meeting, and that is what she has a problem with – one of the other problems. Ms. Zavacky said she understands. Mr. Carocci said the school board meetings are similar. Ms. deLeon said she does know that and like she said, she disagrees with that. Mrs. Zavacky said okay. Ms. deLeon said she has been at their meetings and wanted to have public conversation, public comment, and it was like she didn't even know what they were going to be talking about on this item so how can she comment? Mrs. Zavacky said there is preparedness that will go into the agenda. Ms. deLeon said fortunately in today's day, we have the internet and we do have all of the accompanying pages that go with the agenda items. A couple of years ago, we didn't have all that information. All they had was the agenda. Mr. Banonis asked if there were any other comments from Council. Mr. Banonis asked if there was a motion to approve Resolution #31-2022?

**MOTION BY:** Mrs. Zavacky made a motion for Resolution #31-2022 adopting Agenda Policy and Code of Conduct for Council Meetings moving forward.

Mrs. Huhn said excuse me, but are you adding the word organized in #10, so it will be amended.

**MOTION BY:** Mrs. Zavacky said she added Organized groups of people attending the meetings to comment #10, under Public Comment and Participation.

**SECOND BY:** Mr. Carocci

Mr. Banonis asked if there were any comments from the public on the item.

George Gress, 3703 Old Philadelphia Pike, asked if there will be comments allowed after each agenda item, or only at the beginning and the end? Mr. Banonis said George, the resolution is there for you to read, and you can see exactly what is in there. Mr. Gress said okay, since you brought it up now, you just made an amendment. Mr. Banonis said he did not bring anything up, Mr. Gress brought it up. Mr. Gress said he understands, but you said it is there for us to read, you just made a change to that, okay. Everybody in this room can look it up on the internet and read it as it states, and then you guys go and have your discussion, and you may make changes and those changed may require further discussion or may change something that not everyone agrees with or understands that would have been able to comment at the beginning of the meeting and then you may go and approve it and everybody in this room would not have a chance to comment on that change. If you are going to make a change to what is printed, or what is listed online, it should be postponed until the next meeting so that everyone has a chance to observe that change. Ms. deLeon said it's a good point. Mr. Gress said you can look at the clock, it's okay, I got a lot of time left. Mr. Gress said if everybody doesn't have an opportunity to comment after you make changes, that's not a fair opportunity for everybody in this Township to comment at the beginning of the meeting then. He said he doesn't agree with the 3-minute time limit, he doesn't agree with not allowing.... Mr. Carocci said he thinks it is a clarification, he doesn't think it is a substantial change. Mr. Gress said okay Tom, this was a clarification, but how about next time, what about the time after that? It is just a move to stifle public comment when citizens have a right to speak on things that are being said. Mr. Gress said I know you are shaking your head no and that is fine. You are entitled to your opinion but so are the 11,000 residents of this Township and they all deserve a fair right to speak and they all deserve a fair right to understand what goes on in this Township. If you go and make changes and then approve it, without them having an idea of what is going on or being

allowed to comment on it, is not fair and it is not right. There is a lot that needs to be changed on this, a lot that is trying to stifle things. You can keep staring at the clock, I'll give you my 40 seconds back. Mr. Banonis asked if there was anyone else.

Victoria Opthof-Cordaro, 1682 Woodfield Drive said first she would like to address something that is very important as we all seem to have discussed The Sunshine Law. She heard in the discussion Councilman Carocci indicate that he had discussed this particular resolution with Councilman Banonis and also the solicitor and had indicated that if they were okay with the solicitor's interpretation of The Sunshine Act that he would be in favor a.k.a. indicating what his position would be on this particular resolution. In reviewing The Sunshine Act as it's proposed, as it's written, it says voting members of any agency are not permitted to deliberate except at a public meeting. In other words, agency members exchanging opinions about an upcoming vote or encouraging other agency members to vote a particular way in an email discussion, which she has yet to get or request in a Right-To-Know request but with which will be forthcoming, or a discussion held via social media would violate The Sunshine Act. So here we are discussing this particular rule, and it is clear to her because Mr. Carocci indicated that he had discussed this via email with Mr. Banonis and our Township Solicitor and indicated his favoritism of the item in a closed meeting which is not permissible by The Sunshine Act. That is number one which she just discovered right now. Number #2, Mr. Carocci was going to comment, but Ms. Opthof-Cordaro said she would like to finish her 3-minute meeting because she knows they are following The Roberts Rules, so, interruptions, I understand are not really permissible under The Roberts Rules. Number #2, if you are going to limit public comment after you are deliberating on a particular agenda item, you are stifling public opinion and right to say what they need to say and she respectfully submits that you are really, really walking a thin rope here on your view of The Sunshine Law and if you open up this Township to having continuous Sunshine Law violations, which have already occurred as she can see, then this Township won't get any business done. It's incredible to her after all of these years, Councilwoman deLeon has been here for 30 years and never had a problem with people commenting after agenda items and all of the sudden now this has become their decision that they don't want to hear what people have to say. So, she would hope that they keep public comment after agenda items, and that you clearly review The Sunshine Law Act before you decide to email one another and the solicitor about Township business. Thank you.

Mr. Carocci said first of all, asking a question is not a deliberation and he spoke with Mrs. Huhn and Mr. Banonis about it. Mr. Carocci said it wasn't a deliberation, it was a question. Mr. Banonis asked if there is anyone else.

Noelle Kramer, Wassergass Road, said she would like to mention that want to encourage people to have government participation. Government participation is low, she doesn't see anyone in their young age here, she doesn't see any teenagers, she doesn't see anyone in their twenties. She doesn't see any of the young people that should be learning about participating and coming up and as community leaders, you should be encouraging citizens to be involved and not blocking them from being involved. We should be encouraging our young people and our other citizens to be involved in the process and not making it more difficult and unpleasant. She also thinks that allowing residents to speak after discussions allows them to be better informed. The discussions that you all have obviously have more detail than what we as citizens are aware of. It's important for us to hear what you have to say before you make a decision but we should be able to ask questions and comment on those things after you have had your discussion and I don't understand why you want to block this. She also doesn't understand if they can't ask questions about actions and decisions, it is almost as if you should just proclaim your rulings and be done with it and not even bother having a meeting. If the people are supposed to be, she apologizes and said I am sorry; do you want me to wait until you are done talking? Mrs. Huhn said no, we are fine. Ms. Kramer said so if you don't want to hear from the people you claim to serve and I don't understand that. The people are supposed to be part of the process, not an inconvenience to the process. Thank you. Mr. Banonis asked if there as anyone else.

Renee Hillman, 2276 Wassergass Road, said she has a question about item #18. Letters shall not be read during public comment. She wonders if they can clarify this. She said first of all, sometimes people need to repeat what they were sent if it hadn't been already acknowledged in your agenda or in your conversation and some people are not comfortable standing up here and saying something from the heart. Some are obviously very comfortable saying from it the heart and she applauds that. Sometimes she goes one way and sometimes she goes another. She would like a clarification on that in terms of what you consider a letter that would or would not be permissible. Mr. Banonis said if you read the full sentence it says letter shall not be read during the public comment unless such letter can be read within the allotted 3-minute time limit for individual public comment, so you are not prohibited from reading a letter, you just can't go on and read a letter that is going to take 20 minutes to read into the minutes. Ms. Hillman said okay. I guess it would be a policy question or suggestion, because she has served on other committees and administrated board meetings, and in situations such as this, I see this is a resolution, she wonders where their policy stands if anything in their books having this be a first reading, you have made your amendment and have it left there for the record online so the community members can see it and then come back and have it on a future agenda for passing with any amendments including the discussion you had brought up which is something she had concerns about. Clarification of those points. So, she doesn't know if there something that would allow for them to consider this case as well as others where you might have some kind of resolution where you have a first reading, let it go to the next meeting for a second and final vote.

Mr. Banonis said historically they have the ability to table an agenda item until a later meeting, and that is made by a motion and second it and then voted upon, and that generally occurs where additional information is needed to each Council persons satisfaction, otherwise if you they feel they have enough information to move forward with an item, a motion would be made and second and voted upon and it if passes, it passes. Ms. Hillman said she totally understands about tabling, she would just suggest this in the interest of transparency to the community that you consider doing something of that on certain issues such as this, especially if you are making an amendment to the original document.

Mark Ozimek, Redington Road, said his question comes from the lady on the end and Banonis. He will use the library as an example. You have a group of 10 people come in and two of those people are allowed to speak on that topic. What if you have a half of dozen other people that are not from the group in here that want to speak on the library, are they allowed to speak? Mr. Banonis and Mrs. Zavacky both said yes. Mrs. Zavacky said that is how she reads it. Mr. Ozimek said he just wanted to make sure.

Barret Geyer, Green Pine Lane, said a lot has been covered here. He had a prepared statement but he just wants to make a few points. The first thing he wants to say is he is a registered Republican, and he voted for all of the Republicans sitting in front of me tonight. Mrs. Zavacky brought up an excellent point. He said this resolution is rife with just poor language. If this was really run past the solicitor, I sincerely question how he could sign off on this, and he just wants to point out a few examples. Number 2, at least this is his interpretation and this is kind of the point he wants to make, that it is so open to interpretation with no definitions included. Number 2 to him says residents may speak before Council says or does anything, after Council clarifies their intent during agenda items, residents cannot speak on those items, even if new information becomes available that deserves public comment. Number 5, anyone who does not identify themselves as wanting to speak prior to the meeting beginning cannot change their mind after the meeting begins, even if meeting content that was not apparent prior to signing in compels someone to want to speak. Number 15, members of the audience may not speak to each other, that is literally what you wrote. Number 22, the Council President will rule out of order any speaker or comment which is defamatory, contentious, scandalous, impertinent, redundant or disruptive, i.e. basically anything, contentious, disruptive or redundant are my favorite given how open to interpretation they are. Number 26 the purpose of public comment is not for residents or tax payers to engage in argument or debate with member of Council. Respectfully, that is exactly what public comment is for. When you are not in tune with what your constituents are talking about, when they are upset, he is going to use vulgar language and he knows that is something they want to ban as well, when

they are pissed off at Council, they have every right to come in here, voice their concerns to you, and you will sit and listen politely. He would encourage them all to take another crack at this.

George Kramer, Wassergass, had just one statement, government is not a business. While you conduct business, government is for the people, and that is it.

Hunter Gress, 3703 Old Philadelphia Pike, said he is a student at Saucon Valley High School and he has been to a few of the School Board meetings, which pertains to him a little bit since he goes to school there. He has sat through their business items and he has even got up and comment like he is doing here right now. The only options for him to comment were either at the beginning of the meeting or the at the end of the meeting and both of those felt severely limiting. He either had to have everything he wanted to say about every agenda item regardless of what anyone said about it, ready right at the beginning and there's people that have been going to the school board for a while who know what they are doing and have these whole long written essays, and at least at the school board they have the courtesy to not give us that 3-minute timer but I digress. So his option was to comment at the end of the meeting. Now that was when they were still discussing our current Health and Safety Plan, Masking Mandates, what the policy was on vaccines, quarantining, all of that fun stuff. Pretty important, especially for someone who is concerned about my health, the health of my grandfather who is living with him, all that good stuff and the fact that I couldn't comment on that as it was being discussed and people were changing what was going to be voted on – very frustrating and now I am going to get to deal with that here too so it's just very frustrating that Council isn't able to see the possible ramifications of this, and he urges them to reconsider passing this resolution. Thank you. Mr. Banonis asked if there was anyone else, and he saw no one else.

**ROLL CALL:** 4-1 (Ms. deLeon – No)

**B. AUTHORIZE SIGNING OF ENGAGEMENT LETTER WITH HUTCHINSON, GILLAHAN AND FREEH**

Mr. Banonis said the next item on the agenda is the Authorization for the execution of the engagement letter with Hutchinson, Gillahan and Freeh for the 2021 audit. Mr. Banonis asked Mrs. Huhn if she had anything to add to this. Mrs. Huhn said no, the engagement letter is prepared for the Council President to sign if this is approved, and she believes there was slight increase in their auditing fee for this year. It is listed at \$16,100.00 and Mrs. Huhn said last year it was \$14,900.00.

**MOTION BY:** Mr. Banonis to authorize the execution of the engagement letter for the 2021 audit to be conducted by Hutchinson, Gillahan and Freeh with a base rate for the audit at \$16,100.00.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

**C. AUTHORIZE ATTENDANCE AT PSATS CONFERENCE**

Mr. Banonis said the next item is the authorization for attendance at the PSATS Conference and a voting delegate. Mrs. Huhn said if Council would like, they can name a voting delegate to go to the conference. All Council members can attend the PSATS Convention, which is April 24<sup>th</sup> through 27<sup>th</sup>, but there is only one voting delegate to vote on any of the resolutions or any of the presentations at their meeting. Ms. deLeon said she would like to go to the conference. She doesn't know if she is going to be there, the voting is on Tuesday or Wednesday morning. Mrs. Huhn added she thinks it is at the end on Tuesday or Wednesday. Ms. deLeon said she should be there the whole time but she doesn't know if she wants to be the voting delegate. Mr. Banonis asked if she wanted to be the voting delegate. Ms. deLeon said she doesn't have to be. Mr. Banonis said I am asking would you be? Ms. deLeon said sure.

**MOTION BY:** Mr. Banonis made a motion to authorize the attendance of those Council members who want to attend the PSATS Conference and identifying Ms. deLeon as the voting delegate for the conference to occur in 2022.

**SECOND BY:** Mrs. Yerger

**ROLL CALL:** 5-0

Ms. deLeon asked if she was the only one going to the conference? Mr. Banonis said he left it to be determined based upon.....Ms. deLeon said they have to be in by the.... Mr. Banonis said he already responded by email and doesn't know if anyone else has. Ms. deLeon said she thinks the deadline is January 11<sup>th</sup>.

**D. REQUEST TO ADVERTISE FOR PUBLIC WORKS CREWMAN**

Mrs. Huhn said she is bringing this to them now, it is a little premature, she knows they had discussed about an efficiency study for the Department and they are looking into this as they had done previously for the Police Department. They are in the range of \$28,000.00 to \$30,000.00 and she feels that is a cost that she does not think they need to expend. She believes they can look at some proposed alternative, and she can bring that back to Council of what she would like to do for some duties and procedures. They will be entering negotiations this year with the Non-Uniform employees. But what they are facing right now is they are down an employee who has been injured, so with winter weather, she would like to start the process. She would like to start the process that Council did approve hiring the additional laborer. If they can get this started, hopefully they can have someone on hand when they do need to plow.

**MOTION BY:** Mr. Banonis made a motion to approve the Request to Advertise for the Public Works Crewman.  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

**E. APPROVAL OF TRAP-NEUTER-RETURN FERAL CAT PROGRAM CONTRACT**

Mr. Banonis said he is familiar with this, but asked Mrs. Huhn to explain this contract. Mrs. Huhn said they implemented the Feral Cat Program about a year or so ago, and this is time for the annual renewal of the contract. No Nonsense Neutering (NNN) has done this for us but they are increasing their surgery fee from \$35.00 to \$40.00 per cat. The contract will run from January through December. She said they have had great success with it. NNN has been working well with the residents who have had some feral cat issues, so she would like to recommend renewing, even at the increased rate. Ms. deLeon said great that it's working.

**MOTION BY:** Ms. deLeon made a motion to approve the increase in the Trap-Neuter-Return Feral Cat Program Contract.

Mr. Banonis said he recalls when they initially got into this program, they put a dollar cap on the program, and then he thinks they had to increase it because it was such a good response and it was effective. Mr. Banonis asked if she recalled what the dollar amount was and if they want to put a cap on it again. Ms. deLeon said do you mean on the number of cats? Mrs. Huhn said she thinks it was a number of cats because it is done through the voucher system and she thinks it was 15 so if you would like to increase it slightly, Cathy is here and I am sure we can. Mr. Banonis asked if she recalled how many extra vouchers we needed. Mrs. Huhn said she believes it was about 10. Mr. Banonis said okay, if our expectation is that the usage of this program is going to diminish over time because it is going to be successful in reducing the feral cat population. Mrs. Huhn said yes. Mr. Banonis said he thinks putting a cap right now at 20 cats is probably appropriate and they can always revisit it and increase it later if they need to. Mrs. Huhn said she can bring it back if they start to see they are nearing the total vouchers. Ms. deLeon said we have been doing this for a year now, right? Mr. Banonis said yes. Mr. Banonis said to Ms. de Leon, if you are okay with amending her motion to cap it at 20 cats. Ms. deLeon said absolutely, she will amend her motion.

**MOTION BY:** Ms. deLeon amended her motion approve the increase in the Trap-Neuter-Return Feral Cat Program Contract and cap it at 20 cats.  
**SECOND BY:** Mr. Banonis  
**ROLL CALL:** 5-0

**F. DISCUSSION OF COVID-19 BONUSES FOR PART-TIME POLICE OFFICERS**

Mr. Banonis said they had authorized \$3,000.00 bonuses for full-time police officers, and asked Mrs. Huhn to explain. Mrs. Huhn said this was an oversight which she and Chief Barndt had spoken about. They had part-time officers at the time, and they were not included in the COVID bonuses that you directed to the full-time officers. She and Chief felt that they were out on the frontline with the rest of

the officers through his whole pandemic and they would like to recommend, if Council would like to consider also giving the part-time officers a COVID bonus. They did not put a rate in, that is up to Council, being that they are part-time, they had two part-time officers at the time and gave full-time police officers \$3,000.00. Ms. deLeon asked approximately how many hours do the part-time officers work. Mr. Banonis asked if Chief Barndt can give them a sense of this. Chief Barndt said it would be very limited through the 2020 year, so his recommendation would be half, but that is totally up to Council and he thinks that would be more than fair to the part-time officers. Mr. Banonis said that is what he was thinking – half. Ms. deLeon asked if they worked more than 20 hours. Chief Barndt replied no, he said their part-time officers have not worked more than 20 hours in a pay period since he has been Chief. Ms. deLeon said, right, because that would be her red flag but she said she was just asking.

**MOTION BY:** Mr. Carocci  
**SECOND BY:** Mrs. Yerger  
**ROLL CALL:** 5-0

## II. MISCELLANEOUS BUSINESS ITEMS

### A. APPROVAL OF DECEMBER 1, 2021 COUNCIL MINUTES

**MOTION BY:** Mrs. Yerger  
**SECOND BY:** Mr. Banonis  
**ROLL CALL:** 5-0

### B. APPROVAL OF NOVEMBER 2021 FINANCIAL REPORTS

**MOTION BY:** Ms. deLeon  
**SECOND BY:** Mr. Banonis  
**ROLL CALL:** 5-0

## III. COUNCIL & STAFF REPORTS

### A. TOWNSHIP MANAGER

Mrs. Huhn had one item and is pleased to report that they received the DCNR Grant in the amount of \$76,200.00. This was for the Polk Valley Park trail repair, so they will get started on this as soon as they can get some estimates. She believes they will be bidding this out, because she Public Works will not be able to do this repair. She said they will bring this back to them once the specifications have been prepared.

### B. COUNCIL/JR. COUNCIL

Mr. Banonis said there are no Jr. Council members in attendance this evening.

#### Ms. deLeon

- She said they received their official letter from FERC that the PennEast Pipeline has been vacated, so the official ruling was received dated December 16<sup>th</sup>, so anybody here that had a concern about the PennEast Pipeline coming through their property, it is dead. She said that is good news as far as she is concerned. They were one of the first Townships to take a stand on that 7 years ago, that is how long it has taken.
- She also received a message from a resident that lives on Easton Road in the area of the Industrial Park, on the Bethlehem side of Easton Road. She is asking Mrs. Huhn if this is okay to look into the SunCup Factory, near the Lower Saucon Church, something about waste running out along Easton Road, there is an odor to it in the summer time. They tried to contact EPA at no success, I guess response. Technically, here we go, it's not a Lower Saucon problem, but it is a Lower Saucon problem because the business is in the City of Bethlehem. She is asking if there is something we can do. Ms. de Leon said it runs into the Saucon Creek. Ms. deLeon asked Mrs. Huhn if she can have someone look at this. Ms. deLeon said there is another concern that tractor trailers are missing turns, this is no news, and using Ringhoffer Road to reroute, and something about they bent the bridge again on Ringhoffer Road. Is that our bridge or is it PennDOT? Mrs. Yerger added it is bent, big time. Ms. deLeon asked if it is our bridge or the city? Mrs. Huhn said it is the city's bridge. Ms. deLeon said she doesn't know how they can crack down on that. Chief Barndt added that PennDOT was notified about this, and they have no crash reports on this obviously it was a hit and run, and they do have multiple tractor trailers

on Ringhoffer Road that they try to do as much enforcement as they possibly can. It is posted the correct way, and it is the good old GPS that the trucks are taking that way, but it was reported to PennDOT last week he believes. Ms. deLeon asked if he keep up on it and let her know. Chief Barndt said sure.

- She also provided an update on the Hellertown-Lower Saucon Chamber report. The 2022 Winter Restaurant Week is taking place from January 16<sup>th</sup> through January 22<sup>nd</sup> with 19 businesses participating. Art Café, Beer Mussels, Black River Farms, Braveheart Highland Pub, Chefmeals, Dimaio's, DRIP, Lehigh Valley BBQ, Limon, Lost Tavern, Nick's BBQ, Rocco's Pizzeria, Roma Pizza, Hellertown Crossroads, Springtown Inn, The Vibe Nutrition, Vassi's Drive-In, Wings on Main, and Yianni's Tavern. This is our community event, try to participate.
- She also has a question regarding the library agreement. Her understanding is that the agreement has been technically extended until the end of January 2022. Are they paying the library 1/12 of what they owe them for the year? When do we make payments? Mrs. Gorman is here, when did we make payments to the Hellertown Library?

Mr. Banonis said he believes we voted on this at the last meeting. Ms. deLeon said she doesn't remember, she asked him to refresh her memory. Mr. Treadwell said the agreement with HAL, he discussed it with their attorney last week, and the agreement was to extend the old agreement for a month. That is an agreement between Lower Saucon Township and HAL, not Hellertown Borough. Ms. deLeon said she understands. Mr. Treadwell said the agreement was 1/12 of last year's annual amount. Ms. deLeon said, okay, that part she didn't remember. Mr. Treadwell said the same amount that they pay the library in December of 2021 would be paid to the library in January of 2022. Ms. deLeon asked if they have a date on that? Mr. Treadwell said he thinks last year, and he checked with the Township today, last year the payment was made around the 2<sup>nd</sup> or 3<sup>rd</sup> Wednesday of the month because it coincides with the payroll period. Ms. deLeon said thanks, there are library people here so she is glad, she assumes they are going to be glad to hear that.

- Ms. deLeon said she feels like she is forgetting one thing, but right now it is not on her list so thank you and Happy New Year everybody.

**Mr. Carocci** – No report

**Mrs. Yerger** – No report

**Mrs. Zavacky**

She does not have a report, but she is happy to be here and thank you for welcoming her.

**Mr. Banonis**

Mr. Banonis said he has just one item, and that is the Tuesday before Christmas, he went out with several members of the Police Department, and he wants to acknowledge Chief Barndt in particular for this. The landfill had donated approximately 40 bicycles to the community and in conjunction with the Saucon Valley School District and the acting Superintendent, they, through the Chief were able to identify about 50 children in need in both Lower Saucon Township and Hellertown, and there was a line of Lower Saucon Township Police cars, including some who were on duty and some who came in off duty to volunteer their time to participate in this endeavor. Mrs. Zavacky was there as well and they went around and handed out bicycles to the households that were identified as being in need. He wanted to acknowledge the landfill for their generosity in purchasing those bicycles. They had made arrangements with a local organization to assemble the bicycles and the landfill personnel themselves also helped to assemble the bicycles and spent a lot of time on it. They loaded them up and we were out for probably 5 or 6 hours that day handing out bicycles. Most of them were actually handed out in Hellertown, but there were residents in Lower Saucon that received them. Unfortunately, it was a school day and the kids were not home to see their reaction to this but it was still rewarding to see the reaction of the parent's. Chief did a tremendous job and Mr. Banonis really wanted to single him out because he created a list and a map and contact information. He made the parents/grandparents aware that they were coming and really made it a great day and organized it very well and he deserves a tremendous amount of credit for that.

**C. Solicitor**

Mr. Treadwell said he has just one issue, and he apologized for being late as he had 2 other reorganization meetings to go to. He understands that there was a question about whether he had conversations with any council members about a resolution that was on the agenda earlier this evening, and the answer is yes, he did. He has conversations with elected officials all the time, and that is not a violation of The Sunshine Act. Mr. Banonis thanked him and asked if he had anything else. Mr. Treadwell said no.

**D. Engineer**

Mr. Banonis said there is no engineer here tonight.

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

Mr. Banonis asked if there were any non-agenda items from non-residents, and there were none.

**V. ADJOURNMENT**

**MOTION BY:** Mrs. Yerger moved to adjourn the meeting at 8:45 p.m.

**SECOND BY:** Mr. Banonis

**ROLL CALL:** 5-0

Submitted by:

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Leslie Huhn  
Township Manager

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Jason Banonis  
Council President